

	<b>REPORT TO CABINET TO BE HELD ON 12 APRIL 2016</b>
	<b>Key Decision</b> <b>YES</b>  <b>Forward Plan Ref No</b>
<b>Corporate Priority Good quality affordable housing for all.</b>	<b>Cabinet Portfolio</b> <b>Cllr Bill Chatt</b> <b>Holder</b> <b>Cabinet Member for Public Health and Housing</b>

**REPORT OF: DIRECTOR (TW) 16/083**

**WARDS AFFECTED: ALL**

**SUBJECT: RENEWAL OF A FRAMEWORK AGREEMENT FOR CONTRACTORS CARRYING OUT DISABLED ADAPTATIONS**

**RECOMMENDATION (S):**

Cabinet is recommended to approve

1. The offer for tender of a framework contract, to those contractors identified though a compliant pre-qualification process; and
2. Entry into a framework contract with the successful tenderers.

**REASON FOR RECOMMENDATION (S):**

To:

1. Comply with EU Procurement Rules and the Council's Financial and Contract Procedure Rules.
2. Ensure that there are competent contractors approved to carry out adaptations for grant applicants.
3. Achieve a consistent standard of service from contractors.
4. Provide an efficient means of carrying out adaptations.

**HIGHLIGHTED RISKS:**

1. Risk of failing to comply with EU Procurement Rules and the Council's Financial and Contract Procedure Rules.
2. Risk of appointing unsatisfactory contractors who do not meet the needs of the Council or its disabled clients.

## **1. INTRODUCTION**

- 1.1 In November 2011 Cabinet considered report 1153. Further to that report the Council agreed entry into contract with a number of successful tenderers via a framework agreement to support the delivery of disabled adaptations. These adaptations are needed as part of the Council's obligation to provide Disabled Facilities Grants and associated work. Administration of these grants is provided by the White Rose Home Improvement Agency on behalf of both Scarborough Borough and Ryedale District Councils.
- 1.2 The existing framework is now due for renewal. In addition the range of works on that framework agreement needs to be extended.
- 1.3 This report seeks agreement to re-tender for that agreement and to enter into a framework agreement with a list of successful tenderers.

## **2. CORPORATE AIMS/PRIORITIES AND THE COMMUNITY PLAN**

- 2.1 Effective procurement is identified as a key aim in relation to improving the Council.

## **3. BACKGROUND AND ISSUES**

- 3.1 The introduction of a framework agreement of contractors to support the provision of adaptations has been a success. Jobs are allocated to a list of contractors on a rotational basis. The cost of the adaptations based on an agreed schedule of rates and contractors are tied in to complying with agreed timescales and service standards. This approach brought efficiencies in terms of cost per individual job as well as reduced administration for the Home Improvement Agency.
- 3.2 The current agreement extends over both the Scarborough Borough and Ryedale District areas. This financial year it is forecast that the total potential value of works undertaken via this agreement over both areas shall be in the region of £1.5M.
- 3.3 The existing framework is due for renewal. The opportunity to tender therefore will be advertised in accordance with EU regulations and a pre qualification questionnaire will be used to prior to the contractors being asked to submit tenders.
- 3.4 Those contractors who are deemed compliant through the pre qualification questionnaire will then be invited to submit a tender based on a standard specification for the different types of works, which has been drawn up and agreed across the districts. Contractors will be invited to tender for different lots, with the option to bid for multiple lots if they desire.

- 3.5 Lots will be based on the Scarborough / Ryedale areas and shall include a number of different types of work including ramps, showers and heating improvements.
- 3.6 Other Councils within the County who are members of the North Yorkshire Procurement Partnership will be offered the opportunity to participate in this process. Where they choose to do so separate lots for their own areas will be tendered. The process shall be led by the Borough Council as lead authority for that partnership.
- 3.7 It is anticipated that using a framework agreement, will continue to allow the existing local contractors to continue to provide services for the Council's grant applicants, but with a greater level of efficiency and service.

#### **4. CONSULTATION**

- 4.1 Consultation has been undertaken with officers from all participating authorities to ensure that the specification for the contract meets the requirements of each Council.

#### **5. ASSESSMENT**

- 5.1 An agreement is needed to ensure that the Council complies with its Contract Procedure Rules. Contracts are required to ensure that the Council has a sufficient number of suitably qualified contractors to help it meet its obligations to provide adaptations. The agreement ensures that value for money is achieved as well as ensuring that service standards are met.
- 5.2 On completion of the proposed process it is recommended that the Council enters in contract with successful tenderers.

#### **6. IMPLICATIONS**

##### **6.1 Policy**

There are no policy issues arising from this report.

##### **6.2 Legal**

The tender process complies with the Council's Financial and Contract Procedure Rules. Officers within Legal Services have prepared relevant contract notices, pre-qualification questionnaires and tender specification documents. This report is part of that process.

### 6.3 Financial

The recommendation contained in this report will enable the Council to demonstrate best value in the award of grants for the relevant works.



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**Background Papers:**  
None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT LYNN WILLIAMS ON 01723 232323 or e-mail [lynn.williams@scarborough.gov.uk](mailto:lynn.williams@scarborough.gov.uk)

## RISK ASSESSMENT

<b>Risk Ref</b>	<b>Date</b>	<b>Risk</b>	<b>Consequences</b>	<b>Mitigation</b>	<b>Current Risk Score</b>	<b>Target Score</b>	<b>Service Unit Manager/ Responsible Officer</b>	<b>Action Plan</b>
1	April 2016	Risk of failing to comply with EU Procurement Rules and the Council's Financial and Contract Procedure Rules.	Legal Challenge	Compliance with Procurement Rules	A1	A1	Housing Manager	
2	April 2016	Council does not re-tender for this contract	Increased cost. Failure to get value for money when undertaking statutory obligations	Re-tender agreed	A1	A1	Housing Manager	

## Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

## Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

### Likelihood:

A = Very Low  
 B = Not Likely  
 C = Likely  
 D = Very Likely  
 E = Almost Certain

### Impact

1 = Low  
 2 = Minor  
 3 = Medium  
 4 = Major  
 5 = Disaster

