

Report for: Cabinet

Date of Meeting: 6 February 2024

Subject: **Award of Measured Term, Minor Works Contract 2024-2028**

Cabinet Member: Cllr Simon Clist, Deputy Leader and Cabinet Member for Housing

Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Exempt: PART II, which are Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

Wards Affected: All

Enclosures: None

Section 1 – Summary and Recommendation(s)

To advise Members on the results for the tendering of the Measured Term, Minor Works Contract 2024-2028 and confirm the award of the contract.

Recommendation(s):

1. It is recommended that the new Measured Term, Minor Works Contract 2024-2028, be awarded to Contractor 4.
2. Delegated authority be granted to the S151 Officer (in consultation with the Cabinet Member for Housing and Property Services) to complete the associated Measured Term, Minor Works Contract 2024-2028.

Section 2 – Report

- 1.1 Mid Devon Housing (MDH) has a requirement to maintain Health and Safety and meet the Decent Homes Standard. This contract will support this duty by maintaining the Council's housing stock to an acceptable standard.

- 1.2 The budget for the works is £250,000.00 per annum. Capital investment in the MDDC stock will result in a lower revenue cost in the coming years, which will enable the Repairs Service to operate more effectively and manage future maintenance costs
- 1.3 Pricing for the tender submissions was based upon a full schedule of rates for every relevant property, however not all works will be required at every home and the contract will be managed within the above budget
- 1.4 The term of this contract is four years with the option to terminate the contract at the end of each year subject to performance.
- 1.5 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

2.0 Procurement Process

- 2.1 Expressions of interest were invited via a notice in the Advantage South West Procurement Portal published on the 31 October 2023.
- 2.2 Evaluation criteria set out in the ITT:

Quality	60%
Skill, Knowledge, Expertise and Capacity	20%
Communication	20%
Environmental Benefits	20%
Price	40%

- 2.3 Responses were required by midday on 30 November 2023.
- 2.4 There were a total of 59 expressions of interest of which 7 submitted their tenders on time, 18 opted out and 34 did not respond. The main reasons given for opting out were due to being unable to meet our requirements and unable to supply in our area.
- 2.5 Evaluations were carried out during December 2023, by representatives from MDH Building Repairs Service.
- 2.6 The price was based on a schedule of rates within the tender. The lowest priced tender was awarded 40% and the higher priced tenders were awarded the percentage difference. Contractor 4 scored highest on quality, as set out below.
- 2.7 The outcome of the evaluation is shown below:

CONTRACTOR	SCORE		TOTAL
	QUALITY	PRICE	
Contractor 1	20%	29%	49%
Contractor 2	28%	0%	28%
Contractor 3	28%	29%	57%
Contractor 4	40%	40%	80%
Contractor 5	36%	29%	65%
Contractor 6	36%	29%	65%

3.0 Conclusion

- 3.1 The outcome of the tender process shows Contractor 4 as the winning bidder.
- 3.2 Confirmation of the contractors and further commercially sensitive information regarding tender submission pricing is provided in Annex A Part II of this report.
- 3.3 Approval is required from Cabinet for this contract to be formally awarded.
- 3.4 Following the decision, there will be a compulsory 10-day standstill period after which the contract will be awarded.
- 3.5 The contract will not commence until after the 1 April 2024.

Financial Implications

The Housing Revenue Account (HRA) budget for the works is £250,000.00 per annum. These works will result in a lower cost in the coming years, which will enable the Repairs Service to operate more effectively. Further information is provided in the report and as set out fully in Part II Annex A.

Legal Implications

We have a legal duty to meet the Decent Homes Standard, and maintain the health and safety of our employees and tenants. The conditions of engagement are based on a standard JCT Measured Term Contract. This provides a robust framework for managing and controlling the performance of the contractor to meet our legal obligations.

Risk Assessment

The principal risk is failing to limit costs due to additional works and delivery of the programme. The performance of the contract shall be monitored monthly; corrective action will be taken where performance falls below Key Performance Indicator Targets. These also include: 1) Customer satisfaction; 2) Variations and extras; 3) Delivery of programme; 4) Number of defects; 5) Managing Health and Safety

Impact on Climate Change

The environmental impact was included as a major part of the contractor evaluation.

Equalities Impact Assessment

All staff have received Equality and Diversity awareness training. MDH discuss equality and diversity at the progress meetings and encourage the contractor to carry out awareness training.

This is not a policy document and no specific equalities impact assessment is required.

Relationship to Corporate Plan

To contribute towards meeting our obligations relating to Health and Safety and the Decent and Affordable Homes target by making best use of the existing stock.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer:

Agreed by or on behalf of the Section 151

Date:

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 29 January 2024

Chief Officer: Simon Newcombe

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 12 January 2024

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 22/01/2024

Cabinet member notified: (yes)

Section 4 - Contact Details and Background Papers

Contact: Mike Lowman, Operations Manager for Building Services mlowman@middevon.gov.uk or Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing – snewcombe@middevon.gov.uk

Background papers:

ANNEX A: PART II - Confidential