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Tender

Day 6 Provision

Kirklees Council

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2023/S 000-011657

Procurement identifier (OCID): ocids-h6vhtk-03c390

Published 24 April 2023, 1:29pm

The closing date and time has been changed to:

30 May 2023, 1:00pm

See the [change notice](#).

Section I: Contracting authority

I.1) Name and addresses

Kirklees Council

PO Box 1720

HUDDERSFIELD

HD1 9EY

Contact

Kelsey Clark-Davies

Email

kelsey.clark-davies@kirklees.gov.uk

Telephone

+44 1484221000

Country

United Kingdom

Region code

UKE44 - Calderdale and Kirklees

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<https://www.kirklees.gov.uk>

Buyer's address

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

I.3) Communication

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

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://yortender.eu-supply.com/login.asp?B=YORTENDER>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Day 6 Provision

Reference number

KMCCYP-170A

II.1.2) Main CPV code

- 800000000 - Education and training services

II.1.3) Type of contract

Services

II.1.4) Short description

Tenders are invited by the Council from Providers with relevant experience and ability to demonstrate sufficient capacity for the provision of Day 6 Support (Key Stages 1/2, 3 & 4) (the "Services").

The Council requires 55 placements per academic year - Key Stage 1/2 x 5 placements, Key Stage 3 x 25 placements and Key Stage 4 x 25 placements. The Council wishes to award one Contract for the provision of all 55 placements.

The maximum value of the Services to be awarded is £1,375,000 per annum (which equates to £25,000.00 per placement).

The anticipated commencement date for the Services is 1st September 2023 until expiry on 31st August 2026, with the option to extend for a further period, or successive periods, up to 31st August 2028.

II.1.5) Estimated total value

Value excluding VAT: £6,875,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 80000000 - Education and training services

II.2.3) Place of performance

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Borough of Kirklees

II.2.4) Description of the procurement

Kirklees Council wishes to meet its statutory obligations to provide education for pupils who are unable to access or who are at risk of losing a school place as a result of exclusion, behavioural needs or who are hard to place. Some pupils and students may

have complex needs that require educational providers to work in

cooperation with other agencies as well as parents/carers and children and young people.

Kirklees Council wishes to commission a Provider to ensure high

quality alternative education is provided for young people who are permanently excluded from Day 6 provision including those with social, emotional and mental health or medical needs (KS1/2 5 pupils; KS3 25 pupils; KS4 25 pupils).

II.2.6) Estimated value

Value excluding VAT: £6,875,000

II.2.7) Duration of the contract or the framework agreement

Start date

1 September 2023

End date

31 August 2028

II.2.14) Additional information

This exercise is an open procedure in accordance with the requirements under Regulation 27(5) of the Public Contracts Regulations 2015 (SI 2015/102) for the purpose of procuring the Services described in the procurement documents.

The accelerated procedure has been used due to Day 6 Services been a Statutory Function and provision having to be in place from 1st September 2023. This follows an unsuccessful tender process which requires re-tendering.

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.4) Objective rules and criteria for participation

List and brief description of rules and criteria

The minimum criteria for consideration of this contract is described in the Selection Questionnaire document, under the "Selection Criteria" section.

In summary Bidders will be assessed on their financial stability, their previous experience of delivering Day 6 services, and adherence with relevant legislative requirements.

Section 4 - Economic & Financial Standing:

Tenderers will Pass or Fail on the basis of being financially viable for the Contract tendered for.

The rationale applied will be:

1) Applicants being able to demonstrate that the net worth quoted on the last 2 years of their balance sheet is positive. Any applicant must have a positive net asset shown on their balance sheet, but where so accounted, any deficient on a pension

fund will not be included in this analysis; and

2) Tenderers must demonstrate a minimum annual turnover of at least 1.5 times the total combined annual contract value tendered to achieve a 'Pass'.

Section 8.1 - Insurance:

Employers Liability £10,000,000

Public Liability £10,000,000

Professional Indemnity £2,000,000

Fleet/Motor Insurance cover (where applicable) not less than five million Pounds Sterling (£5,000,000) in relation to any one claim or series of claims - also inclusive of unlimited bodily injury insurance.

Section IV. Procedure

IV.1) Description

IV.1.1) Form of procedure

Open procedure

IV.1.11) Main features of the award procedure

The Council intends to award a Contract to the Tenderer offering

the Most Economically Advantageous Tender in accordance with the Evaluation Criteria and weightings detailed in the Invitation to Tender document.

Quality forms 60% whilst Price forms 40% of the final score. The

Successful Tenderer will meet the Minimum Requirements in

full, as stipulated in the Selection Questionnaire, and have the highest combined evaluation score (Quality and Price).

Further specifics on the above award criteria can be found in the

procurement documentation that is available to access at

<https://yortender.eusupply.com/login.asp?B=YORTENDER>

IV.2) Administrative information

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

Originally published as:

Date

9 May 2023

Local time

1:00pm

Changed to:

Date

30 May 2023

Local time

1:00pm

See the [change notice](#).

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

English

Section VI. Complementary information

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.4) Procedures for review

VI.4.1) Review body

High Court of England and Wales

London

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

In accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the Public Contracts Regulations 2015 (SI 2015/102), the contracting authority incorporated a minimum ten (10) calendar day standstill period at the point that information on the award of the Contract was communicated to economic operators. This period allowed any

unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award of the Contract to the successful economic operators. Such additional information should be requested from the address at Sections I.1 and I.3 of this Notice above. If an appeal regarding the award of the Contract has not been successfully resolved, then the Public Contracts Regulations 2015 (SI 2015/102) 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 started within

thirty(30) days beginning with the date when the aggrieved party first knew or sought to have grounds for starting the proceedings had arisen. The Court may extend the time limited for starting proceedings where the Court considers that there is a good reason for doing so, but not so as to permit proceedings to be started more than three (3) months after that date.

Where the Contract has not been awarded, 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 however the Contract has been awarded, the Court may only award damages or, where the contract award procedures have not been followed correctly, declare the Contract to be ineffective.