

Extension to Care and Repair Framework Agreement Lots 1, 2 and 3

Councillor Hiller - Cabinet Member for Growth, Planning, Housing & Economic Development

September 2017

Deadline date: 1st October 2017

Cabinet portfolio holder:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing & Economic Development
Responsible Director:	Wendi Ogle-Welbourn - Corporate Director People & Communities
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: YES Unique Key decision Reference from Forward Plan: KEY/18SEP17/05
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	NO

R E C O M M E N D A T I O N S

The Cabinet Member is recommended to authorise an extension to the following Care and Repair Framework Agreement contractors for Lots 1, 2 and 3 whilst the procurement is completed for the new Care and Repair Framework Agreement, which will commence on 1 August 2018:

Lot 1: Minor Aids and Adaptations

PFS Builders and Contractors

Lot 1 Framework Agreement Sum: £66,666.00

Contract Period: 1 October 2017 to 31 July 2018

Lot 2: Installation Level Access Showering Facilities and associated works

Allworks Home Improvements

Casbon Building Services

Morley Building Services

Nadeem Construction Limited

PFS Builders and Contractors

Gaswise Services Ltd

Lot 2 Framework Agreement Sum: £533,333.00
Contract Period: 30 November 2017 to 31 July 2018

Lot 3: Central Heating Installations

Gaswise Services Ltd

Lot 3 Framework Agreement Sum: £200,000.00
Contract Period: 30 November 2017 to 31 July 2018

Total of extension to the Care and Repair Framework Agreement for Lots 1, 2 and 3: £799,999.00

1. PURPOSE OF THIS REPORT

- 1.1 This report is for Councillor Hiller to consider exercising delegated authority under paragraph 3.4.8 (a) of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (e).

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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3. BACKGROUND AND KEY ISSUES

- 3.1 In 2014 the Council procured a framework for the provision of Care and Repair works in respect of Lot 1: Minor Aids and Adaptations, Lot 2: Installation Level Access Showering Facilities and associated works and Lot 3: Central Heating Installations. The procurement was conducted in accordance with Public Contract Regulations 2006. The period of contract for each Lot was two years plus the option to extend for one year. The extension periods for each Lot are due to expire in Autumn 2017. A procurement is currently underway for a new agreement for the provision of care and repair works, however this is not expected to conclude until Summer 2018, with the new framework agreement planned to commence on 1 August 2018. Therefore, it is requested that an interim measure is put in place to maintain the provision of these works whilst the procurement concludes. The interim measure will consist of an extension to each of Lots 1, 2 and 3 until 31 July 2018.
- 3.2 Ordinarily the governance permitting an extension request would take the form of an Exemption Report, however due to the value of the interim measure exceeding £500,000 a Cabinet Member Decision Notice is required to authorise this request.
- 3.3 The value of the interim measure is below the EU threshold for works. In accordance with the Contract Rules, the Exemption is requested in order to extend an existing agreement which does not have provision for further extension, but to change supplier whilst the procurement is underway would cause significant disruption to services. The interim measure to extend is only until the procurement has concluded, which shall be by 31 July 2018. The newly procured Care and Repair Framework shall be in place by 1 August 2018.

4. CONSULTATION

- 4.1 Consultation has taken place with Serco Procurement, Service Users and the current contractors.

