

# **CABINET**

# 16 JUNE 2015

# GATEWAY 1 PROCUREMENT COMMENCEMENT: LOCAL GROWTH FUND PROGRAMME

Portfolio Holder: Councillor Phil Filmer, Front Line Services

Report from: Richard Hicks, Acting Director, Regeneration, Community and

Culture

Authors: Steve Hewlett, Head of Local Growth Fund Projects

Janet Elliott, Category Manager

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#### **SUMMARY**

This report seeks permission to commence the procurement of one or more contractors, and consultant design teams as required, to deliver four projects within the Local Growth Fund program. These projects are:

- A289 Four Elms Roundabout to Medway Tunnel improvements
- Strood town centre journey time improvements
- Medway City Estate connectivity improvements
- Medway Cycling Action Plan

This Gateway 1 report has been approved for submission to the Procurement Board after virtual review and discussion by those appropriate officers of the Regeneration Community and Culture Directorate Management Team (DMT).

The Regeneration Community and Culture DMT has recommended that the projects included in the programme be approved as Category B high-risk procurements.

There a range of political and service sensitivities regarding the delivery of these projects and the scope and achievability of the desired outcomes. These issues will be addressed and appropriately managed through the delivery of each individual project.

#### 1. BACKGROUND INFORMATION

#### 1.1 Budget & Policy Framework

1.1.1 These projects will be funded from the Local Growth Fund (LGF). Initial funding bids for these projects were submitted in early 2014. Following

significant work on the subsequent Outline Business Cases for the five proposed projects, the South East Local Enterprise Partnership (SE LEP) confirmed in March 2015 that Medway had successfully secured LGF Round 1 funding of £28.6 million for the five projects. The SE LEP have provided a funds release schedule which officers will incorporate in to the project management of each scheme.

# 1.2 Service Background Information

1.2.1 The four projects covered by the scope of this report are:

Project Title	Scope of Project	Estimated Start of Construction	Completion
A289 Four Elms Roundabout to Medway Tunnel	Journey time and network improvements	Oct 2017	Dec 2018
Strood Town Centre	Journey time improvements and accessibility enhancements in Strood town centre	April 2017	June 2018
Medway City Estate	Medway City Estate connectivity improvement measures	April 2017	March 2018
Medway Cycling Action Plan	Package of measures to improve to cycle network and cycle hub facilities in Medway	April 2016	March 2018

- 1.2.2 The fifth project, Chatham Town Centre place making and public realm improvement package, was previously presented to the Procurement Board on 5 November 2014. The recommendation agreed was to commence procurement of two separate contracts, one for design consultation to produce a high level master plan for the Chatham project, and the second for a contractor to deliver the works. LGF funding for this project amounts to £4.0m.
- 1.2.3 Similarly, this report recommends the commencement of necessary procurement of design consultation and works delivery for the four projects outlined above.

# 1.3 Project Details

- 1.3.1 These projects link closely to all the five priorities set out in Medway's Local Transport Plan (LTP) 2011/2026:
  - Regeneration, economic competitiveness and growth by providing a
    more reliable and efficient local transport network. Key actions include
    more efficient management of the highway network, improvements to
    the strategic road network and encouraging walking and cycling for
    short journeys.
  - Connectivity by ensuring Medway has good quality transport connections to key markets and major conurbations in Kent and London. Key actions include the reconstruction of Strood railway station and encouraging commuters to cycle to railway stations.

- Natural environment by contributing to tackling climate change and improving air quality. Key actions include encouraging walking and cycling for short journeys, and a more efficient management of the highway network.
- Equality of opportunity by supporting equality of opportunity to access employment, education, goods and services for all residents of Medway. Key actions include improving pedestrian crossing facilities and accessibility to bus services for people with mobility difficulties.
- Safety, security and public health by promoting active lifestyles and reducing the risk of death, injury or ill health or being the victim of crime. Key actions include road safety interventions, improved pedestrian access to local facilities and encouraging cycling.

