



Bristol Community Support Services Open Framework

Information for Tenderers

COMMUNITY SUPPORT SERVICES OPEN FRAMEWORK

INFORMATION FOR TENDERERS

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A. FOREWORD

Bristol City Council is a unitary authority with an elected Mayor; it has a population of 437,500 and is the seventh largest English city outside London. It is a rapidly growing city, with a young and diverse population, a successful economy and a commitment to protecting the environment.

The council spends around £300million per annum on various works, goods and services to bring benefits to the City and its residents. Many of these are provided by external providers, all of whom must commit to upholding the standards that the council expects. These include:

Standards of work – work must be carried out to the highest standards by suitably qualified and competent personnel.

Health and safety – organisations must have relevant and effective health and safety systems and policies in place. They must comply with relevant legislation, codes of practice and safe working systems.

Business Continuity – organisations providing essential services must be able to maintain service in the event of a major emergency.

Social Value – the Council is committed to maximising the impact of public expenditure to get the best possible outcomes, and recognising that people who live in Bristol are central to helping us to achieve our aims. Therefore the Council is looking for additional social value benefits through the commitments you make within this tender.

The council considers that this opportunity may be suitable for Small or Medium Enterprises (SMEs). However, for the avoidance of doubt, the council points out that no weight will be attached to whether or not the 'economic operator' is an SME in selecting those organisations expressing an interest and subsequently invited to bid.

Equalities – providers must work to the principles of the Equality Act 2010, in particular the s.149 public sector equality duty. The provider must have due regard to the need to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Act;
- b) Advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Safeguarding – providers must provide the service in such a manner that complies with national and council requirements with regards to safeguarding the service users.

B. BACKGROUND AND OVERVIEW

1 Introduction

- 1.1 Bristol City Council is commissioning Community Support Services for adults and is setting up a Community Support Services Open Framework.
- 1.2 Community Support Services (CSS) in Bristol are adult social care support services for adults (18+ years) with statutorily assessed eligible social care needs, including those with learning disabilities, physical disabilities, sensory impairments, mental ill health, older people and carers.
- 1.3 CSS aims to promote independence and wellbeing and enable individuals to remain in their own home or in supported accommodation within the community, avoiding residential or hospital settings, for as long as possible. This includes services provided directly to individuals but also to their carers, to enable them to take a break from their caring role.

2 Proposed Contract

- 2.1 It is Bristol City Council's intention to let an open framework with a range of different providers, delivering community support services to adults. The framework will be for 4 years with the option to extend for up to a further 3 years; this will be made up of 1 plus 1 plus 1 subject to agreement of Bristol City Council with the service provider(s).
- 2.2 The Council is subject to the Public Contracts Regulations 2015, and will be carrying out this procurement in accordance with the Light Touch Regime which applies to social services.
- 2.3 To find out more about this opportunity you are invited to attend one of the 2 events the Council will be holding, to support providers in their tender preparation. These are being held on:
 - 20th September 2016
 - 27th September 2016

Venues to be confirmed – please check the CSS webpage for details and booking. <https://www.bristol.gov.uk/social-care-health/support-to-live-at-home/bristol-community-support-services>

3 Lot Details

3.1 The council intends to split this project into 4 separate lots, to align with the categories of support.

3.2 The lot details are as follows:

3.2.1 Lot 1 – Day Services

3.2.2 Lot 2 – Supported Living

3.2.3 Lot 3 – Support to Access the Community

3.2.4 Lot 4 – Time for You Carers Services

3.3 See Specification for further details of the required services. Brief descriptions of the lots are as follows:

Day services - this is non-accommodation based support provided in the local community, usually building based day support.

Supported Living – support provided within someone’s home to enable and maintain independent living, where the tenancy and support are intrinsically linked. Supported Living, as described in the specification, tends to be accommodation support alongside support with non-domestic tasks. The provider may or not be the Landlord alongside the service provider but the tenancy and support will be intrinsically linked.

Support to access the community – this is non-accommodation based support provided out in the local community and/or accommodation based support provided in someone’s home focused on house/domestic related tasks where the individual is the owner or tenant of their own home and the service provider is not the Landlord.

Time for You Carers Services – this is support to enable carers to take a break from their caring role and/or to provide them with the support they need to continue in their role, such as befriending.

