

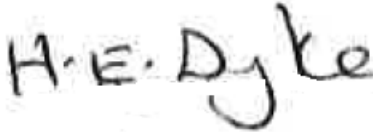
## NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I Helen Dyke, as Strong Leader, delegate the decision to approve the procurement of the electric vehicle chargepoints to the Cabinet Member detailed below:

Cabinet Member- Graham Ballinger

Dated: 14<sup>th</sup> November 2022

A handwritten signature in black ink that reads "H. E. Dyke". The signature is written in a cursive style with a large, looped 'y'.

Signed:

Leader of the Council

## NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Procurement of Electric Vehicle Chargepoints	Agree the procurement process and evaluation criteria for a contractor to undertake the installation, maintenance and back-office functions	The value of the contract requires the procurement and evaluation criteria to be signed off by Cabinet	14 <sup>th</sup> November 2022

**I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.**

Dated: 14<sup>th</sup> November 2022

Signed:



Councillor: Graham Ballinger  
Cabinet Member for Culture, Leisure and Community Safety.

## WYRE FOREST DISTRICT COUNCIL

### CABINET DECISION FOR STRONG LEADER APPROVAL

November 2022

#### Provision of Electric Vehicle Charging Infrastructure

<b>Open</b>	
<b>CABINET MEMBER:</b>	<b>Councillor Graham Ballinger, Cabinet Member for Culture, Leisure and Community Safety.</b>
<b>RESPONSIBLE OFFICER</b>	Kate Bailey <a href="mailto:Kate.Bailey@wyreforestdc.gov.uk">Kate.Bailey@wyreforestdc.gov.uk</a> Head of Strategic Growth
<b>CONTACT OFFICER:</b>	Jenny Moreton Principal Health & Sustainability Officer <a href="mailto:Jennifer.moreton@wyreforestdc.gov.uk">Jennifer.moreton@wyreforestdc.gov.uk</a>

#### **1. PURPOSE OF REPORT**

- 1.1 This report seeks to gain approval to advertise the contract, for the tender evaluation model proposed for the procurement of electric vehicle charging infrastructure and the granting of delegated authority to the Head of Strategic Growth in consultation with the Cabinet Member for Culture, Leisure and Community Safety to award the Electric Vehicle Charging Infrastructure contract.
- 1.2 Approval of the Cabinet is required by the Contract Procedure Rules to enter into a procurement exercise where the value of the purchase is over £175,000.

#### **2. RECOMMENDATION**

##### **2.1 That the Leader:**

- 2.1.1 Approves the use of the ESPO Framework VCI 2 Lot 1 (Installation), Lot 3 (Back office solution) and Lot 4 (Maintenance and Servicing) and the further competition evaluation model contained in section 5 of this report to the Cabinet Member for Culture, Leisure and Community Safety.
- 2.1.2 Grant delegated authority to the Head of Strategic Growth in consultation with the Cabinet Member for Culture, Leisure and Community Safety to award and enter into the Electric Vehicle Charging Infrastructure contract for up to a 10 year term in accordance with the approved evaluation model.

#### **3. BACKGROUND**

- 3.1 Following the declaration of a Climate Emergency, the Council agreed to support a motion on developing electric vehicle charge points on council owned car parks. This activity was incorporated into the work of the Green Advisory Panel (GAP) who included it in the selected top ten actions for the council to pursue.

