

Report title: <i>To award four Care and Support Contracts at four existing Extra Care Schemes for Older People</i>	
Report to: Nick Presmeg, Executive Director for Adult Social Care	
Report author: Dale Evans, Head of Strategic Commissioning and Policy 0 Older Age Adults email dale.evans@essex.gov.uk	
Date:	For: Decision
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County Divisions affected: 'All Essex'	

1. Purpose of Report

- 1.1 To seek the Executive Director's approval to progress to Final Award stage and enter into contracts for the onsite Care and Support Services at four existing Extra Care Schemes with the preferred providers in four out of the four lots.
- 1.2 Under the Care Act 2014 the Council is obliged to provide care for Adults with eligible needs. One way of meeting these needs is to support the creation of Extra Care housing schemes which are run by Landlords and where residents have their own accommodation but where the Council commissions the care services, normally across the whole scheme. This report relates to awarding four such schemes where the contract for the onsite Care and Support Service ends on 30 September 2019.

2 Recommendations

- 2.1 To agree the award of the contracts for the provision of Care and Support Services within Extra Care Schemes in the following lots:
 - 2.1.1 LOT 1, The Cannons, to Agincare UK LTD
 - 2.1.2 LOT 2, Sumners Farm, to Agincare UK LTD
 - 2.1.3 LOT 3, Wren House, to Agincare UK LTD
 - 2.1.4 LOT 4, Canters Meadow, to Agincare UK LTD
- 2.2 To agree that the services will commence in the schemes detailed in paragraphs 2.1.1 and 2.1.2 on 1st October 2019 for a contractual period of 5 years.
- 2.3 To agree that the services will commence in the schemes detailed in paragraphs 2.1.3 and 2.1.4 on 1st October 2019 for a contractual period of 3 years with provision to extend for a further 2 years; therefore having a maximum term of 5 years.

3 Summary of issue

- 3.1 The Council currently has contracts with the onsite Care and Support Providers at thirteen Extra Care schemes across Essex at which placements are made by Adult Social Care, with another due to open in June 2019. This report relates to awarding contracts for the provision of the onsite Care and Support services within four of these schemes.
- 3.2 In May 2019, Cabinet authorised a competitive tender process to procure suppliers to provide the onsite Care and Support Services within the following schemes, for the period detailed below:
 - 3.2.1 LOT 1, The Cannons, 5 years
 - 3.2.2 LOT 2, Sumners Farm, 5 years
 - 3.2.3 LOT 3, Wren House, 3 years with provision to extend for a further 2 years; therefore having a maximum term of 5 years.
 - 3.2.4 LOT 4, Canters Meadow, 3 years with provision to extend for a further 2 years; therefore having a maximum term of 5 years.
- 3.3 The tender process began in June 2019 and ended in July 2019.
- 3.4 A single stage procurement process was utilised to procure the provision of the onsite Care and Support Services, in a number of Lots, as detailed in paragraph 3.2 above.
- 3.5 Standard questions were set for each Lot to assess:
 - 3.5.1 Supplier Model
 - 3.5.2 Bidding Model
 - 3.5.3 Contact Details and Declaration
 - 3.5.4 Grounds for Mandatory Exclusion
 - 3.5.5 Grounds for Discretionary Exclusion
 - 3.5.6 Economic and Financial Standing
 - 3.5.7 Wider Group Details
 - 3.5.8 Modern Slavery Act
 - 3.5.9 Technical and Professional Ability
 - 3.5.10 Insurance
 - 3.5.11 Public Services (Social Value) Act 2012
 - 3.5.12 Equality & Diversity
 - 3.5.13 Health & Safety
 - 3.5.14 E-Procurement
 - 3.5.15 Information Handling and Security
 - 3.5.16 Safeguarding
 - 3.5.17 TUPE Implication
 - 3.5.18 Policies and Procedures
 - 3.5.19 Contract Information
 - 3.5.20 Care Quality Commission Registration
- 3.6 Additional technical requirements which were assessed included:

