

**Procurement Title**

Speed Camera Enforcement (A682 Colne Road and A583 Blackpool Road)

**Procurement Option**

The opportunity will be offered via Restricted Procedure in accordance with Regulation 28 of the Public Contract Regulations 2015.

**New or Existing Provision**

New project.

**Estimated Contract Value and Funding Arrangements**

The total value of the scheme is estimated at £2.1m to be funded by the Department for Transport Safer Roads Fund (A583 Blackpool Road) and the Levelling Up Fund Programme (A582 Colne Road (Burnley and Brierfield)).

**Contract Duration**

The duration of the Contract will be 4 years 9 months. Consisting of 9 months to design and build, plus 4 years of operation.

**Lotting**

The contract will not be lotted and will be awarded to a single contractor to ensure consistency across both routes.

**Evaluation**

The contract will be established by evaluating service providers against the following criteria:

**Stage 1: Selection Questionnaire (Pass/Fail)**

The Selection Questionnaire shall be related to the tenderers legal and financial capacity and technical ability to perform the contract.

**Stage 2: Award Stage**

Tenders will be invited from Suppliers who have passed stage 1. The tender bids will be evaluated on:

- 60% Quality Criteria,
  - 50% will consist of a technical questionnaire which will cover Health and Safety including environmental concerns relevant to the works.
  - 10% Social Value.
- 40% Price.

The highest scoring tenderer will be awarded the contract.

**Background**

Lancashire County Council has been successful in securing funding for two schemes from the Department for Transport Safer Roads Fund and the Levelling Up Fund Programme. The Safer Roads Fund schemes will reduce the risk of fatal and serious collisions which will increase the International Road Assessment Programme Star Rating for each of the identified routes. The Levelling Up Fund scheme will address actual and perceived road safety risks by targeting excessive speeds and anti-social driving behaviour along the A682 Colne Road. This complements the wider strategic objective of the Levelling Up Fund to improve the sense of community in north-east Burnley and make better connections across Colne Road.

Lancashire County Council will work with Lancashire Constabulary in developing and introducing a speed enforcement system on:

A682 Colne Road, Burnley & Brierfield  
A583 Blackpool Road, Kirkham through to Peel Hill

The scope of the works for each of the routes includes design, installation and maintenance of a speed enforcement system.

The contract will cover design build and ongoing maintenance. The target starting date is 1 April 2025. The installation phase is intended to be completed by 31 December 2025. The contract will then enter an operational phase until 31 December 2029.

**Legal**

The opportunity will be offered via Restricted Procedure in accordance with Regulation 28 of the Public Contract Regulations 2015.

The NEC4 Design Build Operate Contract is an appropriate contract template to use and this will be prepared by Legal Services.

**Procurement Title**

Skew Bridge, Grimsargh – Bridge Widening Works

**Procurement Option**

The opportunity will be offered via Open Procedure in accordance with Regulation 27 of the Public Contract Regulations 2015.

**New or Existing Provision**

New provision

**Estimated Annual Contract Value and Funding Arrangements**

The total estimated value of the Skew Bridge, Grimsargh – Bridge Widening Works contract is £2.2m.

The investment for these works will be funded through Central Government's Bus Service Improvement Plan scheme following a successful joint bid by Lancashire County Council and Blackburn with Darwen Council.

**Contract Duration**

The contract will be let for a period of approximately 6-8 months commencing circa January 2025. The funding has been granted to the county council, and the deadline for completion of the works is Summer 2025.

**Lots**

As a single principal contractor is required, the project is not lotted.

**Evaluation**

The agreement will be established by evaluating tenderers against the following criteria:

**Stage 1: Selection Questionnaire (Pass/Fail)**

The Selection Questionnaire shall be related to the tenderers legal and financial capacity and technical ability to perform the contract.

**Stage 2: Award Stage**

The tender bids will be evaluated on:

- 40% Quality Criteria.
  - 30% will consist of a technical questionnaire which will cover knowledge and expertise to undertake the construction phase of the project.
  - 10% Social Value.
- 60% Price: The weighting for the price will allow the county council to ensure that tenderers carefully consider costs and provide the best value for money.

The highest scoring tenderer will be awarded the contract for the works.

**Background**

Grimsargh Skew Bridge is a single span reinforced concrete structure which was originally strengthened in 2001. Currently, the width of the main bridge restricts traffic to a single lane width, restricting the flow of vehicles. At either side of the bridge (east and west), there are steel pedestrian footbridges. The eastern footbridge is relatively new having been constructed at the same time of the strengthening works in 2001 and will therefore be retained.

