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Tender

## **Day Opportunity Services Framework**

Portsmouth City Council

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2024/S 000-021736

Procurement identifier (OCID): ocids-h6vhtk-047d8f

Published 15 July 2024, 5:46pm

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

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

Portsmouth City Council

Civic Offices, Guildhall Square

PORTSMOUTH

PO12AL

#### **Contact**

Procurement Service

#### **Email**

[procurement@portsmouthcc.gov.uk](mailto:procurement@portsmouthcc.gov.uk)

#### **Telephone**

+44 2392688235

#### **Country**

United Kingdom

**Region code**

UKJ31 - Portsmouth

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<https://www.portsmouth.gov.uk/ext/business/business.aspx>

Buyer's address

<https://www.portsmouth.gov.uk/ext/business/business.aspx>

**I.3) Communication**

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

<https://intendhost.co.uk/portsmouthcc.aspx/home>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://intendhost.co.uk/portsmouthcc.aspx/home>

**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**

Day Opportunity Services Framework

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

- 85000000 - Health and social work services

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

Services

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

Portsmouth City Council ('the council') is planning to establish an Open Framework Agreement for the provision of learning disability (LD) day services and opportunities based predominantly in the Portsmouth area but may also extend to surrounding areas. The Council currently spends approximately £6,100,000 per annum on LD day services and opportunities which currently support 305 residents.

This opportunity is open to Small and Medium Enterprises (SMEs) and micro providers (for example a provider could apply to support 1 or 2 clients) as well as larger regional and national providers. In establishing this Open Framework Agreement, the council are aiming to create a diverse and varied 'highstreet' of services and opportunities for individuals to access.

The Open Framework Agreement will be operational for a period of 8 years. Providers will be able to apply to join, or add new services to, the Open Framework Agreement any time during the 8-year framework period. Although the Open Framework Agreement will remain open to applications, these will only be viewed and assessed twice per year for entry in April and October each year.

There will be no limit to the number of providers who can join the Open Framework Agreement throughout its duration. However, the Council reserves the right to close the Open Framework Agreement to new entrants at any time, giving 3 months' notice via a Modification Notice to the original Find a Tender Service Contract Notice and updating the framework advert on both Contracts Finder and the council's e-sourcing system. Closure may be on a temporary or permanent basis and will be clearly stated in the updated notices and adverts.

The Open Framework Agreement will be used for placements of individuals, which in some cases will together form a block contract, commissioned via the Further Competition or Direct Award call-off processes. Placements of individuals will be on a meet or beat Open Framework Agreement rate basis. Any Block 'call-off' contracts will be competed for on a quality and cost basis separate to the Framework rates.

From the framework start date it is important to note that there will be no automatic transition of already existing arrangements to the new Open Framework Agreement. These will transition aiming for completion within a 12-month period. However, any NEW packages of day service provision set up for individuals must utilise the new Framework. This may be done on a block contract or individual basis.

The council is targeting to have awarded the Open Framework Agreement by Friday 4th October 2024 to allow for Open Framework Agreement commencement on 1st November 2024. The total Open Framework Agreement value is currently estimated to be £6.1m per annum, £48.8m over the 8-year term. This is based on current contracted activity so actual spend may fall below or above these estimated figures.

The procurement process will be undertaken in line with the following programme:

- Issue FTS Contract Notice - 15 July 2024
- Issue Invitation to Tender (ITT) - 15 July 2024
- Bidders Briefing Events - 24 July and 30 July 2024
- Tender Return Deadline - 27 August 2024 midday
- Award decision notified to tenderers - 23 September 2024
- Standstill period - 24 September - 3 October 2024
- Framework Award - 4 October 2024
- Framework Commencement - 1 November 2024

Application is via completed tender submission by the deadline stated above via the Council's e-sourcing system InTend which will be used to administrate the procurement process, the system can be accessed free of charge via the web link below:

<https://in-tendhost.co.uk/portsmouthcc.aspx/home>

The framework will remain open past the initial deadline for new applications. These will be reviewed in April and October each year following commencement of the framework.

