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Contract

Award of Contract for South West (Canalside) Older People's Day Opportunities

The City of Edinburgh Council

F21: Social and other specific services – public contracts

Contract award notice

Notice identifier: 2022/S 000-011990

Procurement identifier (OCID): ocds-h6vhtk-033573

Published 9 May 2022, 2:15pm

Section I: Contracting authority

I.1) Name and addresses

The City of Edinburgh Council

Waverley Court, 4 East Market Street

Edinburgh

EH8 8BG

Contact

Paula Deegan

Email

Paula.Deegan@edinburgh.gov.uk

Telephone

+44 1314693922

Country

United Kingdom

NUTS code

UKM75 - Edinburgh, City of

Internet address(es)

Main address

<http://www.edinburgh.gov.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00290

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

Award of Contract for South West (Canalside) Older People's Day Opportunities

Reference number

CT2835

II.1.2) Main CPV code

- 85312100 - Daycare services

II.1.3) Type of contract

Services

II.1.4) Short description

Day opportunities encompass a wide range of activities for older people that involve supporting people to age well. The aim of day opportunities is to improve people's quality of life by ensuring they remain or become active citizens who are socially engaged.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £249,129

II.2) Description

II.2.2) Additional CPV code(s)

- 85312100 - Daycare services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

South West Locality of Edinburgh

II.2.4) Description of the procurement

This requirement had been previously published on PCS as part of Day Opportunities Framework in January 2020. It was anticipated that the incumbent provider would bid however they did not and as such, there was not enough capacity within the South West of Edinburgh. Various PIN's have since been published to establish interest from the market, the latest being in May 2021. Two providers indicated interest and negotiations were undertaken. However, one provider withdrew their interest and negotiations continued with the remaining provider (expedited due to the lack of service within the SW).

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Form of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:
 - absence of competition for technical reasons

Explanation:

This Contract falls within the category of contracts covered by Regulation 74 of The Public Contracts (Scotland) Regulations 2015 and is being awarded in accordance with the process set out in Regulation 33, in particular Regulation 33 (1) section (b) where the works, supplies or services can be supplied only by a particular economic operator for any of the following reasons — (ii) competition is absent for technical reasons; there is a limited supply market. It is an interim arrangement only.

IV.1.10) Identification of the national rules applicable to the procedure

Information about national procedures is available at: <https://www.gov.scot/policies/public-sector-procurement/>

IV.1.11) Main features of the award procedure

Negotiated procedure due to COVID-19 pandemic and the continued requirement of the service.

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

11 April 2022

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 1

Number of tenders received by electronic means: 0

V.2.3) Name and address of the contractor

Libertus Services

20 Gracemount Drive

Edinburgh

EH16 6RN

Telephone

+44 1316720982

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £249,129

Section VI. Complementary information

VI.3) Additional information

This is an interim arrangement only due to C-19 pandemic as it is in the interests of the individuals within the South West Locality to be supported with this service.

(SC Ref:664071)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

VI.4.2) Body responsible for mediation procedures

Court of Session Parliament House

Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

A tenderer that suffers loss as a result of a breach of duty under the Public Contracts (Scotland) Regulations 2015 may bring proceedings in the Sheriff Court or the Court of

Session. The City of Edinburgh Council (the Council) will have a minimum standstill period of 10 days before awarding the contract. The communication of the award decision notice will be sent by fax or e-mail to all tenderers with the standstill period commencing on the next day. If proceedings are started in the Sheriff Court or the Court of Session against the Council in respect of the decision to award the contract within the standstill period then the Council is prevented from awarding the contract. Post contract award the Sheriff Court or the Court of Session may (1) award damages provided proceedings are brought within 3 months from the date when the grounds for the bringing of the proceedings first arose (2) be entitled to issue an ineffectiveness order or impose a financial penalty on the Council. A claim for an ineffectiveness order must be made within 30 days of the Contract Award Notice being published in the OJEU or within 30 days of the date those who expressed an interest in or otherwise bid for the contract were informed of the conclusion of the contract or in any other case within 6 months from the date on which the contract was entered into.