

Bristol City Council Clean Air Plan

Full Business Case Procurement Strategy

Document: FBC-32

July 2021

Bristol City Council

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Procurement Strategy

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Document Title: Procurement Strategy

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1. Introduction

This strategy supports the FBC Commercial Case, providing more detail and context. The detail herein is commercially sensitive due to the naming of suppliers, particularly where tenders are live, and for that reason is only briefly referenced / not named within associated documents. The strategy covers procurement methods available and used, measures procured, soft market testing and contract management.

2. Details on the Overarching Procurement Strategy

Bristol City Council (BCC) has identified the most efficient routes to market for three key work packages; Approved Devices, Back Office system and Non-Illuminated Signs, in order to meet the tight timescales of the project. Compliance with PCR2015 and achieving value for money remain key objectives for the project.

By using pre-existing contracts and frameworks where they are available and suitable, the procurement timescales will be reduced with as much of the procurement activities having taken place as possible without the funding having been approved. Options for work packages which require tailored procurement exercises are detailed throughout this strategy.

BCC are currently undergoing tender evaluation of the submitted bids for the BHAM&AWF Framework which currently runs to October 2021. This will be explained further in this strategy document. The existing framework can be used post October 2021 where agreements are already in place. It is therefore possible that this project will utilize both the existing and new frameworks.

Furthermore, since the FBC was submitted in February 2021, the term contractor has been re-tendered and 'BCC Term Service Contract in relation to Maintenance and Installation of Highways Electrical Assets 2021-2025' was recently awarded to Centregreat Ltd.

The existing contracts and frameworks that BCC are intending to use have all been competitively tendered for via OJEU in line with the Council's procurement rules. Regular benchmarking and close contract management of each contract assures BCC that these are still the most effective arrangements offering value for money and so full market testing and compliance is assured for the CAZ project. It is not expected that the OJEU process will be needed for CAZ, but if BCC were to need to undertake a competitive process through the OJEU, the Open procedure would be used to enable award of contract within the shortest timeframes, whilst maintaining compliance and achieving the desired result on the Most Economically Advantageous Tender (MEAT criteria).

Contract Models for each of the frameworks and contracts identified to deliver the works and services, mandate the use of the NEC3 or NEC4 suite of contracts (the new BHAM&AWF Framework 2021-25 is NEC4). Where an alternative route to market is required the most appropriate contract will be used which may be the NEC3 contracts or Bristol City Council's suite of contracts depending on the requirement type.

We still have a small number of requirements that we need to meet; citizen facing design/access to payment portal etc. Now that the tender has been awarded the contractor can be engaged, and the first kick-off meeting is scheduled for 8th July. We will work with System Engineering Assessments Ltd (SEA) to check if they can do the work before we commission BCC in-house services which will likely take longer and be more costly.

3. Summary of services required

3.1 Design – including specification

The BCC project team have completed the preliminary design work and detailed designs have been commenced. BCC used the Professional Services Framework which it set up in January 2016, via a competitive OJEU procedure, to commission part of the design team, working alongside designers commissioned from the internal BCC design and delivery teams.

The detailed design work on the approved device designs and locations will largely be carried out by the recently appointed contractor System Engineering Assessments Ltd (SEA). BCC Engineering Design Team have already completed some preliminary work on the boundary and advanced warning sign designs as well as the provisional potential approved device locations. BCC Highway Electrical Asset Management Team have begun some preliminary work on the lighting column structural assessment and electrical designs required to mount the approved devices onto to mitigate impacts of delays. BCC intends to use the most effective route to market and the most appropriate contract terms to provide the design elements of the CAZ project and confirmation of this is fully detailed in this report following market engagement. The detailed design and procurement of the signage on the M32 is likely to be commissioned through the WECA Professional Services Framework and works carried out by a Highways England approved contractor.

3.2 Approved Device (ANPR, data Connectivity and Back Office System)

BCC considered several options to deliver the purchase, installation and maintenance of the Approved Devices.

Since publishing the OBC in November 2019, BCC continued to research the most effective procurement route from the options available and have determined that the Traffic Management Technology II framework (Lot 2) is the most appropriate route to market for the Approved Devices.

The other option considered was a current BCC contract:

- The Supply, Installation and Maintenance of Equipment and Infrastructure for the Control and Management of Traffic and Related Services contract, has a specific provision for the supply, installation and maintenance of ANPR Approved Devices. This includes the provision of electrical and data connections and street furniture where required. The contract (Traffic signal maintenance/install - Dynniq) was awarded following a tender in the OJEU in June 2014 and runs until June 2022. Further investigation found that the contract would not allow for the direct award of the supply, installation and maintenance of Approved Devices and as such this option was discounted.

The CCS framework has been reviewed and we will be using the following:

- Traffic Management Technology 2 framework which has 15 lots was tendered by CCS in October 2016 and work can be awarded to suppliers through this agreement until October 2020, but any call off contracts in place before that date can be let for the required duration of the project in order to deliver the goods or services. The lots that are most relevant to BCC's requirement are:
 - Lot 2 – Traffic Monitoring, Traffic Enforcement Approved Devices and Security Body Worn Approved Devices
 - Lot 7 Urban Traffic Management Control and Common Database Systems
 - Lot 11 Traffic Management Communications
 - Lot 12 Traffic Management Professional Services
 - Lot 13 Ancillary Roadside Equipment

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These Lots can be used in isolation or in any combination to achieve the best outcomes, required by BCC to provide the CAZ for Bristol. Lots 2, 7 and 11 could provide the elements of the Approved Device. Lot 12 could provide the VCA certification and Lot 13 any data cabinets or power supply cables that may be required.

