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Tender

## **Flexible Contracting Agreement for Externally Provided Day Opportunities**

Birmingham City Council

F02: Contract notice

Notice identifier: 2025/S 000-004444

Procurement identifier (OCID): ocds-h6vhtk-04dd73

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

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

Birmingham City Council

1 Victoria Square

Birmingham

B1 1BB

#### **Contact**

Commercial and Procurement Services

#### **Email**

[etendering@birmingham.gov.uk](mailto:etendering@birmingham.gov.uk)

#### **Fax**

+44 1213037322

#### **Country**

United Kingdom

**NUTS code**

UKG31 - Birmingham

**Internet address(es)**

Main address

[www.finditinbirmingham.com](http://www.finditinbirmingham.com)

Buyer's address

[www.in-tendhost.co.uk/birminghamcc](http://www.in-tendhost.co.uk/birminghamcc)

**I.3) Communication**

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

[www.in-tendhost.co.uk/birminghamcc](http://www.in-tendhost.co.uk/birminghamcc)

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.in-tendhost.co.uk/birminghamcc](http://www.in-tendhost.co.uk/birminghamcc)

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**

Flexible Contracting Agreement for Externally Provided Day Opportunities

Reference number

P2286

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

- 85000000 - Health and social work services

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

Services

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

The Council wishes to establish a Flexible Contracting Agreement for Externally Provided Day Opportunities. Day Opportunities, traditionally referred to as day centres, where the services are provided for people with care and support needs and their carers that take place, mainly, over daytime hours which provide vital support in two main ways:• They provide meaningful activities, including learning, stimulation and recreation, promoting independence, supporting the development of skills, preparing for access to employment, making friends and enjoying the company of others. • They provide valuable respite for unpaid carers. Day Opportunities support autistic people, those with a learning disability, physical disabilities, acquired brain injury, older adults including those with dementia, mental health and other assessed support needs. The Flexible Contracting Arrangement (FCA) is based on the principles of a Dynamic Purchasing System. The FCA will re-open on an ad hoc basis.

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

Value excluding VAT: £56,000,000

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

This contract is divided into lots: No

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

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

- 85000000 - Health and social work services
- 85310000 - Social work services
- 85300000 - Social work and related services

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

NUTS codes

- UKG31 - Birmingham

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

- They provide meaningful activities, including learning, stimulation and recreation, promoting independence, supporting the development of skills, preparing for access to employment, making friends and enjoying the company of others.
- They provide valuable respite for unpaid carers. Day Opportunities support autistic people, those with a learning disability, physical disabilities, acquired brain injury, older adults including those with dementia, mental health and other assessed support needs.

## **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**

Duration in months

60

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

With an option to extend for a further period of 2 years, subject to satisfactory performance and budgetary availability.

#### **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.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

Further details will be provided in the tender documentation.

##### **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

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

Date

4 April 2025

Local time

12:00pm

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

English

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: No

### VI.3) Additional information

The Council wishes to establish a Flexible Contracting Agreement (FCA) via the Light Touch Regime in accordance with Regulation 34 of the Public Contracts Regulations 2015 (PCR 2015) and the Public Procurement (Amendments, Repeals and Revocations) Regulations 2016 as set out in Schedule 3 of the Public Contracts Regulations 2015 (Annex A) (PCR 2015) in relation to Social, Health and Education services. The Flexible Contracting Arrangement (FCA) is based on the principles of a Dynamic Purchasing System. The FCA will re-open on an ad hoc basis as required; this will be at the Council's discretion and based on citizen need and market provision. There will be an initial one-off

re-opening of the FCA to allow for new applications as appropriate; this includes the opportunity for unsuccessful applicants to re-apply. The FCA will be for a period of 5 years commencing on 1 August 2025, with an option to extend for a further period of 2 years, subject to satisfactory performance and budgetary availability. The duration of the call off contracts will be based on the individual requirements i.e. care packages; citizens' care may remain commissioned under these arrangements until such time as the call-off ends and provision will be made for this within the associated contract terms. The FCA is a two-stage process:

- Stage 1 – Selection Stage – all Potential Suppliers must submit a Request To Participate and pass the criteria to be appointed to the FCA. The selection stage consists of qualification questions including mandatory and discretionary exclusion criteria (SQ - Selection Questionnaire webform) and quality assessment questions (the 002 Questionnaire and Appendices 3 and 4). All successful participants will be admitted to the FCA and the Stage 2 process will be followed as set out below.
- Stage 2 – allocation of care packages: the care package prescriber; e.g. social worker will identify the potential provider(s) based on the client's support needs and locality. Providers will be awarded the care package based on most appropriate to deliver and 'user choice'. There is no competitive procurement process under the current process however this may be subject to change during the lifetime of the FCA. The RTP application process for the FCA is being issued using the Council's e-tendering portal on Intend [www.in-tendhost.co.uk/birminghamcc](http://www.in-tendhost.co.uk/birminghamcc). All applications must be submitted via the appropriate portal Intend. Use of the e-tendering portal is free throughout the whole procurement process. The system is secure and access to RTPs will only be made available to those employees of the Council and/or their authorised advisors. Deadline for receipt of initial Selection Questionnaire is noon on 4th April 2025.

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

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

High Court of Justice

London

WC2A 2LL

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

N/A

