



Scrutiny Panel: Procurement

Framework Agreement for the Provision of Domiciliary Care and Respite at Home Services for Older People and Younger Adults with Physical Disabilities and/or Sensory Impairment

1. Introduction

- 1.1 A procurement process was undertaken to establish a Framework Agreement for the Provision of Domiciliary Care and Respite at Home Services for Older People and Younger Adults with Physical Disabilities and/or Sensory Impairment.
- 1.2 In line with the *Sustainable Swansea* approach, Adult Services undertook a Commissioning Review into Adult Services Domiciliary Care for Older People. This analysis commenced in 2014 with the Adult Services Domiciliary Care for Older People Commissioning Review being completed in 2016.
- 1.3 A report was submitted to Corporate Management Team on 15th March 2017 confirming the outcome of Adult Services Commissioning Review consultation. This report proposed implementation of final recommendations that had emerged from the Domiciliary Care Commissioning Review, which was to commence the re-procurement of this service from the external market.
- 1.4 The new Framework Agreement aimed to develop a more stable market and reduce overall risks. The new arrangements introduced geographically based services and allow for a more even distribution of market share across the sector. Updated contract specifications and service standards was completed with the aim to deliver more person centred and outcomes focussed services.

2. Co-production within the Procurement Process

- 2.1. In developing the service specification for domiciliary care and respite care at home services and assessing the suitability of potential providers the project was keen to adopt the good practice outcomes taken from local and national co-productive approaches.
- 2.2. A definition of co-production is 'Local authorities, older people and older people's organisations working together to design and deliver opportunities, support and services that improve wellbeing and quality of life'.
- 2.3 This involved analysing a range of previous consultation and engagement documentation including -

- Commissioning review consultations
- Independent Sector workshops
- Stakeholder workshops
- Service users' questionnaires 2016
- Carers' questionnaires 2016
- Previous complements and complaints
- Reviews and Support Plans

2.4 By gathering and analysing information this gave an insight into people's experiences and expectations, including:

- What matters to people, through their views and experiences
- What outcomes people want to achieve
- What needs to change in the future commissioning

2.5 Key themes from consultation and engagement were used to help develop revised contract specifications and also the questions and model answers used to evaluate tender submissions.

3. Procurement Process

3.1. The potential estimated value of the new Framework Agreement over the term of the Framework Agreement is certain to exceed the European Union threshold for social and other specified services under Schedule 3 of the Public Contract Regulations 2015. The threshold at the time these services were procured was £615,278.

3.2. The Council's intention was to enter into a Framework Agreement with up to five (5) Providers per zone for Lots 1 – 5 (Domiciliary Care) and one (1) Provider for Lot 6 (Respite at Home).

3.3. The Lots are detailed as follows (please refer to Appendix 1 for further detail):

- Lot 1: Zone 1
- Lot 2: Zone 2
- Lot 3: Zone 3
- Lot 4: Zone 4
- Lot 5: Zone 5
- Lot 6: Respite at Home Services

3.4. Under the Public Contract Regulations 2015, the light-touch regime (LTR) is a specific set of rules for certain service contracts. Those service contracts include certain social, health and education services, defined by Common Procurement Vocabulary (CPV) codes. The services under this Framework Agreement was defined by these CPV codes therefore allowing more flexibility in the procurement process.

3.5. The Council may on or before each year of the anniversary of the commencement of the Framework Agreement undertake a refresh of the Framework (the "Refresh").

- 3.6. The refresh will provide for, inter alia, (i) providers of services similar to the Services to apply for appointment onto the Framework and (ii) current Framework Service Providers to apply for appointment onto the Framework in relation to different Framework Lots to those onto which they are currently appointed.
- 3.7. The opportunity was advertised in the Official Journal of the European Union (OJEU) via Sell2Wales.
- 3.8. The award criteria used for this process was 55% Quality and 45% Price and this criteria was stated in the OJEU notice. The 'open' procurement procedure was selected.
- 3.9. The Invitation to Tender (ITT) was issued on 1st March 2019 via the eTenderWales Portal. Prior to the issue of the ITT the Council held a 'Meet the Buyer' event in July 2018 to discuss the process and to engage with the market to see view on the approach and to prepare the market for the tender.
- 3.10. The Council also engaged with Business Wales to support this tendering opportunity, Business Wales kindly supported the Meet the Buyer event and also ran a how to tender workshop after the tender was published to further help bidders.
- 3.11. 18 Tenderers submitted tenders by the return date of 18th April 2019, one Tenderer after the opening of Tenders, withdrew themselves from the process as a result of changes in the organisation's financial standing which resulted in the Council being unable to consider their submission any further.

