

**Care and Repair Framework Agreement - Award of Contracts Lots 1 to 5**

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

**November 2018**

**Deadline date: 31 December 2018**

Cabinet portfolio holder: Responsible Director:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing & Economic Development 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/26NOV18/02
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 the award of placement on the Council's new Care and Repair Framework Agreement to the successful contractors who have submitted tenders to the new framework for Care & Repair Works & Services due to commence on 1 January 2019. This Framework Agreement will be for a period of 3 years to 31 Dec 2021 with an option to extend for a further year until 31 December 2022 and a further year beyond that to December 2023. The Framework Agreement has been split into 5 Lots. These are detailed below with successful bidders and total estimated Lot values for 3 years

**LOT 1 - The provision of level access showering facilities and associated works including the installation of minor aids and adaptations to domestic properties to enable access.**

Successful Bidders:

- PFS Builders and Contractor
- Martin Greaves - Building Contractor
- Garfield Builders Ltd (Active)
- Morley Building Services Ltd
- Casbon Building Services
- Lindum Group

- Gaswise Services Ltd
- Sovereign Property Services Ltd

3 Year Lot Value **£3,106,250.00**

**LOT 2 - The provision of of Boiler and Central Heating Installations;**

Successful Bidders:

- Maplethorpe and Mooney Ltd
- Morley Building Services Ltd
- Gaswise Services Ltd

3 Year Lot Value **£808,750.00**

**LOT 3 - The construction of large scale adaptations to domestic properties to provide disabled living facilities and the provision of repairs to owner occupied domestic properties as identified by the application of the Housing Health & Safety Rating System**

Successful Bidders:

- Sovereign Property Services Ltd
- Garfield Builders Ltd (Active)
- Martin Greaves - Building Contractor
- Lindum Group

3 Year Lot Value **£3,240,000.00**

**LOT 4 - The Supply and installation of Stairlifts, Steplifts (including concrete works), Ceiling Track Hoists and Vertical Through Floor Lifts in domestic properties**

Successful Bidders:

- Prism UK Medical Ltd
- Care and Independence Ltd
- Premier Mobility UK Limited

3 Year Lot Value: **£1,273,141.00**

**LOT 5 - Deep cleaning and decluttering services**

Successful Bidder:

- Garfield Builders Ltd

3 Year Lot Value **£105,000.00**

Total of value of the contracts for 3 years is **£8,533,141.00** with a further **£2,490,000.00** added if the year's extension is enacted and a further **£2,490,000.00** for the second year extension, making a total of **£13,513,141.00**. These figures are based on anticipated remaining budget from 1 January 2019 to 31 March 2019 and predicted budgets from 1 April 2019 to 31 Dec 2023

**1. PURPOSE OF THIS REPORT**

- 1.1 This report is for Cabinet Member for Growth, Planning, Housing & Economic Development to consider exercising delegated authority under paragraph 3.4.3 and 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?	<b>NO</b>	If yes, date for Cabinet meeting	<b>N/A</b>
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## 3. **BACKGROUND AND KEY ISSUES**

- 3.1 The Council has a statutory duty to meet the needs of a disabled person, once that need has been identified, under The Housing Grants Construction & Regeneration Act 1996 c.53
- 3.2 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 and allow 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.
- 3.3 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). A Category 1 Hazard “Excess Cold” occurs where there is no or ineffective heating in domestic properties. The installation of a new boiler and/or central heating system can reduce that hazard to an acceptable level in vulnerable households, potentially in fuel poverty, who are unable to address the hazard themselves. Other high risk hazards such as damp and mould, falls on the level or between levels and entry by intruders can also be addressed through Repairs Assistance funding.
- 3.4 Often residents who are in hospital cannot return home when they are medically fit due to the condition and/or cleanliness of their home. This leads to a delayed discharge from hospital or use of reablement flats or interim care beds. The Housing Renewals Policy 2017-2019 introduced a Discretionary Disabled Facilities Grant in order carry out works in resident’s home (including de-cluttering and deep cleaning) in order to facilitate a speedy discharge from these settings.
- 3.5 A Framework Agreement consisting of 3 Lots for Minor Aids & Adaptations, Level Access Showers & Associated Works and Boiler & Central Heating Installation is currently in place and has been extended until 31 December 2018 to fit in with the start of this new Framework Agreement. In addition, approval was given to continue to arrange for housing renewal and adaptation funding contained within the Council’s published Housing Renewals Policy 2017 - 2019, to be procured by a competitive tender on an individual case by case basis for under EU threshold works not currently covered by the existing Care and Repair Framework Agreement. This was an interim solution until the full procurement of a Framework Agreement covering the full scope of Care & Repair works and services detailed in the 5 Lots was completed.
- 3.6 Approval is required to award the successful contractors a place on the Care and Repair Framework Agreement for the provision of Lot 1: The provision of level access showering facilities and associated works including the installation of minor aids and adaptations to domestic properties to enable access; Lot 2: The provision of of Boiler and Central Heating Installations; Lot 3: The construction of large scale adaptations to domestic properties to provide disabled living facilities and the provision of repairs to owner occupied domestic properties as identified by the application of the Housing Health & Safety Rating System; Lot 4: The Supply and installation of Stairlifts, Steplifts (including concrete works), Ceiling Track Hoists and Vertical Through Floor Lifts in domestic properties; and Lot 5: Deep cleaning and decluttering services.

