



Oversight and Governance

Chief Executive's Department

Plymouth City Council

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Delegated Decisions

Delegated Executive/Officer Decisions

Delegated Executive and Officer decisions are published every Wednesday and are available at the following link - <https://tinyurl.com/ms6umor>

Cabinet decisions subject to call-in are published at the following link - <http://tinyurl.com/yddrql6>

Please note – urgent decisions and non-key Council Officer decisions cannot be called in. Copies of the decisions together with background reports are available for viewing as follows:

- on the Council's Intranet Site at <https://modgov/mgDelegatedDecisions.aspx>
- on the Council's website at <https://tinyurl.com/jhnax4e>

The decision detailed below may be implemented immediately.

Delegated Decisions

I. Council Officer Decision - Philip Robinson, Service Director for Street Services:

I.I. COD07 23/24 Contract Award: PCC Tree Maintenance
Programme 2023/24

(Pages 1 - 26)

EXECUTIVE DECISION

made by a Council Officer



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL COUNCIL OFFICER

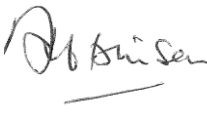
Executive Decision Reference Number – *COD07 23/24*

Decision	
1	Title of decision: PCC Tree Maintenance Programme 2023/24 Contract Award
2	Decision maker: Philip Robinson, Service Director for Street Services
3	Report author and contact details: Chris Avent chris.avent@plymouth.gov.uk
4a	Decision to be taken: Approve the award of the 2023/24 Winter Tree Maintenance programme contracts to Arborcure as per Contract Award Report as appended to this Decision Report, with a total contract value of £202,775 and for each lot as follows: Lot 1 – Devonport, Stoke & Peverell Wards – £75,120 Lot 2 – Peverell & Compton Wards – £60,825 Lot 3 – Compton, Sutton & Mount Gould Wards – £66,830
4b	Reference number of original executive decision or date of original committee meeting where delegation was made: Plan for Trees Investment programme L17 20/21 04/11/2020
5	Reasons for decision: The Winter Tree Maintenance Programme is an integral part of the care of the city's existing mature tree stock. Maintenance is required to ensure that these trees are maintained for the long term in line with the ambitions set out in the Plymouth Plan for Trees. The trees requiring maintenance are street trees and will be growing in proximity to buildings or highways and require either/or: <ul style="list-style-type: none"> regular cyclical pruning or pollarding to maintain their form and health and limit any constraints or risk they pose to other infrastructure. have noted health defects requiring attention to prolong the health of the tree and manage any risk associated with the defect
6	Alternative options considered and rejected:

	<p>Do nothing, do not maintain trees within Plymouth for Winter 23/24. Significant risk for tree health, longevity and safety issues to highways and property.</p> <p>Deliver tree maintenance programme with in-house PCC arborist team. Rejected as we have insufficient capacity to complete these works on schedule alongside other priority work.</p>			
7	<p>Financial implications and risks:</p> <p>Contract award total = £202,775</p> <p>Lot 1 = £75,120</p> <p>Lot 2 = £60,825</p> <p>Lot 3 = £66,830</p> <p>Sufficient funding is available from internal funds (revenue and capital) to cover the cost of the contracted works.</p> <p>There is a low risk as this limits funds available for any unscheduled tree work activity required for the rest of the financial year e.g. storm activity.</p>			
8	<p>Is the decision a Key Decision? (please contact Democratic Support for further advice)</p>	Yes	No	Per the Constitution, a key decision is one which:
			x	in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
8b	<p>If yes, date of publication of the notice in the Forward Plan of Key Decisions</p>	N/A		
9	<p>Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:</p>	<p>Corporate Plan</p> <ul style="list-style-type: none"> Fewer potholes, cleaner, greener streets and transport <p>Joint Local Plan</p> <ul style="list-style-type: none"> DEV026 Protecting and enhancing biodiversity and geological conservation, DEV028 Trees, woodlands and hedgerows <p>Plymouth Plan</p> <ul style="list-style-type: none"> SO1 – Delivering a healthy city HEA7 - Optimising the health and wellbeing benefits of the natural environment 		
10	<p>Please specify any direct environmental implications of the decision (carbon impact)</p>	<p>This programme of works aligns with and supports the delivery of the Plymouth Plan for Trees by delivering a programme of works that will care for the city's urban forest.</p>		