It was decided following the OBC submission that Lot 2 of the framework is the most appropriate route to market in terms of Value for Money (the national framework has the collaborative spend of the whole public sector behind it and we will test this further with BCC specific requirements at mini-competition stage), Technology Specification (the end to end Approved devices can be procured from a single vendor in order to achieve the VCA approvals that BCC require), timescales and programme (the framework has already undertaken the Selection stage and Contract negotiations which will reduce the procurement times and we will also be able to ensure that the delivery programme meets BCC's project deadlines).

Further design work has highlighted that the Approved Devices will be mounted on lighting columns wherever possible. This has opened up the use of recently awarded 'BCC Term Service Contract in relation to Maintenance and Installation of Highways Electrical Assets 2021-2025' with Centregreat Ltd as the new supplier. This will reduce timescales as BCC will be able to engage with Centregreat Ltd very quickly and we intend to appoint them to the role of Principal Contractor. Their contracted schedule of rates will be used to confirm the budget requirement for the installation of new columns and the management of the Approved Device installations. Due to the nature of this procurement until the contract for the Approved Device supplier has been signed and a co-design phase can begin to finalise the scheme detail, for the purposes of FBC we have submitted two pricing options for the lighting column work package. The design phase will establish on a site by site basis the type of Approved Device and data connection type required. This will have an impact on the column specification required e.g. due to the weight of the Approved Device and bracket required and whether a mobile or hardwired data connection is most appropriate.

3.2.1 Mobile Enforcement Vehicles

BCC intends to have one mobile enforcement vehicle to assist with the enforcement of the CAZ within the zone. The Approved Device equipment required for this vehicle will be procured at the same time as the fixed Approved Devices and the awarded supplier will be expected to fit out the vehicle as per the BCC specification. The vehicle will be purchased by the council's Fleet Team, a full EV, and will most likely be fitted with a telematics device.

3.2.2 Bus Lane Enforcement Approved devices:

BCC explored the opportunity to combine procurement of the CAZ Approved Devices with the Bus Lane Enforcement project (to upgrade BCC's current BLE Approved Device stock), so that a single procurement exercise would deliver a contract to cover both requirements.

As with the above work, an initial tender exercise was undertaken for the CAZ provision in November 2019. This was subsequently abandoned because of Covid-19 and the uncertainty of the effects this would have on the baseline and existing proposals. A formal report was undertaken to review how the Council should proceed. Following this period of review, a new and revised tender exercise was approved that aligned more with the current and emerging situation.

Due to the tight deadlines as per the legal direction to reach compliance in the shortest possible time, a 2nd procurement exercise was undertaken and published via the same framework set out above in November 2021. Three submissions were received from System Engineering Assessments Ltd, Neology UK Ltd and Siemens. Tender letters were issued but subsequently Bristol decided not to proceed with the award as a result of a challenge. Instead the bids were re-evaluated in April 2021 and tender letters have again been issued and the contract awarded to System Engineering Assessment Ltd.

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3.2.3 Infrastructure – On Road

Non-Illuminated Signage:

Set up by BCC in October 2017, the Bristol Highway Asset Management and Associated Works Framework (BHAM&AWF) 2017-21 can be utilised until October 2021, with any purchase orders raised before that date valid until the goods/services are provided. The current BHAM&AWF framework is due to be replaced by a similar framework running from 2021 to 2025, this new framework 'Bristol Highway Asset Management and Associated Works Framework (BHAM&AWF 2021-25)' will operate in accordance with NEC4 guidelines and is currently undergoing tender evaluation of the submitted bids. Both frameworks have multiple lots which can be used to provide the relevant requirements and it is envisaged that Lot 6 (5 for the new framework) - Highway works < £150k or Lot 7 (6 for the new framework) - Highway works > £150k will be used to deliver the Non-Illuminated signage.

BCC has extensive experience of using a framework contract to deliver major road schemes and is utilizing this learning for the CAZ planning, implementation and delivery.

The table below shows the suppliers awarded to those BHAM&AWF 2017-21 Lots:

Lot 6 (a single supplier Lot with ETM as the single preferred supplier. If ETM cannot provide the service and turns down the work then and only then it would be open to the next listed supplier).	Highway works < £150k	ETM Contractors Ltd
		Eurovia Infrastructure Ltd
		Alun Griffiths (Contractors) Ltd
		North Midland Construction PLC
		South Gloucestershire Council Design and Operations
Lot 7 (mini tendercontract)	Highway Works > £150k	ETM Contractors Ltd
		Eurovia Infrastructure Ltd
		Alun Griffiths (Contractors) Ltd
		North Midland Construction PLC
		Dyer & Butler Ltd

To enable call off from the BHAM&AWF, BCC has several options available to it. The following excerpt is from the 2017-2021 Framework Agreement describing those options (which will be similar for the new framework):

"This Selection and Quotation Procedure sets out how a contractor is selected to provide a Work Package. There are three methods of selecting a contractor to carry out a Works Package.

The Council will in its sole discretion decide:

- a) which method to use to select a contractor for each work package;
- b) the appropriate works to include in each work package and size of each work package; and
- c) from which Lot to procure each work package

Method A (selection by Schedule of Rates)

This will be for works which the Customer considers are standard and the Customer considers are adequately described in the Generic Pricing and Works Information and to be carried out in usual circumstances without unusual constraints.

