

NOTICE OF MEETING

Decision by the Leader of the Council

FRIDAY, 11TH JANUARY, 2013 at 14:30 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

AGENDA

1. URGENT BUSINESS

The Leader of the Council will advise of any items they have decided to take as Urgent Business and these will be considered under Item 4 below.

2. DISABLED ADAPTATIONS FRAMEWORK AGREEMENT EXTENSION (PAGES 1 - 4)

The report seeks approval to extend the Disabled Adaptations Framework Agreement with the existing contractors for a period of one year.

3. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded as the item below contains exempt information, as defined under paragraph 3, Part 1, schedule 12A of the Local Government Act 1972.

4. NEW ITEMS OF URGENT BUSINESS

To consider any new items of Urgent Business admitted under Item 1 above.

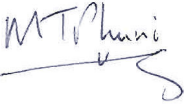
5. DISABLED ADAPTATIONS FRAMEWORK AGREEMENT EXTENSION (PAGES 5 - 6)

To consider exempt information in relation to Item 2 above.

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Report for:	Leader's Decision on 11th January 2013	Item Number:	
Title:	Disabled Adaptations Framework Agreement Extension (Procurement Report)		
Report Authorised by:	Mun Thong Phung, Director of Adult and Housing Services 		
Lead Officer:	Pauline Walker-Mitchell, Head of Occupational Therapy and Adaptations Service. Tel: 020 8489 1655. E-mail Pauline.walker-mitchell@haringey.gov.uk		
Ward(s) affected: All	Report for: Key Decision		

1 Describe the issue under consideration

- 1.1 To seek Cabinet approval to extend the Disabled Adaptations Framework Agreement with the existing contractors for a period of 1 year and thereafter, utilise the existing Minor Works Framework for this work whilst the Council's Procurement Service, as part of the London Construction Programme, formulate a strategy for construction projects for all of London. Part of this strategy is for the setting up of London-wide specialist procurements of which Adaptations is one. As this is a protracted exercise, it is envisaged that the new framework for adaptations will not be in place after the current one expires in January 2013.
- 1.2 Effectable Construction Services and Mullaley and Company Limited are currently operating under the existing Disabled Adaptations Framework.

2 Cabinet Member introduction

- 2.1 The Council established a Framework Agreement for the provision of disabled adaptations by means of conducting a procurement process which was compliant with European procurement legislation (the Public Contracts Regulations 2006). The Framework Agreement came into effect on 23rd January 2009.



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- 2.2 The Framework Agreement was awarded for a period of two years with the option to extend for a further two years on an annual basis, subject to satisfactory performance of the contractors.

3 Recommendations

- 3.1 In accordance with CSO 10.02.2 that the Disabled Adaptations Framework Agreements with Effectable Construction Services Ltd and Mullaley and Company Limited be extended for a further period of 1 year.

4 Alternative options considered

- 4.1 As part of the London Construction Programme, Haringey is formulating a strategy for construction projects for all of London. Part of this strategy is for the setting up of London-wide specialist procurements of which Adaptations is one of these. However, as a Pan-London Adaptations Framework will not be in place until the start of 2014, this option is not yet available. Should the procurement of the Pan-London Framework not yet be complete by the end of the recommended extension, it is proposed to make use of the Minor Works Framework as a short term alternative.
- 4.2 Another option considered is to start using the Minor Works Framework straight after the expiry in January 2013 of the existing Adaptations Framework as an interim measure until the London-wide framework can be put in place. However using the Minor Works Framework requires constantly running mini competitions to call off new work orders as they are needed. Apart from being labour intensive, this creates a time delay in carrying out required adaptations and would be detrimental to prompt delivery of service to users. On the other hand, continuing to use the current framework provision offers prompt delivery with a good level of service and is therefore the recommended option.

5 Background information

- 5.1 The Disabled Adaptations Framework Agreement was awarded in January 2009 for a period of 2 years, with the option to extend for up to a further 2 years subject to satisfactory performance.
- 5.2 Cabinet Procurement Committee agreed to an initial 1 year extension of the Framework Agreement in December 2010. Under CSO 10.02.2, Director's approval was given for a second 1 year extension in December 2011.
- 5.3 The Framework Agreement has significantly reduced the time taken from referral to occupational therapy to the provision of a major adaptation (end to end process), enhancing the service provided for the residents of Haringey living in Council and non-Council properties.



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The performance of the contractors has been satisfactory throughout the initial contract term and the following two years of the extension of the Framework Agreement as referred to in Appendix A (exempt).

6 Comments of the Chief Finance Officer and financial implications

- 6.1 Disabled Adaptations are accounted for as part of the Capital Programme. The total budget available in 2012-13 is £2,736k with funding coming partly from government grant (£836k), partly from Council resources (£700k) and partly from the HRA (£1,200k for adaptations to the Council's own properties.) A similar amount has been included in the draft capital programme for 2013-14 and the following two years. The works described in this report can be fully funded within this allocation so there are no new financial implications arising.
- 6.2 The report seeks approval to further extend the existing contract for one year beyond the original life of the contract without going through a further tendering process. This is proposed as the service intends to make new arrangements within less than a year and wishes to avoid the costs involved in a tendering exercise. Before granting this extension the Cabinet needs to have assurance that the contract is meeting performance requirements and does offer value for money.

7 Head of Legal Services and legal implications

- 7.1 The report is seeking an extension to the existing disabled adaptations framework agreement which is subject to EU procurement rules as reflected in the Public Contract Regulations 2006 ("PCR 2006").
- 7.2 Under CSO 10.02.2, the Cabinet may extend a contract providing that to do so is consistent with the PCR 2006 and the Council's Financial Regulations.
- 7.3 Further considerations on the exercise of the discretion whether to extend are set out in Appendix A (Exempt Information).
- 7.4 Subject to the considerations referred to in paragraph 7.3, there are no legal reasons preventing Members from approving the recommendation in paragraph 3 of this report.

8 Equalities and Community Cohesion Comments

- 8.1 Equality considerations have been taken into account during the procurement process of this contract. Therefore there are no equality concerns to extend this contract for another year.



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9 Head of Procurement Comments

- 9.1 This request to extend the existing contract will ensure a steady state of service delivery with regards Disabled Adaptations, whilst a Pan-London procurement strategy is initiated and which is due to be advertised in Q4 of 2012/13.
- 9.2 That procurement process will take between 9-12 months to conclude. The decision to extend is in the Council's overall best interest.

10 Policy Implication

- 10.1 [Think Local, Act Personal](#) as adaptations in the home enable people to live independently and inter-dependently, at home, maximising their independence, choice and control over their lives.

11 Reasons for Decision

- 11.1 The proposed extension is required to enable Haringey to set up a new London-Wide Adaptations contract.

12 Use of Appendices

- 12.1 Exempt Information - Appendix A.

13 Local Government (Access to Information) Act 1985

- 13.1 This report contains exempt and non-exempt information. The exempt information is set out in Appendix A and is not for publication as it contains information classified as exempt under Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

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