

 <p>Brent</p>	<p style="text-align: center;">BRIEFING Councillor Hirani</p> <p style="text-align: center;">05th January 2017</p>
<p style="text-align: center;">UPDATE: Procurement of Accommodation Based Mental Health Support: Contract 2 Essex Road & The Mall</p>	

This briefing note provides an overview of the procurement of an accommodation based mental health support service, and the current status of actions being taken in regard to the procurement of a service provider to deliver contract 2 of this procurement.

The below sets out the background and context, as to how we have arrived at the current position, and actions being taken:

Background

- Authority to procure an accommodation based mental health support contract was granted by Brent Council Cabinet in July 2015 for 2 contracts comprising services at 3 locations: Contract 1 for 7-9 Pound Lane (8 units) and Contract 2 for Essex Road (6 units) and The Mall (5 units).
- A restricted tender was completed in February 2016 and completed in May 2016. Permission to award report for both contracts was presented to and agreed by Brent Council Cabinet in July 2016.
- Following publication of the cabinet report but prior to issuing award of the contracts it was determined that there had been a mechanical error in ranking the provider scores for contract 2 only, and consequently permission to award contract 2 was requested for the third highest scoring provider.
- An update on this procurement was provided to Brent Council Cabinet in November 2016 in a report requesting delegated authority for Phil Porter to award mental health contracts of up to £1m value.
- As there were no issues with contract 1 this was awarded to the successful provider in September 2016. The 10 day standstill period was observed and no challenges were received, the contract commenced from 01.11.2016.
- A letter was received at the end of September 2016 from Russell Cooke solicitors regarding the ranking error and requesting information on the procurement process. An investigation into the procurement scoring was completed by Brent commissioning and procurement officers.
 - The investigation determined that within the procurement methodology it was specified that percentage scores for cost would be rounded to the

nearest whole value, but not for quality. It was determined that the rounding of cost scores to the nearest whole value had not been applied.

- When the scores were recalculated applying this criteria two providers were determined to have the exact same evaluation scoring.
- There was no instruction in the procurement methodology to advise how the outcome of a joint score between two providers would be managed.
- Thus the procurement of contract 2 has been closed and a re-tender will be undertaken for this service.

Present Situation as of Friday 06.01.2017

- The below letter was sent out to Russell Cooke solicitors/Social Interest Group providing an update on the abandonment of the procurement and intention to re-tender on 05.01.2017.
- A letter was been sent out to all bidders for the service on 05.01.2017 advising the same information as contained in the letter below.
- Procurement, legal and commissioning officers are working together to re-develop the tender pack to ensure that the methodology includes criteria should the evaluation process determine 2 providers with the same score and update to reflect a single contract with the intention for the re-tender to be issued in February 2017.
 - The same procurement process, quality and cost evaluation criteria as advised in the permission to procure report will be adhered to in the service re-tender.

I hope this briefing furnishes you with enough information to give you assurance that users of the service will continue to be provided with a seamless service which meets their needs and that there is a clear plan to ensure a successful procurement in the longer term.

However, please do not hesitate to contact me should you require anything further. If any providers or service users contact yourself or any other Councillors with concerns or issues they can be directed to procurement officer Lisa Taylor (Lisa.Taylor@harrow.gov.uk) or commissioning officer Laura Power (Laura.Power@brent.gov.uk) .

Russell – Cooke
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2 Putney Hill
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SW15 6AB

05th
January 2017

Dear Sirs,

**London Borough of Brent - Accommodation Based Social Care Tender Lot 2
Your Client: Social Interest Group**

I write further to my letter dated 9th December 2016 concerning the above matter.

I have now conducted a full review of all elements of the procurement process and evaluation. Whilst I am clear that the procurement and evaluation of bids was conducted appropriately, an error has been identified in the calculation of tender scores. As a result scores have been recalculated and it would appear that two organisations have achieved exactly the same score. This is clearly an extremely unusual occurrence and the evaluation methodology published with the tender documents does not provide a means to distinguish between bidders where there is a tie.

Unfortunately, as there is no clear mechanism in the published evaluation methodology to identify the successful bidder in a tie situation, it has been decided that the Council has no alternative but to abandon the current procurement process for Lot 2 only – something that the Council reserved the right to do in its tender documentation.

A new procurement process will be commenced for Lot 2 as soon as possible and you client will be advised of the timings for such procurement in the near future.

Given it is necessary to reprocur the service, Council officers will be in touch with your client regarding the extension of its existing contract in the interim.

Kind Regards,

Helen Woodland
Operational Director Adult Social Care