

United Kingdom-Crewe: Education and training services
OJ S 223/2020 16/11/2020
Contract notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Cheshire East Borough Council
Postal address: Municipal Buildings, Earle Street
Town: Crewe
NUTS code: UKD North West (England)
Postal code: CW1 2BJ
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.cheshireeast.gov.uk/>
Address of the buyer profile: <http://www.cheshireeast.gov.uk/>

I.1. Name and addresses

Official name: Blackburn with Darwen Borough Council
Postal address: 10 Duke Street
Town: Blackburn
NUTS code: UKD North West (England)
Postal code: BB2 1DH
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.blackburn.gov.uk/>

I.1. Name and addresses

Official name: Blackpool Council
Postal address: Number One, Bickerstaffe Square, Talbot Road
Town: Blackpool
NUTS code: UKD North West (England)
Postal code: FY1 3AH
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.blackpool.gov.uk/>

I.1. Name and addresses

Official name: Bolton Council
Postal address: Town Hall, Victoria Square
Town: Bolton
NUTS code: UKD North West (England)
Postal code: BL1 1RU

Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.bolton.gov.uk/>

I.1. Name and addresses

Official name: Bury Council
Postal address: Town Hall, Knowsley Street
Town: Bury
NUTS code: UKD North West (England)
Postal code: BL9 0SW
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.bury.gov.uk/>

I.1. Name and addresses

Official name: Cheshire West and Chester Council
Postal address: Nicholas House, Nicholas St
Town: Chester
NUTS code: UKD North West (England)
Postal code: CH1 2NP
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://cheshirewestandchester.gov.uk/>

I.1. Name and addresses

Official name: Cumbria County Council
Postal address: Cumbria House 117 Botchergate
Town: Carlisle
NUTS code: UKD North West (England)
Postal code: CA1 1RD
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://www.cumbria.gov.uk/>

I.1. Name and addresses

Official name: Halton Borough Council
Postal address: Kingsway
Town: Widnes
NUTS code: UKD North West (England)
Postal code: WA8 7QF
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.halton.gov.uk/>

I.1. Name and addresses

Official name: Knowsley Metropolitan Borough Council
Town: Huyton

NUTS code: UKD North West (England)
Postal code: L36 9UX
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://www.knowsley.gov.uk>

I.1. Name and addresses

Official name: Lancashire County Council
Town: Preston
NUTS code: UKD North West (England)
Postal code: PR1 8XJ
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://www.lancashire.gov.uk/>

I.1. Name and addresses

Official name: Liverpool City Council
Town: Liverpool
NUTS code: UKD North West (England)
Postal code: L1 6BW
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://liverpool.gov.uk>

I.1. Name and addresses

Official name: Manchester City Council
Town: Manchester
NUTS code: UKD North West (England)
Postal code: M32 0TH
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://www.manchester.gov.uk/>

I.1. Name and addresses

Official name: Oldham Council
Town: Oldham
NUTS code: UKD North West (England)
Postal code: OL1 1UT
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://www.oldham.gov.uk/>

I.1. Name and addresses

Official name: Rochdale Borough Council
Town: Rochdale
NUTS code: UKD North West (England)
Postal code: OL16 1XU

Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.rochdale.gov.uk>

I.1. Name and addresses

Official name: Salford City Council
Town: Swinton
NUTS code: UKD North West (England)
Postal code: M27 5AW
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.salford.gov.uk/>

I.1. Name and addresses

Official name: St Helens Council
Town: St Helens
NUTS code: UKD North West (England)
Postal code: WA10 1HF
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://www.sthelens.gov.uk/>

I.1. Name and addresses

Official name: Sefton Metropolitan Borough Council
Town: Bootle
NUTS code: UKD North West (England)
Postal code: L20 7AE
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <http://www.sefton.gov.uk>

I.1. Name and addresses

Official name: Stockport Metropolitan Borough Council
Town: Stockport
NUTS code: UKD North West (England)
Postal code: SK1 3XE
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk
Internet address(es):
Main address: <https://www.stockport.gov.uk/>

I.1. Name and addresses

Official name: Tameside Metropolitan Borough Council
Town: Ashton under Lyne
NUTS code: UKD North West (England)
Postal code: OL6 6BH
Country: United Kingdom
E-mail: tracy.roberts@cheshireeast.gov.uk

