

Decision Maker: LEADER OF THE COUNCIL

With pre-decision scrutiny from Adult Care & Health Policy and Development Scrutiny Committee on 30th June 2020

Date: 8 July 2020

Decision Type: Non-Urgent Non-Executive Key

Title: CONTRACT AWARD: INFRASTRUCTURE SUPPORT SERVICES TO THE VOLUNTARY, COMMUNITY AND SOCIAL ENTERPRISE SECTOR – SUMMARY REPORT

Contact Officer: Gerry Clark, Senior Commissioning Officer
Tel: 020 8313 4024 E-mail: gerry.clark@bromley.gov.uk

Chief Officer: Kim Carey, Interim Director of Adult Social Care

Ward: All

1. Reason for report

- 1.1 On 27th November 2019, Executive gave approval to proceed to procurement of the Infrastructure Support Service to the Voluntary, Community and Social Enterprise (VCSE) Sector in Bromley, to enable continuity of this service via a new contract from 1 October 2020, as detailed in Gateway Report (ACS 19019). The current service is delivered by Community Links Bromley via two separate contracts which end on 30th September 2020.
- 1.2 In accordance with the Council's financial and contractual requirements, this report sets out the results of the tendering process and seeks Executive approval to award the contract. The report should be read in conjunction with the accompanying Part 2 Report.
-

2. **RECOMMENDATION(S)**

- 2.1 Adult Care and Health PDS is asked to note and comment on the contents of the report.
- 2.2 The Leader of the Council is recommended to:
- i) Award the Contract for the provision of the Infrastructure Support to the VCSE Sector as detailed in the accompanying Part 2 Report. The proposed contract will commence on 1st October 2020 for a five year period with the option to extend for up to a further two years.
 - ii) Delegate to the Director of Adult Services, in consultation with the Portfolio Holder for Adult Care & Health Services, the Assistant Director Governance & Contracts, the Director of Finance and the Director of Corporate Services, authorisation to exercise the extension period of up to 2 years.

Impact on Vulnerable Adults and Children

1. Summary of Impact: Procurement of a service to support the voluntary and community sector who provide a range of non-statutory early intervention and preventative services to the local population.
-

Corporate Policy

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

Financial

1. Cost of proposal: Detailed in Part 2 Report
 2. Ongoing costs: Detailed in Part 2 Report
 3. Budget head/performance centre: Programmes Division
 4. Total current budget for this head: £160k
 5. Source of funding: Better Care Fund
-

Personnel

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Non-statutory – Government Guidance
 2. Call-in: Applicable
-

Procurement

1. Summary of Procurement Implications: The procurement was undertaken in compliance with the requirements of the Public Contracts Regulations 2015.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Support offer to approx. 1200 voluntary, community and social enterprise organisations in Bromley.
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The existing Support Service to the Voluntary, Community and Social Enterprise (VCSE) Sector contract has been in place with Community Links Bromley since 2018. There were no further options to extend the contract and a procurement exercise has been undertaken following Executive approval of the recommendations set out in the Gateway Report No. ACH19019 on 27th November 2019.
- 3.2 A procurement process has taken place over the last six months in accordance with the timescales set out in the Gateway Report. This report details the outcome of the tender process.
- 3.3 The Council supports the capacity and sustainability of the local Voluntary, Community and Social enterprise sector (VCSE) by providing a dedicated resource, ensuring there is support available to co-ordinate, advocate and strengthen the sector and to reflect the needs of the local population.

4. DESCRIPTION OF SERVICE AND SUMMARY OF THE BUSINESS CASE

- i) The service is aimed at supporting the economic and social growth of the voluntary and community sector in Bromley, focused on creating a sustainable market. The expected outcomes, measured through key performance indicators, are to:
- Increase the capacity and effectiveness of the sector
 - Build capacity and capability in local communities by demonstrating social and economic impact
 - Leverage external funding to the sector to increase capacity
 - Create a sustainable and vibrant sector.
- ii) The service provides information, advice and guidance on funding, investment and volunteering. It also represents the sector within strategic partnerships throughout the borough and supports the Voluntary Sector Strategic Network, which is a network of local organisations for engaging and influencing at a strategic level.
- iii) The service is currently provided via two separate contracts:
- a) 'Support to VCSE', with an annual value of £48k delivered by Community Links Bromley;
- b) 'Support to the Sector', with an annual value of £112k delivered by Community Links Bromley as one of the Bromley Third Sector Enterprise partners responsible for the Bromley Well contract.

These two services, together with the allocated funding are being combined to form a single contract with an estimated annual value of £160k and with a planned contract start date of October 2020. A variation to the Bromley Well contract has been agreed.

- iv) The Support to VCSE contract was originally let on a fixed price basis and the new tender has been undertaken on the same basis. Bidders were required to submit a pricing schedule that detailed the annual costs of delivering the service. No inflationary uplifts will be provided over the life time of the contract, therefore, bidders were asked to factor in inflationary increases into their bids.

5. CONTRACT AWARD RECOMMENDATION

- 5.1 **Recommended Provider:** Please see Part 2 Report
- 5.2 **Estimated Contract Value (annual and whole life)** – Please see Part 2 Report
- 5.3 **Proposed Contract Period** – 5 years with the option to extend for a further 2 years (5+2).
- 5.4 The tender process was undertaken in accordance with the recommendations set out in the Gateway Report approved by Executive on 27th November 2019. The consultation and engagement process informed the development of the service specification.

