

10.00am, Tuesday, 27 November 2014

## Appointment of Contractor for the Council's Festive Lighting Programme 2014 – Decision taken under Urgency Procedures

Item number	7.25
Report number	
Executive/routine	
Wards	All

### Executive summary

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This report notifies Committee that approval has been granted, under Urgency Procedures by the Director of Corporate Governance and the Convener of the Finance and Resources Committee, for the appointment of Lightways (Contractors) Limited to undertake the installation, maintenance and removal of the various elements that make up the Council's Festive Lighting 2014 programme (Contract number CT9662). The proposed contract period is 5 November for a period of 4 months to 4 March 2015, with the option to extend for a further one month period undertaken at the sole discretion of the Council.

### Links

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Coalition pledges	P24, P31
Council outcomes	CO19, CO20
Single Outcome Agreement	SO1, SO4

## Appointment of Contractor for the Council's Festive Lighting Programme 2014 – Decision taken under Urgency Procedures

### Recommendations

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- 1.1 To note the decision taken under Urgency Procedures as described at 4.1 of the City of Edinburgh Council's Committee Terms of Reference and Delegated Functions by the Director of Corporate Governance, in consultation with the Convener of the Finance and Resources Committee, to approve the appointment of Lightways (Contractors) Limited to undertake the installation, maintenance and removal of various elements that make up the Council's Festive Lighting 2014 Programme (Contract Number CT9662).

### Background

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- 2.1 The existing single-year agreement for the works came to an end in early 2014. The previous contractor was Lightways (Contractors) Ltd.
- 2.2 Tenders were invited for the installation, maintenance and removal of the Council's Festive Lighting programme for 2014/15, pending the outcome of the Council's budget consultation exercise.

### Main report

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- 3.1 The Council's Festive Lighting programme is provided to enhance the experience of residents of and visitors to the city over the Festive season, and to attract shoppers into the city centre.
- 3.2 The estimated total value of this single-year contract over the period (November 2014 to March 2015) is in the region of £140,000.
- 3.3 Commercial and Procurement Services and Public Safety officers, and the City Centre Programme Manager within Services for Communities, undertook the quality and price evaluation of the tender responses. This was based on an assessment of tendered rates against pre-determined quantities.
- 3.4 Commercial and Procurement Services undertook a full tendering exercise by placing a notice in the Public Contracts Scotland Portal, utilising a Staged Procedure with mandatory selection criteria with 60% Quality 40% price.

- 3.5 The tender totals ranged from £119,600.42 to £123,365.00. After full evaluation the preferred contractor is Lightways (Contractors) Limited, whose tender totalled £119,600.42.
- 3.6 The Tender and Evaluation Process is summarised in the appendix.

### Measures of success

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- 4.1 A range of key performance indicators have been included in the Contract to ensure continuity of current service levels. These include:
- 4.1.1 time taken to respond to requests for repairs and maintenance,
  - 4.1.2 quality of plant / vehicles supplied;
  - 4.1.3 skills and experience of labour force;
  - 4.1.4 ability to provide all resources required;
  - 4.1.5 project management, reporting of progress and accountability;
  - 4.1.6 technical specification of works, and materials to be provided;
  - 4.1.7 ability to meet strict and finite timescales of the Contract; and
  - 4.1.8 a quantifiable element of community benefit offered by the Contractor.

### Financial impact

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- 5.1 Following the analysis of tenders, the total value of the new contract over the period will be a Fixed Price Contract of £119,600.42. This value does not include costs incurred as a result of circumstances outwith Council or Contractor control such as severe weather and vandalism. The Fixed Price Contract can be contained within the Culture and Sport revenue budget.
- 5.2 The costs associated with procuring this contract are estimated to be from £10,000 - £20,000 being Route Two, Moderate value and risk.

### Risk, policy, compliance and governance impact

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- 6.1 The procurement process described in this report meets the necessary Council requirements.

### Equalities impact

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- 7.1 The work described in this report is not relevant to the public sector general equality duty of the Equality Act 2010, or human rights legislation.

### Sustainability impact

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- 8.1 Consideration has been given to minimising the use of electricity by extensive use of LED Lighting, and environmentally friendly methods of recycling and

disposing of spent stock and trees under EU legislation.

## Consultation and engagement

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- 9.1 Commercial and Procurement Services undertook a full tendering exercise by placing a notice in the Public Contracts Scotland Portal, utilising a Staged Procedure with mandatory selection criteria with 60% Quality 40% price.

## Background reading/external references

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None.

### Alastair D Maclean

Director of Corporate Governance

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## Links

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<b>Coalition pledges</b>	P24 - Maintain and embrace support for our world-famous festivals and events P31 - Maintain our city's reputation as the cultural capital of the world by continuing to support and invest in our cultural infrastructure
<b>Council outcomes</b>	CO19 - Attractive Places and Well Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards and maintenance of infrastructure and public realm CO20 - Culture, sport and major events – Edinburgh continues to be a leading cultural city where culture and sport play a central part in the lives and futures of citizens
<b>Single Outcome Agreement</b>	SO1 - Edinburgh's economy delivers increased investment, jobs and opportunities for all SO4 - Edinburgh's communities are safer and have improved physical and social fabric
<b>Appendices</b>	Appendix 1 - Summary of Tendering and Tender Evaluation Processes

## Appendix 1 - Summary of Tendering and Tender Evaluation Processes

Contract	CT9662 Festive Lighting Infrastructure 2014
Contract period	The Contract Commencement Date shall be 5 November for a period of 4 months to 4 March 2015, with the option to extend for a further one month period undertaken at the sole discretion of the Council
Estimated contract value	£119,600.42
Governing UK Regulation	Public Contracts (Scotland) Regulations 2012
EC Procedure chosen	Below OJEU Threshold
Standing Orders observed	2.4 EU Principles been applied 2.7 Commercial and Procurement Manager provided resource to undertake tendering 3.2 Director has responsibility for all Contracts tendered and let by their Directorate 5.1 (b) Tenders evaluated on basis of most economically advantageous criteria 8.1 Procurement process conducted electronically via Public Contracts Scotland
Tenders returned	2
Tenders fully compliant	2
No. of recommended suppliers	1
Primary criterion	Most economically advantageous offer
Secondary criteria	Price
	Delivery of the Contract
	Management Information
	Quality Assurance
	Business Continuity
	Environment
	Standards
	Community Benefits
Evaluation Team	Service Department and Commercial & Procurement Services
Procurement Costs	£10,001 - £20,000