

Approval to award new contracts for the Supply and Delivery of Personal Protective Equipment (Industrial and Clinical) ('PPE') and Corporate Workwear/Uniforms

Date: 22nd March 2024

Report of: Health and Safety Service Manager

Report to: Director of Strategy & Resources

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

1. The current contracts with our suppliers of PPE and Workwear/Uniforms are due to expire on the 10 April 2024 and 18 May 2024. These contracts were extended for 12 months and there are no provisions for any further extensions.
2. A key decision to re-procure contracts for the provision of PPE and Workwear/Uniforms was made on the 11th September 2023. Key Decision D56762.
3. A procurement exercise was undertaken and the contracts re-packaged into 3 separate Lots:
 - Lot 1 – Industrial PPE
 - Lot 2 – Clinical PPE
 - Lot 2 – Workwear and Uniforms.
4. A total of 14 suppliers made bids across the 3 Lots with each supplier evaluated on a price/quality separated methodology.
5. 3 suppliers were chosen for each of the 3 Lots
6. This report seeks approval to award the contracts to 4 winning suppliers.

Recommendations

- a) It is recommended that the Director of Strategy & Resources approves the Award of contracts for the supply and delivery of PPE and Workwear/Uniforms to Arden Winch & Co Ltd, Arco Ltd, SMI Int Group Ltd and Protective Wear Supplies Ltd.
- b) The length of the contracts will be for 3 years with an option to extend for a further 12-month period commencing on 10th April 2024
- c) The estimated value of these contracts over a 4-year period is £3.84 million pounds.

1. What is this report about?

- 1.1 The current contracts for PPE and Workwear/Uniforms were procured during the pandemic in 2020. One contract was awarded following the initial procurement exercise and commenced on 10th April 2020. Four further contracts were subsequently awarded due to the unprecedented circumstances at that time (pursuant to the same procurement exercise), and these contracts commenced on 18th May 2020. All contracts were extended to the maximum period and are due to expire shortly.
- 1.2 The contracts have been re-packaged over three lots. A full tendering procedure has been followed and successful suppliers have been identified following a full and thorough evaluation.
- 1.3 The purpose of this report therefore is to obtain approval from the Director of Strategy & Resources to award contracts for the supply of PPE (industrial and clinical) and Workwear/Uniforms.
- 1.4 The project team elected to use the Open Procedure as the most appropriate procurement route. There were 14 companies that bid for the contracts across the 3 Lots.
- 1.5 The evaluation of tenders was based on a three stage process in accordance with the Price/Quality separated methodology:
 - 1.5.1 Stage 1: Selection criteria focused on Conformance to the Specification; the On-line Ordering System and Acceptance of Payment by Purchasing Card. These were evaluated on a pass/fail basis by the evaluation panel and tenders that failed any of these criteria were eliminated at this early stage.
 - 1.5.2 Stage 2: Quality criteria focused on Fitness for Purpose; Service and Delivery; Customer Care; Quality Assurance and Social Value. These were scored by the evaluation panel and any tender that did not meet the specified minimum score threshold of 8/10 was not considered further.
 - 1.5.3 Stage 3: Price. The tenders remaining in the process were then evaluated on price and the three lowest priced tenders were identified and ranked in order for each lot.
- 1.6 The following 4 companies have been successful and have passed all due diligence checks through the vetting process:
 - Arden Winch & Company Ltd.
 - Arco Ltd.
 - SMI Int Group Ltd
 - Protective Wear Supplies Ltd.
- 1.7 The new contracts will be awarded prior to 10 April 2024 and have been subject to a competitive tender under the Council's Contract Procedure Rules (CPRs) and the Public Contracts Regulations 2015.

2. What impact will this proposal have?

- 2.1 The Council can maintain its duty to support its employees where they are engaged in certain manual tasks that would result in excessive wear and tear on their clothing and footwear. The Council can also continue to protect staff where tasks may expose them to dust, dirt, liquids, grime and other similar substances, and/or variable weather

conditions, by providing them with suitable and durable clothing and footwear to enable them to work effectively in these conditions.

- 2.2. The total spend on PPE and Workwear/Uniforms across all Council services is approximately £960,000k per year based on previous spend. Suppliers have been made aware through the tender procedure that there is no guarantee that this level of spend will be maintained.
- 2.3. The contract awards will be non - exclusive which will enable the Council to look to alternative suppliers should an urgent item not be available under contractual arrangements.

