

**To: City Executive Board**

**Date: 1<sup>st</sup> July 2009**

**Item No:**

**Report of: Strategic Procurement & Shared Services Manager**

**Title of Report: Award of Contract for Tree Surveying on Council Land**

**Summary and Recommendations**

**Purpose of report:** To grant project approval and delegated powers to award to the Executive Director of City Services, for the supply of a Tree Surveying Service to Oxford City Council

**Key decision?** No

**Executive lead member:** Councillor Joe McManners

**Report approved by:** Councillor Joe McManners  
Councillor Bob Timbs  
Executive Director of City Services Tim Sadler

**Finance:** Chris Kaye  
**Legal:** Lindsay Cane

**Policy Framework:** Oxford City Council Corporate Plan:  
Be an effective and responsive organisation,  
providing value for money services.

**Recommendation(s):**

- 1) To grant project approval for the provision of a Tree Surveying Service to Oxford City Council (for all trees)**
- 2) To delegate, to the Executive Director City Services, the authority to award the contract for the provision of a Tree Surveying Service to Oxford City Council**

**3) To the contract being for 3 years commencing on 1<sup>st</sup> August 2009 with an option to extend the contract by up to 2 years.**

## **1 Background**

- 1.1 Three years ago a contract was put in place to provide a tree surveying service to the Parks Unit. The successful Contractor undertook a condition survey of all trees located in Parks, Cemeteries and leisure land on a 3-year cycle by Area Committee boundary.
- 1.2 The current contract is due to finish later this year and it is now necessary to include all trees on HRA land in the condition survey. This will include both HRA communal area trees and also those inside tenant's gardens, as case law has shown that we, as the landlord, are ultimately responsible for these "garden" trees. This means that the contract value is in excess of the EU threshold (£139,893) and has been tendered accordingly.

## **2 Tender Process**

- 2.1 As specified in 1.2, the value of the contract meant that an advertisement was placed in the Official Journal of the European Union, local, trade press and on the Council's website.
- 2.2 The evaluation panel is made up of Officers from the Procurement Team, Oxford City Homes Senior Management Team and the Parks Team. These Officers are also marking the tenders and will agree on the award recommendation.
- 2.3 The evaluation panel have determined the relevant financial and technical evaluation criteria that will provide the most economically advantageous contract, with 40% of marks being awarded for the pricing offer and 60% of marks awarded for evidence of quality. Suppliers must demonstrate that they are technically and operationally competent and able to meet the specification.

## **3 Other Options**

- 3.1 The Constitution and Procurement Strategy advises that City Executive Board considers what other options are available before giving major project approval and awarding a contract over 100K. These are detailed below.

### **3.2 Continue as we are**

If we continue with the current service, the contract threshold value, as specified by the European Procurement Law, will be exceeded putting the Council in breach of Procurement regulations. The Health and Safety Executive recommend that trees should be inspected at least every 5 years and once every 3 years is preferable. Therefore to stop the current tree inspection regime, is not an option.

### **3.3 Use a contract set up by another organisation**

There does not appear to be a similar contract in place that is available to join.

## **4 Benefits of the Contract**

4.1 It is essential that we engage a qualified and experienced arboricultural organisation to deliver this contract (as we have done for the past 3 years) as regular tree surveying is essential to mitigate the perils of having potentially dangerous trees located on Oxford City Council land, which could put the public at risk.

4.2 This contract will enable prices to be fixed for 1 year and therefore allow close management of budgets.

## **5 Financial Implications**

Oxford City Homes has a tree budget of £170,000 for 09/10 and £120,000 for subsequent years; the cost of the survey, for HRA trees, will be met from the 09/10 budget.

The Parks service has an additional £50,000 in this year's budget and £100,000 for the following 2 years to specifically fund this work on non-HRA corporate property.

## **6. Legal Implications**

This contract has been tendered in accordance with the EU procurement regime. It therefore complies with both the Council's own procurement requirements and external regulation.

## **7. Environmental Impact**

7.1 Putting a tree-surveying contract in place will enable the Council to continue to manage, maintain and preserve its existing tree stock.

## **8. Risk**

There is a high risk associated with not putting this contract in place, as it may result in the public being put at risk from unsafe trees.  
Please refer to Appendix 1

## **9. Recommendations**

That the City Executive Board agrees:

- 1. To grant project approval for the provision of a Tree Surveying Service to Oxford City Council (for all trees)**
- 2. To delegate, to the Executive Director City Services, the authority to award the contract for the provision of a Tree Surveying Service to Oxford City Council**
- 3. To the contract being for 3 years commencing on 1<sup>st</sup> August 2009 with an option to extend the contract by up to 2 years.**

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**List of background papers: None**

**Version number: 1**