- 3.2 Cenex consultants were commissioned to carry out feasibility work to identify the most appropriate council-owned locations and quantity and types of chargepoints to meet forecast demand. Cenex provided estimates of infrastructure/grid connection costs and revenue generation, which were used to develop the business case for progressing the installation.
- 3.3 As part of the feasibility work, four different types of operation model were considered and these were also discussed by the Green Advisory Panel in consultation with Cenex. The External Operator model - where an external company manages the operation of the charge points in return for a proportion of the income generated was deemed most appropriate for WFDC as it represented the best fit to the Council's risk appetite. The business case was based upon this model.
- 3.4 Following approval of the business case, funding was included in the medium-term financial strategy 2022-2025 for the electric vehicle charge point installation project and approved at Council on 23 February 2022.
- 3.5 The business case model predicts that revenue from the proposal is expected to cover all revenue costs, including the costs of borrowing, over the 10 year life of the equipment but there is a deficit in years 1-4 so approval is also required for this. It is not expected that the scheme will generate a surplus until year 7.
- 3.6 Delegated authority to award the contract following evaluation in accordance with the approved criteria is sought as this needs to be done promptly to provide sufficient purchase and implementation time between award and commencement of the new contract.

#### 4. **KEY ISSUES**

- 4.1 The contract will be procured using ESPO Framework which is comprises a list of suppliers who have been evaluated as capable of delivering the requirements, and standard contract terms for public sector organisations. The contract will be procured using ESPO Framework VCI 2 Lot 1 (Installation), Lot 3 (Back office solution) and Lot 4 (Maintenance and Servicing). The framework is compliant with the advertising requirements of the Public Contracts Regulations and requires users to undertake a mini-competition between the pre-approved suppliers.

The requirement will be procured using ESPO Vehicle Charging Infrastructure Framework Agreement 2 (Lot 1) which comprises 35 suppliers who have been evaluated as capable of delivering the requirements, and standard contract terms for public sector organisations. The procurement procedure will be by way of Further Competition whereby competition is re-opened under the framework and suitable contractors are invited to submit formal tenders. Further Competition enables the Council to test the market and obtain value for money. The Framework Agreement is fully compliant with the Public Contract Regulations 2015 (FTS Contract Award Notice reference: 2021/S 000-029453).

- 4.3 The new contract will be for 7 years with the option to extend for a further three years (a two-year then a one-year extension) making a maximum term of 10 (7+2+1) years.
- 4.4 The indicative tender timetable is as follows:

<b>Task</b>	<b>Date</b>
Approval of Tender Process, including evaluation model and	9 <sup>th</sup> November 2022
Advert place on procurement portal	23 <sup>rd</sup> November 2022
Final clarification questions	9 <sup>th</sup> December 2022
Deadline for Tender responses	16 <sup>th</sup> December
Evaluation completed	22 <sup>nd</sup> December
Contract Award - standstill	23 <sup>rd</sup> December
Final Award – End standstill	6 <sup>th</sup> January

## **5. EVALUATION CRITERIA AND SCORING METHODOLOGY**

5.1 All Tenders will be evaluated on a 60/40 split in favour of quality over price.

### **5.1.1 Price**

The Total Contract Costs for the 10-year contract period.

The Tenderer with the lowest tender price will score the maximum score of 40%.

The other tenders will be scored pro rata as a percentage of their tender sum compared with the lowest tender.

$$\frac{\text{Lowest submitted total price}}{\text{Tenderer's submitted total price}} \times 40$$

### **5.1.2 Quality**

The quality element of submissions will be evaluated based on responses to the Quality Questionnaire. The individual weighting of each evaluation criteria is detailed below:

<b>Ref.</b>	<b>Criteria</b>	<b>Topics</b>	<b>Weighting</b>
1.1	Installation	Project management Communication Installation process and timescales	30
1.2	User Interface	Chargepoints, network and payment methods	10
1.3	Charges and payment	Calculation/ timescale of payment to WFDC.	10
1.4	Back office	System, reporting and standards	10

1.5	Reliability	Previous performance and problem resolution	10
1.6	Customer service	Support available and complaints procedure	10
1.7	Maintenance	Procedure, timescales and KPIs	30
1.8	Social Value		5

The following matrix illustrates how responses to questions will be assessed. The scores for each question will be used to calculate a percentage weighting based on the percentage weightings listed above.

