

MERSEY GATEWAY EXECUTIVE BOARD

At a meeting of the Mersey Gateway Executive Board on Thursday, 15 March 2012 in The Board Room - Municipal Building, Widnes

Present: Councillors Polhill (Chairman), Stockton and Wharton

Apologies for Absence: None

Absence declared on Council business: None

Officers present: L. Derbyshire, B Dodd, M Noone, S Nicholson and M Reaney

Also In Attendance: (Observers) Councillors: Jones and T McInerney

ITEMS DEALT WITH UNDER DUTIES EXERCISABLE BY THE BOARD

Action

MGEB18COUNCILLORS DAVE LEADBETTER AND JOHN SWAIN

The Board stood in silence as a mark of respect for the sad passing of Councillors Dave Leadbetter and John Swain.

MGEB19MINUTES

The Minutes of the meetings held on 26 January 2012 and 15 February 2012 were taken as read and signed as a correct record.

MGEB20PROCUREMENT PROGRESS REPORT

The Board considered a report of the Chief Executive which advised Members of the progress made in implementing the agreed procurement process.

The Board was advised that at the special meeting of the Mersey Gateway Executive Board on 15 February 2012, Members had agreed the prequalification result and authorised the Chief Executive, in consultation with the Leader, to move to commence the tendering process by issuing the ITPD document to Bidders.

On 16 February the six Bidders had been informed of the prequalification result by letter from the Project Director.

The letter offered the unsuccessful candidates a debriefing opportunity, which they all accepted. The debriefing meetings had taken on 29 February 2012. Letters to the three successful candidates had also offered to provide feedback on performance and these debriefing meetings had taken place on 1 March 2012.

The Board was further advised that a press release announcing the results of prequalification had been released on 17 February 2012. The Department for Transport press office had been consulted on the draft release. The selected Bidders were reported in local news and appeared across the national technical journals and the media. A copy of the press release was attached as Appendix 1 to the report.

It was reported that the letter to the three Bidders had set out the expected timetable for commencing the tendering process. The ITPD was planned to be issued to Bidders during the week of 12 March 2012, to be discussed at a Dialogue Commencement meeting with each Bidder during the following week. Over the coming year, Dialogue meetings were envisaged to be held at the Stadium with the occasional meeting held in the offices of DLAP in Manchester or London. On average it was expected that the Authority would meet with each Bidder once every three weeks. The ITPD set out the Council's agenda covering a schedule of meetings up to November 2012. The Project organisation to progress the Dialogue process was attached at Appendix 2 to the report.

Furthermore, instructions to Bidders, as part of the ITPD, included measures to ensure that communication between the Council and Bidders were classified as commercial in confidence, to ensure competition was protected so that the Council received bids that maximised the potential to secure value for money. The integrity of the competition relies on the security of information and discussions during an extended procurement process. The governance arrangements agreed with the Board envisaged the confidential nature of issues arising during Dialogue and were reflected in the Chief Executive being given delegated authority to deliver procurement in consultation with the Leader. This delegation provided the project team with access to a streamlined chain of authority where decisions could be taken expeditiously in circumstances that maintained confidentiality. The regular meetings of the MGEB, at every two months would enable reports on progress to be made to keep the Board up to date with key issues that arose in the Dialogue process. Alongside these arrangements, the portfolio holder Cllr Stockton also held

regular meetings with the Project Director.

In conclusion, it was reported that the high level procurement programme was attached at Appendix 3 to the report. The projections were in line with advice given to members previously and progress would be monitored against this programme.

RESOLVED: That the Board note that:

- (1) the six candidates who participated in prequalification have been advised of the selection result and meetings with each group have taken place to provide feedback on performance; and
- (2) the documentation required to support the formal Invitation to Participate in Dialogue (ITPD) has been completed and issued to the three Bidders.

Chief Executive

MGEB21 SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972 AND THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

The Board considered:

- 1) Whether Members of the press and public should be excluded from the meeting of the Board during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business to be considered, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972; and
- 2) Whether the disclosure of information was in the public interest, whether any relevant exemptions were applicable and whether, when applying the public interest test and exemptions, the public interest in maintaining the exemption outweighed that in disclosing the information.

RESOLVED: That as, in all the circumstances of the case, the public interest in disclosing the information,

members of the press and public be excluded from the meeting during consideration of the following item of business in accordance with Sub-Section 4 of Section 100A of the Local Government Act 1972 because it was likely that, in view of the nature of the business, exempt information would be disclosed, being information defined in Section 100 (1) and paragraph 3 of Schedule 12A of the Local Government Act 1972.

MGEB22MERSEY GATEWAY BRIDGE - ITPD EXECUTIVE SUMMARY

The Board considered a report of the Chief Executive which informed Members that the Invitation To Participate in Dialogue (ITPD) required a document to be issued to Bidders providing instructions, information and guidance to support the competitive dialogue process. The report provided an executive summary of the ITPD document and highlighted the key issues covered.

The Board stressed the importance of securing an acceptable toll discount scheme. Officers advised that the arrangements being taken forward required Bidders to submit their Revenue Collection Business Plans which would include proposals for toll discount schemes. Details of the tolling schemes proposed by Bidders would be reported to the Board later in the year. Bidders tolling proposals would be compatible with the funding agreement between the Council and Government which in the base case limits the cost of a discount scheme to 10 percent of expected toll revenue. The Board would be able to take into account the proposals emerging from Bidders submissions when considering its priorities for toll discounts within the funding constraints in place.

RESOLVED: That it be noted, that the summary of the ITPD document and the substantive proposals had been agreed with the Chief Executive, in consultation with the Leader.

Chief Executive

MINUTES ISSUED: 20th March 2012

CALL-IN: 27th March 2012

Any matter decided by the Mersey Gateway Executive Board may be called in no later than 5.00pm on 27th March 2012

Meeting ended at 3.50 pm.