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Tender

## **Specialist Education Framework Phase 1 – Independent Non-Maintained Special Schools Round 2**

Nottinghamshire County Council

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2024/S 000-015869

Procurement identifier (OCID): ocids-h6vhtk-0468ed

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

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

Nottinghamshire County Council

County Hall, Loughborough Road Westbridgford

Nottinghamshire

NG2 7QP

#### **Contact**

Mrs Katie Greenhalgh

#### **Email**

[katie.greenhalgh@nottscc.gov.uk](mailto:katie.greenhalgh@nottscc.gov.uk)

#### **Telephone**

+44 1159774761

**Country**

United Kingdom

**Region code**

UKF15 - North Nottinghamshire

**Internet address(es)**

Main address

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

Buyer's address

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

**I.3) Communication**

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

<https://procontract.due-north.com/Advert/Index?advertId=7d9307ae-8916-ef11-812b-005056b64545>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://procontract.due-north.com/Advert/Index?advertId=7d9307ae-8916-ef11-812b-005056b64545>

**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**

Specialist Education Framework Phase 1 – Independent Non-Maintained Special Schools Round 2

Reference number

DN719545

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

- 80000000 - Education and training services

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

Services

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

Nottinghamshire County Council (the Council) is seeking to add further Independent non-maintained Special Schools (INMSS) to a new Framework Agreement under which the Council are looking to commission INMSS and Post-16 (where the provision is delivered in house by the school) provision of specialist school placements for pupils who are not attending mainstream or maintained special schools and who have an Education Health Care (EHC) Plan. This will replace the current Independent / non-maintained special schools Approved Provider List for Nottinghamshire (NAPL).

All Providers currently delivering or intending to deliver services detailed within the updated Specification (Part 4 – Specification) must apply to be on the new Framework Agreement as the current provider list (NAPL) will come to an end on the 31st of December 2024.

This initial phase of the framework will have two lots under which the Council can make specialist school placements. In Lot 1 commissioners will put in place block contracts with providers and Lot 2 will see the establishment of an approved INMSS provider list. The Framework Agreement will commence from the 1st of January 2025. "Call off" contracts under Lot 2 may commence from 1st January 2025. "Call off" contracts under Lot 1 may commence from September 2025.

This process is the reopening of the framework for new providers to bid to join the new INMSS framework and is the second tender round. Providers who have already been

successful in round 1 for Lot 2 (INMSS Approved Provider List) of the Framework Agreement DO NOT need to bid for Lot 2 in this round 2. However, these Providers may wish to consider applying for a block contract and therefore will need to apply to Lot 1 in this tender round.

Any providers who were unsuccessful in the previous tender round (1) for either Lot 1 or Lot 2 can reapply in this tender round (2)

To register your interest in this tender and to view the tender documents, the tender is published on <https://www.eastmidstenders.org/>

Reference DNDN719545

The closing date for all tenders is the 22nd of July 2024 at 5.00pm.

Please note that a standstill period of 10 days will commence from the notification of the contract award.

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

Maximum number of lots that may be awarded to one tenderer: 2

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

#### **II.2.1) Title**

Lot 1 – Independent Non-Maintained Special School Block

Lot No

1

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

- 80000000 - Education and training services

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

NUTS codes

- UKF15 - North Nottinghamshire
- UKF16 - South Nottinghamshire

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

Nottinghamshire County Council (the Council) is seeking to add further Independent non-maintained Special Schools (INMSS) to a new Framework Agreement under which the Council are looking to commission INMSS and Post-16 (where the provision is delivered in house by the school) provision of specialist school placements for pupils who are not attending mainstream or maintained special schools and who have an Education Health Care (EHC) Plan. This will replace the current Independent / non-maintained special schools Approved Provider List for Nottinghamshire (NAPL).

All Providers currently delivering or intending to deliver services detailed within the updated Specification (Part 4 – Specification) must apply to be on the new Framework Agreement as the current provider list (NAPL) will come to an end on the 31st of December 2024.

This initial phase of the framework will have two lots under which the Council can make specialist school placements. In Lot 1 commissioners will put in place block contracts with providers and Lot 2 will see the establishment of an approved INMSS provider list

This process is the reopening of the framework for new providers to bid to join the new INMSS framework and is the second tender round. Providers who have already been successful in round 1 for Lot 2 (INMSS Approved Provider List) of the Framework Agreement DO NOT need to bid for Lot 2 in this round 2. However, these Providers may wish to consider applying for a block contract and therefore will need to apply to Lot 1 in this tender round.

Any providers who were unsuccessful in the previous tender round (1) for either Lot 1 or Lot 2 can reapply in this tender round (2)

The establishment of a framework agreement for INMSS is the first phase of the recommissioning of the Specialist Education provision for the Council as set out in the Vision document (Part 3 – Vision document). Ultimately the framework will be extended to include Alternative Education Provision and Post-16 institutions (e.g., further education colleges that are not part of the INMSS), that will be the second/third phases of the recommissioning project and new procurement processes will be run at later dates which are yet to be decided.

A Framework Agreement is an agreement between the contracting authority and one or more Service Providers, the purpose of which is to establish the terms governing contracts to be awarded during a given period.

This is a multi-provider framework.

There is no guarantee of work under this Framework.

Bidders should note that a further opportunity/opportunities for organisations to bid for inclusion on this framework may be advertised. No date/s have been set for any such process; however, further rounds for both lots 1 and 2 may periodically open again subject to demand (see section 1.2.1). Any Bidder who is unsuccessful in this tender may bid again in any future tender for admission to the framework.

The Framework Agreement is commissioned under the Light Touch Regime 74 -77 Public Contracts Regulations 2015 using an open procedure and advertised in the Find a Tender Service Find high value contracts in the public sector - GOV.UK ([www.gov.uk](http://www.gov.uk))

#### **II.2.6) Estimated value**

Value excluding VAT: £115,500,000

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

Duration in months

60

#### **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**

The maximum Year 1 expenditure per block contract for lot 1 is £550,000 which equates to

which equates to a total estimated value of £23,100,000 over the initial term of 5 years and

a total estimated value of £115,500,000 over the life of the framework agreement if all the extension periods are undertaken per block contract. This is based on placements increasing

by 10 for the first three years.

Please note that this is an indicative total value and the Council cannot guarantee the value

of business under the framework agreement as this is subject to demand for specialist school

places and the fees are also subject to an annual fee review.

There is potential to extend this Framework Agreement for up to a further 6 years in increments of 24 months

## **II.2) Description**

### **II.2.1) Title**

Lot 2 Approved INMSS Provider List

Lot No

2

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

- 80000000 - Education and training services

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

NUTS codes

- UKF15 - North Nottinghamshire
- UKF16 - South Nottinghamshire

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

Nottinghamshire County Council (the Council) is seeking to add further Independent non-maintained Special Schools (INMSS) to a new Framework Agreement under which the Council are looking to commission INMSS and Post-16 (where the provision is delivered in house by the school) provision of specialist school placements for pupils who are not attending mainstream or maintained special schools and who have an Education Health Care (EHC) Plan. This will replace the current Independent / non-maintained special schools Approved Provider List for Nottinghamshire (NAPL).

All Providers currently delivering or intending to deliver services detailed within the updated Specification (Part 4 – Specification) must apply to be on the new Framework

Agreement as the current provider list (NAPL) will come to an end on the 31st of December 2024.

This initial phase of the framework will have two lots under which the Council can make specialist school placements (See paragraph 5 below for further details). In Lot 1 commissioners will put in place block contracts with providers and Lot 2 will see the establishment of an approved INMSS provider list

This process is the reopening of the framework for new providers to bid to join the new INMSS framework and is the second tender round. Providers who have already been successful in round 1 for Lot 2 (INMSS Approved Provider List) of the Framework Agreement DO NOT need to bid for Lot 2 in this round 2. However, these Providers may wish to consider applying for a block contract and therefore will need to apply to Lot 1 in this tender round.

Any providers who were unsuccessful in the previous tender round (1) for either Lot 1 or Lot 2 can reapply in this tender round (2)

The establishment of a framework agreement for INMSS is the first phase of the recommissioning of the Specialist Education provision for the Council as set out in the Vision document (Part 3 – Vision document). Ultimately the framework will be extended to include Alternative Education Provision and Post-16 institutions (e.g., further education colleges that are not part of the INMSS), that will be the second/third phases of the recommissioning project and new procurement processes will be run at later dates which are yet to be decided.

A Framework Agreement is an agreement between the contracting authority and one or more Service Providers, the purpose of which is to establish the terms governing contracts to be awarded during a given period.

This is a multi-provider framework further details of which can be found in section 1.2 Scope of Services below.

There is no guarantee of work under this Framework.

Bidders should note that a further opportunity/opportunities for organisations to bid for inclusion on this framework may be advertised. No date/s have been set for any such process; however, further rounds for both lots 1 and 2 may periodically open again subject to demand (see section 1.2.1). Any Bidder who is unsuccessful in this tender may bid again in any future tender for admission to the framework.

The Framework Agreement is commissioned under the Light Touch Regime 74 -77 Public Contracts Regulations 2015 using an open procedure and advertised in the Find a Tender Service Find high value contracts in the public sector - GOV.UK ([www.gov.uk](http://www.gov.uk))



### **II.2.6) Estimated value**

Value excluding VAT: £134,500,000

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

Duration in months

60

### **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**

There is potential to extend this Framework Agreement for up to a further 6 years in increments of 24 months.

Please note that this is an indicative total value and the Council cannot guarantee the value

of business under the framework agreement as this is subject to demand for specialist school

places and the fees are also subject to an annual fee review.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Form of procedure**

Open procedure

#### **IV.1.3) Information about a framework agreement**

The procurement involves the establishment of a framework agreement

In the case of framework agreements, provide justification for any duration exceeding 4 years:

The initial term of the framework agreement is for five years and will end on the 31st December 2029. There is potential to extend this framework agreement for up to a further six years in increments of twenty four months. This process is a competitive procurement conducted in accordance with the Light Touch Regime Regulations 74-77 of the Public Procurement Regulations 2015, the subject matter is Specialist Education for children and young people with special education needs who have an Education Health Care Plan and the extended duration of the Framework Agreement is justified due to the type of service being sourced and the nature of the market. This is to ensure continuity in the provision of specialist education school places for the children and young people and to minimise disruption to the children and young people.

### **IV.2) Administrative information**

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

Date

22 July 2024

Local time

5:00pm

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

English

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## **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**

There are three optional extensions to the framework agreement each of 24 months, a total

of 6 years.

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

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

The Royal Courts of Justice

The Strand

London

Country

United Kingdom

Internet address

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