



Cabinet Member Report

Decision Maker:	Cabinet Member for City Management and Air Quality
Date:	21 st July 2022
Classification:	Not for Publication
Title:	Contract Award for the Supply, Installation and Operation of [REDACTED] New Shared Supply Charge Points for Westminster Residents.
Wards Affected:	All
Policy Context:	This programme will be a significant contributor to Westminster becoming a carbon neutral City by 2040 and the further expansion of the charging network is a Sustainable Travel and Transport Priority from the Council's Climate Emergency Action Plan.
Key Decision:	This will be a key decision as the total proposed contract value is over £1.5m.
Financial Summary:	<p>The estimated concessionary value of the contract is [REDACTED].</p> <p>The installation programme is supported by [REDACTED] of funding awarded by the Office for Zero Emission Vehicles as well as [REDACTED] contribution from the supplier through the procurement. Consequently, the installation programme will be delivered at zero cost to the City Council and, with a 5% turnover share, the contract has potential to generate revenue to the Council of [REDACTED].</p> <p>This additional income will directly contribute to the achievement of the Council's agreed medium term financial plan for 2022/23.</p>

Report of:

Raj Mistry, Executive Director for Environment and City Management

1. Executive Summary

- 1.1. This report summarises the decision to make a direct award, conducted under the Transport for London (TfL) Go Ultra Low Cities Scheme (GULCS) Framework (tfl_scp_001560) (“the GULCS Framework”).
- 1.2. The report gives recommendations for the award of a call-off concession contract under the GULCS Framework, in which, some match funding towards the goods and services procured by the City Council has been offered by the recommended contractor as permitted.
- 1.3. The installation programme resulting from this procurement is wholly externally funded, with [REDACTED] (representing 75% of the spend) being provided by the Office for Zero Emission Vehicles (OZEV) following a successful application being made by the City Council. The remaining 25%, valued at [REDACTED], is being match funded by the contractor as per the terms and conditions of the GULCS Framework.

2. Recommendations

- 2.1 That this report be confidential pursuant to paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial or business affairs of particular person (including the authority holding that information) under paragraph 3 of Schedule 12A of the Local Government Act 1972 which is the subject of this report.
- 2.2 That the Cabinet Member for City Management and Air Quality approve the recommendation to award the Call-Off Concession Contract for the Provision of Electric Vehicle (EV) shared supply charging points to Siemens Plc for a period of three years from the commencement date in 2022 with the option to extend by up to two further years.
- 2.3 The call-off contract award sum for the goods and services is £ [REDACTED] million which incorporates match funding in the sum of [REDACTED] from the contractor.

3. Reasons for Decision

- 3.1 The decision was taken to proceed with a direct award of a call-off concession contract under the Go-ultra Low City Scheme (GULCS)/TfL EV Charging Infrastructure Framework Agreement (tfl_scp_001560, ‘the GULCS Framework’, on the basis of Siemens Plc offering some match funding and continuity of services given that they have provided and installed a high number of charge points within the Council. For this round of charge point installations, the Council is looking for the

in-column charge point to make up the bulk of the order. This unit sits inside the lamp column and has minimal impact on the streetscape as a result. Siemens are the only supplier on the GULCS Framework to offer the in-column charge point solution (as set out in the GULCS Framework rate card listing the products on offer and with these forming the majority share of the requested services, they therefore offer the lowest overall cost to the Council. The direct award of the call-off contract is permitted in accordance with paragraph 3.16 of the GULCS Framework terms..

- 3.2 Siemens Plc is currently the only operator on the GULCS Framework to offer an in-column lamp column charge point, which is both the option preferred by the Council's lighting engineers and is consistent with the Council's approach to de-cluttering the streets wherever possible.

4. Background

4.1 Policy Context

- 4.1.1 Air quality in Westminster remains a significant concern amongst residents, and the Council is taking active measures to help clean up the air in the city. The Council's strategy has set a 'Greener and Cleaner' vision to help Westminster make a sustainable recovery from the pandemic. Encouraging the ongoing transition to electric vehicles (EV) will play an essential role in both tackling the climate emergency and creating a healthier environment for all.
- 4.1.2 There are currently more EVs registered in the city than in any other inner-London Borough (5,040 as of Q4, 2021 according to DfT figures), with over 5,000 ECO resident parking permits on issue. However, the vast majority of residents do not have access to off-street parking, so it is essential that publicly available charging infrastructure in significant numbers is in place to help current users and to encourage the further transition to EV.
- 4.1.3 Shared supply or lamp column charging provides a comparatively slow charge which complements a longer parking session and, therefore, is well suited to resident charging. The charge point will be housed within the doors of the lamp column or, if the column does not have enough room inside, a satellite bollard sitting alongside the column from which it takes the power. These methods allow us to continue to fulfil demand from residents for charge points in areas where there is a lack of off-street parking.
- 4.1.4 Compared with a conventional charge point installation, adapting a lamp column requires much less engineering. And by using existing infrastructure and not changing the parking bay designation there is not no requirement for consultation. As a result of this, the whole process is less costly, and more units can be introduced into the highway within a much shorter space of time.

