Report to the Chief Executive

Active Oldham Strategic Partnership Agreement

Officer Contact: Shelley Kipling – Chief Executive for Place

Report Author: Alex Shaw Programme Manager, Highways & Engineering

Email: alex.shaw@oldham.gov.uk

2nd November 2026

Reason for Decision

To seek approval to actively procure a highways construction Strategic Partner and a Reserve Supplier to deliver Transport Capital Investment Programmes from 2027-2031 to the delivery of key capital civil engineering projects across Oldham of an accumulative total of up to £20m over a four-year term beginning in April 2027.

To approve the delegation of authority to the Deputy Chief Executive for Place in consultation with the Leader of the Council and the Directorate, to award the Active Oldham Strategic Partnership Agreement (AOSPA) to the successful Bidder and award a Reserve Supplier Agreement to the second placed Bidder.

To delegate authority to the Director of Economy/Environment/Growth, in consultation with the Portfolio Holder for Neighbourhoods and Director of Finance, to award the individual Call Off Orders for individual projects.

Finally, to delegate low value Call Off Orders (<£50K) under a direct award via the Assistant Director for Highways in consultation with Budget Holder and Finance Officer.

Pre-scrutiny meeting 22nd October 2026
Leaders' consultative meeting 2nd November 2026

Executive Summary

The Strategic Transport and Planning Team in collaboration with Highways & Engineering successfully bid for several capital funded multi-disciplinary highway improvement projects to create a pipeline of civil engineering schemes that require construction from 2027 to 2031.
The most recent of these is the Transport for City Regions (TCR).

Oldham Council's Highways & Engineering and Strategic Transport & Planning Teams are currently preparing to deliver up to £20m of highways work in the borough using funding managed by Greater Manchester's Combined Authority (GMCA) and Transport for Greater Manchester (TfGM), who bid to the Department for Transport (DfT) on behalf of the GM Local Authorities, but not exclusively.

In addition, Oldham Council have been actively pursuing United Utilities Plc's Sustainable Rainwater Management funding that includes environmental and sustainable initiatives that complement the highway improvement projects but also create an independent programme of sustainable rainwater management projects across Oldham. Some projects have been identified for delivery via the Active Oldham Strategic Partnership Agreement (AOSPA) Contract.

For Oldham Council to deliver these ambitious programmes of work it was considered necessary to seek a new Strategic Partner (Contractor) to work alongside the Delivery Team and Key Stakeholders during the design and construction process to mitigate the lengthy procurement processes associated with individual tendering packages.

The current method of procuring the delivery of highway construction work is a streamlined method of working and provides efficiency savings across several Departments.

To deliver the programmes within stringent timescales, the simplified and compliant approach enables a swift mobilisation of the work and delivery of the projects.

The Active Oldham Strategic Partnership Agreement is a single supplier delivery model with reserve supplier also appointed to mitigate risk of non-delivery of the programme.

The NEC4 Engineering and Construction Contract (ECC) Option B is a priced contract with a bill of quantities (BOQ). It is primarily a lump sum, fixed-rate contract where payment is determined by remeasuring the actual quantities of work completed against the agreed BOQ rates.

The intention is that individual projects will be procured via a Call Off procedure under the Strategic Partnership Agreement. This will require Director to sign off (in liaison with the Directors of Finance and Legal Services) rather than an individual Cabinet report for each package of work.

The single supplier delivery model currently exists namely the Sustainable Oldham Strategic Partnership Agreement (SOPSA) and this partnership replaces the successful but expired Accessible Oldham Strategic Partnership Agreement (AOSPA). This method of instructing work has proven extremely successful and has afforded Oldham Council a robust vehicle to deliver a large and diverse programme of civil engineering projects efficiently and effectively.

Recommendations

It is recommended that delegated authority is given to:

- The Assistant Chief Executive for Place in consultation with the Council Leader to procure and award the Active Oldham Strategic Partnership Agreement (AOSPA) and Reserve Supplier Agreement, in consultation with the Director of Finance and Director of Legal Services.

