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Tender

## **WP3714 - Advocacy Services**

Walsall Metropolitan Borough Council

F02: Contract notice

Notice identifier: 2022/S 000-011083

Procurement identifier (OCID): ocds-h6vhtk-0331e8

Published 29 April 2022, 10:52am

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

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

Walsall Metropolitan Borough Council

Civic centre, Darwall Street

Walsall

WS1 1TP

#### **Contact**

Julie Jones

#### **Email**

[procurement@walsall.gov.uk](mailto:procurement@walsall.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKG38 - Walsall

**Internet address(es)**

Main address

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

Buyer's address

<https://in-tendhost.co.uk/walsallcouncil>

**I.3) Communication**

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

<https://in-tendhost.co.uk/walsallcouncil>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://in-tendhost.co.uk/walsallcouncil>

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**

WP3714 - Advocacy Services

Reference number

WP3714

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

- 85300000 - Social work and related services

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

Services

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

The Council wishes to procure a provider to deliver Advocacy Services: Independent Care Act Advocacy, IMHA, ICAS and IMCA to support the Council to fulfil its duty with regard to the provision of Independent Statutory Advocacy. The service is for eligible people who have been judged to have substantial difficulty or lack the capacity to engage with processes relating to their care, health and support services, or in deprivation of liberty situations, and do not have an appropriate individual (i.e. family member) to represent them. The tender consolidates several Independent Advocacy Service requirements into two Specifications to cover the following: Specification 1 Service 1 - Independent Care Act Advocacy to comply with the Care Act 2014 Service 2 - Independent Mental Health Advocacy (IMHA) to comply with the Mental Health Act 1983(as amended by the Mental Health Act 2007) Service 3 - Independent Complaints Advocacy (ICAS) to comply with the NHS and Social Care Act 2012 Spec

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

Value excluding VAT: £1,218,000

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

This contract is divided into lots: No

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

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

- 85312310 - Guidance services
- 85312300 - Guidance and counselling services

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

NUTS codes

- UKG38 - Walsall

Main site or place of performance

Walsall

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

The Council wishes to procure a provider to deliver Advocacy Services: Independent Care Act Advocacy, IMHA, ICAS and IMCA to support the Council to fulfil its duty with regard to the provision of Independent Statutory Advocacy. The service is for eligible people who have been judged to have substantial difficulty or lack the capacity to engage with processes relating to their care, health and support services, or in deprivation of liberty situations, and do not have an appropriate individual (i.e. family member) to represent them. The tender consolidates several Independent Advocacy Service requirements into two Specifications to cover the following: Specification 1 Service 1 - Independent Care Act Advocacy to comply with the Care Act 2014 Service 2 - Independent Mental Health Advocacy (IMHA) to comply with the Mental Health Act 1983 (as amended by the Mental Health Act 2007) Service 3 - Independent Complaints Advocacy (ICAS) to comply with the NHS and Social Care Act 2012 Specification 2 Service 4 - Independent Mental Capacity Advocacy (IMCA) including Deprivation of Liberty Safeguards Advocacy (IMCA DoLS), and Relevant Paid Persons Representative Service to comply with the Mental Capacity Act 2005 and the Mental Capacity Amendment Act 2019

## **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: £1,218,000

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

Start date

1 October 2022

End date

30 September 2024

This contract is subject to renewal

Yes

Description of renewals

4 x up to 12 months up to 30th September 2028

#### **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

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

Date

30 May 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

30 May 2022

Local time

12:00pm

Place

Walsall

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## **Section VI. Complementary information**

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

This is a recurrent procurement: No

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

Interest in this contract process should be expressed via the Council's e-Tendering Portal – <https://in-tendhost.co.uk/walsallcouncil>The Council reserves the right to cancel the procurement and not to proceed with the contract. The Council also reserves the right not to award a contract or to award a contract for parts or part of the services only. The Council will not, under any circumstances, reimburse any expense incurred by bidders in preparing their SSQ or tender submissions. The Council notes that the award of the contract may involve a transfer of employment undertakings pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006, and will clarify the position with the applicants during the tender process. This is a voluntary contract notice.

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

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

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

WMBC will incorporate a minimum 10 calendar day standstill period at the point information on entering into the agreement is published. Such additional information should be requested from the addressee found in I.1). If an appeal regarding entering into the agreement 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 the agreement has not been entered into the court may order the setting aside of the decision to enter into the agreement or order WMBC 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 agreement has been entered into.