Method AA (selection by Limited Mini-Competition)

This will be for works which involve items not listed in the Schedule of Rates and/or with limited constraints but which the Customer considers are otherwise adequately described in the Generic Pricing and Works Information.

Method B (selection by Mini-Competition)

This will be for major works or packages which are non-standard or which the Customer considers to be carried out in unusual circumstances or with unusual constraints"

Lot 6 is used to procure Highways works under £150,000. ETM is the first placed supplier and under the call off terms of the framework is the single preferred supplier. If ETM cannot provide the service and turns down the work BCC would open the opportunity to the other suppliers on the lot.

Or; Lot 7 is used to procure Highways works over £150,000 and is accessed by re-opening competition for the individual requirements to all of the five suppliers awarded a place on this lot, which is the method BCC have chosen for the non-illuminated signs procurement.

Under the new framework new BHAM&AWF 2021-2025 has a similar arrangement of:

Lot 5 is used to procure Highways works under £150,000. There will be a yet to be awarded first placed supplier X and under the call off terms of the framework is the single preferred supplier. If X cannot provide the service and turns down the work BCC would open the opportunity to the other suppliers on the lot.

Or; Lot 6 is used to procure Highways works over £150,000 and is accessed by re-opening competition for the individual requirements to all of the five suppliers awarded a place on this lot, which is the method BCC have chosen for the reissue of the non-illuminated signs procurement.

A notable change is that the new BHAM&AWF Lot 6 will have only 4 (four) 'approved contractors' who will be given the opportunity to mini tender for each Work Package under that lot (the existing framework has 5, but only runs to Oct 2021 for new work package contract awards).

Illuminated Signs: There is a package of work required to remove or relocate a number of existing illuminated highway signs that currently occupy the highway space that to be cleared to install the CAZ signage. This work package will be let through the new 'BCC Term Service Contract in relation to Maintenance and installation of Highway Electrical Assets 2021-2025' with the awarded supplier Centregreat Ltd which runs from 1st of August 2021. This will enable BCC to engage with the supplier swiftly whilst also providing assurances that value for money has already been tested with the supplier.

The original mini tender for the non-illuminated sign provision was run alongside the initial abandoned tender for a BLE and CAZ solution. It was never awarded as delays extended outside its award period and the scope of work significantly changed. Since that point BCC have issued another tender based on the confirmed Small CAZ-D proposal. This had to be delayed whilst awaiting confirmation of the agreed CAZ approach and unfortunately, no Contractors submitted tenders owing to the full BCC BHAM&AW Framework tender also requiring resource during the same time period. The intention is therefore to prepare and issue revised work packages for a sectional delivery under either the old or new framework to suit the updated delivery proposals and programme.

Following confirmation of the agreed Small CAZ-D proposal it is now necessary to procure at least one sign on the high-speed section of the M32 within Highways England jurisdiction. There has been ongoing discussions with Highways England has required Bristol City Council to procure this sign through a separate tender to the contractors approved for the local 'Highways England Construction Works Framework'. The detailed design, procurement and supervision of this sign work will be undertaken by the relevant consultant appointed by BCC through the WECA Professional Services Framework.

3.3 Cumberland Road Closure

The proposal is to close Cumberland Road for inbound general traffic only, excluding buses, taxis and motorcycle. The scheme involves the removal of existing traffic signals at end of the existing bus lane and replacement of those signals with a signed bus gate and associated entry treatments. This work will be undertaken through the BHAM&AWF.

3.4 Enforcement

BCC has an existing 'Provision of SiDem Suite Support' contract with Conduent for the provision of an enforcement management system (SiDem). Once we move to the managed hosted system (go-live scheduled for 14th July 2021) we will be paying annual costs for the hosting, support and maintenance and licenses. The current support and maintenance agreement expires in March 2023 and we will need to re-tender then.

BCC are currently in discussion with Conduent to develop the enforcement interface with CAZ once the upgrade to the hosted system has been completed. Quotes have been received and procurement are now engaged with the project team to determine the most appropriate procurement route i.e. contract variation or direct award. BCC aim to have awarded and scoped out the work by August 2021.

3.5 Telemarketing Team

To cover a gap in the experience of the internal comms and engagement teams, we will need to run a large-scale cold calling exercise. We have worked with BaNES and have a copy of their procurement and project documents related to the tender exercise they undertook for the same service provision. We are adapting the paperwork to be Bristol focused and have already engaged in some light market testing to get an idea of the sort of support available. The Telemarketing Team will bridge a vital gap in contacting local businesses, understanding the potential issues being faced, mitigation required and creating a detailed database of contacts. A Procurement Request Form (PRF) has been submitted and approved by BCC Procurement. We already have a team member allocated and on hand to help us with the tender process which will be a mini-competition tender seeking 3 quotes. We know from bath that there are suppliers in the local area which are capable of meeting the needs of the project and with local experience of the Bath CAZ. The cost assumptions are very robust as BaNES procured exactly the same work so we are confident with our bid assumptions.

3.6 Infrastructure

There are several schemes which BCC propose as additional measures to support the CAZ for Bristol. Listed below are those measures which can all be procured using the BCC BHAM&AWF 2021-25. This framework is the compliant, market tested and robust framework put in place by BCC for similar projects. BCC has a long history of successfully delivering transport schemes with DfT funding e.g. MetroBus, Cycling Ambition Fund, Better by Bus Area Fund etc.

