

Subject:	Highway Gully and Soakaway Cleansing Contract. Re-tendering of service		
Date of Meeting:	29 November 2012		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Jan Jonker	Tel: 29-4722
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Gullies collect surface water from the highway and drain it to the main sewer networks or where there is no sewer network the water drains in to a soakaway. Over time gullies and soakaways will fill with silt and other materials and require cleaning out to ensure they continue to work effectively.
- 1.2 The existing contract includes a requirement for sustainable practices. The new contract document will look for innovation around sustainable improvements to our existing service. We expect that throughout the contract all correspondence will be conducted electronically and all waste collected will be recycled. Recycling of waste may include composting, separation and any other forms of treatment that will put the waste to use, rather than disposal to Landfill.
- 1.3 This report sets out the current position in relation to highway gully and soakaway cleansing in Brighton and Hove, and recommends a procurement strategy for the continuation of the service from June 2013 when the current contract comes to an end.

2. RECOMMENDATIONS:

- 2.1 That the Committee authorises the Head of City Infrastructure:
- 2.2 to seek tenders in respect of highway gully and soakaway cleansing in Brighton and Hove for a period of five years from June 2013, with an option to extend for up to a further three years; and
- 2.2 to accept tender(s) in accordance with officer recommendations following the tendering exercise and to seek delegated authority for the Strategic Director - Place to approve and award the resultant contract accordingly on terms approved by the Head of Law.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Highway Gully and Soakaway Cleansing Contract is currently held by FM Conway Limited. The contract was awarded in 2008 for a period of five years and is due to end on 25 June 2013.
- 3.2 The Contract includes a requirement for gullies and soakaways to be geo referenced when emptied. This provides silt levels for each visit which enables targeted cleansing including increasing or reducing the frequency of cleaning as necessary. It also requires defects to be reported on each visit. This information is then available for Highways engineers to carry out any necessary repairs or reactive works.
- 3.3 Consideration has been given to supplying the service in-house however it would require the purchase of two gully & soakaway tanker vehicles, as one would be necessary to cover emergencies and breakdowns. It is not believed that this would provide value for money as a contractor would be able to spread their costs across several contracts and the council is not in a position to do this.

4. CONSULTATION

- 4.1 At this stage, consultation in relation to the proposed renewal of the contract is not necessary.

5. FINANCIAL & OTHER IMPLICATIONS

Financial Implications

- 5.1 For the current financial year, there is a revenue budget of £193,340 to fund gully and soakaway cleansing.. In addition to the cyclical work, this needs to cover emergency or reactive works, averaging £2,000 per month.

Finance Officer Consulted Karen Brookshaw

Date 07/09/12

Legal Implications

- 5.2 Policy & Resources Committee is the appropriate decision-making body in respect of the recommendations at paragraph 2 above, given that the value of the contract which is the subject of the proposed tendering exercise is likely to have corporate budgetary implications.
- 5.3 The Council is under a statutory duty to maintain all highways that are maintainable at the public expense. This duty extends to maintaining an adequate system of drainage for the highway. Failure to comply with the duty would leave the Council liable to a claim for damages in the event of any accident caused as a result.
- 5.4 The value of the proposed contract means that the Procurement Rules will govern the process to be followed in awarding the contract. The contract will

need to be advertised in OJEU. Contract Standing Orders also require that the form of Contract is approved by the Head of Law.

Lawyer consulted Oliver Dixon

Date 29 August 2012

Equalities Implications

5.5 None.

Sustainability Implications

5.6 Sustainability issues will be addressed in the service specification and evaluation.

Crime & Disorder Implications

5.7 None.

Risk & Opportunity Management Implications

5.8 Failure to tender the service will ultimately lead to gully and soakaway blockages. This will have a direct impact on to possible flooding of properties and therefore increase the risk of claims against the council.

Corporate / Citywide Implications

5.9 None.

6. REASONS FOR REPORT RECOMMENDATIONS

6.1 Recommendations are made on a financial basis. It is proposed that the new contract allows for cleansing frequencies to be altered based upon the geo referencing information supplied. Frequencies can be targeted at those sites requiring more frequent emptying than others. This should enable costs to be lowered.

SUPPORTING DOCUMENTATION