- 4.1.5 The Council undertook a major de-cluttering exercise as part of the ‘Neat Streets’ programme from 2011 to 2015 and the lessons learnt have underpinned much of the highways works since. One of these initiatives is the co-location of items into fewer objects which is a clear outcome from the installation of shared power supply charge points.
- 4.1.6 In 2015, London was named as one of eight regions to get funding through the Go Ultra Low Cities Scheme (GULCS) programme. Set up by the Office for Zero Emission Vehicles (OZEV), it looked to create cities or regions to lead the way in promoting electric vehicles and London was awarded £20 million in funding following a bid submitted by TfL, the GLA and London Councils. Part of the funding was allocated specifically for residential charging using a shared power supply (mostly from lamp columns) and Westminster has been successful in obtaining this funding on more than one occasion.
- 4.1.7 In support of this initiative TfL set up the GULCS framework to enable boroughs on the scheme to call off from the framework contract using either “Shared power supply” (Lot 1) or “Dedicated power supply” (Lot 2). There are four providers on the framework under Lot 1 that offer shared supply charge points and these are:
- Char.gy Limited
 - Joju Limited
 - Siemens Plc (in partnership with Ubitricity)
 - Swarco UK Ltd
- 4.1.8 Following an initial trial in 2018 to feasibility test shared power supply charging, Westminster has utilised the call off procedure offered by the GULCS framework to install over 1,250 shared power supply charge points with Siemens Plc, utilising external funding, as well as capital funding, to do so.
- 4.1.9 In 2017, OZEV created the On Street Residential Chargepoint Scheme (ORCS) to continue providing financial support to those local authorities investing in charging infrastructure for residents without access to off-street parking, and Westminster has been successful in securing ORCS funding to support charge point expansion in the City. Subsequently, Westminster has again been successful in obtaining further ORCS funding for 2022/23, with an allocation from OZEV of [REDACTED].
- 4.1.10 The latest ORCS funding allocation equates to a further [REDACTED] shared supply charge points installed across the city in 2022/23. According to the terms of the funding the [REDACTED] represents 75% of the total project costs, although the framework has been varied (in January 2022) to allow the operator to provide the remaining 25%, equating to [REDACTED]. Ubitricity has provided a Letter of Intent that commits to the provision of the 25% match funding following the award of the

contract (See Appendix 4). Consequently, the installation programme will be delivered at no cost to the City Council.

4.1.11 It is important to note that a condition of the ORCS award is that all funded charge points need to be in the ground by end of March 2023, with any underspend being returned. Details of funding arrangements are set out in section 8 – Financial Implications.

5. Procurement Strategy Options and Considerations

5.1 The recommended route to market based on the appraisal of the options and considerations was to proceed with a direct award of a call-off concession contract under the Go-ultra Low City Scheme (GULCS)/TfL EV Charging Infrastructure Framework Agreement (tfl_scp_001560).

5.2 Please refer to Appendix 2 – Potential procurement routes. There are number of Frameworks for electric vehicle chargers however other than the GULCS framework these do not offer shared power solutions and not all offer concessionary arrangements.

5.3 The GULCS Framework was chosen as the most suitable because:

- It was set up to help deliver shared power supply charge points across London through Lot 1 ('Shared Power Supply') which was developed specifically for this purpose;
- The GULCS framework has been instrumental in introducing more than 4,000 lamp column charge points across London and has the necessary expertise to support the project;
- It offers the opportunity for direct award from a list of proven contractors and reduces both the risk and resource requirements for Westminster City Council in establishing the sites whilst allowing for concessionary terms.