- Increase, Improve, update Legible City Signage – part of the CAF Bid to mitigate the impact of the scheme
- Purchase of additional air quality monitoring units – part of implementation of the scheme
- Old Market Gap cycle route – part of the CAF Bid.

Each work package will be procured through the BHM&AWF 2021-25 either Lot 5 or 6 as appropriate, following the prescribed call off procedure in line with the complexity of each specification, once drawn up.

Lot 5 (a single supplier Lot with the first place Contractor as the single preferred supplier. If they cannot provide the service and turn down the work then, and only then, it would be open to the next listed supplier).	Highway works < £150k	Contractor 1 – Details subject to award
		Contractor 2 – Details subject to award
		Contractor 3 – Details subject to award
		Contractor 4 – Details subject to award
Lot 6 (mini tender contract)	Highway Works > £150k	Contractor A – Details subject to award
		Contractor B – Details subject to award
		Contractor C - Details subject to award
		Contractor D - Details subject to award

3.6.1 Provision of Additional Measures – Mitigation Measures

- Provision of loans and grants for taxi, private hire, LGV and HGV drivers to upgrade and / or retrofit their vehicles. BCC will outsource the provision of administering the grants, using the agreement set up by Bath and North Somerset Councils (B&NES) in support of their own CAZ provision, within which Bristol City Council are named as an authority permitted to use the agreement. B&NES invested both resource and budget into ensuring that the agreement was fit for purpose, was in line with all relevant regulatory requirements and that other Authorities could use the agreement to leverage best value. As this agreement is available to BCC and our Legal and Commercial teams have reviewed and approved its use, the complexity of running our own procurement would have few if any advantages over the B&NES agreement.
- Provision of a loan scheme to assist businesses and members of the public meeting certain criteria to replace their vehicles. BCC will outsource the provision of administering the grants for this purpose to a third party. BCC intend to procure this via the framework set up by Bath and North Somerset Councils (B&NES) in support of their own CAZ provision, as noted above, within which Bristol City Council are named as an authority permitted to use the agreement. B&NES invested both resource and budget into ensuring that the agreement was fit for purpose, was in line with all relevant regulatory requirements and that other Authorities could use the agreement to leverage best value. As this agreement is available to BCC and our Legal and Commercial teams have reviewed and approved its use, the complexity of running our own procurement would have few if any advantages over the B&NES agreement.

For the financial assistance scheme we have been unable to enter into agreements or fully promote the scheme until such a time that funding is approved. Given that these measures are not BAU and are only being proposed to mitigate the CAZ scheme, we are not able to sign agreements until funding is confirmed. We are however ready to sign the Participation agreement, are having meetings with the finance companies listed in the framework and have fully developed a plan for delivery. This includes enlisting the services from a telemarketing team, this will be part of the Implementation Bid for the BCC CAZ scheme.

- Provision of a grant for scheduled bus services to retrofit their vehicles - funding for this element of the scheme has now been awarded following an initial submission of the FBC in February 2021. The grants will be administered by the Transport Engagement Team, using their extensive experience of administering grants to the business community. Grants have also been administered by BCC for bus retrofitting in the past so that experience will also be utilized in managing this latest round of funding.

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- The provision of a Micro-consolidation unit with cargo freight bikes. The Office of Low Emissions Go Ultra Low West (GULW) project, which BCC are running alongside development of the CAZ project, will provide a grant for the provision of a trial hub for the purposes of 'last mile' and "only mile" deliveries to addresses within the CAZ area. This was awarded to Zedify and is producing some positive data for the early stages of the project.

If the service model proposed proves successful BCC intends to use lessons learned from this trial along with further market engagement to fully understand the complexity of offering such a hub. This will inform the specification to roll this out to other locations and will outsource this provision by way of a concessions contract. Calculations are still being validated, however, this which will be advertised in line with the Concessions Contracts Regulations 2016 (CCR16) as an open competition, if expected turnover from the concession is >£4.1M over the term of the concession. If the turnover is estimated to be <£4.1M then internal BCC procurement regulations will be adhered to. BCC terms and conditions for the provision of a concession will be adapted to provide a robust contractual position and ensure that the deliverables are met to the satisfaction of BCC. As above, we are unable to enter into any agreements or tender exercises at this time given the CAZ specific nature of the measures proposed. Given the previous experience and understanding of procuring such resources, this will be able to progress as soon as funding is approved.

- Mobility credits and/or subsidised bus travel for certain demographic or income groups. Business support including personalised travel planning, targeted door knocking and roadshows, travel plan support and CAF scheme promotional publicity. This will again be a scheme managed and administered by the Transport Engagement Team putting their experiences to good use for CAZ, the work this team will lead on is covered more comprehensively in the revised CAF Bid.

3.7 Detailed Requirements

Each procurement item will be managed depending on the requirement, value and length of contract in line with existing BCC procurement rules and policy. The two tables below show what is being sought, staffing plans and interfaces with existing council policy, strategies and contracts. The first is for all infrastructure items and the second covers all remaining items to be procured.

