

**Regional Improvement and Efficiency Programme (RIEP)
Transport Major Schemes Specialist Consultancy Frameworks
User Guide**

1. This document summarises the operation of the consultancy frameworks which have been established as part of a project undertaken by the West of England authorities and supported by RIEP. The project has created frameworks which can be used by all other South West highway authorities.
2. The frameworks include consultants capable of providing support to South West highway authorities with the development and implementation of transport major schemes. This covers the following areas:
 - Project Management - project managing a major transport scheme or aspects of its development or implementation from inception to completion.
 - Procurement Advice – providing advice on, and support with, the procurement of major transport schemes infrastructure and/or services.
 - Infrastructure Design – support with design aspects of major schemes from preliminary design to construction detail spanning highways, traffic management schemes, junction modelling, structures, public transport schemes, landscape design and surveys and investigative works to support these tasks.
3. The procurement for companies to be included on the framework has been undertaken through the Official Journal of the European Union (OJEU). An extract from the OJEU advertisement related to scope is given in Appendix 1.

The Legal Bit

4. Each of these lots includes 3-5 contractors which are shown in Appendix 2. These contractors have pre-qualified and been assessed by the West of England authorities as competent at undertaking work in these fields.
5. The framework has been procured through the Official Journal of the European Union (OJEU) process and runs until June 2014.
6. The framework is operated via a legal agreement between Bristol City Council and the consultant. This includes a detailed set of call-off terms and conditions (see Schedule 5 of the agreement) which will govern individual commissions awarded under the framework. South West highway authorities are named within the framework as contracting bodies.
7. The framework agreement includes provision for the following insurance: (see clause 27 of the agreement)
 - Public Liability £5m

- Employers' Liability £10m
 - Professional Indemnity £10m
8. The agreement, in clause 26.2, defines an aggregate framework liability of £10m. However, recognising the breadth of commissions which could be awarded through the framework, the agreement provides for the party's liability through a Call-Off Contract to be set out in this contract. Therefore liability needs to be defined at an individual commission basis such as through the Supplemental Requirements in Addition to Call-Off Terms and Conditions (section 2.1) of the Order Form (see Appendix 7).
 9. Parent Company Guarantees have been obtained from all contractors with a Parent Company.
 10. This means the contracts have been pre-agreed and will be the same across commissions made through the framework. For individual commissions the procurement will be undertaken by the individual authority, and they will have the contractual relationship with the consultant (based around the Order Form) under the terms of the overarching framework agreement. There is scope to make minor changes to these terms at the individual commission level, such as with limits to liability, and these should be recorded in the order form (see Appendix 7, section 2.1 and 2.2).

How to Run a Tender

11. The commissioning authority will need to comply with their own procurement and/or financial regulations when using the frameworks. Work awarded through the framework will be on the basis of a call-off contract awarded through mini-competition. This should involve all contractors able to undertake the task, and in any event at least 3.
12. An authority wishing to use the framework needs to contact Bristol City Council and outline their requirements as shown in Appendix 3. All information will be treated in confidence and only used to monitor use of the frameworks to support reporting to RIEP. Once a request has been received details will then be provided for all the contractors included for the relevant lot, together with a copy of the legal agreement and the staff rates provided as part of the tender submission for the framework (see 13 below).

Assessment

13. The quality aspects of the mini-competition must be based upon the framework level evaluation criteria set out in the framework agreement (see Schedule 2 of the agreement and Appendix 5 below). These were used to assess the tenders for inclusion on the framework. Authorities using the framework are able to modify the percentage weightings but not

the criteria, although there is the opportunity to further define or sub-divide these to reflect the needs of individual commissions.

14. It will be up to the commissioning authority to determine how price is considered in the tender assessment and the relative weightings given to quality and price.
15. The brief for the mini tender must include sufficient information to allow the contractor to fully assess the project. The paperwork should also include the appropriate Assessment Criteria (see Appendix 5). It is possible to adjust the weightings according to the needs of your project including the use of a nil percentage if a criterion is inappropriate.
16. The West of England authorities wish to use this framework to develop a model for procurement of this type. Part of this process is to work closely with the contractors on the framework to understand each others perspectives, to seek efficiency in the way the 'mini-competition' is structured and evaluated, and to promote good practice. Whilst it is not the intention to be overly prescriptive about how individual authorities use the framework, within the background of their own regulations and context, Appendix 6 provides some issues to consider.