# **A289 Four Elms Roundabout to Medway Tunnel**

- 1.3.2 The scheme consists of three roundabouts (Four Elms, Sans Pareil and Anthony's Way) on the A289 corridor between M2 junction 1 and the Medway Tunnel. The three roundabouts are used by approximately 5000 vehicles per hour during peak periods which leads to a variety of conflict points at two of the roundabouts (Four Elms and Sans Pareil). In addition the third roundabout (Anthony's Way) serves the Medway City Estate, which is a key employment site.
- 1.3.3 The scheme proposed will enlarge each roundabout to provide additional carriageway space with increased entry lanes and some free flow slips where possible. The scheme will also address queuing on minor arms of the junctions which can currently suffer from congestion with the current layout.
- 1.3.4 The aim of the scheme is to ensure a highway network between the M2 Junction 1 and the Medway Tunnel which can deliver the desired housing growth on the Hoo Peninsula and general growth on the corridor, and also to alleviate current delays on the exit from the Medway City Estate. The scheme is also needed to accommodate future developments on the Peninsula including Lodge Hill (5,000 homes and 5,000 jobs), and to enable regeneration in neighbouring Strood town centre.
- 1.3.5 Officers have noted concerns raised by residents in Wainscott and Chattenden regarding pedestrian safety and crossing points for the A289. Where possible, officers will try to incorporate increased measures for safe crossing of the A289 for residents. However, it should be noted that the A289 is a main traffic corridor through Medway and any additional measures need to be considered alongside their potential impact on traffic flows. Officers in the Integrated Transport Team will also be looking at addressing these concerns via other LTP funded schemes, in addition to this LGF project.

# **Strood Town Centre Journey Times and Accessibility**

1.3.6 Despite the support provided by the Council's economic development service, Employ Medway, etc, Strood currently faces a number of challenges to economic growth, with low weekly wages, an unemployment rate significantly higher than the regional/national average, and house prices that are below the national average. Economic growth in Strood will help alleviate these issues, but currently the inefficient operation of the

transport network around Strood town centre, along with the traffic generation and operational issues created by the nearby Medway City Estate, are a barrier to this growth.

- 1.3.7 By improving pedestrian accessibility and promoting a modal shift through the creation of better and sustainable networks, this project will help secure improved environmental conditions and act as a catalyst to help increase the potential capacity of existing development sites, as well as bringing forward new development opportunities.
- 1.3.8 This project aims to deliver a holistic package of improvement measures within Strood that will also include measures to unlock and facilitate access to major new housing development areas within the town centre area. The types of measure proposed have been categorised as follows:
  - Town Centre traffic management improvement measures
  - Pedestrian accessibility throughout town centre
  - Cyclist accessibility throughout town centre
  - Public realm improvements
  - Improving retail offer
  - Unlocking development sites / sustainable access to businesses

# **Medway City Estate (MCE) Connectivity**

- 1.3.9 The MCE connectivity improvements project is an integrated package of infrastructure developments aimed at addressing the existing barriers to movement to, from and within MCE. Proposals being considered include:
  - Traffic management alterations to improve vehicular egress from MCE including adjustments to the MCE exit junction on to the Anthony's Way roundabout.
  - Improvements for pedestrians and cyclists with new and enhanced routes through the MCE, and additional cycle parking.
  - The potential of a river taxi linking MCE to Chatham town centre.
  - Adjustments to traffic signals and gating on the Medway Tunnel approach to MCE.
  - Adjustments to traffic signals on Dock Road and Maritime Way.
  - The potential of installing CCTV cameras on MCE to enable improved traffic monitoring and public viewing by MCE employers in order to better plan journey times and movements.