A scheme has been developed to widen the existing structure to enable two-way traffic for vehicles and improve the traffic flow. The works will involve the demolition of the western

footbridge and the widening of the existing main bridge. The widened structure will provide a 1.5m width footway, as well as an appropriate parapet for pedestrian use.

The existing substandard bridge causes traffic in the area to slow, it is therefore anticipated that the widening will increase the speed of traffic. To counteract this, the scheme also incorporates the installation of a signalised pedestrian crossing to the north of the bridge adjacent to the nearby primary school.

Due to the location of the structure and it being used as pedestrian access to the nearby primary school, minimising the impact to the local community is key. Access to the site will only be given in July 2025 to coincide with the school holidays. The scheme therefore requires the successful contractor to design and construct the structure off site and for the structure to be moved into position when access is given.

**Legal**

The opportunity will be offered via Open Procedure in accordance with Regulation 27 of the Public Contract Regulations 2015.

The NEC4 Engineering and Construction contract will be prepared by Legal Services with appropriate and compliant amendments made to suit the scope of the project.

**Procurement Title**

Future Delivery of 0-19 (up to 25 years with SEND) Public Health Nursing Service in Lancashire

**Brief Summary**

The Public Health Nursing Services that support children and families are currently being delivered by the Health Care Resourcing Group.

This report provides a summary relating to the 0-19 (up to 25 years with SEND) Public Health Nursing Service and presents the options available for commissioning these services from either a direct award (option one), procurement through competitive tender (option two), bringing the service in house (option three) or creating a special purpose vehicle organisation to perform the service (option four). New arrangements for the service need to be in place by 1 October 2025 in order to safeguard this statutory service.

Having discounted options one, three and four, Cabinet is asked to authorise a competitive procurement process (option two) to deliver the 0-19 (up to 25 years with SEND) Public Health Nursing Service in the geographical lots as set out in this Appendix 'A'.

**Detail**

Under the terms of the Health and Social Care Act 2012, upper tier local authorities are responsible for improving the health of their local population. Local Authorities are key commissioners and hold an array of statutory duties for children. The Public Health Nursing Service is a nationally prescribed service funded by the ring-fenced public health grant. The scope of the services and the standards are set nationally including model service specifications.

The 0-19 Public Health Nursing Service was recommissioned, with a new provider due to perform the services from 1 April 2024. However, the transfer of patient data from the incumbent provider to the new provider was not achieved during the mobilisation period and it was necessary to extend the contract with the incumbent provider (Health Care Resourcing Group) for 6 months, to facilitate a safe transfer of the patient data to the new provider.

Despite the efforts of all organisations, it was not possible to transfer the service. Consequently, the incumbent provider's contract has been further extended for an additional 12 months until 30 September 2025 to allow procurement options to be considered and re-commissioning of the services to be completed.

**Background**

The current contract for Public Health Nursing Services expires at the end of September 2025, with no option to extend this further. The council has been considering various options ranging from direct award (option one) or, competitive processes pursuant to the Health Care Services (Provider Selection Regime) Regulations 2023 (option two), bringing the service in-house (option three) and creating a special purpose vehicle (option four).

The council's assessment of the options to bring in-house (option 3) or creating a special purpose vehicle for delivering this service (option 4) indicates that those are not viable options to implement by October 2025. Based on the council's analysis, it is also highly unlikely that the criteria required for a direct award process (option one) is met. An analysis of the options are summarised in Appendix 'B' which is exempt from publication, with competitive tender by geographical lots being the preferred option to satisfy the council's Best Value Duty and secure the service to be effective from 1 October 2025.

A new service specification has been developed which has been informed by national and local policy, guidance and designed in response to the in-depth 0-19 Service review 2022/23. This includes leading the delivery of the Healthy Child Programme which includes the delivery of the five mandated health reviews, beginning antenatally and the delivery of the National Child Measurement Programme, which are mandated by law. The service specification has also been updated in view of recent changes to the Review Health Assessments for Looked After Children, which is now accepted as the responsibility of the Lancashire and South Cumbria Integrated Care Board. The 0-19 Public Health Nursing Service therefore needs to be procured to be in place by 1 October 2025.

Further description of the options and their appraisal is set out in Appendix 'B', which is exempt from publication.