4. Tender Evaluation

- 4.1. Tenders were evaluated by Officers from Adult Services, Swansea Bay University Health board, HR and Beyond Bricks & Mortar with support from Officers of the Procurement Team.
- 4.2. Tender evaluation was undertaken in accordance with the criteria set out in the Invitation to Tender documents as a two stage process.
- 4.3. At stage one of the process; the Council undertook a suitability assessment. All Tenderers met the minimum standard and proceeded to stage two of the process.
- 4.4. Stage two of the process was the tender assessment stage, which comprised of two parts and had the following award criteria Quality 55% and Price 45%.
- 4.5. The Quality evaluation ensured tenderers were able to demonstrate a minimum understanding of key requirements. The Quality evaluation was based on the assessment of eight method statement questions on the following:
 - Communication
 - Service Principles and Objectives

- Operational Procedures
- Scenario - Business Planning and Contingency Measures
- Implementation
- Fair Working Practices
- Community Benefits
- Price

4.6. Tenderers were required to attain a minimum score of three for each of the Method Statement questions. Failure to attain a score of three for any question resulted in tenders being rejected without further evaluation as per the Instructions to Tender. Four (4) tenderers were rejected for failing to attain the required quality threshold.

4.7. Tenderers who achieved the required score in the Quality evaluation proceeded to the Price evaluation.

4.8. The price evaluation for Lots 1 - 5 was based on Tenderers submitting hourly rates and evaluated based on weekly hours of domiciliary care for each Lot; the data below was used for evaluation purposes only and does not reflect the number of hours which will be commissioned from each Lot under this Framework Agreement.

Lot	Standard Hours	Rural Hours
1	2000	120
2	2500	
3	2700	
4	3200	100
5	3000	60

4.9. The price evaluation for Lot 6 was evaluated based on the submitted hourly rate breakdown.

4.10. The hourly rates submitted by Tenderers in their initial tenders remained fixed for a minimum period of twelve months from the commencement of the Framework Agreement. Any requests for changes to the hourly rates would need to be in accordance with the variations provision contained within the Framework terms and conditions.

4.11. The scores of bidders recommended for appointment onto the Framework Agreement for Lots 1- 5 are detailed in Appendix 1, overall the Council appointed the following number of providers per Lot:

Lot	Number of Providers
1	3
2	4
3	5
4	5
5	5

- 4.12. The Framework Agreement commenced on 1st October 2019 to 30th September 2023 with the option to extend for up to 48 months.
- 4.13. The Council will select the Service Provider to which a Call-Off Contract will be awarded, in accordance with Schedule 6 of the Framework Agreement.
- 4.14. A refresh of the Framework Agreement was undertaken in 2020, this resulted in an additional six (6) Service Providers being appointed to the Framework Agreement. The refresh was run on the same criteria as detailed above. ,

5. Community Benefits

- 5.1. The Council's Community Benefits policy update in July 2016 required that consideration be given to putting community benefits clauses in all Council contracts. As a result community benefit clauses were included in this Agreement.
- 5.2. Working closely together, the Procurement and the Beyond Bricks and Mortar (BB&M) teams were able to ensure that the new Framework Agreement will have a focus on adding value and ensuring wider social and economic issues are taken into account when delivering services.
- 5.3. Each tenderer was required to produce a Community Benefits plan, outlining how they would achieve a range of community benefits, such as targeting unemployed people for jobs and training opportunities, taking on apprentices, working with schools and participating in community projects. Each service provider will be monitored by BB&M to ensure they are providing the required community benefits.

Appendix 1

