

**Report of: Shona McFarlane, Deputy Director Social Work & Social Care Service**

**Report to Director of Adults and Health**

**Date: 10 October 2018**

**Subject: To approve the contract award for the Supply of overhead tracking hoists and the repair, servicing and maintenance of various items of equipment for daily living.**

Are specific electoral Wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, name(s) of Ward(s):		
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?	<input checked="" type="checkbox"/> <b>Yes</b>	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number Rules 9.2 and 10.4 (3)		
Appendix number three and four		

## Summary of main issues

The Leeds Community Equipment Service (LCES) provides a range of equipment to disabled adults, older people and children within Leeds. There are currently 84,000 people in Leeds with equipment.

Assessors across health and social care make recommendations for the provision of equipment designed to meet the needs of the individual person. It can make a significant reduction in the risks for people at home and contributes to reducing and delaying the need for home care and residential services.

The current contract is for the supply of overhead tracking hoists, the refurbishment of recycled tracking hoists, the out of hours repairs of tracking hoists, the annual service and The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) inspection for tracking hoists, gantry hoists, mobile hoists, stand aids and poolside hoists. The contract is due to expire on the 30th November 2018, with the new arrangements therefore commencing on 1<sup>st</sup> December 2018.

The out of hours urgent repairs for specialist beds and airflow mattresses is currently covered on the framework for the supply of assisted technology equipment for adults and children – LOT 3 discount list. This will be awarded as a separate Lot on the new contract.

There is no contract in place for the Portable appliance testing (PAT) or servicing of specialist seating for Adults and Children. Any seating which is returned to LCES is PAT and serviced before being reissued but a high percentage remain out in the community for over twelve months without any checks. This leaves the council at risk should an incident occur. This will be included in the new contract.

LCC Residential and Day-care services have specialist bathing equipment in their establishments. There is currently no contract in place and the servicing of the equipment is arranged "off contract". This will be also be awarded as a separate lot on the new contract.

Authority to procure a contract for the supply of overhead tracking hoists and the repair, servicing and maintenance of various items of equipment for daily living was agreed on 6<sup>th</sup> June 2018.

### **Recommendations**

- 1.1 The Director of Adults and Health is requested to approve the award of a new five year contract for the supply of overhead tracking hoists and the repair, servicing and maintenance of various items of equipment for daily living as detailed in paragraph 3.2.
- 1.2 Implementation discussions will take place with the suppliers once the contract is awarded.
- 1.3 The proposed timescale for implementation is 1st December 2018.
- 1.4 The Service Delivery Manager- Assisted Living Leeds will be the officer responsible for the implementation in conjunction with officers from Procurement and Commercial Services.
- 1.5 The estimated annual value of the contract is £361,000.00 based on 2016/17 expenditure.

### **Purpose of this report**

- 1.6 The purpose of this report is to seek the authority to award via a delegated decision of the Director of Adults and Health to establish a five year contract and appoint suppliers in respect of the Lots detailed in paragraph 3.2 for the supply of overhead tracking hoists and the repair, servicing and maintenance for various items of equipment for daily living.

## **2 Background information**

- 2.1 The current contract is for the supply, maintenance & repair of overhead tracking hoists that are installed in service user's homes, following community care assessment and a moving and handling risk assessment. The risk assessments are performed to establish a moving and handling plan and reduce moving and handling risks, as far as reasonably possible, for disabled people and both paid and unpaid carers. Under the terms of the existing contract joint visits by the assessor and the supplier are undertaken. The supplier will assess the environment to ensure that the equipment can be safely installed and that any associated works e.g.

joinery, electrical or structural, are identified in order for the installation to take place.

- 2.2 New tracking hoists are funded from the capital budget for Adaptations to Private Properties following assessment and recommendation by the Council's occupational therapy service. The servicing, repair, removal and re-siting of this equipment is funded from revenue budgets. The hoists are installed, serviced, repaired, removed, stored and re-sited under the terms of the contract.
- 2.3 Housing Leeds use the contract to provide an equitable service to their tenants. The contract is also used by ASC residential and day care Service for their maintenance and LOLER requirements in respect of their mobile hoists. Other directorates of the council will also utilise the contract for their requirements.

