



## Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

### 1. Cabinet date and copy resolution this key decision relates to

On the 12 April 2017 Cabinet approved the below for the Installation and maintenance of road lighting, traffic signs and bollards.

- (1) That approval be granted to commence an EU-compliant procurement tender process.
- (2) That authority be delegated to agree the award of tender for the Installation and Maintenance of Road Lighting, Traffic Signs and Bollards contract to the Director of Economy and Growth, subject to a compliant bid being received and the preferred tender being within the approved revenue budget for the service.
- (3) That the Monitoring Officer be authorised to complete all requisite legal documentation in relation to the matters outlined above.

### 2. Subject and details of the matter (to include reasons for the decision)

Street Lighting Term Maintenance Contract (TMC)

In 2017 NELC awarded J McCann (Nottingham) Ltd the Street Lighting TMC after an EU compliant tender exercise. The contract awarded was for an initial period of three years with two further two-year extensions.

The current extension period will conclude on 31 October 2022 and would like to invoke the final two-year extension as per the cabinet decision dates 12 April 2017.

### 3. Decision being taken

Approval to carry out the final two-year extension period

### 4. Is it an Urgent Decision? If yes, specify the reasons for urgency. Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No

### 5. Anticipated outcome(s)/benefits

To extend the current contract by a further two-year period and issue a contract variation letter to the incumbent supplier

### 6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

Due to the high-performance levels of the existing term maintenance contractor the alternative option to retender the contract is not recommended.

If the recommended two-year extension is not approved we would need to notify the current contractor that we would not be extending the contract, and give them a formal end date of when their services are going to end. A retender exercise would then need to be undertaken and this may result in loss of service.

### 7. Background documents considered (web links to be included and copies of documents provided for publishing)

Web link unavailable.

Documents provided as additional attachments

### 8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

### 9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any

**declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)**

N/A

**10. Monitoring Officer Comments (Monitoring Officer or nominee)**

The decision is consistent with the Cabinet decision and delegations and the current contract terms. The benefits are identified within the body of the ODR.

**11. Section 151 Officer Comments (Deputy S151 Officer or nominee)**

The decision to extend is expected to provide greater value for money than a re-tendering process at this stage in the contract term.

**12. Human Resource Comments (Head of People and Culture or nominee)**

There are no direct HR implications

**13. Risk Assessment (in accordance with the Report Writing Guide)**

The quality of service delivered by the current contractor, who consistently meets set KPIs may be at risk should the existing contract not be extended. It may also result in a loss of good working relationships, and they may not wish to re-tender for future contracts.

If rejected this could possibly end a good working relationship with a long-term contractor, who are based locally and employ local staff.

Within the contract the successful contractor must have a local depot in order to deliver the services required within this TMC, which J McCann (Nottingham) Ltd currently have, a new contractor will likely incur upfront set up costs, which would result in higher contract rates for the street lighting TMC.

Due to the economic crisis, we could see a significant increase in the rates that we are currently paying through this arrangement.

**14. Has the Cabinet Tracker been updated with details of this decision?**

Yes

**15. Decision Maker(s):**

Name: Sharon Wroot

Title: Executive Director for  
Environment, Economy and  
Resources

Signed: REDACTED

Dated: 1<sup>st</sup> November 2022

**16. Consultation carried out with  
Portfolio Holder(s):**

Name: Councillor Stewart Swinburn

Title: Portfolio Holder Environment and  
Transport

Signed: REDACTED

Dated: 2<sup>nd</sup> November 2022