

Agenda item:

**[No.]**

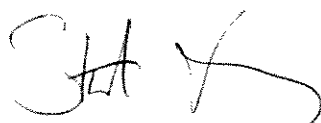
**Procurement Committee**

**On 6 July 2010**

**Report Title. Corporate learning and development programme frameworks agreements (Part A)**

**Report of Stuart Young, Assistant Chief Executive P&OD**

Signed :



Contact Officer : Helen Ugwu, Lead Consultant, Adult Social Care, Organisational Development and Learning

Wards(s) affected: **N/A**

Report for: **Key Decision**

**1. Purpose of the report (That is, the decision required)**

- 1.1. To seek Member agreement to approve framework agreements with suppliers for the provision of the Council's Adult Social Care learning and development programmes.

**2. Introduction by Cabinet Member (if necessary)**

- 2.1. Effective employee development is critical to the achievement of the Council's aims and objectives. Organisational Development and Learning (OD&L) are responsible for commissioning a range of short course and NVQ learning and development programmes, including statutory skills-based courses and NVQ's for staff who work in regulated services, Social Work courses to support continual profession development (CPD) for re-registration with the General Social Care Council (GSCC) and generic social care courses to support good practice. It is proposed that such activities are supplied through a series of framework

agreements.

**3. State link(s) with Council Plan Priorities and actions and /or other Strategies:**

- 3.1. By helping to provide employees with the skills and knowledge they need to work as efficiently and effectively as possible the learning and development work tendered for here will support the Council Plan priorities, Chapter 7: Valuing Our Staff

**4. Recommendations**

- 4.1. That Members agree to enter into framework agreements with the suppliers detailed in para 7.20 of the Report as identified in part B of this report as allowed under Contract Standing Order (CSO) 11,
- 4.2. That the framework agreements be awarded for a period of two years with an option to extend for two further periods of one year on the basis detailed in the report.

**5. Reason for recommendation(s)**

- 5.1. Staff who work in Adult Social Care need to meet the National Minimum Standards, set out under the Care Standards Act and learning and development programmes is key to ensuring that Council staff have the skills they need to deliver excellent services. In support of this, the Council wishes to source a range of suppliers who, between them, will provide a range of high-quality generic skills/competency learning and development services at competitive rates
- 5.2. Framework agreements applied across the whole Council have led to greater consistency in the way that learning and development is sourced, managed and monitored (both for performance and cost).

**6. Other options considered**

- 6.1 The use of one contract for OD & L services: this option was not taken up as a framework gives greater flexibility in the range of services and mitigates the risk of service failure.
- 6.2 Investigation showed that no suitable existing frameworks were available through OGC or Buying Solutions

**7. Summary**

- 7.1 The aim of the tender is to undertake a competitive process that will ensure that the services procured represent Value for Money to the Council and provide a quality service. The approach is to continue to use framework agreements, for

learning and development activities. The framework agreements cover six lots:

Short courses:

- Learning Disabilities Service (lot 1)
- Mental Health Service (lot 2)
- Older People's Service (lot 3)
- Mandatory courses for regulated services (lot 4)
- Safeguarding Adults (lot 5)

and:

- National Vocational Qualifications in Social Care to support all services (lot 6)

Lots 1, 2, 3, 4 and 6 are frameworks for multisuppliers and contains a process for call off or mini-competition. Lot 5 is a framework for a single supplier and contains a process for call-off.

7.2 The framework agreements will run for an initial period of two years, starting in September 2010. At the end of this period (September 2012) and again in September 2013 the Council may decide to exercise an option to continue the frameworks for another year. These decisions will be taken on the basis of the suppliers' performance and continued ability to demonstrate value for money for the services they provide.

7.3 Lots 1, 2, 3, 4 and 6: work will be allocated under the framework by call-off and (if required) by mini-competition. Mini-competitions will be run according to the following process: all capable providers will be invited to submit competitive bids against a statement of requirement. All bids will be evaluated on the basis of the most economically advantageous tender and against pre-determined criteria, notified at the time of the invitation to tender. Work under Lot 5 will be let by "call off" only.

7.4 Expenditure against the framework agreements will be monitored by OD&L and Corporate procurement

7.5 All suppliers on the frameworks have their own quality management systems

7.6 OD&L will collect and monitor feedback from participants on all courses and other activities provided under the frameworks.

7.7 OD&L will meet regularly with suppliers to discuss their performance

7.8 The anticipated budget for the work delivered by this tender, over the four years of the framework agreements, is £400,000 for 2010/11. (Lot 1 £30,000, Lot 2 £20,000, Lot 3 £50,000, Lot 4 £185,000, Lot 5 £40,000 Lot 6 £75,000). Budget for

2011 onwards is unconfirmed due to reductions in Area Based Grants

7.9 All courses will be paid for out of HR Development & Training - Area Based Grant for Adult Social Care Workforce Development.

7.10 Directorates will pay for services that they order for themselves under the framework agreements.

7.11 Places on courses will be available for delegates from partners and other public sector and third sector organisations. They will be charged for on a per-head basis

7.12 A restricted tender process was followed in accordance with Contract Standing Orders.

7.13 On 26 January 2010 an advert inviting expressions of interest appeared on the Haringey Website and supply2gov ([www.supply2gov.uk](http://www.supply2gov.uk)) a government portal for SME procurement opportunities. The advert also appeared in Muswell Hill Journal, the Hornsey & Crouch End Journal and the Tottenham, Wood Green & Edmonton Journal.