5.4 The rationale for a direct award to Siemens Plc considers a number of factors in making this decision:

- Siemens Plc, by way of being the only supplier with an in-column charging solution, offer the lowest overall cost to the council for the services requested. The other suppliers listed on the GULCS Framework under Lot 1 (JoJu, Char.gy and Swarco) can only offer an on-column, or bracket charging device which sits proud of the lamp column and requires more intervention with the asset and this is not currently supported by the council's electrical and lighting contract managers;

- Past customer feedback tells us that the number of charge point suppliers in Westminster is confusing to drivers, because of the different pricing arrangements and ways of accessing the charge points. Direct award to Siemens ensures we do not create a two-tiered system for residents in Westminster by introducing a different operator/product, with the potential for higher pricing, in those areas to be covered under this installation plan. This award offers continuity in the residential charging network to residents across the city;
- Siemens Plc have an established relationship with Westminster as a result of previous installation programmes that have taken place in Westminster. They can accommodate orders of the size and scale of that proposed here and can deliver to a timescale that will allow us to meet the target date for the ORCS funding award;
- The GULCS Framework sets an availability KPI of 97% that Siemens Plc have managed to adhere to on the other contracts which gives us the assurance that this can be maintained here;
- Given the time sensitive nature of both the GULCS Framework lifespan and the ORCS funding award, a direct award to Siemens Plc is the most viable procurement route for the Council as running a mini-competition to find a supplier would likely result in the Council missing the 31 July 2022 expiry date for the GULCS Framework and/or the 31 March 2023 for installations not being met, resulting in the funding awarded being returned to OZEV.

6. Procurement Scope

- 6.1 The principal aim of this call-off contract is to facilitate even more of the Council's residents to make the move from fossil-fuelled vehicles to EV by increasing the amount of on-street charging in Westminster. The vast majority of Westminster residents do not have access to off-street parking, so we are seeking the provision and installation of ■■■ shared supply charge points, all taking power from existing lamp columns positioned alongside residents' parking bays.
- 6.2 This call-off contract will provide a charging option that suits longer stay parking sessions that resident parking bays permit. The slow charge being supplied (up to 5.5kW) will typically provide a full charge for most electric vehicles in 10-12 hours.
- 6.3 Siemens Plc will coordinate the enabling and installation works. The Council's highways Department will authorise and oversee these works and manage the call-off contract once sites are operational.

6.4 Siemens Plc will have contractual responsibility for the supply of the charge point as well as its management and maintenance so, therefore, will cover all operational and maintenance costs after installation. The Concessionaire will apply a fee to users of the charge point and the council will receive a percentage [REDACTED] of the Concessionaire's annual call-off contract turnover.

6.5 Siemens Plc have confirmed they pay London Living Wage, however living wage is not in scope of this requirement.

7. Financial Implications

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Table 3: Capital Programme 22/23 – 23/25

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Table 4: Siemens costs as per the response under the TfL Framework (tfl_scp_001560)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Table 5: Potential contract value over the term

[REDACTED]

[REDACTED]

8. Legal Implications

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block]

[REDACTED]

[REDACTED]

[REDACTED]

9. Carbon Impact

- 9.1 The decarbonisation of road transport will play a vital role in our journey to becoming a carbon neutral City by 2040. This project will significantly increase the provision of charge points for Westminster residents, further improving upon the service for those using an EV. The new points will also act as a signal to those yet to make the transition that there is on-street support in their local area.
- 9.2 It has been estimated by Ubitricity that the amount of electricity supplied over the past year was equivalent to removing 1,600 internal combustion vehicles (ICE) from Westminster's streets (in terms of the CO2 removed from the air) and will see this figure increase to 2,500 ICE vehicles (3,500 tonnes of CO2) by the end of 2023 based on the size of this proposed roll-out.

10. Equalities Impact

- 10.1 There are no direct implications as this is a concession contract. Siemens Plc have, however, made a commitment to deliver equality for individuals from all ethnicities and backgrounds and signed the Change the Race Ratio which focuses on improving racial and ethnic diversity in leadership.
- 10.2 Siemens Plc have also committed to disability inclusion and have achieved employer status (level 2) with the Disability Confident programme by focussing on making their recruitment process accessible and supporting existing employees with workplace adjustments.
- 10.3 All charge points have been installed in consideration of accessibility for all users.

11. Consultation

- 11.1 This project will see new charge point installations across the whole of Westminster. The site locations are being compiled and our intention is this is part of an ongoing expansion programme to ensure an equal spread of charge

points in Westminster in consideration with demand. Engagement with residents, particularly through the EV survey and focus groups, and ward councillors has taken place throughout this work.

