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#### Contract

# **Secondary Alternative Education Provision**

Bath and North East Somerset Council

F03: Contract award notice

Notice identifier: 2023/S 000-021737

Procurement identifier (OCID): ocds-h6vhtk-03de12

Published 27 July 2023, 8:02am

## **Section I: Contracting authority**

## 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

Secondary Alternative Education Provision

Reference number

DN676589

#### II.1.2) Main CPV code

• 80000000 - Education and training services

#### II.1.3) Type of contract

Services

#### II.1.4) Short description

Alternative EducationAlternative 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 28 (full time equivalent) pupils and have the flexibility to increase, where required, to 36 pupils at any one time. The pupils of secondary school age. The delivery of the contract offers in-reach placements some of whom will be on planned, preventative placements alongside other placements to fulfil our statutory obligation for permanently excluded pupils. Where capacity allows, the service will also offer preventative outreach support into the school to support pupils at risk of exclusion/suspension via direct support with the pupils alongside consultancy and support to mainstream teaching staff.

#### II.1.6) Information about lots

This contract is divided into lots: No

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

Lowest offer: £1,428,000 / Highest offer: £1,428,000 taken into consideration

## 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.

The contract is to provide education and support placements to a minimum of 28 (full time equivalent) pupils and have the flexibility to increase, where required, to 36 pupils at any one time. The pupils of secondary school age. The delivery of the contract offers in-reach placements some of whom will be on planned, preventative placements alongside other placements to fulfil our statutory obligation for permanently excluded pupils. Where capacity allows, the service will also offer preventative outreach support into the school to support pupils at risk of exclusion/suspension via direct support with the pupils alongside consultancy and support to mainstream teaching staff.

#### II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 50

Price - Weighting: 50

#### 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

· Extreme urgency brought about by events unforeseeable for the contracting authority

#### **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.

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: Yes

## IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Notice number: 2023/S 000-018752

# Section V. Award of contract

A contract/lot is awarded: Yes

## V.2) Award of contract

#### V.2.1) Date of conclusion of the contract

27 July 2023

#### V.2.2) Information about tenders

Number of tenders received: 1

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

#### V.2.3) Name and address of the contractor

Midsomer Norton Schools Partnership

Midsomer Norton

BA3 2UD

Country

**United Kingdom** 

**NUTS** code

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

The contractor is an SME

No

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

Lowest offer: £1,428,000 / Highest offer: £1,428,000 taken into consideration

# Section VI. Complementary information

# VI.4) Procedures for review

VI.4.1) Review body

Bath & North East Somerset Council

Bath

Country

United Kingdom