

**CABINET**  
**7 JANUARY 2021**

**Asbestos Surveying and Unlicensed Removal 2021-2024, Award**

**Cabinet Member:** Cllr Bob Evans, Cabinet Member for Housing & Property  
**Responsible Officer:** Mike Lowman, Repairs Manager

**Reason for Report and Recommendations:** To advise Members on the results for the tendering of the Asbestos Surveying and Unlicensed Removal 2021-2024 and confirm the award of the contract.

**RECOMMENDATION: It is recommended that the new three year Asbestos Surveying and Unlicensed Removal Contract is awarded to Contractor 2**

**Financial Implications:** The budget for the works is £60,000.00 per annum. The management of asbestos is a legal requirement, which will also result in lower revenue costs in coming years and enable the Building Service to operate more effectively and manage future maintenance costs.

**Legal Implications:** We have a legal duty to manage asbestos and meet the Decent Homes Standard. The contract is a JCT Minor Works Contract 2016, combined with the specific contractual requirements.

**Risk Assessment:** The principal risk is failing to limit costs due to additional works. The performance of the contract shall be monitored monthly; corrective action will be taken where performance falls below Key Performance Indicator Targets. These include: 1) Customer satisfaction; 2) Variations and extras; 3) Number of defects; 4) Managing Health and Safety.

**Equality Impact Assessment:** All staff have received Equality and Diversity awareness training. MDDC discuss equality and diversity at the progress meetings and encourage the contractor to carry out awareness training.

**Relationship to Corporate Plan:** To contribute towards meeting the Decent and Affordable Homes target by making best use of the existing stock.

**Impact on Climate Change:** Investment in the MDDC stock will lower the amount of fossil fuels used to run and maintain the homes.

## **1.0 Introduction**

- 1.1 The term of this contract is three years, with the option to terminate the contract at the end of each year subject to performance.
- 1.2 Due to the nature and value of this procurement, the appropriate procedure was an open tender process. This means that anyone who expressed an interest in the contract would be invited to tender.

1.3 To ensure quality of contractors, a number of minimum requirements were set out within the ITT. Any contractor failing to meet these would be disqualified.

## 2.0 Procurement Process

2.1 This report covers the unlicensed asbestos works, however licensed asbestos works are a particular category of asbestos removal covered by the Control of Asbestos Regulations 2012 and can legally, only be carried out by a licensed contractor. By splitting out the licensed and the unlicensed works within separate contracts we are aiming to make savings on the costs of these works.

2.2 Expressions of interest were invited via a notice in the Supplying the South West Procurement Portal published on the 23 July 2020.

2.3 Evaluation criteria set out in the ITT:

2.4

|                                      |            |
|--------------------------------------|------------|
| <b>Quality</b>                       | <b>60%</b> |
| Mobilisation of the works            | 20%        |
| Diversity, challenges and complaints | 20%        |
| Works to void properties             | 10%        |
| Response to defects                  | 10%        |
| <b>Price</b>                         | <b>40%</b> |

2.5 Responses were required by midday on 4 September 2020.

2.6 There were a total of 24 expressions of interest of which 12 submitted their tenders on time, but 10 were not complete, 2 opted out and 10 did not respond. The reason for opting out given by one contractor was that they were unable to be competitive; the other contractor did not provide a reason.

2.7 Evaluations were carried out during September and October 2020, by representatives from Mid Devon District Council's Building Service.

2.8 The price was based a schedule of rates within the tender. The lowest priced tender was awarded 40% and the higher priced tenders were awarded the percentage difference.

2.9 The outcome of the evaluation is shown below:

| CONTRACTOR   | SCORE  |         | TOTAL  |
|--------------|--------|---------|--------|
|              | PRICE  | QUALITY |        |
| Contractor 1 | 30.54% | 30.00%  | 60.54% |
| Contractor 2 | 40.00% | 25.00%  | 65.00% |

### **3.0 Conclusion**

- 3.1 The outcome of the tender process shows Contractor 2 as the winning bidder.
- 3.2 Approval is required from Cabinet for this contract to be formally awarded.
- 3.3 Following the decision, there will be a compulsory 10 day standstill period after which the contract will be awarded.
- 3.4 The contract will not commence until 1 April 2021

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**Circulation of the Report:** Leadership Team, Cllr Bob Evans, Cabinet

**List of Background Papers: PART II - Confidential**