3.4 Tenderers can apply to be considered for multiple lots, if they can demonstrate that they meet the specification. Tenderers should take particular note of the requirements for each individual lot and ensure that that they respond to all questions for the lots that they are applying for. Providers will be required to apply for the lots that they wish to be considered for.

4 Open Framework

- 4.1 Bristol City Council (BCC) intends to let an Open Framework for the provision of Community Support Services (CSS). The services are further described in the Service Specification and Commissioning Plan. The Open Framework will enable BCC to make placements with successful CSS providers.
- 4.2 The Community Support Services Framework will be let on Bristol City Council's e-procurement system. The successful tenderers will be placed on the Open Framework.
- 4.3 New and unsuccessful tenderers will have the option to apply to get on the Open Framework throughout the life of the contract.
- 4.4 The Council will be periodically evaluating the new tenderers as detailed in the 'Evaluation of the Tenderer Submission' under Section D, to allow them onto the Open Framework.
- 4.5 BCC will use the Community Support Services Framework to make spot placements and also to secure placements through block contracts, by calling for competition among appropriate service providers on the Open Framework, as described in the Commissioning Plan.

5 Co-Production Group & Market Engagement

- 5.1 Bristol City Council has been working closely with a CSS provider forum and co-production groups, which are collectives of CSS providers in Bristol. They have been assisting in reviewing and revising the proposed commissioning arrangements.
- 5.2 Minutes from the Co-Production Group meetings are available for Tenderers to view at: <https://www.bristol.gov.uk/social-care-health/support-to-live-at-home/bristol-community-support-services>
- 5.3 Also available on this page are slides and information provided at various market engagement events held to inform the market prior to tender of these services.
- 5.4 The Council will be holding 2 events once the tender has been launched, to support providers in their tender preparation. These are being held on:
 - 20th September 2016
 - 27th September 2016

Venues to be confirmed – please check the CSS webpage for details and booking.

C. INSTRUCTIONS FOR SUBMISSION OF TENDER

6 General

- 6.1 Tenderers are invited to submit a tender for the provision of Community Support Services. Submission of this tender and communication between tenderers and the Council throughout the tender period will be via the Council's e-commissioning and tendering portal, ProContract.
- 6.2 The instructions in this document are designed to ensure that all tenderers are given equal and fair consideration. It is important therefore that tenderers provide all the information asked for in the format and order specified.
- 6.3 Tenderers should read these instructions carefully before completing the tender documentation. Failure to comply with these requirements for completion and submission of the tender response may result in the rejection of the tender. Tenderers are advised therefore to acquaint themselves fully with the extent and nature of the services and contractual obligations.
- 6.4 These instructions constitute the Conditions of Tender. Participation in the tender process automatically signals that the tenderer accepts these Conditions.
- 6.5 Tenders must not be qualified and tenderers should not make unauthorised changes to the tender documentation. A tender is qualified or conditional when a tenderer submits a bid that does not comply with the requirements of the invitation to tender. Examples of qualified or conditional tenders are when the:
 - 6.5.1 Tenderer does not accept the terms of payment,
 - 6.5.2 Tenderer does not accept the terms and conditions but proposes different conditions,
 - 6.5.3 Tenderer proposes different insurance coverage,
 - 6.5.4 Tenderer proposes different guarantees than those specified,
 - 6.5.5 Tenderer proposes different conditions.
- 6.6 Tenders must not be accompanied by statements that could be construed as rendering the tender equivocal (open to two or more interpretations) or placing it on a different footing from other tenders. Nor should tenderers approach the Council during the tender process to suggest alterations in the tender documents. Where a tender does not comply with this

- paragraph, the Council may reject it or accept it as an unequivocal tender (having only one meaning or interpretation) submitted and priced in accordance with the tender documents. The Council's decision as to whether or not a tenderer's tender is acceptable and how it will treat an unacceptable tender will be final and the Council will not regard itself as under any obligation to consult tenderers on this.
- 6.7 All tender documents must be completed in full. The tenderer who is awarded the contract will be required to sign documentation:
- 6.7.1 Where the tenderer is an individual, by that individual;
 - 6.7.2 Where the tenderer is a partnership, by at least two duly authorised partners; or
 - 6.7.3 Where the tenderer is a company, by two Executive Directors or by an Executive Director and the Company Secretary.
- 6.8 All documentation supplied by the Council shall remain its property and confidential to it and should be returned at the time of tender or upon request. Tenderers may not, without the Council's written consent, at any time use for their own purposes or disclose to any other person (except as may be required by law) the tender or contract documents or any information or material which the Council may make available to tenderers all of which shall remain confidential to the Council.
- 6.9 The Council may reject non-compliant tender responses. Tender responses that are deemed by the Council to be fully compliant will proceed to evaluation.
- 6.10 The Council does not warrant that it will place any particular orders or any level of business with the providers it selects. The Council does not bind itself to accept the lowest priced or any tender. The Council shall not be liable for any loss or expense incurred by any tenderer as a result of its decision not to award the contract to any tenderer.

