

REPORT TO CABINET

Open		Would any decisions proposed :		
Any especially affected Wards	Mandatory	(a) Be entirely within cabinet's powers to decide	YES	
None		(b) Need to be recommendations to Council	NO	
		(c) Is it a Key Decision	YES	
Lead Member: Cllr Adrian Lawrence E-mail: cldr.adrian.lawrence@west-norfolk.gov.uk		Other Cabinet Members consulted:		
		Other Members consulted:		
Lead Officer: Tony Hague, Procurement E-mail: tony.hague@west-norfolk.gov.uk Direct Dial: 01553 616791		Other Officers consulted: Ray Harding, Jo Russell, Ian Hebburn, Martin Gibbs		
Financial Implications YES	Policy/Personnel Implications YES	Statutory Implications YES	Equal Impact Assessment YES	Risk Management Implications YES

Date of meeting: 9 September 2015

FRAMEWORK AGREEMENT FOR CARE & REPAIR GRANT WORKS

Summary

A tender process has been carried out to establish a framework agreement for aids and adaptations works managed by Care & Repair. The majority of the works carried out under the proposed framework will be level access showers and external access ramps and hard-standings. Most of these works are grant funded.

Recommendation

It is recommended that Cabinet approve the signing of framework agreements with eight contractors named in this report.

Reason for Decision

To ensure that the Council obtains best value for the grants that it administers for aids and adaptations work for elderly and vulnerable people.

BACKGROUND AND DETAIL

1. The proposed framework is a response to a situation where the Council, for some time, has been awarding large numbers of small contracts to contractors without openly advertising a tender competition.
2. The works to be covered by the proposed framework include some managed by Care & Repair on behalf of Breckland District Council and Fenland District Council. The framework is intended to operate for an initial 12 month period but may be extended provided the total contract values do not exceed £1.75m across the three Council areas.
3. The establishment of the framework has been complicated by the fact that the contracts for most of the work are actually between the

householder and the contractor, rather than between the Council and the contractor. The payments being made by the Councils being a grant rather than a payment of an invoice for works carried out.

4. It is also difficult to maintain a competitive situation because we cannot ask large numbers of contractors to visit the homes of vulnerable residents to price each job. The legal agreement that is proposed for the framework has been specially drafted to cater for the fact that contracts let under its terms and conditions will be between the household and the contractor.
5. A tender was openly advertised and 45 companies expressed an interest and were sent a pre-qualification questionnaire (PQQ). Of these 27 firms submitted completed questionnaires. The PQQs were evaluated to select the firms most experienced in the relevant types of work, able to supply good references and based locally to the areas served. 20 firms were selected to tender.
6. The tender was split geographically into four areas: - BCKLWN (south) – Lot 1; BCKLWN (north) – Lot 2; Breckland – Lot 3 and Fenland – Lot 4. This gave the opportunity for smaller suppliers to only tender for work in their local areas.
7. Having qualified the potential suppliers through the PQQ process, the tender was based solely on price. To simplify the process, the Care & Repair technical team constructed a base schedule of rates for all of the tasks normally involved in the installation of level access showers and external access ramps. These rates were based on the average rates used for 150 recent Care & Repair installations. Tenderers were asked to tender an adjustment, up or down, in percentage terms to be applied to the base schedule of rates for any works that they undertake under the framework.
8. From the 20 firms invited to tender 16 valid tenders were submitted by the tender deadline on 17 August. Only 7 of these tendered for all four lots. The range of price adjustments varied between -17.5% and +45%, but 8 of the 16 tenders were for zero or minus adjustments.
9. In accordance with the Invitation to tender we have selected three contractors to be “ranked” 1, 2 and 3 in each geographic lot and three reserves in each lot. The ranked contractors will each be offered decreasing proportions of the works that are required in the respective lots and, if they are unable to complete the works in the time required, the work will filter down to the lower ranked or reserve contractors.
10. It is proposed to appoint a total of 8 contractors to the framework and these firms, together with their positions for each lot are as follows: -
 - D. Brown Building Contractors Ltd – ranked 1st in lots 1, 2 and 4
 - Wyatt Building Services – ranked 1st in lot 3 and 2nd in lots 1 and 2
 - Futureheat PH&M Services Ltd – ranked 2nd in lot 4 and 3rd in lot 1
 - T. M Browne Ltd – ranked 2nd in lot 3, 3rd in lots 2 and 4 and reserve in lot 1

CLC Contractors Ltd – ranked 3rd in lot 3 and reserve in the other
lots

Foster Property Maintenance – reserve in all lots

Chas. D. Alflatt Ltd – reserve in lots 2, 3 and 4

Clive Clark – reserve in lot 3.

11. When larger adaption works, not covered by the base schedule of rates, are required a further competition will be conducted between the contractors listed for the appropriate geographic lot.

Policy Implications

The proposed framework is in compliance with Contract Standing Orders.

Financial Implications

The competitive nature of the tenders should ensure that the Council obtains best value for the grant funding that it has available.

Statutory Considerations

The proposed framework will be compliant with Public Procurement Regulations.

Equality Impact Assessment (EIA)

Completed pre-screening form attached

Risk Management Implications

If the framework is not put in place the Council will continue to be at risk of challenge for not putting the work out to open competition.

Background Papers