



Report of the Cabinet Member for Service Transformation

Cabinet – 19 January 2023

General Building Materials Framework

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| Purpose: | This report seeks approval to award a framework agreement for the supply of General Building Materials, to facilitate direct orders for housing stock maintenance and public building projects. |
| Policy Framework: | Council Constitution/Contract Procedure Rules |
| Consultation: | Legal Democratic Services and Business Intelligence , Finance, Commercial Services and Corporate Building Services, Access to Services |
| Recommendation(s): | It is recommended that Cabinet: 1) Approves the appointment of the Suppliers listed in Appendix A onto the Framework and authorises the Council to enter into Framework Agreements with each Supplier, to facilitate call-off contracts from the Framework as and when required. 2) Delegates' authority to the Head of Building Services and the Chief Legal Officer as necessary to approve the terms of the Framework Agreements and any future call-off contracts under the Framework Agreement. |
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| Legal Officer: | Debbie Smith |
| Access to Services Officer: | Catherine Window |

1. Introduction

- 1.1 The Council intends to enter into a framework agreement with the successful bidders for the supply of General Building Materials, broken

down into 9 Lots, so that Building Services can continue to perform maintenance and improvement projects on residential (Housing stock), Schools and other Public Buildings.

- 1.2 The duration of the Framework agreement is two years, with an option to extend for a further 24 months

2. Procurement Process

- 2.1 The estimated annual spend of the framework is £3,000,000. This is based on historical spend. This is a framework arrangement and no guarantee as to volumes or expenditure can be given.

- 2.2 Tenders were invited under the open procedure via Sell2swales. The tendering process was conducted electronically via the E-tenderwales Portal. The closing date for tenders was 21st October 2022.

- 2.3 The instruction to tender was split into 9 lots as follows:

- Lot1 – Heavy side
- Lot2 – Timber
- Lot3 – Doors
- Lot4 – Paint
- Lot5 – Ironmongery
- Lot6 – Roofing
- Lot7 - Screws and Fixings
- Lot8 – Miscellaneous
- Lot9 – Roofline – PVC Fascia

- 2.4 The Council's intention is to enter into a framework agreement with ten (10) suppliers per lot, unless fewer tenders were received.

- 2.5 The award criteria used for this procurement process was 90% price and 10% quality. The award criteria was detailed in the tender documentation.

3. Tenders Received

- 3.1 21 suppliers submitted tenders for the different lots by the return date of 21st October 2022 as detailed below.

- Lot 1 7 Bidders
- Lot 2 8 Bidders
- Lot 3 6 Bidders
- Lot 4 6 Bidders
- Lot 5 8 Bidders
- Lot 6 7 Bidders
- Lot 7 6 Bidders
- Lot 8 8 Bidders
- Lot 9 5 Bidders

3.2 The tenders were opened by Commercial Services in accordance with contract procedure rules and no tenders were disqualified at opening.

4. Tenders Evaluation

4.1 Tenders were evaluated by Officers of the Council from the Building Services department.

4.2 Tender evaluation was undertaken in accordance with the criteria set out in the Instruction to Tender documents as a two-stage process.

4.3 At stage one of the process; the Council undertook a suitability assessment. All Tenderers met the minimum standard and proceeded to stage two of the process.

4.4 Stage two of the process was the tender assessment stage, which comprised of two parts and had the following award criteria: Quality 10% and Price 90% for each of the Lots.

4.5 The quality evaluation ensured tenderers were able to demonstrate a minimum understanding of key requirements. The quality evaluation was based on the assessment of 1 method statement question on the following for all lots:

Ordering Process and deliveries to sites

4.6 Tenderers were required to attain a minimum score for the quality question. Any tender attaining a score of less than 3 for the Method Statement response resulted in tenders being rejected without further evaluation as per the Instructions to Tender document. No tenders were rejected.

4.7 Tenderers who achieved the required score in the quality evaluation proceeded to the price evaluation.

4.8 Tenderer 3, 8, 15 and 21 all failed to price for all Core Items for one or multiple lots and were therefore disqualified in line with the instruction to tender document. All tenderers were informed via e-tenderwales of the council's decision not to allow them to participate further in the Tender process for that lot.

4.9 The scores of bidders recommended for appointment onto the Framework Agreement are detailed in Appendix A

5. Call off Procedure

5.1 Due to the complexity and variation of items/products, orders will be evaluated against the tendered rates submitted and awarded on the basis

of the lowest price bid in relation to that particular item/product. All Call-offs will be conducted using 100% price.

5.2 If the lowest priced tenderer cannot supply the required goods then the Council will request the goods from the next lowest price tenderer and so on.

5.3 Due to the complexity and variation of items/products, we will at all times reserve the right to make the commercial decision to collect goods from any of the contracted supplier's dependant on the location of works in relation to the supplier's premises. This may result in goods being collected from the supplier who has not offered the lowest rate.

6. Integrated Assessment Implications

6.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, and must in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

6.1.1 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

6.1.2 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

6.2 The Integrated Impact Assessment screening form concludes that a full assessment is not needed due to there being no impacts on protected groups.

7. Financial Implications

- 7.1 This report does not impact existing budgeted sums. The majority of the framework's budget will continue to come from the Housing Revenue Account, however other sources, where appropriate will contribute as well.
- 7.2 There are no savings identified in the framework, however there are terms within the framework that allow the Council to seek an annual rebate of 3% against all spends under this agreement, which will be claimed by the client department.

8. Legal Implications

- 8.1 The Responsible Officer is satisfied that the tender process has been undertaken in compliance with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules and recommends approval in accordance with those Rules.
- 8.2 Framework Agreements are to be prepared by the Chief Legal Officer using the Councils standard Terms and Conditions for Goods and Services. All contractual liabilities and obligations will be covered by the contract documentation, which will consist of the over-arching Framework Agreement together with any separate call-off contract.

Background Papers: None.

Appendices:

- Appendix A: Tender Evaluations
- Appendix B: IIA Screening Form

Tenderer Summary to the Evaluation

| Company | Lot 1 - Heavy Side | Lot 2 – Timber | Lot 3 - Doors | Lot 4 - Paint | Lot 5 - Ironmongery | Lot 6- Roofing | Lot 7 - Screws and Fixings | Lot 8 - Miscellaneous | Lot 9 - Roofline |
|-------------|--------------------|----------------|---------------|---------------|---------------------|----------------|----------------------------|-----------------------|------------------|
| Tenderer 1 | | | | | | | | x | |
| Tenderer 2 | | X | | | | | x | | |
| Tenderer 3 | x | | | x | x | | x | x | x |
| Tenderer 4 | | | | | x | | | | |
| Tenderer 5 | | X | | | | | | | |
| Tenderer 6 | x | X | | | | x | | x | |
| Tenderer 7 | | | x | | | | | | |
| Tenderer 8 | x | X | x | x | x | x | x | x | x |
| Tenderer 9 | x | X | x | | | x | x | x | x |
| Tenderer 10 | x | | | | | | | | |
| Tenderer 11 | | | | | x | | | | |
| Tenderer 12 | | X | | | | | | | |
| Tenderer 13 | | | | x | | | | | |
| Tenderer 14 | | | | | | | | x | |
| Tenderer 15 | | | x | | x | | | | |
| Tenderer 16 | | | | x | | | | | |
| Tenderer 17 | x | X | x | x | x | x | x | x | x |
| Tenderer 18 | | | | | | x | | | |
| Tenderer 19 | | | | | | x | | | |
| Tenderer 20 | x | X | x | x | x | x | x | x | x |
| Tenderer 21 | | | | | x | | | | |