

<b>AUTHORISATION TO AWARD BIKEABILITY CONTRACT TO OUTSPOKEN TRAINING</b>
<b>COUNCILLOR ELSEY, CABINET MEMBER FOR INFRASTRUCTURE, ENVIRONMENT AND CLIMATE CHANGE</b>
<b>FEBRUARY 2024</b>
<b>DEADLINE DATE: FEBRUARY 2024</b>

Cabinet portfolio holder:	Cllr Elsey, Cabinet Member for Infrastructure, Environment and Climate Change
Responsible Director:	Adrian Chapman, Executive Director: Place & Economy
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: YES Unique Key decision Reference from Forward Plan: KEY/04DEC23/04
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO

### RECOMMENDATIONS

The Cabinet Member is recommended to:

1. Authorise the award of contract to Outspoken Training LLP for delivery of Bikeability cycle training from 1<sup>st</sup> April 2024 for a period of 12 months up to the value of £147,344, with the option to extend for four further periods of 12 months for the same value. The maximum contract term shall be five years up to the value of £736,720.
2. Authorise the Director of Place & Economy to vary the works order value when required subject to:
  - available budget being in place;
  - the total sum of each variation not exceeding £100,000; and
  - the combined value of any authorised variation(s) do not exceed the total sum of £500,000.

Any variations are to be made in prior consultation with internal audit, finance and legal services.

3. Delegate approval to the Director of Place & Economy to authorise the decision whether to invoke the extension period following the initial contract term and in accordance with the contract provisions.

### 1. PURPOSE OF THIS REPORT

- 1.1 This report is for the Cabinet Member for Infrastructure, Environment and Climate Change to consider exercising delegated authority under paragraph 3.2.3 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph 3.4

**2. TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If yes, date for Cabinet meeting	<b>N/A</b>
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**3. BACKGROUND AND KEY ISSUES**

**3.1 Background information**

Bikeability is the national cycle proficiency training programme for school pupils and it is funded entirely by Active Travel England (ATE) via the Department for Transport (DfT) in the form of a grant. The current contract is due to expire at the end of the current financial year.

- 3.2 The current contract commenced on September 2017 with three years of confirmed funding from the DfT with the subsequent years of the contract was extended one year at a time due to funding only being awarded for a single year on each occasion.

- 3.3 The council has decided after extending the existing contract for an additional year that it should undertake a procurement exercise for a new contract. It was hoped that a decision would be made by Central Government on future years funding, but due to significant economic challenge for the UK and global economy this has been delayed again.

- 3.4 In the last three years funding was confirmed early in the calendar year, therefore leaving short amount of time to undertake procurement of a new contract to begin April of the same year. However, this year funding for 2024/25 was announced on August 2023 therefore allowing sufficient time for the procurement exercise.

- 3.5 Although, again funding had been awarded for a single year it was decided that we should now proceed with a new contract initially for a single year with the option of extending for a further four years, one year at a time. The decision was made to cover the possibility of more longer term funding being confirmed for future years within the new contract and also for single years should it continue to be awarded one year at a time.

- 3.6 The funding awarded for 2024/25 (Year 1) was used to determine the value of the new contract. The allocation was confirmed by Active Travel England as being £147,344. Although, funding for future years is unknown and yet to be confirmed, this value has been used to calculate what potentially the contract value could be if extended until 2028/29, based on the confirmed grant for Year 1. The total value of the contract could equal £736,720.

**3.7 The Procurement Process**

This procurement has been carried out in accordance with the Public Contract Regulations 2015 (PCR2015). The Procurement Process utilised the Open Procedure as defined in Regulation 27 of the Public Contract Regulations 2015. The procurement was published on Contract Finder and Find-A-Tender Service on 06 November 2023. Following advertisement two tenderers submitted an invitation to tender. Details of the evaluation are outlined below.

- 3.8 The Council sought a contractor to provide Bikeability cycle training to school children in the Peterborough local authority area.

The objectives of the procurement were to:

- To find a contractor that has the resources to train school pupils on the three different Bikeability levels (1-3) as well as Bikeability Plus modules (balance and learn to ride).
- To find a contractor that has the capability to provide extra Level 2 training, which the Bikeability Trust has set an objective to increase each year.
- To find a contractor that will project plan, monitor, report and evaluate the service it provides. This includes managing bookings, cancellations and dealing with complaints.

### 3.9 **Tender Evaluation Summary**

The tender attracted Expressions of Interest from 14 companies. However, only two of these submitted a Bid and this was evaluated by the Council's Officers.

3.10 The tender submissions were evaluated against the Standard Selection Questions to ensure they met the requirements. This comprised of relevant and proportionate questions specific to the procurement and sought to confirm that the potential contractor does not meet any of the grounds for exclusion (mandatory or discretionary) as required by the Public Contracts Regulations 2015.

The procurement's selection questions comprised of the following elements:

- a. Financial Standing
- b. UK General Data Protection Regulation (UK GDPR)
- c. Modern Slavery
- d. Insurances
- e. Safeguarding

3.11 The tenders were then assessed on Quality (80%) and Price (20%):

- A Quality Element (80%) – the Award Criteria questions were designed to ensure that potential contractors were able to deliver the service to a high standard in light of the service delivery targets which have been set for the Bikeability provision.
- A Price Element (20%) – bidders were required to complete and submit a price schedule. The price element of the bid was scored and contributed to the overall score for the bid.