- 5.5 The tender was undertaken electronically using the Pro-Contract portal with bidders being required to submit both Stage 1 (SQ) and Stage 2 responses together, in accordance with the Public Contracts Regulations 2015 (Light Touch Regime).
- 5.6 Evaluation of the bid was undertaken using the Council's standard split of 40% quality and 60% price. The results were then fed into the evaluation matrix based on the Chartered Institute of Public Finance & Accountancy (CIPFA) Evaluation Model.
- 5.7 The evaluation of the bidder's response to the quality questions (40%) was undertaken against the following criteria and weightings:

Question	Criteria	Weightings
1	Financial Resources & Contract Affordability	5%
2	Information Governance and Security	5%
3	Service Outcomes	20%
4	Funding and Investment	15%
5	Volunteering	15%
6	Strategic Voice	15%
7	Information, Advice and Guidance	10%
8	Strategic Partnership	10%
9	Social Value	5%
TOTAL:		100%

- 5.8 The tender was evaluated on the response to questions in accordance with the Public Contract Regulations 2015. The results of the evaluation process are detailed in Part 2 Report.
- 5.9 The contract specification sets out the requirements upon providers and the intended outcomes for users of the service. Contract performance and service user outcomes will be robustly measured by the Contract Compliance Team in conjunction with commissioners through a combination of inspections, key performance indicators (KPIs) and outcome returns from the provider. There is a set of KPIs within the specification and the successful bidder has outlined how they intend to deliver on these. Targets will be finalised with the provider as part of the contract mobilisation process.
- 5.10 – 5.16 Please see Part 2 Report

6. MARKET CONSIDERATIONS

- 6.1 Community Links Bromley (CLB) has been responsible for providing the infrastructure support and running the volunteer centre in the Borough for many years. Bromley Council has contributed funding on an annual basis to the organisation to provide this function. The service has not been subject to competitive tendering in the past. Although there are no obvious additional providers locally who provide 'infrastructure support' to the sector, neighbouring boroughs have similar VCSE organisations which manage similar services within their locality. There are also a number of consultancy companies who work with businesses, social enterprises and other public sector organisations offering training and advice on fundraising, social investment and business development.
- 6.2 In order to gain feedback from potential providers and the sector on the commissioning intentions and to develop competition, a market engagement event was held in November 2019. The event was advertised via Pro-Contract and Eventbrite and was attended by twenty people. Presentations were given by key Council staff to help providers understand Bromley's direction of travel and the tender opportunity. The event also included group discussions that were used to help finalise the service specification and tender documents.
- 6.3 Those who attended the event were overwhelmingly in support of making the infrastructure support independent of the Bromley Well service. Key issues for all, especially for smaller organisations, were

funding and investment support, a volunteers framework and practical guidance on engaging volunteers from all sectors of the borough. The event provided commissioners with assurance that the proposed service reflected the needs of the sector.

7. STAKEHOLDER ENGAGEMENT

- 7.1 Stakeholders were contacted as part of the tender process. As well as local organisations being represented at the Soft Market event, the VSSN was consulted. Members of the BTSE Board, who run the Bromley Well service, were asked to comment on the proposals and to consider the implications of moving the Support to the Sector element of the Bromley Well contract, to a separate contract (i.e. combining it with the VCSE Support contract).
- 7.2 Colleagues within the Council were advised of the requirement to retender the service and were invited to comment on the proposed service specification, either through face to face meetings or by email.

8. SUSTAINABILITY AND IMPACT ASSESSMENTS

- 8.1 The Public Sector Equality Duty (PSED) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. This contract award has been informed by a generic equalities impact assessment, which found that the proposed revised service will have a wider reach than the current service contract, and should therefore ensure that equal access to VCSE support and available funding opportunities is given to all eligible community groups in the borough.

9. POLICY CONSIDERATIONS

- 9.1 The Local Government and Public Involvement in Health Act 2007 places great emphasis on the role of the third sector and explicitly states that local authorities have a duty to inform consult and involve local citizens, local voluntary and community groups and businesses. It sets out clear expectations that the third sector should be involved in designing and shaping key decisions across the country, and that the sector should be a key partner to local government in creating strong and sustainable communities. The provider will represent voluntary and community sector on key borough and multi-borough partnerships at local forums and boards and will be required (via CLB) to build capacity within the sector.
- 9.2 The [Public Services \(Social Value\) Act](#) came into force on 31 January 2013. It requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. The Act is a tool to help commissioners get more value for money out of procurement. It also encourages commissioners to talk to their local provider market or community to design better services, often finding new and innovative solutions to difficult problems. The Act is significant because it supports the commissioning options appraisal process, which will ultimately result in the most effective and efficient commissioned provision. Additionally the Act seeks to ensure that public spending is used to generate social value in addition to the goods and services it purchases. The voluntary and community sector are integral to developing social value in commissioning.

10. IT AND GDPR CONSIDERATIONS

- 10.1 The tender has been evaluated and undertaken in accordance with current GDPR considerations. There are no internal IT considerations as the service is contracted with external organisations.

11. PROCUREMENT RULES

- 11.1 Procurement rules of the proposed contract award are detailed in Part 2 report.

12. FINANCIAL CONSIDERATIONS

12.1 Financial considerations of the proposed contract award are detailed in Part 2 report.

13. PERSONNEL CONSIDERATIONS

13.1 There are no internal staffing implications resulting from this tender as it is fully contracted with external organisations.

14. LEGAL CONSIDERATIONS

14.1 Legal considerations of the proposed contract award are detailed in Part 2 report.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	ACH19019 Gateway 0/1 Proceed to procurement for support to the Voluntary, Community and Social Enterprise Sector ACH2024 Contract Award: VCSE Infrastructure Support Service Part 2