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| Report Title: | Briefing: EV Chargepoint Procurement |
| Contains Confidential or Exempt Information | No - Part I |
| Cabinet Member: | Councillor Hill, Cabinet Member for Highways and Transport, Customer Service Centre and Employment |
| Meeting and Date: | Cabinet – 29th November 2023 |
| Responsible Officer(s): | Andrew Durrant, Executive Director of Place Services, and Chris Joyce, Assistant Director for Infrastructure, Sustainability and Economic Growth |
| Wards affected: | All |

REPORT SUMMARY

Earlier this year, the borough adopted an EV Chargepoint Implementation Plan (EVCIP). This plan identified the projected demand for chargepoints in the years to come, and how this need could be met so that EVs are a convenient and viable way to travel in the borough and more residents and businesses have confidence to switch to electric. The plan proposed an annual £200,000 of council investment to partner with one or more providers of EV chargepoints with a procurement approach to be recommended. This investment would come through the use of CIL or S106 and would require annual approval as part of the budget setting process, but would ensure the council can influence where EV chargepoints are installed, especially in less commercially attractive locations.

Following work completed by the transport team, it is recommended to use the Oxford Dynamic Purchasing System as a route to procurement, and prepare tender packages to identify one or more chargepoint provider partner(s). This report seeks Cabinet agreement with this approach.

Additionally for information only, as a result of publishing our EVCIP, the council has been invited to bid this November for £927,000 capital funding over two years offered by the Department for Transport, to support the rollout of new chargepoint infrastructure as part of a public-private commercial partnership with chargepoint operating companies.

A draft set of Invitation to Tender and tender evaluation documents will need to be submitted as part of this bid and the recommended Oxford DPS would be the most appropriate solution, allowing us to prepare tender documents in line with our submission.

Enabling the delivery of EV infrastructure to meet growing demand through the EV Chargepoint Implementation Plan is a Corporate Plan Goal.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) **Invitation to tender and tender evaluation documents for the delivery, operation and maintenance of EV chargepoints are prepared for issue through the Oxford Dynamic Purchasing System, and included in a bid for government Local EV Infrastructure funding.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 There are approximately 4,000 electric cars in the borough today, and this number is growing exponentially. By 2035, it is anticipated that there will be 50,000 electric cars in the borough. Increasingly, residents are expecting to find convenient electric vehicle (EV) charging infrastructure in the borough that enables them to switch to and drive an EV.
- 2.2 Transport is the borough's biggest single contributor to climate change, and emitted 219 ktCO₂ within our area in 2020, one third of total borough emissions. Supporting residents and businesses to make a timely and seamless switch to electric is an imperative component of tackling the declared climate emergency.
- 2.3 Whilst charging on private property (e.g. home driveways) is usually cheapest and most convenient, not all residents and businesses can charge in this way, and not all the time. To meet 2035 demand, the borough will need to have introduced approximately 600 on-street charging sockets and 125 charging sockets in council car parks across the borough. This is an increase from 38 on-street chargepoints and four car parks with chargepoints today.
- 2.4 Earlier this year, the borough adopted an EV Chargepoint Implementation Plan (EVCIP) (Appendix B). This developed a thorough evidence base for the work required, and set out how the borough would meet projected demand through concession contracts with commercial chargepoint operators. The plan is published online:
<https://www.rbwm.gov.uk/home/transport-and-streets/motoring/electric-vehicle-chargepoints/expanding-number-public-chargepoints>
- 2.5 As a result of adopting this plan, the council secured £327,000 of Local EV Infrastructure (LEVI) 'capability' (revenue) funding over two years from the Department for Transport (DfT) to support its delivery, and has been invited to bid for a further £927,000 of associated capital funding in November 2023. A bid for this capital funding is being finalised.
- 2.6 The DfT have stated that a key component of the bid will be the submission of draft tender documents for the proposed concession contracts. The purpose of this is for the DfT to have confidence that the borough is ready, upon receipt of the money, to tender those contracts, and also that the borough has a robust approach to maximising investment of additional private capital through the contract from the chargepoint operator.

Options

- 2.7 Procurement options have been assessed. The experience of other local authorities has shown that drafting a bespoke tender is highly complex, and could not be completed in time for the bid. There are a handful of established and well-used public procurement frameworks and dynamic purchasing systems that are available for the council to use instead. The Oxford Dynamic Purchasing System (DPS), run by Oxfordshire County Council, has been found

to closely match the technical contract specifications that we are seeking, whilst also having a large number of prospective suppliers registered – supporting a competitive bidding environment.

