

	Officer Key Decision
	Report to the Corporate Director, Neighbourhoods and Regeneration
	Lead Cabinet Member for Public Realm and Enforcement
AUTHORITY TO AWARD CONTRACT FOR THE PROVISION OF STREET LIGHTING MAINTENANCE SERVICES	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: “Information relating to the financial or business affairs of any particular person (including the authority holding that information)”
No. of Appendices:	Appendix 1 – List of Bidders (exempt) Appendix 2 – Evaluation Grid
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Tony Kennedy Head of Highways Management tony.kennedy@brent.gov.uk

1.0 Executive Summary

1.1 This report concerns the provision of Street Lighting services for maintenance and schemes. This report requests authority to award a contract as required by Contract Standing Order 88. This report summarises the process undertaken in procuring a contract and following the completion of the evaluation of the bids, recommends to whom the contract should be awarded.

2.0 Recommendation(s)

That the Corporate Director, Neighbourhoods & Regeneration in consultation with the Lead Member for Public Realm and Enforcement:

2.1 Approves the award the contract for the provision of Street Lighting services for maintenance and schemes to FM Conway Limited for a period of four (4) years with the option to extend by yearly periods up to a maximum of two (2) years (on a 4+1+1 basis) in the sum of £7.2m + VAT (to also include scheme work).

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

Introduction

3.1.1 Awarding a contract for the provision of Street Lighting services is a key initiative for the London Borough of Brent, supporting the council's overarching priorities related to enhancing public safety, sustainability, and community wellbeing. The contract ensures that the infrastructure needed to maintain street lighting across the borough is managed efficiently, contributing to an improved quality of life for residents and businesses alike. By ensuring streets are well-lit, the contract also plays a role in reducing crime and supporting inclusive urban spaces that are accessible and secure for everyone, especially at night.

Summary of Relevant Priorities and Outcomes

3.1.2 The provision and maintenance of street lighting directly aligns with several priorities within the Brent Borough Plan, specifically those related to public safety, environmental sustainability, and local infrastructure improvement:

- *Public Safety and Community Wellbeing:* Well-lit streets contribute to reducing crime, increasing community confidence, and fostering a safer environment for residents, which ties into the borough's focus on creating safer and more resilient communities.
- *Environmental Sustainability:* The borough aims to reduce its carbon footprint and improve energy efficiency, and maintaining or upgrading street lighting systems, particularly through smart technologies or energy-efficient solutions, contributes to this goal.
- *Inclusive Growth and Local Infrastructure:* Investing in the maintenance and enhancement of street lighting supports the wider ambition to improve the borough's infrastructure, promoting inclusive growth that benefits all residents.

3.1.3 The contract will directly contribute to strategic priorities 1, 2 and 5 of the Borough Plan. Priority 1: Prosperity & Stability in Brent – Working street lighting supports the nighttime economy. Priority 2: A Cleaner Greener Brent. Priority 5: A Healthier Brent – working lighting set at appropriate levels encourages walking and cycling whilst also reducing the perception of fear of crime.

3.2 Background

3.2.1 The Council requires the provision of Street Lighting services for maintenance and schemes.

3.2.2 The Council requires the provision of street lighting maintenance services of its street lighting stock, including illuminated signs and bollards. Officers have considered whether the provision of street lighting maintenance services can be provided by the Council itself but have concluded that street lighting maintenance services is best provided by an external contractor.

3.2.3 The maintenance services within the proposed contract will ensure that street lighting assets remain in light and are maintained to maximise their life span. The service also

includes provision to rectify faults within 48 hours; and a 2-hour emergency response service in the event of an asset becoming unsafe due to a road traffic accident or vandalism, for example.

- 3.2.4 The Council use Symology to order and monitor scheme delivery and a Central Management System (CMS) to remotely monitor and adjust lighting levels. The CMS also detect faults that can then be issued to the contractor for repair / investigation.
- 3.2.5 During the term of the new contract, it will be necessary to carry out structural and electrical testing on all circa 21,000 columns. A similar exercise has just been completed, and all columns categorised as “red” have been replaced. A number of columns categorised as “amber with limitations” will require further investigation during the new contract to confirm if the column needs to be replaced.
- 3.2.6 The Council is responsible for maintaining almost 21,000 streetlights and columns, and 5,600 other street lighting assets. These include illuminated signs, bollards and Belisha beacons. FM Conway Limited are the current contractors delivering the service, having been appointed in 2019 on a 6-year contract on a 4+2 years basis. The current contract was extended to allow for enough time to carry out a re-procurement and expires on 30 June 2025. The Council requires street lighting maintenance services thereafter.
- 3.2.7 Council officers have undertaken a procurement exercise and identified a contractor providing the most economically advantageous offer in accordance with relevant evaluation criteria and therefore recommend award of a contract for the provision of street lighting services for maintenance and schemes (the “Contract”).

