

# **CONTRACT SCRUTINY COMMITTEE AGENDA**



**Monday, 23 August 2010**

**at 11.00 am**

**in Committee Room C, Civic Centre, Hartlepool**

**MEMBERS: CONTRACT SCRUTINY COMMITTEE:**

Councillors Aiken, Ingham, Lawton, London, Maness, Richardson, Simmons, Sutheran and Wells

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
  - 3.1 To confirm the minutes of the meeting held on 26 July 2010
- 4. ITEMS FOR INFORMATION**
  - 4.1 Contract For The Provision Of An Advocacy Service For Adults – *Director of Child and Adult Services*
- 5. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**
- 6. LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006**

## **EXEMPT ITEMS**

Under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in the paragraphs referred to below of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006

### **7. TENDERS TO BE OPENED**

- 7.1 Removal, Storage and Disposal of Abandoned and Nuisance Vehicles(Contract Reference Number 318) (Para 3) – *National Management Trainee*
- 7.2 Collection, Receiving and Kennelling of Stray Dogs (Contract Reference Number 319) (Para 3) – *National Management Trainee*
- 7.3 Hartlepool Headland Structures Preliminary Options Study (Contract Reference Number 309) (Para 3) – *Principal Engineer (Environmental Issues)*

### **8. ITEMS REQUIRING DECISION**

No items

### **9. ANY OTHER CONFIDENTIAL ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

# **CONTRACT SCRUTINY COMMITTEE**

## **MINUTES AND DECISION RECORD**

26 July 2010

The meeting commenced at 11.00 a.m. in the Civic Centre, Hartlepool

**PRESENT:**

Councillor Frances London (In the Chair)

Councillors Trisha Lawton, Sarah Maness, Carl Richardson and Chris Simmons

Also Present: In accordance with Council Procedure Rule 4:2 Councillor George Morris as substitute for Councillor Ray Wells

**OFFICERS:** Peter Morgan, Senior Commissioning Officer  
Kate Wachorn, Commercial Solicitor  
Jo Wilson, Democratic Services Officer

### **13. Apologies for Absence**

Apologies were submitted by Councillor Ray Wells

### **14. Declarations of Interest by Members**

None

### **15. Minutes of Meeting held on 29 June 2010**

Confirmed.

### **16. Provision of Supported Lodgings for Young People in Hartlepool (CRF 433) – *Director of Child and Adult Services***

The Senior Commissioning Officer informed Members that following the tendering process and evaluation of tenders received the contracts had been awarded to Barnardo's Services Limited. The full process followed was outlined within the report.

Members queried whether it would be possible to feed in service user comments in future tender evaluations. The Senior Commissioning Officer advised that the questionnaires completed as part of the process tended to be quite technical however service user feedback would be taken into account during any future reviews of the service. Users were also

included on panels interviewing providers. Members queried why only 2 of the 8 agencies which had expressed interest in the project had submitted a bid. The Commissioning Officer was unaware of any specific reasons. The close margin between the final scores was also highlighted.

### **Decision**

That the outcome of the tender evaluations be noted

## **17. Contract for the Provision of Specialist Care and Support Services for Adults with Learning Disabilities – *Director of Child and Adult Services***

The Senior Commissioning Officer informed Members that following the tendering process and evaluation of tenders received the contract had been awarded to Creative Support. This was subject to receipt of positive references, successful post tender negotiations to agree the cost for each Individual and assessment of overall use of financial resources. The contract was for 42 months with the option to extend subject to satisfactory performance. The full process followed was outlined within the report.

Members queried the costing of £845,266 per year. The Senior Commissioning Officer advised that this was solely to pay staff providing support to individuals and not to pay for property acquisition. Individual users would be expected to provide their own furnishings. Members questioned what effect the recent announcement as to the future of the PCT would have on this service. The Senior Commissioning Officer advised that in time responsibility for funding would pass from the NHS to the Council through social care costs. Funding streams were currently being considered by Central Government however nothing was certain in the current economic climate. The Chair queried the option to extend and was told that this was a standard clause aimed at continuing the service and avoiding unnecessary future tender processes.