### **II.1.5) Estimated total value**

Value excluding VAT: £48,000,000

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

This contract is divided into lots: No

## **II.2) Description**

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

- 85310000 - Social work services
- 85320000 - Social services

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

NUTS codes

- UKJ3 - Hampshire and Isle of Wight

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

Learning disability day opportunity services available on the Open Framework Agreement will enable people with a learning disability to learn new skills, take part in meaningful activities which are outcomes focused, build relationships, and improve health and wellbeing outside of their home environment. They also provide families and carers with time to undertake tasks not possible whilst fulfilling a carer role, such as allowing family members to work, other essential living or alternative carer tasks.

Via the Open Framework Agreement, the Council are seeking to develop, expand upon and broaden community opportunities and support so that people with learning disabilities and their carers can lead ordinary daily lives and improve outcomes in respect to health and independence, employment, lifelong learning, leisure, and relationships.

The provision of Learning Disabilities Day Opportunity Services is to support people to achieve meaningful life outcomes based around four key outcome areas; Health, Independence, Community, and Employment. This outcome focus also supports long term efficiencies as people become healthier, more independent and are supported to both contribute to, and gain support from, their communities.

Staffing ratios will be set at 1:1, 2:1, 3:1, 4:1, 5+:1. Service providers do not need to offer all levels of staff support at a single service but will only set rates against these five staffing ratios (although not all staffing ratios need to be provided).

All rates quoted in the Pricing schedule for services will be the maximum rate allowed on a meet or beat Open Framework Agreement rate basis and will be required to be held for a period of 12 months from the framework start date, thereafter, adjusted for inflationary uplifts.

Hourly rates for Learning Disabilities Day Services may be uplifted on an annual basis in April in accordance with the percentage agreed by the council which will take into consideration inflation and other cost increases such as changes to national living wage. The Council will not consider other 'in-year' requests for uplifts unless in exceptional circumstances.

Under the new Open Framework Agreement the council will be moving from the current commissioning of services by day or half-day, to commissioning by hours. This will be exclusive of any travel time to the service and only for the hours spent at the service. Hourly rates will need to be set against the following staffing ratios for each service.

Where the service provides transport to and from the day service, where required, this will be purchased outside of the day service commissioned hours as a separate cost. Providers must include transport costs within the tender pricing spreadsheet.

It is the service provider's responsibility, where required, to ensure they source suitable accommodation or properties to deliver the day opportunity services from.

Portsmouth City Council currently have two (2) properties (owner/leased) which are available for the delivery of specific day opportunity services, and these may continue to be made available to providers under this framework under a lease agreement, which will be set out in any future contract agreement.

During the course of this framework agreement the Council may also identify and make available other properties for the delivery of day opportunity services which would also be subject to a lease agreement.

Any service involving Council properties are likely to require a competitively tendered block contract agreement from the framework (call-off).

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

Value excluding VAT: £48,000,000

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

Duration in months

## **II.2.14) Additional information**

The services covered under the contract are social services and fall under the Social and Other Services in Schedule 3 ("Light Touch Regime") of the Public Contract Regulations 2015 ("Regulations"). The Council will execute this procurement process in general accordance with the Open Procedure as set out within the Regulations.

Pursuant to Section 7 of the Regulations, the council also has the flexibility to design the procurement procedure under the Light Touch Regime provided that such procurement procedure complies with Section 7 of the Regulations, as such we are seeking to establish a pseudo framework which will not need to comply with the full extent of the Regulations governing framework agreements.

There will be two Bidders Briefings taking place via Teams on the following dates:

24 July 2024 11:30-12:30

30 July 2024 14:00-15:00

To book a space at one of these events bidders must send either send through a request using the correspondence function on InTend or send an email to [ASCContractsTeam@portsmouthcc.gov.uk](mailto:ASCContractsTeam@portsmouthcc.gov.uk) FAO: Janet Hutchings.

Attendance at the briefings is not mandatory and is at the sole discretion of bidders if they wish to attend. Where questions are asked at the briefings and additional information given (i.e. not already included in the tender document set), this will be collated and issued via InTend so that all bidders have access to the same information.

The Open Framework Agreement will remain open throughout its duration for new suppliers to join the Open Framework Agreement or indeed for existing framework suppliers to add new services. New applications however will only be reviewed every 6 months in April and October.

