

## **Delegated Officer Report**

<b>Decision Maker:</b>	Paul Clifford
<b>Date of Decision:</b>	24 July 2023
<b>Subject:</b>	Contract award to Ramboll UK Ltd – Owner’s Engineer for Wrigley Head Solar Farm
<b>Report Author:</b>	Andrew Hunt, Green Energy & Sustainability Manager
<b>Ward (s):</b>	Failsworth

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**Reason for the decision:** To award a contract to Ramboll UK Ltd to the value of £99,967.00+VAT to provide Owner’s Engineer services to the Wrigley Head Solar Farm project.

**Summary:** The Wrigley Head Solar Farm project will create a 891kW ground-mounted solar PV array at Wrigley Head in Failsworth.

The project has secured Planning Permission and the capital budget for the project was agreed at Cabinet in January 2023.

The project requires the services of an “Owner’s Engineer”, to specify, support the procurement of and provide external Project Management of the EPC (Engineer, Procure & Construct) contractor, and also to provide two years’ worth of Asset Management services to ensure that the solar farm is operating correctly according to the design.

After a compliant procurement process, the Council is recommended to award the contract for this commission to Ramboll UK Ltd.

***What are the alternative option(s) to be considered? Please give the reason(s) for recommendation(s):*** Option 1 – award the contract. Under this option, Ramboll UK Ltd will provide Owner’s Engineer services to the Wrigley Head Solar Farm project to enable it to progress. A cost of

£99,967.00+VAT will be incurred under this option.

Option 2 – do not award the contract. Under this option, the contract will not be awarded and the Wrigley Head Solar Farm project will not be able to progress. No costs will be incurred under this option.

***Consultation: including any conflict of interest declared by relevant Cabinet Member consulted.***

Consultation has taken place with the Executive Director for Place and Economic Growth

***Recommendation(s):***

Option 1 – award the contract. Under this option, Ramboll UK Ltd will provide Owner's Engineer services to the Wrigley Head Solar Farm project to enable it to progress. A cost of £99,967.00+VAT will be incurred under this option.

**Implications:**

*What are the **financial** implications?*

The £100k costs associated with the appointment will be capital expenditure and will be a charge against the Creating a Better Place Capital Programme. The costs can be financed from within the existing allocation for the Wrigley Head Solar Farm project.

[ James Postle ]

*What are the **legal** implications?*

Legal Services supports the recommendation based on the comments provided in the Report and from Procurement. The rationale for the award has been made which is in compliance with the Council's Contract Procedure Rules and Public Procurement Regulations.

[ Sukie Kaur – Solicitor ]

*What are the **procurement** implications?*

**DN655874 Owner's Engineer Services For Wrigley Head Solar Farm**

Detailed market engagement was conducted in February 2023 to which seven responses were received. Based on the findings, the value of the contract was estimated to be below £100,000. As not all credible respondents were on a single third party public sector framework, in line with the Council's Contract Procedural Rules an independent below-threshold open tender was conducted in May 2023

advertised on The Chest and Contracts Finder (DN655874). It was essential to our Council's requirements that bidders were able to fulfil the role of both Owner's Engineer and Asset Manager for the solar farm. The evaluation criteria laid out in the tender document was 40% Commercial/Pricing, and 60% Technical (which included 10% for social value).

One response was received from Ramboll UK Ltd. Enquiries revealed other potential bidders did not make a submission owing to varied reasons including but not limited to; insufficient resources at the time, unable or unwilling to meet the specified requirements, internal approval delays. The evaluation panel concluded the Council was unlikely to get a different result if it were to re-procure: The Council's service requirements are necessary for its needs (not over-specified) but some potential bidders were unable or unwilling to meet these in context of the size of the scheme.

Ramboll UK Ltd's fixed price bid for the full term of the contract was £99,967 excluding VAT. They declined to participate in the Oxygen Early Payment Scheme. Following a detailed clarification meeting followed up in writing through The Chest, the evaluation panel was assured of Ramboll's capability to deliver the service and considered their bid submission to be acceptable. All evaluators individually scored all aspects of Ramboll's submission awarding a 'pass' (for pass/fail criteria) and scores equating to 'acceptable' or above for scored criteria. As the sole bidder, it served no useful purpose to hold and document formal moderation sessions with the evaluation panel in order to calculate a final score for Ramboll out of 100%.

Ramboll were invited to submit a best and final offer through The Chest but they maintained and justified their original bid of £99,967. The evaluation panel considers the fees to be acceptable and to represent value for money in context of known market conditions and rates; e.g., initial market engagement which informed the setting of the Council's budget prior to tender, and feedback from an organisation post-tender which participated in our market engagement but chose not to bid - advising they could not deliver our service requirements within our budget.

[Emma Tweedie, Commercial Procurement Unit]

*What are the **Human Resources** implications?*

N/A

**Equality and Diversity Impact Assessment** attached or not required because (please give reason)

Not required – commission is technical support for the delivery of the solar farm.

What are the **property** implications

The development of the project at Wrigley Head Solar Farm will be part of asset no L01805, which has already been established. The Contract Award to Ramboll in itself has no other property implications.

[ Katy Webster – AD Property & Projects ]

**Risks:**

Despite a competitive tendering process only one contractor has agreed to bid. In order to ensure the Council on future bids gets competitive bids it needs to understand if future processes such as having a longer lead in time for potential bidders needed to be incorporated in future procurements.

[ Mark Stenson ]

**Co-operative agenda**

N/A

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Has the relevant Legal Officer confirmed that the recommendations within this report are lawful and comply with the Council's Constitution?

Yes

Has the relevant Finance Officer confirmed that any expenditure referred to within this report is consistent with the Council's budget?

Yes

Are any of the recommendations within this report contrary to the Policy Framework of the Council?

No

**There are no background papers for this report**

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<b>Report Author Sign-off:</b>	
	Andrew Hunt
<b>Date:</b>	24 July 2023

In consultation with Paul Clifford, Director of Economy

Signed :

A handwritten signature in blue ink, appearing to be 'Paul Clifford', written over a horizontal line.

Date: 25/07/23