

From: Michael Payne Cabinet Member, Highways and Transport
Barbara Cooper, Corporate Director, Highways, Transport and Waste

To: Environment & Transport Cabinet Committee – 15 September 2020.

Subject: Procurement and award of contract/s for Soft Landscape Urban Grass, Shrubs & Hedges

Key decision: Yes

Classification: Unrestricted

Past Pathway of Paper: N/A

Future Pathway of Paper: Cabinet Member Decision

Electoral Division: Those in the district/boroughs of Canterbury, Dartford, Gravesham, Maidstone, Thanet, Tonbridge and Malling, Tunbridge Wells, Sevenoaks, Swale.

Summary: The Highway Urban Grass, Shrubs, Hedges Maintenance Contract (UGSHC) is currently delivered by Commercial Services Trading Limited (Trading as Landscape Services) and expires in December 2020 . A replacement contract will be required to be procured prior to the end date. This contract delivered landscape maintenance across the highway for an initial 60-month period with potential extensions. A Key Decision is required to award the contract/s for this service as the value exceeds £1m.

Recommendation(s):

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision to procure and delegate authority to the Corporate Director for Growth, Environment and Transport to award and enter into appropriate contractual arrangements for the provision of Urban Grass, Shrubs, Hedges and Rose Bed Maintenance services including any potential extension periods in accordance with the proposals set out in the report and as shown at Appendix A.

1. Introduction

1.1 The Urban Grass, Shrubs, Hedges and Rose Bed Maintenance Contract (UGSHRMC) is currently delivered by Commercial Services Trading Limited (Trading as Landscape Services) and expires on the 30th December 2020. A new contract will be required to be procured prior to the end date. This contract will allow for the prescribed services to be delivered for an initial 60-month period with potential extensions. The extension period will be up to an additional 36 months.

The Council has a legal duty to keep roads and pavements clear of vegetation for the safe passage of highway users. The main service areas comprise of urban grass, shrub and hedge cutting to contribute to visual amenity.

1.2 The main activities required under this contract comprise:

- Six Programmed Urban Grass Cutting visits
- One Shrub bed maintenance visit
- One Hedge maintenance visit
- Conservation Verge and Wildflower programmed maintenance visits
- Other programmed activities

1.3 Due to the pandemic and other reasons, the replacement contract is due to start on the 1st February 2021 to allow sufficient mobilisation period for the incoming contractors. During the pandemic there have been challenges to deliver this service.

2. Procurement Strategy

2.1 Market engagement was conducted in May 2020 and identified a number of risks to be considered:

- Contract structure
- Productivity
- Performance management
- Supply chain

2.2 To ensure resilience within the contracts it is proposed to award two separate contracts within the east and west of the county. The following lots are being sought:

- **Lot 1 (West)** – Dartford, Gravesham, Sevenoaks, Tonbridge & Malling and Tunbridge Wells
- **Lot 2 (East)** – Maidstone, Swale, Canterbury and Thanet

2.3 To minimise the potential impact of unaffordable costs in commissioning two lots, there is a caveat to award both contracts to one contractor if the prices exceed a set threshold.

2.4 The Selection Questionnaire stage has been completed and those companies that passed the minimum threshold have been sent the invitation to tender (ITT). The procurement timetable is as follows:

- ITT dispatch – Friday 28th August 2020
- ITT return – Friday 2nd October 2020
- Post tender negotiation stage – w/c 20th October 2020
- Final ITT Submission – Friday 6th November 2020
- Governance approval – w/c 16th November 2020
- Issue award letters – Friday 20th November 2020
- Contract award – Tuesday 1st December 2020
- Mobilisation period – 1st December 2020 – 31st January 2021

- Contract commencement date – Monday 1st February 2020

3. Financial Implications

- 3.1 It is expected that any new procurement and delivery model will present a price increase which reflects changes in market prices since the contract was let in 2018. A competitive procurement process will appoint the best value contractor from the tenders submitted. There has been an uplift included in the MTFP budget.

4. Legal implications

- 4.1 The Council has a legal duty to keep roads and pavements clear of vegetation for safe passage of highway users. The award of any contracts will be in full compliance with all relevant procurement regulation.

5. Equalities and Data Protection Implications

- 5.1 An Equalities Impact Assessment has been carried out and no implications have been identified at this early stage. This will be continually reviewed as the programme continues and has been attached in Appendix B.
- 5.2 Prior to the previous contract, an Equalities Impact Assessment was completed for service reduction from 8 to 6 cuts per year. No changes have been proposed for the current service provision and will continue as detailed in 1.2.
- 5.3 The initial screening identified that a Data Projection Impact Assessment will not be necessary as no personal data is collected for this commission.

6. Policy Framework

- 6.1 This commission is detailed within the following plans:
- Growth Environment and Transport Directorate Business Plan 20/21
 - Highways, Transport and Waste Service Level Business Plan 20/21

7. Conclusions

- 7.1 The current contract with Commercial Services Trading Limited ends on the 31st December 2020. A replacement contract is required to be commissioned for 2021.
- 7.2 A replacement contract will be awarded in December 2020 in line with the timetable detailed in 2.4.

8. Recommendation

- 8.1 The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member for Highways and Transport on the proposed decision to procure and delegate authority to the Corporate Director for Growth, Environment and Transport to award and enter into appropriate contractual arrangements for the provision of Urban Grass, Shrubs, Hedges

and Rose Bed Maintenance services including any potential extension periods in accordance with the expectations set out in the report and as shown at Appendix A.

10. Background Documents

Appendix A – Record of Decision

Appendix B – Equalities Impact Assessment

11. Contact details

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