

Finance and Resources Committee

10.00am, Thursday, 7 October 2021

Waiver Extension of Edinburgh Shared Repairs Services Framework Agreement

Routine Wards Council Commitments	Routine All
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1. Recommendations

- 1.1 It is recommended that Finance and Resources Committee:
 - 1.1.1 Approve a waiver of the Contract Standing Orders to permit the extension of the Edinburgh Shared Repairs Services (ESRS) Framework Agreement for six months to ensure continuity of service provision pending the procurement of a replacement framework being completed; and
 - 1.1.2 Note the estimated value of the proposed extension up to 31 March 2022 is £605,536.

Paul Lawrence

Executive Director of Place

Contact: Peter Watton, Service Director of Sustainable Development

E-mail: peter.watton@edinburgh.gov.uk | Tel: 0131 529 5962

Report

Waiver Extension of Edinburgh Shared Repairs Services Framework Agreement

2. Executive Summary

- 2.1 This report requests that Committee approves the extension, under a waiver of the Contract Standing Orders, to the existing Edinburgh Shared Repairs Services (ESRS) Framework Agreement by six months until the completion of the procurement exercise for the re-tendering of the framework in March 2022.
- 2.2 The ESRS Framework Agreement was approved by Finance and Resources Committee, on [19 January 2017](#), with an estimated contract value of £20m over a period of four years. As a result of the ESRS service, through empowering homeowners to take responsibility to organise common repairs to the buildings in which their properties are housed, there has only been £1.2m spent throughout the life of the framework. Due to this underspend, approval of this extension is in contract duration only, not value.

3. Background

- 3.1 The ESRS acts as an enforcement service which, upon issue of statutory notices, provides essential repairs to the shared or common areas of private and mixed tenure properties on behalf of private homeowners who have exhausted all other reasonable means of agreeing to undertake a shared repair. The costs of repair are recovered from homeowners under the City of Edinburgh District Council Order Confirmation Act 1991.
- 3.2 The ESRS Framework Agreement was approved by Committee, on 19 January 2017, with an estimated contract value of £20m over a period of four years. As a result of the ESRS service, through empowering homeowners to take responsibility to organise common repairs to the buildings in which their properties are housed, only £1.2m has been spent throughout the life of the framework. Due to this underspend, approval of this extension is in contract duration only, not value.
- 3.3 The procurement exercise to retender the Framework Agreement has been delayed due to the impact of the COVID-19 pandemic and subsequent competing resource requirements. It is currently underway and due to be completed by March 2022.

4. Main report

- 4.1 In December 2020, a Prior Information Notice (PIN) was published on Public Contracts Scotland (PCS) website to invite potential contractors, with an interest in providing tenement repairs to the shared or common areas of private and mixed tenure properties, to express their interest. Thirty organisations have responded, to date.
- 4.2 The new Framework Agreement will include two Lots made up of eight contractors each. Lot 1 will be for fabric repair works contracts up to the value of £50,000 and Lot 2 will be for fabric repair works contracts valued up to £250,000.
- 4.3 In order to enable the Council to meet statutory duties and provide property owners with an expected level of service, it is necessary to extend the existing framework to continue these Council critical services while the re-procurement process is undertaken and completed.

5. Next Steps

- 5.1 Any identified works will continue to be provided by the existing Framework Agreement contractors until the new Framework Agreement is in place.
- 5.2 A further report outlining the outcome of the tender process will be reported to Committee, upon completion of the tender exercise, with this report expected to be submitted to the 3 March 2022 meeting of the Committee.

6. Financial impact

- 6.1 The Framework Agreement does not guarantee work, however, any contracts awarded will be accommodated in the existing ESRS Revenue Budget. These costs are recoverable under the City of Edinburgh District Council Order Confirmation Act 1991.
- 6.2 The total estimated value of the Framework Agreement approved by Finance and Resources Committee' on 19 January 2017, was £5m per annum, however, it was anticipated these costs would not be realised until well into 2018/19 due to the newness of the service. Costs to date have totalled just over £1.2m over the last four years, below initial expectations.
- 6.3 The estimated value of the proposed extension up to the period 31 March 2022 is £605,536.
- 6.4 Based on previous years usage, it is assessed that the aggregated value of contracts awarded via the ESRS Framework, will not exceed the estimated total value approved in 2017.

7. Stakeholder/Community Impact

- 7.1 Contracts awarded through the existing Framework Agreement will continue to operate under the terms and conditions of the original Framework Agreement.
- 7.2 Risk to public safety is reduced through the Council's ability to respond to urgent defects identified within tenement flats.
- 7.3 No significant environmental impacts are expected to arise from the extension of this Framework Agreement.
- 7.4 This procurement of the existing Framework Agreement adhered to the Council's Sustainable Procurement Policy and the Scottish Government's guidance on Community Benefits.
- 7.5 Risk of challenge from other potentially interested contractors has been assessed as low. The Framework extension period allows the Council sufficient time to complete a competitive tender exercise which provides the market an opportunity to tender.

8. Background reading/external references

- 8.1 None.

9. Appendices

- 9.1 None.