

TITLE	Procurement of Tree Maintenance Framework Contract
FOR CONSIDERATION BY	The Executive on Tuesday, 21 March 2023
WARD	(All Wards);
LEAD OFFICER	Director, Place and Growth - Simon Dale
LEAD MEMBER	Executive Member for Environment, Sport and Leisure - Ian Shenton

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

- 1.1 Officers require Executive approval to set up an internal framework to allow officers to procure routine, urgent and emergency tree works required for Highways, Public Open Space and Housing land.
- 1.2 A framework contract would allow the Operational Tree Management team to ensure the required procurement process is followed and value for money is delivered through an agreed schedule of rates without causing a delay to the delivery of service.

RECOMMENDATION

- 2.1 That the Executive approve the procurement of a 4-year Tree Maintenance Framework Contract.

EXECUTIVE SUMMARY

- 3.1 Officers are seeking to develop an internal framework contract to support the delivery of a robust, reliable, and cost-effective tree maintenance service across the Council. Operational Tree Management, Highways and Housing all currently have a requirement for tree maintenance but historically have carried out separate procurement processes to fulfil their need. A new framework contract will align all spend on tree maintenance under one process, making this more efficient and a higher chance of receiving value for money across the service and bring in line with the council’s constitution and the procurement regulations.
- 3.2 Tree surgeons would be offered the opportunity to be part of the internal framework through a full tender process via ProContract.
- 3.3 By combining all three department’s tree work needs, the total annual value of the contract will be £280,000. The maximum length for a framework contract is 4-years and in order to gain maximum value for money, it is proposed that the full 4-year contract length is utilised. This would equate to a total ascertainable value of £1,120,00.00 for the 4-year contract.
- 3.4 It is considered that the high total ascertainable value will make being part of the framework desirable to tree surgeons which will translate into a competitive schedule of rates. It is also expected that once tree surgeons are on the

framework, Council tree work will be prioritised within their work programme, providing a more reliable service.

3.5 The recommended approach is to set up an internal Framework with two lots (one for major works and one for minor works). Once established there would be minimal contract management required for this approach however there would be an annual check to ensure that all the suppliers continue meet all the terms of the Framework. This would be managed by the Operational Tree Management team. A procurement strategy outlining the considered options and recommendation was considered and approved by the Procurement Strategic Board on the 19th January 2023. The full Procurement Strategy can be found in Appendix A.

The current timescale for the framework is as follows:

Activity	Commencement	Completion
Development of procurement documents	Jan 23	Mar 23
Advertise, evaluate and award contract through ProContract	Mar 23	May 23
Commencement of contract	Jun 23	Jun 27
Annual evaluation of framework	Jun 24	Jun 27

BACKGROUND

Officers are seeking to develop an internal framework contract to support the delivery of a robust, reliable, and cost-effective tree maintenance service across all departments who have a requirement for tree maintenance but are currently carrying out separate processes to fulfil their need (Operational Tree Management, Highways and Housing). To achieve economies of scale, Officers will investigate how to mandate it so that all members of the council who intend to spend on Tree Maintenance utilise this contract as opposed to set up their own individual contracts. This will align all spend on tree maintenance under one process, making this more efficient, providing a higher chance of receiving value for money across the service and bringing the service in line with the council's constitution and the procurement regulations.

The proposed framework would link to our community vision and corporate delivery plan by allowing us to create safe, strong communities by ensuring that our approved tree surgeons have met a set of essential criteria in order to be included on the framework. Carrying out an evaluation during the procurement stage will allow us to verify that each tree surgeon on the framework has the relevant qualifications, experience and resource to support the Council in delivering a safe and high-quality service. Agreeing a schedule of rates for the full 4-year framework would provide us with a contract that delivers value for money.

Severe weather conditions pose a continued risk to the Council's tree assets, and it is important more so now than ever that we have a robust network of contactors who will work with us to keep the borough moving, linking to our community vision and corporate delivery plan. Emergency call outs are often required to remove tree obstacles that could be blocking roads, footpaths and cycleways. When dealing with these urgent reactive cases, time critical solutions need to be implemented. A framework contract would allow the Operational Tree Management team to ensure the required procurement process is followed without causing a delay to the delivery of service.

BUSINESS CASE

Currently tree surgery works are obtained following a three-quote process on a job-by-job basis, meaning there are no current contracts in place. This is because much of the tree works that are issued are for urgent health and safety reasons and there is regularly insufficient time to follow the usual procurement approach of a quick quote on ProContract. Procurement of a Tree Maintenance Framework Contract would bring all tree work requirements across the Borough in line with procurement regulations, the Council's constitution and deliver a robust, value for money service.

Having considered a number of options, the recommended approach is to set up an internal 4-year Framework that includes two lots (one for major works and one for minor works).

