

## Record of officer decision

<b>Decision title:</b>	Award of contract for pre surface dressing patching works of various sites associated with the Additional Department for Transport Highways Maintenance Funding – Works Order 7
<b>Date of decision:</b>	19 <sup>th</sup> December 2024
<b>Decision maker:</b>	Corporate Director for Economy and Environment
<b>Authority for delegated decision:</b>	<p>A Cabinet Member decision was taken on 17<sup>th</sup> April 2024 relating to how the additional Department for Transport Highway Maintenance funding covering 2023/24 and 2024/25 at £1.83 million per year is to be spent (a total of £3.66m).</p> <p>a) approval is given to invest the additional Department for Transport Highway Maintenance funding covering 2023/24 and 2024/25 at £1.83 million per year as detailed within this Report; and</p> <p>b) delegated authority is given to the Corporate Director of Economy and Environment to take all operational decisions over the lifetime of the project, to deliver the investment set out in recommendation (a)</p> <p>Full details of the decision taken can be seen at the following link:</p> <p><a href="#">Decision - Additional Department for Transport Highways Maintenance Funding 2023/24 &amp; 2024/25</a></p>
<b>Ward:</b>	Countywide.
<b>Consultation:</b>	<p>As part of the revised consultation process for key decisions, a Political Group Consultation was undertaken on 16th March 2024 with Officers outlining the content of the Cabinet Member decision that was then taken on 17<sup>th</sup> April 2024. Further details can be found at:</p> <p><a href="#">Decision - Additional Department for Transport Highways Maintenance Funding 2023/24 &amp; 2024/25</a></p> <p>Ward Members and Parish Councils will be informed of works that are to take place in their area.</p>
<b>Decision made:</b>	To award a contract (Works Order 7) to Tarmac Trading Ltd using the Council’s Highways and Public Realm Schemes Framework, to the initial value of £1,137,456.08 for surface dressing preparation works on C roads across the county, as set out in Appendix 1. To authorise a contingency of £113,745.60
<b>Reasons for decision:</b>	<p>In order to deliver the investment in the C and U roads as set out in the Cabinet Member Decision Report, the Council needs to award a contract to a contractor for pre-surface dressing patching work.</p> <p>The Council has its own framework for the delivery of civil engineering and associated works for the improvement of the Council’s highway network and public realm, procured following Council’s Contract Rules and the Public Contract Regulations 2015. As part of this framework, surfacing works (Lot 4) has been included through which pre-surface dressing patching works can</p>

be delivered.

In line with the Cabinet Member Decision Report, Officers have identified that the capacity exists on the framework and that the best value for money is represented by awarding the contract through that framework.

Under the selection procedure for the framework, Officers have used the quotation information provided which shows that the total of the prices of Tarmac Trading Ltd is likely to be significantly lower than that of the other Suppliers based on the quotation information submitted within the framework tender and therefore a Secondary Competition is unlikely to add value. As such it is intended to instruct Tarmac Trading Ltd to provide Quotations without Secondary Competition for individual packages of work.

**Equality Considerations**

This work being carried out is founded on the guidance set out in Well Managed Highway Infrastructure: A Code of Practice. When considering the highway network hierarchy in Herefordshire the presence of community, medical or educational facilities are considered as part of the usage consideration ensuring that highway corridors to these facilities are afforded more priority.

As a result the selection of roads for investment as part of this decision is considered to have a positive impact on the protected characteristics of Age and Disability. The investment set out in this report is considered to have a neutral impact on the other protected characteristics.

**Highlight any associated risks/finance/legal/equality considerations:**

Finance:

A total budget of £3.66 million has been allocated to this project, funded through Additional Department for Transport Highway Maintenance funding.

Of this budget, £3.477 million has been allocated for the surface dressing schemes and pre-surface dressing patching works, with £183k allocated for staff costs, including project management.

Of the total works budget, £1.73 million has already been committed to the delivery of works during 2024/25. A further £1.137 million will be committed as a result of this decision.

Project codes will be allocated so that the project manager assigned can monitor and review progress to enable reporting to the relevant programme boards.

Budget Name	Total Works Budget	Contract Works Value	Cost Code
Works	£1.90m	£1,137,456.08	CM7366 CAP1906
Contingency		£113,745.60	
Total	£1.90m	£1,251,201.68	

	<p><b>Risk Management:</b></p> <p>The creation of a framework has contributed to minimising risks associated with procurement delay, supply chain resilience and demonstrating competition and value for money for the public purse. The identified works should reduce the risk to users on the network as a result of improved condition.</p> <p><b>Legal Implications:</b></p> <p>A procurement process to create a Highways and Public Realm Schemes Framework was conducted during January and February 2024 in accordance with the Council’s Contracts Procedure Rules.</p> <p>The framework is operated under the NEC4 Framework Contract arrangements with NEC4 Engineering and Construction Short Contracts used for delivery of individual schemes.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>That this additional investment is not made and the Council continues to maintain Herefordshire’s highways in accordance with sound asset management practices but wholly within the maintenance allocations and grant funding made available by Central Government.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None</p>

**Appendix 1 – List of C and U roads identified for pre-surface dressing patching works**

C1095	A4103 - Tillington
C1019	Killhorse Lane
C1120	From J/W C1120 to U72622
C1031	Spond Lane from J/W A480 to J/W A4111
C1081	Sherrington Road to Gorsty Cottage