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Award

## **All Age Drug and Alcohol Treatment and Recovery Service**

Barnsley Metropolitan Borough Council

F15: Voluntary ex ante transparency notice

Notice identifier: 2023/S 000-032178

Procurement identifier (OCID): ocds-h6vhtk-0410a2

Published 31 October 2023, 3:20pm

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

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

Barnsley Metropolitan Borough Council

Town Hall

Barnsley, South Yorkshire

S70 2TA

#### **Contact**

Jade Popplewell

#### **Email**

[jadepopplewell3@barnsley.gov.uk](mailto:jadepopplewell3@barnsley.gov.uk)

#### **Country**

United Kingdom

#### **Region code**

UKE31 - Barnsley, Doncaster and Rotherham

**National registration number**

N/A

**Internet address(es)**

Main address

<https://www.barnsley.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**

All Age Drug and Alcohol Treatment and Recovery Service

Reference number

N/A

**II.1.2) Main CPV code**

- 85000000 - Health and social work services

**II.1.3) Type of contract**

Services

**II.1.4) Short description**

This is not an opportunity, but a VEAT notice to inform the market that Barnsley Metropolitan Borough Council (the Council) is intending to award the provision for the

delivery of the Community Drug and Alcohol Treatment and Recovery Service (known as Barnsley Recovery Steps) and the Multiple and Complex Needs Supported Accommodation Provision (25 years+).

#### **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: £41,000,000

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

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

- 90743100 - Toxic substances monitoring services
- 90743200 - Toxic substances rehabilitation services

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

NUTS codes

- UKE31 - Barnsley, Doncaster and Rotherham

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

This is not an opportunity, but a VEAT notice to inform the market that Barnsley Metropolitan Borough Council (the Authority) is intending to award the provision for the delivery of the Community Drug and Alcohol Treatment and Recovery Service (known as Barnsley Recovery Steps) and the Multiple and Complex Needs Supported Accommodation Provision (25 years+).

The contract will include the Adult Substance Misuse Service (currently known as Barnsley Recovery Steps), the Young Peoples' Substance Misuse Service (currently delivered in house by the Authority) and the Multiple and Complex Needs Supported Accommodation (25 years+).

The Authority wish to directly award the contract to Humankind Charity for the following period:

Contract Start Date: 1st April 2024

Contract End Date: 31st March 2029

Option to Extend until 31st March 2031

The total value of the contract is based on an estimated value.

The total value includes contributions from key partners however 24/25 onwards allocations have not yet been confirmed. Therefore, the contract value may reduce dependent of the confirmation of allocation.

The total value of the contract also includes the OHID SSMTR and IPS grant funding up to 24/25. As the continuation of this grant funding beyond 24/25 has not been confirmed, the following years have been estimated. Should the SSMTR and IPS grants not continue the total contract value would need to be recalculated and would reduce accordingly.

### **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

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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 Authority believes that the decision to award a new contract to Humankind Charity for the provision of an All Age Community Drug and Alcohol Treatment and Recovery Service is permitted pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015.

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

(i) In February 2022, OHID announced significant new investment (through the SSMTR Grant) which is aimed at delivering a world-class treatment and recovery system, through rebuilding local drug treatment and recovery services, over the life of the new national 10-year drug strategy. The only option available to the Authority 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 notice will enable this joint work to continue and build on the investment already completed in 2022/23.

(ii) In addition to the funding confirmed for 2022/23, OHID announced increased indicative amounts for 2023/2024 and 2024/2024. The Council, working with the existing provider and key local partners, were required to develop an effective 3-year plan to implement the funding (including a recruitment and workforce strategy). New contractual arrangements with the existing provider are therefore required to implement the final year of this plan and deliver the intended targets, outcomes and requirements of the national drug strategy in addition to achieving best value. This will enable the joint work to continue and build on the investment already allocated.

(iii) Humankind Charity is best placed to ensure this collaboration continues and services are developed so that the Council can effectively deliver the strategy ambitions and meet people's needs at a local level within the specified timescales of the grant funding. As a registered social landlord Humankind Charity also has extensive experience of delivering Multiple and Complex Needs Supported Accommodation services in Barnsley and other areas.

(iv) The long-term contractual arrangements described within this notice align with the timescales of the new national strategy, provides certainty to the drug and alcohol workforce and drives innovation within the service. In addition, it provides both the Council, key partners and Humankind Charity the opportunity to strengthen integration and partnership work within the local health system and other partnership structures / arrangements.

(v) This proposal enables Barnsley to continue to benefit from a high-performing service, whilst preventing significant disruption to service users. It is well-documented and evidenced at a regional and national level, that service performance drops when significant contractual changes occur. This would also cause a loss of value and momentum to the joint development work that has already taken place, along with the risk of not achieving the strategy requirements and outcomes.

(vi) A competitive procurement process and potential change of service provider would result in a disruption to the relationships and programmes that the contract has developed at a time when a seamless, integrated approach is critical.

Change of contractor would cause significant inconvenience, disruption for service users and staff and/or substantial duplication of costs.

The incumbent provider is meeting the current outcomes and performance indicators associated with the contract and can scale up service delivery to meet the extra capacity requirements of this additional funding. Not directly awarding the contract could negatively impact the delivery of drug and alcohol treatment as described and require implementing a contingency arrangement resulting in significant difficulty and duplication of costs.

#### **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**

A contract/lot is awarded: Yes

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

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

25 October 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**

Humankind Charity

Durham

DH6 5PF

Country

United Kingdom

NUTS code

- UKC14 - Durham CC

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: £41,000,000

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## **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.4.2) Body responsible for mediation procedures**

High Court of Justice

The Royal Courts 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 from the date the notice is published. This period allows interested or aggrieved parties 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.

**VI.4.4) Service from which information about the review procedure may be obtained**

The High Court of Justice

The Royal Courts of Justice, The Strand,

London

WC2A 2LL

Country

United Kingdom