

<b>Title:</b> Operation and maintenance of electric vehicle charge points under the Go Ultra Low West (GULW) programme.	
<b>Ward:</b> N/A	<b>Cabinet lead:</b> Fi Hance
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**Legal Issues:**

The Office for Low Emission Vehicles (OLEV) awarded £7.1 M of funding over 5 years to Bristol bidding along with the adjoining authorities (BANES, NSC and SGC) to promote the uptake of EVs (including plug-in hybrids) across the region.

The Cabinet vide its decision dated 5th April 2016 decided to go ahead with the project. It was also decided that Bristol City Council will deliver the project in collaboration with and under a formal legal agreement with Bath and North East Somerset Council, North Somerset Council and South Gloucestershire Council. It has been informed that such collaboration agreement already exists.

Bristol Energy Service have been asked to deliver Work Package 1 of the Programme which involves building 200 new public EV charging points across all the four adjoining Councils. The funding conditions require that the commencement of the Works shall be preceded by market testing; specification and tender writing for a Works contract to install new electric charge points.

It is assumed that the Programme Board formed under the Collaboration Agreement has already given approval for this work package. As far as BCC is concerned the pre-works contract elements such as soft market testing, developing of the Specifications and tender documents may be initiated at this stage. However, before award of the main contract the following matters need to be addressed;

- 1- Supply of equipment will be the dominant part of the contract while any civil works will be ancillary part. As such potentially EU threshold for Supplies will be attracted. Therefore, proper procurement procedure will be needed.
- 2- Identification of the charging point sites and suitable arrangements, such as lease arrangements where those sites are not owned by the respective authorities, will be needed along with other statutory approvals regarding ingress, egress and parking of EVs.
- 3- Appropriate allocation of potential contractual risks will be required before award of the main Installation/Works contract.
- 4- Suitable arrangements to enable the users to make payments such as by cash payment or through bank cards and any ensuing confidentiality issues will need to be carefully addressed.
- 5- Specifications and contract documents need to be developed in line with the funding conditions.”

**Legal Officer:** *Irfan Sheikh*