# **Medway Cycling Action Plan**

- 1.3.10 The delivery of the Medway Cycling Area Action Plan will provide a package of cycling measures that encompasses all of the growth areas in Medway. As a result this scheme will contribute to the regeneration in these areas by enabling future growth of cycling and accompanying mode shift. The package of measures aims to:
  - Expand and improve Medway's cycling network;
  - Deliver training and participation in cycling;
  - Improve partnership working with local groups;
  - Deliver cycling information and promotional material;
  - Maintain and develop travel plans.

1.3.11 Cycling in Medway has grown by 2.4% per year between 2009 and 2012 partly as a result of a number of key initiatives delivered by Medway Council in partnership with key stakeholders. This scheme will continue to build on this success. The ambition is to at least continue with this level of growth in cycling as a minimum over the lifetime of the action plan.

# 1.4 Funding/Engagement From External Sources

1.4.1 Funding for these projects will be covered by the Local Growth Fund, as detailed in point 1.1 above.

# 1.5 Parent Company Guarantee/Performance Bond Required

1.5.1 A Parent Company Guarantee / Performance Bond will be sought in each project where applicable.

#### 2 DEPENDENCIES AND OBLIGATIONS

# 2.1 Project Dependency

2.1.1 The five LGF projects have a number of interdependencies. For example, the journey time and accessibility improvements to Strood town centre and improvements could impact on the A289 roundabouts improvements and Medway City Estate connectivity improvements by displacing additional traffic on to the A289 corridor. None of the five projects will be managed or undertaken in isolation. Officers have established a Programme Steering Group to ensure that the project managers for each scheme are reporting regularly on progress and are working with colleagues across the projects.

# 2.2 Statutory/Legal Obligations

2.2.1 There are no direct statutory or legal obligations concerned with the delivery of these projects.

# 3. BUSINESS CASE

# 3.1 Procurement Project Outputs / Outcomes

3.1.1 The successful delivery of these projects will deliver a range of key outputs and outcomes, an overview of which has been provided below (greater detail on these can be found on the aforementioned Outline Business Cases for each project). Appendix 1 sets out the governance arrangements for the successful management and delivery of these projects.

Outputs / Outcomes	How will success be measured?	Who will measure success of outputs/ outcomes	When will success be measured?
A289 Four Elms Roundal	oout to Medway Tunnel		mouourour
Decreased congestion on traffic network around Four Elms roundabout to Medway Tunnel A289 corridor	Quarterly monitoring of morning peak journey times through A289 traffic corridors	Integrated Transport Team	Quarterly on-going monitoring
Unlocking of growth potential on Hoo peninsula	Post project completion assessment of economic impact of the scheme	Local Growth Fund Project Management Team	Annually post project completion
Improved economic growth on Medway City Estate	Post project completion assessment of economic impact of the scheme	Local Growth Fund Project Management Team	Annually post project completion
Strood Town Centre Jour	ney Times and Accessibility		
Improved pedestrian accessibility to Strood Town Centre	Post project completion assessment of pedestrian footfall and access	Local Growth Fund Project Management Team	Annually post project completion
Improved journey times through Strood town centre	Quarterly monitoring of morning peak journey times through Strood traffic corridors	Integrated Transport Team	Quarterly on-going monitoring
Improved economic growth in Strood town centre	Post project completion assessment of economic impact of the scheme	Local Growth Fund Project Management Team	Annually post project completion
Medway City Estate (MCE			
Improved access to and from MCE	Quarterly monitoring of morning peak journey times through MCE connecting traffic corridors	Integrated Transport Team	Quarterly on-going monitoring
Decreased congestion on MCE traffic network	Quarterly monitoring of traffic flows and journey times on MCE network.	Integrated Transport Team	monitoring
Improved economic growth on MCE and in surrounding MCE areas	Post project completion assessment of economic impact of the scheme	Local Growth Fund Project Management Team	Annually post project completion
Medway Cycling Action F		I <del>.</del>	
Increased cycle journeys in Medway.	Monthly monitoring of cycle counters across key routes in Medway.	Integrated Transport Team	Cycle counts are measured monthly on-going.
Improved health from modal shift to cycling	Monthly monitoring of cycle counters across key routes in Medway.	Integrated Transport Team	Cycle counts are measured monthly on-going.
Reduced traffic congestion from modal shift to cycling	Monthly monitoring of cycle counters across key routes in Medway and monitoring of journey times on key traffic corridors in Medway.	Integrated Transport Team	Cycle counts are measured monthly on-going.

