

Note to Northamptonshire County Council

Street Lighting PFI – Appointment of Legal Advisors.

In February 2004 the Council entered into contracts with 3 external firms of solicitors, Eversheds, Mills and Reeve and Sharpe Pritchard.

These contracts were negotiated to enable our clients to have ready access at favourable charging rates, to complementary advice to that provided by legal services for large projects, specialist areas of law. or where there were shortfalls in capacity within legal services,.

The contracts were entered into for an initial 3 year period, with an option to extend for a further period or periods up to a maximum of 2 years.

In September 2006, there was the need for a legal advisor for the street lighting PFI project. As the Council had these 3 companies contracted for this work, they were all approached to invite them to bid for the legal advisor role for the PFI work. It was also stressed that this may include the need to be legal advisors for a combined contract with Northamptonshire County Council.

Three officers, Chris Capps, Richard Braun (Internal Legal), Steve Dighton (Procurement Engineer) invited the 3 companies to attend an interview and presentation for the street lighting PFI.

Appendix A were the areas of discussion that the companies were invited to cover, and Appendix B was the evaluation of this process.

Based upon this evaluation, Sharpe Pritchard were appointed as Legal Advisors for Cambridgeshire.

Note

Since the award, Chris Capps has approached Sharpe Pritchard about whether they would wish to work for a combined project team with both Cambridgeshire and Northamptonshire, and they have confirmed that they would.

Chris Capps
Head of Transport Asset Management
May 2007

Appendix A

Street Lighting PFI -Issues for potential legal partners

Background in PFI

Background in PFI Generally

Background in street lighting PFI particularly

Based upon the information provided and experience of street lighting PFI together with standard documents what are the benefits of this approach?

Role in the project – who/how many

- a) Project Board?
- b) Project Team?
- c) Legal advisors role going forward?

Likely cost in seeing it through to completion –

Breakdown?

- a) to OBC?
- b) OBC to award?
- c) Post award?

Relationship with in house legal team

Relationship with Northants and their legal team?

Impact of Competitive Dialogue on process/costs and your experience of in respect of PFI?

4Ps role

Single OJEU?

Pre-qualification

Project Management on behalf of DfT

Issues you would like to raise?

Appendix B

		Chris Capps			Richard Braun			Steve Dighton			Combined		
		Company Score			Company Score			Company Score			Company Score		
Factor		Mills and Reeve	Sharpe Pritchard	Evershed	Mills and Reeve	Sharpe Pritchard	Evershed	Mills and Reeve	Sharpe Pritchard	Evershed	Mills and Reeve	Sharpe Pritchard	Evershed
PFI		7	7	7	8	7	8	8	8	7	23	22	22
Street Lighting PFI		0	1	0	0	1	0	2	6	4	2	8	4
Relationship with in-house team		6	7	6	7	7	5	7	8	5	20	22	16
Costs		7	8	4	7.5	8	4	7	8	3	21.5	24	11
Competitive Dialogue		7	7	7	7	7	7	6	7	7	20	21	21
Relationship with Nothants		7	7	7	7	7	7	8	6	5	22	20	19
Totals (out of 10)		34	37	31	36.5	37	31	38	43	31	108.5	117	93

