

Report of	Head of Community Services	Author	Bob Penny ☎ 282903 Alison Shaw ☎ 508637
Title	Grounds maintenance contract		
Wards affected	All wards		

This report concerns future arrangements for tendering and the award of the grounds maintenance contract.

1. Decision(s) Required

- 1.1 To agree the evaluation matrix to be used to assess and compare the grounds maintenance tenders.
- 1.2 To delegate authority to award the grounds maintenance contract to the Leisure and Communities Portfolio Holder on the basis of the evaluation matrix.

2. Reasons for Decision(s)

- 2.1 The evaluation matrix is an important part of the tendering process describing the means by which tenders are assessed. The matrix forms part of the tender documents and provides the transparency for tender evaluation so that competing tenderers know how their submissions are to be assessed. The evaluation criteria are clearly stated and remove the potential for challenge to award decisions. The evaluation criteria identify aspects that are important in contract evaluation and enable a range of factors to be taken in to account when identifying the most economically advantageous tender submission
- 2.2 As set out in the Scheme of Delegation of the Council Constitution, the Leisure and Communities Portfolio Holder has delegation to procure the specified service in the provision, implementation, maintenance and management of:-
 1. Sports and leisure facilities, parks and gardens, allotments, playing fields, beach facilities, public open spaces, amenity areas and country parks.

Grounds maintenance is a fundamental element of the service provision and the award of the contract will be determined by the Leisure and Communities Portfolio Holder Portfolio following evaluation of the tenders using the agreed evaluation matrix. Due to the importance and value of the contract it is considered that the decision should be made by the Portfolio Holder.

3. Alternative Options

- 3.1 An evaluation matrix is a requirement of the procurement regulations to ensure a transparent process and to give clarity to all of the factors that are to be taken in to account as part of the tender evaluations. The evaluation matrix must be made available

to all tenderers as part of the procurement process. There is no option not to produce an evaluation matrix.

4. Supporting Information

- 4.1 The grounds maintenance and sports grounds maintenance contracts will expire on 31 March 2016. Preparations for the new contract have progressed in line with the timetable attached (Appendix A).
- 4.2 The Public Contracts Regulations 2015 – effective 26 February 2015 came in to effect 26 February 2015 which have put a greater requirement on the availability of documents at the time of issuing the Pre-qualification questionnaires notification (PQQ). Evaluation of the PQQ responses will identify those companies who have the experience and ability to carry out works contained within the contract and will be invited to tender.
- 4.3 To encourage interest from small and local companies with the potential employment for local staff and competitive pricing the contract is to be offered in lots. The lots which are identified by very specific work requirements are
- Castle Park
 - Cemetery and Crematorium
 - Green spaces - all other CBC areas

Contractors will be able to bid for one or a combination of lots. Evaluation and award will be on the basis of the evaluation matrix and the most economically advantageous tender permutation.

- 4.4 The grounds maintenance contract will be one of the first Council contracts where it is a condition of the contract that the contractor is required to pay every person employed by the contractor in the performance of the service no less than the living wage. Apprentices employed on the contract will be excluded from the living wage requirements.
- 4.5 Arising from pre tendering discussions with some grounds maintenance contractors it has been identified that April is not the ideal time for commencing grounds maintenance contracts. This is due to the high levels of activity required in April and May whilst contractors are familiarising themselves with contract areas. It has not been possible to extend the existing contract to the autumn but the contractors' observations have been taken on board and the new contract will expire 31 October 2023. This will mean that future contracts will commence in November when activity levels are lower.

