

**Report title: Sustainable Transport Framework Agreement**

**Wards affected:** City wide

**Strategic Director:** Barra Mac Ruairi, Place

**Report Author:** Pete Woodhouse, Group Manager – Passenger Transport Services

**RECOMMENDATION for the Mayor's approval:**

- 1. To award the new Framework for Home to School Transport for implementation for the new academic year.**
- 2. To delegate authority to the Strategic Director for Transport to commence a review and subsequent procurement process for Park & Ride services, subject to an options approval and in consultation with the Assistant Mayor for Transport.**

**Key background / detail:**

a. Purpose of report: To seek approval to award the new framework for Home to School Transport and to commence the commissioning of Park & Ride contracts.

b. Key details:

1. The City Council has a statutory duty to provide specialist transport to/from school and day centres for pupils with assessed needs and also provide transport for social care.
2. In accordance with the Cabinet decision in June 2011, a new framework was created to provide the specialist transport. The current contract is due to expire in July 2015, so a new framework was tendered in February/March 2015 we have had 33 providers bid for a place on the new framework which will run for up to 4 years.
3. The framework includes a cap on annual inflationary increases of 2.5%, to avoid unaffordable annual increases. Although current inflation is low, contractors will be pricing for the following 4 year period and need to make assumptions on their costs over that period. As a result there may be an increase in the core framework prices in the new contract. However there remains an expectation within the People Directorate MTFs that the Home to School framework tender process will deliver savings.
4. We currently support 3 dedicated Park and Ride services into Bristol City Centre, one of which will be replaced by commercially operated MetroBus service (Ashton Vale to Temple Meads) at the end of 2016, with the other 2 Park and Ride service contracts expiring in September 2016.
5. There is an opportunity to offer extensions to the contracts however there are a number of factors which would make it preferable to re-tender. An options appraisal will be developed considering the options around retendering.

**BRISTOL CITY COUNCIL  
CABINET  
2<sup>nd</sup> June 2015**

**REPORT TITLE: Sustainable Transport Framework Agreement**

**Ward(s) affected by this report: City Wide**

**Strategic Director: Barra Mac Ruairi, Place**

**Report author: Pete Woodhouse, Group Manager – Passenger Transport Services**

**Contact telephone no. 0117 92 22975  
& e-mail address: peter.woodhouse@bristol.gov.uk**

**Purpose of the report:**

To seek approval to award the new framework for Home to School Transport and to commence the commissioning of Park & Ride contracts.

**RECOMMENDATION for the Mayor's approval:**

- 1. To award the new Framework for Home to School Transport for implementation for the new academic year.**
- 2. To delegate authority to the Service Director for Transport to commence a review and subsequent procurement process for Park & Ride services, subject to an options approval and in consultation with the Assistant Mayor for Transport.**

**The proposal:**

Home to School and Social Care Framework

1. The City Council has a statutory duty to provide specialist transport to/from school and day centres for pupils with assessed needs and also provide transport for social care.
2. In accordance with the Cabinet decision in June 2011, a new framework was created to provide this service using a framework contract comprising 46 external providers. The 46 suppliers on the current framework operate approximately 350 regular routes and we have in excess of 2000 one off bookings for transport per annum. BCC spends approximately £3.8m per annum on transport provided under this framework.
3. This contract is due to expire in July 2015, so a new framework was tendered in February/March 2015 we have had 33 providers bid for a place on the new framework which will run for up to 4 years. The framework can be terminated at 60 days notice

should the Council wish to retender before the end of the 4 year period.

4. The transport provision covers nine categories which range from vehicles with four seats or fewer to minibuses, large buses and coaches. All categories include both accessible and non-accessible vehicles and also prices for peak and off-peak provision.
5. The framework conditions include a cap on annual inflationary increases of 2.5%, to avoid unaffordable annual increases. Although current inflation is low, contractors will be pricing for the following 4 year period and need to make assumptions on their costs over that period. As a result there may be an increase in the core framework prices in the new contract.
6. To mitigate this, we have promoted the opportunity to join the framework to both existing and new suppliers. In addition, the framework rules include the facility for further competition within the framework contractors by the option to mini tender specific routes or route groupings.
7. In financial terms there remains an expectation within the People Directorate MTFS that the Home to School framework tender process will deliver savings of £115k off the base budget in 2015/16 and a further £230k in 2016/17 (£345k base budget reduction in total).
8. Savings from the framework re-tendering are part of a wider package of MTFS savings under the Home to School Travel Decision Making work stream. In addition to savings from the re-tendering exercise, this also identifies savings from the ongoing review of entitlements for travel and the School Organisation Strategy that seeks to make local provision to reduce travel requirements. Total savings under this work stream for the period of the Mayor's Budget (2014/15 to 2016/17 inclusive) is £1.281m. The 2014/15 savings of £181k have been delivered, and the saving requirements for 2015/16 and 2016/17 are £600k and £500k respectively.
9. It is important to point out that the level of saving anticipated from the framework re-tendering process is challenging for the following reasons:
  - a) The last time these contracts were tendered was in 2011 and although general inflation has been relatively low since, industry inflation has been above the capped annual inflationary increase for contracts of 2.5%. It is anticipated therefore that like for like contract retendering in 2015 could result in contract prices higher than previously.
  - b) Developments in our procurement approach, particularly involving e-auctions, may result in smaller operators, on whom these contracts rely heavily, being unable or unwilling to tender, reducing scope for savings.
  - c) In order to optimise any mini tender arrangements and clustering of transport contracts in the future it will be necessary to have much more advanced information on school place allocation than has previously been achieved.

