

Decision Maker: ENVIRONMENT & COMMUNITY SERVICES PDS COMMITTEE

Date: 14th January 2021

Decision Type: Non-Urgent Non-Executive Non-Key

Title: RINEY - CONTRACT PERFORMANCE REPORT

Contact Officer: Garry Warner, Assistant Director (Highways)
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Chief Officer: Colin Brand - Director of Environment and Public Protection

Ward: Borough wide

1. Reason for report

- 1.1 This Report sets out to update Members on the performance of JB Riney, the Council's Highways contractor during the last twelve months.

2. RECOMMENDATION(S)

- 2.1 That the PDS Committee notes the content of this report and in particular the on-going work to ensure compliance with the Contract.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Quality Environment.
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Financial

1. Cost of proposal: Estimated cost N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Budget head/performance centre: Highways & Street lighting revenue budget, Capital LIP scheme (funded by Transport for London TfL), and Capital Highway Investment scheme.
 3. Total current budget for this head: £6.4m revenue; £3.3m capital
 5. Source of funding: Existing controllable revenue budget and capital programme 2020/21
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Staff

1. Number of staff (current and additional): 15
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough-wide
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: n/a

3. COMMENTARY

Background

- 3.1 Bromley's highway network comprises 856 miles (1370 km) of footway and 552 miles (884 km) of carriageway. This represents the Council's single most valuable asset with a gross replacement cost of £1.1 billion. Good quality and well maintained streets make a significant contribution to the street scene appearance, the prosperity of our community and help to ensure our streets are both safe and accessible for users.
- 3.2 In April 2018 the Council awarded contracts for major and minor highway works to Riney from 1st July 2018 for an initial term of seven years (Report No ES18040), with an option to extend the contract for a further year. In November 2018 Executive approved proposals to include Highway Engineering Consultancy Services within the Riney Major Highway Works Contract.

Contractor Performance

- 3.4 The Highway contracts commenced on July 2018, and include provision of a number of highway related services, as discussed below. The Contract includes a Performance Management Framework (PMF) with related Key Performance Indicators (KPI) and associated Low Service Damages (LSD).
- 3.5 The contractors performance was considered by this committee in November 2019 (Report No ES19081), and this report provides an update of how Riney have performed during the last twelve months.
- 3.6 It should be noted that all planned works, including the capital programme, street lighting improvements and traffic schemes, were suspended during the initial Covid-19 lockdown period, and did not recommence until early September. This has caused a delay in completion of these projects.
- 3.7 Although Riney attended to emergencies and urgent highway repairs during this period, the size and volume of works being completed were limited due to social distancing restrictions.
- 3.8 KPI's for all service areas were suspended between March and October 2020 due to the impact of Covid-19 on service delivery.

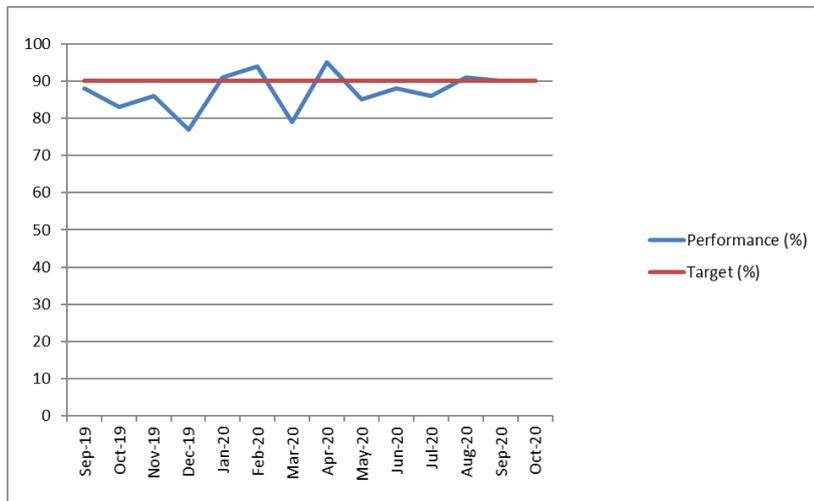
Planned Highway Maintenance and Traffic Schemes

- 3.9 In December 2016 the Council approved capital funding of £11.8m for investment in planned highway maintenance and the scheme was added to the Capital Programme for the maintenance of footways and carriageways. Seven phases of the projects were approved by the Environment Portfolio Holder, with the majority having been completed by the Council's last contractor, FM Conway.
- 3.10 Riney have now completed the capital programme and continued to make good progress with other traffic improvement projects as part of the annual LIP programme.

Reactive and Emergency Highway Repairs

- 3.11 As part of the Minor Highway Works Contract Riney complete all reactive maintenance tasks on the highway, along with in-hours and out of hours emergency repairs. Jobs have a completion time based on the nature of the defect and the risk of causing an accident, which are usually 2 hours for an emergency, 10 working days for urgent repairs and 35 working days for non-urgent works.

