

# Decision Pathway – Report



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 07 June 2022

<b>TITLE</b>	<b>Integrated Community Equipment Services (ICES) Award and Contract Extension</b>		
<b>Ward(s)</b>	<b>City Wide</b>		
<b>Author: Stephen Beet</b>	<b>Job title: Director - Adult Social Care</b>		
<b>Cabinet lead: Helen Holland, Cabinet Member for Adult Social Care and Integrated Care System</b>	<b>Executive Director lead: Hugh Evans, Executive Director: People</b>		
<b>Proposal origin: BCC Staff</b>			
<b>Decision maker: Cabinet Member</b> <b>Decision forum: Cabinet</b>			
<b>Purpose of Report:</b>			
<ol style="list-style-type: none"> <li>For Cabinet to authorise the award of a new Integrated Community Equipment Services (ICES) contract to Medequip Assistive Technology Ltd from 1 October 2022. This is a five-year contract with option of one or more extensions to total no more than two additional years. The total maximum envelope value of the Bristol North Somerset and South Gloucestershire (BNSSG) contract is £5.9m per annum of which the BCC proportion is £1.5m per annum.</li> <li>For Cabinet to approve the extension of the existing contract from 1 July 2022 to commencement of new contract (planned for 1<sup>st</sup> October 2022) with an estimated budget envelope of £381,000.</li> </ol>			
<b>Evidence Base:</b>			
<ol style="list-style-type: none"> <li>This contract relates to the re-procurement of the ICES contract, in partnership with NHS Bristol North Somerset &amp; South Gloucestershire Clinical Commissioning Group (BNSSG CCG), South Gloucestershire Council (SGC) and North Somerset Council (NSC).</li> <li>Community equipment provision is a statutory duty. It is a vital element in enabling more people to live independently, maximising their mobility and ability to live at home, and reducing the impact of frailty or disability in the short and longer terms. It covers the provision of a wide range of mobility and homecare equipment to enable people with health and social care needs to live, manage, and be safely cared for in their homes. Equipment ranges from bathing and toileting aids, to beds, mattresses, and hoists. The provision is for both children's and adult services.</li> <li>The procurement exercise for this contract concluded on 27 January 2021 and resulted in an award, but the outcome of the procurement exercise was challenged.</li> <li>In August 2021 BCC Cabinet approved a six-month extension of the contract (until 31 March 2022) to allow a re-evaluation of the original tender to take place, but this has proven to be insufficient time due to the challenge of the original procurement exercise.</li> <li>Upon completion of the re-evaluation process led by the CCG, a new contract is to be awarded, but this will not commence until 1 October 2022. The increased mobilisation time is necessary as the new contract brings together four existing contracts, and hence service delivery arrangements need to be revised. In addition, the ongoing COVID-19 situation and Brexit have both impacted on mobilisation.</li> <li>A decision has been taken by the Executive Director, People to extend the current contract by three months</li> </ol>			

until 30 June 2022 at a cost of £381 000 in order to allow this report to be taken to Cabinet on 7 June 2022 to agree the award and the approval of the remainder of the extension.

#### **Cabinet Member / Officer Recommendations:**

That Cabinet

1. Authorises the Executive Director, People in consultation with the Cabinet Member for Adult Social Care and the CCG and Integrated Care System to award a new Integrated Community Equipment Services (ICES) contract to Medequip Assistive Technology Ltd from 1 October 2022 in line with the maximum budget envelopes outlined in this report
2. Authorises the Executive Director, People to invoke any subsequent extensions/variations specifically defined in the contract(s) being awarded, up to the maximum budget envelope outlined in this report.
3. Notes the Officer Executive decision taken on May 10<sup>th</sup> to extend the current contract by 3 months to 30 June 2022 to allow for the extension request at Cabinet on June 7<sup>th</sup> 2022.
4. Authorises the Executive Director People in consultation with the Cabinet Member for Adult Social Care and the CCG and Integrated Care System to further extend the current contract up to the commencement of the new contract (planned for 1 October 2022) within the budget envelope of £381,000.

#### **Corporate Strategy alignment:**

1. BCC Corporate Strategy 2018-23: The aim to create healthier and more resilient communities will be enhanced by the provision of Community Equipment Services, which support people to remain independent in their own homes and communities.

