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Tender

## **Flexible Open Framework for the Provision of Supported Living Services**

DERBY CITY COUNCIL

F02: Contract notice

Notice identifier: 2024/S 000-040911

Procurement identifier (OCID): ocids-h6vhtk-04c96f

Published 19 December 2024, 10:17am

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

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

DERBY CITY COUNCIL

Corporation Street

Derby

DE1 2FS

#### **Contact**

Paul Hallsworth

#### **Email**

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

#### **Telephone**

+44 1332640768

#### **Country**

United Kingdom

**Region code**

UKF11 - Derby

**Justification for not providing organisation identifier**

Not on any register

**Internet address(es)**

Main address

<http://www.derby.gov.uk>

**I.3) Communication**

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

<http://www.eastmidstenders.org>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<http://www.eastmidstenders.org>

**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**

Flexible Open Framework for the Provision of Supported Living Services

Reference number

TD2205

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

- 85000000 - Health and social work services

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

Services

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

Derby City Council seeks to create a Flexible Open Framework for the provision of Supported Living Services under the Light Touch Regime of the Contract Regulations 2015, for adults and young people aged 16+ with eligible assessed needs within their own accommodation. This Framework will replace the current Derby City Support and Accommodation Dynamic Purchasing System (DPS).

Bidders may apply for one or more of the following Lots:

- Lot 1- Low Needs
- Lot 2 - Medium Needs
- Lot 3 - High Needs

There will be no minimum or maximum number of Service Providers that may be successful in each Lot, and no limit on the number of Lots Bidders can be successful in.

The Council reserves the right to open a Lot or Lots and run an open competitive tendering process to replace existing Framework Service Provider due to failure/poor performance/material breaches etc.

There will also be the option of opening up a Lot or Lots to add additional Service Providers where there are capacity issues or a lack of service provision in a specialism,

support model or service model within that Lot.

The Council reserves the right to add a Lot or Lots for additional service requirements and run an open competitive tendering process to award Bidders onto the Lot/s.

Bidders may submit bids for additional lot(s) throughout the life of the Framework as and when the Framework is reopened.

Bidders must have the appropriate registration with the health and social care regulator for England, the Care Quality Commission (CQC) for the delivery of the regulated activity of personal care to apply.

Service Providers will be required to demonstrate competence to deliver the Service to Customers on an individual basis based on their social care assessed needs and preferences, including demonstration of skills and experience required.

Bidders, submitting responses that include Service Models for accommodation (Settings) under any LOT, will be required to registered with Decent and Safe Homes (DASH) Derby City Council Accreditation Scheme (DASH) and subsequently accredited, prior to delivering any Support within this Framework. Those Service Providers with existing Customers in Settings via the current DPS must commit to this requirement to be successful and agree to having their Current Settings accredited within 12 months of the commencement of the Framework.

Settings may be located within the Derby City area, which is defined as within Derby City or a 10 mile radius of Derby City boundaries.

To Clarify, only Bidders submitting responses to delivery the 'Outreach' Service Model under any LOT will not be required to meet the DASH accreditation standard.

Bidders will be grouped into Service categories according to their Service Models at each Setting (if applicable) and Customer specialisms indicated in their submission for each Lot.

Partner organisations such as Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council (referred to as D2N2), Integrated Care Board (ICB) and NHS organisations within the D2N2 area and Derby Homes may access the Framework and use the 'Call Off' arrangements, under their own individual terms and conditions.

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

Value excluding VAT: £158,505,600

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

## **II.2) Description**

### **II.2.1) Title**

- Lot 1- Low Needs

Lot No

1

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

- 85000000 - Health and social work services

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

NUTS codes

- UKF - East Midlands (England)

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

Derby City Council seeks to create a Flexible Open Framework for the provision of Supported Living Services under the Light Touch Regime of the Contract Regulations 2015, for adults and young people aged 16+ with eligible assessed needs within their own accommodation. This Framework will replace the current Derby City Support and Accommodation Dynamic Purchasing System (DPS).

Bidders must have the appropriate registration with the health and social care regulator for England, the Care Quality Commission (CQC) for the delivery of the regulated activity of personal care to apply.

Service Providers will be required to demonstrate competence to deliver the Service to Customers on an individual basis based on their social care assessed needs and preferences, including demonstration of skills and experience required.

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successful and agree to having their Current Settings accredited within 12 months of the commencement of the Framework.

Settings may be located within the Derby City area, which is defined as within Derby City or a 10 mile radius of Derby City boundaries.

To Clarify, only Bidders submitting responses to delivery the 'Outreach' Service Model under any LOT will not be required to meet the DASH accreditation standard.

Bidders will be grouped into Service categories according to their Service Models at each Setting (if applicable) and Customer specialisms indicated in their submission for each Lot.