3. How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing Inclusive Growth Zero Carbon

- 3.1. The award of new contracts by 10th April 2024 will ensure there is a continuation with the supply of PPE and Workwear/Uniforms and the Council has suitable suppliers to ensure that there is continuity of supplies for staff and service areas who use this service. Ensuring that clothing is adequate is essential for the health, safety and wellbeing of all users.
- 3.2. Having multiple contracted suppliers assists with the availability of products and competitive pricing ensuring that the Council spends its money wisely and seeking to achieve the best possible prices for these important products. As tenders were evaluated on a price & quality separated methodology, the contracts will be awarded to the suppliers achieving high quality standards for the lowest prices thereby achieving value for money.
- 3.3. The provision of PPE and Workwear/Uniforms contributes to the Best City Ambition ensuring that the health, safety and wellbeing of our staff is at the forefront of our planning and that they have access to the right personal protective clothing and equipment and other suitable workwear to carry out their duties.
- 3.4. Each supplier was also evaluated on their Social Values as part of the tender evaluation process. The successful suppliers will be monitored against their Social Value commitments during the life of the contract.

4. What consultation and engagement has taken place?

Wards affected: All wards

Have ward members been consulted? Yes No

- 4.1. Trials will be arranged with key stakeholders from service areas that utilise PPE, workwear and uniforms on a regular basis.

5. What are the resource implications?

- 5.1. One of the key factors in the decision to centralise the contracts for PPE and Workwear Uniforms was to harness all the spend from across all services, thereby ensuring that the Council is able to take full advantage of the economies of scale to achieve the best possible price from a competitive marketplace.
- 5.2. The contracts were evaluated on a price & quality separated methodology and will achieve savings throughout the life of the contracts and also ensure that our high cost

& high usage items are purchased at the best possible prices through the ranking of the suppliers.

- 5.3. The existing contracts are being managed by the Purchasing Hub and this arrangement will continue with the new contracts therefore, there are no additional resource implications connected with procuring new contracts.

6. What are the key risks and how are they being managed?

- 6.1. The Council has a statutory obligation to provide PPE to its employees under the PPE at work Regulations 2022 and the Health and Safety at Work etc. Act 1974. It is therefore a considerable risk if adequate arrangements are not in place to support its employees, or it is unable to ensure that the equipment purchased to safeguard employees meets all the relevant health and safety standards.
- 6.2. The re-packaging of the contracts to include clinical PPE will ensure there are adequate supplies of critical items such as masks and aprons should we face a similar situation to the 2020 pandemic and to accommodate changes in working practices in high-risk areas such as care homes.
- 6.3. If approval to award new contracts is not given, for each service to access and purchase the PPE or Workwear items they require, then services will be required to make their own arrangements to meet their statutory obligations and either buy goods off-contract or look to set up alternative arrangements of their own when the current contracts expire. The level of risk associated with this is increased considerably if the contracts are not procured for the supply of PPE with reputable organisations who have a track record and extensive knowledge of the market. The evaluation process undertaken ensured the suppliers have the necessary accreditation and standards to meet our core specifications, as a minimum.

7. What are the legal implications?

- 7.1. This is a Significant Operational Decision as a direct result of a previously taken key decision on 19 September 2023 ref D56762 and therefore not open to call-in.
- 7.2. The contracts are required to meet the Council's statutory duty under the legislation and regulations cited in section 1 above.
- 7.3. The contracts were procured in accordance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015 via an Open tendering procedure.
- 7.4. A ten day Standstill Period has been observed whereby an aggrieved tenderer can raise a legal challenge to the award process. No challenges were received during this period therefore the risk of the contract awards not proceeding as planned is considered negligible.

Options, timescales and measuring success

8. What other options were considered?

- 8.1. The project team did consider alternative procurement routes, namely via the YPO 1022 framework for the Supply of Workwear and PPE and ESPO 144_23 Personal Protective Equipment and Clothing. However, neither of these offered a full range of suppliers nor our full scope of requirements (namely for Clinical PPE).

9. How will success be measured?

9.1. The Contract Manager will liaise with the successful organisations via quarterly performance meetings to discuss quality of products, lead times and produce regular management reports to monitor spend, in accordance with the specified contract management arrangements.

10. What is the timetable and who will be responsible for implementation?

10.1. New contracts will need to be in place before the 10 of April 2024 and the Assistant Head of BSC & the Health & Safety Service Manager are responsible for implementation of these contracts.

11. Appendices

- None

12. Background papers

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