

Approval to award the contract for Windows and Doors to Kingfisher UPVC Windows & Doors Ltd.

Date: 2nd July 2024

Report of: Head of Leeds Building Services

Report to: Chief Officer, Civic Enterprise Leeds

Will the decision be open for call in? Yes No

Does the report contain confidential or exempt information? Yes No

Brief summary

This report outlines the tender evaluation of the Windows and Doors tender submissions and seeks to gain approval to award both Lots to Kingfisher UPVC Windows & Doors Ltd.

- Lot 1 - East Leeds housing and non-housing and non-housing west
- Lot 2 - South Leeds housing and non-housing

Recommendations

- a) The Chief Officer Civic Enterprise Leeds is recommended to note this report and approve the award of the following contracts:
 - Lot 1 East Leeds Housing and non-Housing and non-Housing West for Windows and Doors Supply and Fit to Kingfisher UPVC Windows & Doors Ltd for an estimated value per annum of £437,500.
 - Lot 2 South Leeds Housing and non-Housing for Windows and Doors supply and fit to Kingfisher UPVC Windows & Doors Ltd ('Kingfisher') for an estimated value per annum of £437,500.
 - Both contracts will be for a period of 2 years with the option to extend for a further 2 x 12 months with an estimated total value of £3,500,000 over 4 years. The contract will start on the 29th July 2024 and end 28th July 2026 unless extension options are exercised.
- b) Recognises that Appendix 1 should be designated exempt from publications in accordance with Access to Information Procedure Rule 10.4(3).

What is this report about?

- 1 This report provides details of the tender evaluation process and seeks approval from the Chief Officer, Civic Enterprise Leeds to award the two lots outlined for the Windows and Doors tender.
- 2 This report is a consequence from a Key Decision on the 29th November 2023 that approved the procurement strategy to procure contractors via an open tender process. The Authority to Procure report was published on the 7th December 2023 and referred to a budget of £1,000,000 that would cover both Lot 1 and Lot 2.
- 3 A tender opportunity was published on the 16th February 2024 to the YORtender portal as an open tender. The submission date was the 3rd April 2024. Interested organisations were required to complete and submit a PAS91 to demonstrate their past experience, along with their tender submission. The PAS91 contained requirements for interested parties to demonstrate that they had the necessary experience (in the context of looking backwards - historical experience) of undertaking similar works as to those required.
- 4 As was outlined in the tender documents all organisations that achieved the PAS91 requirements then had their tender submission evaluated. This was undertaken on the basis of a price quality separated approach whereby all contractors who scored the minimum quality threshold of 60% on their quality submission were then evaluated on price only.
- 5 By the closing date two tenderers submitted a bid. The two bidders had their PAS91 submission scored and both passed the scoring of the PAS91. Their respective tender quality questions were then scored by members of the evaluation team from within the Leeds Building Services (LBS).
- 6 The evaluation panel made up of three officers from within LBS.
- 7 The pricing element was evaluated by the Commercial Team Quantity Surveyor in Housing Leeds.
- 8 The two submissions were scored in line with the tender evaluation criteria as contained in the tender documents. All tenderers were required to score a minimum quality threshold of 600 points to ensure they could deliver the level of service required.
- 9 The table below outlines the results of the tender evaluation scores.

Bidder	Quality Score	Price Score	Rank
Kingfisher UPVC Windows & Doors Ltd	279.00	600.00	1 st
Contractor B	218.00	Failed to pass the quality threshold required	N/A

- 10 Subsequently in line with the tender instructions regarding the awarding of the Lots, the 1st placed bidder Kingfisher will be awarded Lot 1 East Leeds Housing and non-Housing and West non-Housing and Lot 2 South Leeds south housing and non-housing. We have approached Kingfisher and they have confirmed they have the resources to deliver on both lots including their ability to deliver full scope of requirements (replacements and repairs).

What impact will this proposal have?