Item	Description	Lead Team/Resource Pressure	Risks and impacts	Mitigation
1	Non- illuminated signs (CAZ D boundary, advanced signs, and repeater Approved Device signs – Supply and installation)	BCC internal Engineering Design Team/BHAM&AWF Contractors	Timescale changes to tendered works and limited site investigations. Subject to specifications, approvals and permissions to work on neighbouring authorities. Uncertainty of Contractor interest.	Undertaken CAT surveys and trial holes – proposals to install NAL sockets in advance to reduce risk Client negotiations to continue with North Somerset to achieve agreement Sectional delivery proposals and clearly defined work packages to reduce contractor risk and widen options for Contractor involvement

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Item	Description	Lead Team/Resource Pressure	Risks and impacts	Mitigation
2	<p>Non illuminated signs (Advanced signs on Highways England Network)</p> <p>- Design, procurement and supervision</p>	WECA Professional Services Designer/HE	<p>Timescale for required approvals.</p> <p>Lot 5 is used to procure the Road Markings and Method A will be used as this lot has a single supplier awarded to it - Glamorgan (there are another 4 successful contractors if Glamorgan turn down the job).</p> <p>The schedule of rates within the agreement will be used when submitting the quotation for the works required.</p> <p>-Designer resource.</p>	<p>Continued HE engagement and clarifying processes and timescales</p> <p>BCC commission through WECA framework</p>
3	<p>Non illuminated signs (Advanced signs)- Supply and installation on Motorway Network.</p>	HE Construction Works Framework Contractor	<p>-Timescales for tenders and materials availability</p> <p>-Contractor resource.</p>	<p>WECA designer to progress approvals and tender in suitable timescale.</p> <p>Tender to all suitable contractors on HE CW framework</p>
4	<p>Provisional item for connection of Approved Devices to BCC BNET Network - trenching, BNET ducting, feeder pillars and reinstatement for Approved Devices (if 4G signal not sufficient).</p>	<p>Appointed Approved Device contractor</p> <p>BNET Service Delivery Manager and term contractor.</p>	<p>Lack of signal requiring hard wired connection</p> <p>Limited or no site investigations.</p>	<p>needs to carry out early assessment of WIFI signal strength.</p> <p>BCC have already carried out a pre-assessment and identified problem areas</p> <p>Re-engage BNET service and contractor to deliver</p> <p>Trial pits where anticipate problems.</p>

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Item	Description	Lead Team/Resource Pressure	Risks and impacts	Mitigation
5	Removal / relocation of existing illuminated signs – trenching, electrical ducting and reinstatement.	Bristol Highways Electrical Asset Team / Centregreat Ltd	-Timescale and changes to tendered works. -Limited or no site investigations.	Separation of ducting for BNET and CAZ C signs.
6	Structural assessment and testing of lighting columns which Approved Devices are to be erected on.	Bristol Highways Electrical Asset Team / Centregreat Ltd	Higher than anticipated failure rate.	Early engagement after appointment of Approved Device provider BCC currently carrying out pre-assessment
7	Replacement of lighting columns if required following assessment (above).	Bristol Highways Electrical Asset Team / Centregreat Ltd	-Designer and contractor resource. -Materials supply lead in for Lighting columns (currently 20 weeks) -Timescale and changes to tendered works.	Early engagement after appointment of Approved Device provider Advance ordering of Columns for store
8	Electrical - transfers, disconnections and connections.	Bristol Highways Electrical Asset Team / Centregreat Ltd	-Designer and contractor resource. -Timescale and changes to tendered works.	Early engagement after appointment of Approved Device provider
9	Enforcement Approved devices, brackets and connection to lamp column or other agreed platform. Include maintenance and decommissioning if required.	Procurement team Competition via the TMT II Framework.	-Timescale and changes to tendered works. -Approvals process.	Completed, awaiting award.
10	Enforcement Approved Devices – erection of masts.	Bristol Highways Electrical Asset Team / Centregreat Ltd	-Designer and contractor resource. -Timescale and changes to tendered works.	Early engagement after appointment of Approved Device provider

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Item	Description	Lead Team/Resource Pressure	Risks and impacts	Mitigation
11	Enforcement Approved Devices – erection of oversized signal poles at junctions.	BCC Signal Term Contractor (Dynniq)	-Designer and contractor resource. -Timescale and changes to tendered works	Early engagement after appointment of Approved Device provider
12	Back office systems for Approved Devices	Included as part of the Approved Device procurement the TMT II		Tender completed and waiting award
13	Decommissioning of existing Approved Device locations	Network Management. To be included in the Approved Device tender	5 years hence – estimate.	Tender completed and awaiting award
14	4G multi-network Approved Device cards (Every 100 Approved Devices cost circa £180,000 for 5 years).	Procurement team Included as part of the Approved Device procurement through TMT II	Timescale and changes to tendered works.	Tender completed and awaiting award
15	VMS signs replacement and installation.	BCC Traffic Signals and UTC and specialist contractor	-Designer and contractor resource. -Timescale and changes to tendered works.	Early engagement
16	Temporary signage for launch – including VMS.	BCC Engineering Design Team and Network Management	Minimal risk	Use existing VMSs and frameworks to deliver
17	Non illuminated signs - Decommissioning at project end.	BCC Engineering Design Team	Available resource	
18	Approved devices - Decommissioning at project end.	Bristol Highways Electrical Asset Team / Centregreat Ltd and SEA	Available resource	
19	Cumberland Road closure	BHAM&AWF Contractors	Available resource	Early engagement

