

Subject:	Annual Christmas Lighting Works Tender	Status:	For Publication
Report to:	Cabinet	Date:	19 th July 2022
Report of:	Facilities Management Officer	Portfolio Holder:	Resources
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: No	Attached: No	No
Biodiversity Impact Assessment:	Required: No	Attached: No	No
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1. RECOMMENDATIONS

- 1.1 That Cabinet approves the appointment of DES for the annual Christmas lighting contract. In the event that the contract is not accepted for any reason, it is agreed that the next highest scoring bidder will be awarded the contract.
- 1.2 That the Head of Legal be authorised to complete the necessary legal agreement for the 4-year contract.

2. EXECUTIVE SUMMARY

- 2.1 The Council's Christmas Lighting Contract has come to an end and it is necessary to tender for a new contract in line with the Council's constitution.
- 2.2 Officers have completed a tender exercise based on previous contract pricing but the submitted prices have materially exceeded the £100k threshold that requires Cabinet approval under the Council's Constitution.
- 2.3 Cabinet is requested to accept the most economically advantageous tender and appoint the successful tenderer for a period of 4 years.

3. BACKGROUND

- 3.1 The Christmas lighting tender includes works to annually install and switch on the Borough Christmas lighting systems, which are generally sited on the highway, in parks and on public buildings. The contract works also include testing, repairs and a planned renewal of the equipment. Note: new lighting systems when installed are always specified to be light - omitting diodes (LED) to ensure the green credentials of the authority.
- 3.2 The works are normally done outside of standard working hours in the months of October, November, December and January. It is specialised works mainly working on the highway at high level requiring specialist vehicles with a driver and an electrician manning each vehicle and therefore organisations who carry out such works are limited.
- 3.3 The successful tender must ensure all the lighting is operational for the beginning of December and must allow to attend any formal community lead Christmas lighting switch on events and subsequently all lighting must be switched off within the first week in January.

4. DETAILS

- 4.1 The Christmas Lighting contract was last tendered in 2016 for a five year period and subsequently carried out successfully by Lighting and Building Services. The annual cost for this was approximately £22k.
- 4.2 In line with the Contract Procedure Rules, the contract was tendered in April 2022 with the expectation of the total tender price being lower than 100k for the four years duration of the contract period. However, evaluation of the tenders received has shown the new contract price for the four years to be £130.476 (£32,619.00 per annum) materially taking it over the 100k threshold where approval from Cabinet would be required to undertake a tender exercise.
- 4.3 The reasons for these increases are attributed to general inflation over the past 6 years since last tendered and a further larger spike in the increase in materials, labour and fuel in the last two years. Within this tender there is also an additional planned annual renewal regime of the Christmas lighting and associated equipment where a percentage of lighting is renewed annually to ensure the systems do not fall into disrepair
- 4.4 When tendered, the contract was advertised on the Contracts Finder portal and the Rossendale Council website. The tender was split 80% price and 20% quality with 5 % each for health and safety, references, social values and time scales.
- 4.5 The Council received three tender submissions which were scored and evaluated. Details of the evaluation can be found at Appendix 1 (confidential). All tenderers scored a full 20% on the quality and tender prices were found to be correct.
- 4.6 DES has been scored as the highest scoring bidder and it is therefore proposed to award the contract to them. In the event that they are unable to accept the contract for any reason it is proposed to offer the contract to the next highest scoring bidder.

5. RISK

- 5.1 Failure to have a Christmas lighting contract in place would have a reputational risk for the Council as officers would not be able to provide sufficient resource, capacity or expertise to carry out the works in-house.
- 5.2 Failure to tender in line with the Contract Procedure Rules would put the Council at risk of challenge.

6. FINANCE

- 6.1 The annual cost of the winning tender will be met from within the annual revenue budget of £32.8k.

7. LEGAL

- 7.1 Cabinet is required to approve all tenders over £100k under the terms of the Constitution. It was officers' reasonable belief that the contract price would be under this limit but as there is a material increase in the price which is over the threshold, Cabinet is requested to consider the matter and authorise officers to proceed if they are minded to accept the position.
- 7.2 The tender exercise has been completed in line with the Contract Procedure Rules and is capable of being awarded to the highest scoring bidder.

8. POLICY AND EQUALITIES IMPLICATIONS

8.1 No policy and equalities implications

9. REASON FOR DECISION

9.1 To award the contract to the highest scoring bidder to ensure continuity of service for the annual Christmas lighting in the borough.

Background Papers	
Document	Place of Inspection
Appendix 1 - Evaluation	Confidential appendix due to its commercially sensitive nature.