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Contract

CT0863 - Independent Advocacy

The City of Edinburgh Council

F21: Social and other specific services – public contracts

Contract award notice

Notice identifier: 2023/S 000-015206

Procurement identifier (OCID): ocids-h6vhtk-03d018

Published 30 May 2023, 8:34am

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.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

Reference number

CT0683

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

Award of Contracts

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.1.6) Information about lots

This contract is divided into lots: Yes

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

Value excluding VAT: £7,378,942

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 needs.

This lot covers both individual and collective advocacy requirements

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 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 collective requirements

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 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)

- 853000000 - Social work and related services
- 980000000 - 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).

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 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 and collective carers advocacy services

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)

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 were awarded in relation to the most economically advantageous offer made for each lot with a price weighting of 20% against a quality weighting of 80%.

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2022/S 022-190473](#)

Section V. Award of contract

Lot No

1

Title

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

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

13 March 2023

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 2

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

Number of tenders received from tenderers from non-EU Member States: 2

Number of tenders received by electronic means: 2

V.2.3) Name and address of the contractor

AdvoCard

c/o Andrew Duncan Clinic, Royal Edinburgh Hospital, Morningside Place

Edinburgh

EH10 5HF

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: £3,781,834

Section V. Award of contract

Lot No

3

Title

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

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

13 March 2023

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 2

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

Number of tenders received from tenderers from non-EU Member States: 2

Number of tenders received by electronic means: 2

V.2.3) Name and address of the contractor

AdvoCard

c/o Andrew Duncan Clinic, Royal Edinburgh Hospital, Morningside Place

Edinburgh

EH10 5HF

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: £322,399

Section V. Award of contract

Lot No

5

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

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

13 March 2023

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 2

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

Number of tenders received from tenderers from non-EU Member States: 2

Number of tenders received by electronic means: 2

V.2.3) Name and address of the contractor

Partners in Advocacy

FLAT 1, 229A, NIDDRIE MAINS ROAD

EDINBURGH

EH164PA

Country

United Kingdom

NUTS code

- UKM75 - Edinburgh, City of

The contractor is an SME

Yes

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

Total value of the contract/lot: £2,015,013

Section V. Award of contract

Lot No

7

Title

Lot 4a - Individual Adult Unpaid Carers Independent Advocacy Service

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

20 March 2023

V.2.2) Information about tenders

Number of tenders received: 2

Number of tenders received from SMEs: 2

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

Number of tenders received from tenderers from non-EU Member States: 2

Number of tenders received by electronic means: 2

V.2.3) Name and address of the contractor

VoiceAbility

Tay House, 300 Bath Street, Blythswood Hill

Glasgow

G2 4JR

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

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

Total value of the contract/lot: £1,259,696

Section VI. Complementary information

VI.3) Additional information

Please note that Lot's awarded cover both independent and collective advocacy requirements. 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.

It is a mandatory requirement of these contractual arrangements that a prompt payment clause is present in all supply chain Contracts used in the delivery of the requirements. This ensures payment of sub-contractors at all stages of the supply chain within 30 days and includes an obligation to provide a point of contact for sub-contractors to refer to in the case of payment difficulties. This will require active monitoring of payment performance as well as the provision of evidence and reports to the Council on request.

(SC Ref:733649)

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.