Internet address(es):

Main address: <https://www.tameside.gov.uk>

I.1. Name and addresses

Official name: Trafford Council

Town: Stretford

NUTS code: UKD North West (England)

Postal code: M32 OTH

Country: United Kingdom

E-mail: tracy.roberts@cheshireeast.gov.uk

Internet address(es):

Main address: <http://www.trafford.gov.uk/>

I.1. Name and addresses

Official name: Warrington Borough Council

Town: Warrington

NUTS code: UKD North West (England)

Postal code: WA1 1JX

Country: United Kingdom

E-mail: tracy.roberts@cheshireeast.gov.uk

Internet address(es):

Main address: <https://www.warrington.gov.uk/>

I.1. Name and addresses

Official name: Wigan Council

Town: Wigan

NUTS code: UKD North West (England)

Postal code: WN1 1YN

Country: United Kingdom

E-mail: tracy.roberts@cheshireeast.gov.uk

Internet address(es):

Main address: <http://www.wigan.gov.uk>

I.1. Name and addresses

Official name: Wirral Metropolitan Borough Council

Town: Birkenhead

NUTS code: UKD North West (England)

Postal code: CH41 5EU

Country: United Kingdom

E-mail: tracy.roberts@cheshireeast.gov.uk

Internet address(es):

Main address: <https://www.wirral.gov.uk>

I.2. Information about joint procurement

The contract involves joint procurement

The contract is awarded by a central purchasing body

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://www.the-chest.org.uk>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via: <https://www.the-chest.org.uk>

I.4. Type of the contracting authority

Regional or local authority

I.5. Main activity

General public services

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

North West SEND Flexible Purchasing System

Reference number: DN505426

II.1.2. Main CPV code

80000000 Education and training services

II.1.3. Type of contract

Services

II.1.4. Short description

The services covered in this Flexible Purchasing System (FPS) are for Children, Young People and Young Adults aged up to 25 in Independent and non-maintained special schools and all Post 16 Institutions who have an education, health and care plan (ECHP).

Phase 1 will include independent and non-maintained special school (INMSS) placements for Learners aged up to 16 who have an education, health and care plan (ECHP).

Phase 2 will include placements for Learners 16 – 25 years who have an education, health and care plan (ECHP).

This Flexible Purchasing System (FPS) will facilitate the Local Authorities of the North West to purchase these services from the Supplier through a Call Off Contract comprising an Individual Placement Agreement or Block Contract subject to the terms and conditions of the FPS and those of the Call Off Contract.

The provision must be able to meet the objectives established in the Learner's Education, Health and Care Plan and provided in compliance with all relevant statutory requirements, including timescales, and any requirements of the Regulatory Body.

The following Services are in scope of Phase 1 of this FPS:

- (i) Lot 1: Day education placement
- (ii) Lot 2: Education with 38 week residential placement
- (iii) Lot 3: Education with 52 week residential placement

The specification has been written to cover a range of Education settings across all four service categories as identified in the National Schools and Colleges Contract Service Specification and the SEND Code of Practice (2015):

- (i) Sensory and/or physical needs
- (ii) Social, emotional and mental health difficulties
- (iii) Cognition and Learning
- (iv) Communication and interaction

In delivery of these services, the Provider shall operate fully in accordance with all relevant Acts of Parliament, amendment or re-enactment of any Act, Statutory Regulation, and other such laws and statutory guidance, as may affect the provision of education, health and care specified under the Contract.

All services available under this FPS will be available to be called off by the 23 Local Authorities in the North West Region. The aim is to establish a regional FPS which will provide consistent quality standards, streamline processes, improve communication and encourage innovation.

II.1.5. Estimated total value

Value excluding VAT: 3 000 000 000,00 GBP

II.1.6. Information about lots

This contract is divided into lots: yes

Tenders may be submitted for all lots

II.2. Description

II.2.1. Title

Day Education Placement

Lot No: 1

II.2.2. Additional CPV code(s)

80000000 Education and training services

II.2.3. Place of performance

NUTS code: UKD North West (England)

II.2.4. Description of the procurement

The Provider will create an environment in which the Services operate that has continuous improvement at its core. Services will be flexible, responsive and creative, in order to deliver provision that meets the needs of the Learner.

