

 Brent	Officer Key Decision
	Report to the Operational Director Social Care
Authority to Award Contracts for Accommodation Based Mental Health Rehabilitation And Recovery Services at 33 Essex Road, 144 The Mall And 7-9 Pound Lane	

Wards Affected:	ALL
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Part Exempt – Appendix 1 is exempt as it contains the following category of exempt information as specified in Paragraph 3, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
No. of Appendices:	<ul style="list-style-type: none"> Appendix 1 Names of the bidders Appendix 2 Scores received by the bidders
Background Papers¹:	n/a
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1.0 Purpose of the Report

- 1.1 This report concerns the mini competition from the Accommodation Plus Dynamic Purchasing System of accommodation based support services for Three (3) Mental Health Rehabilitation and Recovery Services. This report requests authority to award two contracts as required by Contract Standing Order 88. It summarises the process undertaken in bidding these contracts and, following the completion of the evaluation of the bids, recommends to whom the contracts should be awarded.

2.0 Recommendation(s)

That the Operational Director Social Care:

- 2.1 Approves the award of a contract for Accommodation based Mental Health Rehabilitation and Recovery Services at 33 Essex Road and 144 The Mall to Equinox Care for a period of two (2) years with the options to extend for up to a further one (1) year + one (1) year subject to review.
- 2.2 Approves the award of a contract for Accommodation based Mental Health Rehabilitation and Recovery Services at 7-9 Pound Lane to Metropolitan Housing Trust Limited T/a Metropolitan Thames Valley for a period of two (2) years with the options to extend for up to a further one (1) year + one (1) year subject to review.

3.0 Detail

- 3.1 This report relates to a mini competition process for the re-provision of 19 units of mental health supported accommodation across three (3) different services.
- 3.2 33 Essex Road (service 1) is for the provision of an accommodation based social care support service, which includes housing management responsibility. The service will be for 6 females aged between 18 to 65 years old with high to medium mental ill health who receive clinical treatment. The service requires 24 hours, seven days a week staffed support.
- 3.3 144 The Mall (service 2) is for the provision of an accommodation based social care support service, which includes housing management responsibility. The service will be for 5 males with medium mental ill health who receive clinical treatment. The service requires support to be provided from 10am until 6pm, seven days a week. There will also be a call out facility should service users require support when staff are not on site from 6pm until 10am the following day.
- 3.4 7-9 Pound Lane (service 3) is for the provision of an accommodation based social care support service, which includes housing management

responsibility. The service will be for 8 males aged between 18 to 65 years old with high to medium mental ill health who receive clinical treatment. The service requires 24 hours, seven days a week staffed support.

- 3.5 Each service will provide support in line with the recovery model, personalisation and whole systems approaches to maximise the independence of people who have medium to high mental health support needs. It is intended that the services contribute towards addressing the need to reduce the reliance on statutory care by focusing on the recovery and rehabilitation model to support service users so that they can resettlement in the community, therefore people accessing these services should eventually be able to move out of the service and live more independently. Service users must be eligible under the Care Act to be able to access the services, none of the services provide regulated activity and so are not CQC registered.
- 3.6 TUPE is likely to apply to these contracts. The TUPE process and any issues that may arise from it will need to be managed during the mobilisation phase, which will be approximately two (2) months between contract award and commencement of the new services. The provider has outlined within their response a timetable and statements of how TUPE will be carry out.

The Competition Process

- 3.7 The new contracts will be let by means of a call off agreement from the Accommodation Plus 2017 DPS (Lot 4.1: Care and Support) established by Brent Council ("the DPS") for the initial term and any possible extension.
- 3.8 The competition instructions stated that the three (3) services have been packaged in two (2) lots. The Lot arrangements were organized to increase the chances of cost volume savings. Bidders can only be awarded a maximum of one (1) Lot to spread the risk of provider failure.

Lot structure;

Lot	Service
Lot 1	33 Essex Road
	144 The Mall
Lot 2	7-9 Pound Lane

- 3.9 Advertisements were placed via the London Tenders Portal inviting all DPS (Lot 4.1) approved providers on 7 July 2019 to seek initial expressions of interest, which elicited seven (7) initial enquires. Contractors were provided with an outline specification, details of the mini competition and were invited to complete an adapted selection questionnaire and response documents using the Council's electronic tendering facility. Three (3) contractors subsequently

completed the questionnaire and response documents.

- 3.10 Shortlisting was carried out on the basis of the contractor's technical ability. All three (3) contractors passed the selection stage. Bidders then had their Quality, Price and Social Value responses evaluated.
- 3.11 The competition instructions stated that the contract would be awarded on the basis of the most economically advantageous tender (MEAT) based on 45% Quality, 45% Price and 10% Social Value. The panel evaluated each bid using the method statements set out at Appendix 2 that cover the following quality criteria:
- The Bidder's proposal to meet the requirements and outcomes as stated in the service specification
 - Bidder's proposed plans for ensuring effective quality management of the Services and maintenance of the Contract Standard, including self-monitoring and evaluation
 - Bidder's proposed approach to contract mobilisation including TUPE
 - The Bidder's proposal for Stakeholder Engagement / Partnership working.
 - The Bidder's proposal on how their safeguarding policies will be applied to this contract.
 - The Bidder's proposed approach to Social Value delivered through this contract (weighted at 10% of the total evaluation criteria)

Evaluation process

- 3.12 The bid evaluation was carried out by a panel of officers from Adult Social Care.
- 3.13 All bids had to be submitted electronically no later than 12 noon on 29 July 2019. Bids were opened on 29 July 2019 and two (2) valid bids were received for each Lot. Each member of the evaluation panel read the bids and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the competition.
- 3.14 The panel met on 14 August 2019 and each submission was evaluated and then moderated by the whole panel against the award criteria.