- 2.8 It is proposed that Oxford DPS Invitation to Tender and tender evaluation documents are prepared, for submission as part of the LEVI capital funding bid, and ultimately in readiness to use the Oxford DPS to identify a supplier (or suppliers) that the council will award concession contracts to for EV chargepoint delivery, operation and maintenance.
- 2.9 A summary of options considered is presented in table 1 below.

Table 1: Options arising from this report

| Option | Comments |
|--|--|
| <p>Invitation to Tender and tender evaluation documents for the delivery, operation and maintenance of EV chargepoints are prepared for issue through the Oxford Dynamic Purchasing System, and included in a bid for government Local EV Infrastructure funding.</p> <p>This is the recommended option</p> | <p>Utilising Oxford DPS would enable the preparation of full set of procurement documentation ahead of a bid for £927,000 over two years of earmarked Local EV Infrastructure funding, providing assurance within that bid that the council has a robust plan for securing contractual relationships with the necessary supplier(s) and deliver the value for money and infrastructure quality that the Department for Transport (as funder) are looking to see.</p> |
| <p>Draft tender documentation from scratch, for submission with the bid</p> | <p>This would be a lengthy and involved process, and could not be completed in time to submit a bid for funding.</p> |
| <p>Utilise another procurement framework or dynamic purchasing system</p> | <p>Oxford DPS has been identified as the preferred route given its default contractor specifications are in very close alignment with the borough's own technical requirements. The recommendation to use Oxford DPS has also been informed by the experiences of a wide range of chargepoint suppliers and other local authorities.</p> |
| <p>Do nothing</p> | <p>The council will not receive £927,000 Local EV Infrastructure grant funding. Delivery of the council's EV Chargepoint Implementation Plan will be unfunded. Many residents and businesses who want to switch to electric vehicles but do not have their own driveways will be unable to charge them.</p> |

3. KEY IMPLICATIONS

- 3.1 This proposal seeks to enable the submission of a successful bid to secure £927,000 capital funding from Department for Transport for EV charging infrastructure.
- 3.2 In turn, this would enable the council to begin delivery of its 10-year EV Chargepoint Implementation Plan – delivering an additional 225 charging sockets around the borough.
- 3.3 Critically, this will support more residents and businesses to have the confidence to switch to electric vehicles sooner than they otherwise would, with associated reductions in carbon emissions and some types of local air pollution.

Table 2: Key Implications

| Outcome | Unmet | Met | Exceeded | Significantly Exceeded | Date of delivery |
|---|--------------|------------|-----------------|-------------------------------|-------------------------|
| Capital funding secured from LEVI fund | <£927,000 | £927,000 | >£927,000 | N/A | 31 March 2024 |
| Additional public charging sockets in borough | <225 | 225 | 225-250 | >250 | 31 March 2025 |
| No. EV cars in borough | <8,000 | 8,000 | 8,000-10,000 | >10,000 | 31 December 2025 |

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There are no new financial costs involved in preparing procurement documents and submitting a bid.
- 4.2 If the LEVI bid is successful, the council would be awarded £927,000 capital funding over two years. This funding would be ringfenced for the delivery of EV chargepoint infrastructure. This would be awarded in financial Q4 2023/24. It must be spent by end of financial year 2024/25. Funding of EV chargepoint delivery would be entirely sourced from the LEVI bid and private capital from the chargepoint operator(s) awarded a contract.
- 4.3 This would replace £200,000 of Community Infrastructure Levy funding in the 2023/24 financial year requested to support the EVCIP implementation in last year's capital bid process. Given the potential size of the capital grant award, it would allow the council to get ahead of the trajectory proposed in the EVCIP without further need to invest CIL over the next four years.
- 4.4 Concession contracts, in the long-term, offer the council the opportunity to generate new income streams from ground rent and/or profit share. An average public chargepoint is not expected to be profitable, however, until 2030 at the earliest, based upon projected consumer demand – income generation opportunities are limited before this date. (This lag before there is sufficient

consumer demand to make a typical chargepoint profitable is also the reason that the DfT are offering a capital grant to encourage chargepoint suppliers to bid.) Part of the tender through the Oxford DPS will allow the council to identify the most appropriate terms on which to partner with chargepoint suppliers though it must be noted that there is a trade off between capital investment, maintenance and revenue sharing.