Ofsted (or an equivalent body approved by the Secretary of State for Education under section 106 of the Education and Skills Act 2008) inspection reports will be used as one of the key quality measures for this framework.

The Provider will deliver education and/or training appropriate to the age, ability, aptitude and special educational needs of the Learner in accordance with their EHC Plan or Annual Review (whichever is most up to date for the Learner).

The Provider will deliver a programme of education and activities which meet the Learner's outcomes, as stated in their EHC Plan or annual review paperwork (whichever is most up to date for the Learner). This will include supporting the Learner to work towards qualifications that meet their ability and demonstrate the Learner is making academic progression or acquiring skills. The Provider will endeavour to ensure the Learner does not repeat qualifications or courses.

The service specification sets out the outcomes the Provider will be expected to deliver in respect of:

- the service overall (the Outcomes), and
- individual placements (the Individual Outcomes).

In respect of the service overall, the Provider will be expected to participate fully in the North West Performance Monitoring and Outcomes Framework, providing the required data and key performance indicators (in the format requested by the placing authorities)

In respect of individual placements, the Provider will be expected to work with the Placing Authority to achieve positive outcomes for the Learner and meet the objectives as described in the Education, Health and Care Plan accompanying each placement.

The North West local authorities are committed to collaboration, co-production and best practice with Parents/ Carers and Providers, to ensure the regional contract remains fit for purpose. This FPS will be regularly reviewed by the North West Regional Governance Group to ensure that the required outcomes are being delivered and further developments and innovation are included.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 2 250 000 000,00 GBP

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 120

This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds: no

II.2.14. Additional information

II.2. Description

II.2.1. Title

Education with 38 Week Residential Placement

Lot No: 2

II.2.2. Additional CPV code(s)

80000000 Education and training services

II.2.3. Place of performance

NUTS code: UKD North West (England)

II.2.4. Description of the procurement

The Provider will create an environment in which the Services operate that has continuous improvement at its core. Services will be flexible, responsive and creative, in order to deliver provision that meets the needs of the Learner.

Ofsted (or an equivalent body approved by the Secretary of State for Education under section 106 of the Education and Skills Act 2008) inspection reports will be used as one of the key quality measures for this framework.

The Provider will deliver education and/or training appropriate to the age, ability, aptitude and special educational needs of the Learner in accordance with their EHC Plan or Annual Review (whichever is most up to date for the Learner).

The Provider will deliver a programme of education and activities which meet the Learner's outcomes, as stated in their EHC Plan or annual review paperwork (whichever is most up to date for the Learner). This will include supporting the Learner to work towards qualifications that meet their ability and demonstrate the Learner is making academic progression or acquiring skills. The Provider will endeavour to ensure the Learner does not repeat qualifications or courses.

The service specification sets out the outcomes the Provider will be expected to deliver in respect of:

- the service overall (the Outcomes), and
- individual placements (the Individual Outcomes).

In respect of the service overall, the Provider will be expected to participate fully in the North West Performance Monitoring and Outcomes Framework, providing the required data and key performance indicators (in the format requested by the placing authorities)

In respect of individual placements, the Provider will be expected to work with the Placing Authority to achieve positive outcomes for the Learner and meet the objectives as described in the Education, Health and Care Plan accompanying each placement.

The North West local authorities are committed to collaboration, co-production and best practice with Parents/ Carers and Providers, to ensure the regional contract remains fit for purpose. This FPS will be regularly reviewed by the North West Regional Governance Group to ensure that the required outcomes are being delivered and further developments and innovation are included.

The Provider will be required to meet the requisite accommodation standards and requirements for children's homes specified within the Children and Young People's Residential Placements Flexible Procurement System.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 450 000 000,00 GBP

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 120

This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

II.2.14. Additional information

II.2. Description

II.2.1. Title

Education with 52 Week Residential Placement
Lot No: 3

II.2.2. Additional CPV code(s)

80000000 Education and training services

II.2.3. Place of performance

NUTS code: UKD North West (England)

II.2.4. Description of the procurement

The Provider will create an environment in which the Services operate that has continuous improvement at its core. Services will be flexible, responsive and creative, in order to deliver provision that meets the needs of the Learner.

Ofsted (or an equivalent body approved by the Secretary of State for Education under section 106 of the Education and Skills Act 2008) inspection reports will be used as one of the key quality measures for this framework.

