

Report for: Delegated Decision Panel

Report to Director of Adult Social Services

Date: 16 April 2015

Subject: Contract Award for the Supply of Assistive Technology Equipment for Disabled People Phase ii

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: 9.2 and 10.4 (3) Appendix number: 1,2,3,5	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

1. The Leeds Community Equipment Service operates under a Section 75, Health Act 2006, Partnership Agreement between Leeds City Council and Leeds CCGs. Leeds City Council are the lead commissioners and Adult Social Care are the lead provider in the Partnership and deliver the Service in partnership 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. Under the advice of the Council's Procurement Unit the contract has been split into three lots.
 - 3.1. Lot 1 - 40 lines of high volume generally lower value stock for Adult Social Care requirements awarded for two years with the option to extend for two further twelve month periods.
 - 3.2. Lot 2 - 52 lines of high volume generally lower value stock for Children's Services requirements awarded for two years with the option to extend for two further twelve month periods.

- 3.3. Lot 3- A framework contract for the purchase of any required items outside Lot 1 and Lot 2 awarded for two years with the option to extend for two further twelve month periods.
4. Following the tendering exercise all but 14 items for Adult Social Care and 25 Items for Children's Services were awarded. These 39 items will be reviewed to consider if they are still required for provision and if so that the specification is appropriate before re tendering.

Recommendations

5. The Director of Adult Social Services is requested to approve the award of the framework contract for the items of Assistive Technology to the suppliers as per Appendices 1, 4 & 5
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 purpose of this report is to seek approval via delegated decision by the Director of Adult Social Services to enable the award of the Supply of Equipment for Disabled People Contract for Adult Social Care and Children's Services as a framework arrangement to a number of suppliers. The Children's Directorate have been part of the process to determine this proposal and have confirmed that they are in agreement with this recommendation.

2 Background information

- 2.1 This framework contract is for the supply of Assistive Technology for Daily Living to Leeds Community Equipment Service for both Adult Social Care and Children's Services. The estimated contract value is approx. £350,000 per year based on 2013/14 expenditure. The framework was allocated into three "Lots", to be awarded for two years with the option to extend for a further two twelve month periods.
- 2.2 Leeds CCGs and the Local Authority are the commissioning partners in the Leeds Community Equipment Service Partnership Agreement under the National Health Service Act 2006 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 A previous tender exercise was undertaken during early 2013 from which 92 items were awarded. The non-awarded items from that exercise and additional items from off/ non contract spend analysis form the basis for this tender exercise.
- 2.4 A DDN was signed in 2014 authorising this procurement.
- 2.5 Benchmarking was undertaken against other potential contracts for these items. From YPO (Yorkshire Purchasing Organisation) only 3 items we required were available from their framework, and GPS (Government Procurement Service) whose contract has expired and will not be renewed so is no longer available. The three items from YPO were not procured from YPO because the service did not evaluate these items against the service specification. These three items are included in this procurement exercise.
- 2.6 As described in 2.1 above companies were invited to tender for three Lots within the Framework;
- 2.6.1 Lot 1 – Equipment for Daily Living for Adults Social Care, estimated value £251,000.00 based on 2013/14 base budget figures. This was further broken down into six categories, eg bathing equipment, mobility equipment and so on.
- 2.6.2 Lot 2 – Equipment for Daily Living for Children's Services, estimated value £ 99,000.00 based on 2013/14 base budget figures. This was

further broken down into three categories, eg bathing equipment, mobility equipment and so on.

2.6.3 Lot 3 - Other items not covered in Lot 1 and 2 which are infrequently ordered as one off in small quantities.

2.7 The tender was split into lots in line with new EU regulations and it has been identified that there are different suppliers of adults and children's equipment.

2.8 In Lot 1, there were 40 product lines open to competition, of which 26 products lines are to be awarded with a further 14 no awards. These will be re tendered.

2.9 In Lot 2 there were 52 product lines open to competition, of which 27 products lines are to be awarded with a further 25 no awards. These will be re tendered.

2.10 With regard to the 53 lines classified as no award, arrangements have been made for panel members to discuss the need / specification of the items with a representative of Procurement Unit and then to enter into a quotation exercise for the remaining items from Lot 3.

3 Main issues

3.10 The tender was advertised on the Council's tender website www.yortender.co.uk and within the EU via an OJEU (Official Journal of European Union) notice under the open procedure and everyone invited to tender including all current providers.

3.11 The Pre-Qualification Questionnaire (PQQ) and Tender Documents Parts 1 to 4 were issued at the same time and bidders were given the deadline of 3rd December 2014 to submit PQQ's and tender submissions. The scheme ID is: 9LSD-RMC4Q4: Assistive Technology Equipment for Daily Living Phase ii.

3.12 Due diligence checks of the submissions for this contract have been undertaken by the Council's PPP&PU. These included the uptake of references from bidders, ensuring that the appropriate levels of insurance were in place, an inspection of all audited accounts, information governance and safeguarding.