7 Timescales for initial tender process

- 6.1 Set out below is the proposed procurement timetable. This is intended as a guide and whilst the Council does not intend to depart from the timetable it reserves the right to do so at any stage.
- 6.2 The Council reserves the right to cancel the tender process at any point and is not liable for any costs resulting from any cancellation.
- 6.3 Commissioners are holding a number of optional events to support providers during the tender process. The details of these events will be confirmed in due course. Please check <https://www.bristol.gov.uk/social->

[care-health/support-to-live-at-home/bristol-community-support-services](#) for details.

DATE	STAGE
All dates to be checked – subject to issue date 8 th September 2016	Opening date for tenderers to confirm intention to submit tender response and access documentation.
8 th September 2016	Clarification period opens
30 th September 2016	Clarification period closes
21 st October 2016, 12 noon	Closing date and time for receipt by the Council of completed tenderer responses
December 2016	Notification of proposed appointment(s)
January 2017	Appointment of contractor(s)
February 2017	Community Support Services Framework commencement date

8 DPS rounds

- 8.1 Providers who choose not to submit a tender during the initial tender period or who may be unsuccessful in meeting the requirements for admission for the framework may submit/re-submit their tender via ProContract at any time.
- 8.2 The ProContract system will remain open continuously to accept new or re-submitted bids. It should be noted however that the Council intend to evaluate these bids periodically and so there may be some delay between submission and evaluation of your bid.
- 8.3 We will assess bids periodically and we expect this be every 3 months, though in some circumstances this period may be extended.
- 8.4 In order to manage the submission of new tenders the system will periodically release a new 'DPS Round'. If you are applying during the initial tender period you will only see DPS Round 1 – and you will make your submission on DPS Round 1. Once you have made your application and until you receive feedback from the Council and confirmation of your place on the Community Support Services Framework you need not worry about any further DPS Rounds being released.
- 8.5 If you are applying after the initial tender period or are making a re-submission you will be making your submission on a later DPS Round e.g. DPS Round 3 or DPS Round 5.

9 Versions

- 9.1 Where it is necessary for the Council to make changes to the tender documentation or the questions in the response, the system will create a new version of the DPS opportunity. You will be notified as and when new versions of the opportunity are released and details of the changes made in the latest version will be detailed in the Description.
- 9.2 On opening the opportunity you will be taken to the latest version of the opportunity. Whilst the earlier versions are available to view, under History, should you wish to, there shouldn't be a need to do so – you should only need to refer to the latest version.

10 Tender Validity

- 10.1 The tender is an unconditional offer and should remain open for acceptance for a period of 180 days. A tender valid for a shorter period may be rejected.

11 Preparation of Tender

- 11.1 The response must be submitted by the 'parent organisation' (not individual services) where there are multiple services in the group. In this response, the parent organisation will list the services owned and operated by their organisation that are included within their tender submission, using the Category Selection Template. The individual services will then go on to the Community Support Services Framework.
- 11.2 One Suitability Assessment Questionnaire (SAQ) must be completed by each parent organisation submitting a tender. Even if that organisation is submitting a response on behalf of many services they own and operate, they should still only complete one SAQ.
- 11.3 Tenderers must obtain for themselves, at their own responsibility and expense, all information necessary for the preparation of tenders. Tenderers are solely responsible for the costs and expenses incurred in connection with the preparation and submission of their tenders and all other stages of the selection and evaluation process. All material issued in connection with this tender process shall remain the property of the Council and shall be used only for the purpose of this procurement exercise. All due diligence information shall be either returned to the Council or securely destroyed by the tenderer (at the Council's option) at the conclusion of the procurement exercise or earlier if a tenderer withdraws or declines an interest.

