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Tender

Adult Education Budget Procurement contracts for services 2021/22

Department for Education acting through the Education and Skills Funding Agency

F02: Contract notice

Notice identifier: 2021/S 000-002412

Procurement identifier (OCID): ocds-h6vhtk-0290d3

Published 5 February 2021, 6:13pm

Section I: Contracting authority

I.1) Name and addresses

Department for Education acting through the Education and Skills Funding Agency

Cheylesmore House South, Quinton Road

Coventry

CV1 2WT

Email

esfaprocurement.help@education.gov.uk

Country

United Kingdom

NUTS code

UK - UNITED KINGDOM

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-for-education>

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://education.app.iaggaer.com>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://education.app.iaggaer.com>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Adult Education Budget Procurement contracts for services 2021/22

II.1.2) Main CPV code

- 80400000 - Adult and other education services

II.1.3) Type of contract

Services

II.1.4) Short description

The Adult Education Budget (AEB) is the major fund for adult learners, delivering skills provision for eligible adults aged 19+ from pre-entry to Level 3. AEB provision aims to engage adults in learning which provides the skills and learning they need for work, progression in work, an Apprenticeship or further learning.

The ESFA would like to invite potential contractors to apply for ESFA funded AEB contract for services for the delivery of adult education and training to learners in England that are resident outside of the devolved areas. The contracts will start on 1 August 2021 and run for the 2021/22 academic year.

The Authority is conducting a light touch procurement in accordance with Section 7 of the Public Contracts Regulations 2015 (PCR 2015) applying the principles of the Open Procedure as set out in the PCR 2015 and more particularly within the procurement documents, with an accelerated timetable.

II.1.5) Estimated total value

Value excluding VAT: £157,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - UNITED KINGDOM

II.2.4) Description of the procurement

The Adult Education Budget (AEB) is the major fund for adult learners, delivering skills provision for eligible adults aged 19+ from pre-entry to Level 3. AEB provision aims to engage adults in learning which provides the skills and learning they need for work, progression in work, an Apprenticeship or further learning.

The ESFA would like to invite potential contractors to apply for ESFA funded AEB contract

for services for the delivery of adult education and training to learners in England that are resident outside of the devolved areas. The contracts will start on 1 August 2021 and run for the 2021/22 academic year. Contracts awarded will be between the values of £150,000 and £3,000,000.

The procurement will fund the following provision:

Statutory entitlements

English and maths, up to and including Level 2, for individuals aged 19 and over, who have not previously attained a GCSE grade A* - C or grade 4, or higher, and/or

First full qualification at Level 2 for individuals aged 19 to 23, and/or

First full qualification at Level 3 for individuals aged 19 to 23.

Information technology ('digital') skills, up to and including Level 1, for individuals aged 19+, who have digital skills assessed at below Level 1.

Local Flexibility which supports delivery of flexible tailored provision for adults, including qualifications and components of these and/or non-regulated learning, up to Level 2, including Sector-based Work Academy Programmes (SWAP) and English for Speakers of Other Languages (ESOL)

Expansion of DWP's SWAP: SWAP helps employers with immediate and future job needs by upskilling job seekers to fill locally identified vacancies. A SWAP placement has three main components: pre-employment training, work experience placements and a guaranteed job interview. The AEB funds the pre-employment training component.

National Skills Fund Level 3 Adult Offer: From April 2021, any adult aged 24 and over who wants to achieve their first full Level 3 qualification, which is equivalent to a technical certificate or diploma, or 2 full A levels, will be able to access hundreds of fully funded courses.

Supporting funding to provide extra support to address barriers that may prevent learners from engaging or continuing learning. This includes:

Learning support - available to providers to meet the cost of making reasonable adjustments, as part of the Equality Act 2010, for learners who have an identified learning difficulty or disability, to achieve their learning goal, and/or

Learner support - available to providers to support learners with a specific financial hardship, such as childcare or residential costs associated with learning.

Based on the best information available to the Authority at this time the overall anticipated value for the Contracts, as set out in this Contract Notice is

£157, 000, 000.00 (one hundred and fifty seven million pounds). This includes an allowance for the Contract Period including all possible extensions (which the Authority may exercise at its discretion) and performance management adjustments which may be implemented by the Authority in accordance with the Funding Rules (and Performance Management Rules)

Potential Contractors shall note that funding for the Contracts is only guaranteed for the period from the Agreement Date to 31 July 2022 and for any Learners recruited before that date to complete their Learning, provided that happens before 31 July 2023. The Authority anticipates that the combined value of the initial Contract Values of all the successful Potential Contracts will be £73,000,000.00 (seventy three million pounds).