- 3.15 The names of the Contractors are contained in Appendix 1. The scores received by the Contractors are included in Appendix 2.
- 3.16 It will be noted that Contractor (A) was the highest scoring Contractor for Lot 1. Officers therefore recommend the award of the 33 Essex Road and 144 The Mall contract to Contractor (A), namely Equinox Care.
- 3.17 It will be noted that Contractor (B) was the highest scoring Contractor for Lot 2. Officers therefore recommend the award of the 7-9 Pound Lane contract to Contractor (B), namely Metropolitan Housing Trust Limited t/a Metropolitan Thames Valley.
- 3.18 The contracts will commence 1 November 2019 subject to the Council's observation of the requirements of the voluntary standstill period noted in paragraph 5.4 below.

4.0 Financial Implications

- 4.1 Part 3 of the Council's Constitution states that the Operational Director Social Care has delegated authority to approve the award of contracts for services valued at less than £2 million.
- 4.2 The total estimated value of the Lot 1 contract is £859,241 including any extension options (£214,810 pa).
- 4.3 The total estimated value of the Lot 2 contract is £677,488 including any extension options (£169,372 pa).
- 4.4 The current costs of the Lot 1 contract are £230,608 pa, therefore the recommissioning delivers a saving of £16k pa and the current costs of the Lot 2 contract are £203,713, therefore the recommissioning delivers a saving of £34k pa. The saving across both lots is £50k pa which equates to 12%. Whenever a contract is re-tendered it is anticipated that savings of at least 10% should be achieved and in this case this target has been exceeded.
- 4.5 The cost of these contracts will be funded from the Adult Social Care budget.

5.0 Legal Implications

- 5.1 The total value of the two contracts over their lifetime is above the EU threshold for services falling under Schedule 3 - Social and Other Specific Services, which is currently set at £615,278. The contracts will therefore fall within the remit of the Public Contract Regulations 2015 (the "EU Regulations").
- 5.2 The award of the contract is subject to the Council's own Standing Orders in respect of Medium Value Contracts. Strategic/Operational Directors have

delegated authority to to award Medium Value Contracts in accordance with paragraph 9.5, of Part 3 of the Constitution.

- 5.3 The services for these contracts have been procured under the Accommodation Plus 2017 Dynamic Purchasing System, where a mini-competition process under different Lots was carried out to select the Service Providers.
- 5.4 Whilst there is no strict legal requirement for the Council to observe a minimum 10 calendar day standstill period for contracts that have been procured under a Framework or DPS. However, the Council will be observing a voluntary standstill period for a minimum of 10 calendar days prior to the contract being awarded.

6.0 Equality Implications

- 6.1 The Operational Director of Social Care is referred to the Equalities Impact Assessment at Appendix 3. The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 As this report effects many wards, consultation with specific ward members has not been concluded
- 7.2 Service users from the all of the above services have been given the opportunity to voice their view on the quality of the services that they receive

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 There are no implications for Council staff arising from the contract awards.
- 8.2 There are no property / accommodation implications for the Council arising from the contract awards. The accommodation agreement will be between the service provider and the landlord, Network Homes.

9.0 Public Services (Social Value) Act 2012

- 9.1 The Council is under a duty pursuant to the Public Services (Social Value) Act 2012 (“the Social Value Act”) to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. Officers have had regard to considerations contained in the

Social Value Act in relation to the procurement. Bidders were invited to put forward social value proposals as part of their bid and indeed social value was 10% of the evaluation score.

9.2 The Lot 1 contract will deliver the following social value benefits to Brent;

- 2 apprentices
- Pay the London Living Wage
- Work with local colleges to offer work experience for students.
- 800 hrs support to be offered to Brent Community and Voluntary organisations to support their development
- 144 hrs facilities to be provided for use by Brent community groups and voluntary organisations
- 240 hrs time allowed for employees to volunteer for community work in Brent.
- £600 donations to be made to Brent-based community funds to support local causes.

9.3 The Lot 2 contract will deliver the following social value benefits to Brent;

- Pay the London Living Wage
- 3 individuals to be provided with work experience
- 75 unemployed residents to be supported into work
- 2932 hrs support to be offered to Brent Community and Voluntary organisations to support their development
- 315 hrs time allowed for employees to volunteer for community work in Brent.
- £15,000 donations to be made to Brent-based community funds to support local causes.

Report sign off:

ANDREW DAVIES
Head of Commissioning, Contracting and Market
Management

