



London Borough of Enfield

Title of Report:	Aids and Adaptations Terms Contract
Report to:	Operational KD – Joanne Drew, Strategic Director of Housing and Regeneration
Date of Report briefing:	12th February 2024
Directors:	Joanne Drew, Strategic Director of Housing and Regeneration
Report Author:	Andrew Cotton - Andrew.Cotton@enfield.gov.uk
Ward(s) affected:	Boroughwide
Key Decision Number	5632
Classification:	Part I and II

Purpose of Report

1. To obtain approval to award one contract for delivery of aids and adaptations in council housing, within the London Borough of Enfield, following a compliant tender process.
2. The programme is required to ensure that the Council statutory duty to provide adaptations for residents with disabilities is met.

Recommendations

- I. Approve the award of one contract for a duration of 2 years plus the option to extend for one further year to provide adaptations for residents with disabilities within the Council's housing stock.
- II. To note the budget of £3,600,000 which includes contract sum, contingency and staff costs.

Background and Options

- 3 The Council has a statutory duty under The Housing Grants, Construction, and Regeneration Act 1996, with amendments from the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008, to provide adaptations for residents with disabilities both within the Council's housing stock and more widely. This paper relates only to those properties within the Council's housing stock.
- 4 The project does not include works to leasehold properties. These will be dealt with under Disabled Facilities Grant funded through the Better Care Fund.
- 5 The tender was issued with the intention of entering one contract for two years; with the potential to extend the contract for a further year subject to performance. The contract is designed to be flexible in use and is need based once recommendations have been received from an Occupational Therapist.
- 6 The scope of works includes:
 - Level Access Showers
 - Over bath showers
 - Ramps
 - Widening entrances
 - Adapted kitchens
- 7 Each component listed above will only be instructed, on the request of an Occupational Therapist and following a validation survey and testing where required.

Preferred Option and Reasons for Preferred Option

- 8 The following two options were looked at:
 - Option A: A single contract to covering the whole borough 3 years duration
 - Option B: Geographically based contracts of up to 3 years duration

- 9 Option A was chosen as works are on a need-based approach and cannot be spilt into geographic areas. By keeping it as one contract it ensured the contract size was desirable to the market.

Relevance to Council Plans and Strategies

- 10 The contract will support the following objectives from the Council Plan 2023-26:
- 11 **Strong, healthy and safe communities:** The works are to support/protect our most vulnerable residence to live safely in their own homes as independently for as long as possible. Early intervention reduces additional care cost and keeps residents at home, safely for longer.
- 12 **Thriving children and young people:** Adaptations support families to care for family members at home, reducing stress. This allows safe handling when caring and promotes a healthier care/home environment. Adapted properties mean that a young person can be part of the family which in turn promotes better educational/relationship/social outcomes. Children feel safe and more involved in decisions that affect their lives.
- 13 **More and better homes:** As we are an aging population with more complex needs, adapted homes within our stock allows for tenants with needs to be allocated/match to suitable properties

Financial Implications

- 15 This report is requesting for approval to award and enter a contract with "Contractor A" for the Aids and Adaptions for Council Housing.
- 16 To approve a total estimated project budget of £3.6m which includes contract sum and staff costs.
- 17 The full implications of the project can be found in the confidential appendix.

Legal Implications

- 18 The Council has the power under section1(1) Localism Act 2011 to do anything individuals generally may do providing it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power as recommended in this report. The Council has the power to alter, repair or improve its housing stock in accordance with section 9 of the Housing Act 1985. Further, under section 111 Local Government Act 1972 local authorities may do anything, including incurring expenditure or borrowing which is calculated to facilitate or is conducive or incidental to the discharge of their functions. The recommendations in this report are in accordance with these powers.

