

Cabinet – 15 December 2021

Award of Fire Protection Service and Maintenance Contract

Portfolio: Councillor M Statham

Related portfolios: All

Service: Corporate Landlord

Wards: All

Key decision: Yes

Forward plan: Yes

1. Aim

- 1.1 To award the Fire Protection Servicing and Maintenance contract (the 'Contract') to ensure that fire safety and statutory compliance works continue to be undertaken on Council owned and occupied buildings.
- 1.2 The Contract will commence on 1 January 2022 and last for a period of 3 years with 2 optional extension periods of up to 12 months each.

2. Summary

- 2.1 The previous Fire Safety Servicing and Maintenance contract expired on 30 June 2019 and although an ongoing interim arrangement is currently in place with Kestrel Electrical Systems to ensure business continuity, a new contract is required to enable a longer term delivery of this service.
- 2.2 As part of the Corporate Landlord contract rationalisation the new proposed Fire Protection Service and Maintenance services have been expanded to include access equipment and CCTV serving and repairs.
- 2.3 The open procurement exercise for the Contract commenced on 7 April 2021 using the "In-Tend" portal rather than using a national Framework as in previous years in an attempt to enable and encourage local suppliers to bid for the contracts.
- 2.4 This is a key decision as the value exceeds £500,000 and will impact on all wards within the borough.

3. Recommendations

- 3.1 That following consideration of the confidential report in the private session of the agenda, Cabinet approve the award of the contract, valued in the region of £700,000, to Kestrel Electrical Systems Ltd, for the provision of Fire Protection

Services and Maintenance, for the period 1 January 2022 until 31 December 2025 with 2 optional extension periods of up to 12 months each.

- 3.2 That Cabinet delegate authority to the Interim Executive Director for Resources and Transformation to enter into the contract and to subsequently authorise the sealing, signing or variation of any deeds, contracts or other related documents for such services including the optional extension periods.

4. Report detail - know

Context

- 4.1 The existing contract for the Fire Alarm Servicing and Maintenance expired on 30 June 2019 and whilst there was an intention to procure a 4 year contract prior to expiry, this was before the move to the Corporate Landlord model was known and agreed, therefore the contract was held back until the formation of the new Corporate Landlord management team was in place.
- 4.2 A waiver of the Council's Contract Rules was put in place in May 2019, to ensure that the Council's fire safety works and statutory requirements could continue to be undertaken.
- 4.3 With the implementation of the Corporate Landlord model service delivery and to assist in the reduction of the number of service contracts, the Contract will also include the access control and CCTV works.
- 4.4 An open procurement procedure was used to invite tenders for the Contract, via the Council's e-tendering portal "In-tend" and published on Contracts Finder and Find a Tender Service on 7 April 2021.
- 4.5 Forty-Seven bidders expressed an interest through the e-tendering portal and out of these nine submitted a tender by the deadline on 18 May 2021.
- 4.6 The tenders were evaluated using 70% cost, 30% quality split.

4.7 The bidders were –

	Tenderer	Location – Registered Office
1.	Advanced Life Safety Solutions Ltd	Cheslyn Hay , WS6 6BD
2.	Alphatrack Systems Ltd	Southampton, SO30 2AF
3.	Amalgamated Ltd	Manchester, M27 8FF
4.	Closed Circuit Security Services Ltd	Essex, CM8 3YN
5.	Harmony Fire Ltd	Somerset, BA22 8QX
6.	Kestrel Electrical Systems Ltd	Rowley Regis B65 0BB
7.	Lantern Fire and Security Ltd	Cheshire, CW2 5PR
8.	Orton Electrical Services Limited	Dudley, DY2 0LY
9.	TP Fire & Security Management Ltd	East Harling, NR16 2SN

Council Corporate Plan priorities

4.8 The Contract links with the Corporate Priority Plan 2021 – 2022, ‘Economic Growth’ by “creating an environment where business invests and everyone who wants a job can access one”. This is achieved by allowing Small and Medium Enterprises in Walsall or directly neighbouring the borough the opportunity to tender for contracts. As part of the tender response to Social Value question, which forms part of the non-pricing criteria Kestrel Electrical Systems have stated that when they need to recruit or train additional staff to service the Walsall contract, they will advertise and source using Walsall training providers and recruitment companies.

4.9 The internal focus – “internal services deliver quality and adapt to meet the needs of the customer facing services”, is met by the combining of services, which will lead to a more efficient service delivery and therefore one of the Walsall Proud goals for the service will be achieved.

Risk management

4.10 The risk of challenge to the award of the Contract is low, given that it has been procured in accordance with the Council’s Financial and Contract Rules and the Public Contracts Regulations 2015 (PCR 2015).