12. Information and Technology Implications

12.1 There are no implications as this will be a concession contract in which the contractor will manage all customer data. Any data excerpts received by the council will relate only to charging activities and is to remain fully anonymised at all times. As a result, the council will not receive or retain any personal data so there will be no GDPR implications and no need for a DPIA.

13. Responsible Procurement

13.1 The primary aim of this call-off contract is to deliver on the council's climate emergency ambitions by helping to improve air quality through the decarbonisation of transport in the city. Offering more EV charge points in the city will help boost the confidence of both existing EV users and those looking to make the move to EV.

13.2 Under the TfL GULCS framework there was no requirement for the provider to offer any social value initiatives. However, Siemens have completed a Responsible Procurement Delivery Plan.

13.3 [REDACTED]

13.4 Full details can be found in the embedded RPDP in Appendix 5.

14. Risks and Mitigations

14.1 Westminster already has a contract in place with Siemens Plc for the total provision of over 1,250 shared power supply charge points, the earliest of which

has been in place since July 2019. The charge points are tried and tested and Siemens in conjunction with Ubitricity have to date provided a good service. In addition, the supplier has a proven track record of being able to deliver a project of this scale to a similar timescale, and we have assurance that this key corporate ambition will be realised.

- 14.2 OZEV have provided us with a significant funding opportunity but with this being time-barred there is a risk that this will have to be returned if we cannot realise this spend. We aim to direct award to Siemens Plc through the GULCS Framework which allows Boroughs to direct award and is compliant with Procurement Regulations 2015. There is also a risk here as this expires at the end of July 2022 but the council has previously used the same framework agreement to direct award and know what it takes to get this ready in time.
- 14.3 There is a risk with installing and using electrical equipment in the public highway but it is acknowledged that a robust health and safety procedure is in place for all installations with these being carried out by qualified operatives (e.g. all have HERS qualification).
- 14.4 There is a risk with having one supplier providing all residents' charging and that an event could occur resulting in the network going offline but, to date, this has not happened and with this being a concession contract, there remains a strong mutual interest in the charge points having a constant availability, otherwise the supplier loses both revenue and reputation.

If you have any queries about this Report or wish to inspect any of the Background Papers please contact:

Steven Denny, Project Officer (EV Charging), City Highways

sdenny@westminster.go.uk, 07800 718833

BACKGROUND PAPERS:

[EV Charging Infrastructure Strategy 2019-2025](#) (link to document on WCC website)

NB: For individual Cabinet Member reports only

For completion by the **Cabinet Member for City Management and Quality**

Declaration of Interest

I have <no interest to declare / to declare an interest> in respect of this report

Signed: Paul Dimoldenberg Date: 22/07/2022

NAME: Councillor Paul Dimoldenberg

State nature of interest if any

(N.B: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter)

For the reasons set out above, I agree the recommendation(s) in the report entitled Contract Award for the supply, installation and operation of 1,000 new shared supply charge points for Westminster City Council and reject any alternative options which are referred to but not recommended.

Signed Paul Dimoldenberg

Cabinet Member for City Management and Environment

Date22/07/2022.....

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and this pro-forma is returned to the Secretariat for processing.

Additional comment:
.....
.....

If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, the Director of Law, City Treasurer and, if there are staffing implications, the Director of People Services (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Cabinet Member: Your decision will now be published and copied to the Members of the relevant Policy & Scrutiny Committee. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication to allow the Policy and Scrutiny Committee to decide whether it wishes to call the matter in.

Appendix 1

Other Implications

1. Resources Implications

- There are no resources implications as this is a concession contract

2. Business Plan Implications

- This is in line with the current Business Plans

3. Health and Wellbeing Impact Assessment including Health and Safety Implications

- The sites will be validated in respect of Health and Safety by our approved Highways service provider

4. Crime and Disorder Implications

- There are no implications

5. Impact on the Environment

- This positively contributes to the City Council's Net Zero goals

6. Staffing Implications

- There are no staffing implications as this is a concession contract.

