

Report to CABINET

Approval to Award the Tree Surgery Framework

Portfolio Holder:

Cllr Chris Goodwin, Cabinet Member for Neighbourhoods

Officer Contact: Emma Barton, Executive Director for Place & Economic Growth

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Ext. 4066

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Reason for Decision

To seek approval for the awarding of the framework agreement for Tree Surgery Services.

Recommendations

It is recommended that the framework agreement is awarded to the 5 highest ranking bidders.

Approval to Award the Tree Surgery Framework

1 Background

- 1.1 Oldham has 466,000 trees, many of which are situated in the urban setting. Trees and woodlands need active management in order to be safe and to maximise their ecosystem, social and economic benefits.
- 1.2 Prior to 2005, Oldham's trees were maintained by in-house arboricultural teams. Since 2005, Oldham's trees have been maintained by external contactors
- 1.3 From 2007/8, Oldham Council has procured a framework of contractors which has been renewed and refreshed on several occasions.
- 1.4 The purpose of this report is to present the results of the latest procurement exercise to appoint a new and resilient framework of tree surgery contractors.

2 Current Position

- 2.1 A framework agreement is to be established and used for allocating jobs, either by direct award to the first ranked bidder, or mini competition if the value of works is above £5,000.
- 2.2 To establish the framework, an Invitation to Tender (ITT) was advertised using the open tender procedure as defined by the Public Contract Regulations 2015. The ITT was advertised on the 'Chest e-procurement portal' on 9 March as well as 'Contracts Finder' and 'Find a Tender Service' with a deadline of 18 April 2023.
- 2.3 Following the advertisement, a supplier engagement event was held on 15 March 2023 with the primary objective of providing support and guidance in the tender process which included social value. The event was well received with 10 organisations attending; 2 of which were local and 4 located with the Greater Manchester area.
- 2.4 16 submissions were received; 11 of which were compliant. These were evaluated by the Commercial Procurement Unit and arboricultural specialists within the Environmental Services Team using the following criteria:
 - Quality – 60%
 - Social Value – 10%
 - Price – 30%
- 2.5 5 bidders were identified as the outcome of the evaluation as offering the most economic advantageous packages in relation to service delivery, cost, and social value. Details are contained within part b of this report.

3 Options/Alternatives

- 3.1 Option 1: To award the framework agreement to the most economically advantageous bidders. This provides a high-quality service and security should emergencies occur.

3.2 Option 2: Do nothing. This would result in no formal framework agreement in place, breaching the Public Contract Regulations 2015 and no guaranteed stand-by and emergency provisions in place, both of which increase the risk for the Council.

4 **Preferred Option**

4.1 Option 1: To award the framework agreement to the most economically advantageous bidders. This provides a high-quality service and security should emergencies occur.

5 **Consultation**

5.1 No wider consultation was deemed necessary.

6 **Financial Implications**

6.1 The cost of awarding contracts through the proposed framework will depend on the scope, type and urgency of the works required.

6.2 Tree surgery and related works are funded from the existing revenue budget of 0.250m for arboriculture within Environmental Services. Works will only be undertaken on a priority basis within the constraints of the existing budget.

(John Edisbury)

7 **Legal Services Comments**

7.1 As detailed within the procurement comments, a compliant tender process has been undertaken in accordance with the Public Contract Regulations 2015 and, therefore, Contract Procedure Rules. Provided all bids have been evaluated in accordance with the advertised award and scoring criteria and in accordance with the invitation to tender, there should be no legal implications in awarding and entering into a framework agreement with the most economically advantageous bidders. As required by procurement rules, the form of framework agreement was included within the tender opportunity. Legal Services should be instructed to produce a framework agreement for each successful contractor in the prescribed form.

(Sarah Orrell – Commercial & Procurement Solicitor)

8. **Co-operative Agenda**

8.1 Recommendations proposed in this report align with the Council's Co-Operative agenda as awards will be given to suppliers who can deliver a high-quality service, add social value within the process at an economically advantageous rate

(Mahmuda Khanom)

9 **Human Resources Comments**

9.1 No HR Implications.

(Catherine Pearson Strategic HR Lead)

10 **Risk Assessments**

10.1 No specific concerns from a risk perspective

(Mark Stenson)

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- 11 **IT Implications**
- 11.1 None
- 12 **Property Implications**
- 12.1 None
- 13 **Procurement Implications**
- 13.1 The Commercial Procurement Unit supports the recommendation outlined in the report. A compliant tender exercise has been undertaken in line with both the Council's Contract Procedure Rules and the Public Contract Regulations 2015.
(Emily Molden)
- 14 **Environmental and Health & Safety Implications**
- 14.1 Health and safety performance such as convictions or enforcement notices should be considered prior to awarding the contract. Health and Safety critical documentation such as risk assessments, safe systems of work etc, of the preferred organisations should be checked by the relevant manager, as should relevant supervisory checks of any contractors/works.
(Matthew Hill)
- 15 **Equality, community cohesion and crime implications**
- 15.1 None
- 16 **Oldham Impact Assessment Completed?**
- 16.1 No
- 17 **Key Decision**
- 17.1 Yes
- 18 **Key Decision Reference**
- 18.1 NEI-08-23.
- 19 **Background Papers**
- 19.1 None
- 20 **Appendices**
- 20.1 Appendix 1 – Impact Assessment