

Care & Repair Framework Agreement – Award Contracts Lots 1, 2 & 4
Councillor John Howard - Cabinet Member for Adult Social Care, Health & Public Health in consultation with Councillor Marco Cereste - Cabinet Member for Climate Change, Planning, Housing & Transport
Deadline date: 31 December 2022

Cabinet portfolio holder: Responsible Director:	Councillor John Howard - Cabinet Member for Adult Social Care, Health & Public Health Charlotte Black, Executive Director People Services
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/05DEC22/04
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

RECOMMENDATIONS
<p>The Cabinet Member is recommended to authorise the award of a place on the new Framework for Care & Repair Works & Services to the successful contractors who have submitted tenders. The Framework Agreement is due to commence on 1 January 2023 for a contract period of 3 years to 31 December 2025 with an option to extend for a further two 12-month periods – the first extension year until 31 December 2026 and a second extension year to 31 December 2027.</p> <p>The Framework Agreement has been split into 3 Lots. These are detailed below with successful bidders and total estimated Lot values for 3 years.</p> <p>LOT 1 - The provision of level access showering facilities and associated works in domestic properties to enable access. The installation of minor aids and adaptations in domestic properties to enable access.</p> <p>Successful Bidders:</p> <ul style="list-style-type: none"> • Allworks Home Improvements Ltd • Aspire Adaptations Ltd • Casbon Building Services • Foster Building Services Ltd • Foster Property Maintenance Ltd • Lindum Group Ltd • Maplethorpe & Mooney Ltd

- Morley Building Services Ltd
- Pastbuild Construction & Management Ltd
- Westone Housing Limited

3 Year Lot Value £3,015,000

LOT 2 - The provision of Boiler and Central Heating Installations

Successful Bidders:

- Foster Building Services Ltd
- GAP Property Services Leicester Ltd
- Huttie Building Services Ltd
- Maplethorpe & Mooney Ltd
- Morley Building Services Ltd

3 Year Lot Value £225,000

LOT 4 - The Supply and Installation of Stairlifts, Steplifts, Ceiling Track Hoists and Vertical Through Floor Lifts in Domestic Properties.

Successful Bidders:

- EMS Lifts Ltd
- Essential Healthcare Solutions (UK) Ltd
- Norse Group Ltd
- Premier Mobility (UK) Ltd
- Prism UK Medical Ltd
- Stannah Lift Services Limited

3 Year Lot Value: £1,305,000

Please note, LOT 3 – The Provision of Specialist Deep Cleaning & De-cluttering Services -

3 Year Lot Value £450,000 has been removed from this framework and will be procured via a separate procurement in the New Year.. This follows anomaly identified within the Lot 3 process linked to Pro-Contract and communication, hence to ensure all potential bidders have access to the same information the decision was taken to commence a new procurement process for Lot 3 services.

Total of value of the contracts for 3 years is £4,545,000 with a further £1,515,000 added if the year's extension is enacted and a further £1,515,000 for the second year extension, making a total of £7,575,000. These figures are based on anticipated remaining budget from 1 January 2023 to 31 March 2023 and predicted budgets from 1 April 2024 to 31 March 2028

1. SUMMARY OF MAIN ISSUES

- 1.1 This report seeks the Cabinet Member for Climate Change, Planning, Housing & Transport to authorise the award of placement on the Council's new Care and Repair Framework Agreement to the successful contractors listed. This Framework Agreement will be for a period of 3 years from 1 January 2023 to 31 December 2025 with an option to extend for a further year until 31 December 2026 and a further year beyond that to December 2027.

2. PURPOSE OF THIS REPORT

- 2.1 This report is for the Cabinet Member for Adult Social Care, Health & Public Health to consider exercising delegated authority under paragraphs 3.4.3 and 3.4.6 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (a).