- 11 The proposed award of contracts will provide a specific contractor to carry out the supply, fit and repairs of windows and doors to housing and non-housing properties. It will support LBS with providing contractors who can carry out repairs and replacements to windows and doors in properties and ensure that Council properties have safe and secure properties for tenants.
- 12 We have sought clarification from Kingfisher regarding their ability and capacity to deliver both lots requiring them to carry out works for both installation and importantly to deliver repairs of windows and doors in accordance with the specification/scope of work. Kingfisher have confirmed in their correspondence dated 25th April 2024 and 27th April 2024 that they have the ability, resources, technical expertise, and infrastructure in place so as to deliver.

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

Health and Wellbeing Inclusive Growth Zero Carbon

- 13 The proposed award of contracts will support Health and Wellbeing by providing secure windows and doors for tenants and helping live in safe and secure homes. Awarding this contract to Kingfisher will help with the Council's Inclusive Growth ambition since this is a locally based company.
- 14 The contract will deliver social value benefits under themes, measures and outcomes (TOMS) as submitted by the contractor as part of their tender to support inclusive growth in the Leeds city region with supporting local Leeds business and suppliers.
- 15 The contract will support the zero-carbon policy through the carrying out of the wider works improving efficiency of the windows and doors fitted into both housing and non-housing properties.

What consultation and engagement has taken place?

Wards affected: n/a

Have ward members been consulted? Yes No

- 16 Consultation has taken place with Procurement and Commercial Services (PACS) Legal Team and the Construction and Housing Procurement Team to ensure the procurement and subsequent contract is compliant with the Council's Contracts Procedure Rules (CPRs).

What are the resource implications?

- 17 LBS estimate the contract agreement value per annum to be £875,000 per annum based on past spend on windows and doors. The contract agreement is proposed to be for a period of 2 years with the option to extend up to a further 2 x 12 months, so £3,500,000 in total over 4 years.

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

- 18 Risks of procurement challenges will be present in any procurement that is undertaken. To manage this, a fully compliant and transparent tender process has been carried out in line with the CPRs.
- 19 Due diligence has been completed in regard to the proposed contractors for award of contracts with relevant vetting carried out to obtain technical references from previous works of a similar

nature of works, financial checks and due diligence on Health & Safety and safeguarding. Records are stored on file for audit purposes.

What are the legal implications?

- 20 This is a publishable administrative decision and is not eligible for call in. Other than Appendix 1 – Tender Analysis Report, there are no grounds for keeping the contents of this report confidential under the Access to Information Rules.
- 21 This procurement has been undertaken in compliance with the Council's CPRs. The tender has been evaluated in accordance with the evaluation criteria set out in the tender documents. Following the tender evaluation, the successful contractor has been identified as Lot 1 Windows and Doors East Leeds housing and non-housing and non-housing west and Lot 2 South Leeds housing and non-housing.
- 22 The information in Appendix 1 of this report has been identified as exempt/confidential under the Access to Information Rules 10.4 (3). The public interest in maintaining the exemption in relation to the confidential appendices outweighs the public interest in disclosing the information and financial details which, if disclosed would adversely affect the business of the Council and the business affairs of a number of individual companies.

Options, timescales and measuring success

What other options were considered?

- 23 Several frameworks were explored to see if these could support the procurement of the supply and fit of Windows and Doors, specific details of these and the conclusions were included in the authority to procure report at Paragraphs 28 – 30 that is part of the appendix.

How will success be measured?

- 24 KPIs as contained in the tender will be managed and monitored and will contribute to measuring the success of the contract.
- 25 The contract will be delivered and supported with a robust contract management in place, that will be the responsibility of the contract manager in LBS.

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

- 26 Contract Award July 2024.
- 27 Contract Start August 2024.
- 28 Implementation will be carried out by the Head of Leeds Building Services and Team Managers in the wider LBS team.

Appendices

- Appendix 1 – Tender Analysis Report (confidential).

Background papers

- Authority to Procure Report: [Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk/council-and-democracy)