#### **City Benefits:**

1. The Bristol Community Equipment Service is a key enabler to support system flow through prevention of hospital admission, support for hospital discharge, prevention of admission to care homes, supporting people to live independently and/or with care packages in their own homes. The contract offers local employment, and opportunities for apprenticeships.

#### **Consultation Details:**

1. NHS Bristol North Somerset & South Gloucestershire Clinical Commissioning Group (BNSSG CCG), South Gloucestershire Council (SGC) and North Somerset Council (NSC) have been consulted on this process.
2. Internal consultation with Legal, Procurement, Finance, Executive and Mayors Office and Executive Director on appropriate to proceed with this unforeseen contract extension.

#### **Background Documents:**

1. **Care Act (2014):** The Care Act (2014) places a duty on local authorities to facilitate and shape our market for care and support; to ensure sustainability, diversity and continuously improving and innovative services. It includes the promotion of strength-based approaches and a focus on prevention and wellbeing.  
<https://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>
2. **Previous Cabinet Decision** [Integrated Community Equipment Services \(ICES\) Contract Extension](#)

<b>Revenue Cost</b>	£381,000 for the contract extension. £7.5m for new	<b>Source of Revenue Funding</b>	General Fund
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	contract over 5 years with possible extension for £3m for up to 2 years.		
<b>Capital Cost</b>	£N/A	<b>Source of Capital Funding</b>	N/A
<b>One off cost</b> <input type="checkbox"/>	<b>Ongoing cost</b> <input checked="" type="checkbox"/>	<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:**

This report seeks to approve the extension of the existing contract from 1 July 2022 for a 3 month period, with a budget envelope of £381,000. It further requests approval to give delegated authority to award a new contract for a period of 5 years at a cost of £7.5m with potential to extend for up to a further 2 years, at a maximum cost of £3m.

These contract costs will need to be contained within the existing People Directorate Budget envelope for Adult Social Care, Children's and Families Services and Education and Skills. This decision is beneficial to the Council and equipment spend supports people to live independently at home, therefore avoiding more costly alternatives. Therefore, the increased costs to the equipment budget would be expected to be offset by reduced spend elsewhere within care and support budgets and a realignment of budgets will be progressed to achieve a balanced position.

**Finance Business Partner:** Denise Hunt, Finance Business Partner, 10 May 2022

**2. Legal Advice:**

The new contract has been lawfully procured, with re-evaluation having been undertaken in order to deal with challenge made by the incumbent. The delay has necessitated an extension of the existing contract, with this being a statutory service. This variation to the existing agreement is permissible on the basis that, when aggregated with the previous extensions to date, it is within 50% of the value of the original contract and is being made due to both circumstances a diligent authority could not have foreseen (the challenge) (Reg 72(1)(c) Public Contracts Regulations 2015 ('PCR')) and that doing anything other than varying the existing contract would not be possible for economic or technical reasons (Reg 72(1)(b)(i) PCR) and would cause significant inconvenience (Reg 72(1)(b)(ii) PCR).

**Legal Team Leader:** Husinara Jones, Team Leader/ Solicitor, Commercial and Governance Team May 16<sup>th</sup> 2022

**3. Implications on IT:** No anticipated impact on IT/Digital Services

**IT Team Leader:** Gavin Arbuckle, Head of Service Improvement and Performance, IT May 25<sup>th</sup> 2022

**4. HR Advice:** The report presents no significant HR implications for Bristol City Council employees.

**HR Partner:** Lorna Laing, HR Business Partner – People, May 2022

<b>EDM Sign-off</b>	Hugh Evans	5 <sup>th</sup> May 2022
<b>Cabinet Member sign-off</b>	Cllr Helen Holland	10 <sup>th</sup> May 2022
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor's office	12 <sup>th</sup> May 2022

<b>Appendix A – Further essential background / detail on the proposal</b>	<b>NO</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>

Appendix F – <a href="#">Eco-impact screening/ impact assessment of proposal</a>	NO
<b>Appendix G – Financial Advice</b>	NO
<b>Appendix H – Legal Advice</b>	NO
<b>Appendix I – Exempt Information</b>	NO
<b>Appendix J – HR advice</b>	NO
<b>Appendix K – ICT</b>	NO
<b>Appendix L – Procurement</b>	NO