		Plymouth currently has just under 400,000 trees which contribute £4.6m of annual benefits to the city through the Ecosystem Services that they provide, including £1.1 million of carbon storage and £2.9 million of pollution removal (i-Tree Eco survey 2020). This work will enhance this service provision.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?	N/A		
13c	Date Cabinet member consulted	N/A		
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer
		No	x	
15	Which Corporate Management Team member has been consulted?	Name	Anthony Payne	
		Job title	Strategic Director for Place	
		Date consulted	09/06/2023	
Sign-off				
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS 17 23/24	
		Finance (mandatory)	DJN.23.24.51	
		Legal (mandatory)	EJ/1098/19.6.23	

		Human Resources (if applicable)	NA						
		Corporate property (if applicable)	NA						
		Procurement (if applicable)	PW/PS/686/ED/0623						
Appendices									
17	Ref.	Title of appendix							
	A	Equalities Impact Assessment 230608 Winter Tree Maintenance Programme EqIA							
	B	24324 – Tree re-pollarding services - Contract Award Report - Part 1							
Confidential/exempt information									
18a	Do you need to include any confidential/exempt information?		Yes	x	If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below.				
		No							
			Exemption Paragraph Number						
			1	2	3	4	5	6	7
18b	Confidential/exempt briefing report title:				x				
	24324 – Re-pollarding services - Contract Award Report - Part 2								
Background Papers									
19	Please list all unpublished, background papers relevant to the decision in the table below. Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.								
Title of background paper(s)			Exemption Paragraph Number						
			1	2	3	4	5	6	7
Council Officer Signature									
20	I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.								

Signature		Date of decision	26/06/2023
Print Name	Philip Robinson		

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**PROCUREMENT GATEWAY 3 -
CONTRACT AWARD REPORT - PART I**



Tree Re-Pollarding Services

Procurement Reference No.

24324

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I. INTRODUCTION

This contract award report is in relation to the procurement of 3 Lots for the re-pollarding of trees within the City.

Each contracted Lot will be executed under PS0028.v3 PCC Services Terms & Conditions and will run for the full contract duration.

Contract Duration: Duration of the contract of each Lot is for 6 months

2. BACKGROUND

Trees in Plymouth

Plymouth City Council has over 69,000 trees - over 3m in height (Blue Sky Data, 2019) in its ownership and therefore has management responsibility for across the city. These trees grow in a range of settings including streets, parks, business parks and woodland areas. They provide a range of services to the city and have been valued as contributing an amenity value to the city of £3.4 million (Treeconomics, i-Tree Eco report, 2020) and therefore are a valuable asset to manage for all of the benefits that they provide as well as to manage risk to residents and visitors to the city.

Trees in Plymouth

There are 1097 trees requiring re-pollarding or other works during the 2022/23 period as part of a regular cycle of tree maintenance. The dominant species of tree requiring maintenance work are Lime, London Plane and Maple species and all of these trees are in Plymouth City Council ownership.

For this Procurement opportunity, re-pollarding of trees is required in the following areas;

Tender Package 2 – Devonport, Stoke & Peverell Wards – 244 Trees

Tender Package 3 – Peverell & Compton Wards – 234 Trees

Tender Package 5 – Compton, Sutton & Mount Gould Wards – 281 Trees

3. PROCUREMENT PROCESS

In line with the Council's Contract Standing Orders and based on the anticipated contract value, this requirement sat within the 'Over £25k – relevant Government Procurement (GPA) thresholds' and was therefore subject to the requirement for a competitive procurement exercise to be undertaken and seek three formal quotations (non-verbal) / tenders: Two from PL Postcodes where possible.

The Council split its requirement into lots:

Lot One – Tender Package 2 – Devonport, Stoke & Peverell Wards

Lot Two – Tender Package 3 – Peverell & Compton Wards

Lot Three – Tender Package 5 – Compton, Sutton & Mount Gould Wards

Tenderers had the option to bid for one or more Lot(s), but were required complete the relevant ITT Return Document, required schedules and appendices for each Lot.

4. TENDER EVALUATION CRITERIA

The following information concerning the evaluation criteria and scoring methodology was included in the ITT instructions. This applied for each Lot.

A suitability assessment (also known as the selection stage) and an award stage.

Suitability Assessment Evaluation Methodology

For Information Only Schedules

The following schedules were for information only and were not evaluated.

Schedule - Suitability Assessment

- SA Section 4: Health & Safety SA4.5
- SA Section 8: Quality Management
- SA Section 9: Business Capability SA9.1

Pass/Fail Questions

The following Schedules and questions were evaluated on a pass or fail basis. In the event of the Tenderer being awarded a 'fail' on any of the below criteria, the remainder of the Tender would not be evaluated and the Tenderer would be eliminated from the process. The Tender would be disqualified if a Tenderer failed submit these completed Schedules and questions.