### **Procurement Proposals**

A competitive process with 3 lots is approved and the following procurement proposals will apply:

### **Procurement Option**

Competitive procurement process in accordance with the Health Care Services (Provider Selection Regime) Regulations 2023

### **Lotting**

The Authority intends to procure the service in the following Lots:

- Central Lancashire: Preston, Chorley, South Ribble, and West Lancashire
- East Lancashire: Burnley, Rossendale, Hyndburn, Pendle and Ribble Valley
- North Lancashire: Fylde, Wyre, and Lancaster

The Authority does not intend to restrict tenderers for bidding for or being awarded more than one Lot.

The contract value for each Lot can be found within the Financial section of the options report.

### **Contract Duration**

The contract term will be an initial term of 5 years with the right to extend the contract for a maximum of a further 3 years.

### **Evaluation**

<b>Quality Criteria 60%</b>	<b>Financial Criteria 40%</b>
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Of which Social Value will form 10% of the quality criteria and will focus on the Social value policy and framework 2024-28

### **Consultations**

Regular market engagement along with detailed service reviews have included the inputs from staff, service users and partner organisations.

Regular engagement is also planned with internal and with key partner organisations including the NHS.

### **Legal**

Legal advice in respect of each of the proposed options is provided within Appendix 'B', which is exempt from publication.

## Financial

The estimated annual value of the contract in year one (01/10/2025 to 30/09/2026) is £24.8m based on the Service's assumptions on a deliverable nursing staff structure uplifted for NHS Nursing pay awards (known as Agenda for Change including an estimate uplift for 2025/26).

The total estimated value of the contract in year one is split over Lots as below:

Lot Areas	£m
North	5.381
Central	9.523
East	9.895
<b>Total</b>	<b>24.800</b>

The planned contractual annual uplift arrangements align to the percentage uplift applied to the Public Health Grant (PHG) that funds 100% of this service provision.

Assuming a 2% uplift is applied to the PHG in future years the estimated 5-year contract value is £129.1m and 8-year contract value is £212.9m.

With regard to ongoing financial risk under the annual uplift contractual arrangements outlined above, if the current disparity between the Agenda for Change pay award and the uplift applied to the PHG remains, the provider may experience a financial pressure and instability. To mitigate against this risk and manage service delivery and business continuity, the proposed contract would include several provisions to balance the need for service continuity with strong financial management principles.

For example, the provider would be permitted to request an increase to the charges but only permitted where the provider evidences actual net increases in cost (up to the corresponding percentage increases in the market for the same period) or where exceptional market price increases have occurred caused by global market instability wholly outside of the provider's control or manageability.

The provider would also be obliged to operate an open book policy on pricing so that the council can satisfy itself that the charges paid are fair and reasonable. The council would also be permitted to request that the provider enters into negotiations to reduce the charges payable by the council to maximise continual cost efficiencies.

**Procurement Title**

Waiver of Procurement Rules to make a direct award for highway defect repairs

**Brief Summary**

The report sets out the recommendation to approve a waiver of the county council's Procurement Rules for a direct award to Galvmac Ltd for highway defect repairs as part of the ongoing trial of an innovative mastic rubber defect repair system (mastic asphalt).

It is the intention that the procurement of these materials will be incorporated into the forthcoming reprocurement for the Spray Injection Jet Patching & Heated In-Situ Road Repairs contract.

It is also recommended that Cabinet authorise the Executive Director of Growth, Environment, Transport and Health, in consultation with the Cabinet Member for Resources, HR and Property (Deputy Leader) and the Director of Law and Governance to finalise the arrangements for the procurement exercise in respect of Spray Injection Jet Patching & Heated In-Situ Road Repairs to incorporate these works.

The county council has been conducting trials with Galvmac Ltd of an innovative highways repair system using mastic rubber. The trials have been successful with the system providing effective repairs that can be completed quickly with minimal waste and is suitable for repairing larger areas. The system is now being used on the highways network.

A procurement process for elastomac mastic asphalt is to commence. However, to ensure that the works are able to continue and provide repairs to identified defects in advance of the winter season a decision is required to place a direct award to Galvmac Ltd.

Cabinet is asked to approve a waiver of the county council's procurement rules as set out at paragraph 14.2 of Part 10 of the county council's Constitution (Standing Orders – Procurement Rules) to allow the placing of a direct award contract with Galvmac Ltd to provide specialist repair services using elastomac mastic asphalt at a maximum cost of £300,000 (exclusive of VAT).