# 3.2 Procurement Project Management

3.2.1 Category Management will manage each of the procurement processes working with Building and Design Services and the Local Growth Fund project management team.

# 3.3 Post Procurement Contract Management

3.3.1 The Local Growth Fund project management team with potential input from Building and Design Services will manage the works at each site post procurement following PRINCE2 methodology. Progress of the programme will be reported to the Officer Project Group on a monthly basis.

#### 4. PROCUREMENT APPROACH

# 4.1 Procurement Process Proposed

- 4.1.1 Each project will follow either the restricted or open procedure as appropriate to the particular contract tendered and the market conditions as to the number of potential contractors. Procurements will also be in line with the Council's Contract Procedure Rules, and the Public Contract Regulations 2015.
- 4.1.2 The Strood Town Centre, Medway City Estate and Cycle Action Plan will be formed of a package of measure designed to achieve the projected outcomes. Officers therefore propose utilising the traditional approach to procurement (ie. a separation of the design stage from the build stage, as opposed to a design and build approach) which will include a more independent design stage undertaken by consultants where necessary, with the market approached subsequently for the procurement of scheme construction. This approach will ensure full project mobilisation within the funding period, will have clearly defined financial implications and risk allocations, and specific project timescales, including implementation timeframe.
- 4.1.3 Officers are reviewing the procurement approach for the A289 Four Elms Roundabout project and exploring whether the two-stage approach to procurement would be a more beneficial strategy than the traditional procurement approach. The two-stage approach involves early contractor engagement with an aim to benefit from industry specific expertise. Closer working with the successful contractor at an early stage could reduce delays in project delivery, reduce the cost of overrun, and reduce the need for value engineering exercises during the construction phase.
- 4.1.4 A follow-up report will be submitted with options and recommendations to be considered for the procurement approach to be taken on the A289 Four Elms Roundabout.

# 4.2 Evaluation Criteria

- 4.2.1 60% of the weighting of all tenders will be given to quality and 40% to price. This will achieve best value by ensuring that quality is protected within the content of the tender documents and by robust project management throughout.
- 4.2.2 In addition, all tenderers will be asked to explain fully how they intend to deliver the projects within the constraints of the programme delivery timescale and assigned budget.

# 5. PROCUREMENT APPROACH

# 5.1 Risk Categorisation

5.1.1 The procurement process for these four projects raises the following risks, to be considered.

1. Risk Category: Contractual delivery	Likelihood: Low	Impact: Critical						
Outline Description: Failure of the tender process to appoint a contractor of appropriate quality to ensure scheme design / build is delivered successfully.								
Plans to Mitigate: Include the necessary quality assessment questions in the tender documentation to ensure contractors are tested thoroughly on their ability to provide the appropriate service.								
2. Risk Category: Contractual delivery	Likelihood: Medium	Impact: Critical						
Outline Description: Delay in procurement process, regarding the specified funds release schedule from S		ry of the project and possible financial implications						
Plans to Mitigate: Ensure a robust procurement time Officers will also regularly report on progress to the P project schedule.								
3. Risk Category: Financial								
Outline Description: Failure of contractors to tender for service to the required budget.								
Plans to Mitigate: Officers will consider the use of include cost assessment in tender evaluation process								
4. Risk Category: Political / Reputational Likelihood: Low Impact: Critical								
Outline Description: Negative reaction or response to the proposed design of elements of the projects.								
Plans to Mitigate: Prior to the procurement of any construction for these projects, all design options will be fully assessed and considered, with the appropriate consultation undertaken with necessary stakeholders.								