7.14 71 pre-qualification questionnaires (PQQs) were received through Competefor an E prequalification portal that automatically scores prospective bidders, allowing officers to only evaluate the top scoring companies, and saving companies from submitting all their documents unless they are one of the highest scoring companies.

7.15 The PQQs were assessed according to the following criteria: organisation; capability; quality; environmental/sustainability; financial status/legitimacy; diversity; health and safety. The PQQs were evaluated by Organisational Development and Learning and Finance.

7.16 The 16 potential suppliers who satisfied the criteria were invited to submit tenders. Bids were sought on the basis of the most economically advantageous tender and not simply the lowest tender.

7.17 12 valid tenders were received by the deadline, 1300 on Friday 22 March. The tenderers are listed in part B.

7.18 The tenders were assessed using the Council's agreed evaluation criteria and in compliance with Council Standing Orders. The following criteria were used:

- Understanding the Council's requirements 15%
- Technical ability 15%

- People 15%
- Working arrangements 5%
- Added value 10%
- Price 40%

Each of these criteria was judged on the following scale

- below expectation 1
- approaching expectation 2
- meets most expectation 3
- meets all expectations 4
- exceeds most expectations 5

7.19 Interviews were undertaken to enable the Council to clarify any areas of ambiguity in their tender. In a number of cases, the original paper based marks were adjusted, to reflect the actual practise of the organisations. This has all been documented to ensure a transparent process. The final marks (out of 500) were as shown in Part B

7.20 As a result of the tender evaluation process :

- 3 suppliers (A, I, J) were selected for Lot 1 ;
- 3 suppliers (H, I, J) were selected for Lot 2;
- 3 suppliers (A, I, J) were selected for Lot 3 ;
- 4 suppliers (B, H ,I, J) were selected for Lot 4;
- 1 supplier (I) was selected for Lot 5 ;
- 3 suppliers (A, B ,L) were selected for Lot 6;

Their schedules of rates are shown in Part B.

7.21 It was decided that Lot 5 (Safeguarding Adults) should be allocated to a single supplier, to ensure consistency in training across the borough, given the amount of polices and procedures attached to this area. The chosen supplier has been assessed as being financially secure. Experience of this market (provision of safeguarding training) suggests that if the single supplier does fail it will be possible to arrange short term cover at reasonable cost while a longer term replacement is identified.

7.22 The prices in these tenders are similar to those charged for the same services over the past three years. The introduction of volume-related discounts will provide opportunities for savings over the life of the agreements.

## **8. Chief Financial Officer Comments**

8.1 The Chief Financial Officer has been consulted over the contents of this report and confirms that budgetary provision exists within the OD&L business unit for the centrally provided courses. The framework contracts do not commit the Council to set levels of spend or volumes of work within the contract period

## **9. Head of Legal Services Comments**

9.1 The Services to which this report relates are Part B services for the purposes of the Public Contract Regulations 2006. Therefore it has not been necessary to advertise this contract in the Official Journal of the European Union (OJEU). Accordingly a domestic tender process was undertaken in accordance with the Council's Contract Standing Orders.

9.2 Tenders have been evaluated on the basis of the most economically advantageous tender in accordance with CSO 11.01 (b).

9.3 As the value of the frameworks is likely to exceed £250,000 they may only be awarded by Members in accordance with CSO 11.03.

9.4 The framework is a key decision and, as such, is included in the Council's Forward Plan in accordance with CSO 11.04.

9.5 The Head of Legal Services sees no legal reasons preventing Members from approving the recommendations in paragraph 4 of the report.

## **10. Head of Procurement Comments –[ Required for Procurement Committee]**

10.1 The recommendations in this report are in line with the Procurement code of Practice

10.2 Contract management will be undertaken by OD&L to ensure that the service is delivered in line with the service specification.

10.3 The market has been tested through this competitive process to ensure that the Council receives a Value for Money service.

## **11. Equalities & Community Cohesion Comments**

- 11.1 The Equality & Diversity Team have been consulted in the preparation of this report and comment as follows:
- 11.2 The process included the Pre-Qualification Questionnaires (PQQ) to all the bidders and were assessed on criteria that included equality and diversity consideration.
- 11.3 Overall, the process was guided by the Council's equalities aims and objectives with regard to procurement as set out the Council's Equal Opportunities Policy document and in current Equality Public Duties Scheme.

## **12. Consultation**

- 12.1 Feedback forms from OD&L courses were used to inform the process. Consultation with members of staff and IT was undertaken to ensure the content of the courses were correctly specified.

## **13. Service Financial Comments**

- 13.1 The anticipated budget for the work delivered by this tender, over the four years of the agreements, is £400,000 for 2010/11. (Lot 1 £30,000, Lot 2 £20,000, Lot 3 £50,000, Lot 4 £185,000, Lot 5 £40,000 Lot 6 £75,000). Budget for 2011 onwards is unconfirmed due to reductions in Area Based Grants. The framework agreement does commit the Council to any level of expenditure. Over the life of the agreement the expenditure against the agreement can be aligned against budgetary targets.

## **14 Use of appendices /Tables and photographs**

- 14.1 Part B of this report contains exempt information

## **15. Local Government (Access to Information) Act 1985**

- 15.1 Procurement Committee Report – 6 July 2010. The following background papers were consulted in the preparation of this report:
- Contract specification and other contract documentation

- Tender and tender support documents returned by tenderers
- Evaluation assessments and other relevant papers and files

15.2 This report contains exempt and non-exempt information. Exempt information is contained in Part B and is **not for publication**. The exempt information is under the following category (identified in the amended schedule 12A of the Local Government Act 1972)

- (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

15.3 See Part B for exempt information.