### **Decision**

That the awarding of a contract to provide care and support in extra care settings to Creative Support Ltd for 42 months with an option to extend subject to satisfactory performance be noted.

The meeting concluded at 11.25 am

CHAIR

## **CONTRACT SCRUTINY COMMITTEE**

23 August 2010



**Report of:** DIRECTOR OF CHILD AND ADULT SERVICES  
DEPARTMENT

**Subject:** CONTRACT FOR THE PROVISION OF AN  
ADVOCACY SERVICE FOR ADULTS

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### **1. PURPOSE OF REPORT**

- 1.1 To update the Committee on the evaluation of the tenders received for the provision of the above named service.

### **2. BACKGROUND**

- 2.1 Advocacy Support in Hartlepool has been provided by Hartlepool Citizens Advice Bureau (Representational) since 2002 and Hartlepool MIND (for people with a Learning Disability) since 2006. The contracts for Hartlepool MIND and Hartlepool CAB were due to terminate on the 31 July 2010.
- 2.2 A competitive tender process commenced on 25 March 2010 to procure a quality, effective service and ensure a level of competition amongst providers.
- 2.3 The aim of the new service is to provide advocacy for adults which promote their social inclusion, equality and social justice by empowering them. The service should enable them to express their personal views and needs, thereby achieving their rights and entitlements. It should also assist people in securing relevant information and knowledge, enabling them to make informed choices about social care services.
- 2.4 The primary objectives of the service are to:
- resolve issues at the earliest and most informal opportunity
  - provide independent advocacy, advice, information and support to adults using social care services or to potential users of social care services.
  - enable individuals to understand social care services.

- enable individuals to express their views concerning social care services.
- represent individual's views concerning social care services.
- represent individuals who are experiencing problems or dissatisfaction with social care services, including informal/formal representations.
- assist individuals to access social care services.
- assist individuals to exercise their rights under community care and associated legislative powers.

2.5 The service will be available to eligible adults in the following client groups:

- Adults with Learning Difficulties/Disabilities
- Adults with Mental Health Problems/Needs
- Adults with a Physical Disability/Sensory Loss
- Older People
- Carers

2.6 Users of the Advocacy Service are those adults who use or are wishing to use social care services whose vulnerability, disability or illness requires them to seek assistance in that objective, and who may be:

- about to be or recently discharged from hospital;
- moving on from or potentially into residential care;
- requiring support at tribunals, including mental health tribunals;
- at risk of loss of liberty, subject to court orders, including S.117;
- subject to guardianship orders;
- taking part in care programme approach (CPA);
- in conflict with care managers over care needs assessment or over arrangements for services to meet identified care needs;
- in dispute with their carers;
- in dispute with the statutory agencies;
- without family, relatives or friends;
- in need of assistance to make their views known to the service providers.

2.7 Initially the service will provide a total of 1500 client contact hours each year on a spot purchase basis.

2.8 The closing date for tender submissions was the 14 May 2010.

### **3. PROPOSALS**

3.1 To note the report

#### 4. EVALUATION PROCESS

- 4.1 Tenders were opened by Contract Scrutiny Committee on 17 May 2010.

##### Stage 1 – ITT Evaluation

- 4.2 The first stage of the evaluation process measured compliance with the Invitation to Tender. 1 tender did not comply with the Invitation to Tender and so did not pass to the next stage of evaluation. (see appendix 1 for further information)

##### Stage 2 – PQQ Evaluation

- 4.3 The remaining 5 tenders proceeded to evaluation of the Primary Qualification Questionnaire (PQQ) in which the following questionnaires were assessed and verified by Officers of the Council:

- Organisation Profile - Commissioned Services Team
- Grounds for Exclusion - Commissioned Services Team
- Insurance - Commissioned Services Team
- Financial - Chief Executives Department Accountancy Team
- Health & Safety - Health and Wellbeing Team
- Equality & Diversity - Child and Adult Services Development Team
- Environmental - Sustainable Development Team
- Technical Capacity - Commissioned Services Team

- 4.4 4 tenders failed one or more of the questionnaires contained within the PQQ (see appendix 1 for further information) and the remainder of their submissions were not therefore considered.