Wherever possible the Council permitted Tenderers to self-certify they met the minimum PASS/FAIL requirements without the need to attach evidence or supporting information. However where the Council regarded the review of certain evidence and supporting information, as critical to the success of the procurement this would be specifically requested.

The return document clearly indicated whether 'Self-certification' is acceptable or whether 'Evidence is required' for each question.

Where Tenderers were permitted to self-certify, evidence would be sought from the successful Tenderer at contract award stage. Please note the successful Tenderer must to be able to provide all evidence to the satisfaction of the Council at contract award stage within a reasonable period, if the successful Tenderer is unable to provide this information the Council reserves the right to award the contract to the next highest scoring Tenderer and so on.

Schedule - Suitability Assessment

- SA Section 1: Tenderer Information
- SA Section 2: Insurance
- SA Section 3: Economic and Financial Standing (FVRA)
- SA Section 4: Health & Safety SA4.1 – SA4.4, SA4.6 – SA4.8
- SA Section 5: Equality & Diversity
- SA Section 6: Modern Slavery Act 2015
- SA Section 7: Environmental Policy
- SA Section 9: Business Capability SA9.2

Award Evaluation Criteria and Methodology

Tenderers satisfactorily meeting the Suitability Assessment evaluation had their Tender responses evaluated by the Council to determine the most economically advantageous Tender based on the non-price and price criteria that are linked to the subject matter of the contract.

This section assessed how the Tenderer proposed to deliver the requirements as detailed in the specification.

The Council intends to award any Contract based on the most economically advantageous offer.

The Council would not be bound to accept the lowest price of any Tender submitted.

All responses were assessed against the Evaluation Criteria set out below:

High-Level Award Criteria

The high-level award criteria for the project was as follows:

Criteria	Weighting
Price	80%
Quality	20%
TOTAL	100%

A Tender may not have been accepted if it significantly failed to satisfy any specific criterion, even if it scored relatively well against all other criteria.

In the event that evaluating officers, acting reasonably, considered that a Tender is fundamentally unacceptable on any issue, then regardless of the Tender's other merits or its overall score, and regardless of the weighting scheme, that Tender may have been rejected.

Price – 80% Weighting

Applied to all Lots.

Evaluation made against comparison of pricing schedules.

PRI Total Tender Sum

The Tenderer's Total Tender Sum will be evaluated using the scoring system below:

$$\left(\frac{\text{Lowest Total Tender Sum}}{\text{Tenderer's Total Tender Sum}} \right) \times \text{Weighting} = \text{Weighted score}$$

The Tenderer with the lowest price was awarded the full score available for each criteria stated, with the remaining Tenderers gaining pro-rata scores in relation to how much higher their prices were when compared to the lowest price.

Quality – 20% Weighting

Applied to all Lots.

Tenderers were asked to provide a number of method statements within the ITT Return Document, which were intended to explain how they would meet specific requirements.

Each method statement was scored on a scale of 0 to 5 points, in accordance with the following scheme:

Response	Score	Definition
Excellent	5	Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement/outcomes and provides details of how the requirement/outcomes will be met in full.
Very good	4	Response is particularly relevant. The response is precisely detailed to demonstrate a very good understanding of the requirements and provides details on how these will be fulfilled.

Good	3	Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements/outcomes will be fulfilled.
Satisfactory	2	Response is relevant and acceptable. The response addresses a broad understanding of the requirements/outcomes but lacks details on how the requirement/outcomes will be fulfilled in certain areas.
Poor	1	Response is partially relevant and poor. The response addresses some elements of the requirements/outcomes but contains insufficient/limited detail and explanation to demonstrate how the requirements/outcomes will be fulfilled.
Unacceptable	0	No or inadequate response. Fails to demonstrate an ability to meet the requirement/deliver the required outcomes.

Tenderers had to achieve an average moderated score of 2 or more for each scored item. Any scored criteria item receiving an average of less than 2 would result in the Tender being rejected and Tenderer being disqualified from the process.

Tenderers scores for each method statement were multiplied by the relevant weighting to result in a 'weighted score' for that method statement. The weighted scores were then totalled, with the total expressed as an overall score out of 20.

