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Tender

## **HCC Feb 2022 - The Provision of Adult and Community Learning Services**

Hertfordshire County Council

F02: Contract notice

Notice identifier: 2022/S 000-004321

Procurement identifier (OCID): ocds-h6vhtk-03177d

Published 15 February 2022, 4:41pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Hertfordshire County Council

Pegs Lane

HERTFORD

SG13 8DE

#### **Contact**

Strategic Procurement Group

#### **Email**

[anita.shipman@hertfordshire.gov.uk](mailto:anita.shipman@hertfordshire.gov.uk)

#### **Telephone**

+44 01707292601

#### **Country**

United Kingdom

**NUTS code**

UKH23 - Hertfordshire

**Internet address(es)**

Main address

[www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)

Buyer's address

[www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk)

**I.3) Communication**

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

<http://www.supplyhertfordshire.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<http://www.supplyhertfordshire.uk>

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

**I.4) Type of the contracting authority**

Regional or local authority

**I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

HCC Feb 2022 - The Provision of Adult and Community Learning Services

Reference number

HCC2213526

#### **II.1.2) Main CPV code**

- 80400000 - Adult and other education services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

Hertfordshire County Council (the Council or HCC) is going out to tender for the establishment of a Framework Agreement with a number of Subcontractors to provide a range of adult and community learning opportunities to target groups within the population of Hertfordshire. Further information in regards to this opportunity can be found in II.2.4) Description of the procurement field (OJEU Contract Notice refers). Organisations wishing to take part in this project are invited to "express interest" which will give access to the full procurement documents in the e-tendering system. Please see VI.3) Additional information for further information. Any questions relating to this procurement must be made via the correspondence area in the e-Tendering system, in accordance with the procurement documents and can be addressed to the main contact as shown in the details above.

#### **II.1.5) Estimated total value**

Value excluding VAT: £8,200,000

#### **II.1.6) Information about lots**

This contract is divided into lots: No

### **II.2) Description**

#### **II.2.2) Additional CPV code(s)**

- 80400000 - Adult and other education services

### **II.2.3) Place of performance**

NUTS codes

- UKH23 - Hertfordshire

### **II.2.4) Description of the procurement**

Hertfordshire County Council (the Council) is going out to tender for the establishment of a Framework Agreement with a number of Subcontractors to provide a range of adult and community learning opportunities to target groups within the population of Hertfordshire. Tenderers must be included in the UK Register of Learning Providers (UKLRP) and have a valid UK Provider Reference Number (UKPRN). All learning opportunities must meet Step2Skills priorities as set out in the Step2Skills Strategy 2022 - 2024 and adhere to the Education and Skills Funding Agency (ESFA) Funding Rules. Please see the Specification (Schedule 1 of the Framework Agreement) for details about the different funding types available and what courses fit within them. The estimated total value of the Framework Agreement is stated in II.1.5) of this notice and is for the initial term inclusive of the approximate value for extensions, together with the Call-Off Contracts and their possible durations. It is anticipated that the term of the Call-Off Contracts awarded under this Framework Agreement would be the duration of the Framework, including extensions. For the avoidance of doubt, the estimated annual value of the Contract will be approximately £2,700,000.00. This value does not include VAT. The Framework Agreement will be awarded for an initial term of one year, with the option to extend the Framework Agreement up to a further two years on an annual basis. Full details are in the Tender document set. Please note that the contract requirements will be subject to available financial resources, supplier performance and flexibility to meet changing demands. There will be no form of exclusivity or volume that is guaranteed under the resultant Framework Agreement and the Council will be entitled to enter into other contracts and arrangements with other suppliers for the provision of any, or all, of the requirements which are the same as, or similar to those specified under the established Framework Agreement. Organisations should be aware that due to the nature of the Services provided, Framework Agreement formed as a result of this procurement process shall be executed as a deed. Organisations should seek independent legal advice on the implications of this prior to submitting their bid, where appropriate.

### **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: £8,200,000

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

Duration in months

12

This contract is subject to renewal

Yes

Description of renewals

The Framework will be reviewed at the end of the Framework Agreement period.

**II.2.10) Information about variants**

Variants will be accepted: No

**II.2.11) Information about options**

Options: No

**II.2.13) Information about European Union Funds**

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

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**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

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**Section IV. Procedure**

## **IV.1) Description**

### **IV.1.1) Type of procedure**

Open procedure

### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

In the case of framework agreements, provide justification for any duration exceeding 4 years:

Not applicable.

### **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

18 March 2022

Local time

12:00pm

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

English

### **IV.2.7) Conditions for opening of tenders**

Date

18 March 2022

Local time

12:00pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

### **VI.3) Additional information**

Please note Hertfordshire County Council has worked closely with its districts and partners to create a joint procurement portal called supply Hertfordshire. This portal provides an e-Tendering system which is run by In-Tend. To access this procurement opportunity please visit [www.supplyhertfordshire.uk](http://www.supplyhertfordshire.uk) and follow the on-screen guidance. In accordance with Regulation 53 of The Public Contracts Regulations 2015, the Council's procurement documents are available within the e-Tendering system. This is a one stage procurement process. Therefore, if you wish to be considered as a tenderer you must complete and submit a tender by the specified closing date and time. Tender submissions cannot be uploaded after this return deadline. If you are experiencing problems In-Tend offer a help section which includes a dedicated UK support desk which can be contacted via email: [support@in-tend.co.uk](mailto:support@in-tend.co.uk) or Telephone: +44 1144070065 for any website/technical questions, Monday to Friday, 8:30-17:00. The Council reserves the right at any time to cease the procurement process and not award a Framework Agreement or to award only part of the opportunity described in this notice. If the Council takes up this right, then they will not be responsible for or pay the expenses or losses, which may be incurred by any organisation or tenderer as a result. The Council undertakes to hold confidential any information provided in the proposal submitted, subject to the Council's obligations under the law including the Freedom of Information Act 2000. If the organisation considers that any of the information submitted in the proposal should not be disclosed because of its sensitivity then this should be stated with the reason for considering it sensitive. The Council will then endeavour to consult with the applicant about such sensitive information when considering any request received under the Freedom of Information Act 2000 before replying to such a request. The Council reserves the right to carry out additional financial checks on all organisations bidding for this opportunity at any time during the procurement process. This is to ensure that they continue to meet the Council's requirements and remain financially viable to fulfil the requirements under the Framework Agreement.

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Country

United Kingdom

#### **VI.4.2) Body responsible for mediation procedures**

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

The Contracting Authority will incorporate a minimum 10 calendar day (when using electronic means) standstill period at the point information on the award of the Framework Agreement is communicated to tenderers. This period allows unsuccessful tenderers to challenge the decision to award a Framework Agreement before a contract is executed/signed (as appropriate). The Public Contracts Regulations 2015 ('Regulations') provide for aggrieved parties who have been harmed or 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 and within the time limits as defined in the above regulations. Where a Framework Agreement has not been entered into the court may order the setting aside of the award decision or order the contracting authority to amend any document and may award damages. If the Framework Agreement has been entered into the court has the options to award damages and/or to shorten or order the Framework Agreement ineffective.

#### **VI.4.4) Service from which information about the review procedure may be obtained**

Chief Legal Officer

Hertfordshire County Council, Pegs Lane

Hertford

SG13 8DE

Country

United Kingdom