Existing framework providers will be able to add new services to the Open Framework Agreement through the duration of the Open Framework Agreement. To do this providers must complete the Service Description (which forms part of the QAQ document), Pricing Spreadsheet (PS) and Quality Assessment Questionnaire (QAQ) for the new service. This information must then be submitted via InTend via the Correspondence function. Applications for new services from existing framework providers will be reviewed on a 6 monthly basis as per the above.

Notwithstanding the standard 6-month review of new applications and addition of new services as set out above, the council reserves the right to review these in shorter timescales where there is a gap in the market or a lack of capacity. Existing framework

providers will also be able to make changes to and re-submit their Quality Assessment Questionnaire to seek to improve their quality scoring, however they will not be able to re-submit their Pricing Spreadsheet.

For avoidance of doubt, framework providers will only be able to update prices (rates) under the framework for new services or significantly changed services.

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## **Section IV. Procedure**

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

#### **IV.1.11) Main features of the award procedure**

Framework award criteria:

The Open Framework Agreement award criteria has been set at 100% quality. In order to be admitted onto the framework, tenderers must score a minimum of 1 ('good') against all of the quality sub-criteria. Quality scores for those providers who are successfully admitted onto the framework will be taken into consideration as part of direct award call-off process.

Tenderers will not be competed on price at point of getting onto the Open Framework Agreement. However, all bidders must complete the Pricing Spreadsheet (PS) which will set out the maximum hourly rates for each service as per the staffing ratios specified in the spreadsheet. These maximum rates will be used for individual placements only and on a meet or beat basis. For block contracts awarded via the Further Competition call-off process, framework providers will be required to submit new prices/ rates specific to the requirement.

Framework call-off processes:

##### **1. Individual placements (Direct Award)**

Selection of provider services(s): Following the framework start date any new individual arrangements for a Day Service Opportunity must be undertaken utilising services from the framework at the agreed rates on a meet or beat basis.

Following assessment by Case Workers/Care Coordinators/Named Workers from the Integrated Learning Disability Service (ILDS), the needs of the individual will be presented to a decision-making panel who will match the needs to a suitable service on the framework, taking account of the available information from services description, assessed need, service user preference(s), outcomes focus, cost, quality scoring from the framework evaluation, location and accessibility, capacity and availability etc.



Direct awards can also be made where there is evidence that there is only one appropriate and good quality service can meet the needs of the individual or due to service user choice.

Once a service has been agreed a referral will be made to the relevant service provider for consideration. Any accepted referral must be at the framework agreed hourly rate or lower (i.e. meet or beat).

Rates: Tenderers will have been required to set their maximum hourly rates for all applicable staffing ratios for each service they are bidding to be included onto the Open Framework Agreement. At point of identifying that a service will best meet the needs of an individual and a referral has been made, then the provider will be able to propose their rate for that individual on a 'meet or beat' framework rate basis.

## 2. Block contracts (Further Competition)

Block contracts will be awarded via a Further Competition process which all framework providers will be invited to participate in. In some cases, the Council may issue a sifting brief prior to the Further Competition to identify interested and capable providers.

Award criteria: The award criteria will be determined at point of Further Competition but the intention is that it is likely to be on a 70% quality and 30% cost basis. Quality criteria will be bespoke for the purposes of each further competition.

Hourly rates will be set at Further Competition level and tenderers will not need to abide by the Open Framework Agreement rates as set out in the Pricing Spreadsheet (these apply to individual placements or Direct Awards only). For avoidance of doubt this means that they can fall below, equal to, or above the rates within the Pricing Spreadsheet.

## 3. Block contracts (Direct Award)

The Council reserves the right to direct award on block contract basis. For example, where there is evidence a change of provider or location may cause extreme upset or distress to service users due to their own choices and beliefs, and the benefits of a tender exercise are outweighed by these factors. In this scenario, rates will be negotiated with the selected framework provider and is likely to be on a meet or beat framework rate basis.

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

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

Date

27 August 2024

Local time

12:00pm

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

English

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**Section VI. Complementary information**

**VI.4) Procedures for review**

**VI.4.1) Review body**

The High Court Justice

The Strand

London

WC2A 2LL

Telephone

+44 2079476000

Country

United Kingdom

Internet address

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