

EXECUTIVE DECISION

made by a Council Officer



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

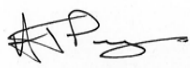
Executive Decision Reference Number – COD24 21/22

Decision	
1	Procurement of technical support contract to help deliver structural inspections, technical support and provide other specialist/expert advice
2	Decision maker (Council Officer name and job title): Anthony Payne, Strategic Director for Place
3	Report author and contact details: Adrian Trim – 307729 adrian.trim@plymouth.gov.uk
4	Decision to be taken: Authorisation for the procurement of a technical support contract that contributes to Tamar Crossings delivering a critical service.
4b	Reference number of original executive decision or date of original committee meeting where delegation was made:
	L50 21/22
5	<p>Reasons for decision:</p> <p>The Tamar Bridge Act 1957 and subsequent revised Acts require the Joint Authorities to operate, maintain and improve the crossings.</p> <p>Following an approval at full Council in January 2022 of the Tamar Bridge and Torpoint Ferry Budget and Business Plan this procurement is required to deliver the business plan.</p> <p>The preferred option is to appoint a suitably experienced consultant to provide the required technical support. The consultant will be managed by the current engineering team based at the Tamar Bridge and Torpoint Ferry.</p> <p>Procuring this support contract will enable the continued safe operation of the Tamar Bridge for the next 4 + 2 years, funding the maintenance and operation of the undertaking.</p>
6	<p>Alternative options considered and rejected:</p> <p>Option 1 – Do nothing</p> <p>This is not considered a viable option. The technical support contract is required and Tamar Crossings require a specialist/expert consultant to support the organisation to deliver its mission and organisational goals and assisting in fulfilment of the joint authorities' Statutory obligations to maintain and improve the crossing under the Tamar Bridge Act 1957 and subsequent revised Acts.</p>

	<p>Option 2 – Do minimum</p> <p>This is not a viable option. Whilst it has been considered along with alternative options, the undertaking requires the support of a specialist consultant and there is not an option to reduce the scope of the contract or to reduce the duration of the contract. The current scope has been refined over many years and the requirements cover the minimum scope for the organisation to still meet its mission and organisational goal</p> <p>Option 3 – Procure ad-hoc technical services on an ‘as and when required’ basis</p> <p>This is not considered a viable option. The scope of the contract requires ongoing support as described above in section 1.1 an 1.2. The procurement rules and processes currently in place, along with the protracted timeframes involved means it would be very inefficient to obtain services on an ‘as and when required’ basis. Additionally, from a Clients perspective it would be very difficult to develop open and collaborative relationships which generally provides a significant overall benefit for all parties.</p>		
7	<p>Financial implications: Tamar Bridge is funded on a ‘user pays’ basis, where the tolls are used for both operational, support and maintenance requirements. There are limited impacts on the Council MTFP regarding funding, other than financing Member and Officer involvement.</p>		
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	<p>No</p>	<p>Per the Constitution, a key decision is one which:</p> <p>X in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</p> <p>X in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million</p> <p>X is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.</p>
9	<p>Please specify how this decision is linked to the Council’s corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</p>	<p>As a regional centre, Plymouth plays a major role economically, culturally and industrially, providing a focus for the innovation, technology and for the quality of life that it offer. The Tamar Bridge crossing is a vital strategic and local link that plays a key role in the City’s ambitions to become a world class City.</p>	
	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>		

10	Please specify any direct environmental implications of the decision (carbon impact)	No Direct Environmental Impact.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?			(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No		(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
				(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	Councillor Jonathan Drean, Cabinet Member for Transport		
13c	Date Cabinet member consulted	March 30 th 2022		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?			If yes, please discuss with the Monitoring Officer
		No		
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director – Place	
		Date consulted	March 30th 2022	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS137 21/22	
		Finance (mandatory)	LS/38428/AC/8422	
		Legal (mandatory)	djn.22.23.03	

		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)						
Appendices								
17	Ref.	Title of appendix						
	A	Briefing report for publication (<i>mandatory</i>)						
Confidential/exempt information								
18a	Do you need to include any confidential/exempt information?	No	<p>If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.</p> <p>(Keep as much information as possible in the briefing report that will be in the public domain)</p>					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:							
Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7

Cabinet Member Signature			
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached (where required).		
Signature		Date of decision	08/04/2022
Print Name	Anthony Payne		

Appendix A

Briefing Report

1.0 Introduction

- 1.1 The Tamar Bridge crossing forms part of a 'joint undertaking' provided by Plymouth City Council and Cornwall Council, operating under statute since 1953.
- 1.2 The bridge was opened in 1961 and is owned by the joint Authorities of Cornwall Council and Plymouth City Council and is operated and maintained by the Tamar Bridge & Torpoint Ferry Joint Committee (TBTF) formed by the two Authorities. The TBTF mission is to provide safe, reliable and efficient crossings of the Tamar, now and into the future.
- 1.3 The bridge carries approximately fifty thousand vehicles per day and has seen significant capital investment over the last 20 years. Ongoing investment is required to ensure that the bridge continues to be inspected, maintained and improved in line with contemporary standards in order that it can continue to meet the key strategic objectives of the organisations.
- 1.4 The crossing is operated on a 'user pays' basis, with the tolls covering operational and maintenance costs, (hence no cost to the Council for this procurement) delivering public crossings at the Bridge 24/7 365.
- 1.5 The procurement of specialist services are a regular occurrence, as would be expected, as the bridge and ferries is a bespoke structure that provides a key road link on the Devon / Cornwall border, crossing the river Tamar, with the A38 forming part of the Strategic Road Network (SRN) nationally.
- 1.6 The Tamar Bridge and Torpoint Ferry Technical Support Contract is an essential requirement providing support with annual structural inspections and other special inspections at the Tamar Road Bridge, expert advice on particularly specialist aspects of

the bridge structure and fulfilling the role of Principal Designer under the Construction (Design and Management) Regulations 2015 regulations. Additionally, the contract provides inspection support and advice on key elements of the Torpoint Ferries shoreside infrastructure.

- 1.7 The current contract with Aecom, awarded at the end of 2015, ran from 2016-2021. For a range of reasons, including a lack of market appetite to tender for the contract due to unprecedented levels of work, the existing contract was modified in December 2021 and extended for a further 12 months under the Public Procurement Regulations 2015 – Regulation 72.
- 1.8 This procurement is for the re-tender of the Technical Support Contract to run from January 2023 – December 2029.
- 1.9 In recent years there has been significant investment in the bridge, infrastructure and operations to ensure that the organisation can meet its key strategic aims and objectives. Continual investment is necessary to ensure that the bridge is operated, maintained and improved according to contemporary standards and to meet future service demands.
- 1.10 The current Technical Support Contract remains in line with the requirements of Tamar Crossings, and it provides the essential technical support that enables Tamar Crossings to deliver its organisational goals to safely operate, maintain and improve the crossings.
- 1.11 This contract will also assist the joint authorities in fulfilling their Statutory obligations under The Tamar Bridge Act 1957 and subsequent revised Acts to maintain and improve the crossing.

2.0 Improving resilience and efficiency in procurement and Contract Award

2.1 Currently the process to procure and award a contract is the responsibility of both Councils, however the policy and process of both Councils differ, giving rise to anomalies and additional administration regarding timing, procurement decisions, application and contract award. Work is currently underway to simplify the procurement and contract award process in respect of the Tamar Bridge and Torpoint Ferry.