#### 6. CONSULTATION

# 6.1 Internal (Medway) Stakeholder Consultation

6.1.1 Before commencement of the procurement processes it will be necessary to consult with Category Management and Section 151 Officer in order to direct the specifications and aid the evaluation processes. It will also be necessary to consult Category Management during the procurement phase and post procurement award in order to aid the design and evaluation process.

#### 6.2 External Stakeholder Consultation

6.2.1 External stakeholder consultation, including appropriate Member consultation, will be undertaken at necessary stages of each project, including consultation on the preferred options for the delivery of each of the schemes. Procurement of the final design and build stages for each scheme will not take place until consultation has been undertaken with the required parties.

#### 7. PROCUREMENT BOARD

7.1 The Procurement Board considered this report on 13 May 2015 and supported the recommendation as set out in paragraph 9 below.

# 8. SERVICE IMPLICATIONS

#### 8.1 Financial Implications

- 8.1.1 The procurement requirement and its associated delivery (as per the recommendations at Section 10) will be funded from the Local Growth Fund Programme.
- 8.1.2 Further detail is contained within Section 2.1 Finance Analysis of the Exempt Appendix.

# 8.2 Legal Implications

- 8.2.1 This procurement has been categorised as a High Risk procurement so the decision to undertake the procurement is a decision for Cabinet.
- 8.2.2 The Council has power to enter into contracts pursuant to the Local Government Contracts Act 1997 and the general power of competence in the Localism Act 2011.
- 8.2.3 The figures stated in the Exempt Appendix in respect of the Four Elms and Strood Town Centre projects mean that an OJEU procurement will be required to comply with the requirements of the Public Contracts Regulations 2015. For the projects below the EU threshold, the Regulations require the Council to treat economic operators equally

and without discrimination and to act in a transparent and proportionate manner.

# 8.3 Procurement Implications

- 8.3.1 As per the Contract Procedure Rules under section 3.3.1: 'All requirements above £100K must be advertised on the Council's Website, the Kent Business Portal and in the OJEU (where above the EU tender thresholds for goods, services or works).' Adverts are also required on 'contracts finder' as per the new legislation.
- 8.3.2 All these procurements will be carried out either by the open or restricted procedure as the particular of the contract and the make-up of the market dictates (non-OJEU or OJEU dependent on the value of the particular procurement) via the Kent Business Portal to comply with these rules, to adhere to the updated Public Procurement Regulations 2015, and to support the Council's procurement strategy to provide best value. If SE LEP require a particular procurement route to be used or have any other requirements as a condition of funding (eg deadlines by which funding must be drawn down) these requirements will also need to be complied with.
- 8.3.3 This Gateway 1 report has been submitted requesting to commence the procurement of 4 projects in the Council's Local Growth Fund Programme; the intention is to streamline the approvals process, and allow a quicker route to market as soon as the tender packs are prepared.
- 8.3.4 The budgets indicated in this report are estimates based on feasibility studies; the Procurement Board will be informed of the pre-tender estimate figures as each of the projects are tendered, via reporting on the Place and Projects Forward Procurement Plan

#### 8.4 ICT Implications

8.4.1 There are no ICT implications for these proposed procurements.

#### 9. RECOMMENDATION

- 9.1 Cabinet is recommended to approve the procurement of one or more consultants for design and contractors for construction of the projects outlined herein in order to successfully deliver the Local Growth Fund programme, as follows:
  - Cycle Action Plan project Traditional procurement approach
  - Strood Town Centre project Traditional procurement approach
  - Medway City Estate project Traditional procurement approach

 A289 Four Elms roundabout project – Procurement options report to be presented to a future meeting.

#### 10. SUGGESTED RESONS FOR DECISION

10.1 The decision to commencement procurement of the necessary design consultation for each project will allow officers to commence the delivery of each project. A delay in the ability to procure the required design consultancy and construction delivery will have a negative impact on the Council's ability to deliver these LGF projects.