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	Details	Staffing and stakeholders	Consents and interfaces.
CAZ System and Implementation	Enforcement	Staff already in place to deliver this. Liaison with the Police and other agencies utilizing the Approved Device system and processes will be required	The enforcement will be combined and managed alongside the bus lane enforcement as a standalone project complete with project team
	CAZ Systems	we have recruited a dedicated Test Manager and will be recruiting a Test Analyst nearer the time	
	Operations (staff)	In House provision using BCC existing resource and contracts as required / appropriate. Existing BCC recruitment policies in place and able to be utilized to get in the level of staff required to deliver the scheme	
	Communications and Engagement	In House provision working with the Transport Engagement Team existing, and new resource as per the CAF Bid, and contracts as required / appropriate, additional staff already recruited due to the requirement to engage early	This project will need to align with other related projects being planned and delivered across the city. This has been made a top council priority which is being aligned with existing systems and resources
	New air quality monitoring units	In House provision using BCC existing resource and contracts as required	
	Telemarketing Team	To be tendered for using BaNES paperwork adapted for Bristol. The Transport Engagement Team will work with the telemarketing team to oversee that work and align the teams	PRF form already submitted to Procurement and a Procurement lead assigned to assist with the tender process

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	Details	Staffing and stakeholders	Consents and interfaces.
Additional Measures	Provision of grants and loans for taxi, private hire, HGV and LGV drivers to upgrade and / or retrofit their vehicles (CAF)	B&NES have established an agreement which has been approved for use by BCC legal and Commercial teams	Early liaison with the licensing team has already been taking place to ensure alignment with existing and new policies as required
	A loan and grant scheme to assist businesses and the public meeting certain criteria to replace their vehicles (CAF)	B&NES have established an agreement which has been approved for use by BCC legal and Commercial teams	BCC finance team and legal will continue to be involved in how we set this scheme up based on previous experience and ongoing planning for this
	Provision of a grant for scheduled bus services to retrofit their vehicles (CAF)	In House provision using BCC existing resource from the Transport Engagement Team and use of existing contracts as required / appropriate, additional staff already recruited due to the requirement to engage early	This has already been awarded so the Transport Engagement Team are gearing up for promotion, delivery and management of this measure ahead of the CAZ going live
	Increase, Improve, update Legible City Signage (CAF)	BCC Highways framework (BHAM&AWF)	As above. The existing Legible Cities Team has capability and experience required to take this element of the mitigation forward. Bristol have set the standard for wayfinding and are used as example of best practice. The team will continue to develop this project for a CAZ specific purpose
	Old Market Gap cycle scheme (CAF)	BCC Highways framework (BHAM&AWF)	The BHAM&AWF has already been through a procurement and tendering process. The BCC cycling and walking team will lead this project and have extensive experience of delivering similar schemes. There is already a contractor lined up to deliver the scheme and finance provision for the bulk of the scheme. The missing link is yet to be funded though and CAZ would enable completion of a vital commuting corridor for cyclists

4. Other considerations

4.1 Payment mechanism

Through the Public Contract Regulations 2015, public sector buyers must include 30-day payment terms in their contracts; and require that this payment term be passed down the supply chain. BCC fully adheres to this regulation and all procurement routes under consideration comply with this requirement.

The support and maintenance of current software such as Sidem is paid annually in advance as per the existing contract terms.

Where appropriate, stage payments will be included within the works required to allow suppliers to manage their cash flow and for BCC to forecast committed spend within the project budgets. For example:

The NEC3 contract suite, which is in place for the BCC BHAM&AWF and CCS TMT2 frameworks, provides options on payment mechanism (Option A to F). Due to the programme being a key driver and challenge due to the diverse deliverables being provided by various contractors, payment options which foster a partnership approach will be considered, for example incentivisation models, such as:

- Milestone incentives – Contractors can be incentivised for meeting key dates of the programme.
- As a new contract let following a competition via the TMT11 framework, the Approved Devices contract has stage payments tied to key milestones in the delivery.

The payment mechanism in place for the BCC BHAM&AWF is as follows:

- The Contractor submits a first programme for acceptance in accordance with the NEC contract data part 1. The assessment interval is one calendar month until the assessment date following the issue of the completion certificate. The period for payment is 35 days
- The Contractor submits an application for payment on or within seven days before the assessment date. The NEC Project Manager considers the Contractor's application in assessing the amount due. The NEC Project Manager gives the Contractor details of how the amount due has been assessed.

The payment mechanism for the NEC4 Term Service Contract in relation to Maintenance and installation of Highway Electrical Assets is as follows:

- The Contractor submits a plan for acceptance in accordance with the NEC contract data part 1
- The payment interval is 3 weeks
- The Contractor submits an application for payment on or within seven days before the assessment date. The NEC Project Manager considers the Contractor's application in assessing the amount due. The NEC Project Manager gives the Contractor details of how the amount due has been assessed.

The payment mechanism for the framework for the Mobile Enforcement Vehicles is as follows:

- After award, an order for the requirement will be raised.
- An invoice from the supplier (referencing the order no.) will be issued after delivery of the vehicle(s).
- The 30 days cycle would then start upon receipt of this official invoice.

4.2 Programming and interdependencies

Procurement for:	Proposed Procurement Route:	Indicative Days to Complete:
Design (including specification)	BCC Framework – Direct Award	45
Approved Device	BCC Contract – Direct Award	60
Infrastructure (on road)	BCC Framework – Direct Award	60
Traffic Management	Framework – Direct Award	45
Additional Measures – Infrastructure	BCC Framework – Direct Award	60
Additional Measures – Mitigation Measures	B&NES Framework – Direct Award	45

The stages of procurement for a direct award through a framework follow the call off procedures set out in each of the frameworks BCC intends to utilize. It will include the identification of the most appropriate supplier, which may be the top ranked supplier from the original tender process.

