

BRIDGEND COUNTY BOROUGH COUNCIL

20 OCTOBER 2020

REPORT OF THE CORPORATE DIRECTOR EDUCATION AND FAMILY SUPPORT INVITATION OF TENDERS FOR HOME-TO-SCHOOL TRANSPORT CONTRACTS

1. Purpose of report

1.1 The purpose of this report is to:

- request Cabinet approval to undertake a procurement exercise to invite tenders to bid for contracts for multiple home-to-school transport services, for a term of five years with the option to extend by two further periods of one year; and
- delegate authority to the Corporate Director, Education and Family Support, to authorise the acceptance of the most economically advantageous tenders received and enter into contracts with the successful bidders following the procurement process.

1.2 The indicative total value for the full term is £34.2m.

2. Connection to corporate improvement objectives/other corporate priorities

2.1 This report assists in the achievement of the following well-being objectives under the Well-being of Future Generations (Wales) Act 2015:

- **Supporting a successful sustainable economy** - taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions for all people in the county borough.
- **Smarter use of resources** - ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's wellbeing objectives.

3. Background

3.1 The local authority has a statutory duty under the Learner Travel (Wales) Measure 2008 to make suitable transport arrangements to facilitate the attendance of children each day at the relevant places where they receive their education or training. This is primarily achieved via the contracting of transport services from the private sector.

3.2 The majority of mainstream pupils are transported on large buses of various sizes. There are also a large number of taxi and minibuses which provide transport for both mainstream pupils and pupils with additional learning needs (ALN) attending specialist provisions including special schools and the pupil referral unit at the Bridge Alternative Provision. There are currently 272 contracts (each as a separate route)

provided by a number of private transport operators, who are predominantly local companies based in Bridgend.

4. Current situation/proposal

- 4.1 In July 2020, Cabinet deferred the report on the outcome of the public consultation to change the local authority's Home-to-School/College Transport Policy. This report also sought suspension of the local authority's contract procedure rules to allow the local authority to extend the current home-to-school transport contracts that expired in July 2020. As the report was deferred, it was necessary in early September 2020, to seek delegated authority from the Cabinet Member for Education and Regeneration to resume the provision of the services on the same terms as the expired contracts until the end of March 2021.
- 4.2 There are now a number of home-to-school transport contracts that require retendering to ensure that the local authority is meeting its responsibilities under the Public Contracts Regulations 2015, the Council's contract procedure rules and to seek value for money.
- 4.3 The tender will comprise of a schedule of the aforementioned 272 separate routes that will be tendered by the Corporate Procurement Team utilising an open competition advertising at first on 'Sell2Wales' and the 'Official Journal of the European Union' (OJEU). This will be conducted electronically utilising 'eTenderWales'.
- 4.4 In consideration of the market factors of struggling capacity in this sector, the outlined proposal is to conduct a procurement exercise awarding contracts for a term of five years with the option to extend for a further two periods of one year. This will allow the local authority to offer longer contracts to encourage investment, strengthen the existing contractual arrangements and potentially open up the market to new suppliers.
- 4.5 All suppliers who meet the specified minimum quality requirements will be required to submit prices for the routes.

5. Effect upon policy framework and procedure rules

- 5.1 There is no impact on the policy framework and procedure rules.
- 5.2 Current home-to-school transport contracts have been in place for a number of years, and will expire on 26 March 2021.
- 5.3 Legal and procurement officers have advised that there is a need to ensure compliance with the Public Contract Regulations 2015, the Council's own contract procedure rules and to demonstrate that the Council is achieving best value for money. Procurement regulations currently require advertisement in the Official Journal of the European Union (OJEU). In addition, the regulations require any procurement process to be conducted in an open, transparent and non-discriminatory manner.
- 5.4 Any decision to procure services with an estimated value exceeding £5m must be made by Cabinet.

6. Equality Impact Assessment

- 6.1 An initial EIA screening has been undertaken and identified that there are no equality issues related to this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The Well-being of Future Generations (Wales) Act 2015 assessment has been completed. A summary of the implications from the assessment relating to the five ways of working is as follows:

Long-term

The proposed initial term of five years for the contract with the option to extend by two further periods of one year, identifies that the local authority is supporting the sustainability of school bus services and seeks to ensure that local transport operators are able to justify an initial investment in capital assets ie transport vehicles and associated infrastructure, for the medium term.

Prevention

The local authority assesses the suitability of transport operators to deliver home-to-school transport services. The local authority is now developing training to support operators with training, to enable them to develop and maintain their knowledge and skills, and be successful in fulfilling the role.

Integration

School transport operators have a strategic role in providing a service so that all eligible pupils are supported in accessing their place of education. This ultimately means that learners can learn and achieve so that they can access opportunities for further learning and employment, and can play active roles in their communities, contributing positively to society as a whole.

Collaboration

School transport providers have a strategic role in supporting pupil's access to school. Transport providers need to ensure the health and wellbeing of pupils and staff. The local authority, in conjunction with transport providers, are ensuring that services are improved to meet the needs of all learners.

Involvement

The local authority engages with transport operators on a daily basis.

8. Financial implications

- 8.1 There are currently 272 routes that will be tendered. The estimated cost of these combined contracts over the period of the tender is detailed in Table 2 below.

Table 2: Estimated cost of tender (over seven years of the contract)

| Contract vehicle type | Number of contracts | Daily cost (October 2020) | Annual cost | Estimated 7-year cost |
|--|----------------------------|----------------------------------|--------------------|------------------------------|
| Bus | 83 | £14,663 | £2,785,964 | £19,501,750 |
| Minibus | 17 | £1,483 | £281,764 | £1,972,350 |
| Special minibus | 50 | £5,216 | £991,099 | £6,937,690 |
| Special taxi | 80 | £1,709 | £324,710 | £2,272,970 |
| Taxi | 35 | £1,698 | £322,753 | £2,259,270 |
| The Bridge Alternative Provision (pupil referral unit) | 7 | £935 | £177,650 | £1,243,550 |
| Total | 272 | £25,704.95 | £4,883,940 | £34,187,580 |

9. Recommendation

9.1 Cabinet is recommended to:

- authorise the invitation of tenders as set out above; and
- delegate authority to the Corporate Director, Education and Family Support, after consultation with the Monitoring Officer and Section 151 Officer, to authorise the acceptance of the most economically advantageous tenders received and enter into contracts with the successful bidders and any other further deeds and documents which are ancillary to those contracts following the procurement process.

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Background documents

Cabinet Report of the Corporate Director Education and Family Support in respect of the Learner Travel Policy dated 21 July 2020