- The Director of Economy/Environment/Growth in consultation with the Director of Finance and Director of Legal Services to award the individual Call Off Orders under the Strategic Partnership Agreement and Reserve Supplier Agreement.
- The Director of Legal Services affix the Council's seal to the Active Oldham Strategic Partnership Agreements and Reserve Supplier Agreements and to the Call Off Contracts under the Strategic Partnership Agreements and Reserve Supplier Agreements.
- The Assistant Director of Highways & Engineering awards low value Call Off Orders (<£50K) in line with financial approval limits and in consultation with Budget Holder and Finance Officer.

Active Oldham Strategic Partnership Agreement

- **Background**

  - The key objectives of awarding the Active Oldham Strategic Partnership Agreement are to:
    - Facilitate the development and improvement of Oldham's transport infrastructure and rainwater management initiatives, but not exclusively.
    - Improve the attractiveness of sustainable transport routes and infrastructure for pedestrians and cyclists and encourage modal shift to sustainable methods.
    - Maintain and improve the integrity of the highway network and reduce the reliance of traditional road gully and highway drainage system usage in Oldham.
    - The objectives align to the Transport for City Regions priorities and regional and local strategy such as the GM 2040 Transport Strategy, Oldham's Transport Strategy and Green Initiatives.

  - The Strategic Transport and Planning Team in collaboration with Highways & Engineering are actively pursuing several capital and external funded multi-disciplinary infrastructure improvement projects through the Transport for City Regions and Sustainable Rainwater Management Programmes, managed by Transport for Greater Manchester (TfGM) and United Utilities Plc, respectively.

  - The table below shows indicative scheme budgets and is subject to change pending future funding opportunities:

Project Name	**Est Construction Budget**
Oldham Edge	£2m
Broadway Canal Link	0.72m
Fountain Street	£1.5m
Featherstall Road Roundabout	£2.25m
Park Road	£1.35m
Jackson Street	£3.5m
Clarksfield Road/Lees Road	£1.25m
Station Street/Oldham Road	£1.5m
Rainwater Management (various schemes)	£5.93m
Total Estimated Value	**£20m**

  - TfGM have increased their expectations in recent years with regards to information being provided by Local Authority Bidders at all stages of the process and thus increased their scrutiny of cost, risk, and resources, at development, design, and delivery stages.

  - For Oldham Council to adapt and proactively address the changes to the process, it is considered necessary to seek a mid-term (4 years) Strategic Partner (Contractor) to assist the Delivery Team at key stages of the business case development and bidding process and fast-track, where applicable, the construction of projects, to meet the expectations and demands of the overseeing organisations.

  - The rationale behind the streamlined procurement process is evident when reviewing the existing route to market.

- The current four years, £35m Sustainable Oldham Strategic Partnership Contract is fully utilised. The Contract does not permit an extension and is financially capped.

- The alternative process would be to approach the market in an open tender format for delivery of each project under the programmes.

- Typically, a project is offered to prospective Bidders who submit cost and technical bids for evaluation. Following the evaluation process, a winner is identified, a Delegated Decision Report (DDR) is distributed for comments, which are compiled and placed on the Cabinet approvals list to seek consent to award the Contract. The typical approvals process takes up to twelve weeks, as many of the Contract values exceed the Cabinet monetary threshold. The process increases the risk of delaying delivery when working to fixed deadlines imposed by Sponsors of each programme.

- The current Sustainable Oldham Strategic Partnership is in its first year of its four-year term and the current pipeline of work will exhaust the term and financial commitment of £35m by 2028/29.

- **Current Position**

  - To mitigate the risks of the programme slippage, development funding via TfGM has been identified to fund the creation of a Strategic Partnership Agreement and Reserve Supplier Agreements using an NEC4 Framework Contract as the basis of the Agreement.

  - The awarding of works packages funded by Transport for City Regions or United Utilities Plc (but not exclusively), to a single Contractor is the preferred method.