#### Park & Ride contracts

10. The Long Ashton Park & Ride service, currently one of our supported services, will be

replaced at the end of 2016 by the commercial operation of the Ashton Vale to Temple Meads MetroBus service.

11. Contracts for the 2 remaining Park & Ride services, Brislington and Portway, are due to expire in September 2016. There is an opportunity to offer extensions to these services, although there are a number of factors that may make it preferable to re-tender, as follows below. An options appraisal will be developed considering the options around retendering and subsequent procurement delegated to the Service Director for Transport in consultation with the Assistant Mayor for Transport.
12. The Park & Ride contracts are currently gross cost contracts. These are contracts where the Council retains all generated revenue. Whilst this does have some positives, we would like to explore the other contractual opportunities, such as profit share, as well as consider the commercial operation under a Quality Partnership Scheme (QPS), which could form part of a future MetroBus offer.
13. In addition to an exploration of alternative contractual arrangements, the current vehicle specification (bendy buses with a specific emissions standard) has provided a challenging maintenance issue for the operator. As such, an earlier replacement of vehicles under a different specification would be beneficial in operational terms.

#### **Consultation and scrutiny input:**

##### **a. Internal consultation:**

Internal consultation has taken place within Place Directorate and Assistant Mayoral briefings.

##### **b. External consultation:**

Supplier's day of existing and potential Home to School transport contractors.  
Passenger surveys will be undertaken as part of the review of Park & Ride services.

#### **Other options considered:**

Establishing a framework for the delivery of Home to School transport is the only option due to the varying requirements, both at the start of, and during, the academic year. It does retain the flexibility for further market testing through the mini tender process. A Dynamic Purchasing System could provide an alternative but the Council has not yet developed this functionality.

There is an option to offer extensions to the Park & Ride contracts of up to 36 months. However, as mentioned in the report above, there is a desire to explore other contractual arrangements that could be more beneficial to the Council. In addition, there are operational imperatives to retender under a different vehicle specification. An options appraisal will be undertaken.

## Risk management / assessment:

**FIGURE 1**

**The risks associated with the implementation of the (subject) decision :**

No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK		RISK OWNER
		(Before controls)			(After controls)		
		Impact	Probability		Impact	Probability	
1	Small number of suppliers entering the framework could result in not being able to cover all of the required work.	Very High	Medium	We have carried out supplier days and invited all of the current suppliers and any new suppliers in the area to make them aware of the framework. Notices have been placed in the local press for potential suppliers. We have had a reduction in the number of suppliers bidding for the new framework. However, the current indication is that there will be sufficient vehicle availability.	High	Low	
2	Not having enough vehicles of the correct size to carry out the work.	High	Medium	We have carried out supplier days and invited all of the current suppliers and any new suppliers in the area to make them aware of the framework. Notices have been placed in the local press for potential suppliers.	Medium	Low	
3	High operating costs	High	Medium	We have carried out supplier days and invited all of the current suppliers and any new suppliers in the area to make them aware of the framework. Notices have been placed in the local press for potential suppliers.	Medium	Low	

**FIGURE 2**

**The risks associated with not implementing the (subject) decision:**

No.	RISK  Threat to achievement of the key objectives of the report	INHERENT RISK		RISK CONTROL MEASURES  Mitigation (ie controls) and Evaluation (ie effectiveness of mitigation).	CURRENT RISK		RISK OWNER
		(Before controls)			(After controls)		
		Impact	Probability		Impact	Probability	
1	The framework will not be in place in sufficient time to ensure statutory provision of transport will be in place for the coming school year.	High	High	Urgent prioritisation of providing information to facilitate a timely cabinet decision. Assessment of options available and consideration of equalities impact as part of decisions.	High	Low	
2	Extending the Park & Ride contracts will prolong sub optimal arrangements and prevent exploration of other contract options.	Low	High	Manage contractual issues	Low	Medium	
3	Park & Ride – operator may not wish to agree extension.	High	Medium	None, other than to commission the services as recommended	High	Low	

## **Public sector equality duties:**

An equalities impact relevance check has been completed and is attached as appendix A. The Framework documentation will embed equalities and include a specification that is fit for purpose, cost effective and will deliver the outcomes that the Council needs and service users require. Bidders will have to provide the Council with details of equalities and customer care principles within their company as this information and subsequent evaluation will make up 50% of the available quality score when establishing whether the criteria has been met.