- 3.6.1 Disclosure and Barring Service
- 3.6.2 TUPE Declaration
- 3.6.3 Mobilisation of the Service
- 3.6.4 Service Delivery Model
- 3.6.5 Community Hub Ethos
- 3.6.6 Strengths as a Provider

3.7 For Each the following number of bids were received for each Lot:

- 3.7.1 LOT 1, The Cannons - 6 bidders,
- 3.7.2 LOT 2, Sumners Farm – 6 bidders,
- 3.7.3 LOT 3, Wren House – 6 bidders,
- 3.7.4 LOT 4, Canters Meadow – 5 bidders

3.8 The resulting winning bidders are:

- 3.8.1 LOT 1, The Cannons, to Agincare UK LTD who scored 79.47%
- 3.8.2 LOT 2, Sumners Farm, to Agincare UK LTD who scored 88.29%
- 3.8.3 LOT 3, Wren House, to Agincare UK LTD who scored 78.43%
- 3.8.4 LOT 4, Canters Meadow, to Agincare UK LTD who scored 78.43%

3.9 As well as approving the tender for the onsite Care and Support services within the four schemes included in this paper the decision by Cabinet in May 2019 also permitted the direct negotiation with Scheme Landlords in a further four schemes for the provision of the onsite Care and Support Services. The reasons for the direct negotiation with the scheme Landlords are detailed in that report. The negotiations with the Landlords for these four schemes are continuing and will be the subject of a subsequent decision by the Executive Director for Adult Social Care and are therefore out of scope of this report.

4 Options

4.1 **Option 1** – Not award the contract to the winning bidder and let the current contracts expire

- 4.1.1 This is not an option as it would mean four schemes would cease as Extra Care.

4.2 **Option 2 (Recommended)** – Award contracts to the winning bidder

- 4.2.1 This option would result in the contract being issued to the winning bidder for each LOT.
- 4.2.2 This is the recommended option because it supports the wishes of the landlords that do not want to provide onsite care and support services. It ensures consistent service delivery model and contracting arrangements across all schemes. As well as achieving best value for the council.

5 Issues for consideration

5.1 Financial Implications

- 5.1.1 As described in section 3 above all bids were evaluated in accordance with the published criteria.
- 5.1.2 The bids from Agincare UK Ltd were awarded the highest combined score for price and quality for each of the four Lots.
- 5.1.3 The budget for personal care provision in the four schemes is contained within the overall domiciliary care budget for Older People. The hourly prices for personal care submitted for the four schemes are lower than the price assumed in the 2019/20 budget.
- 5.1.4 However, it should be noted that the contract for care services does not guarantee the provider a minimum volume of care hours; actual volumes will depend on the needs mix of adults placed within each scheme.
- 5.1.5 The combined annual cost of Peace of Mind Services submitted for the four Lots by the winning bidder is lower than the combined current costs assumed in the 2019/20 budget for the four schemes.
- 5.1.6 The decision on the 28 May 2019 to delegate award of the contracts for eight Extra Care Schemes, of which these four schemes form part, to the Executive Director for Adult Social Care, once he is satisfied that the contracts represent best value and are within budget, was supported by the S151 officer and therefore no further S151 approval is needed for award.

5.2 Legal Implications

- 5.2.1 Care services within a supported living scheme fall within "social and other specific services" within Schedule 3 of the Public Contracts Regulations 2015 and the total contract value is estimated to exceed the threshold of £615,278.
- 5.2.2 The procurement process and award of contracts have been conducted in accordance with the provisions of the Public Contracts Regulations

6 Equality and Diversity implications

- 6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
 - (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc on the grounds of a protected characteristic unlawful
 - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.

- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.


6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

6.3 The equality impact assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

List of appendices

Equality Impact Assessment

7 List of Background papers

I approve the above recommendations set out above for the reasons set out in the report.  Nick Presmeg, Executive Director for Adult Social Care	Date 11/9/19
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In consultation with:

Role	Date
Head of Finance Laura Davis-Hughes	
Director, Legal and Assurance (Monitoring Officer) Laura Edwards (on behalf of Paul Turner)	

