

	Officer Key Decision
	Report to the Operational Director of Adult Social Care
AUTHORITY TO AWARD CONTRACT FOR A CARERS SUPPORT SERVICE	

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 and 3 are exempt as they 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:	3 Appendix 1 – List of Bidders Appendix 2 – Evaluation Grid Appendix 3 – Social Value Commitments
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Name: Andrew Davies Job Title: Head of Commissioning, Contracting & Market Management Email: andrew.davies@brent.gov.uk

1.0 Purpose of the Report

- 1.1 This report is in relation to the commissioning of a contract for Carers Support Services, which are currently delivered through the Gateway to Support Services contract (Gateway). This report requests authority to award contracts as required by Contract Standing Order 88.
- 1.2 This report summarises the process undertaken in tendering the contract and, following the completion of the evaluation of the tenders, recommends to whom the contract should be awarded.

2.0 Recommendation(s)

That the Director of Adult Social Care:

- 2.1 Approves the award of the contract for Carers Support Services for children and adults to Brent Carers Centre as per form of tender for an initial contract term of two (2) years with an option to extend for up to a further two (2) years on a 12 months basis each time (2+1+1) and for a total sum of £895,994.01 over the four (4) year contract period.

3.0 Detail

- 3.1 Local Authorities have a duty under the Care Act 2014 to provide preventative support services to carers. Brent Council has been commissioning these services via the Gateway to Support Services contract since December 2019.
- 3.2 Following a review of the Gateway service, having secured approval in February 2023 to tender the provision of Carers Support Services as a stand-alone service and officers having completed a tender process (as further detailed in this report below) officers are now seeking approval to award a new contract for carers support services, to begin on 2nd August 2023.

The Tender Process

- 3.3 This procurement has been conducted in accordance with The Public Contracts Regulations 2015 (the Regulations). 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 estimated value of the contract to be tendered exceeded 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 6th March 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. Four bidders subsequently completed the questionnaire.
- 3.4 Shortlisting was carried out using a Selection Questionnaire on the basis of the contractors' financial viability, technical ability and previous experience. 4 providers completed the Selection Questionnaire, 3 passed and 1 failed. The provider who failed the SQ did not have their bid evaluated.
- 3.5 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
Quality	50%
<i>Collaborative working</i>	10%
<i>Performance management systems</i>	5%
<i>Working with and supporting carers</i>	5%
<i>Providing informal respite options</i>	5%
<i>Managing safeguarding risks and confidentiality</i>	5%
<i>Resourcing arrangements and mobilisation</i>	10%
<i>Carer evaluated question</i>	10%
Price	40%
Social Value	10%
Total	100%

Evaluation process

- 3.6 The tender evaluation was carried out by a panel of officers from Adult Social Care Commissioning, Complex Social Care teams and also external Carers from the Brent Community. It was important that carers were given a direct opportunity to help with the award of this contract. Three carers participated in the evaluation process.
- 3.7 All tenders had to be submitted electronically no later than 13.00 hours on 27th March 2023. Tenders were opened and 3 valid tenders were received. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tenders.
- 3.8 The evaluation panel met between 11th April – 28th April 2023, and each submission was marked by the whole panel against the award criteria individually. Each submission was then moderated by Procurement in the presence of the evaluation panel in order to agree on a final score.
- 3.9 The names of the tenderers are contained in Appendix 1. The scores received by the tenderers are included in Appendix 2. It will be noted that Contractor B was the highest scoring tenderer. Officers therefore recommend the award of the Contract to Contractor B, namely Brent Carers Centre.
- 3.10 The Contract will commence on 2nd August 2023, 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 The value of the Contract over its lifetime (including the extension) is £895,994.01 (see paragraph 2.1).

4.2 The full cost of the Contract will be funded from the Community and Prevention Contracts budget which sits within Commissioning and Contracts.

5.0 Legal Implications

5.1 Officers propose to enter into an agreement with Brent Carers Centre for the provision of carers support services for a period of two (2) years with an option to extend by an additional period of two (2) years on a 12 months basis each. The value of the Contract over its lifetime (including the extension) is £895,994.01 (see paragraph 2.1).

5.2 Social care related services fall within the social and other services listed in Schedule 3 (“Schedule 3 Services”) of the Public Contract Regulations 2015 (the “PCR 2015”). The value of the Contract over its lifetime is in excess of the PCR 2015 threshold for Schedule 3 Services currently set at £663,540 (inclusive of VAT) and the award of the Contract is therefore governed by the PCR 2015. Section 3 of the report outlines how the Contract was procured in accordance with the PCR 2015.

5.3 The award of the Contract is subject to the Council’s own Standing Orders in respect of Medium Value Contracts. The Operational Director of Adult Social Care has delegated power to award Medium Value Contracts in accordance with paragraph 9.5 and paragraph 9.7 of Part 3 of the Constitution.

5.4 The Council must observe a mandatory minimum 10 calendar day standstill period under the PCR 2015 before the Contract can be awarded. Therefore once the Operational Director of Adult Social Care 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 in accordance with the PCR 2015. The standstill period will run concurrently with the Council’s usual call-in process. Subject to there being no call-in, after the standstill period ends, the successful tenderer will be issued with a letter of acceptance and the Contract can commence.

5.5 The provider recommended for this award is not the provider currently delivering the services included in this contract. As a result, employees working for the current provider and who are assigned to deliver the services covered by this contract may be subject to transfer to the recommended provider pursuant to TUPE. The provider has outlined within their response a timetable and statements of how they intend TUPE to operate.

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. The new service will not remove

services, but it will change the way services are delivered and will place greater emphasis on a personalised outcomes based approach.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 This contract has borough wide implications, specific consultation has not been carried out with ward councillors.
- 7.2 There has been engagement with Carers, families and care and support agencies in Brent. The Council organised a carers celebration event at the Brent Civic Centre in November 2022 where we invited the entire carer community in Brent including providers and unpaid carers. We were able to hear views and experiences of participants which helped to shape our service development.
- 7.3 On the basis of the responses from participants, officers are confident that the new Carers Service will be able to address the needs of people receiving the service and improve the service offered to residents.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from retendering the contract.

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.
- 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:
- Employment support and skills provision, including significantly increasing the take-up of apprenticeships.
 - Local investment from contractors.
 - Helping with community clear-up days gardening and food growing projects
- 9.3 This contract will deliver the social value benefits set out in Appendix 3.

Report sign off:

Claudia Brown
Director of Adult Social Care