

## Network Outcomes Contract Governance & Management Group

Reference Number:	NOCC No.10
Subject Title:	Litter OPM 92 and 93
Issue Date:	6 September 2016
Clarification Purpose	Clarification is provided to ensure the NOC is being interpreted consistently. The clarification does not remove or supersede the Network Outcomes Contract documentation.

## SUBJECT

OPM 92 and 93 is deemed a defect when a litter item is visible to anyone who is travelling at normal operating speed. The OPM is measured every month. The Contract Standard allows for 75 defects on NSHVH (motorways) and 100 defects on all other roads before non-compliance is generated.

A Contractor has submitted to the NOC GMG seeking;

1. OPM's 92 and 93 are considered for change from quantified pieces of litter to a public perception based measure,
2. That NOC contractors and MCM's nationally identify potential measures that could be implemented to achieve national consistency,
3. A change to the way they target litter to focus on worst offending areas,
4. The Contractor and the Transport Agency work with the worst offenders to increase awareness of litter and ensure accountability for those offending.

## SUMMARY OF ISSUE

A Contractor has been carrying out audits since the beginning of the contract and throughout that period there has been non-conformance of the litter OPM with the exception of two months where the audit sections happened to be on parts of the network where litter was less prevalent?

Despite spending significant resources and effort picking up litter the Contractor was still failing the OPM. It was calculated that approximately three to four times as much time was being spent collecting litter than would be reasonably envisaged and the OPM was still failing.

The concern was raised at a CMT level and it was agreed that there was merit in considering other ways to measure the performance of litter collection activities and potentially the LoS being achieved.

This was then taken to the Contract Board. The Board agreed to allow a trail to occur on the basis that there may be other ways of recording performance.

It was agreed that the Contractor would monitor the level of customer interactions and the general appearance of the network and any other feedback received.

## RESPONSE

In setting the NOC levels of service the Agency built these on our existing contract documentation and accepted that in some cases we had been over delivering on certain service levels. To this end the previous hybrid contracts (including Wellington) had an operational performance measure for litter being;

“There is not more than 10 significant items of litter of any size within any continuous 1 kilometre section of highway road reserve that is visible from an inspection vehicle travelling at the normal road operating speed”.

It can be seen that the current standard in the NOC for both motorways and all other roads allows for a greater quantity of litter to be present on the network before a non-compliance is generated.

Prior to the change in NOC standard for litter, there were no noted concerns with complying with the hybrid performance measure.

So in part the question must be asked what has actually changed that has resulted in a greater focus on litter. Given the Agency now takes a direct role in the management and performance of the contract has this focus resulted in the Contractor now having to deliver compliance.

Overall, the NOC GMG noted that;

- The Contractor now better understands the issue they are facing and for which they had likely underestimated in their tendered price even though the service level was below previous hybrid standards,
- The Contractors approach to targeting known hot spots will provide benefits in the long run through more targeted management and better utilisation of resources but further work in this area is required,
- People generally do not ring up with complaints about litter other than significant fly dumping and as such a measure of complaints would not be realistic,
- The initial investment in time and resources was in fact reducing the number of occurrences on non-compliance on the network and if the Contractors focussed continued a compliant outcome could have been achieved,
- Finding smarter and innovative ways of working are often only driven through finding solutions to difficult problems; relaxing measures in general will only be a temporary solution.

While the Contract specification allows Contract Boards to agree to changes at a regional level the Agency needs to be mindful that a key outcome of the NOC was to ensure consistency of delivery and benchmarking of performance and as such any changes need to be ratified by the Agency before implemented on any network.

As such the NPG agreed to assign responsibility for managing consistency of the NOC to the NOC GMG and allow them in the first instance to respond to regional and national issues as they arrive in a timely manner, and then bring significant issues to the attention of the NPG.

## CONCLUSION

### **OPM's 92 and 93 are considered for change from quantified pieces of litter to a public perception based measure**

The NOC GMG does not agree and proposes no change to the current operational performance measures.

### **That NOC contractors and MCM's nationally identify potential measures that could be implemented to achieve national consistency**

Further substantiated evidence is required on the totality of the issue at a national level. The Agency is changing the way RAMM records litter activity to better understand the extent and impact on the Contractors operation. Contractors would be advised to also keep a record of the quantity of material being dumped (dump docket should be sufficient).

As we move to the One Network Road Classification and corresponding performance measures compliance will be 20 defects per 1km which will be more difficult to achieve as the NOC can allow up to 99 defects to occur in a one km section provided the other 4km are litter free.

### **Change the way the Contractor targets litter to focus on worst offending areas**

The NOC GMG agrees that this would be a prudent strategy to manage the risk. The Contractor however must continue to undertake compliance audits in accordance with the contract documentation.

### **The Contractor and the Transport Agency work with the worst offenders to increase awareness of litter and ensure accountability for those offending**

It is unlikely the issue is not predominantly an Agency concern and as such consideration should be given to a wider a discussion with relevant Local Authorities to identify a unified and targeted approach.

In the meantime the Contractor would likely benefit if they work directly with those organisations which are significant contributors to litter to assist them in managing extra resourcing commitments to achieve compliance.

### **Litter as a National Issue**

The NOC GMG recommends that the issue of litter be further considered to seek a wider perspective of litter being a national issue and agree any interim steps which should be further considered.