Partner organisations such as Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council (referred to as D2N2), Integrated Care Board (ICB) and NHS organisations within the D2N2 area and Derby Homes may access the Framework and use the 'Call Off' arrangements, under their own individual terms and conditions.

#### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Value excluding VAT: £158,505,600

#### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 April 2025

End date

31 March 2029

This contract is subject to renewal

Yes

Description of renewals

Up to 4 extensions of 12 months each. Maximum term therefore of 8 years.

### **II.2.10) Information about variants**

Variants will be accepted: No

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

Options: Yes

Description of options

Up to 4 extensions of 12 months each. Maximum term therefore of 8 years.

## **II.2) Description**

### **II.2.1) Title**

Lot 2 - Medium Needs

Lot No

2

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

- 85000000 - Health and social work services

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

NUTS codes

- UKF - East Midlands (England)

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

Derby City Council seeks to create a Flexible Open Framework for the provision of Supported Living Services under the Light Touch Regime of the Contract Regulations 2015, for adults and young people aged 16+ with eligible assessed needs within their own accommodation. This Framework will replace the current Derby City Support and Accommodation Dynamic Purchasing System (DPS).

Bidders must have the appropriate registration with the health and social care regulator for England, the Care Quality Commission (CQC) for the delivery of the regulated activity of personal care to apply.

Service Providers will be required to demonstrate competence to deliver the Service to Customers on an individual basis based on their social care assessed needs and

preferences, including demonstration of skills and experience required.

Bidders, submitting responses that include Service Models for accommodation (Settings) under any LOT, will be required to be registered with Decent and Safe Homes (DASH) Derby City Council Accreditation Scheme (DASH) and subsequently accredited, prior to delivering any Support within this Framework. Those Service Providers with existing Customers in Settings via the current DPS must commit to this requirement to be successful and agree to having their Current Settings accredited within 12 months of the commencement of the Framework.

Settings may be located within the Derby City area, which is defined as within Derby City or a 10 mile radius of Derby City boundaries.

To Clarify, only Bidders submitting responses to delivery the 'Outreach' Service Model under any LOT will not be required to meet the DASH accreditation standard.

Bidders will be grouped into Service categories according to their Service Models at each Setting (if applicable) and Customer specialisms indicated in their submission for each Lot.

Partner organisations such as Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council (referred to as D2N2), Integrated Care Board (ICB) and NHS organisations within the D2N2 area and Derby Homes may access the Framework and use the 'Call Off' arrangements, under their own individual terms and conditions.

#### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Value excluding VAT: £158,505,600

#### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 April 2025

End date

31 March 2029

This contract is subject to renewal



Yes

Description of renewals

Up to 4 extensions of 12 months each. Maximum term therefore of 8 years.

#### **II.2.10) Information about variants**

Variants will be accepted: No

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

Options: Yes

Description of options

Up to 4 extensions of 12 months each. Maximum term therefore of 8 years.

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

#### **II.2.1) Title**

Lot 3 - High Needs

Lot No

3

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

- 85000000 - Health and social work services

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

NUTS codes

- UKF - East Midlands (England)

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

Derby City Council seeks to create a Flexible Open Framework for the provision of Supported Living Services under the Light Touch Regime of the Contract Regulations 2015, for adults and young people aged 16+ with eligible assessed needs within their own accommodation. This Framework will replace the current Derby City Support and Accommodation Dynamic Purchasing System (DPS).

Bidders must have the appropriate registration with the health and social care regulator for England, the Care Quality Commission (CQC) for the delivery of the regulated activity of personal care to apply.

Service Providers will be required to demonstrate competence to deliver the Service to Customers on an individual basis based on their social care assessed needs and preferences, including demonstration of skills and experience required.

Bidders, submitting responses that include Service Models for accommodation (Settings) under any LOT, will be required to registered with Decent and Safe Homes (DASH) Derby City Council Accreditation Scheme (DASH) and subsequently accredited, prior to delivering any Support within this Framework. Those Service Providers with existing Customers in Settings via the current DPS must commit to this requirement to be successful and agree to having their Current Settings accredited within 12 months of the commencement of the Framework.

Settings may be located within the Derby City area, which is defined as within Derby City or a 10 mile radius of Derby City boundaries.

To Clarify, only Bidders submitting responses to delivery the 'Outreach' Service Model under any LOT will not be required to meet the DASH accreditation standard.

Bidders will be grouped into Service categories according to their Service Models at each Setting (if applicable) and Customer specialisms indicated in their submission for each Lot.

Partner organisations such as Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council (referred to as D2N2), Integrated Care Board (ICB) and NHS organisations within the D2N2 area and Derby Homes may access the Framework and use the 'Call Off' arrangements, under their own individual terms and conditions.

