

Report of: Construction H&S Manager / Senior Fire Safety Officer

Report to: Chief Officer of Environment & Housing

Date: 18th November 2013

Subject: Request to procure a service provider to Supply and Maintain Fire Fighting Equipment (Hardware; Dry/Wet Risers and Automatic Sprinklers Systems) within the Social Housing Stock of Housing Leeds.

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: 10.4 (3) Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

The report outlines the requirements and proposed strategy to procure a service provider to Supply and Maintain Fire Fighting Equipment (Hardware: Dry/Wet Risers and Automatic Sprinklers Systems) to a range of buildings within the Environment and Housing , in order to ensure the Council meets its legal obligations and delivers continuity of service when the existing contract expires.

Recommendations

In accordance with the provisions of CPR 3.8.1, the Chief Officer of Environment and Housing is recommended to approve a proposal to procure the services of a new service provider via a mini competition from the Pro5 Framework, a framework which in line with requirements of Contracts Procedure Rules has been approved for use across the council by the Chief Officer of PU / PPPU.

1 Purpose of this report

- 1.1** This report seeks approval to conduct a procurement exercise which will involve a mini competition via the Fire Safety Products & Associated Services framework contract that has been set up by The Yorkshire Purchasing Organisation. The Pro5 Framework is the largest formally constituted public sector buying organisation within the UK.

- 1.2 The Pro5 Framework allows local authorities to purchase pre-procured goods and services either on a direct call off basis or through mini competition. The framework is an approved framework as defined by the authorities' Contracts Procedure Rules.

2 Background information

- 2.1 Leeds City Council is required to ensure the supply and maintenance of fire fighting equipment for use within Housing Leeds social housing buildings and offices, and has a contract with Chubb which will expire on 31 December 2013. The service and inspection programme for Dry/Wet Risers and Automatic Sprinklers Systems commences in March 2014 in the Housing Leeds stock. The planned estimated start date shall be 01 March 2014 providing sufficient time to procure a mini competition.
- 2.2 Procuring the service via The Pro5 Framework will ensure continuity of service delivery across the council to its staff and citizens.

3 Main issues

- 3.1 The estimated spend by Leeds City Council for the supply and maintenance of fire fighting equipment (Hardware: Dry/Wet Risers and Automatic Sprinklers Systems) and associated services is around £63k per annum, the current contract with Chubb was extended in December 2012 for a further 12 month period. This contract expires on 31st December 2013.
- 3.2 The Pro5 Framework awarded a 2 year framework contract in January 2012 which runs until December 2014 with an option to extend for a further two years for the use of the Fire Safety Products & Associated Services. The framework ensures that the provision of supplies is maintained; thereby ensuring council and public buildings remain compliant with fire safety regulations.
- 3.3 The Council's PPPU and Procurement Unit are satisfied that the framework contract awarded by The Pro5 Framework has been procured in full compliance with the Public Contracts Regulations 2006. Further in addition Housing Leeds officers are satisfied that the scope covered by the YPO framework contract meets the technical requirements of Leeds City Council. .
- 3.4 The published OJEU contract notice 2012/S 175-288928 EN, publication date 12 September 2012 confirmed the following: Whilst principally open for use by all local authorities across the UK, for Framework will also be open for use by other public sector bodies.
- 3.5 The framework awarded by The Pro5 Framework was tendered using the OJEU open route testing the suppliers thoroughly and ensuring compliance in all areas stated within the tender documentation. Fire Safety Products & Associated Services have been tendered on a 60% quality – 40% price basis.

4 Corporate Considerations

4.1 Consultation and Engagement

The following officers/departments were consulted during the process;

- Asset Directors – Housing Leeds
- Procurement officers – Corporate Procurement Unit
- Civic Buildings Manager – Resources
- Corporate Fire & Safety Manager – Corporate Governance

4.2 Council policies and City Priorities

The contract specifically delivers the Council's priorities on valuing colleagues and putting customers first and spending money wisely by creating and maintaining a fire safe environment for Housing Leeds residents, staff and members of the public.

4.3 Resources and value for money

- 4.3.1 Savings may be achieved from any further reductions in equipment, building closures. It is proposed to run a mini competition with the framework providers on a 100% price basis.
- 4.3.2 A separate contract for the servicing of fire safety software (fire extinguishers, blankets etc.) has been awarded via the Pro5 Framework and has realised significant savings in excess of 50%.

4.4 Legal Implications, Access to Information and Call In

- 4.4.1 The Procurement Unit has advised that the use of the framework is legal and meets the requirements of public procurement regulations. This requirement will be an administration decision. There are no grounds for treating the contents of this report as confidential within the Council's Access to Information Rules.

4.5 Risk Management

- 4.5.1 The contract will be managed and monitored regularly by service area representatives to ensure the benefits of the services are maximised and the contractors' performance will be measured over the life of the contract.
- 4.5.2 In line with the provisions of the Council Effective Procurement Programme a contract management plan will be developed that will clearly identify roles and responsibilities of officers with contract ordering and performance management and monitoring activities. This plan will also emphasise the perceived aims and objectives of the contract and how their realisation and contract success will be reviewed and managed, in addition to the plan clearly stating the responsibilities of the contractor.

- 4.5.3 Pro5 Framework has said that many have used the framework and no one has mentioned or challenged this so both them and LCC legal believe it is very low risk.

5 Conclusions

- 5.1 Yorkshire Purchasing Organisation is part of The Pro5 Framework and this contract is a compliant contract for the Supply and Maintenance of Fire Fighting equipment.
- 5.2 The approval to carry out a mini competition and subsequently award a contract would enable continuity of service provision of council facilities to the public and council staff.
- 5.3 The approach in using The Pro5 Framework has been considered against other procurement options and is deemed to provide the best solution.

6 Recommendations

- 6.1 In accordance with Contract Procedure Rule 3.1.8 the Chief Officer of the Environment & Housing Services is recommended to approve the proposal to undertake procurement for Fire Safety Products & Associated (Hardware: Dry/Wet Risers and Automatic Sprinklers Systems) via The Pro5 Framework. The estimated contract start date shall be 01 March 2014 and runs until December 2014 with an option to extend for a further two x 1 year extensions.

7 Background documents

- 7.1 Equality Screening - Impact assessment screening for the DDN - Housing Leeds - Approval Report to Procure FFE Nov 2013.doc

Yorkshire Purchasing Framework User Guide - Portable Fire Equipment - PRO5 User Guide.doc