Method Statement	Weighting
MS1 – Tree Maintenance Experience	8.00%
MS2 – Equipment Machinery / Experience	8.00%
MS3 – Methodology & Risk Management	4.00%
Total	20%

Moderation

Moderation will be undertaken where there is a difference in evaluator scoring of more than 1 point. Moderation may also be undertaken where the Council deems it necessary. This is to ensure no errors have been made in the evaluation process. An example has been provided below:

E.g. Scores received of 3, 3 and 4= No moderation undertaken

Scores received of 2, 3 and 4= moderation undertaken

5. SUMMARY OF EVALUATION

The Invitation to Tender was published electronically via, The Supplying the South West Portal – the Council's chosen procurement portal on 9th February 2023 with a Tender submission date of 1200hrs, 24th February 2023.

The Tender opportunity was issued to 3 organisations of whom had a history of providing the requirement to local authorities, 2 of which are based within the PL postcode area. Of the 3 organisations invited to Tender, 2 submitted Tenders, and 1 not providing a Tender response.

The received Tender submissions, were evaluated in accordance with the overall evaluation strategy set out above, and were independently evaluated by Council Officers, all of whom had the appropriate skills and experience, in order to ensure transparency and robustness in the process.

In order to ensure fairness of the process the evaluation Quality, and Price were split, with Price information being held back from the Quality evaluators.

The resulting Quality and Price scores are contained in the confidential paper.

6. FINANCIAL IMPLICATIONS

Financial provision has been made for this contract within the project budget. Details of the contractual pricing are contained in the confidential paper.

7. RECOMMENDATIONS

It is recommended that a contract for the re-pollarding of trees within the City be awarded to the highest scoring Tenderer - Arborcure Ltd, for each of the following Lots;

Lot One – Tender Package 2 – Devonport, Stoke & Peverell Wards - £75,120 Total

Lot Two – Tender Package 3 – Peverell & Compton Wards - £60,825 Total

Lot Three – Tender Package 5 – Compton, Sutton & Mount Gould Wards - £66,830


Details of the successful Tenderer have been set out in the confidential paper.

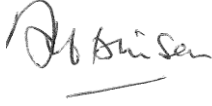
This award will be provisional and subject to the receipt from Arborcure Ltd of the satisfactory self-certification documents detailed in the suitability assessment questionnaire.

In the event Arborcure Ltd cannot provide the necessary documentation, the Council reserves the right to award the contract(s) to the second highest scoring Tenderer.

8. APPROVAL

Authorisation of Contract Award Report

Author (Responsible Officer / Project Lead)	
Name:	Chris Avent
Job Title:	Green Estate Manager
Additional Comments (Optional):	
Signature:	
Date:	08/06/2023
Head of Service / Service Director [Signature provides authorisation to this award report and award of Contract]	
Name:	Philip Robinson
Job Title:	Service Director for Street Services
Additional Comments (Optional):	

Signature:		Date:	26/06/2023
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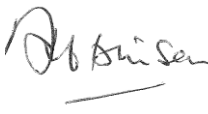
The following relates to exempt or confidential matters (Para(s) 3 of Part 1, Schedule 12A of the Local Govt Act 1972). Any breach of confidentiality could prejudice the Council/person/body concerned & might amount to a breach of the councillors /employees codes of conduct.

Document is Restricted

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EQUALITY IMPACT ASSESSMENT – PLYMOUTH WINTER TREE MAINTENANCE CONTRACT AWARD

SECTION ONE: INFORMATION ABOUT THE PROPOSAL

Author(s): This is the person completing the EIA template.	Chris Avent	Department and service:	Street Services - Environmental Planning	Date of assessment:	08/06/2023
Lead Officer: Please note that a Head of Service, Service Director, or Strategic Director must approve the EIA.	Philip Robinson	Signature:		Approval date:	26/06/2023
Overview:	<p>The Winter Tree Maintenance Programme is an integral part of the care of the city's existing mature tree stock. Maintenance is required to ensure that these trees are maintained for the long term in line with the ambitions set out in the Plymouth Plan for Trees.</p> <p>The trees requiring maintenance are street trees and will be growing in proximity to buildings or highways and require either/or:</p> <ul style="list-style-type: none"> regular cyclical pruning or pollarding to maintain their form and health and limit any constraints or risk they pose to other infrastructure. have noted health defects requiring attention to prolong the health of the tree and manage any risk associated with the defect 				
Decision required:	<p>Approve the award of the 2023/24 Winter Tree Maintenance programme contracts as per Contract Award Reports:</p> <ol style="list-style-type: none"> It is recommended that a contract be awarded to the highest scoring Tenderer - Arborcure - as set out in the Contract Award Report 24324 for the supply of arboricultural services for the 2023/24 Winter Tree Maintenance Programme. 				