- 19 As noted elsewhere in this report, this project does not include works to leasehold properties and therefore a consultation with leaseholders under Section 20 of the Landlord and Tenant Act 1985 has not taken place.
- 20 The aggregate value of this opportunity is estimated as £3,600,000 and has been classified as a works contract which is below the relevant threshold (presently £5,372,609) for the Public Contracts Regulations 2015 to apply to this procurement exercise, but as noted elsewhere in this Report the procurement has been conducted in accordance with the Council's own procurement rules (Contract Procedure Rules) (including the requirement for 'sufficient security' e.g. a performance bond or parent company guarantee to be obtained from the contractor for a contract whose value exceeds £1,000,000). The contract to be entered into with the chosen contractor will need to be sealed by the Council on account of its high value.

Equalities Implications

- 21 An equalities impact assessment has been undertaken and is appended to this report.
- 22 The works will be delivered to the social housing stock described and will benefit residents irrespective of their protected characteristics.
- 23 Individual requirements are addresses prior to starting on site to ensure all relevant individual circumstances are considered during the works.
- 24 The awarded contracts will include a duty to assist us with meeting the requirements of the Equalities Act 2010 as described in the Fairer Enfield policy.
- 25 Engagement with residents will be undertaken by the Contractor in accordance with their processes for resident engagement and liaison.

Environmental and Climate Change Implications

- 26 Contractors are required to comply with the Minimum, Preferred or Enhanced standards in the environmental categories of the Sustainable and Ethical Procurement Policy which will have significant impact on the Council's footprint, depending on the approach the contractor commits to.
- 27 The Contractor is a local company based in Enfield and uses local workforce/suppliers where possible to minimise the carbon footprint of delivers

Public Health Implications

- 28 The works will improve the living conditions of those residents that receive works. This aligns with the provisions of the Enfield Joint Health and Wellbeing Strategy, which refers to the importance of housing quality as a determinant of health.

- 29 The works will also cover our duties under the Care Act 2014 in promoting health and well-being of individuals along with assisting with prevention and early intervention for individuals and/or carers.
- 30 The contractors will be completing works in-line with the government's Covid Secure and CLC guidelines. They are required to provide a detailed method statement and risk assessment for each activity and the Council, and its advisors will review and comment on these prior to the commencement of works.
- 31 A dedicated communication strategy and information pack will be jointly developed by the Council and Contractor, and both will provide an RLO function to enable access and support residents during the works to their home.

Property Implications

- 32 None

Safeguarding Implications

- 33 The works will require Contractors to enter residents' homes and therefore the Contract Documents require Disclosure & Barring Services (DBS) and adherence with the Council's Safeguarding Policy.
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- 35 In addition to the above the Contractor is required to provide a dedicated Resident Liaison Officer (RLO) whose role is to ensure that residents needs are reflected in both the works delivered and the processes adopted by the Contractors. Evaluation of the Contractors offers in this area are a major component of the qualitative evaluation.

Procurement Implications

- 36 The procurement was carried out on behalf of the Council by Echelon Consultancy Limited via e-Tendering system DN658757. As the procurement was not led by Procurement Services, ultimate accountability for procurement compliance lies with Echelon Consultancy Limited.
- 37 Gateway 2 Procurement Strategy report was presented and endorsed at Procurement Assurance Group on the 21/11/2023.
- 38 Gateway 3 Contract Award report was presented and endorsed at Procurement Assurance Group on the 30/01/2024.
- 39 As the contract is over £1,000,000 the supplier must be required to provide sufficient security in accordance with Clause 7 (Financial Security) of the Councils Contract Procedure Rules.

- 40 The award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of the executed contract must be undertaken on the London Tenders Portal including future management of the contract.
- 41 As this contract will be over £500,000, the CPR's state that the contract must have a nominated contract manager in the Council's e-Tendering portal. Contracts over £500,000 must show evidence of contract management of KPI's to ensure VFM throughout the lifetime of the contract. The contract will be managed in line with the Contract Management Framework and evidence of robust contract management, including, operations, commercial, financial checks (supplier resilience) and regular risk assessment shall be uploaded into the Council's e-Tendering portal.
- 42 The awarded contract must be promoted to Contracts Finder to comply with the Government's transparency requirements.

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Appendices

Appendices 1 EQIA

Background Papers

None