5. LEGAL IMPLICATIONS

- 5.1 If the bid is successful and the council invites tenders as a result, these would be for public-private commercial partnership concession contracts for the delivery, operation and maintenance of chargepoints on public highways and in council-owned car parks.
- 5.2 The council is receiving procurement advice from a DfT-funded support consortium on best practice contract terms. Indicative, principal terms with chargepoint providers are:
- 15-year contract term (national standard, based upon chargepoints being unlikely to be profitable before 2030 in light of projected demand)
 - Non-exclusivity, to create a multi-operator environment over time for consumer choice and price competition
 - Council to receive fixed indexed annual charge (rent) plus proportion of gross profit in longer term
 - Portfolio approach to site selection, with chargepoint operator proposing the majority of sites and the council a minority. All sites would continue to need to be found to be safe and suitable by the council as Local Highway Authority.
 - The council to own the power connection to the site, at the end of contract term (for re-letting). The chargepoint operator to maintain during the term of contract
 - The chargepoint operator to own and maintain the chargepoint itself, and remove at end of contract.
- 5.3 The requested approval today relates to the intention to prepare procurement documentation for submission as part of the LEVI funding bid that align with the use of Oxford DPS as a means to run a competition with suppliers and does not commit the council to any length of contract, just access to the procurement framework through which to issue tenders.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

| Threat or risk | Impact with no mitigations in place or if all mitigations fail | Likelihood of risk occurring with no mitigations in place. | Mitigations currently in place | Mitigations proposed | Impact of risk once all mitigations in place and working | Likelihood of risk occurring with all mitigations in place. |
|--|--|--|--------------------------------|-----------------------|--|---|
| There is a risk that if the council does | Moderate | Medium | The council has previously | Securing LEVI funding | Minor | Low |

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| not bid for LEVI funding, the council will lack a source of funding to commence rollout of EV Chargepoint Implementation Plan, resulting in a slower uptake of EVs in the borough, with consequences for carbon emissions | | | allocated a quantity of Community Infrastructure Levy | would enable meaningful progress to be made on EV chargepoint rollout at no additional cost to the council | | |
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7. POTENTIAL IMPACTS

- 7.1 Equalities. An Equality Impact Assessment is available as Appendix A. There are no direct equalities impacts.
- 7.2 Climate change/sustainability. The timely rollout of EV chargepoints around the borough will support more people to make the switch to EV at the earliest opportunity, reducing the single biggest source of carbon emissions in the borough – road traffic.
- 7.3 Data Protection/GDPR. No impact.

8. CONSULTATION

- 8.1 The borough's EV Chargepoint Implementation Plan was adopted in February 2023. It was informed by:
- Expert technical input from the Energy Savings Trust
 - Early supplier engagement with 12 chargepoint suppliers representing the breadth of business models and technology solutions available
 - Resident expressions of interest for future chargepoint locations
 - Participation in the national LA-EV Forum and Transport for the south East's Regional Decarbonisation Forum
- 8.2 A public consultation on the draft EV Chargepoint Implementation Plan found 83% support for the overall vision; 81% support for the approach to car park charging points and 73% support for the approach to on-street chargepoints. Crucially, 77% of residents felt that, if implemented, the infrastructure introduced through the plan would give them confidence that an EV would meet their daily needs. Improvements were made to the final adopted EV Chargepoint Implementation Plan based on resident written feedback at that consultation.
- 8.3 The decision to utilise the Oxford Dynamic Purchasing System has been informed by:
- The aforementioned early supplier engagement with a wide variety of chargepoint operators
 - Knowledge sharing with other local authorities

- 8.4 The EV Chargepoint Plan and this procurement exercise have not, and do not, commit the borough to individual locations for chargepoints. Following procurement, the borough will work with the chosen chargepoint operator(s) to identify specific sites suitable for chargepoint installation, based upon localised demand and available power supply. These sites would then be subject to local public consultation, recognising that it will be important that the resulting installations meet the needs of all street users whilst enabling more people to have the confidence to switch to an EV.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: Immediately. The full implementation stages are set out in table 4.

