

DIRECTOR GENERAL SYPTE - APPROVAL REQUEST REPORT

FROM: **DIRECTOR OF PUBLIC TRANSPORT DEVELOPMENT**

SUBJECT: **TCF - IPORT BRIDGE SCHEME**

DATE OF MEETING: **06 JULY 2022**

Key Decision paper	Report signed off for publication?	Officer Decision Form required?	GMB	STOB	TEB	ARAP	MCA	ASRC	Approval/ Information
Yes	Yes	Yes	X	X	X	X	X	X	Approval

EXECUTIVE SUMMARY

This report seeks approval to enter into a Legal Agreement with DMBC and passport funding to DMBC for them to appoint a contractor and manage the contract to deliver the works for the iPort Bridge TCF project at a cost of up to £6.1m. The budget for the works is within the approved FBC budget plus an additional £1,019,145 of funding made available through ITB carry forward, plus £50,000 from Local and Neighbourhood Complementary Transport. The award of the funding to DMBC is subject to a legal agreement with SYMCA.

**where decision sought is over £50k a Record of Officer Decision Form (RoODF) will be required to be completed and submitted to Democratic Services for publication within 3 days of the decision.*

1. **KEY DECISION**

Is it a Key Decision – **YES**

If YES, has the decision been published on Forward Plan for min 28 days and report publicly published 5 clear days before decision **YES**

2. **RECOMMENDATIONS**

Approval is given, subject to a satisfactory target cost from the contractor, to:

- 2.1. Enter into a legal agreement with DMBC for the delivery of the iPort Bridge TCF project.
- 2.2. Passport up to £6.1m* TCF funding to DMBC for them to appoint Eurovia to deliver the iPort Bridge scheme, and for DMBC contract administration costs.

**Exact total to be confirmed pending a revised contractor target cost.*

3. **BACKGROUND INFORMATION**

- 3.1 A paper was presented to the former SYPTE Management Board on the 30 November 2020, which set out our proposed approach to the construction phase of project delivery.

- 3.2 The approach outlined in the paper described DMBC as the contracting authority for the works and DMBC being the lead for contractor procurement. This approach was considered appropriate given that Harworth's land (the scheme landowner) would become adopted by DMBC. In addition, it was felt that this arrangement would simplify the relationship as DMBC would also be acting as the Highway Authority. The previous SYMCA Management Board approved this approach in principle.
- 3.3 It should also be noted that SYMCA will still be responsible for ensuring that the overall TCF grant represents value for money. However, as the contracting authority, DMBC will be adhering to their own standing orders obligations and assurance processes.
- 3.4 DMBC's preferred method of contractor procurement is to use the Midlands Highways Alliance Framework (MHA). The form of contract will be the NEC4 Framework Contract. The MHA Framework has been used successfully in the past by both DMBC and RMBC. DMBC's preferred approach is to use Option 3 of the framework (sub-regional call off), which will involve using Eurovia for the iPort Bridge project.
- 3.5 FBC approval was granted for the iPort Bridge scheme on 20 September 2021. The overall contractor target cost came in over the budget approved in the business case. This was due to many reasons, the main one being the increased cost of materials due to inflation. This led to a process of value engineering with the design, which will help to reduce the material costs, programme duration, and overall project costs.
- 3.6 Eurovia are currently repricing their target cost based on our value engineered design. We expect their revised target cost and construction programme by the end of June 2022. Subject to the revised target cost being acceptable by SYMCA and DMBC, and within our revised project budget, a change control will be issued to SYMCA assurance, to allow the project to progress to the construction phase.
- 3.7 A legal agreement has been drafted between SYMCA and DMBC that sets out the terms of the contractual relationship between the MCA, DMBC, and the contractor. SYMCA will be responsible for ensuring that the overall TCF grant represents value for money. As the contracting authority, DMBC will be adhering to its own financial and contract standing orders.

4. OPTIONS CONSIDERED

1. DMBC leading on the construction phase (funding passported to DMBC).
2. SYMCA leading on the construction phase.

Option 1 is recommended to help simplify the construction phase of the project. This approach is considered appropriate given that the scheme's land would become adopted by DMBC. In addition, this would help simplify the relationship as DMBC would also be acting as the Highway Authority.

