

FORWARD PLAN SELECT COMMITTEE BRIEFING NOTE

AUTHORITY TO AWARD CONTRACT FOR PROVISION OF A DAY CARE SERVICE FOR ASIAN OLDER PEOPLE

Background

The Executive gave approval on 15 January 2007 to invite expressions of interest for the contract for day care services provided by Asian Community Care Services Ltd. (ACCS) as part of a market testing exercise at the end of the initial contract period. Advertisements were placed in Community Care, Asian and local press on 1 February 2007 which elicited 9 enquires. Short listing was carried out on the basis of suitable experience and six organisations were invited to tender.

ACCS currently provides the service on Monday and Wednesday from Council owned premises in Harlesden. Older People Services have assessed all the service users for the places purchased as meeting the Fair Access to Care criteria at the critical or substantial level and 35 sessions per week for an average of 20 service users from Brent's Asian community are provided.

The contract was negotiated with the organisation from a previous grant funded arrangement following an exemption from the Council's Contract Standing Orders from following a tendering process. It commenced on 1 April 2003 and initially ran until 31 March 2006, was extended under the terms of the contract for one year until 31 March 2007 and further extended by the Executive in January 2007 until 30 November 2007. In the report submitted to the Executive in November 2002 it was set out that officers would carry out a market testing exercise at the end of the contract period to establish if there were any other providers who could deliver a similar service.

Evaluation Process

All tenders had to be submitted no later than 6th June 2007 and three valid tenders were received. Each member of the evaluation panel evaluated their specialist section(s) of the tenders and site visits were carried out to evaluate the practical application of documentation submitted. References were obtained and presentations by the tenderers also took place.

The panel met and each submission was marked by the whole panel against the award criteria:

- Business Probity
- Economic & Financial Standing
- Health & safety documentation and practical application
- Procedures and Administration
- Human resources (recruitment, induction, training, supervision, skills, diversity, volunteers)
- Key Worker system
- Experience and references
- Quality System documentation and practical application
- User satisfaction
- Complaints Procedure
- Premises availability suitability
- Transport arrangements
- Meals
- Activities
- Business Continuity

- Price
- Best Value (proposals for increasing efficiency over contract term)

ACCS scored 829.25 which is considerably higher than the other two tenderers. ACCS failed the minimum individual benchmark on five criteria, which are Procedures and Administration, Human Resources procedures, Key Worker system, Quality System documentation and Business Continuity. None of the three tenderers achieved the overall minimum benchmark score of 855 and this means that any contract award would be outside the tendering process.

Recommendations

Officers are seeking an exemption from the Standing Orders to allow the contract to be awarded to the highest scoring organisation; ACCS.

The contract is due to commence 3rd December 2007 and Officers are recommending the award is for an initial period of one year and continuation to the full three years should be dependent upon Asian Community Care Services Ltd improving to the benchmark standard within one year.

Officers have been working with ACCS over the period of their current contract to assist them in developing and improving day care practice and feel that they have potential to improve further to meet the benchmark standards for these five criteria. It is considered that there is no risk for service users in awarding to ACCS despite their not meeting the benchmark requirements, as the five criteria on which they failed have less direct impact on the quality of care or risk to clients and the intention is that they will meet these benchmarks within a year.

Accommodation Issues

In 2005 Asian People's Disability Alliance Limited (APDA) was relocated on an additional three days per week on a temporary period for a maximum of three years to half of the Alric Avenue Day Centre following its refurbishment arising from the termination by the PCT of their lease at the Old Refectory building pending the redevelopment of the Central Middlesex Hospital site. The West Indian Self Effort (WISE) occupies the other half of the Alric Avenue Day Centre.

ACCS, a subsidiary of APDA, provided the day care service under the existing contract at the same location 2 days a week.

If the Executive agree to award the contract to ACCS the Council's will grant them a licence to use the existing premises at the Alric Avenue Day Centre for two days a week to provide the Asian Day Care Service for Older People in line with the contract periods.

It is not known for certain what APDA/ACCS currently use the premises for during the remainder of the week and officers will meet with the organisation to establish this information. Whether ACCS/APDA will be permitted to use the Alric Avenue Day Centre for one, two or three of the remaining days of the week will be the subject of negotiation and dependent on the other activities taking place.

APDA/ACCS have never paid any rent or service charges or any other payments in respect of their occupation of the Alric Avenue Day Centre and there is no other evidence available to suggest that they have a periodic tenancy which would give them the status of a protected business tenant. Therefore it is believed that the organisation only have a tenancy at will. Given the Asian day care service contract was to be re-tendered the Council served notices terminating the tenancy at will and requiring Asian Community Care Services Ltd and Asian People's Disability Alliance Limited to vacate on 28th November 2007 prior to the new contract commencing on 3rd December 2007

APDA have written to the Council claiming that the Council are not entitled to possession of their premises but have not produced any supporting evidence.