- 11.4 Under no circumstances will the Council, or any of its advisers, be liable for any costs or expenses borne by tenderers, sub-contractors, suppliers or advisers in this process.
- 11.5 Tenderers are required to complete and provide all information required by the Council in accordance with the Conditions and other parts of the tender document. Failure to comply with what is set out in the Conditions and the Invitation and Information for Tenderers documents may lead the Council to reject a tender response.
- 11.6 Tenderers should provide their response to the questions in the tender submission template rather than referring to one of their documents. Additional documents will not be evaluated, except where expressly requested.
- 11.7 The Council relies on tenderers' own analysis and review of information provided. Consequently, tenderers are solely responsible for obtaining the information which they consider is necessary in order to make decisions regarding the content of their tenders and to undertake any investigations they consider necessary in order to verify any information provided to them during the procurement process.
- 11.8 Tenderers must form their own opinions, making such investigations and taking such advice (including professional advice) as is appropriate, regarding the tender process and their tenders, without reliance upon any opinion or other information provided by the Council or their advisers and representatives.
- 11.9 The Council may make drafting changes to the tender documentation until six working days before the date for return of tenders. Tenderers will be required to accept any such changes without reservation.
- 11.10 Tenderers should notify the Council promptly of any perceived ambiguity, inconsistency or omission in the tender documents, any of its associated documents and/or any other information issued to them during the procurement process. All queries, questions and requests for information regarding this tender should be made via ProContract in the 'View Messages' section. The deadline for clarification questions is given in the timetable information above.

12 The Tender Pack (Sections & Schedules)

Document	Information
<p>Information for Tenderers (current document)</p> <p><i>No input required document is for information and guidance for tenderers.</i></p>	<ul style="list-style-type: none"> • This includes details of the tendering process, tendering and evaluation guidance, the background information and key requirements that need to be addressed to enable providers to submit a formal proposal for completing a particular piece of work or for the provision of Services.
<p>Terms and Conditions (separate pdf documents)</p> <ul style="list-style-type: none"> • Open Framework Agreement • Agreement for Spot Purchases • Agreement for Spot Purchases – Support Living • Agreement for Block Purchases <p><i>No input required, documents are for information and guidance for tenderers.</i></p>	<ul style="list-style-type: none"> • These sections set out the Conditions on which the services are to be provided. These Conditions shall apply to the open framework and to the contracts issued off of the framework. These sections require no input and no terms or conditions put forward at any time by the tenderers shall form any part of the contract. • Tenderers should understand the content of these sections as they provide information relating to the performance of the contract and will assist with the development of the tenderers response when completing other parts of the tender submission.
<p>Specification (separate pdf document)</p> <p><i>No input required, document is for information and guidance for tenderers.</i></p>	<ul style="list-style-type: none"> • The specification is an explicit set of requirements to ensure the right service is provided. Tenderers need to understand what the requirements are and relate this to the input required in other parts of the tender document.
<p>Commissioning Plan (separate pdf document)</p> <p><i>No input required, document is for information and guidance for tenderers.</i></p>	<ul style="list-style-type: none"> • The Commissioning Plan provides an overview of this commissioning exercise, and describes the processes that will be used to make placements with providers.
<p>Tender Questions and Criteria (separate excel document)</p> <p><i>No input required, document is for information and guidance for tenderers.</i></p>	<ul style="list-style-type: none"> • This sets out the questions that tenderers need to respond to, along with the weightings, word counts and sub-criteria. • The provider should submit their responses to these questions through ProContract, using the question sets.

<p>Parent Company Guarantee (separate pdf document)</p>	<ul style="list-style-type: none"> • This section requires no input by tenderers until the tender outcome is published, at which point it will be completed by successful contractors on award (if applicable).
<p>Placement Request Form Draft Template (separate pdf document)</p> <p><i>No input required, document is for information and guidance for tenderers.</i></p>	<ul style="list-style-type: none"> • This draft is provided for information only at this stage. It provides an indication of the type of information that we intend to make available to providers for each placement request using the further competition process. This template will be finalised when the exact design of the system to be used for further competition is fully completed.

13 Submission of Tender - Electronic Tendering

13.1 The Council is utilising an electronic tendering tool to manage this procurement and communicate with tenderers. Accordingly, there will be no hard copy documents issued to tenderers and all communications with the Council including the submission of tender responses will be conducted via ProContract.

