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Contract

Learning Disability Community Support Services

Leeds City Council - PACS

F20: Modification notice

Notice identifier: 2021/S 000-005817

Procurement identifier (OCID): ocds-h6vhtk-029e2a

Published 22 March 2021, 7:00pm

Section I: Contracting authority/entity

I.1) Name and addresses

Leeds City Council - PACS

Civic Hall

Leeds

LS11UR

Contact

Tony Bailey

Email

Tony.bailey@leeds.gov.uk

Telephone

+44 1133785822

Country

United Kingdom

NUTS code

UKE42 - Leeds

Internet address(es)

Main address

www.leeds.gov.uk

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Learning Disability Community Support Services

Reference number

9TZL-RMT61W

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKE42 - Leeds

II.2.4) Description of the procurement at the time of conclusion of the contract:

Note - the contract commenced on 1st August 2015 and expires on 31st July 2021.

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

Duration in months

72

Section IV. Procedure

IV.2) Administrative information

IV.2.1) Contract award notice concerning this contract

Notice number: [2015/S 042-072968](#)

Section V. Award of contract/concession

Contract No

9TZL-RMT61W

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract/concession award decision:

17 March 2021

V.2.2) Information about tenders

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

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

Aspire Services (Leeds) Ltd

Lower Wortley Road

Leeds

LS12 4PX

Country

United Kingdom

NUTS code

- UKE42 - Leeds

The contractor/concessionaire is an SME

No

V.2.4) Information on value of the contract/lot/concession (at the time of conclusion of the contract;excluding VAT)

Total value of the procurement: £122,718,960

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

The High Court of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom

Section VII: Modifications to the contract/concession

VII.1) Description of the procurement after the modifications

VII.1.1) Main CPV code

- 85000000 - Health and social work services

VII.1.3) Place of performance

NUTS code

- UKE42 - Leeds

VII.1.4) Description of the procurement:

Provision of Day Care, Respite and Crisis Care and Supported Living services to adults with learning disabilities within Leeds.

VII.1.5) Duration of the contract, framework agreement, dynamic purchasing system or concession

Duration in months

24

VII.1.6) Information on value of the contract/lot/concession (excluding VAT)

Total value of the contract/lot/concession:

£122,718,960

VII.1.7) Name and address of the contractor/concessionaire

Aspire Services (Leeds) Ltd

Lower Wortley Road

Leeds

LS12 4PX

Country

United Kingdom

NUTS code

- UKE42 - Leeds

The contractor/concessionaire is an SME

No

VII.2) Information about modifications

VII.2.1) Description of the modifications

Nature and extent of the modifications (with indication of possible earlier changes to the contract):

The modification of contracts is governed under the Public Contracts Regulations 2015 at regulation 72. This considers the extent to which a contract may be modified before it should be considered so substantially changed as to necessitate a new contract. It also requires the consideration of the effect of cumulative variations therefore, this needs to be considered in taking this decision.

The provisions of Regulation 72 (1b) (i) & (ii) provide an exception "where all of the following conditions are fulfilled:-

Regulation 72 (1) Contracts and framework agreements may be modified without a new procurement procedure in accordance with this Part in any of the following cases:-

(b) for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor

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(i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement; and

(ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract.

VII.2.2) Reasons for modification

Need for additional works, services or supplies by the original contractor/concessionaire.

Description of the economic or technical reasons and the inconvenience or duplication of cost preventing a change of contractor:

In making this variation the above conditions of Regulation 72 (1b) (i) & (ii) are deemed to be satisfied for the following reasons:

- (i) Would cause significant inconvenience or substantial duplication of costs for the contracting authority;
- (ii) The additional period is to cover the uncertainty of the market and to allow time to undertake a future procurement exercise for respite provision;
- (iii) The request to increase the price to vary the contract period is less than 50% of the value of the original contract. The additional funding does not change the overall nature of the contract and;
- (iv) Service users have the right to choose who provides these care and support services to them, and they have chosen Aspire. Therefore, at this moment in time, and until procurement options have been pursued, there are no alternative options but to continue with Aspire.

VII.2.3) Increase in price

Updated total contract value before the modifications (taking into account possible earlier contract modifications, price adaptations and average inflation)

Value excluding VAT: £42,076,000

Total contract value after the modifications

Value excluding VAT: £164,794,960