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. DETAILS OF DECISION REQUIRED

- 4.1 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
- 4.2 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.
- 4.3 A Framework Agreement consisting of 5 Lots for Minor Aids & Adaptations & Level Access Showers, Boiler & Central Heating Installations, Lifts, major ground floor adaptations and repairs assistance and specialist de-cluttering and deep cleaning services has been in place since 1st January 2019. This Agreement was for 3 years +2 individual yearly extensions. The first extension to this framework is due to end on 31 December 2022.
- 4.4 A variation for a 10% price increase was made in October 2021 as raw material costs had inflated drastically over the previous two years as a knock-on effect of the Covid pandemic and Brexit. There was also a labour shortage due to the surge in demand for building work making it increasingly difficult for the contractors to undertake the required works at the current rates at that time.
- 4.5 Following several communications from existing framework contractors in June 2022 highlighting the fact that the 10% increase, whilst welcomed, was insufficient to effectively address continued spiralling material and labour costs, contractors were asked to provide evidence to warrant a further extraordinary price increase on the schedule of rates due to the market and economic conditions. Contractors were asked to submit evidence for a Contract Variation based on price increases of their top 5 supplies and PAYE, NI and labour cost pressures. Based on the information received, agreement was given to uplift the prices by a further 15% for the remainder of the current agreement to 31 December 2022
- 4.6 It is for these reasons, together with a decreased number of contractors actively participating in the Framework, particularly in Lot 3 Major Adaptations and Repairs Assistance, that it was decided not to invoke the second annual extension but to embark on this procurement exercise for a completely new Framework Agreement to commence 1 January 2023
- 4.7 As a result of discussion with Procurement and Legal Services, it was decided that the new Framework would consist of 3 Lots as described in the recommendations section above. A separate procurement exercise is taking place to provide a Framework Agreement for Lot 3 – The Provision of Specialist De-cluttering & Deep Cleaning Services. A further procurement exercise is taking place to provide a Dynamic Purchasing System (DPS) for Major Adaptations and Repairs Assistance (which is LOT 3 Major Adaptations and Repairs Assistance on the current Framework). Choosing a DPS for these works would give us the flexibility to publish rounds for additional contractor capacity during the lifetime of the DPS which hopefully would mitigate against replicating the situation of contractor shortage for the

major adaptations that is currently being experienced.

- 4.8 Schedules and specifications have been developed to cover all elements of each of the three Lots of the new framework against which interested bidders have priced.

The Procurement Process

4.9 The Procurement is being run under the open procedure in accordance with Regulation 27 of the Public Contracts Regulations 2015 to procure the multi-supplier Framework. This is a formal bidding procedure, under which the Framework Agreement is advertised and all interested organisations/consortium can bid. Regulation 33 (Framework Agreements) of the Public Contract Regulations 2015 also applies. The procurement comprised of the following elements:

- A Selection Questionnaire including:
 - Financial Standing
 - General Data Protection Regulation (GDPR)
 - Modern Slavery
 - Insurances
 - Safeguarding

- A Quality Element – a weighting was given to each question ranging between 5% and 20%. To be considered for award of a place on the Framework Agreement bidders must achieve a qualitative evaluation score of no less than 47% overall. Each question also has a minimum quality threshold applied which must be met or exceeded. Failure to meet any one of these thresholds will result in a failed bid. The questions (method statements) that were asked within the quality element related to the following areas:

	Weighting	Minimum Score Threshold
Service delivery	20%	10%
Communication	15%	7%
Project Management	20%	10%
Quality Control	10%	5%
Staff Training	5%	2%
Environmental Impact	5%	2%
Contribution towards the local economy	5%	2%
GDPR	10%	5%
Continuous Service Improvement	5%	2%
Risk & Continuity	5%	2%

4.10 Price - the Bidders were required to complete and submit a Schedule of Rates. The price element of the Bid was not scored and did not contribute to the overall score for the Bid. Pricing within the Schedule of Rates will only be considered when the Council is utilising the Direct Award Process in order to award a Call Off Contract via this Framework Agreement.

