

Report No.

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: **EXECUTIVE**

For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on 21 March 2017

Date: **Wednesday 22 March 2017**

Decision Type: Non-Urgent Executive Key

Title: **CONTRACT AWARD OF LEARNING DISABILITY SUPPORTED LIVING SCHEMES (PUBLIC) INFORMATION**

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Ward: (All Wards);

1. Reason for report

This document is a summary to the Part 2 'Contract Award of Learning Disability Supported Living Schemes' to be considered by Executive on 22 March 2017 with pre-decision scrutiny by the Care Services Policy and Development Scrutiny Committee on 21 March 2017.

The summary provides an overview of the process for the tendering of the learning disability supported living schemes at 109 and 111 Masons Hill and 18/19 Century Way in accordance with the Council's financial and contractual requirements.

2. **RECOMMENDATION(S)**

2.1 **Care Services Policy Development and Scrutiny Committee are asked to note and comment on the contents of this report prior to the Executive being asked to:**

i) **note the summary when considering the recommendations in the Part 2 – Appendix Detail report to award the tender.**

Impact on Vulnerable Adults and Children

1. Summary of Impact: To ensure continued provision of statutory services appropriate to the needs of Bromley's adult population.
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Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Supporting Independence :
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Financial

1. Cost of proposal: Further Details No additional cost of undertaking this proposal.
 2. Ongoing costs: Recurring Cost: The existing cost of the 3 schemes is £975,644pa. The future recurring cost from 1/7/2017 resulting from the tender of these schemes would be £964,884pa
 3. Budget head/performance centre: 819*** 3618 (Learning Disabilities Supported Living)
 4. Total current budget for this head: £10,383,000 per annum
 5. Source of funding: Contained within existing budget, no additional funding required
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Personnel

1. Number of staff (current and additional): LBB staff are engaged in contract monitoring and quality assurance
 2. If from existing staff resources, number of staff hours: Approximately 0.1FTE (3.6 hours per week average) Contract Compliance Officer time to monitor the Contracts.
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Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Applicable:
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Procurement

1. Summary of Procurement Implications: The Tender process has been undertaken in accordance with the Council's Financial Regulations and Contract Procedure Rules and completed in compliance with the requirements of the Public Contract Regulations 2015 "Light Touch Regime".
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 16
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Background:

- 3.1 A Gateway Report (CS17016) was presented to Executive on 20 July 2016 outlining the current provision of supported living services for 20 people with significant disabilities living in 4 properties. The report projected that these services will be required for future service users in order to prevent the move to expensive residential care. The report detailed the proposed commissioning strategy for the tendering of these services with an emphasis upon achieving the best possible quality / pricing.
- 3.2 The Executive agreed the following:
- (i) The schemes be grouped for tendering in order to drive the best possible quality/pricing;
 - (ii) An exemption be agreed to enable the extension of the 109 Masons Hill scheme for 10 weeks (23/4/2017 - 30/6/2017, with a value of approximately £60,684) and co-termination with the 111 Masons Hill scheme situated next door.
 - (iii) The commencement of the procurement procedure be approved to enable award in accordance with the Council's financial and contractual requirements.
- 3.3 Following Executive approval to commence the tender process, the 4 tenants living in the Dunstonian scheme requested they receive Direct Payments. The scheme was therefore removed from the tender process and the remaining 3 schemes containing 16 tenants have been tendered as a single lot. Work is separately being progressed to complete the transfer to Direct Payments prior to the Dunstonian contract end date.

The Tender Process:

- 3.4 In accordance with the Council's financial and contractual requirements, and following Executive approval on 20 July 2016, the 3 schemes have been subject to a full tender process.
- 3.5 The tender process was undertaken using Pro-Contract, the Council's electronic tendering system. As it was estimated there would be significant interest in providing this service, a two stage open tender procedure was used. A total of 45 suppliers expressed an interest in providing the service with 15 suppliers submitting compliant Selection Questionnaires. Following evaluation of the Selection Questionnaire, 8 suppliers were shortlisted to go through to the second 'service specific' stage of the tender process, 4 of whom then declined to progress. The reasons given for them declining to bid were that one provider decided their chance of success was too limited should the 3 incumbent providers bid and the other provider who gave a reason said that they no longer had the necessary resources to undertake the process.
- 3.6 The second stage of the tender process was evaluated on the basis of Award Criteria questions in accordance with the Public Contracts Regulations 2015 and the suppliers submitted pricing schedules. The tender submissions were evaluated on a 60% price and 40% quality split. The evaluation of the 40% quality scoring was undertaken against the following subject areas that were weighted as shown:

