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Tender

CT0863 - Independent Advocacy

The City of Edinburgh Council

F21: Social and other specific services – public contracts

Prior information notice with call for competition

Notice identifier: 2022/S 000-013836

Procurement identifier (OCID): ocds-h6vhtk-033cb1

Published 23 May 2022, 2:11pm

Section I: Contracting authority

I.1) Name and addresses

The City of Edinburgh Council

Waverley Court, 4 East Market Street

Edinburgh

EH8 8BG

Contact

Anna Penman

Email

anna.penman@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.3) Communication

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

www.publictendersscotland.publiccontractsscotland.gov.uk/

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

CT0863 - Independent Advocacy

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

The Council and NHS Lothian, through the EHSCP, have a statutory duty to provide access to independent advocacy services to people who meet the requirements of Adults with Incapacity (Scotland) Act 2000, the Adult Support and Protection (Scotland) act 2007, the Carers (Scotland) Act 2016, The Children (Scotland) Act 1995 and the Mental Health (Care and Treatment)(Scotland) Act 2003. Section 259 of the 2003 Act sets out the main provisions for independent advocacy. Independent advocacy supports an advocacy partner's right to have their own voice heard in decisions made about their health and well-being. Independent advocacy enables vulnerable people to be heard and promotes social inclusion.

Independence is key in the advocacy partners right to advocacy, because it is vital that the role of independent advocacy is not compromised in any way. Independence ensures that the advocacy services provided are divorced from the interests of those persons concerned with the advocacy partner's care and welfare.

Independent advocacy services can only be provided by organisations who meet the requirements of the Scottish Independent Advocacy Alliance (SIAA) or equivalent. The SIAA define an independent advocacy organisation as “an organisation that only provides independent advocacy and all the activities it undertakes are about providing, promoting, supporting and defending independent advocacy. Independence means that it does not provide any other services and is structurally, financially and psychologically separate from other organisations and interests”.

Information about independent advocacy services will need to be communicated to advocacy partners in a way which each advocacy partners can understand, taking account of any special communication needs they may have. Such needs may arise, for

example, where the advocacy partners is deaf or hard of hearing or has a visual impairment, a learning disability or where their first language is not English. In addition, any information provided in writing should be clear and in a style and language which can be easily understood by the individual advocacy partner.

The Service shall be predominately provided face to face to Advocacy Partners within the city of Edinburgh from either the office premises or in an agreed venue or space within the locality where the Advocacy Partner resides. If the Advocacy Partner is in a hospital ward, then the Service shall be delivered there.

II.1.5) Estimated total value

Value excluding VAT: £7,387,982

II.1.6) Information about lots

This contract is divided into lots: Yes

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

Lot 1 and 2 may be combined.

Services for collective and independent advocacy may be combined within the same lot number.

II.2) Description

II.2.1) Title

Lot 1a - Individual Independent advocacy services for people with mental health issues

Lot No

1

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services
- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of Edinburgh

II.2.4) Description of the procurement

Independent advocacy services for people with mental health issues for individual and non-instructed.

This Lot 1a is designed for people over 16 years or older who have a mental health disorder or who have or have experienced mental health issues which can be severe and enduring and require an independent advocate. This service will also be required by children and young people receiving services from CAMHS in Edinburgh.

More detail can be found within the draft specification.

II.2.6) Estimated value

Value excluding VAT: £3,025,467

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 864,000 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.15

More detail can be found in III.1.4)

II.2) Description

II.2.1) Title

Lot 1b - Collective Independent advocacy services for people with mental health issues

Lot No

2

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services
- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of edinburgh

II.2.4) Description of the procurement

Independent advocacy services for people with mental health issues for collective advocacy.

This lot 1b is for people 16 years or older who have a mental health disorder or who have or have experienced mental health issues which can be severe and enduring and require collective independent advocacy. This service will also be required by children and young people receiving services from CAMHS in Edinburgh.

More detail can be found within the draft specification.

II.2.6) Estimated value

Value excluding VAT: £756,367

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 216,000 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.10

More detail can be found in III.1.4)

II.2) Description

II.2.1) Title

Lot 2a - Individual Independent advocacy services for people with problematic substance use issues

Lot No

3

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services
- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of Edinburgh

II.2.4) Description of the procurement

Independent advocacy services for people with problematic substance use issues for individual and non instructed advocacy.

This lot 2a is for people who are 16 years or older who have a problematic substance use who are deemed at risk of harm, vulnerable or of risk of death who require independent individual advocacy.

More detail can be found within the draft specification.

II.2.6) Estimated value

Value excluding VAT: £241,802

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 69,000 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.10

More detail can be found in III.1.4)

II.2) Description

II.2.1) Title

Lot 2b - Collective Independent advocacy services for people with problematic substance use issues

Lot No

4

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services
- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of Edinburgh

II.2.4) Description of the procurement

Independent advocacy services for people with problematic substance use issues for collective advocacy.

This lot 2b is for people who are 16 years or older who have a problematic substance use who are deemed at risk of harm, vulnerable or of risk of death who require independent collective advocacy.

More detail can be found within the draft specification.

II.2.6) Estimated value

Value excluding VAT: £80,600

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 23,029 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.10

More detail can be found in III.1.4)

II.2) Description

II.2.1) Title

Lot 3a - Individual Independent advocacy services for people with a learning/ intellectual disability, autistic people, older people, dementia and physical disability or sensory impairment

Lot No

5

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services

- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of Edinburgh

II.2.4) Description of the procurement

Independent advocacy services for people with a learning/ intellectual disability, autistic people, older people, people with dementia and people with a physical disability or sensory impairment for individual and non-instructed advocacy.

