

	Decision of Cabinet Member for Public Health and Adult Social Care
	Report from the Corporate Director Adult Social Care and Health
Authority to award contract for two Learning Disability Supported Living Services at 7 Kinch Grove and Oxgate Gardens	

Wards Affected:	Barnhill and Dollis Hill
Key or Non-Key Decision:	Key
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 and 3 are 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:	Appendix 1 - Names of tenderers (exempt) Appendix 2 – Tenderer’s scores Appendix 3 – Social value commitments (exempt)
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Name: Martin Crick Job Title: Team Manager Commissioning, Contracting and Market Management – Supported Living. Email: Martin.Crick@brent.gov.uk

1.0 Purpose of the Report

1.1 In accordance with Contract Standing Order 88, this report seeks cabinet member authority to award a contract for care and support services at:

- 4 bedded Learning Disability Supported Living Service at 7 Kinch Grove, Brent, HA9 9TF
- 5 bedded Learning Disability Supported Living Service at Oxgate Gardens, Brent, NW2 6EA Extra Care Scheme (ECH) in Brent

1.2 The contract term will be for an initial period of three years with the option to extend for up to two years on a 1+1 basis. The supported living learning

disability services will support people in Brent who present with vulnerable, complex and often challenging behaviours with an assessed care and support needs as defined by the Care Act 2014.

- 1.3 This report outlines the process undertaken in tendering this contract, and recommends which organisation the contract should be awarded to as determined through the evaluation of tenders.

2.0 Recommendation(s)

That the Cabinet Member for Public Health and Adult Social Care, having consulted with the Leader of the Council:

- 2.1 Approves in accordance with paragraph 13 of Part 3 of the Constitution

(i). The award of a contract to Voyage 1 Limited t/a Voyage Care for the provision of the two Learning Disabilities Services at:

7 Kinch Grove, Brent, HA9 9TF and

Oxgate Gardens, Brent, NW2 6EA

For an initial period of three years with the option to extend for up to two years on a 1+1 (one plus one) basis.

- 2.2 In accordance with paragraph 13 of Part 3 of the Constitution, the Cabinet Member has consulted the Leader of the Council in connection with the recommendations.
- 2.3 The individual Cabinet Member is asked to give its approval to these proposals as set out in the recommendations and in accordance with the Constitution.

3.0 Detail

- 3.1 Brent's Supported Living Programme (BSL) is central to the council's long-term vision and strategy for adult social care. The programme has developed a number of bespoke supported living services for people with disabilities that enables service users to live in the community in their own accommodation. Care and support in Brent Supported Living services is flexed as needs change, demonstrating a personalized approach to care. Services are also an alternative to more restrictive care settings, such as residential and nursing services, and the programme has led to a significant reduction in residential care use, particularly for those with a learning disability or mental health need.
- 3.2 The provision of supported living accommodation for people with learning disabilities continues to be a priority for Brent's Supported Living Programme (BSL). It delivers a model of care, which promotes independent living for a

range of vulnerable people who would otherwise be at risk of social isolation, or admission to hospital.

The Tender Process

- 3.3 A soft market test was published on the 28 January 2022 to identify potential suppliers in the market and understand what efforts they can make to meet the service requirements, to which 17 providers responded.
- 3.4 The new contract will be let using the Contract Terms issued with the invitation to tender. Invitations to Tender were advertised on the London Tenders Portal on the 4 April 2022 to seek initial expressions of interest.
- 3.5 This procurement has been conducted in accordance with The Public Contracts Regulations 2015 (the Regulations). The supported living service is listed under Schedule 3 of the Regulations as a social or other specific service. At the time of the commencement of this procurement exercise, the threshold for Schedule 3 services for the purposes of the Regulations was £663,540. Accordingly, as the value of the proposed contract exceeds the aforementioned threshold for this category of service, a Contract Notice was placed on the Find a Tender service, Contracts Finder service and the London Tenders Portal on 04 April 2022. Bidders were provided with a specification, details of the tender approach and invited to complete the published tender documents comprising of a selection questionnaire, quality questions, pricing schedule and a social value action plan using the Council's Electronic Tendering Facility. Twelve bidders subsequently completed the questionnaire.
- 3.6 The tendering instructions stated that the contract would be awarded on the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following criteria:

Award criteria	Weighting
Service delivery	15%
Safeguarding	10%
Workforce	7.50%
Support model	12.50%
Mobilisation	5%
Social value	10.00%
Price	40.00%

- 3.7 It is noted that the weighting for Price and Quality of the Award Criteria as set out in the Authority to Tender report was erroneously presented. This was amended on the published Invitation to tender which formed the basis of evaluation and selection of the preferred supplier and had no impact on the outcome of the process.

