

# Cabinet

18 APRIL 2011

**DEPUTY LEADER  
(+ENVIRONMENT AND  
ASSET  
MANAGEMENT)**  
*Councillor Nicholas  
Botterill*

**AWARD OF TERM CONTRACT FOR TREE  
MAINTENANCE 2011 – 2014**

**Wards:  
All**

Seeking approval to the award of this contract.

A separate report on the exempt part of the Cabinet agenda provides information on the tender opening and assessment.

**CONTRIBUTORS**

DENV  
DFCS  
ADLDS  
ADP

HAS A EIA BEEN  
COMPLETED?  
YES

HAS THE REPORT  
CONTENT BEEN  
RISK ASSESSED?  
N/A

**Recommendations:**

- 1. That the Term Contract for Tree Maintenance 2011 - 2014 be awarded as set out in the report on the exempt part of the Cabinet agenda, commencing on 1 April 2011 and running for a period of three years through to 31 March 2014 (with the possibility of two 12 month extensions), on the basis of the most economically advantageous tender received as detailed in this report.**
- 2. To note that the annual current notional value of the contract is in the region of £200,000, and that the value may go up or down depending on the work ordered through the contract, but that all works ordered under the contract will be subject to the appropriate budget being available.**

## 1. BACKGROUND

- 1.1 Following a competitive tendering process, which was undertaken in accordance with the Council's Contract Standing Orders and the Public Contract Regulations 2006, officers are seeking approval to award the Term Contract for Tree Maintenance 2011 - 2014. The contractor recommended to be awarded the contract is the tenderer judged to have submitted the most economically advantageous tender to the Council.
- 1.2 A description and summary of the key aspects of the Term Contract for Tree Maintenance 2011 - 2014 is given in Appendix 1 of the separate report on the exempt part of the agenda.
- 1.3 The current contract (Term Contract for Street Tree Maintenance 2009 - 2011) was awarded to Glendale Countryside Limited for 17 months.
- 1.4 In anticipation of the procurement exercise, officers have reported to the Cabinet Member for Environment and Asset Management, to approve the procurement strategy and tender specifications.
- 1.5 In accordance with the Council's Contract Standing Orders a Tender Appraisal Panel (TAP) was established for this tender exercise. The TAP and Cabinet Member for Environment agreed that tenders should be assessed on a 70:30 price / quality split respectively.
- 1.6 The contract shall be awarded for a period of three years, with the possibility of two, 12 month extensions to be agreed at the Council's discretion.

## 2. TENDER PROCESS

- 2.1 The procurement process has been overseen by the TAP.
- 2.2 Table 1 provides a summary of the stages in the procurement of the contract:

Table 1: Key procurement stages

Date	Action	Description
27 July 2010	Approval of Procurement strategy.	Cabinet Member Decision at ECM.
17 August 2010	Contract advertised and Pre-Qualification Questionnaires (PQQ's) issued.	PQQ issued electronically via London Tenders Portal.
15 September 2010	Deadline for return of PQQ's.	15 completed PQQ's received.
12 October 2010	Short list of six tenderers for the contract agreed.	Short list agreed by Chief Officer Decision following officer recommendation.
19 November 2010	Glendale Countryside Ltd withdrew from the tender process.	Short list reduced to five.
23 December 2010	Tender documents issued.	Via London Tenders Portal.
02 February 2011	Tender period closed at 03:00am.	Tenders opened by the Mayor the same day.

### **3. TRANSFER OF UNDERTAKINGS (PROTECTION OF EMPLOYMENT) REGULATIONS 2006 (TUPE)**

- 3.1 The Council, in conjunction with the incumbent contractor, has taken the view and considers that, the provisions of TUPE do not apply to this new contract, but may do on the conclusion of the contract to be awarded.

### **4. RISK MANAGEMENT**

- 4.1. This report is not included on a departmental or corporate risk register.

### **5. COMMENTS OF THE DIRECTOR OF FINANCE AND CORPORATE SERVICES**

- 5.1 The tender process has been carried out in accordance with the Council's Contract Standing Orders.
- 5.2 There is no set price for the contract and the amount of works ordered under the contract will need to be managed in order to ensure that existing revenue budgets are not exceeded.