  - The Highways & Engineering Team has engaged external expertise to assist in the creation of a Contract and supporting information that meets the current/future demands of the programme allowing the flexibility which Oldham Council requires and includes Social Value (TOMS) to ensure the Contractor aligns its aspirations with those of Oldham Council.

  - It is expected that the benefits will provide the Delivery Team with the necessary support with current and future bidding opportunities whilst also providing Oldham Council with a mid-term Delivery Partner. It also enables construction work to begin a great deal sooner than the traditional route as projects will be issued via a Call Off procedure and awarded through a delegated decision process.

  - The current methodology of preparing reports seeking the approval of the Director of Economy in consultation with the Portfolio Holder for Neighbourhoods through appropriate delegation offers the most efficient means of delivery. All delegated decision reports will contain views from Legal Services and Procurement amongst others, where applicable.

  - The Active Oldham Strategic Partnership Agreement procurement strategy and indicative programme are shown below and will be advertised via The Chest on the 3rd of August 2026 and is expected to be available for use from April 2027 onwards.

	Event	Date
1	Complete Tender documents	June 2026
2	Undertake Market Engagement	July 2026
3	Publish Tender	Mid-October 2026
4	Tender closes	Late November 2026
5	Evaluation Period	December 2026
6	Award of Contract DDR approval	January 2027
7	Publish Award	February 2027
8	Contract Signing/Sealing	February 2027
9	Contract Mobilisation	March 2027
10	Contract commences	April 2027
11	Notify Tenderers of tender outcome and commence Standstill Period	April 2027

Fig 2. Procurement strategy programme

- Under the Procurement Act 2023 (PA23), this sourcing requirement will be an above threshold procurement for this 'works' contract. This will be an Open Procedure with the opportunity advertised on 'find a tender' service. The intention is to award the contract to one key partner who will deliver the contract for the duration with a second place available for one reserve contractor.

- A selection procedure is set out within the Contract for each 'Call Off Order.' A quotation procedure is also set out. The Council retains the right not to issue the Call Off Order should the Client's Representative not be content to do so based on cost, programme, or any other reason.

- The appointed Contractor will be continually monitored on performance via Key Performance Indicators (KPI) based on the following criteria:
    - Health and Safety
    - Social Value
    - Time
    - Cost
    - Quality
    - Local Supply
    - Local Employment

- If performance criteria are not met, then the Council will retain the option to allocate the construction work to the Reserve Contractor. There is also provision for a Reserve Contractor to be utilised if the Primary Contractor is unable to perform its obligations under the Contract.

- **Options/Alternatives**

  Option 1 – Approval and delegated authority are given to:

  - To proceed with the procurement of an Active Oldham Strategic Partnership Agreement.
  - Assistant Chief Executive for Place in consultation with the Leader and/or Chief Executive award the Strategic Partnership Agreement and Reserve Supplier Agreement.
  - the Director of Growth/Environment to award the individual Call Off Contracts for the works packages under the Strategic Partnership Agreement and Reserve Supplier Agreement.
  - the Director of Legal Services to affix the Council's seal to the Strategic Partnership Agreement and Reserve Supplier Agreement, any incidental and ancillary documentation and to the individual Call Off Contracts under the Strategic Partnership Agreement and Reserve Supplier Agreement.
  - The Assistant Director of Highways & Engineering award low value Call Off Orders (<£50K) in line with Head of Service financial approval limits and in consultation with Budget Holder and Finance Officer.

  Option 2 – Competitive Tender process for individual Projects

  - On completion of the individual design packages, adopt a competitive tendering opportunity and present to the market via The Chest to invite submissions in the conventional manner.
  - This would involve an extensive process to procure a suitable Contractor for each project featured across the programmes which in turn would increase the number of Cabinet reports requiring approval and drastically increases the time associated with delivery.
  - This process increases risk and limits opportunities to maximise seasonal windows of opportunity conducive to certain elements of the construction process.