Fees

17. The framework includes 2010/11 prices for key staff (see Schedule 3 of the Agreement). Although not binding for individual commissions, and unlikely to embrace the full range of staff, clause 13.1 of the agreement states the prices offered through mini-competition should be based on these rates.

Placing the Order

18. Commissioning work will be via an order form based upon that given in Schedule 4 (shown as Appendix 6 below). This provides the opportunity to vary the call-off terms and conditions.

Other Information

19. If a contracting body is considering terminating a call-off contract they should notify Bristol City Council as this may have implications for the whole of the framework.
20. At the end of a commission, contracting authorities will be required to provide feedback to Bristol City Council on the performance of the contractor. Feedback (in the form shown as Appendix 4) will also be sought on the merits of procuring through the framework as opposed to alternatives approaches and ease of use. This information will be treated in confidence and will not be reported at the individual commission level.

The Select List

21. As part of the procurement process a number of additional contractors (beyond those in Appendix 2) were successfully pre-qualified, but did not score sufficiently highly in the technical information they provided to progress onto the framework. These contractors form a Select List which is shown in Appendix 8. Individual commissioning authorities should take a view as to whether to use these contractors to procure lesser value more specialised pieces of work. Prior to using the select list authorities will need to take a view as to whether their own procurement rules permit the use of a select list in this manner. Such procurement would not be governed by the terms of the framework agreement, although commissions would need to be in scope (see section 2), and commissioning authorities would need to enter into a separate agreement with a contractor procured from the Select List.
22. To access details of contractors on the Select List an authority should contact Bristol City Council.

Commissioning through the Framework

1. Establish need for consultancy services appropriate to the framework.
2. Complete and submit Scope of Work Form (Appendix 3)
3. Receive consultant contact details, copy of the agreement and rates (see 13).
4. Invite consultants included on the lot to tender
5. Evaluate tenders (Appendix 5)
6. Award using Order Form (Appendix 7)
7. Complete Feedback Form at end of commission (Appendix 4)

Appendix 1 - Extract from OJEU Advertisement
Appendix 2 - Framework Consultants
Appendix 3 - Scope of Work Form to Access the Framework
Appendix 4 - Framework Application Feedback Form
Appendix 5 - Mini-Competition Tender Assessment Criteria
Appendix 6 - Tips for Use of the Framework
Appendix 7 - Order Form
Appendix 8 - Select List

Appendix 1

SECTION II: OBJECT OF THE CONTRACT

II.1) DESCRIPTION

II.1.1) Title attributed to the contract by the contracting authority:
SW Councils - Specialist Consultancy Support

II.1.2) Type of contract and location of works, place of delivery or of performance:
SERVICES

11

Main site or location of works: Bristol, City of
NUTS code: UKK11

II.1.3) This notice involves
ESTABLISHMENT FRAMEWORK AGREEMENT

II.1.4) Information on framework agreement:
Framework agreement with several operators.

Max number of participants: 25

Duration of the framework agreement: Duration in year(s): 4

Justification for a framework agreement, the duration of which exceeds four years:

Estimated total value of purchases for the entire duration of the framework agreement:

Estimated value excluding VAT: 11 000 000,00 GBP

Frequency and value of the contracts to be awarded:

II.1.5) Short description of the contract or purchases(s):

To strengthen and complement existing arrangements, and build upon current in-house expertise, support is required with the preparation and delivery of the West of England's major schemes programme and other councils programmes from across the south west region. The West of England authorities are seeking specialist consultancy support in the areas given below and to create a framework available for use by local Highways Authorities in the south west region. This framework will be open to the following local highways authorities: -Bristol City Council, Bath and Northeast Somerset, South Gloucestershire, North Somerset, Cornwall Council, Devon County Council, Dorset County Council, Gloucestershire County Council, Plymouth City Council, Somerset County Council, Swindon Borough Council, Torbay Council, Wiltshire Council.