1	Financial Resources & Contract Affordability	5%
2	Implementation	20%
3	Recruitment, Training & Workforce Development	20%
4	Quality Assurance	20%
5	Achieving Outcomes	20%
6	Community & Family Engagement	15%

- 3.7 The tender prices were evaluated using the Chartered Institute of Public Finance & Accountancy (CIPFA) Evaluation Model, which calculates all the prices received from individual bidders and produces an overall mean price value, i.e. the arithmetic average value bid across all tenders received. Individual scores are then allocated for each 1% the bidder's tender value was above or below the mean price received for all bids.
- 3.8 The overall weightings for this contract evaluation were set to identify the Most Economically Advantageous Tender (MEAT) and deliver the best possible combination of whole-life cost and quality to meet the Council's requirements.
- 3.9 The evaluation was undertaken by a panel of Officers and was backed up with supplier interviews to clarify issues identified in the tender submissions. A service user was present at the interviews and asked questions on behalf of service users living in the schemes. The interviews were used to inform the suppliers' final evaluation scores.

Justification for Award:

- 3.10 The result of the evaluation process is shown in the Part 2 Appendix Paper which contains the detailed scoring.
- 3.11 A recommendation to award the contract for the provision of supported living services at the Masons Hill & Century Way schemes is included within the Part 2 appendix paper.
- 3.12 Members are asked to note that the contract with the provider will include the following key performance indicators:

	Performance Indicator	Target	Provision of monitoring information
1	Percentage of staff team to be permanent.	75%	Quarterly Monitoring Report
2	Agency Staff	No more than 10% of Staff team to be agency.	Quarterly Monitoring Report
3	Percentage of staff receiving mandatory refresher training	95%	Contract Compliance Visit
4	Percentage of appropriately trained and assessed as competent staff available to meet the health and medication needs of the client's 24/7	100% of the time.	Contract Compliance Visit
5	Ensure that all safeguarding and serious incidents are reported in accordance with national and local guidance.	100% compliant	Quarterly Monitoring Report
6	Level of client satisfaction that reflects the local issues and service.	90% satisfied	Annual Satisfaction Survey

4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

- 4.1 The tendering and award of these established supported living schemes is to ensure the continued provision of statutory services appropriate to the needs of Bromley's adult population with disabilities.

5. POLICY IMPLICATIONS

- 5.1 The Supported Living Service is designed to meet the Council's objectives within 'Building a Better Bromley' to support independence within the community, particularly for vulnerable people.

6. FINANCIAL IMPLICATIONS

- 6.1 The financial implications of awarding the Contract are included within the Part 2 Appendix Paper.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no London Borough Bromley employed staff affected by this tender.

8. LEGAL IMPLICATIONS

- 8.1 The contract value is above the EU threshold level for services regulated under the light touch regime and was tendered in compliance with the Public Contracts Regulations 2015. The Councils Contracts Procedure Rule 16.7 requires contract awards above £1 million in value to be approved by the Executive.

9. PROCUREMENT IMPLICATIONS

- 9.1 The Tender process has been undertaken in accordance with the Council's Financial Regulations and Contract Procedure Rules and completed in compliance with the requirements of the Public Contract Regulations 2015 "Light Touch Regime". Once the Council has made its decision, the Authority will need to issue the appropriate Award Notices, observe the mandatory Standstill Period and issue an OJEU and Contract Finder Award Notice as provided for in the Regulations.

Non-Applicable Sections:	N/A
Background Documents: (Access via Contact Officer)	CS17016 LD Supported Living Gateway Review (Care Services PDS 28 June 2016 and Executive 20 July 2016).