The Operational Tree Management team currently use a few small companies who deliver a reliable, competitive service for minor works and while they do not have the resource to support with the more complex major works, a framework that would enable the team to instruct contractors who can carry out either minor, major or both types of work would provide the Council with a network of tree surgeons to deliver a varied and value for money service. It is considered that this approach would allow the team to maximise the number of contractors that can be called upon to support the delivery of a safe and efficient service. Tree surgeons would be offered the opportunity to be part of the internal framework through a full tender process via ProContract where their qualifications, experience and resource would be evaluated to ensure they meet a sufficient level of standard prior to being accepted onto the framework.

Following the procurement of the framework contractors, the relevant call off event will take place when tree works are required. Within each call off time and cost will both be considered depending on the nature of the works required. For example, some works may need to be actioned within a week, others may need to be actioned within a month and therefore contractor availability will be a key factor in issuing the work during the call off. The lot structure and call off process will be clearly explained during the procurement of the Framework.

It is however important to recognise that some urgent tree issues need to be dealt with in a time critical manner. These usually consist of works that are a result of major storm events where we are likely to require all contractors to provide services across the Borough at the same time or occasionally there are individual scenarios that require a rapid response within a matter of hours. For example, if a road is closed because a tree is at imminent risk of collapse, the Council need to instruct tree surgeons who can attend the site within hours. In these emergency situations, time is a critical factor and the requirement to complete a call off process would not be feasible and would have an impact on the safety of residents and infrastructure. It is strongly felt that if an additional lot was added to the framework for emergency works, the likely cost of retaining a contractor in advance to deliver these services on the few occasions we require them would incur a significant cost and would not demonstrate value for money and one supplier would not be able to deal with the capacity of works required in these incidences.

Taking this into consideration, in these safety and time critical emergencies where action needs to be taken within a couple of hours, it is recommended that the Operational Tree Management team would allocate the work to one of the contractors without completing a call off. This is consistent with the current approach that is taken for issuing urgent,

emergency safety works. Due to the positive relationship the Council has built up over many years with our current tree contractors, this approach has allowed the Council to act quickly and efficiently in reacting to urgent, time critical, tree safety issues.

It is strongly felt that omitting emergency, time critical work from the framework and having a two-lot framework in place (one for major works and one for minor works) for the business-as-usual tree works would provide the Council with the most reliable and cost effect approach to delivering a robust service across the Borough.

The Procurement Strategic Board considered and approved a Procurement Strategy for the Tree Maintenance Framework Contract on 19th January 2023. Recommendation from the Procurement Strategic Board was for Officers to investigate how to mandate it so that all service areas who intend to spend on Tree Maintenance utilise the framework. This is something that is now being investigated. It was also recommended that Officers engage with Reading Borough Council (RBC) to determine if they have a regular maintenance contract that WBC could utilise. Officers have begun these discussions with RBC and it was expressed that this is not something that RBC can currently support with.

It is therefore considered that the 4- year framework contract is still the appropriate way forward.

The current timescale for the framework is as follows:

Activity	Commencement	Completion
Development of procurement documents	Jan 23	Mar 23
Advertise, evaluate and award contract through ProContract	Mar 23	May 23
Commencement of contract	Jun 23	Jun 27
Annual evaluation of framework	Jun 24	Jun 27

Appendix A, attached, is the full Procurement Strategy/ Options Analysis that was been considered and approved by the Procurement Strategic Board on 19th January 2023. It includes each option that has been considered to fulfil the need for a Tree Maintenance Framework Contract and the associated benefits and risks.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces unprecedented financial pressures as a result of; the longer term impact of the COVID-19 crisis, Brexit, the war in Ukraine and the general economic climate of rising prices and the increasing cost of debt. It is therefore imperative that Council resources are optimised and are focused on the vulnerable and on its highest priorities.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£280,000	Yes	Revenue

Next Financial Year (Year 2)	£280,000	Yes	Revenue
Following Financial Year (Year 3)	£280,000	Yes	Revenue

Other Financial Information
The Council has an increasing tree stock and tree maintenance workload. This Framework will assist to manage this greater workload, create efficiencies and economies of scale.

Stakeholder Considerations and Consultation
Internal stakeholder engagement has taken place with WBC Procurement specialists, Finance and Legal to develop the Procurement Strategy. The strategy was considered and approved by the Procurement Strategic Board on 19/01/2023.

Public Sector Equality Duty
A stage 1 Equality Impact Assessment form has been completed.

Climate Emergency – <i>This Council has declared a climate emergency and is committed to playing as full a role as possible – leading by example as well as by exhortation – in achieving a carbon neutral Wokingham Borough by 2030</i>
Management and maintenance of the Councils tree assets through a framework contract with suitably qualified and reliable tree surgeons would build on the Councils draft Tree Strategy actions, inline with the Climate Emergency Action Plan.

Reasons for considering the report in Part 2
Not applicable.

List of Background Papers
Procurement Strategy – Tree Maintenance Framework

Contact Laura Buck	Service Delivery and Infrastructure
Telephone	Email laura.buck@wokingham.gov.uk

This page is intentionally left blank