The key decision is therefore to passport funding to DMBC to allow them to be the contracting authority and progress the construction phase.

5. IMPLICATIONS

5.1. CONTRIBUTION TO SYMCA/SYPTE BUSINESS PLAN DELIVERY

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Promote the use of public transport and maximise patronage |
| <input type="checkbox"/> | Make the most of new technology to improve public transport services |
| <input type="checkbox"/> | Work with partners to reduce the impact public transport has on Air Quality and the Environment |
| <input checked="" type="checkbox"/> | Get the best return for the region from our investment in public transport |

5.2. RISK

None Associated Risk Reference(s) from risk register

Describe existing or new risks as a result of this paper and any mitigations which are available.

Additional budget is needed in excess of the original TCF allocation. This increase in cost will be covered by ITB carry forward and local and neighbourhood complementary transport. The funding award to DMBC would be subject to a funding agreement with SYMCA.

5.3. FINANCIAL

- Existing Budget
 No Budget
 No Financial Implications

Budget code to be used to fund:	5209-02019-0091955		
If capital, specify capital funding source available:	TCF, ITB c/f, LNCT		
If virement specify which budget code:			
Have Finance been consulted?	Yes	<input checked="" type="checkbox"/>	No
Person contacted in Finance	Liz Lawson		
Date Finance consulted	16/06/22		

5.4. LEGAL AND FREEDOM OF INFORMATION ACT

- | | Y | N |
|--|--------------------------|-------------------------------------|
| Does the report contain information which is potentially exempt from the Freedom of Information Act? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Are there any exceptions to Standing Orders which need approval? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other Legal Implications | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

5.5. INFORMATION TECHNOLOGY IMPLICATIONS

Have IT been consulted on the proposals in this paper and do the recommendations require amendments or new IT software systems or infrastructure?

- Yes
 No

5.6. GENERAL DATA PROTECTION REGULATION

Y N

Does the paper have implications for the handling, transfer, processing or management of customer or other personal data?

Is there a requirement to conduct a Privacy Impact Assessment? If so, please include as an appendix.

Data retention requirements

Other Data implications

5.7. HUMAN RESOURCE IMPLICATIONS

Have HR been consulted on the proposals in this paper?

Yes
 No

Does the paper have implications for any of the following;? **No**

Individual job roles/responsibilities/grades Resources
 Skills requirements, e.g. training needs Policies and procedures

5.8. EQUALITY AND DIVERSITY

Does the paper have implications for any of the following;? **No**

Age Disability
 Gender Gender reassignment
 Marriage and civil partnership Religion or belief
 Pregnancy and maternity Race
 Sexual orientation

Is an Equality Impact Assessment (EIA) needed	Yes	No	<input checked="" type="checkbox"/>
Note: A Distributional Impact Assessment was undertaken as part of the business case process. This considered the variance of transport intervention impacts across different social groups. The indicators, on average, are all beneficial for the groups impacted by the scheme.			

5.9. COMMUNICATIONS AND STAKEHOLDER MANAGEMENT

Does the paper have implications for any of the following; **No**

Stakeholders Internal communications
 Media and Press (including reactive communications) Marketing plans and campaigns
 Mayoral activities (presenting either a risk or opportunity) No communications and stakeholder implications

No Mayoral Briefing Document is required.

5.10. ENVIRONMENTAL STRATEGY IMPLICATIONS

Do the recommendations in this paper change SYMCA/SYPTE's environmental impact?

<input type="checkbox"/>	Yes
<input checked="" type="checkbox"/>	No

5.11. CHANGE MANAGEMENT IMPLICATIONS

Does the paper result in any significant change management activity;

<input type="checkbox"/>	A Business Case is required to proceed
<input type="checkbox"/>	Managed through BAU change activities

<input type="checkbox"/>	A Project Initiation Document is required to proceed
<input checked="" type="checkbox"/>	No change management implications

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