Once the quality and price scores were allocated and moderated the weightings were applied and the resulting quality and price scores combined for each bidder to produce a final overall score for that bidder. The successful bidder was the one that submitted the highest scoring overall bid:

<b>Tenderer Name</b>	<b>Total Quality Score</b>	<b>Quality Weighted Score</b>	<b>Weighted Price Score</b>	<b>Total Weighted Score</b>	<b>Bid Ranking</b>
<b>Bid 1 - Outspoken Training</b>	64	75.00	18.46	93.46	1st
<b>Bid 2</b>	42	48.00	20.00	68.00	2nd

### **Reason for appointing successful contractor**

After evaluating and moderating the two tender submissions, Council Officers determined that Outspoken Training were successful and therefore should be awarded the contract.

Their tender documentation demonstrated that they met the requirements outlined in the selection criteria.

#### **4. CORPORATE PRIORITIES**

4.1 The following outlines how the recommendation links to the Council's Corporate Priorities:

##### **The Economy & Inclusive Growth and Prevention, Independence & Resilience**

###### Environment and Education & Skills for All

The aim of Bikeability is to equip children with the skills and confidence to cycle independently from a young age continuing to adulthood. Encouraging more individuals to cycle will help the Council to:

- Deliver on aspirations to become a net-zero Council
- Offer both health and social benefits and
- Cut congestion and promote cycling and reduce the need to travel by car

##### **Our Places & Communities**

###### Health and Wellbeing

Bikeability will ensure children are ready to cycle independently and understand the health benefits it offers, thereby encouraging them to make cycling a preferred option when traveling to and from school/college and even work. With the Local Cycling and Walking Infrastructure Plan the Council are identifying future highway infrastructure improvements that focus on active travel such as cycleways that are well connected to key destinations in the city. Therefore, creating an environment that gives everyone the opportunity to live more sustainably and be more healthy.

#### **5. CONSULTATION**

5.1 Market engagement was carried out to inform this procurement. In preparation a soft market test exercise was undertaken on 20 September 2022 and 09 November 2022 to understand the number of companies that would be interested in providing Bikeability for a single year only. The feedback indicated that there was a lack of appetite by the market to tender for a one year contract. Therefore, it was decided to provide a longer contract with the option of extending should funding be awarded.

To ensure the contracts meet the requirements further monitoring will be undertaken to evaluate the service as it progresses over the contract duration.

#### **6. ANTICIPATED OUTCOMES OR IMPACT**

6.1 It is anticipated that the council will award the contract to Outspoken Training for delivery of Bikeability training at local schools as outlined in this report.

#### **7. REASON FOR THE RECOMMENDATION**

7.1 This recommendation has been made to ensure that the Council is able to effectively claim grant funding awarded to it by the Bikeability Trust via Active Travel England for delivery of Bikeability training at Peterborough schools. Successful delivery of the training will help the Council to obtain further funding from the Bikeability Trust for future years. Delivery of the cycle training to pupils will help build confidence and encourage them to take up cycling as a mode of transport when travelling to and from school, college and work. This will help to reduce the number of journeys made by vehicles and also reduce the overall carbon emissions emitted in the city.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

8.1 A number of alternative options were considered and these were:

- Not to award a contract - this would waste a valuable opportunity for the Council to continue delivering Bikeability at schools which is offered for free to pupils and funded by a grant from Active Travel England. The Council has been receiving the funding since 2009.
- Extend existing contract for a further year – this was rejected as this option had previously been taken and did not offer value for money. The decision was previously made due to lack of time to undertake a full procurement exercise.
- Award contract for a single year (covering only confirmed funding period 2024/25) – this was rejected due to it not being efficient use of time and resource to undertake procurement and award contract and then to repeat the same procedure again in 12 month's time. Furthermore, the decision to not proceed with this option was supported by the results of the Soft Market Test which did not indicate that a contract with a one year term would appeal to the market and promote a healthy level of competition.

## **9. IMPLICATIONS**

### **Financial Implications**

9.1 The recommendation will commit revenue expenditure of £147,344 for the financial year 2024/25 to be funded by confirmed grant from the Bikeability Trust via Active Travel England. No long-term borrowing for the Council arises from this decision. However, there will be short term borrowing required to fund the project throughout until the claims are met (these are to be submitted quarterly). The same arrangement will be in place should the Council receive further funding for future years.

### **Legal Implications**

9.2 The procurement has been conducted in accordance with Regulation 27, Public Contracts Regulations 2015 (PCR 2015). Any future contract extension and/or contract variation shall be in accordance with the terms of the contract and Regulation 72 PCR 2015

Active Travel England set out a number of terms and conditions in their funding award letters with regards to training delivery, monitoring and reporting that shall apply to all procured contracts. These requirements have been included within the Service Specification and will be incorporated within the Services Agreement between the Council and the contractor.

### **Equalities Implications**

9.3 There are no equalities implications for this recommendation. The contractor has a policy and procedures in place to make sure their staff are aware and offered training so they are familiar with the Equality Act 2010. Furthermore, all participants will be offered opportunity to take part regardless of their race, religion, gender, disability, special educational needs, etc.

## **10. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED**

10.1 None

## **11. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

11.1 None

**12. APPENDICES**

12.1 None