3.13 The invitation to tender was set to a 60/40 quality/price split. There were 3 qualitative areas that the equipment had to pass, which focused on:

3.13.4 Aesthetic characteristics / robustness

3.13.5 Ease of operation/adjustment/installation

3.13.6 Ease of cleaning

3.14 Each item of equipment was assessed via a desktop evaluation against the item specification the lowest 3 priced items which passed the desktop assessment were requested for sampling. The samples were then checked against the specification and if acceptable each item was then assessed against the quality criteria listed above. A minimum quality threshold of 80% was applied to each quality criteria and every item which passed this threshold achieved the full 600 points for quality.

- 3.15 Of those items which achieved the full quality points available only the 2 lowest priced items per product are recommended for award. To be utilised in ranking order of lowest price first.
- 3.16 Initially 95 suppliers registered an interest in the tender, 27 opted out for a variety of reasons, 35 did not respond and 33 submitted bids.
- 3.17 Of the 33 bids received, 22 applied for Lot 1 and 15 applied for Lot 2. All suppliers applying for Lots 1 and 2 are automatically accepted for Lot 3, dependant on vetting results, however 3 suppliers opted out of Lot 3 so will not be providing additional discounts. There were 3 suppliers who applied for Lot 3 only.
- 3.18 Of the 92 product lines evaluated 48 product lines are recommended to be awarded to 17 suppliers across both Lots 1 and 2.
- 3.19 There were 2 evaluation teams, one for Adult Social Care and one for Children's Services. The evaluation teams comprised of Occupational Therapists, Occupational Therapy Assistants, a Rehabilitation Officer, Physiotherapists, Tissue Viability Nurses, and LCES staff including stores staff and managers.
- 3.20 The product sampling took place over 4 weeks, each week dedicated to one or more subcategories of equipment.

Week	Delivery Date	Category	Collection date
1	12 th / 13 th January 2015	Beds and accessories / Mattresses	15 th / 16 th January 2015
2	19 th / 20 th January 2015	Hoist/stand aids/Lifting aids/Kitchen /Pressure Relief / Mobility	22 nd / 23 rd January 2015
3	26 th / 27 th January 2015	Bathing	29 th / 30 th January 2015
4	2 nd / 3 rd February 2015	Toileting	9 th / 10 th February 2015

- 3.21 Appendix 1- Items for award - lists the items for award in Lot 1 and Lot 2 and itemises the companies to which it is recommended that each award is given.
- 3.1 Appendices 2a, 2b, 2c & 2d Product quality evaluation summary - provides the evaluation results of all items considered.
- 3.2 Appendix 3 – Savings summary - shows the cost difference between the 24 items in Lot 1 & 2 which were awarded above the current price. The annual impact of this is estimated at £12,329.37 a year, however, 22 items are to be awarded below the current price and 4 items are to be awarded at the current price. This equates to an overall contract cost of £321,302.33 for lots 1 & 2 with a saving of £66,806.85 with potential further savings to be made from lot 3.
- 3.3 Appendix 4 List of Suppliers - contains the details of all suppliers with items awarded.

- 3.4 Appendix 5 Discount from Price List - contains the details of the discount offered by companies on the Framework for Lot 3.

3.5 Consequences if the proposed action is not approved

- 3.6 The Service would have to purchase all equipment “off contract”. There would be no contract prices which would be very likely to result in higher costs for equipment.
- 3.7 The effect of higher unit costs on the budget would have a direct impact on customer waiting times for equipment
- 3.8 The aim of the Service to provide the right equipment quickly to enable people to live independent and inclusive lives would be compromised.
- 3.9 If the Contracts were not awarded to the successful bidder following a proper procurement process, the Local Authority must provide justifiable reasons for abandoning the process or risk legal challenge.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The Procurement process included officers from both Adult Social Care, Children’s Services 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. An invitation was made for a member of the Service User Group to be part of the panel but this was unfortunately not achieved.
- 4.1.2 Customer satisfaction questionnaires are collected throughout the year.

4.2 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 6

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.

- 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 safe and independent lives.
- 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 budgets.
- 4.4.2 Using the Assistive Technology 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 www.Yortender.co.uk
- 4.5.2 The information contained in appendices 1, 2a, 2b, 2c, 2d, 3 & 5 is exempt from publication under Access to Information Procedure Rules 9.2 and 10.4 (3) as they contain financial details and evaluation scores of all organisations based on information given in confidence by those organisations. The information is exempt if and for so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 4.5.3 This is a significant operational decision and not subject to call-in.

4.6 Risk Management

- 4.6.1 Without the Framework contract 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 By agreeing to the procurement of a Framework for Assistive Technology Equipment 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 award of the framework contract for the items of Assistive Technology to the suppliers as per Appendices 1, 4 & 5
- 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 documents¹

- 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.