- **Preferred Option**

  Option 1 – Approval and delegated authority are given to:

  - To proceed with the procurement of an Active Oldham Strategic Partnership Agreement.
  - Assistant Chief Executive for Place in consultation with the Leader award the Strategic Partnership Agreement and Reserve Supplier Agreement.
  - the Director of Economy/Environment to award the individual Call Off Contracts for the works packages under the Strategic Partnership Agreement and Reserve Supplier Agreement, if necessary.
  - the Director of Legal Services to affix the Council's seal to the Strategic Partnership Agreement and Reserve Supplier Agreement, any incidental and ancillary documentation and to the individual Call Off Contracts under the Strategic Partnership Agreement and Reserve Supplier Agreement.
  - The Assistant Director of Highways & Engineering award low value Call Off Orders (<£50K) in line with Head of Service financial approval limits and in consultation with Budget Holder and Finance Officer.

- **Consultation**

  - All relevant Council Departments have been consulted during the production phase of the Active Oldham Strategic Partnership Agreement.

- **Financial Implications**

  The appointment of an Active Oldham Strategic Partner should streamline the procurement of the works to be undertaken as part of the Creating a Better Place Capital Programme and enable the completion of the works within the grant funding timescales. The total value of the works that will be awarded via this Framework will be dependent on the levels of grant funding available for works. The total value of works is expected to be in the region of £20m.

  The procurement will ensure that the most economically advantageous tender is selected and enable Value for Money to be achieved for the Active Oldham works. The revenue costs of conducting the tender exercise will be met within City Region Sustainable Transport Settlement 1 budget.

  James Postle (Finance)

- **Legal Services Comments**

  The procurement is above-threshold and must comply with the Procurement Act 2023. The Open Procedure is appropriate, provided the process remains fair, transparent, and within the published scope.

  The use of a single contractor with a reserve supplier is lawful, but the contract should define when the reserve contractor can be used and ensure that call-off orders stay within the original contract scope to remain compliant.

  The Council must also comply with funding conditions linked to external grants. Legal Services will be available to review and advise on the grant terms and conditions once issued, to ensure compliance and mitigate any risk of claw back or funding breach.

  Pamela Nsofor (solicitor)

- **Procurement Implications**

  The sourcing details of this requirement are mentioned above under ‘Current Position’ point 7. A fully detailed ‘Procurement Strategy’ document will be compiled and signed off by the Head of Procurement before commencement. Being a single supplier delivery model with reserve organisation, it is imperative that the tender specification contains clear and measurable contract management criteria for benchmarking ongoing supplier performance. Social Value delivered will be leveraged against the successful single supplier and due to the aggregated value of the contract will have an increased weighting of 15% overall to drive greater commitment.

  Darren Judge (Procurement Manager)

- **Key Decision**

  Yes

- **Key Decision Reference**

  KDD-26-13

- **Background Papers**

- The entitled *City Region Sustainable Transport Settlement 1 Grant Acceptance Report* sought and gained approval in March 2026 to use part of the resource affiliated with the Highways & Engineering Team to progress the development of and tender a Strategic Partnership Agreement with a view to awarding the works packages to a single Contractor to meet the expectations and timescales of the funders that were granted. Refer to Appendix A.

  File Ref: N/A
  Name of File: City Region Sustainable Transport Settlement 1 Grant Acceptance
  Records held in Transportation & Policy Department and ModGov System
  Officer Name: Joanna Ward
  Contact No: Teams or email.

- **Appendices**

Appendix	Document
A	Grant Acceptance: City Region Sustainable Transport Settlement (CRSTS) - Revenue Funding

- **Cabinet signatories**

Approved by the Chief Executive following consultation with the political group leaders who were in attendance as follows:- Councillors: Decision made under the authorisation contained in Section 9C (5) Delegations of Specific Officers of Part 3 (Responsibility for Functions) and Section 3.6 of Part 4 (Executive Procedure Rules) of the Council Constitution for the Chief Executive to take emergency decisions in respect of the Council's executive functions.
Signed: Shelley Kipling, Chief Executive Dated:
Date of Leaders' Consultative meeting:
Summary of feedback from the political group leaders