The Procurement Process

- 3.3 The Contract will be let using NEC4 Engineering and Construction Contract June 2017 for an initial term of four (4) years with the option to extend by yearly periods up to a maximum of two (2) years (on a 4+1+1 basis), the extensions being subject to satisfactory performance of the contractor.
- 3.4 Advertisements were placed on the London Tenders Portal on 16/02/2025 to seek initial expressions of interest, which elicited 8 initial enquires. Contractors were provided with an outline specification and details of the tender approach and were invited to complete a selection questionnaire using the Council’s Electronic Tendering Facility. 3 contractors subsequently completed the questionnaire.
- 3.5 Shortlisting was carried out on the basis of the contractors’ financial viability, technical ability and three contractors were invited to tender.
- 3.6 The tendering instructions stated that the Contract would be awarded on the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following:
 - 1. A selection questionnaire was used to identify organisations meeting the Council's financial standing requirements, technical capacity and technical expertise.
 - 2. For those meeting the requirements, the panel evaluated the tenders against the following criteria:

- Price 40%
- Quality 50%
- Social Value 10%
- Health & Safety compliance pass/fail

Quality questions are split into the following criteria for assessment:

1. Mobilisation
2. Working Practices
3. Management of the Contract
4. Lump Sums - Routine Maintenance and Inspections
5. Lump Sums - Reactive Maintenance Works
6. Planned work
7. Innovation
8. Sustainability
9. Circular Economy
10. Circular Economy

Evaluation process

- 3.7 The tender evaluation was carried out by a panel of officers from the Highways Management Service.
- 3.8 All tenders had to be submitted electronically no later than 09th April 2025 12:00 midday. Tenders were opened on 09 April 2025 and three valid tenders were received. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.
- 3.9 The panel met on 1st May 2025 and each submission was marked by the whole panel against the award criteria.
- 3.10 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Contractor A was the highest scoring tenderer. Officers therefore recommend the award of the Contract to Contractor A, namely FM Conway Limited
- 3.11 The Contract will commence on 1st July 2025, subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 6.3 below.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Cabinet Member for Public Realm and Enforcement has been consulted on this report.

5.0 Financial Considerations

- 5.1 Cabinet on 12th November 2024 delegated authority to the Corporate Director, Neighbourhoods and Regeneration in consultation with the Lead Member for Environment and Enforcement to award the contract.

5.2 The cost of the Contract will be mainly funded from existing revenue or capital budgets. The main street lighting maintenance elements will be funded from existing Street Lighting revenue, with schemes funded from street lighting revenue and capital from individual schemes.

6.0 Legal Considerations

6.1 The procurement of the Contract for the provision of street lighting services commenced prior to 24 February 2025 and as a result the procurement and award are subject to the requirements of the Public Contracts Regulations 2015 (“PCR 2015”). The estimated value of the Contract is above the threshold for Services under the PCR 2015 and the procurement is therefore governed by the PCR 2015. Section 3 of the report outlines how the Contract was procured in accordance with the PCR 2015.

6.2 The procurement is subject to the Council's own Standing Orders and Financial Regulations in respect of High Value Contracts given the procurement is valued at £7.2m plus VAT. On the 12th November 2024, Cabinet approved the delegation of the award of the Contract to the Corporate Director, Neighbourhoods and Regeneration in consultation with the Lead Member for Public Realm and Enforcement. The Corporate Director, Neighbourhoods and Regeneration therefore has authority to approve the award of the Contract.

6.3 As this procurement is subject to the full application of the PCR 2015, the Council must observe the requirements of the mandatory minimum 10 calendar standstill period imposed by the PCR 2015 before the Contract can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. The standstill period provides unsuccessful tenderers with an opportunity to challenge the Council's award decision if such challenge is justifiable. This period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers in accordance with the PCR 2015. The standstill period will run concurrently with the Council's usual call-in process. Subject to there being no call-in or challenge pursuant to the PCR 2015, after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the Contract can commence.

6.4 As the decision that is being sought here is a Key Decision, the decision may not be taken by the Corporate Director unless this matter has been published on the Forward Plan. The Key Decision must be published on the Forward Plan (Paragraph 30 of the Access to information rules) and must be included on the Forward Plan not less than 28 days before the decision is to be made. (Paragraph 34 of the Access to Information Rules). The decision to award has been on the Forward Plan for the requisite 28 days.

6.5 The recommended award will not involve the transfer of staff pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) as the recommendation is to award to FM Conway Limited, the incumbent contractor. No Council staff are impacted by this decision.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

7.1 Pursuant to s149 Equality Act 2010 (the “Public Sector Equality Duty”), the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

- 7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.4 There is no prescribed way the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 7.5 The proposals in this report have been subject to screening and Officers believe that there are no adverse equality implications.
- 7.6 There are no health equalities implications arising from this report

8.0 Climate Change and Environmental Considerations

- 8.1 All of the Council's light columns have been converted to LED and subjected to lighting level reviews for dimming. During the term of the Contract further energy savings will be explored through an illuminated bollard replacement programme and review of illuminated signs.

9.0 Human Resources / Property Considerations (if appropriate)

- 9.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the Contract. There are no TUPE implications due to the Contract being awarded to the same contractor who is delivering the current services.
- 9.2 There are no property / accommodation implications as the service will be delivered in the field and from the contractor's premises.

10.0 Communication Considerations

- 10.1 There are no Communication Consideration implications arising from the award.

Related Documents:

[Report – Authority to invite tenders for the provision of Street Lighting Maintenance Services](#)

Report sign off:

Alice Lester
Corporate Director Neighbourhoods and Regeneration