3.12 The PMF includes a KPI requiring 90% of all maintenance tasks to be completed within the specified timescales. Amalgamated data for performance against the required job durations are shown in the table below;

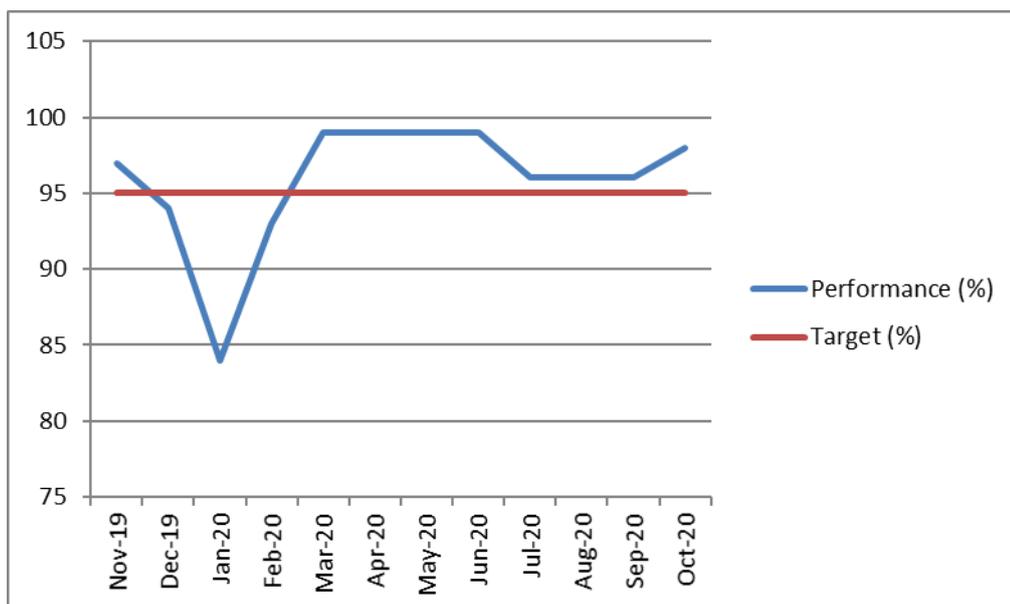


Street Lighting Maintenance

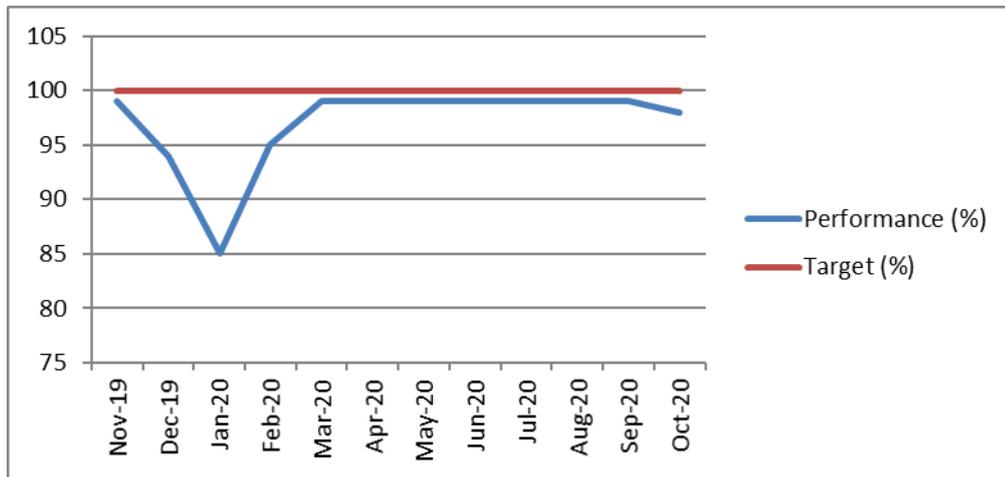
3.13 Under the Contract street lighting is a fully managed service, where the Council pay a fixed annual sum to maintain all street lights and illuminated signs or street furniture in working order. Defective street lights or signs are identified through the contractor’s monthly night inspection across the borough, or raised following FMS and telephone enquiries.

3.14 The PMF includes completion times for all routine maintenance tasks, with KPI’s requiring 95% of tasks to be completed within 4 working days, and 100% within 8 working days. Performance against the required job durations are shown in the tables below;

4 Working Day Response



8 Working Day Response



Winter Service

- 3.15 During the winter months JB Riney undertakes precautionary gritting and snow clearance works on the carriageway network, along with footway clearance outside a number of schools in the event of a snow emergency. While the Council currently own the fleet of gritters, the contractor is responsible for the maintenance of all vehicles and to provide drivers when the weather forecasts predict freezing or below freezing temperatures.
- 3.16 The PMF requires all precautionary gritting to be completed with 2.5 hours, which was achieved in all cases last winter. The 2020 winter season started on 4th November.

Highway Engineering Consultancy Services

- 3.17 Engineering consultancy services have been undertaken by JB Riney since April 2019, through their supply chain of specialist consultants. The arrangement continuous to provide an acceptable level of service for management of highway structures and various traffic surveys, although delays have been encountered with the delivery of designs for traffic schemes due to the current pandemic.