Lot 1. Transport major scheme project management. Consultants must have knowledge, experience, expertise and capacity for project managing major transport schemes (which could involve Bus Rapid Transit, rail, guided transport, highway, or transport packages) from inception to implementation.

Lot 2. Specialist advice on procuring the infrastructure for major transport schemes. Consultants must have experience, expertise and capacity across a range of procurement models and an understanding of their application to both individual and multi-authority procurement in accordance with current legislation.

Lot 3. Transport infrastructure design - Consultants must have experience, expertise and capacity in design of major schemes. This must include aspects such as environmental assessment, landscaping and micro-simulation and junction-modelling.

This procurement is being led by Bristol City Council on behalf of the West of England authorities to create a framework available for use by local Highway Authorities in the south west region.. It is proposed that the outcome of this procurement will be one framework agreement being put in place made up of three lots, one covering each of the above three areas of expertise. Each lot will include a number of contractors, with a minimum of three, with either a 'mini-tender' or call off depending on circumstances for individual commissions.

IMPORTANT NOTE - This tender reference (CD/T/2504) replaces a previous tender for the West of England Consultancy reference PTSD/TT/2113 due to the widening geographic scope. Lots 4 and 5 from PTSD/TT/2113 have been dropped from the new tender CD/T/2504. leaving this contract for 3 lots ONLY.

II.1.6) Common procurement vocabulary:

71311200 , 71311300 , 90713000 , 72224000 , 71530000 , 90712100 , 71400000 , 79300000 , 79311400

II.1.7) Contract covered by the Government Procurement Agreement (GPA):
NO

II.1.8) Division into lots:

Division into lots:

LOT NO: 1

TITLE: Transport Major Scheme Project Management and Consultancy

COMMON PROCUREMENT VOCABULARY (CPV):

Main Code: 72224000

Additional Codes:

Total Quantity or Scope

Transport Major Scheme Project Management and Consultancy - consultants will be expected to demonstrate knowledge and experience of managing and progressing of major transport schemes (which could involve Bus Rapid Transit, rail, highway, or transport packages) from inception to implementation

Additional Information: Due to the nature of the project work and the fact that the context of many of the regional projects is undecided it is not possible to identify the scope and value by lot, hence the reasoning for a framework contract. Framework rules available in draft form in the Invitation to tender will govern how the further competition is performed under the framework. CPV codes relate to all 3 lots

LOT NO: 2

TITLE: Specialist Advice on Transport Infrastructure Procurement

COMMON PROCUREMENT VOCABULARY (CPV):

Main Code: 72224000

Additional Codes:

Total Quantity or Scope

Specialist advice on major transport schemes - infrastructure procurement including experience across a range of procurement models and an understanding of their application to both individual and multi-authority procurement in accordance with current legislation

Additional Information: Due to the nature of the project work and the fact that the context of many of the regional projects is undecided it is not possible to identify the scope and value by lot, hence the reasoning for a framework contract. Framework rules available in draft form in the Invitation to tender will govern how the further competition is performed under the framework. CPV codes relate to all 3 lots

LOT NO: 3

TITLE: Transport Infrastructure Design

COMMON PROCUREMENT VOCABULARY (CPV):

Main Code: 72224000

Additional Codes:

Total Quantity or Scope

Transport Infrastructure Design - major schemes design including aspects such as environmental assessments, landscaping and micro-simulation and junction modelling

Additional Information: Due to the nature of the project work and the fact that the context of many of the regional projects is undecided it is not possible to identify the scope and value by lot, hence the reasoning for a framework contract. Framework rules available in draft form in the Invitation to tender will govern how the further competition is performed under the framework. CPV codes relate to all 3 lots

II.1.9) Variants will be accepted: NO

II.2) QUANTITY OR SCOPE OF THE CONTRACT

II.2.1) Total quantity or scope:

The framework agreement will be in place for 4 years (48 months). Therefore we are unable to be specific as which lots will receive what levels of contracting over a set timeframe. The tender documents will specify the rules under which further competition will take place under the framework agreement

Estimated value excl. VAT: 11 000 000,00

Currency: GBP

II.2.2) Options:

No

II.3) DURATION OF THE CONTRACT OR TIME-LIMIT FOR COMPLETION:

Duration in months: 48 (From the award of contract).

