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Award

## **Care & Support Services in Extra Care Housing settings**

East Sussex County Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2021/S 000-024335

Procurement identifier (OCID): ocds-h6vhtk-02e67e

Published 30 September 2021, 3:36pm

### **Section I: Contracting authority/entity**

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

East Sussex County Council

County Hall, St. Annes Crescent

LEWES

BN71UE

#### **Contact**

Phil Stone

#### **Email**

[phil.stone@eastsussex.gov.uk](mailto:phil.stone@eastsussex.gov.uk)

#### **Telephone**

+44 7876037602

#### **Country**

United Kingdom

**NUTS code**

UKJ22 - East Sussex CC

**Internet address(es)**

Main address

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

**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**

Care & Support Services in Extra Care Housing settings

**II.1.2) Main CPV code**

- 85310000 - Social work services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

This is a Voluntary Ex-Ante Transparency Notice intended to provide notice of the Contracting Authority's intention to award short-term contracts to its incumbent providers to deliver care and support services in its Extra Care Housing settings.

**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: £3,192,955

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

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

- 85310000 - Social work services

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

NUTS codes

- UKJ22 - East Sussex CC

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

This VEAT notice is to provide notice of the Contracting Authority's intention to award short-term contracts to its incumbent providers to deliver care and support services in its Extra Care Housing settings. This notice covers three contracts; each contract will have a term of 15 months.

The details of these contracts are:

1 Provision of Care & Support Services at Cranbrook & Bentley Grange Extra Care schemes. Value £1,069,470 to CSN Care Group Ltd.

2 Provision of Care and Support Services at Downlands Court and Margaret House Extra Care schemes. Value £1,182,781 to Care At Home Services Ltd.

3 Provision of Care and Support Services at The Orangery and Marlborough House Extra Care schemes. Value £940,704 to Care At Home Services Ltd.

The current contracts have been awarded following competitive tendering processes carried out during 2017 and 2018 under the Light Touch Regime Reg 74, compliant with PCR 2015.

The current Covid 19 pandemic situation has resulted in a critical situation across many areas of social care. The outbreak, along with the staff shortages and the additional pressure created by new Covid variant strains, have impacted significantly on provision of these services and on providers' capacity to engage in tender activity, thereby undermining competition at this time for these services.

The Contracting Authority is currently undertaking a recommissioning process, which has been in progress since 2019, but which itself has been delayed by the Covid-19 pandemic. The Contracting Authority plans to procure a provider list for delivery of home care and extra care in one tender, because service provision across both care-delivery settings has the same core requirements.

This approach is expected to improve competition for both extra care and home care. In so doing, the Contracting Authority will mitigate risks to service provision, including failure linked to Covid19 impacts through putting in place arrangements with alternative qualified providers available, should they be needed.

The pressured provider market makes it clear that no current alternatives or substitutes exist. The Contracting Authority's commissioning strategy is to extend the scope of the procurement in order to encourage a stronger market response when the re-procurement process is commenced.

The Contracting Authority conducted consultations with providers. The conclusion is that a procurement exercise launched now would fail, because providers would be unable to respond. If a process were to be attempted on shorter timescales than those outlined above, the recommissioning process would not deliver the most cost effective model for delivery and the Contracting Authority would severely limit the number and quality of responses it would receive -whether it would receive any at all is open to doubt.

Since market feedback indicates that it is likely that there will be few or no bids submitted in response to a tender in current circumstances, then from a technical or economic analysis of the theory of competition, competition is absent. Delaying the tender for a period will allow the market to recover and will enable the Contracting Authority to issue a new, combined tender issued covering both Home Care and Extra Care with the intent of establishing a larger market opportunity for potential bidders. It is clear that this course of action meets the purpose of the Regulations - namely, to provide an open and transparent system for the competition for public contracts in the interests of securing a fair and efficient market for those contracts and that no reasonable substitute or alternative exists.

#### **II.2.11) Information about options**

Options: No

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## **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:

The procurement falls under the scope of exemptions from application of the regulations requiring a competitive procurement process to be undertaken for the award of a public contract in writing and above the relevant value thresholds.

In this instance the Contracting Authority relies on Regulation 32(2)(b)(ii) which states that:

The negotiated procedure without prior publication may be used by a particular economic operator in any of the following cases:

(b) where ... services can be supplied only by a particular economic operator for any of the following reasons

(ii) competition is absent for technical reasons.

But only ... where no reasonable alternative or substitute exists and the absence of competition is not the result of narrowing down of the parameters of the procurement.

The Contracting Authority will implement a 10 day standstill prior to confirming the contract awards. The contract awards will not therefore be confirmed before 11th October 2021.

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

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract/concession**

### **Title**

Cranbrook & Bentley Grange

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

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

30 September 2021

#### **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**

CSN Care Group Ltd

Milton Keynes

Country

United Kingdom

NUTS code

- UKJ1 - Berkshire, Buckinghamshire and Oxfordshire

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: £1,069,470

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## **Section V. Award of contract/concession**

### **Title**

Margaret House & Downlands Court

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

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

30 September 2021

#### **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**

Care At Home Services (South East) Ltd

Bexhill on Sea

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

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: £1,182,781

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## **Section V. Award of contract/concession**

### **Title**

Marlborough House & The Orangery

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

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

30 September 2021

#### **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**

Care At Home Services (South East) Ltd

Bexhill on Sea

Country

United Kingdom

NUTS code

- UKJ2 - Surrey, East and West Sussex

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: £940,704



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## **Section VI. Complementary information**

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

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

East Sussex County Council

Lewes

BN7 1UE

Email

[contractsandprocurement.legal@eastsussex.gov.uk](mailto:contractsandprocurement.legal@eastsussex.gov.uk)

Country

United Kingdom