This lot 3a is for adults aged 16 or older (no upper age limit).

More detail can be found in the draft specification.

II.2.6) Estimated value

Value excluding VAT: £1,813,514

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 518,000 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.10

More detail can be found in III.1.4)

II.2) Description

II.2.1) Title

Lot 3b - Collective Independent advocacy services for people with a learning/ intellectual disability, autistic people, older people, dementia and physical disability or sensory impairment

Lot No

6

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services
- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of Edinburgh

II.2.4) Description of the procurement

Independent advocacy services for people with a learning/ intellectual disability, autistic people, older people, people with dementia and people with a physical disability or sensory impairment for collective advocacy.

This lot 3b is for adults aged 16 or older (no upper age limit).

More detail can be found in the draft specification.

II.2.6) Estimated value

Value excluding VAT: £201,501

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 57,000 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.10

More detail can be found in III.1.4)

II.2) Description

II.2.1) Title

Lot 4a - Individual Adult Unpaid Carers Independent Advocacy Service

Lot No

7

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services

- 98000000 - Other community, social and personal services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of Edinburgh

II.2.4) Description of the procurement

Adult unpaid Carers independent advocacy service for individual advocacy.

This lot 4a will provide unpaid adult carers (aged 18 years or older) as defined in the Carers (Scotland) Act 2016 who require individual advocacy.

More detail can be found in the draft specification.

II.2.6) Estimated value

Value excluding VAT: £1,014,985

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 289,000 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.10

More detail can be found in III.1.4)

II.2) Description

II.2.1) Title

Lot 4b - Collective Adult Unpaid Carers Independent Advocacy Service

Lot No

8

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services

II.2.3) Place of performance

NUTS codes

- UKM75 - Edinburgh, City of

Main site or place of performance

City of Edinburgh

II.2.4) Description of the procurement

Adult Unpaid Carers independent advocacy service for collective advocacy.

This lot 4b will provide unpaid adult carers (aged 18 years or older) as defined in the Carers (Scotland) Act 2016 who require collective advocacy.

More detail can be found in the draft specification.

II.2.6) Estimated value

Value excluding VAT: £253,746

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

Start date

1 April 2023

End date

31 March 2030

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.2.14) Additional information

It is considered this procurement is covered under the light touch regime of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 The minimum turnover will be 72,000 GBP

4B.1.4 Financial Ratios: The financial current ratio is 1.10

More detail can be found in III.1.4)

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

Economic operators may be excluded if they are in any of the situations referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015

B ECONOMIC AND FINANCIAL STANDING:

4B.1.1 Yearly turnover, where services are to be delivered in partnership, the sum of all turnovers of the organisations in the partnership will be acceptable for the minimum turnover requirement.

4B.1.4 Financial Ratios, the current ratio is per individual company.

4B.5.1a Professional Indemnity insurance, to be provided

4B.5.1b Employer's liability insurance, limit of indemnity of not less than 5,000,000GBP

4B.5.2 Public liability insurance, limit of indemnity of not less than 2,000,000GBP

D QUALITY ASSURANCE SCHEMES AND ENVIRONMENTAL MANAGEMENT STANDARDS:

4D.1(1) Health and Safety Procedures – Confirmation of maintain Health and Safety management

4D.1(2) Disclosure – ensure relevant staff have the appropriate disclosure check.

4D.1(3) Registration - ensure registration with the SIAA

Section IV. Procedure

IV.1) Description

IV.1.1) Form of procedure

Procedure involving negotiation

IV.1.11) Main features of the award procedure

Contracts will be award on a Most Economically Advantages Tender (MEAT) based on a 20% Price and 80% Quality.

Where only one interested organisation notes interest a direct award may be utilised.

IV.2) Administrative information

IV.2.2) Time limit for receipt of expressions of interest

Date

27 June 2022

Local time

12:00pm

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

English

IV.2.5) Scheduled date for start of award procedures

1 July 2022

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.3) Additional information

The contracts will be awarded without further publication of a call for competition.

It is the intention of the council to use the Terms and Conditions Long Form which will be tailored to the contract requirements. The template is available at <https://www.edinburgh.gov.uk/downloads/file/29803/long-form-goods-and-services>.

These services will be developed with the needs and outcomes of Edinburgh Citizen's being a priority. Throughout the life of the contract, if evidence suggests there is a need to do so, the Council may modify the contract as required due to change in client groups, change in funding, change in delivery focus or as may be required to respond to necessary changes such as the introduction of a National Care Service . Development over the life of the contract will be in line with the Ethical Commissioning Principles and with consultation of the contracted providers and service users.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=692899.

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:

It is not considered appropriate for this type of service.

Community benefits are included in this requirement. For more information see: <https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

Details of the types of community benefits being sought will be contained in any ITT.

The type and level of benefits will be in direct relation to the value of the contract and the Service Provider will be asked to submit Community Benefits response indicating the types of Community Benefits they will deliver.

Service Providers will be expected to utilise the City of Edinburgh Council's community benefit tracking system CENEFITS.

(SC Ref:692899)

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

Appeals Procedure - 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 working 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 FTS 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.