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Award

Extra Care at Hampton Crescent

Leeds City Council - PACS

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-003983

Procurement identifier (OCID): ocids-h6vhtk-03a435

Published 9 February 2023, 10:54am

Section I: Contracting authority/entity

I.1) Name and addresses

Leeds City Council - PACS

Civic Hall

Leeds

LS11UR

Contact

Clarissa Hoult

Email

clarissa.hoult@leeds.gov.uk

Telephone

+44 1135351836

Country

United Kingdom

Region code

UKE42 - Leeds

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.leeds.gov.uk

Buyer's address

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Extra Care at Hampton Crescent

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

Provision of extra care services at Hampton Crescent

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £923,361

II.2) Description

II.2.2) Additional CPV code(s)

- 85100000 - Health services
- 85300000 - Social work and related services

II.2.3) Place of performance

NUTS codes

- UKE42 - Leeds

II.2.4) Description of the procurement

The provision of onsite extra care services at Hampton Crescent, Leeds supporting residents with their required needs.

II.2.11) Information about options

Options: Yes

Description of options

Up to 12 months extension in any combination.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Negotiated without a prior call for competition

- The works, supplies or services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

"32 (2) The negotiated procedure without prior publication may be used for public works contracts, public supply contracts and public service contracts in any of the following cases:-

(b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons:-

(ii) competition is absent for technical reasons,...

but only, in the case of paragraph (ii)..., where no reasonable alternative or substitute exists, and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement;

It is considered the above ground applies in this case as there is strong evidence that no reasonable alternative to Creative Support providing the services exists for the following reasons:

The scheme is located at a site at which LCC holds nomination rights. At Hampton Crescent where Creative Support is a procured provider however all existing tenants have chosen to be with this provider and the direct award continues this arrangement.

Current tenants have the choice to opt out of receiving care from the on-site provider delivering care at their establishment as part of the block contracting arrangement.

The tenants continue to receive care and support from the on-site provider as part of their ability to utilise their personal choice in respect of their care and support provider.

The intention is to further empower individual choice over the provider of planned care and support at the schemes and ensure people's existing provider is part of that choice.

A review of the Leeds Model of Extra Care has commenced as part of the wider approach to commissioning home care in the city, following which it is likely that changes will need to be considered when establishing new longer-term contracts with extra care providers. The direct awards requested here will help ensure tenants current provider is a part of this work.

The changes to be introduced as part of the wider home care work are anticipated to be finalised by Spring 2024. The award here is intended to facilitate the predicted work needed to bring extra closer in line with home care.

This review and wider home care work will determine the commissioning arrangements for extra care which will then be implemented following the conclusion of all this work.

The ongoing work will determine how care time is defined and purchased. The intention is to bring all extra care schemes under the same purchasing model and for that model to work in line with the wider home care arrangements, which should introduce improvements for service users.

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

The procurement is covered by the Government Procurement Agreement: Yes

Section V. Award of contract/concession

Title

Extra Care at Hampton Crescent

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

27 January 2023

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Creative Support

1A Hall Lane, Cookridge

Leeds

LS16 7NJ

Country

United Kingdom

NUTS code

- UKE42 - Leeds

Companies House

Companies House

The contractor/concessionaire is an SME

Yes

V.2.4) Information on value of contract/lot/concession (excluding VAT)

Initial estimated total value of the contract/lot/concession: £923,361

Total value of the contract/lot/concession: £923,361

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The authority will incorporate a minimum 10 calendar day period at the point information on the award of the contract is communicated. This period allows organisations to seek further information from the contracting authority before the contract is entered into.

Such additional information should be requested from the addressee found in I.1. If an appeal regarding the award of a 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 a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be brought promptly (within 30 days beginning with the date when the economic operator first knew or ought to have known that grounds for such action had arisen).

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. Following the correct implementation of a 10 day standstill period and publication of appropriate notices the court may only award damages once the contract has been entered

into