### **3 Main issues**

- 3.1 This contract will bring together all aspects of maintenance and repairs of community equipment to ensure that the council is complying with the following regulations: the Provision and Use of Work Equipment Regulations 1998 (PUWER), the Portable Appliance Testing (PAT) and The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER).
- The contract was advertised as 8 lots as follows, with the providers listed in (Appendix two) being identified as the preferred providers following the conclusion of the procurement exercise:
  - LOT 1 - SUPPLY OF OVERHEAD TRACKING HOISTS & REPLACEMENT PARTS
  - LOT 2 - MAINTENANCE, REPAIR & STORAGE OF OVERHEAD TRACKING HOISTS
  - LOT 3 - MAINTENANCE & REPAIR OF MOBILE HOIST & STAND-AIDS, POOLSIDE HOISTS, CHANGING TABLES, and WHEELCHAIRS AND SHOWER CHAIRS (FOR ITEMS NOT OWNED AND MAINTAINED BY LCES) –
  - LOT 4 - MAINTENANCE, REPAIR & STORAGE OF SPECIALIST BATHS
  - LOT 5 - REPAIR (OUT OF HOURS ONLY) OF PROFILING BEDS, COTS AND AIRFLOW MATTRESSES
  - LOT 6 - ANNUAL MAINTENANCE OF RAISER RECLINER CHAIRS AND SPECIALIST SEATING LOCATED WITHIN THE COMMUNITY
  - LOT 7 – ANNUAL MAINTENANCE OF PAEDIATRIC SEATING
  - LOT 8 – DISCOUNT ON ADHOC REPAIRS AND MAINTENANCE OF EQUIPMENT

These lots will replace any contract variations linked to the current contract and to allow each service appropriate use of this contract.

- 3.2 The tender was advertised on the Council's tender website [www.yortender.co.uk](http://www.yortender.co.uk) and in the EU via the publication of a notice in the OJEU (Official Journal of European Union) Contract Notice under the open procedure, together with the government's Contracts Finder system, that enabled all interested providers including the incumbents to submit a tender. In total ten organisations submitted responses to the procurement exercise.

- 3.3 Each lot was evaluated on the basis of 50% (500 points) for quality and 50% (500 points for price). With tenderers required to reach a minimum threshold of 50% for each quality question and 50% of the overall points available for quality (250 points). As there was a tenderer who met these minimum thresholds for each Lot, the providers who did not meet these minimum thresholds should be rejected from the process.
- 3.4 The method statements were evaluated by the panel using the consensus approach to scoring. This involved the members of the evaluation panel reaching agreement and consensus on each score awarded.
- 3.5 Following the evaluation panel completing all of the stages of the procurement exercise, the scores allocated are fully detailed in the confidential Appendix Two.
- 3.6 Due diligence checks of each of the providers is being undertaken and the contracts will not be awarded until the process has been satisfactorily concluded. This will involve the uptake of references, ensuring the appropriate levels of insurance are in place, an inspection of the audited accounts and their health and safety policy.

## **Consequences if the proposed action is not approved**

### **4 Corporate Considerations**

#### **4.1 Consultation and Engagement**

- 4.1.1 Officers from Adults and Health, City Development and Children's and Families were involved in the procurement process.
- 4.1.2 A detailed Communications and Engagement Plan was developed to ensure that all relevant stakeholders were informed / consulted to appropriate levels at the appropriate times in the procurement process.

#### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.3 An Equality Impact Assessment screening tool was undertaken when the report requesting the approval to go out to tender was agreed on 6<sup>th</sup> June 2018. The EIA 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. (Appendix One). There has been no change to the EIA and therefore the same EIA has been as submitted.

#### **4.3 Council policies and Best Council Plan**

- 4.3.1 The service contributes to National Indicator 142: the percentage of vulnerable people supported to achieve independent living.
- 4.3.2 Council Business Plan – this work contributes towards the target to increase the number of people successfully completing a programme to help them relearn the skills for daily living; increase proportion of older people (65 and over) who were

still at home 91 days after leaving hospital into rehabilitation services; increase the percentage of service users who feel that they have control over their daily life.

- 4.3.3 Best Council Plan 2015 – 20 – this work contributes to the Better Lives programme and to the breakthrough project of making Leeds the best place to grow old.

#### **4.4 Resources and value for money**

- 4.4.1 A procurement process was undertaken in order to ensure that the Council obtains best value for money, in terms of fit for purpose products at the best price.
- 4.4.2 The procurement process followed the open procedure. This included a Standard Selection Questionnaire, with a number of technical questions. The potential providers have been assessed against each question to ensure that they have the required experience and knowledge to undertake the requirements of the contract.
- 4.4.3 The tender pricing schedule (Appendix three) was based on the numbers of equipment in use. These amounts were included for each line, e.g.: there are on average a 100 new and used tracking hoists installed each year by Adult & Health, for the tender purpose we asked for the cost of installing 100 new tracking hoists and a 100 recycled. The reason for this is that the service is unable to predict the number of returned tracking hoists within any given year.