Evaluation process

- 3.8 The tender evaluation was carried out by a panel of officers from Adult Social Care and moderated by Procurement Services.
- 3.9 All tenders had to be submitted electronically no later than 25 May 2022, 12pm. 12 valid tenders were received. Each member of the evaluation panel read the tenders and evaluated the bids in accordance with the evaluation criteria set out in the Invitation to Tender documents.
- 3.10 A series of moderation meetings were held on 6 – 8 July 2022 and each submission was moderated by Procurement in the presence of the evaluation panel.
- 3.11 The names of the tenderers that submitted a bid are contained in Appendix 1 with their moderated score detailed in Appendix 2. It will be noted that tenderer L was the highest scoring tenderer. Officers therefore recommend the award of the contract to tenderer L, namely Voyage 1 Limited t/a Voyage Care.
- 3.12 The contract will commence on 03 October 2022 subject to the Council's observation of the requirements of the mandatory standstill period noted in paragraph 5.4 below.

4.0 Financial Implications

- 4.1 It is anticipated that the overall cost of this contract, which is £2,989,772.78, will be funded from the existing Adult Social Care budget. The contract is London Living Wage Compliant.
- 4.2 Brent Council is committed to delivering tangible Social Value benefits across the borough. To underpin this commitment Voyage Care have a contractual obligation to provide social value which the supplier has placed a financial equivalent to 10% of the contract value equating to £298,977.28 on Social Value activities.

5.0 Legal Implications

- 5.1 The value of this contract over its lifetime is in excess of the Public Contracts Regulations 2015, threshold for Services and the award of the contract is therefore governed by the Regulations. The award is subject to the Council's own Contract Standing Orders in respect of High Value Contracts and Financial Regulations.
- 5.2 The Care Act places a general duty on the Council when exercising its functions, to promote an individual's well-being relating to their physical and mental health, emotional well-being and personal dignity. The Care Act 2014

replaces the existing duties in respect of assessing and meeting an individual's eligible care needs.

- 5.3 As indicated in paragraph 5.1, the award of the contract is subject to the Council's own Standing Orders in respect of High Value Contracts. Chief Officers have delegated to them power to award High Value Contracts in accordance with paragraph 9.5, of Part 3 of the Constitution.
- 5.4 The Council must observe the mandatory minimum 10-calendar day standstill period before the contract can be awarded. Therefore, once the Cabinet Member has determined which tenderer should be awarded the contract; all tenderers will be issued with written notification of the contract award decision. A minimum 10 calendar day standstill period will then be observed before the contract is concluded – this period will begin the day after all Tenderers are sent notification of the award decision – and additional debrief information will be provided to unsuccessful tenderers. As soon as possible after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the contract can commence
- 5.5 Pursuant to delegated authority under paragraph 9.5 of Part 3 of the Constitution, it is considered that the Cabinet Member for Public Health and Adult Social Care can approve the award of the proposed contract as set out in this report.
- 5.6 It is noted that the weightings of Price and Quality on the Authority to Tender report was amended in the published Invitation to Tender. Officers have advised that the amendment did not affect the outcome of the procurement process. As such, it is not in contravention with the Council's own procedures.

6.0 Equality Implications

- 6.1 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 The Lead Member for Adult Social Care has been consulted. Extensive consultation has also taken place with service users and family members across both services. Officers will continue to work with service users and their families throughout the implementation period to facilitate a smooth transition for service users receiving care and support at these services.

8.0 Human Resources/Property Implications

- 8.1 The services are currently provided by two external contractors and there are no implications for Council staff arising from retendering the contract. Relevant information with regards to TUPE was shared with the bidders during the procurement process. Where there is TUPE implication for the

successful bidder, this will be resolved between the incumbent and the successful bidder.

9.0 Public Services (Social Value) Act 2012

9.1 The Council is under 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.

9.2 Social value had a weighting of 10% of the evaluation score and in evaluating tenders, the Council requested proposals address the following initiatives:

- Number of new apprentices and/or new jobs to be created for Brent residents as a result of this contract.
- Helping with community clear-up days gardening and food growing projects.
- Supporting charities by donation to encourage physical and mental wellbeing open to the wider community of Brent.

Related documents:

Authority to tender report

Report sign off:

Councillor Neil Nerva
Cabinet Member for Public Health & Adult Social Care