SECTION TWO: EQUALITY IMPACT ASSESSMENT SCREENING TOOL

Potential external impacts: Does the proposal have the potential to negatively impact service users, communities or residents with protected characteristics?	Yes		No	X
Potential internal impacts: Does the proposal have the potential to negatively impact Plymouth City Council employees?	Yes		No	X

Is a full Equality Impact Assessment required? (if you have answered yes to either of the questions above then a full impact assessment is required and you must complete section two)	Yes		No	X
If you do not agree that a full equality impact assessment is required, please set out your justification for why not.	There is no negative impact to service users, communities or residents with protected characteristics, nor any PCC employees, the project benefits nature and people and will contribute to the health and wellbeing of residents and communities across Plymouth.			

SECTION THREE: FULL EQUALITY IMPACT ASSESSMENT

Protected characteristics (Equality Act, 2010)	Evidence and information (e.g. data and consultation feedback)	Adverse impact	Mitigation activities	Timescale and responsible department
Age	<p>All data is from the 2011 Census except for age and sex which has been updated with 2021 data. Data will be updated with the 2021 Census data as it becomes available.</p> <p>Plymouth</p> <ul style="list-style-type: none"> • 16.4 per cent of people in Plymouth are children aged under 15. • 65.1 per cent are adults aged 15 to 64. • 18.5 percent are adults aged 65 and over. • 2.4 percent of the resident population are 85 and over. <p>South West</p> <ul style="list-style-type: none"> • 15.9 per cent of people are aged 0 to 14, 61.8 per cent are aged 15 to 64. • 22.3 per cent are aged 65 and over. <p>England</p>			

	<ul style="list-style-type: none"> • 17.4 per cent of people are aged 0 to 14. • 64.2 per cent of people are aged 15 to 64. • 18.4 per cent of people are aged 65 and over. <p>(Data sourced from the 2021 Census)</p>			
Disability	10 per cent of our population have their day-to-day activities limited a lot by a long-term health problem or disability (2011 Census).			
Gender reassignment	<p>There are no official estimates for gender reassignment at either national or local level (awaiting 2021 Census data).</p> <p>However, in a study funded by the Home Office, the Gender Identity Research and Education Society (GIRES) estimate that between 300,000 and 500,000 people aged 16 or over in the UK are experiencing some degree of gender variance.</p>			
Marriage and civil partnership	<p>There were 234,795 marriages in England and Wales in 2018.</p> <p>In 2020, there were 7,566 opposite-sex civil partnerships formed in England and Wales, of which 7,208 were registered in England and 358 were registered in Wales.</p> <p>There were 785 civil partnerships formed between same-sex couples in England and Wales in 2020, of which 745 were</p>			

	registered in England and 40 were registered in Wales.			
Pregnancy and maternity	<p>There were 640,370 live births in England and Wales in 2019, a decrease of 2.5 per cent since 2018. The mid-year 2019 population estimates show that there were 2,590 births in Plymouth.</p> <p>The total fertility rate (TFR) for England and Wales decreased from 1.70 children per woman in 2018 to 1.65 children per woman in 2019.</p>			
Race	<p>92.9 per cent of Plymouth's population identify themselves as White British. 7.1 per cent identify themselves as Black, Asian or Minority Ethnic.</p> <p>Census data suggests at least 43 main languages are spoken in the city, showing Polish, Chinese and Kurdish as the top three (2011 Census).</p>			
Religion or belief	<p>Christianity is the biggest faith in the city with more than 58 per cent of the population (148,917). 32.9 per cent (84,326) of the Plymouth population stated they had no religion (2011 Census).</p> <p>Those who identified as Muslim were just under 1 per cent while Hindu, Buddhist, Jewish or Sikh combined totalled less than 1 per cent (2011 Census).</p>			
Sex	51 per cent of our population are women and 49 per cent are men (2021 Census).			

Sexual orientation	There is no precise local data on sexual orientation in Plymouth (awaiting 2021 Census data).			
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SECTION FOUR: HUMAN RIGHTS IMPLICATIONS

Human Rights	Implications	Mitigation Actions	Timescale and responsible department

SECTION FIVE: OUR EQUALITY OBJECTIVES

Equality objectives	Implications	Mitigation Actions	Timescale and responsible department
Celebrate diversity and ensure that Plymouth is a welcoming city.			
Pay equality for women, and staff with disabilities in our workforce.			
Supporting our workforce through the implementation of Our People Strategy 2020 – 2024			
Supporting victims of hate crime so they feel confident to report incidents, and working with, and through our partner organisations to achieve positive outcomes.			
Plymouth is a city where people from different backgrounds get along well.			

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