Bidders will be required to demonstrate their commitment to equalities by submitting an equalities policy and/or statement ensuring that equalities legislation, such as the Equality Act 2010, is embedded within their company and that by understanding and implementing these principles it will lead to higher levels of customer care provision which is essential in the delivery of this service.

All bidders for supported bus services will be required to submit their equalities policy which will then be assessed by the Equalities and Community Cohesion Team. As with previous tender exercises it is proposed that if bidders do not pass the equalities element of the assessment they will not proceed to the next stage of the process.

As this Cabinet report is seeking approval to award the new Sustainable Transport Framework and commence the review and procurement process of supported bus services it is recognised that equalities implications will need to be taken into consideration throughout the process and that if any changes are made to the specification and or documentation then the Equalities Relevance Check will need to be revisited and reviewed.

## **Eco impact assessment**

The significant impacts of this proposal are....

The use of cars, minibuses, buses and coaches will result in the emission of climate changing gases, consumption of fossil fuels, air and noise pollution.

The proposals include the following measures to mitigate the impacts ...

As part of the quality assessment bidders were assessed on their environmental performance and marks were awarded based on types of vehicles to be used on the contract.

The net effects of the proposals are....

In comparison with current arrangements there is likely to be little change, if any it will be positive.

## **Resource and legal implications:**

### ***Finance***

#### **a. Financial (revenue) implications:**

##### *Home to School Transport Framework*

Current budget for delivery is £3.8m per annum under the People Directorate. There is an expectation within MTFS plans for Home to School framework tender process to deliver a further £230k saving in 2016/17, as part of the £345k budget reduction in total.

In addition to the savings expected from the re-tendering exercise, there are also expectations to identify savings from the ongoing reviews of entitlement for the scheme that seeks to reduce local provision for travel requirements. Total saving targets under this work stream for the period 2014/15 to 2016/17 are £1.281m.

The transport team is currently in the process of assessing the tender responses from both quality and financial aspects. The assessment process is due to be complete in late July. Early indication is that it is unlikely that the re-tendering process would produce any financial savings due to various reasons highlighted in the main body of the report.

##### *Review of Park and Ride Services*

The current net expenditure for Park and Ride services is circa £0.9m pa. (gross expenditure circa £1.2m pa.).

The Long Ashton services will be replaced at the end of 2016, by the MetroBus service. The Brislington and Portway services are due to expire in September 2016. Furthermore, additional routes for park and ride services were provided from September 2014 onwards to support the implementation of residents' parking schemes. These services would benefit from review for future service provision and financial contract arrangements to produce greater efficacy and potential saving opportunities.

**Advice given by** Tian Ze Hao / Finance Business Partner – Place  
**Date** 07/05/2015

#### **b. Financial (capital) implications:**

N/A

#### **c. Legal implications:**

##### *Guidance:*

The Council should ensure that it follows the call-off procedures set out in the Home to School Transport Framework.

Consideration will need to be given to the Public Contracts Regulations 2015 and the Council's own procurement regulations when commissioning the supported bus services. There may also be TUPE implications for current and future providers.

**Advice given by** Kate Fryer, Solicitor  
**Date** 24<sup>th</sup> April 2015

**d. Land / property implications:**

I can confirm that there are no specific property implications in this report

**Advice given by** Steve Matthews, Service Manager, Asset Strategy  
**Date** 21<sup>st</sup> May 2015

**e. Human resources implications:**

There are no implications for the Council's workforce. However, there may be workforce implications for the existing and future service providers as set out in the legal implications above.

**Advice given by** Mark Williams, People Business Partner  
**Date** 20<sup>th</sup> May 2015

**Appendices:**

Appendix 1 – Equality Impact Relevance Check  
Appendix 2 - Eco Impact Checklist

**Access to information (background papers):**

N/A



## Appendix A



### **Bristol City Council Equality Impact Relevance Check**

This tool will identify the equalities relevance of a proposal, and establish whether a full Equality Impact Assessment will be required. Please read the guidance prior to completing this relevance check.

