

Report of: Head of Commercial, Leeds Building Services

Report to: Director of Resources & Housing

Date: 21st February 2019

Subject: Appointment of a Contractor to undertake Public Sector Adaptation Works – Modular Ramps

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| Are specific electoral wards affected? If yes, 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: 10.4(3) | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Appendix 1 | |

Summary of main issues

1. On 26th November 2018, the Director of Resources & Housing authorised a key decision as required under CPR 3.1.6 to carry out the procurement of a new contract to appoint a contractor for the supply, installation and re-cycling of Modular Ramps to Leeds City Council public adaptations. This contract will replace the previous contract which expired 31st December 2018.
2. Following this decision, LBS have undertaken a procurement exercise in their capacity as the contract administrator to establish a contract with a value of £550,000 per annum to commence 18th March 2019 for a 3 year period to February 2022 with an option to extend for a further 12 months
3. Tenders have been received, verified and evaluated for Modular Ramps Installation to public adaptations and one organisation has been identified. As outlined in the tender invitation, a single contractor who scores the highest overall on the price/quality evaluation will be appointed. The purpose of this report is to seek approval to award the contract to the successful bidder
4. Due to some delays in determining the full requirement and procurement strategy Modular Ramps adaptation works are currently being carried out as 'off contract spend' since the expiration of the previous contract in December 2018. Therefore, it is

necessary to award this contract to avoid further 'off contract spend' on this work stream.

5. Recommendation

- 5.1 The Director of Resource & Housing is recommended to note the contents of this report and approve the award of contract to Easibathe Ltd to deliver the survey, supply, installation and recycle of Modular Ramps to public sector adaptations. The contract value is approximately £550,000 per annum and it is proposed that the contract be let for a 3 year period commencing 18th March 2019 with the option to extend for a further 12 months.

1. Purpose of this report

- 1.1 The purpose of this report is to document in detail the procurement processes undertaken, including how tenders were evaluated to identify the preferred provider and award a contract to the selected supplier for the supply and installation of Modular Ramps to public sector adaptations
- 1.2 To obtain approval to award a contract to Easibathe Ltd to deliver the survey, supply, installation and recycle of Modular Ramps to public sector adaptations. The contract value is approximately £550,000 per annum and it is proposed that the contract be let for a 3 year period commencing 18th March 2019 with the option to extend for a further 12 months.
- 1.3 This will ensure that LBS are able to deliver the required adaptation works on behalf of departments across the authority.

2. Background information

- 2.1 LBS managed the delivery of adaptation works under the previous Modular Ramps contract which expired in December 2018.
- 2.2 As the Internal Service Provider, LBS have been commissioned to deliver Modular Ramps Installation across public sector adaptations in sum of approximately £550,000 per annum. LBS will sub-contract the full contract value and the works will include survey, supply, installation and a re-used programme to enable used Modular Ramps to be stored, maintained, reconditioned and re-installed.
- 2.3 LBS do not have the ability to deliver the supply and installation element of this requirement and therefore a contract is required to enable LBS to deliver this service compliantly.
- 2.4 The adaptations team have identified recycling of existing Modular Ramps as a key requirement to delivering efficiencies and the procurement route undertaken supports the implementation of this.
- 2.5 A procurement exercise has been undertaken by LBS to identify one organisation capable of delivering Modular Ramp works to Leeds City Council public adaptations, who will be contract managed by LBS.
- 2.6 The contract will be JCT Measure Term 2011 and the contract value is circa £550,000 per annum. It is proposed to commence 18th March 2019 for a period of 3year to February 2022 with an option to extend for a further 12 months

3. Main issues

- 3.1 The tender documentation was issued through the Councils' tender portal "YORtender" on 26th November 2018 with a tender return date of 21st December 2018.
- 3.2 Invitation to Tenders were sent to the following organisations who had expressed an interest in tendering for the scheme during an expression of interest (EOI) exercise being carried out:
 - Clark & Partners

- Cornel Building Services
- Excell (UK) Limited
- Mears Limited
- Peart Access Ramps Limited
- RDF Building Limited
- Whytes Building Projects
- Wilker UK Limited
- Yorkshire Care Equipment
- Easibathe Ltd

- 3.3 A tender submission was subsequently received from only one contractor (Easibathe Ltd) and the remaining contractors did not submit any bids.
- 3.4 It was not necessary to carry out a PAS91 evaluation because this opportunity was below the OJEU threshold for works. However, a product demonstration was undertaken and assessed by LBS technically qualified personnel and the supplier was also requested to complete and submit method statements in the tender documents to assess their suitability and reactions to a range of different scenarios. A Financial check was carried out and credit reports received to ensure the contractor is not a risk to the authority, copies of which will be kept in file. The selected supplier already successfully supplies modular Ramps to Leeds City Council for private adaptations.
- 3.5 The tender return was assessed on a 40%/60% price quality basis with a proposal that all work be allocated to the successful contractor throughout the contract duration. Details of the process and the scoring mechanism were issued to the tenderers as part of the tender documentation.
- 3.6 The outcome of the evaluation for the tender received was that the bid submitted by Easibathe Ltd has been successful as a result of the price/quality evaluation and the report recommends that the contract to deliver Modular Ramps adaptation works to the public sector be awarded to Easibathe Ltd.
- 3.7 Confidential Appendix 1 of this report sets out the detailed evaluation scores of the contractor for SMT's reference.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 LBS have consulted with Health and Housing Adaptation team, procurement officers including legal officers and property and contracts SMT in identifying and delivering this compliant procurement route.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 An equality impact assessment screening has been completed and has established that there are positive impacts which lead to the improvement of the quality of disabled residents 'domestic living conditions in the city of Leeds.

4.3 Council policies and best council plan

4.3.1 The procurements and resulting work will contribute to the following Best Council Plan objectives:

4.3.1.1 Delivery of Better Live Programme – helping local people with care and support needs to enjoy better lives. With focus on:

- Help people to stay living at home
- Joining up Health and Social care services
- Creating the right housing, care and support

4.4 Resources and value for money

4.4.1 The procurement was carried out in line with the 2015 Public Contract Regulations and the Councils Contract Procedure rules whilst ensuring competition is sought to identify best value.

4.4.2 The established contract including allocation of work packages will be managed by LBS, who will develop and implement a Contract Management Plan. Whilst the performance indicators and service standards will be the same for both internal and external provider, there is a need to have separate plans due to the differences in communication with the provider, payments, process and reporting mechanisms. A draft contract management plan will be available for review prior to contract award.

4.4.3 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 moderate waste. In addition, financial discounts and other efficiency savings may be obtained and realised throughout the contract.

4.5 Legal implications, access to information, and call-in

4.5.1 The procurement route identified is in compliance with the Public Contracts Regulations 2015 and the council's Contract Procedure Rules.

4.5.2 This report is an Significant Operational Decision, as a consequence of the previous Key Decision for the authority to procure, to be taken by the Director of Resources and Housing and therefore is not be subject to call-in.

4.6 Risk management

4.6.1 Key areas to monitor and potential areas of risk are:

4.6.1.1 Ensuring the identified contractor is managed effectively with robust contract management plans being identified and actively implemented.

4.6.1.2 Measures/KPI's included within the specification and encompassed within the Contract Management Plan

5. Conclusion

- 5.1 The procurement process has been undertaken in accordance with the Councils' Contract Procedure Rules and the Public Contract Regulations 2015, with full guidance and support from procurement colleagues.
- 5.2 Following the evaluation and analysis of the bid received this tender represents the most economically advantageous tender for this contract. Therefore, it is proposed that the identified provider, Easibathe Ltd, be appointed as the sole provider to the Modular Ramps work stream to enable LBS to manage this requirement for the benefit of the Council and its Clients.

6. Recommendations

- 6.1 The Director of Resource & Housing is recommended to note the contents of this report and approve the award of contract to Easibathe Ltd to deliver the survey, supply, installation and recycle of Modular Ramps to public sector adaptations. The contract value is approximately £550,000 per annum and it is proposed that the contract be let for a 3 year period commencing 18th March 2019 with the option to extend for a further 12 months.

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.