13.2 To submit a response tenderers should:

- log on to ProContract on <https://procontract.due-north.com>
- click onto 'Find Opportunities'
- click on the opportunity: CAR – Community Support Services Open Framework
- click on 'Register Interest' to access the tender documents
- go to 'My Activities' to find the opportunity and create your response
- click on 'Start' to begin the process and follow the wizard.

13.3 Please note the 'Time Remaining Countdown' alerting you to the time available to final tender submission. Please note the ProContract system may let you submit after the deadline but the Council ordinarily will not accept bids submitted after the deadline.

13.4 In the event that a tenderer does not wish to participate further in this procurement exercise, the tenderer should click on 'No Longer Wish to Respond'. If the tenderer declines after downloading the tender documents all data supplied should be destroyed.

13.5 Please allow sufficient time to upload documentation. It would be unwise to commence your response less than four hours before the deadline. If tenderers experience any technical difficulties relating to ProContract,

please contact them on 01670 597137 Monday to Friday 8.30 am to 17.30 pm or email support@due-north.com.

- 13.6 It is the tenderer's responsibility to return completed documentation via ProContract.
- 13.7 During the tender process, any communication between tenderers and the Council should be made via ProContract. After the closing date for receipt of tenders the Council expects only to make contact with tenderers for the following purposes:
- a) To clarify information contained in the tender documents;
 - b) To clarify anything relating to insurance, bonds and guarantees;
 - c) To inform tenderers of the award decision;
 - d) To give tenderers feedback about their bid;
 - e) To agree the commencement date.

14 Tender Questions & Criteria

- 14.1 A proportionate approach has been applied to the tender process, so not all questions will be applicable to each lot within CSS. However, providers applying for the supported living lot will be required to answer a supplementary question. Additionally providers who deliver personal care will be required to answer a supplementary question.
- 14.2 Providers will be required to submit a response to every question applicable to the category of care they are applying for (supported living, day services, support to access the community and time for you carers services).
- 14.3 Providers that achieve the minimum overall score will be placed on the framework against the relevant lot. At any point during the life of the Community Support Services Framework, a provider can apply to be removed from a lot, or submit an application to be considered for services on another lot.
- 14.4 The document entitled 'Tender Questions & Criteria' is an overview of all the questions in Parts C, D, E & F of the tender response. This details all the questions, along with the sub-criteria, weightings and word counts for each question.
- 14.5 The template for responding to these questions is accessed through ProContract, once a bidder has clicked on the green 'Start my Response' button.
- 14.6 When your response is evaluated the evaluators look to see whether it addresses the sub criteria and each sub criteria is scored using the

evaluation criteria published in this document. Therefore it is important that your response covers all of the sub criteria.

- 14.7 You should respond to each question using the text box provided. This is accessed by clicking on the 'Answer Question' link.
- 14.8 The sub-criteria for each question will be listed under the question in the system – these will be preceded with Sub Criteria 1, Sub Criteria 2 etc and will say next to them that they are 'for internal use only'. See below screen shot for clarity. You are not required/or able to attach anything to these sub criteria – your response should be entered next to the question itself, ensuring that it sufficiently covers the sub-criteria listed.
- 14.9 In preparing your responses to the questions please refer to the 'Tender Questions & Criteria' document as it details word counts, sub-criteria by which your response will be assessed and the weightings that will be applied to each question - the greater the weighting the more impact the score of that question will have on your overall score.

Title	Weight: %	Section status	Status	Flag
1 Quality Assurance	Incomplete section	Section weight: 14.00%		
1.1 How does your organisation identify and address problems in your homes and deliver service improvement?	Incomplete section	Section weight: 58.00%		
1.1.1 How does your organisation identify and address problems in your homes and deliver service improvement?	0.00%	Answer question		
1.1.2 Sub Criteria 1 - QA Systems: Demonstrate how your organisation uses quality assurance systems and processes to identify and address problems and improve service quality.	25.00%	For internal use only		
1.1.3 Sub Criteria 2 - Staff: Demonstrate how your organisational structures, training and culture support staff to identify, report and address problems and improve service quality.	25.00%	For internal use only		
1.1.4 Sub Criteria 3 - Stakeholders: Describe how your organisation works with other stakeholders (e.g. residents, family, CQC, commissioners) to identify and address problems and improve service quality.	25.00%	For internal use only		
1.1.5 Sub Criteria 4 - Whistleblowing: Describe how your organisation would deal with whistleblowing. This should include reference to; how you encourage this, what action you would take and the outcomes for the whistleblower and the whistleblowing process across the organisation.	25.00%	For internal use only		

Key

- The answer provided is valid and complete.
- The answer has been automatically populated from a previous answer but it must be reviewed before submission.
- Mandatory elements of this question have not been provided.
- The question has been flagged for review.