5. ANTICIPATED OUTCOMES OR IMPACT

- 5.1 An interim measure in place until 31 July 2018 whilst the procurement concludes for the new Care and Repair Framework Agreement. This will ensure the following Lots continue to be in place until the new contract commences on 1 August 2018.
- 5.2 Lot 1 – The purpose of the minor aids and adaptations work is to assist and support elderly, vulnerable and disabled local residents (adults and children) to live independently. Installations are in domestic properties only and enable clients and their carers to have access in, out and around the property. A significant element of this work is the installation of grab rails and key safes. The service is a statutory requirement. Installations are undertaken following an assessment and a subsequent instruction from an Occupational Therapist.
- 5.3 Lot 2 – The installation of disabled facility grant adaptations in domestic properties. The Council has a statutory responsibility to provide Disabled Facility Grants (The Housing Grants Construction & Regeneration Act 1996 c.53). There are also several Government and Practitioner guidance Manuals that give indicative delivery times. Failure to provide disabled facility grants adaptations or completing them in a timely manner can result in accidents, falls, and injuries and in the most serious cases fatalities. Delays result in individuals needing more home care, postpone hospital discharge, and increase the number of untimely moves into full time care. Delay can lead to disabled adults and children experiencing increased pain, increased anxiety and a deteriorations in physical /mental health. The Council could be considered culpable for a delay or failure in delivery which could result in complaints, challenges, Ombudsman involvement and legal proceedings. The disabled adaptations are a very important prevention work which results is huge saving for health and social care services.
- 5.4 Lot 3 – The repairs assistance grant work, specifically the installation of central heating systems in domestic properties. The Housing Act 2004 imposes a duty on local authorities to deal with Category 1 hazards. Properties are assessed using The Housing Health & Safety Rating System (HHSRS) (Housing Act 2004). Category 1 Hazard “Excess Cold” occurs where there is no or ineffective heating in domestic properties. The installation of central heating / boiler grant funded work can eliminate or mitigate such hazards for vulnerable people who are unable to address the hazard themselves. Failure to provide repairs assistance heating grants, or completing them in a timely manner, can result in accidents, falls, injuries and in the most serious cases fatalities many of which are reported as excess winter deaths. Delays result in individuals needing alternative help, postpones hospital discharge and increases the number of untimely moves into full time care. Delays can lead to adults and children experiencing pain, increased anxiety, performing poorly at work or in education and deteriorations in physical /mental health. The Council could be considered culpable for a delay or failure in delivery which could result in complaints, challenges, Ombudsman involvement and legal proceedings. The repairs assistance grants are a very important part of prevention work which results is saving for health and social care services.

6. REASON FOR THE RECOMMENDATION

- 6.1 Whilst the procurement is underway for the new Care and Repair Framework, this interim arrangement/extension to the existing framework is requested. To implement alternative suppliers for such a short period between Autumn 2017 and Spring 2018 whilst the procurement concludes would cause diseconomies and significant disruption to the delivery of works within Lots 1, 2 and 3. This extension is an interim measure only whilst the procurement concludes.
- 6.2 In accordance with the Public Contract Regulations (PCR) 2015, the interim measure is below the EU threshold for works. The new procurement is being conducted in line with PCR 2015.

- 6.3 The schedule of rates used in relation to Lots 1, 2 and 3 provide for best value, additional capacity and maintain standards. This is crucial in the interim whilst the procurement concludes.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 To procure an interim solution between Autumn 2017 and Spring 2018, however this would cause diseconomies and significant disruption to the delivery of works and distract from work being focussed on procuring the long term solution for the provision of these care and repair works.
- 7.2 To do nothing. This is not appropriate as the Council has a statutory duty in relation to the works.

8. IMPLICATIONS

Financial Implications

- 8.1 The funding that supports this is a capital grant - Disabled Facilities Grant which comes to the LA via the Better Care Fund arrangements. Lot 1 £66,666, Lot 2 £533,333 and Lot 3 £200k are the profiled budget figures for the 10 month extension being sought.

Legal Implications

- 8.2 Whilst procurement of the new Care and Repair Framework Agreement is underway, this interim arrangement complies with the Council's Contract Rules and the value for the period between 1 October 2017 and 31 July 2018 for Lots 1, 2 and 3 is below the EU threshold for works contracts. The interim arrangement and the procurement are being conducted in compliance with Public Contracts Regulations 2015.

Equalities Implications

- 8.3 There are no equalities issues arising from this decision.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

- 9.1 None.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 10.1 Lot 1 was a Director's Contract Award Report dated 26 September 2014.
Lot 2 Care and Repair Framework Agreement - NOV14/CMDN/109
Lot 3 Care and Repair Heating Framework Agreement - NOV14/CMDN/108

11. APPENDICES

- 11.1 None.