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Award

Integrated Community Drug and Alcohol Service

Leeds City Council - PACS

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-031076

Procurement identifier (OCID): ocds-h6vhtk-037ebd

Published 3 November 2022, 1:02pm

Section I: Contracting authority/entity

I.1) Name and addresses

Leeds City Council - PACS

Civic Hall

Leeds

LS11UR

Contact

Edwige Moutault

Email

edwige.moutault@leeds.gov.uk

Telephone

+44 1133785894

Country

United Kingdom

Region code

UKE42 - Leeds

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

<http://www.leeds.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

Integrated Community Drug and Alcohol Service

Reference number

37373

II.1.2) Main CPV code

- 85000000 - Health and social work services

II.1.3) Type of contract

Services

II.1.4) Short description

Community Drug and Alcohol Prevention, Treatment and Recovery Service

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: £176,287,103

II.2) Description

II.2.2) Additional CPV code(s)

- 85000000 - Health and social work services

II.2.3) Place of performance

NUTS codes

- UKE42 - Leeds

II.2.4) Description of the procurement

Community Drug and Alcohol Prevention, Treatment and Recovery Service

II.2.11) Information about options

Options: Yes

Description of options

can be extended up to a maximum of 60months

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 Council believes that the decision to award a new contract to Humankind Charity for the provision of an Integrated Community Drug and Alcohol Service is permitted pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 which states:

The negotiated procedure without prior publication may be used for public works contracts, public supply contracts and public service contracts in any of the following cases:-

(b) where the works, supplies or 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 an artificial narrowing down of the parameters of the procurement;"

36 The section below sets out the technical reasons required by Regulation 32(2)(b)(ii) that the Council would rely on to justify its decision.

(i) In February 2022, OHID announced significant new investment (Supplementary Grant) aimed at delivering a world-class treatment and recovery system over the life of the new

national 10-year drug strategy, From Harm to Hope, through rebuilding local drug treatment and recovery services, including for young people and offenders. The only option available to the council to effectively implement this change immediately in line with the grant requirements, was to work with the existing well-performing providers, and the proposals described within this report will enable this joint work to continue and build on the investment already completed in 2022/23.

(ii) In addition to the funding confirmed and invested for 2022/23, OHID announced significant increased indicative amounts for the following 2 years. The Council is already working with the existing providers and key local partners to develop an effective plan for

this new funding (including a recruitment and workforce strategy). New contractual arrangements are therefore required to implement this plan and deliver the intended outcomes in addition to achieving best value.

(iii) The long-term contractual arrangements described within this report align with the timescales of the new national strategy, provides certainty to the city's drug and alcohol workforce and drives innovation within the service. In addition, it provides Forward Leeds consortium members the opportunity to strengthen their integration and partnership work within the local health system and partnership structures such as the Leeds Street Support Team.

(iv) This proposal enables Leeds to continue to benefit from an outstanding and high-performing service, whilst preventing significant disruption to service users. It is well-evidenced that

service performance drops when significant contractual changes occur, and this would cause a loss of value and momentum to the joint development work already taken place.

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

Contract No

37373

Title

Integrated Community Drug and Alcohol Service

A contract/lot is awarded: Yes

V.2) Award of contract/concession

V.2.1) Date of conclusion of the contract

16 October 2022

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

Humankind Charity

Inspiration House Unit 22, Bowburn North Industrial Estate, Bowburn

Durham

DH6 5PF

Country

United Kingdom

NUTS code

- UKE42 - Leeds

Charity Commission (England and Wales)

01820492

The contractor/concessionaire is an SME

No

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

Initial estimated total value of the contract/lot/concession: £176,287,103

Total value of the contract/lot/concession: £176,287,103

V.2.5) Information about subcontracting

The contract/lot/concession is likely to be subcontracted

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

The High Court of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

"The authority will incorporate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers. This period allows unsuccessful tenderers to seek further information from the contracting authority before the contract is entered into.

Such additional information should be requested from the addressee found in I.1. If an appeal regarding the award of a contract has not been successfully resolved the Public Contracts Regulations 2015 (SI 2015 No 102) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be brought promptly (within 30 days beginning with the date when the economic operator first knew or ought to have known that grounds for such action had arisen).

Where a contract has not been entered into the court may order the setting aside of the award decision or order the authority to amend any document and may award damages. Following the correct implementation of a 10 day standstill period and publication of appropriate notices the court may only award damages once the contract has been entered into".