Public attachments

Tender Questions & Criteria - FINAL v2.pdf	181 KB
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15 Clarification Questions

- 15.1 All queries, questions and requests for information regarding this tender should be made via the ProContract in the 'View Messages' section.
- 15.2 These should be submitted **no later than 12 noon on 30th September 2016**. It should be noted that such requests and the answers will be communicated to all other tenderers via ProContract. The identity of the organisation making such requests will remain confidential and anonymous.

16 Tenderer's Responsibility

- 16.1 It is the tenderer's responsibility to satisfy themselves as to the nature, extent, circumstances and situation of what is tendered for and as to the meaning and implications of the tender documentation. The Council will assume that tenderers have satisfied themselves as to everything they might need to know before tendering. The Council will not accept any suggestion subsequently that it should make any allowance or consider any claim based on ignorance or a failure to appreciate the circumstances under which the services are to be delivered.
- 16.2 Tenderers shall have no claim whatsoever against the Council in respect of any statement, act or omission by the Council and in particular (but without limitation) the Council shall not make any payments to the successful or any other tenderer save as expressly provided for in the tender documents and (save to the extent set out in the Conditions) no compensation or remuneration shall otherwise be payable by the Council to the successful tenderer in respect of the services by reason of the scope of the services being different from that envisaged by the tenderer or by reason of any of the information within the tender documents including the invitation and information for tendering (or in response to any written enquiries or other information supplied within the course of this tendering process) or otherwise.

17 Transfer of Undertakings (Protection of Employment) Regulations (TUPE)

- 17.1 TUPE may apply when a current service user's package is transferred to a different framework provider. Tenderers should seek their own professional advice in order to form their views on the question of TUPE.
- 17.2 Details of the staff employed by the service user's existing provider on the service will be provided, where they are available. However it is up to each tenderer to reach its own view on the application of TUPE and if necessary to make enquiries of the present contractor(s) and make appropriate allowances for this in any tender submission.

18 Freedom of Information Act 2000 and Environmental Information Regulations 2004

- 18.1 The Freedom of Information Act 2000 and Environmental Information Regulations 2004 affects all information held by local authorities. It is a matter of law and local authorities cannot contract out of it. So far as procurement information is concerned, the Council currently expects the position as to what information may be accessible to the public, to be as set out in the table below. However, it can give no guarantee that this will continue to be the case, as the legislation develops and as the Information commissioner issues decisions in this area, thus these are working assumptions as opposed to absolutes. Nor can the Council give any commitment that it or other customers may not be required or feel obliged to make information available to the public or to withhold it on some other basis. By submitting your tender, tenderers are taken to accept this.

Information	How it is treated
Tender submissions	Will be treated as publicly inaccessible at least until the notification of successful bidder.
Identity and amount of tenders	The total tender price of successful bidder will become accessible between notification of successful bidder and contract signature.
Contract Documents as completed by the successful tenderer	Accessible during the advertisement period – under the Council's auditing regime.
Amounts spent on purchases etc.	Accessible
Trade secrets and other information that is genuinely commercially confidential	Under European Law the Council is obliged not to disclose information that is genuinely confidential (such as the formula for making a particular product). However, the Information Commissioner has made it clear that this cannot be used as a blanket justification for refusing access, and that the Council may not agree to treat information as confidential unless there is a really strong justification for doing so.

19 Bribery Act 2010 & Whistleblowing

- 19.1 Council contracts include provisions under which the contract will be terminated if the service provider or anyone on its behalf bribes or tries to bribe anyone in connection with any contract, or commits an offence under the Prevention of Corruption Acts 1889-1916 or Bribery Act 2010.
- 19.2 There are stringent similar provisions under both UK and European law in respect of money laundering and misconduct in respect of European funding.
- 19.3 The Council encourages all service providers, tenderers or for that matter anyone else, to contact it if any Councillor, employee or other service provider, tenderer or potential tenderer approaches them and either attempts to engage them in any such activity or hints that they could do so. If so, they should contact the Council's Chief Internal Auditor at the Corn Exchange, