

**Report of:** Head of Operations Leeds Building Services

**Report to:** Director of Resources and Housing

**Date:** 1<sup>st</sup> October 2019

**Subject:** Public Adaptation Bathing Contractors to undertake the supply and Installation of Bathing Facilities to Domestic Properties - Authority to procure report in line with CPR 3.1.6 – Increase in Contract Value linked to key decision reference D50083

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

## 1. Summary of main issues

A report as a key decision in relation to the procurement strategy for public adaptations for bathing adaptations as required under CPR 3.1.6 was submitted in late September 2019 and the decision was taken on 23<sup>rd</sup> September 2019 and will be effective from 1<sup>st</sup> October 2019 subject to the completion of the call in process.

A link to the report referred to above is here:

<https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=50083>

Since the original key decision was taken additional Disabled Facilities Grant (DFG) funding has been secured which it is anticipated will increase the contract value from £600k per annum to £850k per annum. As a consequence, this report seeks approval for the additional funding as a significant operational decision and as a consequence from the original key decision.

## 2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

- These services support the council's ambition for Leeds to be a compassionate and caring city that tackles poverty and reduces inequality, by making sure that our tenants, including some of the most vulnerable people in our city, are able to live in safe, accessible and well maintained homes.
- The services contribute to the following Best Council Plan ambitions:

- Housing – in particular housing of the right quality, and the key performance indicator of percentage of council housing repairs completed within target; and
- Safe, Strong Communities – in particular keeping people safe from harm and protecting the most vulnerable.
- Health and Wellbeing - Enabling people with care and support needs to have choice and control.

## **Recommendations**

The Director of Resources & Housing is recommended to approve additional funding of £250,000 as a significant operational decision as a consequence to the original key decision (D50083) for the procurement strategy in relation to Public Adaptations Bathing.

## **1.0 Purpose Of This Report**

1.1 The purpose of this report is to seek approval as a significant operational decision to additional funding in connection to a procurement strategy of Public Adaptations Bathing. This decision will be as a consequence to a previous key decision reference D50083. .

## **2.0 Background information**

2.1 LBS currently manage the delivery of works undertaken through the current contract on behalf of departments across the authority.

2.2 These arrangements support LBS in delivery and provide the following works:

- Wet Floor Showers
- Over bath Showers
- Bathroom replacement trays

2.2 Since the original key decision was taken additional Disabled Facilities Grant (DFG) funding has been secured which it is anticipated will increase the contract value from £600k per annum to £850k per annum. As a consequence, this report seeks approval for the additional funding as a significant operational decision and as a consequence from the original key decision.

## **3.0 Main Issues**

3.1 The authority to procure decision was taken on 23<sup>rd</sup> September 19, call in expired and the decision is effective from 1<sup>st</sup> October 2019. Within this time period additional funding provision was identified which equates to a further £250k per annum, taking the contract value to £850k per annum. This is a result of Disabled Facilities Grant (DFG) funding. The contract duration will remain as 3 years with option of 2 further 12 month extensions.

3.2 Therefore in relation to the additional £250,000 this is a Significant Operational Decision (SOD) since it is a consequence of the initial key decision highlighted below.

<https://democracy.leeds.gov.uk/ieDecisionDetails.aspx?ID=50083>

## **4.0 Corporate Considerations**

### **4.1 Consultation and Engagement**

4.1.1 LBS have consulted with:

- LBS Head of Operations
- Housing Leeds Adaptations team

### **4.2 Equality and diversity / cohesion and integration**

4.2.1 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.

### 4.3 **Council Policies and Best Council Plan**

4.3.1 The procurement of these contracts will enable the delivery of adaptations works within the city and therefore contribute to key objectives within the Best Council Plan by;

- Best city for health and wellbeing
- Support more people to live safely in their own homes
- Increase the proportion of people with long-term conditions to feel supported to be independent and to manage their condition.

#### Climate Emergency

4.3.2 At Full Council on 27 March 2019, Leeds City Council passed a motion declaring a Climate Emergency. In addition, the Leeds Climate Commission have proposed a series of science based carbon reduction targets for the city so that Leeds can play its part in keeping global average surface temperature increases to no more than 1.5C.

4.3.3 LBS will contribute to this target by:

- Reducing air pollution e.g. increased electric vehicles and reduction in fuel
- Improving energy efficiency of homes
- Reducing waste and use of resources in delivering repairs and maintenance
- Improving biodiversity outcomes in the repaired homes where possible.

4.3.4 LBS is committed to reducing air pollution and has the largest fleet of electrical vehicles across the Council. Following further expansion of LBS electric vehicles in October 2019, Leeds City Council will have the largest fleet of electric vehicles of any council in England.

4.3.5 The service will also use its influence to improve sustainability outcomes through its procurement activity and supply chain, inviting contractors and local SMEs to set-out their response to climate emergency.

### 4.4 **Resource implications and value for money**

4.4.1 The procurement will be carried out in an open and transparent manner in line with the Council's Contract Procedure Rules whilst ensuring competition is sought to identify best value.

4.4.2 This contract will be managed by LBS, and in line with the council's governance a Contract Management Plan will be put in place which will outline how the contract will be managed, including performance reporting processes and how payments will be made.

### 4.5 **Legal Implications, access to information and call In**

4.5.1 A Privacy Impact Assessment was completed from which it was determined that the delivery contractors 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. The tender documentation will also include standard clauses in line with the Data Protection Act 1998 we are currently working with the Leeds City Council Information Governance Team in order to develop these.

4.5.2 Given the contract value this procurement activity the initial decision was a key decision and eligible for call in. This decision, as a consequence of the original key decision, is a significant operational decision.

4.5.3 This procurement value is below the works OJEU threshold of £4.55m so is a non OJEU procurement, hence the proposal to use Constructionline.

#### **4.6 Risk management**

4.6.1 The procurement exercise will seek to put robust new arrangements and progress will be monitored and managed against the programme.

#### **5.0 Conclusions**

5.1 In conclusion this report clarifies the contract value for the procurement and delivery of public adaptations bathing provision as a result of additional funding of £250,000 per annum secured for this purpose under Disabled Facilitates Grant.

5.2 The procurement strategy will be as detailed in the original key decision report reference D50083 that was approved on 23rd September 2019.

#### **6.0 Recommendations**

6.1 The Director of Resources & Housing is recommended to approve additional funding of £250,000 as a significant operational decision as a consequence to the original key decision (D50083) for the procurement strategy in relation to Public Adaptations Bathing.

#### **7.0 Background Papers**

7.1 None.