3.7 Schedules and specifications were developed to cover all elements of each of the five Lots.

## **PROCUREMENT**

3.8 The OJEU procurement process was carried out in accordance with the Public Contract Regulations 2015 due to the estimated value of the works and services falling above the EU threshold. OJEU notice 2018/S 105-238766 was published in June 2018, advertising the tender opportunity. The opportunity was also published on Contract Finder, the Council's website and current contractors were also notified of the tendering opportunity.

The open procurement process comprised of (i) a Standard Selection Questionnaire to test that a potential supplier meets minimum levels of suitability, i.e. questions including mandatory and discretionary exclusion grounds, and selection questions including finance, technical and professional ability and insurance; and (ii) quality and price submission.

The specification and price schedule for each Lot was developed by Care and Repair and this framework was tendered as five Lots, all advertised together. All quality and price submissions were evaluated for quality and price on a 30%/70% ratio. Tenderers were required to score a minimum of 20% or above on the overall quality, and those who failed to score at least 20% on quality were no longer considered in the tender process.

The table below outlines the number of suitable contractors the Council hoped to assign to each Lot within the framework. This number per Lot was subject to tenderers meeting the minimum levels of suitability and being successful at the quality and price evaluation.

<b>Lot</b>	<b>Description</b>	<b>Number of suppliers required</b>
1	The provision of level access showering facilities and associated works including the installation of minor aids and adaptations to domestic properties to enable access	10
2	The provision of of Boiler and Central Heating Installations	3
3	The construction of large scale adaptations to domestic properties to provide disabled living facilities and the provision of repairs to owner occupied domestic properties as identified by the application of the Housing Health & Safety Rating System	12
4	The Supply and installation of Stairlifts, Steplifts (including concrete works), Ceiling Track Hoists and Vertical Through Floor Lifts in domestic properties	3
5	Deep cleaning and decluttering services	3

The scores for all tenderers were assessed in line with the ITT scoring mechanism and placed in a grid. Providing tenderers met minimum suitability requirements of the Standard Selection Questionnaire and the 20% quality threshold they were selected for the framework as follows:

### **Lot 1**

<b>Contractor</b>	<b>Combined Total</b>	<b>Rank</b>	<b>Successful Yes/No</b>
A	92.91%	1	Yes
B	90.04%	2	Yes
C	88.05%	3	Yes
D	81.69%	4	Yes
E	78.46%	5	Yes
F	75.02%	6	Yes
G	67.68%	7	Yes
H	64.33%	8	Yes

Of the tenderers that met minimum suitability requirements of the Standard Selection Questionnaire and the 20% quality threshold, eight tenderers combined price and quality scores have been selected for Lot 1 framework.

### **Lot 2**

<b>Contractor</b>	<b>Combined Total</b>	<b>Rank</b>	<b>Successful Yes/No</b>
A	79.30%	1	Yes
B	76.01%	2	Yes
C	68.65%	3	Yes
D	66.39%	4	No
E	65.89%	5	No
F	41.15%	6	No

Of the tenderers that met minimum suitability requirements of the Standard Selection Questionnaire and the 20% quality threshold, the top three combined price and quality scores have been selected for Lot 2 framework.