7. Human Rights Implications

- There are no implications

8. Energy Measure Implications

- There are no implications

9. Communications Implications

- Siemens and Ubitricity have committed to supporting Westminster in marketing new installations and the introduction of any new technologies (eg smart charging)

10. Counter Terrorism and Security Implications

- There are no implications

Appendix 2

Potential Procurement Routes

Potential Procurement Route	When it may be considered	Advantages	Disadvantages	Estimated Timescales (can be flexed down for smaller procurements)
Open tender (Combined Response Document)	<ul style="list-style-type: none"> Limited competition anticipated (i.e. few suppliers in the market) Niche requirement User/population need identified Specification, outcomes and KPI's determined pre-procurement 	<ul style="list-style-type: none"> Open to all suppliers Does not require PQQ stage 	<ul style="list-style-type: none"> Number of new untested suppliers in the market to manage Takes up a lot of time and resource to manage the process 	<ul style="list-style-type: none"> 6 months maximum for tender process
Open Tender is not suitable because of the number of potential suppliers with untested technology in the market, lengthy process which could jeopardise WCC qualifying for the external funding.				
Restricted tender	<ul style="list-style-type: none"> Limited market offering chargers for shared use infrastructure. User/population need identified Specification, outcomes and KPI's generally determined pre-procurement but can be refined during preliminary stages 	<ul style="list-style-type: none"> Two-stage process that can minimise impact of resources by restricting the number competitors Contract currency determined pre-procurement 	<ul style="list-style-type: none"> Could limit the number of suitable bidders Takes up a lot of time and resource to manage the process 	<ul style="list-style-type: none"> 6-9 months maximum for tender process
Restricted Tender is not suitable because, it is a lengthy process which could jeopardise WCC qualifying for the external funding				
ESPO framework	<ul style="list-style-type: none"> Where an existing framework has been implemented, that satisfies all service requirements 	<ul style="list-style-type: none"> Wide range of suppliers Reduces timescales key terms have been agreed with suppliers appointed under the framework 	<ul style="list-style-type: none"> Does not allow for concessionary contracts Does not cover share used infrastructure such as lamp column chargers. 	<ul style="list-style-type: none"> 1-2 months for tender process
ESPO framework is not suitable as it is not does offer a concessionary arrangement nor does it cover lamp column chargers				
SBS framework	<ul style="list-style-type: none"> Where an existing framework has been implemented, that satisfies all service requirements 	<ul style="list-style-type: none"> Wide range of suppliers Reduces timescales key terms have been agreed with suppliers appointed 	<ul style="list-style-type: none"> Specification is fixed and cannot be varied once framework is implemented Does not cover share used infrastructure 	<ul style="list-style-type: none"> 1-2 months for tender process

		under the framework	such as lamp column chargers.	
SBS framework is not suitable as it does not cover lamp column chargers.				
TfL GULCS framework	Where an existing framework has been implemented, that satisfies all service requirements	<ul style="list-style-type: none"> Allows for shared use infrastructure Has supplier with proven/tested solutions. Concessionary contract, so ability to recover costs of the contract management 	<ul style="list-style-type: none"> Fixed supplier on the framework does not allow for new entrants on the market 	<ul style="list-style-type: none"> Direct award or mini competition
TfL framework is the most suitable as this offers competition from proven contractors and reduces both the risk to WCC and the resource requirement whilst allowing for concessionary terms.				

Appendix 3

3.16 The Awarding Authority reserves the right to directly appoint a Provider in accordance with Clause 3.2 (“a **Direct Award**”) in any of the following circumstances:

Shared Power Supply Charge Points

- On the basis of the highest turnover percentage for the Awarding Authority submitted by the framework providers in their respective rate cards as set out in each provider’s Part 2 of Schedule 2; or
- On the basis of the lowest overall cost to the Awarding Authority for the services they request as set out in the rate cards submitted by the framework providers in each provider’s Part 2 of Schedule 2; or
- On the basis of the lowest PAYG average price to the end user set out in the rate cards submitted by the framework providers in each provider’s Part 2 of Schedule 2; or
- On the basis that only one provider does not require end users to purchase additional equipment (such as a charging cable) to use charge points. If there are two or more providers who do not require end users to purchase additional equipment (such as a charging cable) then the Awarding Authority will apply one of the above financial criteria as the determining criterion for the purpose of the Direct Award.

Appendix 4

Embedded Letter of Intent from Ubitricity, dated 5 July 2022:

<REDACTED>

Appendix 5

Embedded Responsible Procurement Delivery Plan:

<REDACTED>

Appendix 6

Gate 2&3 Contract Award Report for the Commercial Gateway Review Board, dated 21 June 2022:

<REDACTED>

Appendix 7

Action log of the Commercial Gateway Review Board, dated 21 June 2022:

<REDACTED>

Appendix 8

Approval from Executive Director for direct award to Siemens Plc

<REDACTED>