Performance	Judgement	Score
Exceeds all expectations	Exceptional	10
Exceeds almost all expectations	Outstanding	9
Exceeds most expectations	Very good	8
Above Expectations	Good	7
Slightly exceeds expectations	Fair	6
Meets expectations	Average	5
Satisfactory but below expectations	Below average	4
Below expectations	Poor	3
Well below expectations	Weak	2
Almost Unacceptable	Very Weak	1
Unacceptable		0

5.2 The evaluation process will consider all relevant submitted evidence and written information provided by each Tenderer, in relation to the specific requirements as set out within the ITT and the supporting documentation. There will be an initial check of all Tenders for completeness and compliance with the tendering instructions (including a check that the Tender is a “compliant Tender”). Any submissions that in the opinion of the Council do not meet the requirements set out in the ITT may be rejected as non-compliant and will not be evaluated further.

5.3 Each question for quality will be assessed by a panel. The panel will agree a single overall score up to the maximum score for the question. This score will be multiplied by the weighting for that question (as set out in the above table) to give weighted score. The following formula will be used to calculate weighted scores:

$$\text{Weighted Score} = \frac{\text{Awarded Score}}{\text{Maximum Score}} \times \text{Weighting}$$

For example, if a score of 6 is awarded for Question 4 (weighting 10%) the weighted score will be 6 (6/10 x10).

5.5 At the sole discretion of the Council, Tenderers may be invited to present their proposals at clarification meeting and demonstrate details of their submission. The

meeting may be used to validate the provisional scores for the Tenderer's written submissions in relation to quality and technical merit. The Council's tender evaluation panel may therefore reduce a Tenderer's provisional score for their written submissions in relation to quality where the meeting indicates that a Tenderer's provisional score on the basis of their written submission cannot be justified. Conversely, the evaluation panel may increase a Tenderer's provisional score where it considers their written submissions in relation to quality did not sufficiently reflect the quality of their actual delivery proposals for the Contract.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The contract term will be for a minimum of 7 years for the back office solutions and could potentially be extended to 10 years depending on the solution and whether it is more economically advantageous for the Council and agreed under the terms of the framework.
- 6.2 The capital cost of the purchase and installation will be funded out of the Capital Programme approved in 2022 for the delivery of the medium term financial strategy 2022-25
- 6.3 Any first-year annual maintenance costs will be included in the first year of the contract from the Capital Programme with subsequent years being met from the income generated from the charging points.

## **7. LEGAL AND POLICY IMPLICATIONS**

- 7.1 As stated in the Council's Contracts Procedure Rules Cabinet Approval is sought for procurements where the value of the purchase is estimated to be in excess of £175,000.
- 7.2 The evaluation model is compliant with the requirements of the ESPO Framework. Use of the framework in accordance with the framework guidance is compliant with the regulations.
- 7.2 The successful Tenderer will be required to enter into a formal contract under the rules of the ESPO Framework.

## **8. RISK MANAGEMENT**

- 8.1 The Council must fully evaluate contracts to ensure that they are capable of delivering upon the contract.
- 8.2 By using the ESPO framework procurement risks are reduced as contractors have already been vetted and many will have experience of doing this type of work.

## **9. EQUALITY IMPACT ASSESSMENT**

- 9.1 This is a financial report and as such there is no requirement to consider an Equality Impact Assessment.

## **10. CONCLUSION**

- 10.1 The Council has agreed the business case for installation of electric vehicle charging infrastructure across various sites, based on feasibility worked carried out by specialist consultants.
- 10.2 Due to the value of the contract authorisation is required to run a competition and award the contract and it is proposed the ESPO framework is used for this.
- 10.3 In conducting this further competition the Council will achieve the most economically advantageous result in terms of price and quality.

## **11. CONSULTEES**

- 11.1 Cabinet Member for Cabinet Member for Culture, Leisure and Community Safety.
- 11.2 Procurement Officer
- 11.3 Contracts Solicitor
- 11.4 Section 151 officer

## **12. BACKGROUND PAPERS**

- 12.1 [doc57134\\_20211109\\_cabinet\\_report.pdf \(wyreforest.gov.uk\)](#)