#### LEAD OFFICER CONTACT

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#### **BACKGROUND PAPERS**

None

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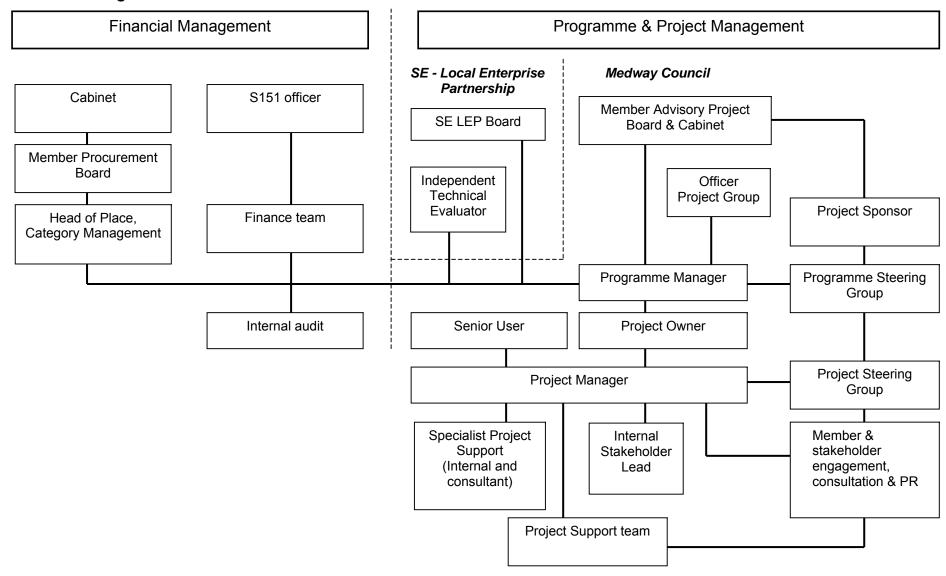
Table 1 - Medway Council Governance and Management Arrangements Responsible Groups and Roles

	Responsible Groups and Roles
Responsible	Responsibility:
group or role:	
Cabinet	Member group that manages council business including high value/high risk procurement and projects including LGF projects. Cabinet meets every three weeks.
Member	Member overview of project development and delivery.
Advisory Project Board	The Board reviews, analyses and scrutinizes progress on the directorate's capital programme and, where relevant, specific large/complex projects. The Board includes the Leader together with Portfolio Holders for Frontline Services and Housing and Community Services. LGF update reports are regularly considered by this Board.
Procurement Board	Member board that agrees and scrutinises procurement activity. This Board will consider the procurement strategy for each LGF project, consider submitted tenders and scrutinise outcomes.
Officer Project	Senior officer project management of all LGF projects. The
<b>Group</b> for RCC	Group is responsible for the strategic management of the
(Regeneration	project and has authority to commit resources to the project in
Community &	accordance with the Council's Constitution. An LGF update
Culture	report is a standing item on the agenda.
Directorate)	
Programme Steering Group	Officer group that oversees and coordinates the programme of projects. This is a cross-directorate group and comprises: - Project Sponsor - Senior User (or nominated representative)
	- Programme Manager (or nominated representative)
	<ul><li>Project Owner</li><li>Project Managers (for each project)</li><li>Finance representative</li></ul>
	- Category Management representative
Project	Officer group that oversees and coordinates the delivery of
Steering Group	each project. The make up of each Project Steering Group is detailed at Table 3.
Project	Officer independent of the project and provides challenge to
Sponsor	ensure project is delivered on time, within budget and achieving the anticipated benefits. Assistant Director level responsibility.
Senior User	Officer responsible for specifying the needs of those who will use the project's products, for user liaison with the project management team, and for monitoring that the solution will meet those needs within the constraints of the Business Case in terms of quality, functionality and ease of use. Service

