

# Pre-Procurement Market Engagement

**Enfield Council Tree Maintenance Contract**

**London Tenders Portal Reference Number: DN597256**

**Terms of Reference and Instructions for participants**

**November 2022**

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## 1. Introduction

This document is for the purposes of collecting pre-market information to support Enfield Council (the Council) with understanding the market for this sector relative to the subject matter.

## 2. Instructions

Please read the document and if you feel that your organisation can contribute to this pre-procurement market engagement, you can complete the Soft Market Testing (SMT) Questionnaire (**Appendix 1**) and return via the London Tenders Portal (LTP).

Please Note: This is pre-procurement market engagement and not a call for competition.

The following aspects are pertinent to this pre-procurement market engagement:

- An understanding of what the Council is aiming to deliver
- To understand market capability and capacity in delivering a Tree Maintenance Contract
- To understand market ability to innovate and add value in delivering through management efficiencies, modern technologies, and implementation of social value imperatives

For the avoidance of doubt, this pre-market engagement is for the purpose of conducting soft market testing and will not formally begin a procurement or constitute any commitment by the Council to undertake any procurement exercise. Furthermore, this phase does not form part of any pre-qualification or ranking exercise.

## 3. Market Engagement

Currently the Council is at an early stage in the development of its business proposals. This is prior to formulating or commencing any formal procurement. We are therefore seeking input from the market as to what might be the most attractive and feasible way of scoping a future procurement opportunity.

This pre-procurement phase provides an opportunity for the Council to obtain insight into how potentially interested organisations might approach the delivery of Tree Maintenance Contract. The current Specification/requirements for this contract are provided within **Appendix 2**, which will be updated prior to tender. It also gives useful early insight into the likely level of interest from the supply market.

Organisations will not be prejudiced by any response or failure to respond to the pre-procurement market engagement or failure to attend any follow up meetings that may be arranged at the absolute discretion of the Council.

Organisations must also note that a response to this pre-procurement market engagement does not guarantee an invitation to participate in this or any future procurement that the Council may conduct, nor that the Council will procure any such supply and services or accepts any proposals offered. Any procurement of the supply and services by the Council will be carried out strictly in accordance with The Public Contracts Regulations 2015.

The Council has developed a SMT Questionnaire within Appendix 1 and are asking potentially interested organisations to complete it. At the absolute discretion of the Council, respondents may then be invited to meet with the project team to discuss in more detail their responses and key areas of interest for the Council.

As stated above, the outcome of this pre-procurement market engagement phase may inform an outline business case, with recommendations as deemed appropriate by the Council. These would be prepared in accordance with the Council's governance and approval procedures as required.

#### **4. Background**

Enfield Council values its remarkable heritage of trees. This contract identifies the method by which the council will manage and increase its tree stock.

Enfield recognises the importance of trees and identifies with the benefits and contribution they play within the urban environment, wildlife, conservation, and climate change.

Enfield is responsible and fundamental to the economic, social and environmental well-being of the community. A well-managed and maintained Tree stock supports all three of the Council's priorities -

Good homes in well-connected neighbourhoods

Safe, healthy and confident Communities

An economy that works for everyone

#### **5. Current Position and Scope**

As with all council owned land, the Local Authority has a duty of care and therefore a responsibility to maintain all of its land to a safe standard. The Contract will enable the Council to fulfil its duty to do all that is reasonably practical to minimise the risk of people being harmed or property being damaged as a result of an incident associated with trees on Council property.

Compliance with this contract will ensure that robust and effective arrangements are in place to manage the Council's tree stock that will:

- ensure a reasonable standard of safety to members of the public and users of Council property;
- enable the number, quality and diversity of trees in Enfield to be sustained, and enhanced wherever possible;
- contribute to the achievement of the Council's key aims of growth and sustainability and strong communities by enhancing the 'green' credentials of the borough.

Enfield Council is seeking to appoint a Contractor to deliver Tree Management works for the initial period of 5 years with up to a 5 year extension subject to agreement

between the Authority and the successful Provider. Current contract will expire next year and an approximate annual spend is £1.5 million.

Form of contract used – The Council's Standard Terms and Conditions with Amendments.

The works will primarily comprise of Routine Cyclical Maintenance Programme that will include but not limited to pollarding to Lime and Plane Trees, other forms of pruning including crown reduction, crown thinning, crown lifting, stemming, tree felling and grinding and tree planting. Works will take place within the London Borough of Enfield and 3 out borough locations that are the responsibility of Enfield Council.

The successful Contractor will also carry out works on other council corporate assets including

- Highways
- Housing
- Parks
- Leisure sites
- Education sites
- Allotments
- Cemeteries
- Residential properties
- Operational properties
- Leasehold farms
- Car Parks
- Public Right of Ways
- Watercourses

The Council would like to find out about the solutions that the market currently or potentially offers, along with the types of innovation or areas of best practice that are being developed and could meet the Council's current requirements and/or make improvements to current ways of working and business processes.

Please note that information provided is purely for information only, and to inform the Council of solutions that it may not already be aware of. It may also inform and shape any future requirements, whilst reflecting common traits across the marketplace, where appropriate.

## **6. Current Aims and Outcomes**

The Council aims to continue its high reputation for Tree Maintenance. The Contractor will therefore will be required to execute the works in accordance with the British Standards, best arboricultural practice and to maintain vigorous standards of cleanliness and tidiness, all to a high standard.

## 7. Indicative Timescales

An indicative timetable is summarised below:

Action	Date
Council publishes Prior Information Notice on the <a href="#">Find a Tender</a> service portal	30/11/2022
Council publishes an Early Engagement Notice on the <a href="#">Contracts Finder</a> portal	30/11/2022
<b>Receipt of SMT Questionnaires (12:00 Noon)</b>	<b>14/12/2022</b>
Follow-Up Meetings (if requested by the Council)	w/c 19/12/2022
Market Engagement phase concludes	06/01/2023
Proposed procurement process commences	February 2023

Note: This timetable is indicative only. Whilst the Council does not intend to depart from the timetable, it reserves the right to do so at any time.

## 8. Summary

In this instance, the pre-procurement market engagement phase comprises:

- Seeking initial interest from the market, with submission of the SMT Questionnaire - your Questionnaire must be received by **14<sup>th</sup> December 2022 (12:00 Noon)**
- Any follow-up meetings (if requested by the Council) will be based on the questions contained within the SMT Questionnaire and key areas of interest

## 9. Disclaimer

The information in this document and the related appendices is solely for the purpose of the Council's pre-procurement market engagement and SMT, and no representation, warranty, or undertaking is given by the Council as to its accuracy or completeness, and the Council accepts no liability in relation to this.

No information contained in the documents or in any communication made between the Council and any organisation in connection with its pre-procurement market engagement phase and SMT shall be relied upon as constituting a contract, agreement or representation that any contract shall be awarded.

The Council reserves the right, at its discretion to:

- a) Change this document and/or the procedure for the pre-procurement market engagement; and
- b) Proceed, or not, with a subsequent procurement.

The Council will not treat as confidential, any information submitted in response to this process, and respondents should note that the Council is subject to the requirements under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and may be obliged to disclose responses.

## **10. Soft Market Testing Questionnaire**

Please refer to **Appendix 1** of this market engagement documentation