4.11 All Bidder's that met the selection criteria within the Selection Questionnaire proceeded to the tender evaluation stage. Tenders submitted were evaluated on a minimum quality threshold as set out at section 4.9. The Bidders that met the minimum quality threshold(s) were awarded a place on the Framework Agreement for the respective Lot(s) bid for.

- 4.12 The Quality element of the tender was evaluated and scored independently by a panel. This panel was made up of officers from Peterborough City Council's Care and Repair Team and were supported by the Council's Procurement Service. The panel members individually considered the Bidders' responses and provided an initial score providing a rationale for the score awarded. A moderation of those scores was then led by the Procurement Service. A consensus score and rationale was determined following moderations.
- 4.13 A total of 13 bids were received for Lot 1, 6 bids were received for Lot 2 and 6 bids were received for Lot 4.

5. CORPORATE PRIORITIES

- 5.1 The recommendations link to the Council's Corporate Priorities as follows:
- 5.2 The Economy & Inclusive Growth
- Carbon Impact Assessment - This decision is anticipated to have a neutral impact because the award of agreement continues existing arrangements and therefore emissions will not change.
- 5.3 Our Places & Communities
- Health and Wellbeing – this decision will allow for the provision of grant funded works by the Framework contractors which will enable residents to live independently as far as possible in an accessible, safe and warm home environment that meets their needs.
- 5.4 Prevention, Independence & Resilience
- Adults & Children – this decision will allow adaptations to be delivered to elderly and disabled adults and children to live within their own home. The adaptations could potentially lead to a reduced care package or the elimination of a care package altogether in certain circumstances.

5. CONSULTATION

- 5.1 Consultation has taken place with existing and potential suppliers through soft market testing and supplier engagement events. Legal Services and Procurement have been fully engaged and provided support throughout every stage of the procurement process.

6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that the new Care and Repair Framework Agreement will increase the number of contractors available to carry out Care & Repair works and services across the four Lots and will speed up delivery by adopting a practical, efficient call-off process by which contract awards are made with contractors listed on the framework. Work allocation shall be based predominantly on price and availability to reduce start date delays. The Framework will also have an up to date and realistic pricing schedule and the ability to annually review rates to reflect the current market and economic conditions.

7. REASONS FOR RECOMMENDATIONS & ANY RELEVANT BACKGROUND INFORMATION

- 7.1 Failure to provide disabled facility grant funded adaptations and aids and adaptations 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 are a very important preventative measure which results in huge savings for health and social care services.

- 7.3 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.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Extend the current framework for the final year. Following two uplifts and shortage of contractors it was decided to procure a fully refreshed Framework for 3 Lots, a separate Framework for specialist deep cleaning and decluttering services and to opt for a DPS for the more complex work (major adaptations) in order to give us the greatest flexibility.
- 8.2 To do nothing. This is not appropriate as the Council has a statutory duty in relation to the delivery of mandatory Disabled Facilities Grants.
- 8.3 Establish a DPS for all Lots. This was disregarded as it would mean mini competitions for the lower value, less complex but high-volume works, such as level access showers. This would place a substantial burden on Care & Repair officers and their ability to spend the annual capital programme. By having a schedule of rates and an efficient call off process for this type of work means we can directly award contracts and maintain the required throughput levels.
- 8.4 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.
- 8.5 Discontinue using a framework and tender the works and services to one contractor. This would potentially reduce the capacity and flexibility that a framework, and potentially a DPS, offers the Council.

9. IMPLICATIONS

Financial

- 9.1 Mandatory Disabled Facilities Grants are funded through the Disabled Facilities Allocation element of the Better Care Fund. The 2022/2023 budget has been set at £2,236,384. Budgets have been assumed at similar levels for the full contract period including extensions.

Legal

- 9.2 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 four Lots. The procurement has been conducted in accordance with the Public Contracts Regulations 2015.

Equalities

9.2 There are no equalities implications arising from this decision.

10. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

10.1 None.

11. 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

[Housing Renewals Policy 2021 - 2024](#)