##### Stage 3 – Quality Evaluation

- 4.5 1 tender progressed to the performance and quality stage of the tender which comprised of an evaluation of a Tender Questionnaire and Interviews.

- 4.6 The Tender Questionnaire was divided into 5 sections and points were allocated as follows:

- Proposal – 40 points available
- Delivery of Service – 80 points available
- Quality Assurance – 40 points available
- Service User Outcomes - 80 points available
- Management & Staff – 60 points available

- 4.7 The Evaluation Panel comprised of:

- Neil Harrison, Strategic Commissioner - Working Age Adults
- Beverley Thompson, Strategic Commissioner - Mental Health
- Allison Davies, Commissioning Officer

4.8 The tender was required to obtain a score of 180 points to be invited to interview. The tender achieved a score of 265 and progressed to the Presentation and Interview Stage on the 7 June 2010. This stage was carried out by a Panel which comprised as follows:

- Neil Harrison, Strategic Commissioner - Working Age Adults
- Beverley Thompson, Strategic Commissioner - Mental Health
- Allison Davies, Commissioning Officer
- Kelly Gollightly, Service User
- Rachel Turnedge, Service User
- Pam Turnedge, Carer

4.9 On the 7 June 2010 the Evaluation Panel decided that there was insufficient competition to effectively conclude the tender evaluations and the Department invited all tenderers to resubmit applications by the 18 June 2010 following advice from Corporate Procurement.

4.10 Following the resubmission of applications, all 6 tenders progressed to the Performance and Quality Stage (see appendix 2 for further information). Tenders were required to obtain a score of 180 points or more to be invited to interview. 3 tenders were invited to the Presentation and Interview Stage on the 28 June 2010.

4.11 A total of 100 points were available from the interview stage. This stage was carried out by a Panel which comprised as follows:

- Neil Harrison, Strategic Commissioner - Working Age Adults
- Beverley Thompson, Strategic Commissioner - Mental Health
- Allison Davies, Commissioning Officer
- Rachel Turnedge, Service User
- Pam Turnedge, Carer

#### Stage 4 – Price Evaluation

4.12 The price submissions for the 3 tenders were evaluated using a price evaluation tool and 200 points were available towards the overall score (see appendix 3 for further information).

#### Stage 5 - Selection

4.13 The scores from the quality and price evaluations were combined (see appendix 4 for further information) and the organisation which scored the highest number of points was tender number 6, DISC (Developing Initiatives Supporting Communities).

- Tender 2            394
- Tender 4            435
- Tender 6            447

4.14 Established in 1984, DISC is an independent North of England based charity that focuses on deprivation and exclusion. DISC is a specialist



agency, focusing on people who have fallen through the net of statutory provision and who many agencies struggle to help. Their work is structured into four main areas:-

- Drug Initiatives
- Employment initiatives
- Housing Support Initiatives
- Children, Young People and Families

- 4.15 3 references have been requested and all have been returned with extremely positive responses provided.

## **5. FINANCIAL CONSIDERATIONS**

- 5.1 It is proposed that the new service will operate under a spot purchase arrangement. The number of hours required under the contract depends on the number of referrals to the service. In order to evaluate and compare price submissions organisations were asked to assume the service received 200 referrals requiring 1500 client contact hours per annum. This assumption was based on referral figures provided during annual service reviews since 2006.
- 5.2 Based on the above assumptions DISC costed the service at £60,000 per annum which equates to a client contact hourly rate of £40.00.
- 5.3 The organisation requires start up costs of £1,545 for recruitment and equipment.

## **6. RECOMMENDATIONS**

- 6.1 That the Contract Scrutiny Committee note the Director of Child and Adult Services support of the views of the Commissioned Services Manager and the award of a contract for 3 years with an option to extend subject to satisfactory performance to provide an advocacy service for adults to DISC (Developing Initiatives Supporting Communities).

