

REPORT TO: Executive Board

DATE: 2 April 2009

REPORTING OFFICER: Strategic Director – Health & Community

SUBJECT: Urgent authorisation of extension of Contracts for the provision of Minor Adaptations and Stair Lifts.

WARD(S) Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 To notify the Board of the decision by the Chief Executive in awarding two contracts as a matter of urgency due to unforeseen circumstances.
- 1.2 To seek authorisation from the Board for further extension of the two contracts in the light of the exceptional circumstances and urgency of the situation.

2.0 RECOMMENDATION: That:

- 1) **It be noted that on 18 March 2009 the Chief Executive under Standing Order 1.7 Procurement Standing Orders authorised:**
- i) **the extension of contractual arrangements with JC Construction Limited until 2 April 2009 in order that a report can be submitted to the Executive Board requesting an extension until 31 March 2010 to enable the Council to complete a competitive tendering exercise for the Minor Adaptations Service contract commencing 1st April 2010.**
 - ii) **the extension of contractual arrangements with Lift Able Ltd until 2 April 2009 in order that a report can be submitted to the Executive requesting an extension until 31 March 2010 to enable the Council to complete a competitive tendering exercise for the stair lift service with the new contract commencing no later than 1 April 2010;**
- 2) **With effect from and including 2 April 2009 and for the purposes of Standing Order 1.6:**
- i) **In the exceptional circumstances – namely the**

need to allow time to explore the extent to which this and other contracts can be combined with other low level preventative services to improve economy, efficiency and effectiveness - set out below, Procurement Standing Orders 3.1-3.7 be waived to allow the existing contractual arrangements with JC Construction Limited to be extended until 31 March 2010 in order that during the period of extension the Council is able to complete a competitive tendering exercise for the Minor Adaptations Service contract commencing 1st April 2010;

ii) In the exceptional circumstances – namely the need to explore and finalise a central purchasing arrangement for this service with Northern Housing Consortium, Procurement Standing Orders 3.1-3.7 be waived to allow the existing contractual arrangements with Lift Able Ltd to be extended until 31 March 2010 so that during the period of extension the Council is able to complete a competitive tendering exercise for the stair lift service with the new contract commencing no later than 1 April 2010;

- 3) The Operational Director (Older People and Independent Living Services) in consultation with the relevant portfolio-holder be authorised to take such actions in respect of the above contracts as may be necessary to consolidate arrangements with other low level preventative services, to tender and to award the above contracts individually or on a consolidated basis; and**
- 4) In relation to the above it be resolved that these matters require immediate action.**

3.0 BACKGROUND

3.1 The powers of the Chief Executive have had to be utilised for a period of 48 hours between the contract expiry (31 March 2009) and date of the Board meeting (2 April 2009). This occurred because the Department of Communities and Local Government notification of the successful bids for funding for the Handyperson Service was delayed. In addition it is attributable to capacity issues within the service and the team having to prioritise the domiciliary care and residential care contracts.

4.0 SUPPORTING INFORMATION

4.1 CONTRACT FOR THE PROVISION OF MINOR ADAPTATIONS

- 4.2 A contract for the provision of minor adaptations has existed between Halton Borough Council and JC Construction Limited since April 2006. The awarding of the contract followed a full tendering process and a contract awarded for £52,000 per annum. The contract was due to expire on 31 March 2009.
- 4.3 Since the contract has been in place a responsive service has been provided for disabled people requiring minor adaptations, negating the need to obtain prices for individual jobs and improving service performance for the provision of minor adaptations within 7 days.
- 4.4 The service has provided an average of 1,500 minor adaptations per year at an average unit cost of £35. These include mainly handrails and stair rails but floor fixed toilet frames have also been provided. Some people only require a single minor adaptation but in other cases several pieces of work have been carried out.
- 4.5 Feedback from people using the service has been extremely positive with comments about the speed of provision, the courtesy of the provider, satisfaction with the work carried out and the improvement this has made to independence.
- 4.6 Over the last 3 years, JC Construction Ltd has provided additional services to the value of a maximum of £20,000 per annum. As part of the tendering process the new specification for the provision of minor adaptations will be expanded to provide a more comprehensive service and will include external adaptations such as half steps and external rails.
- 4.7 It is proposed that the new contract will last for a period of 3 years and will offer an option to extend beyond that for a further 2 years, subject to specified outcomes being delivered and specified targets being met.
- 4.8 The cost of the contract for 2009/10 and subsequent years will be met from existing available budgetary provision.
- 4.9 The absence of a contract would delay provision of minor adaptations and have a detrimental impact on service performance.
- 5.0 CONTRACT FOR THE PROVISION OF STAIR LIFTS FOR DISABLED PEOPLE**
- 5.1 A contract for the provision of stair lifts has existed between Halton Borough Council and Lift Able Limited since 1 April 2008. The awarding of the contract followed a full tendering process. The contract was due to expire on 31 March 2009. This contract is on a non-exclusive basis. If required, for flexibility purposes, the Council can go to other suppliers if for example Lift Able are not able to provide a lift.