**Background**

The winter of 2023/24 resulted in an unprecedented number of highway defects on the network due to the exceptionally wet weather in the first six months of 2024 when compared with the three previous years. Table 1.0 shows the total number of highway defects repaired by month for the first seven months of 2024 compared with the three previous years with an increase of almost 56% in 2024 compared with the previous year.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Total
2021	3165	5809	7705	7225	7470	6048	5712	43167
2022	4895	5536	8035	5980	6344	5565	5547	41907
2023	6604	8269	8202	8171	8004	8188	6281	53719
2024	7775	10611	11677	14032	14481	12883	12027	83559

Figure 1.0 (Source: Highway Asset Management System)

The result of this increase was a large backlog of defects that was not forecast to return to usual levels until September 2024. The use of innovative techniques has been instrumental in exceeding this target.

The Elastomac mastic asphalt repair method is an alternative to traditional defect repairs that uses an innovative hot mastic produced from end-of-life recycled car tyres to cost effectively repair carriageway defects quickly with an 83% lower carbon footprint than traditional repairs. Additional environmental impacts include the near eradication of waste going to landfill and a reduction in the use of virgin aggregates.

The finished repair additionally waterproofs the area surrounding the immediate defect resulting in a long-lasting waterproof repair. An important side-effect of this type of repair is the prevention of future defects in the local area surrounding the original defect which is expected to minimise the impact on defect numbers in future winters.

Traditional pothole repair methods rely on significant use of power tools including Stihl cut-off saws, petrol breakers and vibrating plates. All of this plant places employees at risk of Hand Arm Vibration Syndrome, a significant long term health risk. This can be minimised by careful monitoring and rotating of tasks but is completely eliminated by completing the repairs using the mastic asphalt repair method.

Initially the material in question was utilised on a pilot basis to establish if it met requirements. The material continued to be utilised over a number of quotation exercises before spend monitoring information identified the need to the aggregate volumes into a tender process. From the quotation exercises £215,670 has been spent to date. It is the intention that the procurement of these materials will be incorporated into the forthcoming reprocurement for the Spray Injection Jet Patching & Heated In-Situ Road Repairs contract.

The commencement of this procurement process represents a key decision and ordinarily requires Cabinet approval to commence. The details concerning the approach to be taken to this tender process are currently being determined and it is requested that approval for the commencement of the tender process are delegated to the Executive Director of Growth, Environment, Transport & Health, in consultation with the Cabinet Member for Resources, HR and Property (Deputy Leader) and the Director of Law and Governance to finalise the arrangements for the procurement exercise.

The proposed spend with Galvmac is within the forecast budget for Structural Defect repairs.

It is necessary to continue with elastomac mastic asphalt repairs in advance of the coming winter to prevent defects reaching the numbers recorded during the 2023/24 winter season when the weather deteriorates.

Galvmac Ltd has invested in plant and machinery to allow delivery of Roadmender Elastomac mastic asphalt repair in a highway setting.

As this is an innovative repair method the availability of contractors equipped and skilled to deliver this repair type is currently highly limited. There are currently no alternative contractors available to deliver the work at the scale that is required in advance of the coming winter.

The quote provided by Galvmac Ltd for delivery of this repair type, based on a rate per square metre, is highly competitive when compared with delivery of traditional repairs.

**Legal**

Legal advice will be taken on the procurement of these services.

In relation to the works proposed in the interim period the total cumulative value since the pilot to the award of the contract following the procurement process is below the relevant threshold set out under the Public Contracts Regulations 2015 (the Regulations). Accordingly, the recommendation requests a waving the Council's procurement rule but remaining compliant with the Regulations.

The Council is under a statutory duty in section 41 of the Highways Act 1980 to maintain the highway.

**Financial**

As the value of the works, for the interim period, is above the limits set out in paragraph 14.1 of Part 10 of the county Council's Constitution (Standing Orders – Procurement Rules), Cabinet's approval is required for the direct award for the interim period.

Funding is available through the normal Capital budgets for the interim period and the procured contract.

**Risk management**

The continuation in the use of elastomac mastic repairs through Galvmac Ltd will enable more defect repairs to have increased resilience to weather in advance of the winter season. Last year the impact of weather on the condition of the network was significant resulting in the 56% increase in defects. Without the continued use of this innovative system in advance of winter, there is a risk that a similar deterioration impact could be expected during the 2024/25 winter.