



Haringey Council

Report for:	Cabinet - 11 February 2014	Item Number:	
Title:	Disabled Adaptations Framework Agreement		
Report Authorised by:	Mun Thong Phung, Director of Adult Social Services		
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Ward(s) affected: All	Report for: Key Decision		

1 Describe the issue under consideration

- 1.1 To seek Cabinet approval to enter into a Framework Agreement for the provision of disabled adaptations with a single contractor for a period of one year as an interim option whilst the Council's Corporate Procurement Unit (Construction Procurement Group), 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 London wide framework for adaptations will not be in place after the current one expires in January 2014.
- 1.2 Effectable Construction Services and Mullaley and Company Limited are the current framework providers for 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.
- 2.3 The Framework Agreement ran successfully and was extended for a further three years. This Framework was used until 22nd January 2014. Since then projects are awarded through the Council's Minor Works Framework Agreement.

3 Recommendations

- 3.1 That as allowed under Contract Standing Order (CSO) 9.07 (contracts over £250,000), Members approve the proposal to enter into a Framework Agreement for the provision of disabled adaptations with a single contractor Effectable Construction Services Limited, for one year for a total estimated value of £3,000,000 as an interim arrangement to Corporate Procurement's Unit's (Construction Procurement Group's) Pan London strategy on disabled adaptations.

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 Disabled Adaptations is one of these. However, as a Pan-London Adaptations Framework for the Less Able will not be in place until late 2014 at the earliest, this option is not yet available.
- 4.2 Another option considered is to continue to use the Minor Works 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, the use of a single contractor will offer 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. The final extension to the framework until 22nd January 2014 was given under Leader Approval in January 2013



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- 5.3 The Framework Agreement has significantly reduced the time taken from referral to occupational therapy to the provision of a disabled adaptation (end to end process), enhancing the service provided for the residents of Haringey living in Council and non-Council properties.
- 5.4 The performance of the contractors has been satisfactory throughout the duration of the Framework Agreement.

6 Procurement Process

- 6.1 Competitive tenders were invited from four contractors who were selected from Constructionline, (a government managed UK register of pre-qualified construction services database) One company declined to tender. Three companies submitted a tender which were based on a 60% quality and 40% price bid. The tender returns were based on a hypothetical throughput of work for a year. This was based on previous year's actual work outputs.
- 6.2 A Quality Assessment was conducted by an Evaluation Panel, comprising of the Adaptations team. A pre agreed list of questions relevant to this project was included as part of the Qualitative Delivery Proposals (QDP).
- 6.3 The recommended tender bid scored the highest marks for both cost and quality.
- 6.4 The recommended tender submission is considered to offer good value for money.
- 6.5 A summary of the tender submissions evaluation matrix is set out in the table below:

Tenderer	Price Points Awarded	Quality Points Awarded	Total Points Awarded (out of 100)
Effectable Construction Services Limited	40.00%	53.40%	93.40%
Supplier B	29.77%	24.60%	54.37%
Supplier C	23.92%	29.40%	53.32%

*Neither Supplier B or C achieved the minimum quality score.

A query was raised with Effectable Construction Services Limited to confirm the deliverability of its tendered pricing. In response Effectable Construction Services Limited confirmed that they can comply with the terms of the tender.

7 Comments of the Chief Finance Officer and financial implications

- 7.1 The report is seeking Members approval to enter into a Framework Agreement for the provision of disabled adaptations with a single contractor Effectable Construction Services Limited, for one year for a total estimated value of £3,000,000.



- 7.2 The alternative option would be to use the Minor Works Framework, however it is noted that this would be more labour intensive and may cause disruptions to clients
- 7.3 The price points in paragraph 6.5 provide assurance that Effectable Construction Services Limited provides the best price at the best quality compared with the other tenderers.
- 7.4 The Adaptations budgets for Disabled Facilities and Council adaptations are £2736k and funded through a mixture of HRA and general fund capital. The estimated value of the contract is £3m and this provides the council some flexibility if there is a requirement to spend more.

8 Head of Legal Services and legal implications

- 8.1 The framework agreement to which this report relates is for constructions works with an estimated value of £3,000,000. As this is below the applicable threshold for EU tendering, the EU procurement regime does not apply to this procurement. However the Council's Contract Standing Orders still apply and the framework agreement was tendered in accordance with them.
- 8.2 Contractors were selected by the Council's Construction Procurement Group from Constructionline and invited to tender. The use of 'Constructionline' as a pre-qualified list for specialist works was approved by the Procurement Committee on 16 September 2010.
- 8.3 This report is recommending award of the framework agreement to the contractor selected based on the most economically advantageous tender.
- 8.4 As the total estimated value of the contracts to be awarded under the framework agreement is likely to exceed £250,000, the proposed award must be approved by Cabinet pursuant to CSO 9.07(1).
- 8.5 The award of this framework agreement is a Key Decision and as such must be included in the Forward Plan. The Adaptations Service has confirmed that has been done.
- 8.6 The Head of Legal Services sees no legal reasons preventing Members from approving the recommendations in paragraph 3 of the report.

9 Equalities and Community Cohesion Comments



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- 9.1 In procurement as in all the other functions of the Council, the public sector equality duty applies. Compliance to this duty is enshrined in the Council's Procurement Code of Practice - Guide to Procurement – November 2013.
- 9.2 The procurement process described in this report and used to select the preferred bidder is broadly in line with that Guide which has equality considerations embedded at the key stages of the procurement process.

10 Head of Procurement Comments

- 10.1 The interim one year Disabled Adaptations Framework Agreement 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 this year (2014). The tenderers were selected from Constructionline, (a government managed UK register of pre-qualified construction services database, and four contractors were invited to tender.
- 10.2 That the Pan London procurement process will take between 9 -12 months to conclude. The decision to procure a one year interim framework is in the Council's overall best interest.

11 Policy Implication

- 11.1 Adaptations in the home enable people to live independently and inter-dependently, maximising their "independence, choice and control" over their lives. This is a key criteria of [Think Local, Act Personal](#).
- 11.2 This is in line with the Government's current agenda for personalisation and integration, the provision of adaptations will sustain individuals in their own homes as opposed to going into long term care. The Disabled Facilities Grant for major adaptations forms part of the Haringey Better Care Fund for the integration of health and social care. This integration plan will be submitted to NHS England on 14th February 2014.
- 11.3 As part of the 'One Borough Focus' all those residents requiring an adaptation will receive a high quality service which improves their life style, enables them to do more for themselves with the potential to reduce overall costs to the Council.

12 Reasons for Decision

- 12.1 The proposed single contractor framework agreement for disabled adaptations is required to allow time to enable Haringey to set up a new Pan-London Adaptations contract.

13 Use of Appendices



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13.1 Exempt Information - Appendix A.

14 Local Government (Access to Information) Act 1985

14.1 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).