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Contract

## **NAC/5011 Early Learning and Childcare Funded Entitlement Re-open March 2021**

North Ayrshire Council

F03: Contract award notice

Notice identifier: 2022/S 000-006306

Procurement identifier (OCID): ocds-h6vhtk-029ce4

Published 8 March 2022, 1:44pm

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

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

North Ayrshire Council

Cunninghame House, Friars Croft

Irvine

KA12 8EE

#### **Email**

[procurement@north-ayrshire.gov.uk](mailto:procurement@north-ayrshire.gov.uk)

#### **Telephone**

+44 1294310000

#### **Country**

United Kingdom

#### **NUTS code**

UKM93 - East Ayrshire and North Ayrshire mainland

**Internet address(es)**

Main address

<http://www.north-ayrshire.gov.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00337](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00337)

**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**

NAC/5011 Early Learning and Childcare Funded Entitlement Re-open March 2021

Reference number

NAC/5011

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

- 85312110 - Child daycare services

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

Services

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

North Ayrshire Council (the “Council”) is required by Scottish Government, under the Children and Young People (Scotland) Act 2014, to provide a funded placement of 1140 hours per year to all eligible 2 year olds and all children aged from 3 to those not yet attending Primary School, effective from August 2020.

In accordance with The Public Contracts (Scotland) Regulations 2015, Regulation 74, the Council intend to establish a Flexible Framework to secure external providers who can supplement the Council’s internal early learning and childcare provision. The proposed Framework will be for 5 years, with options for Tenderers to apply to the Framework every 6 months.

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

This contract is divided into lots: Yes

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

#### **II.2.1) Title**

Nursery Services (Including private and third sector settings)

Lot No

1

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

- 80110000 - Pre-school education services
- 85312110 - Child daycare services

**II.2.3) Place of performance**

NUTS codes

- UKM93 - East Ayrshire and North Ayrshire mainland

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

The Council has a statutory duty to make pre-school education available for eligible children under the Standards in Scotland's Schools Act 2000. The Children and Young People (Scotland) Act 2014 and Statutory Guidance set out the increased entitlement to 1140 hours for eligible children and places a duty on the Council to offer increased flexibility to parents as to where and how their child can access their Early Learning and Childcare entitlement. Scottish Government made a commitment to extend the entitlement to all eligible children to 1140 hours for Early Learning and Childcare by 2020/2021 as set out in 'A Blueprint for 2020; Expansion of Early Learning and Childcare in Scotland' (2016).

The Funding Follows the Child approach places choice in parents' and carers' hands allowing them to access their child's funded entitlement with a range of ELC providers, therefore the Council are seeking to set up a Flexible Framework for the provision of early learning and childcare services under the Light Touch Rules contained within the Public Contracts (Scotland) Regulations 2015. Lot 1 of this Flexible Framework sets out the minimum standards required from the private, voluntary and independent setting.

All providers who apply and meet the national standards, legislation, the Council's procedural requirements as set out in the Invitation to Tender and accept the rates and contract terms set out by the Council shall be accepted to deliver funded provision through the Flexible Framework.

**II.2.5) Award criteria**

Quality criterion - Name: Description within the technical envelope / Weighting: 95

Price - Weighting: 5

**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

## **II.2) Description**

### **II.2.1) Title**

Childminding Services

Lot No

2

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

- 80110000 - Pre-school education services
- 85312110 - Child daycare services

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

NUTS codes

- UKM93 - East Ayrshire and North Ayrshire mainland

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

The Council has a statutory duty to make pre-school education available for eligible children under the Standards in Scotland's Schools Act 2000. The Children and Young People (Scotland) Act 2014 and Statutory Guidance set out the increased entitlement of 600 hours, including the provision for eligible children and places a duty on the Council to offer increased flexibility to parents as to where and how

their child can access their Early Learning and Childcare entitlement. Scottish Government has since made a commitment to extend the entitlement to all eligible children to 1140 hours Early Learning and Childcare by 2020/2021 as set out in 'A Blueprint for 2020; Expansion of Early Learning and Childcare in Scotland' (2016).