### **Lot 3**

<b>Contractor</b>	<b>Combined Total</b>	<b>Rank</b>	<b>Successful Yes/No</b>
A	90.05%	1	Yes
B	87.02%	2	Yes
C	79.85%	3	Yes

D	64.70%	4	Yes
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Of the tenderers that met minimum suitability requirements of the Standard Selection Questionnaire and the 20% quality threshold, four tenderers combined price and quality scores have been selected for Lot 3 framework.

#### **Lot 4**

<b>Contractor</b>	<b>Combined Total</b>	<b>Rank</b>	<b>Successful Yes/No</b>
A	95.39%	1	Yes
B	94.41%	2	Yes
C	94.33%	3	Yes
D	83.79%	4	No
E	83.07%	5	No
F	81.56%	6	No
G	81.07%	7	No
H	79.53%	8	No
I	71.82%	9	No

Of the tenderers that met minimum suitability requirements of the Standard Selection Questionnaire and the 20% quality threshold, the top three combined price and quality scores have been selected for Lot 4 framework.

#### **Lot 5**

<b>Contractor</b>	<b>Combined Total</b>	<b>Rank</b>	<b>Successful Yes/No</b>
A	83.19%	1	Yes

One tenderer met minimum suitability requirements of the Standard Selection Questionnaire and the 20% quality threshold, and their combined price and quality score has been selected for Lot 5 framework.

#### **4. CONSULTATION**

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

#### **5. ANTICIPATED OUTCOMES OR IMPACT**

- 5.1 The new Care and Repair Framework Agreement will increase the number of contractors available to carry out Care & Repair works and services across the five Lots and it is anticipated that the Framework Agreement will speed up delivery by adopting a practical,

efficient call-off process by which orders are made with contractors listed on the framework. Work allocation shall be based predominantly on availability to reduce start date delays. It is also anticipated that “mini competitions” can be conducted within the Framework for the more complex, large scale disabled facility and repairs assistance cases detailed in Lot 3, taking into account quality, responsiveness and price.

## **6. REASON FOR THE RECOMMENDATION**

- 6.1 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). A Category 1 Hazard “Excess Cold” occurs where there is no or ineffective heating in domestic properties. The installation of a new boiler and/or central heating system can reduce that hazard to an acceptable level in vulnerable households, potentially in fuel poverty, who are unable to address the hazard themselves. Other high risk hazards such as damp and mould, falls on the level or between levels and entry by intruders can also be addressed through Repairs Assistance funding.
- 6.2 Failure to provide disabled facility grant funded adaptations, aids and adaptations or repairs assistance, or failure to complete 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 deterioration 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. Disabled adaptations and the high risk repairs work carried out in vulnerable households homes are a very important preventative measure which results in huge saving for health and social care services.
- 6.3 The tender process was compliant with procurement legislation in order to develop a new framework to replace the framework due to expire. The new framework has been procured competitively in accordance with the Public Contracts Regulations 2015, demonstrating best value and satisfactory quality, shall provide additional capacity across a number of the Lots and maintain required standards.

## **7. ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 Extend the current framework. The current framework has utilised all extension provisions, therefore cannot be extended further.
- 7.2 To do nothing. This is not appropriate as the Council has a statutory duty in relation to the works.
- 7.3 Tender the jobs individually. This would result in several hundred smaller tenders during the proposed framework period and has huge resource implications for the Council. This would lead to potential delays and increased costs.
- 7.4 Discontinue using a framework and tender the works and services to one contractor. This would potentially reduce the capacity and flexibility that a framework offers the Council.

## **8. IMPLICATIONS**

### **Financial Implications**

- 8.1 Mandatory Disabled Facilities Grants are funded through the Disabled Adaptation element of the Better Care Fund and topped up with the Council’s borrowed capital programme. The 2018/2019 budget has been set at £1,969,832.00. Discretionary Disabled Facility Grants and Repairs Assistance is funded from the Council’s borrowed capital programme. The

2018/2019 budget has been set at £889,662.00. Budgets have been assumed at similar levels for the full contract period including extensions.

### **Legal Implications**

- 8.2 Advice from Legal Services has been obtained in relation to the procurement process and award of placement on the framework agreement for each successful tenderer within the five Lots. The procurement has been conducted in accordance with the 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 PCC Housing Renewals Policy 2017 - 2019  
<https://www.peterborough.gov.uk/council/strategies-policies-and-plans/renewal-policy>

## **11. APPENDICES**

- 11.1 None.