Table 4: Implementation timetable

| Date | Details |
|-------------------|---|
| 30 November 2023 | Submit Local EV Infrastructure funding bid |
| January 2024 | If bid successful, receive 90% of Local EV Infrastructure funding |
| April 2024 | Award contracts and receive final 10% of funding |
| June 2024 | Public consultation on first proposed sites |
| By end March 2025 | Complete delivery |

10. APPENDICES

- 10.1 This report is supported by 2 appendices:

- Appendix A – Equality Impact Assessment
- Appendix B – [EV Chargepoint Implementation Plan](#)

11. CONSULTATION

| Name of consultee | Post held | Date sent | Date returned |
|---|--|------------------|----------------------|
| <i>Mandatory: Statutory Officer (or deputy)</i> | | | |
| Elizabeth Griffiths | Executive Director of Resources & S151 Officer | 18/10/23 | 22/11/23 |
| Elaine Browne | Deputy Director of Law & Governance & Monitoring Officer | 18/10/23 | 21/11/23 |

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|---|--|-----------------|-------------------|
| <i>Deputies:</i> | | | |
| Andrew Vallance | Deputy Director of Finance & Deputy S151 Officer | 18/10/23 | |
| Jane Cryer | Principal Lawyer & Deputy Monitoring Officer | 18/10/23 | |
| <i>Mandatory:</i> | <i>Procurement Manager (or deputy) - if report requests approval to go to tender or award a contract</i> | | |
| Lyn Hitchinson | Procurement Manager | 18/10/23 | |
| <i>Mandatory:</i> | <i>Data Protection Officer (or deputy) - if decision will result in processing of personal data; to advise on DPIA</i> | | |
| Samantha Wootton | Data Protection Officer | | |
| <i>Mandatory:</i> | <i>Equalities Officer – to advise on EQiA, or agree an EQiA is not required</i> | | |
| Ellen McManus-Fry | Equalities & Engagement Officer | 18/10/23 | 20/10/2023 |
| <i>Other consultees:</i> | | | |
| <i>Directors (where relevant)</i> | | | |
| Stephen Evans | Chief Executive | | |
| Andrew Durrant | Executive Director of Place | 18/10/23 | 20/10/2023 |
| Kevin McDaniel | Executive Director of Adult Social Care & Health | | |
| Lin Ferguson | Executive Director of Children's Services & Education | | |
| <i>Assistant Directors (where relevant)</i> | | | |
| Chris Joyce | Assistant Director of Infrastructure, Sustainability and Economic Growth | 18/10/23 | 20/10/2023 |
| Alysse Strachan | Assistant Director of Neighbourhood Services | 18/10/23 | 27/10/23 |

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| Confirmation relevant Cabinet Member(s) consulted | Cabinet Member for Highways and Transport, Customer Service Centre and Employment | Yes |
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REPORT HISTORY

| Decision type: | Urgency item? | To follow item? |
|-----------------|---------------|-----------------|
| For information | No | No |

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Appendix A - Equality Impact Assessment

For support in completing this EQIA, please consult the EQIA Guidance Document or contact equality@rbwm.gov.uk

1. Background Information

| | |
|--------------------------------|---|
| Title of policy/strategy/plan: | <u>EV Chargepoint Procurement</u> |
| Service area: | <u>Infrastructure, Sustainability and Economic Growth</u> |
| Directorate: | <u>Place</u> |

Provide a brief explanation of the proposal:

- What are its intended outcomes?
- Who will deliver it?
- Is it a new proposal or a change to an existing one?

To utilise the Oxford DPs procurement platform to initiate the delivery of the borough's EV Chargepoint Implementation Plan and identify commercial chargepoint operators for a public-private commercial partnership.

2. Relevance Check

Is this proposal likely to directly impact people, communities or RBWM employees?

- If No, please explain why not, including how you've considered equality issues.
- Will this proposal need a EQIA at a later stage? (for example, for a forthcoming action plan)

Not at this time.

An Equalities Impact Assessment will be required when approval to undertake procurement is sought.

If 'No', proceed to 'Sign off'. If unsure, please contact equality@rbwm.gov.uk

6. Sign Off

| | |
|---------------------------------------|----------------------------|
| Completed by: Dug Tremellen | Date: 17/10/2023 |
| Approved by: | Date: |

If this version of the EQIA has been reviewed and/or updated:

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|---------------------|--------------|
| Reviewed by: | Date: |
|---------------------|--------------|