The majority of tenders are now underway or have been fully thought out and planned. However, if BCC consider that running a competition under the framework is more appropriate then the same steps will be followed as with the direct award procedure above, but will involve all of the suppliers on the lot/framework. Evaluation of the submissions will follow a robust and pre-published set of criteria and will be overseen and managed by a member of the BCC procurement team. Following the evaluation, the bidders will be informed of the outcome and BCC will adhere to the discretionary ten-day standstill period before awarding the contract.

With a direct award, there needs to be confidence that the supplier being awarded can deliver what is required from the specification and commercial terms. Sometimes that isn't possible as the BCC specification may have non- standard requests included. In that case, BCC will open competition to 'test' that the suppliers can deliver the request.

For work packages which, following further clarity on the requirements to be met, will require an Open tender process via the OJEU, the full regulated process will be followed, however it is not expected that this will be necessary for any of the contracts required for the CAZ Programme.

4.3 Risk Allocation and Transfer

As with any procurement agreement, there is always risk. BCC have identified where these risks can be mitigated by the procurement approach and/or by the contractual terms applied to the agreements. Using existing contracts or established frameworks provides mitigation.

Procurement Risk	Likelihood	Impact	Mitigation
Delays in procuring approved ICT hardware, e.g. secure managed network switches leading to a delay in go live and potential impact on other aspect of the programme leading to delays	M	M	Agreed scope early with BCC ICT. Use existing approved hardware where possible. Try to avoid 'gold plating' the solution This risk is 80% owned by the project team and 20% owned by BCC ICT

Procurement Risk	Likelihood	Impact	Mitigation
Procurement of signs for neighbouring local authorities / HE – not covered by the BCC Framework which could lead to delays in the programme due to their policy and procedures	M	H	Continue to engage with HE and neighbouring LAs to agree procurement routes. Considering all viable options well in advance. Could use temporary signage. This risk is 80% owned by BCC, 10% owned by HE and 10% owned by North Somerset Council
Steel and cement are in short supply due to Covid and therefore cost will have increased threefold by end of this year	H	M	Conversations taking regarding purchasing these materials earlier that required to avoid and delay in delivery and increased costs. This risk is owned by the Principal Designer.
Requirement for BNET (Bristol’s fibre network) due to poor network coverage for approved devices to capture images	M	M	We have already carried out an initial assessment and determined 10 sites that may potentially require BNET. The BNET team and supplier are engaged. This risk is owned by the Project Team

4.4 Risks due to Covid-19

BCC have engaged with all suppliers to understand the impacts of Covid-19 on their business and what measures, risks and mitigations need to be considered to enable contracts to be fulfilled both safely and without untenable interruption to delivery. Once award decisions are published the CAZ specific contracts can be reviewed to ensure that any measures put in place will continue to deliver best value and are reasonable and acceptable to both parties.

4.5 Soft market testing

BCC will be utilizing current frameworks and contracts to deliver the CAZ for Bristol, wherever appropriate. Soft market testing has been undertaken for all of these at their inception. CCS frameworks are put in place following extensive soft market testing to ensure that the framework is suitable for both public sector buyers but also to confirm that the market is able to supply the requirements. For the Approved Devices competition the framework suppliers were sent an RFI to enable the specification to be written in a market facing format whilst ensuring that JAQU guidelines would be met.

Where new BCC contracts and frameworks are used, a similar process is undertaken to fully understand the market position and offerings available to ensure a healthy competition between bidders and the right outcome for BCC is achieved.

4.6 TUPE

There have been no TUPE implications identified for any of the deliverables.

4.7 Social value

Social Value is a key strategic aim / outcome for the city of Bristol and is very high on the Mayor’s agenda. Social value is about maximising the impact of public expenditure to get the best possible outcomes: improving the economic, social and environmental wellbeing of the area.

BCC have developed a social value toolkit in association with city partners, councillors, and organisations representing small businesses, micro businesses and the voluntary community sector.

The toolkit:

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- makes sure the processes used to award grants or contracts recognise the contribution the organisation will make to Bristol, particularly for disadvantaged groups or communities
- helps organisations make social value part of their procurement and management processes and bids for funding
- will be used to measure and report on the social value of activity and the contracts and grants that we award
- will be used in future commissioning activity

All new procurement activities provide for Social Value within the evaluation criteria with a target weighting of 20% of the overall tender score. BCC have partnered with The Social Value Portal which is an on-line solution that allows us to measure and manage the contribution that BCC and our supply chain makes to society, according to the principles laid out within the Public Services (Social Value) Act 2012. This solution allows BCC to report both non-financial and financial data and rewards organisations for doing "more good" in our community.

Awarded suppliers on current frameworks such as CCS, TMT2 have been evaluated for social value policies and opening competition, where appropriate for this project, will allow for BCC to re-test this with Bristol specifically in mind during the performance of the contract.

4.8 Contract Management

BCC have a new contract management team in place following a service restructure. Procurement has been split resulting in there now being a Strategic Procurement Team and a Strategic Supplier Relations Team. The Strategic Supplier Relations Service will be developing tools and governance to support contract owners and contract managers manage their contracts. SSRM will support the development of a contract management plan (CMP) which will document all the key information about the contract, how it must be managed and what the reporting requirements will be.