Appendix 2 Framework Consultants

Project Management

Mott MacDonald
MVA Consultancy
Steer Davies Gleave

Transport Procurement

Atkins
Gifford LLP
Grant Thornton
Mott MacDonald
WSP

Transport Infrastructure Design

Amey
Atkins
Halcrow
Mott MacDonald

Appendix 3

Scope of Work Form to Access the Frameworks

Contact Details Name: Telephone: Email Local Authority:
Major Schemes Consultancy Area [Delete as appropriate] <ul style="list-style-type: none">• Project management• Procurement advice• Infrastructure design
Brief Description of Task
Estimated Duration Duration in months:
Estimated Cost Cost £:

Appendix 4 Framework Application Feedback Form

Contact Details Name: Telephone: Email: Local Authority:
Major Schemes Consultancy Area [Delete as appropriate] <ul style="list-style-type: none">• Project management• Procurement advice• Infrastructure design
Consultant Commissioned
Consultant Performance Contract Start Date: Contract End Date: Contract Value: Were there any consultant performance issues which could impact upon their future inclusion on the framework? Yes /No (If yes we will need to contact you further)
Use of the Framework If you had not used this framework how would you have commissioned this task? Do you consider this arrangement: 1) Saved time Yes/No 2) Reduced resources needed in the procurement process Yes/No 3) Provided a competitive cost Yes/No Did you find the framework easy to use? Would you use the framework again? Do you have any suggestions about how this arrangement could be improved?

Appendix 5 Mini-Competition Tender Assessment Criteria

Project Management Assessment Criteria

Criterion Number	Criterion	Percentage Weightings
1	Identification and appreciation of key issues related to the Project Management of this task	%
2	Proposed approach to resourcing the task including ensuring flexibility and responsiveness	%
3	Proposed approach, processes and tools to be employed including the management of programme, budget and risk.	%
4	Proposed approach to interaction and communications	%
5	Experience of organisation in progressing relevant local authority major schemes through the DfT approvals process	%
6	Skills and experience of the identified Project Management staff	%

Procurement Advice Assessment Criteria

Criterion Number	Criterion	Percentage Weightings
1	Identification and appreciation of key issues related to procurement for this task	%
2	Proposed approach to resourcing the task including ensuring flexibility and responsiveness	%
3	Proposed approach, processes and tools to be employed including considerations of impact on programme, budget and risk.	%
4	Proposed approach to interaction and communications	%
5	Experience of organisation in providing procurement advice related to relevant local authority major schemes	%
6	Skills and experience of the identified staff	%

Infrastructure Design Assessment Criteria

Criterion Number	Criterion	Percentage Weightings
1	Identification and appreciation of key issues related to infrastructure design for this task	%
2	Proposed approach to resourcing the task including ensuring flexibility and responsiveness	%
3	Proposed approach, processes and tools to be employed including an appreciation of impacts on programme, budget and risk.	%
4	Appreciation and strength of approach across the range of design tasks and with reference to wider aspects of infrastructure design	%
5	Experience of organisation in providing infrastructure design to support the progression of relevant local authority major schemes through the DfT approvals process	%
6	Skills and experience of the identified staff	%

Appendix 6

Tips for Use of the Framework

Tendering

- It is helpful to specify or give guidance on the length of the submission and what this should, and should not, include (eg CVs, charts and diagrams, company background etc).
- The quality of the proposal (and perhaps price) is influenced by the time given to submit tenders. Need to balance expediency against the output.
- Although complicated to manage, using the framework consultants to help inform the specification and the packaging of work can provide valuable input and expertise.
- Consider a briefing session (particularly for more complex tenders) for all the consultants on a lot to co-incide with the issue of tender documents. This may provide an efficient and even-handed way to share information and resolve queries.
- Feedback on tender evaluation is valuable to consultants – both in terms of cost and quality. It is helpful to clearly set out what level of feedback will be provided, and through which mechanism, when issuing tender documents.
- The tender documents should clearly set out the quality score evaluation criteria with weightings (see Appendix 5), and how quality and price is weighted.

