

Report for: Delegated Decision Panel

Report to Director of Adult Social Services

Date: September 2014

Subject: REQUEST APPROVAL TO UNDERTAKE A PROCUREMENT EXERCISE FOR ASSISTIVE TECHNOLOGY FRAMEWORK FOR DAILY LIVING EQUIPMENT PHASE II FOR ADULTS AND CHILDREN

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): All Wards	<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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number: A, B, C & E	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

- 1 The Leeds Community Equipment Service operates under a Section 75, Partnership Agreement between Leeds City Council and NHS. Adult Social Care are the lead organisation in the Partnership and deliver the service with Leeds Community Healthcare.
- 2 The service provides a range of equipment to meet daily living and nursing needs for disabled adults, older people and children. Equipment purchased by the Council, including that purchased through the Pooled Fund, is subject to procurement through Leeds City Council's procurement arrangements.
- 3 A Framework for Assistive Technology Equipment for the Leeds Community Equipment Service was awarded in April 2013. A Framework agreement is an agreement with providers which sets out the terms and condition under which specific purchases (call-off) can be made throughout the term of the agreement.
- 4 There are still approximately 80 items of equipment - 50 for Children's Services and 30 for Adults which are not covered under the Framework for Assistive Technology Equipment contract.

Recommendations

- 5 The Director of Adult Social Services is requested to approve the undertaking of a procurement exercise to establish a framework for Assistive Technology Equipment for daily living phase ii using Contract Procurement Rule 3.1.8.
- 6 Implementation discussions will take place with the suppliers once the contract is awarded.
- 7 The proposed timescale for implementation is 1st May 2015.
- 8 The Service Manager- Leeds Community Equipment and Tele Care Services will be the officer responsible for the implementation.

1 Purpose of this report

- 1.1 The Director of Adult Social Services is requested to approve the undertaking of a procurement exercise to establish a framework for Assistive Technology Equipment for Daily Living phase ii using Contract Procurement Rule 3.1.8.

2.0 Background Information

- 2.1 The framework is for the supply of Assistive Technology Equipment for Daily Living phase ii to Leeds Community Equipment Service. The estimated contract value is approx. £350,000 per year based on 2013/14 expenditure. The framework will be allocated into three "Lots". The framework will be awarded for two years with the option to extend for a further two twelve month periods.
- 2.2 NHS and the Local Authority are the commissioning partners in the Leeds Community Equipment Service Partnership Agreement under the Health Act Section 75 flexibilities. This agreement allows NHS organisations and Local Authorities to pool money they intend to spend, in this instance on the purchase of community equipment. Additionally the agreement allows one of the agencies to make all purchases from the pool on behalf of both partners. In Leeds the lead agency is the Local Authority.
- 2.3 The estimated value for Lot 1 Adult equipment of the contract is £230,000.00. The estimated value for Lot 2 Children's equipment of the contract is £120,000.00
- 2.4 Companies will be invited to tender for three Lots within the Framework;
 - Lot 1 – Equipment for Daily Living for Adults, estimated value £230,000.00 based on 2013/14 figures. This is further broken down into ten categories, eg bathing equipment, mobility equipment and so on.
 - Lot 2 –Equipment for Daily Living for Children, estimated value £120,000.00 based on 2013/14 figures.
 - Lot 3 - Other items not covered in Lot 1 and 2 which are infrequently ordered as one off in small quantities. The same categories used in Lot 1 and 2 will apply.
 - In 2014'15 the equipment budget is part of a S75 agreement between LCC and NHS Leeds. The total budget is £1,677,720 for Adults and £220,100 for Children.

3 Main issues

3.1 Contract Background

- 3.1.1 As the lead agency for the LCES Partnership Agreement the Council is responsible for all equipment purchases from the pooled fund on behalf of the partners. This means that some purchasing of equipment previously bought by the NHS using NHS purchasing arrangements comes under Local Authority procurement rules.
- 3.1.2 A Framework for Assistive Technology Equipment for the Leeds Community Equipment Service was awarded in April 2013. Assistive Technology Equipment for Daily Living phase ii is to supplement this framework. A Framework agreement is an agreement with providers which sets out the terms and condition under which specific purchases (call-off) can be made throughout the term of the agreement.
- 3.1.3 Call-offs are subject to the terms and condition under the agreement. Under a framework arrangement contracts are “framed” when services are call off under the agreement.
- 3.1.4 The advantage of using a Framework contract is that it reduces the number of procurements, and it standardises the documentation and processes.

3.2 Tender Exercise

- 3.2.1 TENDER EVALUATION CRITERIA - Tender submissions will be assessed on the basis of the most economically advantageous tender, using a price quality evaluation for each item detailed in both Lot 1 and Lot 2

Price criteria

- 3.2.2 The maximum amount of marks available for price will be 400 / 40% Price will be evaluated for each product item, in Lots 1 and 2. The 3 lowest priced products will be requested for sampling. The 2 lowest priced products that meets the evaluation criteria will be pointed to the framework

Quality criteria

- 3.2.3 The maximum amount of marks available for quality will be 600/60%
- 3.2.4 Prior to evaluating each product against the criteria an evaluation will be conducted to ensure the product meets the specification (Desktop evaluation).
- 3.2.5 Samples of the products offered will be given a pass or fail mark relating to each area of the specification provided for each product. Where a sample fails one or more of the specification requirements outlined, that product offering will not be assessed against the quality criteria and will be eliminated from this tender process. If the product does meet the specification the item will be requested for sampling and an evaluation of that product will be conducted against a quality criteria and a score awarded.