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Start date

1 August 2021

End date

31 July 2022

This contract is subject to renewal

No

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

The Contract contains extension provisions, which the Authority may exercise at its discretion. These enable the Authority to extend the Contract to (a) allow Learners who have commenced their Learning prior to the Expiry Date to complete that Learning, provided completion is by a specified Longstop Date; and (b) to extend Contract Period for such period or periods and on as many occasions as the Authority deems necessary up to an overall total of one year from the original Expiry date.

Potential Contractors shall note that funding for the Contracts is only guaranteed for the period from the Agreement Date to 31 July 2022 and for any Learners recruited before that date to complete their Learning, provided that happens before 31 July 2023.

Potential Contractors should note that any extension of the Contract is wholly at the discretion of the Authority.

II.2.14) Additional information

Regions of delivery for this procurement:

East Midlands

East of England

North East

North West

South East

South West

West Midlands

Yorkshire and The Humber

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

Accelerated procedure

Justification:

The Secretary of State for Education determined that there should be a 'transitional' (short-term) procurement based on current AEB policy to support learners until Further Education (FE) Reform policy embeds and to provide access for learners to the new National Skills Fund Level 3 adult offer.

This procurement, for the 2021/22 academic year, will ensure continued access to funds for providers who have an important role in the adult education market helping to deliver the government's education and skills priorities and ensuring full coverage across England. It will also provide opportunities to support some of the policies associated with post Covid-19 economic recovery.

The Services to be delivered under the Contracts will support Covid-19 recovery and will be focused to support skills which boost productivity and enhance the adult skills system.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

IV.2.2) Time limit for receipt of tenders or requests to participate

Date

22 March 2021

Local time

10:00am

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 4 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

22 March 2021

Local time

10:30am

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

1. The Authority is conducting a light touch procurement applying the principles of the Open Procedure as set out in the Public Contracts Regulations 2015 ("PCR") and more particularly in the procurement documents, with an accelerated timetable. Services of the nature of those covered by this procurement are designated as "Schedule 3" Services ("the Social and Other Specific Services") under the PCR and as such are not subject to the full requirements of the Regulations. The Authority is only bound by the application of the PCR to the extent that they are applicable to Schedule 3 services. The procurement is covered by Regulations 74 to 76 (the "Light Touch Regime").
2. Interested economic operators (Potential Contractors) are required to register on the Authority's e-tendering portal. Applicants can access this system at <https://education.app.jaggaer.com> where the details of how to register and the terms of free registration are provided.
3. Potential Contractors are referred to the procurement documents accompanying this Contract Notice for additional information on this procurement and in relation to this Contract Notice.
4. The Authority reserves the right to withdraw from or discontinue the procurement process, which shall include the right to not award a Contracts or Contracts as a result of this call for competition.
5. Tenders and all supporting documentation for the contract must be in English and priced in sterling.
6. The Authority will not be liable for any bid costs, expenditure, work or effort incurred by a Potential Contractor in proceeding or participating in this procurement, including if the procurement process is terminated or amended by the Authority.

VI.4) Procedures for review

VI.4.1) Review body

High Court

Royal Court of Justices, The Strand

London

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

The Authority will incorporate a minimum voluntary 10 calendar day standstill period at the point that information on the award of the contracts is communicated to Potential Contractors . Unsuccessful Potential Contractors shall be informed by the Authority as soon as possible after the decision has been made. If a requested clarification regarding the award of the contract has not been successfully resolved, The Public Contracts Regulations 2015 (SI 2015 No 102) provide for aggrieved parties who have been harmed or are at risk of harm by the breach of the rules to take legal action. Any such action must be brought within the applicable limitation period. Where a contract has not been entered into, the Court may order the setting aside of the award decision or order the Authority to amend any document and may award damages. If the contract has been entered into the Court may, depending on the circumstances, award damages, make a declaration of ineffectiveness, order the Authority to pay a fine, and / or order that the duration of the contract is shortened. The purpose of the standstill period referred to above is to allow the parties to apply to the Courts to set aside the award decision before the contract is entered into.