In Lot 5 the pricing schedule (Appendix three) is based around the number of call outs per week. This is on average 5 per week for repairs and 4 per week for urgent deliveries of equipment. These amounts were included for each line, e.g.: 200 call out for repairs, 200 out of hours repairs and 200 for bank holiday call out for repairs. The reason for this is that the service is unable to predict the number of repairs received.

The tender pricing schedule (Appendix three) provides the service with indicative costs for each area.

The actual costs based on current numbers of equipment (Appendix four) is shown on the table below.

<b>Lot 1</b> Supply, Of Overhead Tracking Hoists & Replacement Parts	Revenue budget	Capital Budget	Actual cost based on current number of equipment (Appendix four)	Indicative costs for tendering purpose (Appendix three)
Adults and Health		£150,000.00	£157,350.00	£157,350.00
Citizens and Communities		£92,793.00		
<b>Lot 2</b> Maintenance, Repair, Storage & installation of recycled Overhead Tracking Hoists			£87,830.00	£177,250.00
<b>Adults - LCES</b>	£95,000			
<b>Children's LCES</b>	£5,000			
<b>Lot 3-</b> Maintenance & Repair Of Mobile Hoist & Stand-Aids, Poolside Hoists, Changing Tables, Wheelchairs And Shower Chairs.			£19,090.00	£19,090.00
Residential & Daycare services				
Citizens and Communities	£6,480.18			
City Development	£11,977.11			
Children's and Education	£5,000.00			
<b>Lot 4</b> - Maintenance, Repair & Storage Of Specialise Baths	£1,500.00		£1,686.00	£1,686.00
<b>LOT 5</b> - Repair Out Of Hours Only Of Profiling Beds, Cots And Airflow Mattresses				
Adults and Health	£45,000		£40,00.00	£110,000.00
<b>LOT 6</b> - Annual Maintenance Of Raiser Recliner Chairs And Specialise Seating Out In The Community	£30,000		£8,750.00	£8,750.00
Adults and Health				
<b>LOT 7</b> – Annual Maintenance Of Paediatric Seating	£20,000		£4,130.00	£4,130.00
Childrens and Education				
<b>LOT 8</b> – Discount On Adhoc Repairs And Maintenance Of Equipment	£0			

## 4.5 Legal Implications, Access to Information and Call In

- 4.5.1 The contract has been advertised in the Official Journal of the European Union (OJEU) to comply with the Public Contracts Regulations 2015 and undertaken in accordance with the council's Contracts Procedure Rules. The contract has also be advertised on the Council's tendering website [www.Yortender.co.uk](http://www.Yortender.co.uk)

- 4.5.2 This decision is the implementation of a Key Decision dated January 2018 and subsequent delegated decision dated 6<sup>th</sup> June 2018 and as such is a consequence of that previous Key Decision so it is not subject to call-in and will be treated as a Significant Operational Decision.

#### **4.6 Risk Management**

- 4.6.1 It would be very difficult to manage the risk of not having a contract in place. Incidents occurring with equipment which has not been serviced or LOLER tested could leave the Council at risk of litigation and reputational harm.
- 4.6.2 The services would be required to raise orders without a contract in place to ensure the equipment is fit for purpose and the Council are able to meet their legal obligations.

### **5 Conclusions**

- 5.1 The Leeds Community Equipment Service has a responsibility to provide high quality equipment for the people of Leeds which is maintained and repaired.
- 5.2 The existing contract expires on 30<sup>th</sup> November 2018
- 5.3 The proposal of this contract is to establish a five year contract and appoint suppliers in respect of the Lots for the Supply of overhead tracking hoists and the repair, servicing and maintenance for various items of equipment for daily living. The proposed contract will provide will bring together all aspects of maintenance and repairs of community equipment to ensure that the council is complying with the following regulations: the Provision and Use of Work Equipment Regulations 1998 (PUWER), the Portable Appliance Testing (PAT) and The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER).

### **6 Recommendations**

- 6.1 The Director of Adults and Health is requested to approve the award of a new five year contract for the supply of overhead tracking hoists and the repair, servicing and maintenance of various items of equipment for daily living.as detailed in paragraph 3.2
- 6.2 Implementation discussions will take place with the suppliers once the contract is awarded.
- 6.3 The proposed timescale for implementation is 1st December 2018.
- 6.4 The Service Delivery Manager- Assisted Living Leeds will be the officer responsible for the implementation in conjunction with officers from the Procurement and Commercial Service.
- 6.5 The estimated annual value of the contract is £361,000.00 based on 2016/17 expenditure.

## **7 Background documents<sup>1</sup>**

7.1 NONE

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<sup>1</sup> 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.