	Manager level responsibility.
Programme	Lead on managing and being responsible for Medway's LGF
Manager	programme of projects. Includes operating at a high level with
wanayer	, , , , , , , , , , , , , , , , , , , ,
	Government, SE LEP and the Independent Technical
	Evaluator.
	Service Manager level responsibility.
Project Owner	Ensures governance arrangements and Medway project
	management principles are adhered to.
	Ensures the project is technically and financially viable and
	compliant with the organisation's corporate standards and
	strategic business plans.
	Owns the Business Case, funding and cost allocation for the
	project.
	Provides leadership and direction throughout the project.
	Is responsible and accountable for ensuring the project
	remains focussed on achieving its objectives and that the
	anticipated benefits can be achieved.
	Attends the directorate Officer Project Board to lead
	discussions on the project.
Project	Officer responsible for delivering the project on behalf of the
Manager	project owner and officer project board.
	Leads and manages the project team.
	Responsibility to run the project on a day-to-day basis.
	Delivers the right outputs, to the required level of quality and
	within the specified constraints of time, cost, resources and
	risk.
	Prepares project information, including PID, Project Plan and
	Business Case.
	Identifies and evaluates risks, determine and manage actions,
	and maintain the risk log.
	Manages and controls change to scope and requirements.
	Ensures project's resource plans and costs include sufficient,
	properly skilled support.
	Monitors and reports progress against plans, quality and
	costs.
	Liaise with the Officer Project Board for their input at key
	project stages.
Internal	Officer who has the predominant interest or gain upon the
stakeholder	successful completion of a project or work-stream. They will
lead	work closely with the Project Manager, the Project Owner and
Icau	others within the project team to implement the project.
	The project management team must identify the internal
	stakeholder leads, and determine their requirements and
Cootion 454	expectations.
Section 151	Responsible for signing acceptance of the grant and its
Officer	attached conditions, overviewing financial transactions and
	challenging where necessary, sign off of financial statements
	requested from SELEP.

Head of Place, Category Management	Lead on providing procurement advice.
Head of Internal Audit	Lead on providing independent assurance over the governance and financial management arrangements. Involved in the programme from an early stage. A formal terms of reference for audit involvement will need to be agreed by the project board.

Diagram 1 - GOVERNANCE & MANAGEMENT ARRANGEMENTS FOR LGF TRANSPORT PROJECTS



Version: 1.4, 8 April 2015

Table 2 – Programme Steering Group								
Roles on Programme Steering Group	Officers forming the LGF Programme Steering Group							
Project Sponsor	Assistant Director, Frontline Services	Andy McGrath						
Senior User/Project Manager – MCE Phase 1	Head of Integrated Transport	Ruth Du-Lieu						
Programme Manager/Project Owner	Head of Local Growth Fund Projects	Steve Hewlett						
Project Managers:								
- A289, Strood, Medway City Estate Phase 2	Principal Transport Planner	Recruitment underway						
- Chatham	Chatham Regeneration Manager	Sunny Ee						
- Cycling Action Plan	Senior Transport Operations Officer	Darren Taylor						
- Pipeline projects	Principal Transport Planner	Recruitment underway						
Finance	Senior Accountant	Dave Bowdery						
Category management (1)	Head of CM Place	Carl Rogers						

Table 3 – Project Steering Groups											
	Officers forming the LGF Project Steering Groups										
		Senior management			Officers giving specialist input to we streams					ork-	
LGF Project Steering Groups	Project manager	Principal Trans. Planner	Head of Integrated Tran	Head of LGF projects	Traffic Manager	Road Safety Manager	Parking and Transport Ops	Regeneration rep	Category Management rep	Public Health rep	Others
A289 Four Elms to Med Tunnel											
Strood Town Centre											
Chatham Town Centre											
Medway Cycling Action Plan											
Medway City Estate connectivity											
Phase 1 – Access & egress Phase 2 - River taxi											

Note 1: The involvement of Category Management will reduce as projects progress to operational delivery.