

To: Finance, Resources and Customer Services Policy Board

On: 18 April 2024

Report by: The Director of Finance and Resources and the Director of Environment, Housing and Infrastructure

Heading: Installation and Replacement Streetlighting (5 and 6 metres)

1. Summary

- 1.1 The purpose of this report is to seek the approval of the Finance, Resources and Customer Services Policy Board to award a contract for Installation and Replacement Streetlighting (5 and 6 metres), reference RC-CPU-23-242, to Pegasus Power and Communications Ltd.
- 1.2 The tendering procedure for this Works Contract followed the Open Procedure in accordance with Renfrewshire Council's Standing Orders Relating to Contracts.
- 1.3 A Contract Strategy was approved by the Strategic Commercial Category Manager and the Head of Climate, Public Protection & Roads on 9 February 2024.
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2. Recommendations

- 2.1 It is recommended that the Finance, Resources and Customer Services Policy Board:
- (a) Authorise the Head of Corporate Governance to award a Contract for Installation and Replacement Streetlighting (5 and 6 metres), reference RC-CPU-23-242, to Pegasus Power and Communications Ltd.

- (b) Authorise the award of the Contract for the total of the Prices of £195,141.52 excluding VAT (the approved contract value);
- (c) Note that the *starting date* is anticipated to be 8 May 2024 with the date for Completion anticipated to be 7 August 2024. The actual dates will be confirmed in the Council's Letter of Acceptance to Pegasus Power and Communications Ltd.

3. Background

- 3.1 The Council requires a suitably experienced and qualified contractor to assist with the installation of 79 replacement street lighting columns on the Council's road network.
- 3.2 The Contract will be formed from the NEC3 Engineering and Construction Short Contract April 2013 with bespoke Z Clauses.
- 3.3 The Contract was published as a Open Tender through Public Contract Scotland Tender Website. During the tendering live period, seven (7) organisations expressed an interest in the Contract. By the closing date set for return of electronic tenders of 12 noon on Friday 8 March 2024, two (2) organisations (Tenderers) had submitted a response. During the evaluation one (1) Tender Submission was rejected due to their Tender Submission exceeding a limit stated for fee percentages. The Invitation to Tender stipulated that Tenderers who tendered a fee percentage in excess of this limit would have their bid rejected.
- 3.4 In accordance with the Council's Standing Orders Relating to Contracts 1 January 2024 order 11.5, Tenderers were required to complete a Single Procurement Document (SPD) to be submitted with their Tender Submission. The Tenderer satisfied the Council's requirements in respect of their responses to the SPD (Scotland).
- 3.5 The technical and commercial responses in the Tender Submission were then scored against the award criteria of 60% technical (Quality) and 40% commercial (Price).
- 3.6 The scores relative to the award criteria of the Tenderer are noted below:

		Price (40%)	Quality (60%)	Total (100%)
1	Pegasus Power and Communications Ltd.	40.00%	57.00%	97.00%

- 3.7 Evaluation of the bid received from Pegasus Power and Communications Ltd. was within the Council's set budget and was therefore deemed to be value for money. As they were the only Tenderer, the value for money assessment is required to ensure there is no need to go back out to market.
- 3.8 Community Benefits were requested as part of the procurement process and Pegasus Power and Communications Ltd. has committed to the following Community Benefits:

Community Benefit Description	No of People / Activity
Work Experience Placement for an individual 16+ years of age (who is not currently in employment, education or training) and preferably from an identified priority group.	1

Implications of the Report

1. **Financial**
The contract value of £195,141.52 excluding VAT costs for this Contract will be met by the Environment, Housing and Infrastructure Capital budget.
2. **HR & Organisational Development**
None
3. **Community/Council Planning**
Reshaping our place, our economy and our future - the works proposed will support the delivery of this outcome.
4. **Legal**
The procurement of this works Contract has been conducted in accordance Renfrewshire Council's Standing Orders Relating to Contracts for a below Regulated value Works Contract.
5. **Property/Assets**
The contract will improve streetlighting assets as they will replace expired assets with new units.
6. **Information Technology**
None

7. **Equality & Human Rights**

The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety**

Pegasus Power and Communications Ltd. health and safety submission has been evaluated by Renfrewshire Council's Health and Safety section. Pegasus Power and Communications Ltd. has met the minimum requirements regarding health & safety.

9. **Procurement**

The procurement procedures outlined within this report shall ensure that the Council meets its statutory requirements in respect of procurement procedures, efficiency and modern Government.

10. **Risk**

Pegasus Power and Communications Ltd.'s insurances have been assessed and evaluated to confirm that they have met the minimum requirements regarding insurable risk.

11. **Privacy Impact**

No Privacy Impact implications have been identified or are anticipated.

12. **Cosla Policy Position**

No COSLA Policy implications have arisen or are anticipated.

13. **Climate Risk**

The level of impact associated with provision of this service has been assessed using the Scottish Government Sustainability Test and is considered to be low risk.

List of Background Papers - None

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