<b>What is the proposal?</b>	
Name of proposal	Award of the Home to School Framework and approval to review and procure supported bus services.
Please outline the proposal.	Provision of specialist educational transport to school and day care centres and supported bus services in the Bristol area to complement the commercial bus network.
What will this proposal achieve?	We provide specialist transport to pupils and adults with special educational needs and disabilities to educational establishments and day care centres. The proposal is to re-tender the home to school framework which expires in August 2015. Provision of bus services to complement the commercial bus network, which would otherwise not be provided.
Name of Lead Officer	Nicola Phillips

<b>Could your proposal impact citizens with protected characteristics?</b> (This includes service users and the wider community)
Please outline where there may be significant opportunities or positive impacts, and for whom.
We help children with special educational needs and disabilities access schools and day centres so that they can learn and be involved with their peer groups. This helps them to avoid isolation and prepare them for any issues they may face.
Please outline where there may be significant negative impacts, and for whom.
If the service is not provided then the children would not have access to an education and be isolated from their peers. If there are any issues with the transport provided then this may have a negative impact on the child, as such we carry out checks on a daily basis to make sure that all transport provided is safe and inclusive.

<b>Could your proposal impact staff with protected characteristics?</b> (i.e. reduction in posts, changes to working hours or locations, changes in pay)
Please outline where there may be significant opportunities or positive impacts, and for whom.
n/a
Please outline where there may be negative impacts, and for whom.
n/a

**Is a full Equality Impact Assessment required?**

Does the proposal have the potential to impact on people with protected characteristics in the following ways:

- access to or participation in a service,
- levels of representation in our workforce, or
- reducing quality of life (i.e. health, education, standard of living) ?

Please indicate yes or no. If the answer is yes then a full impact assessment must be carried out. If the answer is no, please provide a justification.

No, we are providing a service to pupils and adults with special educational needs and disabilities to school and day care centres. This will provide them with access to educational establishments, day care centres and after school clubs.

No, providing members of the public with additional bus services to complement the commercial bus network. It is recognised that equalities implications will need to be taken into consideration throughout the process and that if any changes are made to the specification and or documentation then the Equalities Relevance Check will need to be revisited and reviewed.

Service Director sign-off and date:

Equalities Officer sign-off and date: Jane Hamill

**Eco Impact Checklist**

<b>Title of report: Sustainable Transport Framework Agreement</b>				
<b>Report author: Pete Woodhouse</b>				
<b>Anticipated date of key decision: 2 June 2015</b>				
<b>Summary of proposals:</b> <b>1)To award a new Sustainable Transport Framework for the provision of statutory specialist transport to/from school.</b> <b>2)To get approval to review and procure Bristol City Council Park &amp; Ride supported bus services which are under contract until September 2016.</b>				
<b>Will the proposal impact on...</b>	Yes/ No	+ive or -ive	If Yes...	
			Briefly describe impact	Briefly describe Mitigation measures
Emission of Climate Changing Gases?	Yes	Both	The framework and supported bus services are operated by cars, minibuses, buses and coaches all of which emit climate changing gases. (CO2).  For the most part this is the continuation of services however once a review of the supported services is complete this may be reduced.	As part of the vehicle specification we state that vehicles to be used on the service must conform to Euro emission levels.  As part of the quality specification credit was given to bidders who could provide details on how they would provide driver efficient training and the use of fuel efficient vehicles.
Bristol's resilience to the effects of climate change?	No	N/A		
Consumption of non-renewable resources?	Yes	-ive	Vehicles will continue to consume non-renewable fuels.	Fuel efficiency formed part of the quality assessment, and credit was given based on the types of vehicles to be used on the contract.
Production, recycling or disposal of waste	No	N/A		
The appearance of the city?	No	N/A		
Pollution to land, water, or air?	Yes	-ive	The services to be provided will have an impact on air quality	Emissions relating to poor air quality were part of the quality assessment

			in the city.	and credit was given based on the euro standard of the vehicles to be used.
Wildlife and habitats?	No	N/A		
<b>Consulted with: Giles Liddell, Claire Craner-Buckley: Environmental Performance Team.</b>				
<b>Summary of impacts and Mitigation - <u>to go into the main Cabinet/ Council Report</u></b>				
<p>The significant impacts of this proposal are....</p> <p>The use of cars, minibuses, buses and coaches will result in the emission of climate changing gases, consumption of fossil fuels, air and noise pollution.</p> <p>The proposals include the following measures to mitigate the impacts ...</p> <p>As part of the quality assessment bidders were assessed on their environmental performance and marks were awarded based on types of vehicles to be used on the contract.</p> <p>The net effects of the proposals are....</p> <p>In comparison with current arrangements there is likely to be little change, if any it will be positive.</p>				
<b>Checklist completed by:</b>				
Name:			Nicola Phillips	
Dept.:			Place	
Extension:			22582	
Date:			12/03/2015	
Verified by Sustainable City Group			Claire Craner-Buckley- Environmental Performance	