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Tender

Adult Education Budget 2023/24 Procurement

Department for Education

F02: Contract notice

Notice identifier: 2023/S 000-003507

Procurement identifier (OCID): ocds-h6vhtk-03962d

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Section I: Contracting authority

I.1) Name and addresses

Department for Education

Sanctuary Buildings, 20, Great Smith Street

London

SW1P 3BT

Email

aebprocurement.help@education.gov.uk

Country

United Kingdom

Region 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.jaggaer.com>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

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

Tenders or requests to participate must be submitted to the above-mentioned address

I.4) Type of the contracting authority

National or federal Agency/Office

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Adult Education Budget 2023/24 Procurement

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 purpose of this notice is to inform the market of a procurement opportunity for delivery of adult education and training to learners aged 19 and over, who are resident in non-devolved areas of England, through Education and Skills Funding Agency (“ESFA”) funded Adult Education Budget (“AEB”) contracts for services (including the level 3 Free Courses for Jobs offer (“FCFJ”).

II.1.5) Estimated total value

Value excluding VAT: £29,000,000

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

Existing ESFA-Funded AEB contracts for services will come to an end on 31 July 2023 and therefore the Department for Education (the “Authority”) is required to undertake a further procurement exercise to secure this provision.

The Authority, on behalf of the ESFA, is conducting a competitive procurement exercise (carried out in accordance with the Light Touch Regime, applying the principles of the Open Procedure as set out in the Public Contract Regulations 2015) for new ESFA-funded AEB contracts for services. It is envisaged that these contracts will start on 1 August 2023 for an initial period of twelve months covering the 2023/24 academic year, with options to extend further by up to three 12-month periods (extension will depend on factors including individual supplier performance and government spending priorities).

Providers will need to meet the criteria and quality standards that will be set out in the procurement documents.

The contracts awarded through this procurement exercise will be for qualifications-based provision and/or their components described in the AEB funding rules and/or the Free Courses For Jobs (“FCFJ”) offer.

Multiple providers are sought to deliver the service across the non-devolved regions of England only. This means individual suppliers will be limited to a maximum contract value,

referred to as a 'tender cap' according to factors including their experience of providing similar services and the size of the bidding organisation. Note however that the Authority does not guarantee that providers who are successfully appointed will necessarily receive funding in an amount equivalent to their applicable tender cap.

Separately to this, an overall maximum contract value of £2.5 million per year will apply (albeit subject to availability of funding/provider performance, the Authority may award funding beyond the afore-mentioned 'caps' to providers if/when further funding becomes available and therefore annual contract values may increase in due course).

Following award, contract values may be increased or decreased according to factors including performance by the contractor and government funding priorities as further explained in the procurement documents.

Given the duration of the contract, the Authority may (at its absolute discretion) agree to variations in respect of the subject-matter of the courses delivered to the extent that such courses continue to fall within the auspices of adult education and the relevant funding rules as described above.

The procurement will be open to providers who are seeking to deliver adult education and training provision funded by the ESFA AEB and FCFJ (and/or any other relevant public sector funding which may become available to deliver adult education programmes from time to time). Providers must deliver such provision in accordance with the then current funding rules applicable to such funding (such that the provision is wholly fundable within the scope of those funding rules).

The procurement process will be carried out electronically via Jaggaer, an online e-Procurement Solution portal. Potential bidders should therefore ensure they are registered on this portal, under the name of the legal organisation that intends to enter into a contract deliver the services. It can be accessed via your web browser at <https://education.app.jaggaer.com>. For full details of the instructions to tenderers and the terms of participation, please refer to the Invitation to Tender documents (including attachments) which are available through Jaggaer.

The estimated value of all the contracts to be awarded pursuant to this procurement process is £290,000,000, taking into account all potential extension options and the possibility of further funding becoming available during the lifetime of the contract.

II.2.5) Award criteria

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

II.2.6) Estimated value

Value excluding VAT: £290,000,000

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

Start date

1 August 2023

End date

31 July 2027

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 initial contract term will be 12 months. However, the Department reserves the right to extend contracts for a period of 12 months on three separate occasions (so that the maximum potential contract duration is 4 years).

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

II.2.14) Additional information

The Department is planning to host a Bidder Briefing Session on 9 February 2023 hosted via Microsoft Teams. If you would like to attend, please raise a clarification via Jaggaer with the representative's name, job title and email address.

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

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.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-000654](#)

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

Date

6 March 2023

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

6 March 2023

Local time

10:00am

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.3) Additional information

The duration of the contract will be an initial period of twelve months covering the 2023/24 academic year, with options to extend further by up to three 12-month periods - a maximum duration of 48 months.

The Authority does not bind itself to accept any tender and is not liable for any costs incurred by those expressing an interest or tendering for this opportunity.

Bidders will remain responsible for all costs and expenses incurred by them or by any third party acting under instructions from bidders in connection with taking part in this procurement, regardless of whether such costs arise as a direct or indirect consequence of any amendments made to the procurement documents by the Authority at any time. The Authority reserves the right at any time to:

- (i) reject any or all responses and to cancel or withdraw this procurement at any stage;
- (ii) award a contract without prior notice;
- (iii) change the basis, the procedures and the time-scales set out or referred to within the procurement documents;
- (iv) require a bidder to clarify any submissions in writing and/or provide additional

information (failure to respond adequately may result in disqualification);

(v) terminate the procurement process; and

(vi) amend the terms and conditions of the selection and evaluation process.

No contract will come into existence and/or shall be binding on the Authority unless and until it has been signed and dated by the duly authorised representatives of both parties.

VI.4) Procedures for review

VI.4.1) Review body

The Royal Courts of Justice

Strand

London

WC2A 2LL

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The Authority will not enter into any contract under the procurement until expiry of a 10-day period following the point at which information on the proposed award of the contract is communicated to tenderers.

Any appeals should be promptly brought to the attention of the Authority using the messaging facility with Jaggaer and will be dealt with in accordance with the requirements of the Public Contracts Regulations 2015.