The Funding Follows the Child approach places choice in parents' and carers' hands allowing them to access their child's funded entitlement with a range of ELC providers, therefore the Council are seeking to set up a Flexible Framework for the provision of early learning and childcare services under the Light Touch Rules contained within the Public

Contracts (Scotland) Regulations 2015. Lot 2 of this Flexible Framework sets out the minimum standards required from the childminders setting.

All providers who apply and meet the national standards, legislation, the Council's procedural requirements as set out in the Invitation to Tender and accept the rates and contract terms set out by the Council shall be able to deliver funded provision through the Flexible Framework.

### **II.2.5) Award criteria**

Quality criterion - Name: Description within the technical envelope / Weighting: 95

Price - Weighting: 5

### **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

## **II.2) Description**

### **II.2.1) Title**

Applicants where the Setting has been registered with the Care Inspectorate for less than 12 months

Lot No

3

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

- 85312110 - Child daycare services
- 80110000 - Pre-school education services

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

NUTS codes

- UKM93 - East Ayrshire and North Ayrshire mainland

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

The Council has a statutory duty to make pre-school education available for eligible children under the Standards in Scotland's Schools Act 2000. The Children and Young People (Scotland) Act 2014 and Statutory Guidance set out the increased entitlement of 600 hours, including the provision for eligible children and places a duty on the Council to offer increased flexibility to parents as to where and how their child can access their Early Learning and Childcare entitlement. Scottish Government has since made a commitment to extend the entitlement to all eligible children to 1140 hours Early Learning and Childcare by 2020/2021 as set out in 'A Blueprint for 2020; Expansion

of Early Learning and Childcare in Scotland' (2016).

The Funding Follows the Child approach places choice in parents' and carers' hands allowing them to access their child's funded entitlement with a range of ELC providers, therefore the Council are seeking to set up a Flexible Framework for the provision of early learning and childcare services under the Light Touch Rules contained within the Public Contracts (Scotland) Regulations 2015. Lot 3 of

this Flexible Framework sets out the minimum standards required from the childminders setting.

All providers who apply and meet the national standards, legislation, the Council's procedural requirements as set out in the Invitation to Tender and accept the rates and contract terms set out by the Council shall be able to deliver funded provision through the Flexible

Framework.

#### **II.2.5) Award criteria**

Quality criterion - Name: Description within the technical envelope / Weighting: 95

Price - Weighting: 5

#### **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 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: No

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2021/S 000-005491](#)

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## **Section V. Award of contract**

### **Contract No**

NAC/5011

### **Lot No**

2

### **Title**

Childminding Services

A contract/lot is awarded: No

### **V.1) Information on non-award**

The contract/lot is not awarded

No tenders or requests to participate were received or all were rejected



## **Section V. Award of contract**

### **Contract No**

NAC/5011

### **Lot No**

3

### **Title**

Applicants where the Setting has been registered with the Care Inspectorate for less than 12 months

A contract/lot is awarded: No

### **V.1) Information on non-award**

The contract/lot is not awarded

No tenders or requests to participate were received or all were rejected

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## **Section V. Award of contract**

### **Contract No**

NAC/5011

### **Lot No**

1

### **Title**

Nursery Services (Including private and third sector settings)

A contract/lot is awarded: No

### **V.1) Information on non-award**

The contract/lot is not awarded

No tenders or requests to participate were received or all were rejected

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## **Section VI. Complementary information**

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

Further entry points to the Framework will be permitted every 6 months for new entrants and any Tenderer who were not awarded to the initial Framework entry point. The same Requirements will apply.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 18133. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

The framework has been divided into lots to support SMEs to gain access to opportunities through the flexible framework. The nature of the services delivered are unlikely to be delivered through sub-contractors and therefore a sub-contract clause is not suitable for

this type of services framework.

The Contracting Authority does not intend to include any community benefit requirements in this contract for the following reason:

The Flexible Framework does not provide a guarantee of work, therefore community benefits are not being made mandatory within the

tender.

The award of a funded placement is dictated by parental choice therefore no work is guaranteed.

(SC Ref:686156)

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

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

Kilmarnock Sheriff Court

Sheriff Court House, St Marnock Street

KILMARNOCK

KA1 1ED

Country

United Kingdom