5. Proposals

- 5.1 The tender evaluation matrix has been carefully considered to enable a variety of factors to be taken in to account when assessing the tender submissions. Price is clearly an important factor but price alone is a poor assessment of a company's ability to deliver the contract or their understanding of the contract requirements. It would be a false economy to enter in to a low priced contract if the resulting service delivery was below requirements and led to contract failure.
- 5.2 To comply with the requirements of the new procurement legislation the technical evaluation seeks information and confirmation from tenderers on a variety of aspects. To demonstrate the tenderers' understanding of the contract and service requirements, companies are required to submit
- method statements on service delivery
 - staffing and training information

- information on plant and machinery
- information on customer service proposals
- information about environmental sustainability
- health and safety information
- social value commitments including local employment
- information on performance measures and their approach to delivering continuous improvement
- proposals for mobilisation and handover

- 5.3 It will be a requirement of the tender process that tenderers exceed a minimum stated score in the technical evaluation to progress to the stage where their cost is brought in to the evaluation. This avoids companies who have limited experience or whose responses raise serious concerns over their understanding or ability to deliver the service being part of the final evaluation process.
- 5.4 The financial evaluation matrix is based on the lowest tender being awarded the 60% maximum (60:40 ratio of price and quality) The value of the other tenders submitted will be allocated a % on the basis of the submitted price as a proportion of the lowest tender.
- 5.5 The tender evaluation matrix has been tested to ensure that scoring the financial and technical aspects delivers a reasonable outcome. Amending percentages in the finance and quality ratio can result in imbalance requiring tenderers to score unrealistic scores in categories to be able to deliver competitive submissions.
- 5.6 The tender evaluation matrix (Appendix B) weights the criteria set out in 5.2 to give an overall score for the technical evaluation. The technical evaluation will be carried out by Community Services as a separate exercise to the financial evaluation which will be carried out by Procurement team of Commercial Services. Only at the time when the financial and technical evaluations are completed will the evaluation panels convene to assess an overall score and preferred contractor.

6. Strategic Plan References

- 6.1 The quality and appearance of Colchester's landscape environment has more than just a visual impact. A high quality environment not only impacts on those that live in the Borough but has a significant impact on those who make decisions about where to work, visit for relaxation and holidays and where to send their children to school.

The Strategic Plan 2015 -18 vision statement "Rich heritage, ambitious future" is supported by 4 themes or key words that describe our objectives Vibrant, Prosperous, Thriving and Welcoming. Through the grounds maintenance contract and delivery of quality green spaces and recreational facilities we will promote Colchester's heritage and wide ranging tourism attractions to enhance our reputation as a destination. We will deliver Colchester's green spaces and opportunities for health, wellbeing and the enjoyment of all. A quality landscape environment will ensure Colchester is a welcoming and safe place for residents, visitors and businesses with a friendly feel that embraces tolerance and diversity.

7. Consultation

- 7.1 The tender evaluation matrix is an internal process although external references and examples of good practice have been used in its preparation. Discussions have been held with Colchester Borough Homes (CBH) on the contract content as they are a significant client within the grounds maintenance contract. Services are delivered to a

range of CBH properties including sheltered accommodation and the assisted garden scheme where tenants who are unable to maintain their gardens are provided with a basic garden maintenance service by the contractor.

- 7.2 Officers have taken the opportunity for pre tendering discussions with external contractors to identify aspects of the contract that have the potential to deliver improved services, efficiencies and value for money. The Leisure and Communities Portfolio Holder and Executive Director have been involved in the discussions and are in agreement to the process and evaluation criteria.

8. Publicity Considerations

- 8.1 The tender evaluation matrix is not a controversial item and sets clear information to tendering companies on how the tender submissions will be evaluated. The matrix is important in determining the most economically advantageous tender and which company is to be awarded which lot(s).
- 8.2 The effectiveness of the evaluation matrix will be at the point of contract mobilisation and delivery. Whilst it can be anticipated that an incoming contractor will take some time in settling in, the contract timetable allows for 3 months advance notification of the contract award which will enable contractors' time for any staff handover and site familiarisation.

9. Financial implications

- 9.1 There are no financial implications regarding the adoption of the evaluation matrix. Once the evaluation matrix is used to determine the most economically advantageous tender(s) the financial implications with regards to the cost of delivering the service will be identified.

10. Standard References

- 10.1 There are no impacts on equality, diversity and human rights; community safety; health and safety or risk management implications associated with the adoption of the evaluation matrix.

Background Papers

None

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