- 3.2.6 The quality criteria that will be assessed on a scored basis and the respective weightings are:

	Criteria	Score (Out of 600 points)	Minimum Quality Threshold 80%
1.	Aesthetic characteristics / robustness	250 points	200 points
2.	Ease of operation/adjustment/installation	250points	200 points
3.	Ease of cleaning *	100 points	80 points

NB. * If the item is not suitable for cleaning and must be replaced then full marks will be awarded for this question.

3.3 Consequences if the proposed action is not approved

3.3.1 The service would have to purchase equipment “off contract”. There would be no contract prices which would be very likely to result in higher costs for equipment.

3.3.2 The effect higher unit costs on the budget would have a direct impact on customer waiting times for equipment

3.3.4 The aim of the Service to provide the right equipment quickly to enable people to live independent and inclusive lives would be compromised.

3.4 Advertising

3.4.1 The framework agreement will be advertised in the European Union through the Official Journal of the European Union(OJEU) and the Council’s tendering system YORtender.

3.5 Implementation

3.5.1 Implementation discussion will take place with the suppliers once the contract is awarded.

3.5.2 The proposed timescale for implementation is 1st May 2015.

3.5.3 The Service Manager- Leeds Community Equipment and Tele Care Services will be the officer responsible for the implementation.

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The Procurement process to establish the framework included officers from Adult Social Care, Children’s Complex Needs Service and Leeds Community Healthcare. Officers involved are from the Provider and Assessment services. A Service User from the User Involvement Group attends the regular Equipment Review Group which considers the range and quality of products used by the service on a continual basis.

4.1.2 The evaluation process will include officers from Adult Social Care, Children’s Services and Leeds Community HealthCare. Service Users from the User Involvement group will be invited.

4.1 Equality and Diversity / Cohesion and Integration

4.2.1 An Equality Impact Assessment screening tool has been undertaken for the purposes of this recommendation, and has indicated that an EIA does not need to be carried out. There will be no adverse effect on any particular groups of people within the city by the proposal. This is attached at Appendix 1

4.3 Council Policies and City Priorities

4.3.1 The service contributes to National Indicator 142: the percentage of vulnerable people supported to achieve independent living.

4.3.2 The service contributes to the City Priority Plan 2011 to 2015, Best City for health and wellbeing: Supporting more people to live safely in their own homes and give people choice and control over their health and social care services. Leeds Joint Health and well-being strategy 2013-15

- People will live full, active and independent lives

Children and Young People's Plan 2011-15

- CYP Do well at all levels of learning and have the skills for life and Improve support where there are additional health needs

4.3.3 The service contributes to the Council Business plan 2011 to 2015, Adult Social Care Directorate Priorities and Performance Measures by ensuring more people with poor physical or mental health remain living at home longer.

4.3.4 The service supports adults whose circumstances make them vulnerable to live safely and independently.

4.3.5 The service provides easier access to joined-up health and social care services.

4.4 Resources and Value for Money

4.4.1 The purchase of new equipment from May 2015 will be within existing S75 budgets.

4.4.2 Using the Assistive Technology Equipment for Daily Living phase ii framework will ensure items of community equipment are purchased at best value rates. The service will be able to purchase equipment in a more timely method and plan the year's expenditure. Officer time will be saved by working to the framework rather than obtaining competitive quotes for individual items and orders.

4.5 Legal Implications, Access to Information and Call In

4.5.1 The Procurement Unit advertised the service in the Official Journal of the European Union to comply with the Procurement Regulations of 2006. The contract was also advertised on the Council's tendering website Yortender.

4.5.2 This is a key decision and therefore is subject to call-in, any subsequent decisions from this approval will be significant operational decisions.

4.5.3 This report has been to Legal Services and there were no issues or recommendations.

4.6 Risk Management

4.6.1 Without the Framework agreement in place, the service would not be able to meet the demand for Assistive Technology equipment, and would have to rely on buying off contract and recycling used equipment. This would result in a waiting list for equipment and the service not being able to purchase up to date equipment particularly to meet the needs of customers with more individual and complex needs.

5 Conclusions

- 5.1 Agreeing to the procurement Framework for Assistive Technology Equipment for Daily Living phase ii will enable the Leeds Community Equipment Service to continue to meet the demand for Community Equipment for the people of Leeds.

6 Recommendations

- 6.1 The Director of Adult Social Services is requested to approve the undertaking of a procurement exercise to establish a framework for Assistive Technology Equipment for daily living phase ii using Contract Procurement Rule 3.1.8.
- 6.2 Implementation discussions will take place with the suppliers once the contract is awarded.
- 6.3 The proposed timescale for implementation is 1st May 2015.
- 6.4 The Service Manager- Leeds Community Equipment and Tele Care Services will be the officer responsible for the implementation.

7 Background documents ¹

- 7.1 none

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.