#### **II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Value excluding VAT: £158,505,600

#### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Start date

1 April 2025

End date

31 March 2029

This contract is subject to renewal

Yes

Description of renewals

Up to 4 extensions of 12 months each. Maximum term therefore of 8 years.

#### **II.2.10) Information about variants**

Variants will be accepted: No

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

Options: Yes

Description of options

Up to 4 extensions of 12 months each. Maximum term therefore of 8 years.

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### **Section III. Legal, economic, financial and technical information**

#### **III.1) Conditions for participation**

##### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

Information and formalities necessary for evaluating if requirements are met:

Any supplier may be disqualified who:

(a) is bankrupt or is being wound up, where his affairs are being administered by the court, where

he has entered into an arrangement with creditors, where he has suspended business activities or is

in any analogous situation arising from a similar procedure under national laws and regulations;

(b) is the subject of proceedings for a declaration of bankruptcy, for an order compulsory winding

up the administration by the court or of an arrangement with creditors or of any other similar

proceedings under national laws and regulations;

(c) has been convicted by a judgment which has the force of res judicata in accordance with the

legal provisions of the country of any offence concerning his professional conduct;

(d) has been guilty of grave professional misconduct proven by any means which the contract

authorities can demonstrate;

(e) has not fulfilled obligations relating to the payment of social security contributions in

accordance with the legal provisions of the country in which he is established or with those of the

country of the contracting authority;

(f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal

provisions of the country in which he is established or with those of the country of the contracting

authority;

(g) is guilty of serious misrepresentation in supplying the information required under this Section

or has not supplied such information;

(h) has been the subject of a conviction for participation in a criminal organization, as defined in

Article 2(1) of Council Joint Action 98/733/JHA;

(i) has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of

26 May 1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively;

(j) has been the subject of a conviction for fraud within the meaning of Article 1 of the Convention

relating to the protection of the financial interests of the European Communities;

(k) has been the subject of a conviction for money laundering, as defined in

Article 1 of Council

Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the

purpose of money laundering.

### **III.1.2) Economic and financial standing**

Selection criteria as stated in the procurement documents

### **III.1.3) Technical and professional ability**

Selection criteria as stated in the procurement documents

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## **Section IV. Procedure**

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

#### **IV.1.1) Type of procedure**

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

In the case of framework agreements, provide justification for any duration exceeding 4 years:

Use of Light Touch Regime of the Contract Regulations 2015.

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

Date

29 January 2025

Local time

11:00pm

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

English

**IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Duration in months: 3 (from the date stated for receipt of tender)

**IV.2.7) Conditions for opening of tenders**

Date

30 January 2025

Local time

10:00am

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

### **VI.3) Additional information**

Partner organisations such as Derbyshire County Council, Nottingham City Council and Nottinghamshire County Council (referred to as D2N2), Integrated Care Board (ICB) and NHS organisations within the D2N2 area and Derby Homes may access the Framework and use the 'Call Off' arrangements, under their own individual terms and conditions.

There will be no minimum or maximum number of Service Providers that may be successful in each Lot, and no limit on the number of Lots Bidders can be successful in.

The Council reserves the right to open a Lot or Lots and run an open competitive tendering process to replace existing Framework Service Provider due to failure/poor performance/material breaches etc.

There will also be the option of opening up a Lot or Lots to add additional Service Providers where there are capacity issues or a lack of service provision in a specialism, support model or service model within that Lot.

The Council reserves the right to add a Lot or Lots for additional service requirements and run an open competitive tendering process to award Bidders onto the Lot/s.

Bidders may submit bids for additional lot(s) throughout the life of the Framework as and when the Framework is reopened.

The duration of the framework will be fixed 4 years with options to extend annually up to the maximum period of 8 years.

Under this procurement the supplier is required to participate actively in the economic and social regeneration of the locality of and surrounding the area served by Derby City Council. Accordingly contract performance conditions may relate in particular to social and environmental considerations.

Please note Bidders wishing to express interest and obtain the documentation must do so by 11.30pm Thursday 29th January 2025. It is recommended that you express interest and obtain the documentation well before this time to allow sufficient time to prepare and submit a bid.

The deadline for returns is 10.00am Friday 30th January 2025

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

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

Derby City Council

Derby

DE1 2FS

Country

United Kingdom

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

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

Applicants have 2 working days from the notification of the award decision to request additional debriefing and that information has to be provided a minimum of 3 working days before the expiry of the standstill period. Such additional information should be required from the contact details provided in section 1.1 of this notice.

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 (generally within 3 months).

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. If the contract has been entered into the Court may only award damages. [The purpose of the standstill period referred to above is to allow parties to apply to the Courts to set aside the award decision before the contract is entered into].