## **7. BACKGROUND PAPERS**

- 7.1 None

## **8. CONTACT OFFICER**

- 8.1 Brian Ayre, Commissioned Services Manager, Child and Adult Services Department, Level 4, Civic Centre  
[brian.ayre@hartlepool.gov.uk](mailto:brian.ayre@hartlepool.gov.uk) 01429 28426

**Hartlepool Borough Council**  
**ADVOCACY SERVICE FOR ADULTS**

**Invitation to Tender Assessment Stage and Pre-Qualification Questionnaire Evaluation Matrix – 17.05.10**

<b>Tender</b>	<b>Declarations:</b> <ul style="list-style-type: none"> <li>• Form of Undertaking</li> <li>• Form of Tender</li> <li>• Certificate of Collusion/Canvassing</li> </ul>	<b>Profile</b>	<b>Grounds for Exclusion</b>	<b>Insurance</b>	<b>Financial</b>	<b>Health &amp; Safety</b>	<b>Equality &amp; Diversity</b>	<b>Environment</b>	<b>Technical Capacity</b>
<b>1</b>	Pass	Pass	Pass	Pass	Pass	Fail	Pass	Fail	Pass
<b>2</b>	Fail	Pass	Fail	Pass	Pass	Fail	Pass	Pass	Pass
<b>3</b>	Pass	Pass	Fail	Pass	Pass	Pass	Pass	Pass	Pass
<b>4</b>	Pass	Pass	Fail	Pass	Pass	Fail	Pass	Pass	Pass
<b>5</b>	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Fail	Pass
<b>6</b>	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass	Pass

**Tender Questionnaire Evaluation Matrix**

<b>Tender</b>	<b>Proposal 40 points</b>	<b>Delivery of Service 80 points</b>	<b>Quality Assurance 40 points</b>	<b>Service User Outcomes 80 points</b>	<b>Management and Staff 60 points</b>	<b>Total 300 points</b>
<b>1</b>	9	35	17	41	25	127
<b>2</b>	15	53	31	54	42	195
<b>3</b>	12	41	26	38	42	159
<b>4</b>	24	64	31	61	36	216
<b>5</b>	15	48	27	34	33	157
<b>6</b>	33	72	38	67	55	265

**Price Evaluation Matrix**Part A - Hourly Rate (160 points available)

		Less than	£28.00	Score	160
<i>Between</i>	£28.01	<i>and</i>	£31.00	Score	140
<i>Between</i>	£31.01	<i>and</i>	£34.00	Score	120
<i>Between</i>	£34.01	<i>and</i>	£37.00	Score	100
<i>Between</i>	£37.01	<i>and</i>	£40.00	Score	80
<i>Between</i>	£40.01	<i>and</i>	£43.00	Score	60
<i>Between</i>	£43.01	<i>and</i>	£47.00	Score	40
<i>Between</i>	£47.01	<i>and</i>	£50.00	Score	20
		More than	£50.01	Score	0

Part B - Start Up Costs (40 points available)

		Less than	£1000	Score	40
<i>Between</i>	£1001	<i>and</i>	£2000	Score	30
<i>Between</i>	£2001	<i>and</i>	£3000	Score	20
<i>Between</i>	£3001	<i>And</i>	£4000	Score	10
		More than	£4001	Score	0

Tender	Advocacy Hourly Rate	One Off Set Up Costs	Total Contract Value	Points
2	£37.00	£1,500	£55,500	100 + 30 = 130
4	£28.58	£1,500	£42,870	140 + 30 = 170
6	£40.00	£1,545	£60,000	80 + 30 = 110

**Overall Tender Evaluation**

<b>Tender</b>	<b>Tender Questionnaire 300 points</b>	<b>Presentation and Interview 100 points</b>	<b>Price 200 points</b>	<b>Total 600 points</b>
<b>2</b>	195	69	130	394
<b>4</b>	216	49	170	435
<b>6</b>	265	72	110	447