

Report of: Head of Commercial, Leeds Building Services

Report to: Director of Resources and Housing

Date: 10th September 2018

Subject: Authority to commence a procurement exercise for the purchase and installation of Modular Ramps for Public Sector - Adaptations

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 checked="" type="checkbox"/> Yes	<input 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:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

The existing contract for Modular Ramps Installation expires in December 2018 with no option to extend, the provision is an ongoing requirement and therefore requires re-procurement in advance of contract expiration. Following a procurement options review of the short timescale a required conclusion was that a Framework call would be the preferred route of delivery for this requirement.

1.0 Purpose Of This Report

The purpose of this report is to seek approval in accordance with CPR 3.1.8 to carry out a procurement exercise to put in place a framework contract to deliver the installation of Modular Ramps to Leeds City Council Public Sector Adaptations.

2.0 Background information

2.1 Leeds Building Services (LBS) currently manage the delivery of works undertaken through the current contract on behalf of departments across the authority. This arrangement will continue with the replacement contract.

3.0 Main Issues

3.1 Leeds Building Services currently delivers approximately £550,000 per annum in relation to Modular Ramp Adaptation.

It is proposed that the contract be let for a 3 year period starting January 2019 with the option to extend for a further 12 months. This will ensure that the selected contractor can build sufficient stock level to embed an effective re-use programme.

- 3.2 The tender will be evaluated on an agreed 40/60 price / quality split, with a proportionate minimum thresholds used to ensure quality submissions are encouraged.

Approval of the evaluation criteria will be sought from the Chief Officer of Property & Contracts in accordance with CPR 15.1 in due course.

- 3.3 There will be no guarantee of any volume of works throughout the framework term.

4.0 Procurement Options

- 4.1 **Do nothing** – This option was discounted as there would be no procurement activity and therefore no contractor to deliver the programme

- 4.2 **Internal Service Provider (ISP)** – This would be a very quick option since there would be no procurement activity and work could be awarded directly to the ISP. However, although this option has been considered in line with CPR 3.1.4 there are no appropriate internal providers or exclusive suppliers which can be utilised. LBS will manage the delivery of this contract on behalf of Leeds City Council.

- 4.3 **Procure LCC framework (OJEU)** – This route could have provided an opportunity to test the market through competition and determine if a value for money solution can be developed. This route has been deemed not appropriate with the contract value being below EU threshold for works

- 4.4 **External Frameworks** –

- 4.5 Efficiency North Framework; an expression of interest was undertaken with reference to Lot 11 (Adaptation) but insufficient interest was received from the contractors.

- 4.6 Other external housing frameworks were also considered. Bidders appointed to these frameworks have already been assessed through an OJEU compliant competitive tendering exercise and have been deemed as best value. Using the call off mechanism in these frameworks, a mini competition exercise could be carried out to test the appointed providers. Timescales for the procurement could have been reduced as the frameworks are already established and no shortlisting is required. Unfortunately there are no suitable lots on these frameworks that could fit Leeds City Council's requirements and therefore this option has not been recommended as the preferred procurement approach.

- 4.7 **Constructionline (Recommended)** – This route is considered to be the most appropriate route as the value is below the EU threshold. An expression of interest is undertaken and the shortlisted contractors will be invited to tender via YORtender. Utilising this route enables us to procure our own contract as opposed to using external frameworks

- 4.8 The proposed timetable for the delivery of this arrangement is:

An indicative timetable for the proposed procurement process is set out below:	
Issue Tender Documentation	08/10/2018
Tender evaluation	09/11/2018- 07/12/2018
Contract Award	04/01/2019
Contract Start	31/01/2019

5.0 Corporate Considerations

5.1 Consultation and Engagement

Leeds Building Services have consulted with:

5.1.1 Health and Housing Adaptation team to ensure that the consistency of specifications can be maintained and to ensure a consistent approach to the evaluation and award processes.

5.1.2 Housing Procurement Team representatives, for developing relevant data protection aspects of the tender documents.

5.1.3 Leeds City Council's information Governance teams have contributed to developing relevant data protection aspects of the tender documents

5.2 Equality and diversity / cohesion and integration

5.2.1 An equality, diversity, cohesion and integration impact assessment has been undertaken which has indicated that there are no negative impacts arising from undertaking this procurement.

5.2.2 The proposal will enable the delivery of adaptation works for Leeds tenants. This adaptations will enhance people's quality of life and increase independence.

5.3 Council Policies and Best Council Plan

5.3.1 The procurement of this contract will enable the delivery of adaptations works within the city and therefore contribute to key objectives within the Best Council Plan by;

- a) Ensuring high quality health and wellbeing - improving quality, efficiency and involving people in shaping their city. With a focus on:
 - improving public health
 - improving housing
- b) Delivery of Better Lives programme - helping local people with care and support needs to enjoy better lives. With a focus on:
 - helping people to stay living at home
 - joining up health and social care services
 - creating the right housing, care and support

5.4 Resources and value for money

5.4.1 The procurement will be carried out in line with Public Contract Regulations whilst ensuring competition is sought to identify best value.

5.4.2 This contract will be managed by Leeds Building Services, who will develop and implement a Contract Management Plan. Performance indicators and service standards will be the same for both internal and external providers. A draft contract management plan will be available for review prior to contract award.

5.4.3 This Contract will seek to encourage a large percentage of Modular Ramps to be recycled throughout the contract term, reducing the need to purchase new units which in turn will reduce waste. Financial discounts and other efficiency savings may be obtained and realised throughout the contract.

5.5 Legal Implications, access to information and call In

5.5.1 A Privacy Impact Assessment was completed from which it was determined that the delivery contractor role would be that of Data Processors. Assessment of how contractors respond to the requirements of the Data Protection Act 1998 is part of the quality evaluation criteria. Documentation will be in line with the Data Protection Act 1998 and we are currently working with the Leeds City Council Information Governance Team in order to develop these.

5.5.2 This contract this decision will be a key decision and will be eligible for call in.

6.0 Conclusions

6.1 This report has evaluated both the proposed procurement route and the framework structure for the delivery of Modular Ramp adaptations to Council properties.

6.2 All available options have been reviewed and concluded that the preferred option would be to establish a framework arrangement using a competitive tender procedure on Yortender amongst contractors who have expressed an interest.

6.3 Establishing a Framework will ensure that the authority maximise the recycling options in order to make efficiencies.

7.0 Recommendations

The Director of Resources & Housing is requested to approve the competitive tender procurement activity to establish a framework for a single provider appointed for a 3 years framework agreement with the option to extend for a further 12 months at for the sum of £550,000 per annum

8.0 Background Papers

None