The Provider will deliver education and/or training appropriate to the age, ability, aptitude and special educational needs of the Learner in accordance with their EHC Plan or Annual Review (whichever is most up to date for the Learner).

The Provider will deliver a programme of education and activities which meet the Learner's outcomes, as stated in their EHC Plan or annual review paperwork (whichever is most up to date for the Learner). This will include supporting the Learner to work towards qualifications that meet their ability and demonstrate the Learner is making academic progression or acquiring skills. The Provider will endeavour to ensure the Learner does not repeat qualifications or courses.

The service specification sets out the outcomes the Provider will be expected to deliver in respect of:

- the service overall (the Outcomes), and
- individual placements (the Individual Outcomes).

In respect of the service overall, the Provider will be expected to participate fully in the North West Performance Monitoring and Outcomes Framework, providing the required data and key performance indicators (in the format requested by the placing authorities)

In respect of individual placements, the Provider will be expected to work with the Placing Authority to achieve positive outcomes for the Learner and meet the objectives as described in the Education, Health and Care Plan accompanying each placement.

The North West local authorities are committed to collaboration, co-production and best practice with Parents/ Carers and Providers, to ensure the regional contract remains fit for purpose. This FPS will be regularly reviewed by the North West Regional Governance Group to ensure that the required outcomes are being delivered and further developments and innovation are included.

The Provider will be required to meet the requisite accommodation standards and requirements for children's homes specified within the Children and Young People's Residential Placements Flexible Procurement System.

II.2.5. Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6. Estimated value

Value excluding VAT: 300 000 000,00 GBP

II.2.7. Duration of the contract, framework agreement or dynamic purchasing system

Duration in months: 120

This contract is subject to renewal: no

II.2.10. Information about variants

Variants will be accepted: no

II.2.11. Information about options

Options: no

II.2.13. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

II.2.14. Additional information

Section III: Legal, economic, financial and technical information

III.1. Conditions for participation

III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

All suppliers will be required to hold the appropriate registrations for the areas of work they intend bidding for e.g. OFSTED or equivalent Registration, DfE or equivalent Registration, etc.

III.1.3. Technical and professional ability

Selection criteria as stated in the procurement documents

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Restricted procedure

IV.1.3. Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement
Framework agreement with several operators
The procurement involves the setting up of a dynamic purchasing system
The dynamic purchasing system might be used by additional purchasers
In the case of framework agreements, provide justification for any duration exceeding 4 years:

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

IV.2. Administrative information

IV.2.2. Time limit for receipt of tenders or requests to participate

Date: 04/01/2021 Local time: 13:00

IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.2.4. Languages in which tenders or requests to participate may be submitted

English

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

The services are categorised in this FPS as 'social and other specific services' under Schedule 3 of the Public Contracts Regulations 2015 ('PCR 15') and are therefore subject to the Light Touch Regime ('LTR') under PCR 15.

The Council intend to make provision for the service divided into three lots under a Flexible Purchasing System (FPS) taking advantage of significant flexibilities provided under the LTR. CCS guidance on LTR defines 'Pseudo' as a practice in the LTR that inevitably looks and feels similar to the provision prescribed in the main rules in PCR 15, but is not substantively subject to the formal procedural rules under PCR 15. Therefore, for the avoidance of doubt, requirements of Reg 34 of PCR 15, ('Dynamic Purchasing systems: General features') do not apply to this public contract. Service providers may be appointed to the FPS under one or more lots.

New applicants may be appointed throughout the lifetime of the FPS. Please see tender documentation for further details.

The FPS will close twice during the first year in May and November and a minimum of once per year for each subsequent year for evaluations. The lead authority reserve the right to close the FPS for evaluations at any time, but in any event, 28 days' notice will be provided.

There is no guaranteed activity within this FPS and providers will receive payment upon actual service delivery.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Royal Courts of Justice

Postal address: Strand

Town: London

Postal code: WC2A 2LL

Country: United Kingdom

Telephone: +44 2079476000

VI.4.4. Service from which information about the review procedure may be obtained

Official name: Cheshire East Council

Postal address: Westfields, Middlewich Road

Town: Sandbach

Postal code: CW11 1HZ

Country: United Kingdom

VI.5. Date of dispatch of this notice

11/11/2020