- 5.2 Since the contract has been in place a responsive, timely service has been provided for disabled people requiring stair lifts. Stair lifts have been removed from the Disabled Facilities Grant process as a result and this has simplified and reduced the time-scales involved in the process for installing stair lifts. This has improved the service for users including those with palliative care needs.
- 5.3 The service has provided 73 stair lifts to date in 2008/09. These have ranged in price from £1,500 to £4,000 depending on complexity. In palliative care cases it has been possible to install stair lifts within 10 days and more complex lifts have taken between 6-8 weeks to install. These figures compare with several months for stair lifts provided through the Disabled Facilities Grant process.
- 5.4 Feedback from people using the service has been positive with comments about the speed of provision and the helpfulness of the Lift Able representative. Initial problems in the early stages of the contract have been resolved and regular monitoring arrangements are in place.
- 5.5 The new specification for the provision of stair lifts will provide the opportunity to consider taking advantage of the framework agreement for the provision of stair lifts that has been negotiated by the Northern Housing Consortium with a number of providers. This would offer greater flexibility and choice.
- 5.6 It is proposed that the new contract will last for a period of 3 years and will offer an option to extend beyond that for a further 2 years, subject to specified outcomes being delivered and specified targets being met.
- 5.7 The cost of the contract for 2009/10 and subsequent years will be met from existing available budgetary provision.
- 5.8 The need to explore and finalise the option of a central purchasing arrangement for this service with Northern Housing Consortium has proved more complex than anticipated as this is a new service developed by the Consortium but one that could lead to improved efficiencies and flexibilities.
- 5.9 The absence of a contract for the provision of stair lifts would result in these being provided through the Disabled Facilities Grant process with the associated delays of that system.

6.0 BUSINESS CASE FOR WAIVING STANDING ORDERS

6.1 Value for Money

The current services having been awarded following full tendering processes represent value for money and are recognised as providing a quality service. However, by undertaking a competitive tendering exercise in 2009 the authority will be retesting the market to ensure continued value for money.

6.2 Transparency

The quality of the services will continue to be reviewed by the Operational Director for Older People and the proposed tender processes will be open to public scrutiny under the Freedom of Information and Local Government Acts. The processes will also be subject to scrutiny by internal audit.

6.3 Propriety and Security

The usual anti-corruption/integrity clauses are built into the contract documents and only staff with a need to know will have information about the contract.

6.4 Accountability

Accountability for the report and recommendations would remain with the relevant Operation Director. The decision is a matter for the Sub-Committee but would appear to be consistent with the Council public stewardship duties in relation to use of resources. The process and paperwork is open to the annual audit process, internal audit and access by other regulatory and enforcement bodies.

6.5 Position of the contracts under the Public Contracts Regulations 2006

The contracts are exempt as their value is below the financial threshold. They remain subject to the fundamental transparency and non-distortion of competition requirements.

7.0 POLICY IMPLICATIONS

7.1 The Handyperson Service will provide an opportunity to explore the extent to which the development of this service and the contract for the provision of minor adaptations can be combined to improve economy, efficiency and effectiveness.

8.0 FINANCIAL IMPLICATIONS

8.1 Contract for provision of minor adaptations – The estimated cost of the 12 month extension of the contract for the existing service is £72,000.

8.2 Contract for provision of stair lifts – The estimated cost of the 12 month extension of the contract for the existing service is

£92,000.

9.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

9.1 Children & Young People in Halton

Minor adaptations and stair lifts will continue to be provided for children under these contracts.

9.2 Employment, Learning & Skills in Halton

None identified.

9.3 A Healthy Halton

Provision of minor adaptations and stair lifts will improve the independence of vulnerable people, enabling them to continue to bathe, improve access within the home, use other facilities safely and reduce the risk of falls.

9.4 A Safer Halton

Provision of minor adaptations and stair lifts will reduce the risk of falls both within and immediately outside the properties of vulnerable people.

9.5 Halton's Urban Renewal

None identified.

10.0 RISK ANALYSIS

10.1 As more people with increasingly complex needs are enabled to continue to live at home independently there is a risk that the level of service required will expand beyond existing capacity. Monitoring demand will assist in planning for and managing this eventuality.

11.0 EQUALITY AND DIVERSITY ISSUES

11.1 These services will be provided to all service user groups.

12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

None