The CAZ Team are already working with the SSRM to ensure effective management of all of the contracts involved in the delivery of the CAZ for Bristol. Individual project managers working on discrete work packages will report to the CAZ programme manager who will maintain overall responsibility. The contractors' performance will be monitored and reported on using Key Performance Indicators (KPIs), where appropriate, to ensure any issues are highlighted early and can be remedied before effecting dependent work-packages. These KPIs' were pre-agreed in order for suppliers to access the framework.

Where BCC are using NEC3 and NEC 4 contracts there are a number of roles to help administer the contract. The team already includes members who specialize in managing construction contracts. It is acknowledged that the NEC Project Manager role is key to managing these objectives. There is also a Supervisor role to check that the works are delivered in accordance with the contract and in line with CDM guidance. Unless we are bound by a framework, we will look at either NEC 3 or 4 if they are appropriate. However, we may also use a different form of contract if we think that appropriate.

The contract management support runs right through to contract award, management of the contract and KPIs and on to the handover to BAU.

4.9 Outstanding Contracts

There are a number of procurement exercises outstanding. These are namely the call off projects linked to the main Approved Device Enabling Technology contract as noted above.

Where there are other contracts still to be tendered, this is largely due to the uncertainty around funding. We have the internal resource required to undertake the tenders, but this work would not ordinarily be taking place, so confirmation of funding is required as a first step. For example:

Telemarketing Team – as noted in the Procurement Route table above, there is a gap in the experience of the internal comms and engagement teams to run a large-scale cold calling exercise. We have worked with BaNES and have a copy of their procurement and project documents related to the tender exercise they undertook for

the same service provision. We are adapting the paperwork to be Bristol focused and have already engaged in some light market testing to get an idea of the sort of support available. The Telemarketing Team will bridge a vital gap in contacting local businesses, understanding the potential issues being faced, mitigation required and creating a detailed database of contacts. This work would not be required if the CAZ was not taking place, so with no guarantees of funding, we will procure this as soon as we have funding approved. The procurement team are already on hand to help us with the tender. The cost assumptions are very robust as BaNES procured exactly the same work so we are confident with our bid.

Cycle scheme – the scheme is fully developed and costed with a developer lined up to deliver the majority of the scheme, with one section missing. It's this 'missing link' that we wish to fund through CAF. There may be scope to bring this section forward, but we can't have those conversations until we have lined up the contractor to undertake this work. The costs in the CAF bid are based on many years of experience using schedules of rates from the frameworks and other schemes. The design has progressed to an advanced stage which provides an additional level of confidence in the plans included in the CAF Bid. BCC has a wealth of experience of delivering this type of project and there is a team member on standby to take this project through to delivery as soon as funding is awarded (more details of this are held in the CAF Bid, FBC 17).

VMS Strategy (Fast Track Measure) – this is a set of measures based around one central strategy aimed at being able to control areas which suffer from congestion and therefore poor air quality. This is a scheme designed purely for the CAZ Project, without it there is no funding to progress it. The experienced Traffic Operations Team have used existing framework costs and experience from other projects to put a proposal forward. This involves procurement of new software and traffic modelling to manipulate signals, moving traffic in a more controlled way around the city. There is no budget or resource to progress the proposal into a more robust scoping plan until we have the funding agreed. The expertise of the team has provided a 'best guess' forecast of the work involved and the potential benefits. We have some key corridors such as Marlborough St, where we have tried the majority of more traditional traffic management tools, but we still have exceedances. This scheme would focus on the most congested and polluted corridors first, seeking to use advanced and innovative technology / methods to approach a long-standing issue.

4.10 Accounting treatment

The CAZ Implementation costs are deemed to be Capital expenditure and will be treated as creating an asset which will be depreciated in accordance with the Councils accounting policies.

The grant will be held on balance sheet. It will be used as financing the capital cost similar to deferred grants but charged straight to the Capital Adjustment Account as part of financing the capital programme. Note Service areas will receive the budget for depreciation charges.

The CAZ schemes Operating costs will be offset against revenue generated from the CAZ charges and any revenue generated from Penalty charge notices, and any potential surplus generated will be allocated to a designated account similar to a PPRA and will be ring-fenced for use towards, offsetting future year deficits, funding the Decommissioning costs, to fund any mitigation measures against realised risks, as well as fund transport related initiatives including those that support the CAZ objectives.

A specific reserve will be created to cover the cost of decommissioning the scheme after 10 years, as well as mitigating any potential risks during operation. The cost of decommissioning has been estimated as £0.56m and it is deemed that a year of operational cost (£2m) will provide adequate provision for potential risk (allowing for a full year of costs with no offsetting Revenue, which could be the case in extreme cases like a pandemic year). The Council will decide how to build up such a reserve within the early years of the scheme.

Clean Air Fund (CAF)

For all the CAF mitigations measures, the Council will treat the expenditure as "Revenue Expenditure" applying a statutory exemption available for "Revenue Expenditure Funded by Capital Under Statute" (REFCUS). This allows items that commonly require revenue funding to be funded through a capital grant. Capital funded items will use REFCUS to be expensed in the year of expenditure although they are capital funded, as they will not be creating an asset on the Council's balance sheet. Expenditure can only be treated as capital expenditure if the authority

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grant funding to a third party towards expenditure which would, if incurred by the authority, be capital expenditure.

Any CAF Grant received will be held in a designated account and disbursed within the year of receipt. Any balance at year-end will be carried forward and disbursed in subsequent year or used to enable other mitigation measures in line with the terms of the grant conditions or returned to JAQU if it is agreed to be surplus to requirement.