### **6. EQUALITY IMPLICATIONS**

- 6.1 The recommendations of this report in relation to impacts (negative or positive) on race, disability, gender, sexual orientation, age or belief system groups are clearly explained in the Equality Impact Assessment (EIA) which is available electronically.

### **7. COMMENTS OF THE ASSISTANT DIRECTOR (LEGAL AND DEMOCRATIC SERVICES)**

- 7.1 The AD (Legal and Democratic Services) agrees with the recommendations in this report.

### **8. COMMENTS OF THE ASSISTANT DIRECTOR PROCUREMENT**

- 8.1 The AD has been represented on the TAP and has provided procurement related advice. The tendering of these services has been undertaken in accordance with the Public Contract Regulations 2006 (as amended) and the Council's Contract Standing Orders.
- 8.2 The AD agrees with the recommendations contained in the report.

**LOCAL GOVERNMENT ACT 2000****LIST OF BACKGROUND PAPERS**

<b>No.</b>	<b>Description of Background Papers</b>	<b>Name/Ext of holder of file/copy</b>	<b>Department/ Location</b>
1.	Contract documentation and tender submissions.	Jonathan Addis	H&E, 5 <sup>th</sup> Floor, THX
2.	Tender Evaluation Sheets	Jonathan Addis	H&E, 5 <sup>th</sup> Floor, THX
<b>CONTACT OFFICER:</b>		<b>NAME:</b> Mark Hodgson <b>EXT.</b> 3490	

## APPENDIX 1 – To the exempt report

## APPENDIX 2 – TENDER EVALUATION CRITERIA

### Price:

Table 1: Price Assessment Scoring

Price Component	Maximum Points
Schedule of Rates	55
Schedule of Dayworks Rates	4
TABLE A Assessment	11
<b>Grand Total</b>	<b>70</b>

Table 2: Schedule of Rates Points assignment

Schedule of Rates Series	Maximum Series Points
<b>3000 LANDSCAPE AND ECOLOGY</b>	
Maintenance Regimes	<b>10</b>
Tree Planting	<b>6</b>
Pruning / Clearing	<b>7</b>
Crown Works	<b>6</b>
Dead Wooding / Crown Clearing	<b>3</b>
Pollarding	<b>10</b>
Tree Felling / Removal	<b>7</b>
Stump Treatment	<b>6</b>
	<b>55</b>

Each of the remaining Tenders will be awarded marks based on the same model in accordance with the following calculation (rounded to two decimal places);

### ***Lowest Tendered Series Value / Tendered Series Value x Maximum score***

This process will be carried out for each series listed in Table 1 to give a total maximum score out of 70 for each Tenderer.

### Quality:

#### Quality Submission Evaluation Criteria:

Criteria	Max. score	Weighting (%)	Weighted Score	Min. Threshold Score
<b>SECTION 1: QUALITY SUBMISSION</b>				
1.1 - Council Objectives:	10	10%	3	1.5
Understanding of Council objectives.	5			
Delivery of service to meet Council Objectives	5			
1.2 - Best Value:	20	20%	6	3
Management Training & supervision	5			
Continuous improvement & flexibility	5			
Technical Innovation	5			
IT and communication systems	5			
1.3 - Putting Residents First:	20	20%	6	3
Presentation, identification & branding	5			
Customer Care / Satisfaction	5			
Working with the community	5			
Local circumstances & complaints	5			

**SECTIONS 2 – 8: METHOD & RESOURCES STATEMENT**

Completed Method & Resource Statement document** (5 points per marked question)	110	50%	15	7.5
Total			<b>30</b>	<b>15</b>

## Quality Submission Scoring System:

<b>Score</b>	<b>Description</b>	<b>Mark</b>
Excellent	Meets all the requirements in a very full and comprehensive manner and exceeds some requirements.	5
Very Good	Meets most requirements in a full and comprehensive manner.	4
Good	Generally satisfactory and meets the criteria requirements to the satisfaction of the TAP.	3
Adequate	Satisfactory but with aspects which cause concern because either the response is incomplete, or differs from the professional / technical judgement of the TAP on the necessary requirements.	2
Inadequate	Indications that the response meets some of the requirements but either there are serious doubts about aspects of the response, or inadequate information has been provided.	1
Unacceptable	Little or none of the response is satisfactory, or little or no information has been provided	0