

**Report to Director of Environment and Public Protection, in consultation with the Director of Highways, Planning and Transport**

**August 2021**

**Award of Contract for Electric Vehicle Chargepoint Network**

**Report by Ruth O'Brien, Sustainability Advisor**

**Electoral division(s): All**

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**Summary**

In December 2019, the County Council adopted an [Electric Vehicle Strategy](#) which sets out an ambitious vision for electric vehicle take up across the county. The Strategy sets out that the County Council wants to see one consistent, affordable, easy to use, reliable, widely accessible and recognisable charging network across the county, providing renewable energy charging.

In March 2020, the Cabinet Member for Environment approved [the decision to commence the procurement process and delegated authority to the Director of Environment and Public Protection](#), in consultation with the Director of Highways, Transport and Planning to award the service concession contract following the procurement exercise.

A competitive procurement exercise was undertaken in accordance with the Concession Contracts Regulations 2016 (and the Public Contracts Regulations 2015) to award the contract for the West Sussex Electric Vehicle Chargepoint Network.

**Recommendations**

The Director of Environment and Public Protection, in consultation with the Director of Highways, Transport and Planning, is asked to award the concession contract for the West Sussex Electric Vehicle Chargepoint Network to Connected Kerb for fifteen years to commence on 1 November 2021 with an option to extend for a further five years.

**Proposal**

**1 Background and context**

- 1.1 On 13 December 2019, the County Council adopted an Electric Vehicle Strategy. This strategy sets out the County Council's vision for electric vehicles across the county, and the interventions required to deliver this vision.
- 1.2 In March 2020, the Cabinet Member for Environment approved the decision to commence the procurement process and delegated authority to the Director of Environment and Public Protection, in consultation with the Director of Highways, Transport and Planning, to award the service concession contract following the procurement exercise.

- 1.3 This is the second procurement process undertaken. The first [was abandoned](#) in January 2021, triggering a review and [an extension to the initial contract length](#).

## **2 Proposal details**

- 2.1 The procurement process was led by West Sussex County Council, with the following named as delivery authorities:
- Adur District Council
  - Arun District Council
  - Crawley Borough Council
  - Horsham District Council
  - Mid Sussex District Council
  - Worthing Borough Council
- 2.2 A [Contract Notice](#) was published to contracts finder on 2 June 2021. The opportunity was also promoted on the West Sussex e-Sourcing Portal and the Finder a Tender service.
- 2.3 A total of 62 organisations expressed interest in the opportunity; 14 registered an intention to bid and six tender submissions were received.
- 2.4 The County Council undertook compliance checks on the tender submissions to ensure all schedules that were required were duly submitted and that the tenders were correct.
- 2.5 The tenders were evaluated by a multi partner and multi-disciplinary evaluation panel between 19 and 30 July 2021 and moderation meetings were held between 5 and 11 August 2021 to discuss and agree final scores. Commercial and Quality sections were evaluated by separate teams.
- 2.6 When assessing cost, the cost to the consumer was evaluated. The moderation panel reviewed and considered the market positioning of the cost, taking into account varying delivery models, for example prime site location rather than wide area coverage, and taxpayer supported models.
- 2.7 The successful tenderer, Connected Kerb, is a UK based EV charging specialist with experience of working with other local authorities and public sector organisations including Kent County Council, Lambeth Council and the Ministry of Justice. Connected Kerb offer fast charging solutions and will be partnering with Osprey Charging, another UK based EV charging specialist who will be providing the rapid charging element of the tender.

## **3 Other options considered (and reasons for not proposing)**

- 3.1 Alternative procurement options were considered as part of the Key Decision Report to commence the procurement process (ref ENV09 19-20).

## **4 Consultation and engagement**

- 4.1 Consultation on the final bid response has been carried out with the following parties:
- WSCC officers representing Legal, Procurement, Commercial Finance, Highways, Energy, Communications and Sustainability teams

- Arun District Council
- Crawley Borough Council
- Horsham District Council
- Mid Sussex District Council
- The Energy Saving Trust (EST) - funded by the Department for Transport to run a Local Government Support Programme relating to EVs. EST acted as a critical friend and gave their views on the viability of the tenders received.

4.2 East Sussex County Council and Surrey County Council representatives also attended moderation sessions as interested observers. They did not contribute to the discussion.

## 5 Finance

5.1 The County Council will gain a small revenue stream from the installation of the chargepoints. This will be achieved by including a small increase in the price per kWh charged to the consumer. The total income achieved from the portfolio of chargepoints will be distributed amongst the partners to this procurement in proportion to the number of chargepoints on their land, after a proportion of the income generated has been retained by the County Council to fund the management, and potential further development, of the contract.

5.2 Given the nature of the procurement there is no requirement for any County Council investment. However, local authorities can bid for funds from The Office for Zero Emission Vehicles (OZEV) On-Street Residential Charging Scheme. The purpose of which is to increase the availability of on-street charging points in residential streets where off-street parking is not available. If sites identified by the delivery authorities are deemed uneconomical by the preferred supplier, the County Council will consider making a bid for this funding to support provision.

If any additional alternative funding becomes available, this will also be explored and be subject to the appropriate governance arrangements.

## 6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Reputational Risk – Poor service delivered to customers	During the procurement process the suppliers’ ability to maintain chargepoints and offer quality service to customers was assessed Key Performance Indicators have been included within the contract regarding maintenance and uptime of chargepoints. Once the contract starts, risks will be managed by the appointed Governance Board, alongside the contract manager.
Reputational Risk – Supplier fails to deliver	During the procurement process the supplier’s ability to deliver was assessed and information regarding the suppliers’ commercial models was reviewed. Key Performance Indicators have been included within the contract regarding delivery according to agreed schedules. Once the contract starts, risks will be managed by the

Risk	Mitigating Action (in place or planned)
	appointed Governance Board, alongside the contract manager.

## 7 Policy alignment and other matters taken into account

7.1 **Policy Alignment:** Engaging a supplier to deliver the County Council’s Electric Vehicle Strategy will contribute to the following aims within the West Sussex Plan:

- Sustainable growth by developing modern infrastructure.
- A sustainable economy that adapts to climate change.
- Working in partnership.

In addition, it aligns with the County Council’s Climate Change Strategy.

7.2 **Legal implications:** The procurement was completed in accordance with the Concession Contracts Regulations 2016 which govern public sector Concession Contracts (as well as the Public Contracts Regulations 2015). Robust legal support and advice was obtained from both commercial and property legal services to ensure (1) sufficient commercial terms were incorporated into the concession contract and (2) efficacy of the required lease provisions.

7.3 **Equality Duty and Human Rights Assessment:** The public sector equality duty will apply to the delivery of the services which fall within the contract, and the terms of the contract will ensure that they enable the County Council to fulfil its obligations through the delivery of the contract and provide sufficient assurance that the duty will be complied with.

7.4 **Social Value:** The contract has been tendered with consideration as to how the supplier will provide added social value, reflecting the County Council’s duty under the Public Services (Social Value) Act 2012.

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**Appendices** – none  
**Background papers** - none