4.11 Risks are further mitigated because the winning bidder is the incumbent service provider, so is already familiar with the Council’s property portfolio and operational standards required in the service delivery.

Financial implications

- 4.12 All statutory, servicing and repairs works covered by this Contract will be funded from the existing capital and revenue budgets.

Legal implications

- 4.13 The Directorate, in conjunction with Procurement, has elected to use the Council's long form contract for goods and services, in an unaltered format. No legal implications have been identified during the tender process.
- 4.14 During the tendering process no bidders raised queries about or requests for changes to the Council's preferred form of contract.

Procurement Implications/Social Value

- 4.15 The Contract has been tendered in compliance with the Council's Contract Rules and the PCR 2015 using an open tender process which enabled local contractors to bid for the contracts.
- 4.16 Within the tender package there was a Social Value question as part of the quality questions. The quality scoring percentage is 30% overall of the tender evaluation, this was divided as follows, 10% was apportioned to the Social Charter values, the remaining four quality sections were valued at 5% each indicating the importance of this element to Walsall Council. This element of the tender evaluation focused on the services that the contractor can support in the local economy, environmental improvements and the community pay back.
- 4.17 The Social Value element resulted in measurable benefits for Walsall as part of the contract delivery. These will be reviewed and monitored by the Corporate Landlord team.

Property implications

- 4.18 The Contract is an essential element of the service provided by the Corporate Landlord team for the servicing, maintenance and compliance of Council owned and occupied properties. A long term contract with a supplier will assist in retaining safe and compliant fire safety and access systems in the Council's property portfolio.

Health and wellbeing implications

- 4.19 The Contract is essential to ensure that all Council owned or occupied properties remain safe for both staff and visitors.
- 4.20 There is a legal requirement to undertake service and compliance checks to ensure that the Council is not exposed to legal challenge or reputational damage.

Staffing implications

- 4.21 There are no HR implications for Walsall Council staff.

Reducing Inequalities

- 4.22 The implications for reducing inequalities have been taken into account and assessed as set out below.
- 4.23 Following discussions with the Equality Impact team it was agreed that because the Contract will be based on the same service delivery as currently provided, no Equality Impact Assessment was required.
- 4.24 Any alterations or additions to existing fire alarm installations shall be installed to the latest guidance and British Standards, this will ensure that persons with disabilities will have the same protection and early warning in the event of fires or emergencies.

Climate Change

- 4.25 The Councils Climate Change Action Plan has been taken into account during the tender evaluation process through the Social Value Charter quality question in the quality section of the procurement.

To satisfy these elements the supplier has indicated in their tender return that by using local suppliers, employing local persons to service the contract and planned service routes this would reduce on vehicle traffic movement and the associated pollution. Future plans also include plans to review their vehicle type to include hybrid and electric options.

The supplier also has a Reduce, Re-use and Recycle Policy for materials and consumables required to service the contract.

Consultation

- 4.26 No external consultation has been undertaken because the services provided are managed and funded by the Corporate Landlord department, using the existing Health and Safety capital funds provided.

5. Decide

- 5.1 Option 1: The Contract to be delivered as part of a single contract for all property building maintenance delivery (single source provider). The positives of this would be simplified contract management. The negative would be that the Walsall local supply chain may not be able to service the contract. This would mean only national companies would be of a suitable size to manage the work, this would remove the localism element from the service provision.

This was an option before the commencement of the overall procurement exercise, however, this is no longer an option due to the contracts already being split in to the agreed service categories by the Third Party Spend Board. This will enable local small and medium sized suppliers to tender for the contracts, some of which have already been awarded.

- 5.2 Option 2: Splitting the Contract into smaller elements to ensure local supply chain providers would be able to bid. The negative would be a larger number of contracts to manage within the Council and this approach would not be in line with the Proud Programme recommendations to reduce the number of contracts managed by the Council.
- 5.3 Option 3: Amalgamating fire protection, access control and CCTV works into one serviceable contract. This will reduce the number of contracts from four to one, simplifies contract management and brings the option closer in line with the Proud Programme contract simplification requirements.
- 5.4 Option 3 is the preferred option as this will align the Contract with the Proud Programme outcomes by reducing the number of contracts delivered from four to one.

6. Respond

- 6.1 Subject to approval of the recommendations, Kestrel Electrical Systems will be engaged to service the contract as tendered from 1 January next year.

7. Review

- 7.1 There will be monthly and quarterly Contract review meetings by the Contract monitoring officer within the Corporate Landlord team. Quality, cost and social value goals will be reviewed and any shortfall falls identified and remedied.

Background papers

Private Briefing Note – Fire Protection Service and Maintenance
As referenced in the Recommendations Section 3, Item 3.1.

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