

Portfolio Holder decision record sheet

Name of decision maker:	Councillor Robin Bromham
Portfolio:	Neighbourhood Services
Date of Portfolio Holder decision:	08/06/2023

Title of decision:

To set aside procurement standing orders and award two contracts directly for temporary tree management contracts pending a full procurement exercise

Part II:**Part II reason:****Background to report:**

The Council's Tree Maintenance Services (TMS) term contract has ended in relation to urban tree management.

Our approved contractor provided services up to the end of the contract (31/03/23) but has struggled with the provision of sufficient capacity to carry out pruning works post-covid. This is a national issue, with skilled people leaving tree management for other industries / professions.

Extending the contract period with our approved contractor was not feasible due to these capacity issues and so short-term rolling agreements were established with local contractors.

It was not possible to instigate the Council's procurement process to award a new TMS contract starting in April 2023 due to ongoing negotiations with HCC about the management of their highway trees by DBC. The decision whether to continue to provide tree management within Dacorum for HCC would significantly affect the award of the TMS contract in terms of contract value, scope and technical specification. It was therefore decided to delay the TMS procurement process until HCC negotiations had been finalised. This is expected to be within 3 months when the specification can be finalised and the temporary arrangements.

Now that these discussions are in their final phase, documentation is now being prepared by the Trees & Woodlands and Procurement teams for the Council's next TMS contract.

Our ability to issue works to a contractor outside of a formalised contract is financially limited. Prior PFH approval has enabled the Trees & Woodlands team to issue an increased volume of safety works to interim contractors, but available capacity within the £75k financial limit is now quite low.

PFH approval is now required to extend the use of additional contractor capacity until the start of a new TMS contract.

Two existing approved suppliers are providing tree work services to the Council but it is requested that the financial limitations on their use is relaxed. The two companies are;

Foremost Tree Surgeons Limited, and
Roderick Wilson Tree Surgery Limited

Decision made and reasons:

To directly award contractors to Foremost Tree Surgeons Limited, and Roderick Wilson Tree

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Surgery Limited pending a full procurement exercise. The total value of these contracts not to exceed the available budget for tree management services (£165k per annum).

Full procurement has been delayed because the size of contract has been uncertain due to negotiations with the county council (HCC) about the agency agreement with them. In addition the incumbent supplier has been unable to extend their contract due to capacity issues.

Reports considered: (here reference can be made to specific documents)

Draft agency agreement with HCC. Existing contract.

Officers/Councillors/Ward Councillors/Stakeholders consulted:

Portfolio holder Cllr Bromham

Monitoring Officer comments:

Officers should ensure that the agreed terms and conditions are properly documented in an appropriate service contract.

Chief Finance Officer comments:

The award of these contracts will be funded from approved budget levels.

Implications:

Risk:

Value for money:

Accountant Comments: Last year the expenditure across the two supplier was £53k. The budget across the costs centre for which the expenditure usually takes place on is £165k. The service needs to make sure that they do not go over this amount for all suppliers (including the two mentioned) on these two codes. Nikita Patel Bhagalia.

Options considered and reasons for rejection:

Portfolio Holder's signature:

Date:

Details of any interests declared and any dispensations given by the Standards Committee:

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Date decision record sheet received from portfolio holder: 08/06/2023

Date decision published: 08/06/2023

Decision no: PH-010-23

Date of expiry of call-in period: 15/06/2023

Date any call-in received or decision implemented: