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Award

Primary Alternative Education Provision

Bath and North East Somerset Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-018753

Procurement identifier (OCID): ocids-h6vhtk-03de13

Published 30 June 2023, 5:47pm

Section I: Contracting authority/entity

I.1) Name and addresses

Bath and North East Somerset Council

Guildhall, High Street

Bath

BA1 5AW

Contact

Mrs Cheryl Hansford

Email

cheryl_hansford@bathnes.gov.uk

Telephone

+44 1225477273

Country

United Kingdom

Region code

UKK12 - Bath and North East Somerset, North Somerset and South Gloucestershire

Internet address(es)

Main address

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

Buyer's address

<http://www.bathnes.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

Primary Alternative Education Provision

Reference number

DN676581

II.1.2) Main CPV code

- 80000000 - Education and training services

II.1.3) Type of contract

Services

II.1.4) Short description

Alternative Provision (for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education) is commissioned by the Council in order to fulfil a duty of the 1996 Education Act.

The contract is to provide education and support placements to a minimum of 14 (full time equivalent) pupils at any one time. The pupils are of primary school age. The delivery of the contract offers 'in-reach' placements for up to 7 pupils, some of whom will be on planned, preventative placements over a 16-week period including reintegration support and other placements to fulfil our statutory obligation for permanently excluded pupils. The remaining 7 full-time equivalent places will receive 'outreach' provision i.e. regular direct support and consultancy at the mainstream school.

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: £764,420

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKK12 - Bath and North East Somerset, North Somerset and South Gloucestershire

II.2.4) Description of the procurement

Alternative Provision (for pupils who, because of exclusion, illness or other reasons, would not otherwise receive suitable education) is commissioned by the Council in order to fulfil a duty of the 1996 Education Act.

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II.2.11) Information about options

Options: No

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) Type of procedure

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

- The procurement falls outside the scope of application of the regulations

Explanation:

In early 2022 the existing provider had an inadequate and requires special measures Ofsted judgement. In April 2022 the Regional Schools Commissioner (now the Regional Director) issued a Termination Warning Notice. Until May 2023 it was not clear when termination would take place or what would happen thereafter with the provision. In May the funding arrangement was terminated by the Regional Director and arrangements are being made to transfer academies to alternative Academy Trusts.

It was not possible to proceed with recommissioning before May 2023 as it was not clear what would happen to the existing provision and it is not now possible to run a tendering process for contracts to start in Sept 2023. Furthermore the LA has submitted an AP Free School application which is progressing. This will dictate the nature of AP in the future. A direct award will ensure stability of provision in the meantime.

The Council has a statutory duty to ensure this provision is available and therefore a direct award to the Academy Trust identified by the Regional Director to take on this provision from the current provider is necessary in order to ensure stability of provision in the meantime.

The Council relies on Regulation 32 (2) (c) for this award, as they have been unable to commence recommissioning and conduct a competitive tender exercise due to unforeseeable events.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract/concession

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

30 June 2023

V.2.2) Information about tenders

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor/concessionaire

Cabot Learning Federation

Bristol

BS15 4JT

Country

United Kingdom

NUTS code

- UKK12 - Bath and North East Somerset, North Somerset and South Gloucestershire

The contractor/concessionaire is an SME

No

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

Total value of the contract/lot/concession: £764,420

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Bath & North East Somerset Council

Bath

Country

United Kingdom