



EXECUTIVE BOARD DECISION

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| REPORT OF: | Executive Member for Adults Social Care & Health |
| LEAD OFFICERS: | Strategic Director of Adults and Health |
| DATE: | Thursday, 9 March 2023 |

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| PORTFOLIO/S AFFECTED: | Adults Social Care & Health |
| WARD/S AFFECTED: | (All Wards); |
| KEY DECISION: | N |

SUBJECT: Lifting Contracts

1. EXECUTIVE SUMMARY

The purpose of this report is to provide an update to the Executive Board on the need for the Council to retender the Equipment Lifting Contracts currently in place, to seek agreement to proceed with a procurement process that will cover both Adults and Childrens provision.

Background

The Council currently has a contractual arrangement approved under a waiver from the Contract Procurement Procedure Rules in place with Handicare Accessibility Limited for the installation and ongoing maintenance of Stairlifts, Through Floor Lifts and External Lifts in domestic settings. Also in place is a contract with Direct Healthcare for Ceiling Track Hoists also approved via a waiver.

The contracts have been in place since June 2021 and will cease on the 31st March 2023. The previous contract had been in place since 2013 and was a five plus two year agreement.

Key Contract Requirements Include:

- Servicing and Maintenance of Domestic lifts
- 24 Hour Breakdown Service
- Installation of New Domestic lifts
- Pre-installation Survey and Installation of Domestic lifts
- Removal, storage, refurbishment and reinstallation of Domestic lifts

The Aims of the Contract are:

- The survey of domestic dwellings which are to have domestic lifting devices installed.
- The supply and Installation of lifting devices within domestic dwellings.
- The supply and installation of lift optional accessories.
- The supply and operation of a 24 hour manned Call Centre facility, contactable directly by the homeowner.

- The supply of an Emergency Call Out facility with a guaranteed maximum response time of 2 hours.
- Annual servicing of existing domestic lifting devices.
- The removal of domestic lifting devices and subsequent storage of devices no longer required, paying due regard to cross contamination issues.
- Maintenance and repair of domestic lifting devices during warranty period.
- Suitable storage, providing access for dedicated stock.
- The provision of all relevant documentation to ensure accuracy of the asset register.

Disabled Facilities Grant (DFG) capital budget, via the Better Care Fund (BCF), is used for the purchase of equipment and installation, and revenue budgets are used to fund ongoing maintenance and repairs. The Adults Service currently have six hundred lifts in the Borough that are being maintained.

Handicare have been the main contractor for all domestic lifting equipment in Blackburn with Darwen for fifteen years. In 2021 they sold off the ceiling track hoist part of their business to Direct Healthcare, which necessitated the Adults Service arranging a procurement Waiver with this organisation.

A plan has been formed to retender, which is to arrange three separate contracts, as follows:

- Stairlifts
- Through Floor Lifts & External Lifts
- Ceiling Track Hoists

The reason for three contracts, as opposed to one, is that experience tells us that a one size fits all solution does not work. This is because there is a need to engage with third party contractors as the key players in the lifting business world have their own core business e.g. stairlifts and have to buy in services from third party contractors to fulfil the brief. This leads to delays in quotes, installations, repairs, maintenance and is not cost effective.

The preferred vehicle for retendering is to use an organisation called **ESPO** who run a lifting equipment framework. All the main players within the lifting equipment industry are signed up to the framework. The charge for this is 2% of the contract value.

For Through Floor Lifts/External Lifts and Ceiling Track Hoists, the plan is to Direct Award. The reasons are as follows:

Ceiling Track Hoists-the preferred contractor, Direct Healthcare, is the cheapest on the framework and they also manufacture the lifts currently installed in the borough.

Through Floor Lifts/External Lifts-the preferred contractor, Terry's Lifts, manufacture the equipment and have an excellent track record for quality and longevity. A data analysis of existing lifts in the borough will be completed prior to direct award approval by ESPO, to demonstrate the disparity in quality between this manufacturer and its nearest rival, in terms of repairs/maintenance and equipment being rendered obsolete. A cost analysis from the framework has also been completed which indicates that both contractors are evenly matched on costs with a nominal variance. The main rationale for Direct Award is:

- Reliability & Safety

- Rework – additional costs
- Impact on families and service users

Stairlifts - a mini competition through the ESPO framework is recommended. An Expression of Interest exercise has been completed and a number of organisations, including the incumbent contractors, have expressed interest in bidding for the business.

Children's Services

Children's Services have in recent years accessed the original Capita managed contract with Handicare. This arrangement follows the same model as Adults, however, Children's manage their own day to day processes, purchase of equipment and the ongoing maintenance and repair oversight of lifts.

There has been ongoing discussions with Children's services who have indicated that they wish to pursue a joint contract. It has been a challenge, thus far, to establish the capital and revenue costs associated with Children's Services. However, the current combined contract values have factored in, based on a reasoned assumption, Children's Service's contract values.

Contract(s) Value

The approximate contract(s) value, based on current prices for Adults and Children's, is £435,000 per annum, broken down as follows.

Capital: £335,000

Revenue £100,000

The average Adults spend for the past four full financial years has been £339,550. This has included a drop in annual spend in 2020/21 due the restrictions imposed as a result of the Pandemic.

2. RECOMMENDATIONS

That the Executive Board:

Executive Board are asked to:

- Agree that the Council procures a provider using the ESPO framework as described.
- Agree for the winning contracts to be used by both Adult Social Care and Children's Services.

3. KEY ISSUES & RISKS

If permission is not granted to procure, it will not be possible for the Council to fulfil its statutory obligations of the Care Act 2014 and the provision of adaptations using Disabled Facilities Grants. Also by using the frameworks it means that value for money has been tested in the marketplace.

4. POLICY IMPLICATIONS

Care Act 2014

Disabled Facilities Grant Policy

5. FINANCIAL IMPLICATIONS

As indicated in the report, the annual capital budget for the provision of the equipment is £335,000. There is also a revenue budget of £100,000 for maintenance.

At this stage, it is not anticipated that any additional funding will be required but this is subject to the outcome of the tendering process.

7. LEGAL IMPLICATIONS

Provided that the requirements of the framework are met direct award of contracts via properly procured frameworks complies with the requirements of the Public Contracts Regulations 2015 and the Council's Contract Procurement Procedure Rules. Contracts will be in a form approved by legal officers in the Contracts and Procurement team.

8. RESOURCE IMPLICATIONS

None

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 x Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

10. CONSULTATIONS

None

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

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| CONTACT OFFICER: | Susan Kalvenas, Leanne Reid |
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| DATE: | 01.02.2023 |
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| BACKGROUND PAPER: | |
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