General

- Sharing information about forward programmes can help consultants to start to line up appropriate resources – both tendering and resultant commissions.
- In seeking improved performance there is value in mechanisms to enable understanding of the consultants views of client side activities. This could include the tender process (from the view of both the successful and unsuccessful tenderers) or during a commission (eg using Key Performance Indicators). The way in which this information is captured needs to be carefully considered to ensure openness.
- The use of subcontractors in proposals will be at the discretion of the commissioning authority and will depend upon the nature of the particular commission. However, the broad principle is that as many tasks as reasonable should be undertaken directly by the contracted body, and in any event subcontracting should not restrict competition.

Appendix 7

ORDER FORM Framework Agreement

FROM

Contracting Body	
Service Address	
Invoice Address	
Contact Ref:	Ref: Phone: e-mail:
Order Number	<i>To be quoted on all correspondence relating to this Order:</i>
Order Date	

TO

Provider:	[insert Provider's name]
For the attention of: E-mail Telephone number	
Address	

1. SERVICES REQUIREMENTS

(1.1) Services [and Deliverables] Required:

(1.2) Commencement Date:

(1.3) Price Payable by Customer

(1.4) Completion Date:

2 [MINI-COMPETITION ORDER - ADDITIONAL REQUIREMENTS

(2.1) Supplemental Requirements in addition to Call-Off Terms and Conditions:

[For Liability - see clauses 26.1 – 26.3 and Schedule 5 clause 7.1.3]

(2.2) Variations to Call-Off Terms and Conditions

3. PERFORMANCE OF THE SERVICES [AND DELIVERABLES]

(3.1) Key Personnel of the Provider to be involved in the Services [and Deliverables]:

(3.2) Performance Standards

(3.3) Location(s) at which the Services are to be provided:

(3.4) Quality Standards

(3.5) Contract Monitoring Arrangements

4. CONFIDENTIAL INFORMATION

(4.1) The following information shall be deemed Commercially Sensitive Information or Confidential Information:-

(4.2) Duration that the information shall be deemed Commercially Sensitive Information or Confidential Information

BY SIGNING AND RETURNING THIS ORDER FORM THE PROVIDER AGREES to enter a legally binding contract with the Contracting Authority to provide to the Contracting Authority the Services specified in this Order Form (together with, where completed and applicable, the mini-competition order (additional requirements) set out in section 2 of this Order Form) incorporating the rights and obligations in the Call-Off Terms and Conditions set out in the Framework Agreement entered into by the Provider and the Authority on 25 June 2010.

For and on behalf of the Provider:-

Name and Title	
Signature	
Date	

For and on behalf of the Contracting Authority:-

Name and Title	
Signature	
Date	

Dependent on the value of the call off Contract this order may need to be executed as the Deed

Appendix 8 Select List Consultants

	Project Management	Transport Procurement Advice	Transport Infrastructure Design
Amey	✓	✓	
Arup	✓	✓	✓
Atkins	✓		
Byways and Highways			✓
Capita Symonds			✓
Capital Project Consultancy		✓	
ChandlerKBS		✓	
CJ Associates	✓	✓	
Clarke Bond			✓
Colin Buchanan			✓
Davis Langdon		✓	
Deloitte		✓	
EC Harris	✓	✓	
Ernst & Young		✓	
Gifford LLP	✓		✓
Halcrow	✓		
Hyder			✓
Hydrock			✓
Jacobs Engineering			✓
JMP			✓
Key Transport	✓		
Mace	✓		
Mayer Brown			✓
Mouchel			✓
Parsons Brinkerhoff	✓	✓	✓
Pell Frischmann	✓	✓	✓
Peter Brett	✓		
PwC		✓	
White Young Green			✓
Scott Wilson	✓	✓	✓
Steer Davies Gleave		✓	✓
Turner & Townsend	✓	✓	
URS Corporation			✓
WA Fairhurst			✓
WSP	✓		✓

Note: This table excludes the Framework Consultants shown in Appendix 2.