Highway Drainage Cleaning

- 3.18 The cleaning of all highway drainage assets (e.g. road gullies) has been included in the Highway Contract since 1st April 2019. Public sewers are maintained and cleaned by Thames Water Utilities. The contract provides for cyclical cleaning tasks of the Council’s drainage assets which range in frequency from every three months in areas of frequent flooding, to every four years.
- 3.19 Programmes of cleaning have been completed in line with the PMF, although issues have been seen with the timely completion of ad-hoc and certain seasonal cleaning tasks, a matter which Riney have been asked to address in their next service improvement plan. The improvement plan will have a time constraint of March 2021 where Riney propose to correct performance with agreed measures. Failure to meet this targets may involve implementation of Low Service Damages and a further service improvement plan.

Management

- 3.19 The LBB client team continues to have the necessary resources to manage the contract successfully, including those service subject to Contract Change Notices.

- 3.20 During the first year of the contract the contractor experienced a high turnover of key personnel, although the current establishment is considered suitable for delivery of all services covered by the contract.

Review of Contract Purpose

- 3.21 The Council have an ongoing requirement for all highway related services. While the street lighting and planned highway capital funded investment projects are nearing completion, the contract is based on a schedule of rates and future works can be 'called-off' should further funding be available in the future.

4. Service Profile / Data Analysis

- 4.1 The Contract includes a Performance Management Framework (PMF) with related Key Performance Indicators (KPI) and associated Low Service Damages (LSD).
- 4.2 A Service Operations Board is held monthly where the PMF is discussed, and KPI's and related LSD's are considered. A summary of the contractual KPI's are produced annually.
- 4.3 Performance relating to each area of the service are discussed in Section 3 above.

Plans for Ongoing Improvements in Performance

- 5.1 Performance of the contractor is measured in line with the requirements of the Performance Management Framework (PMF), which are designed to provide clear and demonstrable evidence of the success of the contract. Key Performance Indicators are monitored monthly and discussed at the Service Operations Board.
- 5.2 While the contractors performance relating to street lighting maintenance and reactive highway maintenance were below contractual requirements during the early months of the contract, with Low Service Damages being charged, performance in all service areas in now compliant with the PMF.
- 5.3 The contractor is aware that the KPI's in the PMF are the minimum standards acceptable, and are committed to ongoing improvements in delivering these services.

Plans for Ongoing Improvements in Value for Money

- 6.1 As a term services contract, works orders are raised as and when required from the Contract Price List. During the term of the contract options to achieve improved value for money will be based on new methods of working and the adoption of innovative materials.

7. Stakeholder Satisfaction

- 7.1 The contract requires all stakeholders to be notified in advance of planned works, and the methods employed will depend on the scale of the project.
- 7.2 Post-work surveys are required by way of an audit for planned works, the results of which will be included in future performance review reports.

8. Sustainability

8.1 The Contract includes Key Performance Indicators for the following sustainability matters, which are monitored on an annual basis;

(i) **Construction waste to landfill** - Percentage decrease, compared to the baseline year, in the weight of construction waste produced in delivery of the service that is disposed of at Landfill or sent for incineration, per thousand pound of works delivered through the Contract.

(ii) **Construction waste recycling rate** - Change in the percentage of construction materials (by value) used to deliver the service that are from either secondary or recycled sources, compared to the baseline year.

(iii) **Fleet CO2 emissions** - Percentage reduction in the total mass of CO2 produced by the Contractor's vehicle fleet in delivery of the service per thousand pounds of the Contract compared to the baseline year.

10. Policy Considerations

10.1 The borough's roads have a high profile and are used by most residents and businesses on a daily basis. Maintaining these assets to an appropriate standard will contribute to the Council's vision of providing a place where people choose to live and do business and links well with policy priorities of a quality environment, vibrant thriving town centres and supporting independence/safer communities.

10.2 The "Building a Better Bromley" objective of being an Excellent Council refers to the Council's intention to provide efficient & effective services and value for money to its residents.

11. Commissioning & Procurement Considerations

11.1 The contract was awarded in July 2018 for an initial term of seven years (Report No ES18040), with an option to extend the contract for a further year. Options for the future provision of these services, including a possible contract extension, will be considered in 2023.

12. Financial Considerations

12.1 Within the 2020/21 revenue budget of £6.4m for Highways and Street Lighting, a sum of £3.668m is available for the JB Riney contract. The table below provides a breakdown of the budgets and projected spend for each service area:

Service Area	Budget £'000	Projected Spend £'000
Reactive & Emergency Highway Repairs	2,397	2,397
Street Lighting	891	891
Winter Service	293	293
Highway Engineering Consultancy	87	87
Total Revenue	3,668	3,668

12.2 The JB Riney contract will be used towards delivering the following capital schemes in 2020/21:

	£'000
Planned Highway Maintenance & Traffic Schemes	2,486
TfL LIP Funded Traffic Schemes	799

Total Projected Capital Spend	3,285
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14. Legal Considerations

14.1 Under the Highways Act 1980 the Council as Highway Authority has duties to ensure the safe passage of users of the highway and to maintain the highway.

Non-Applicable Sections:	Customer Profile, Market Considerations, Personnel considerations
Background Documents: (Access via Contact Officer)	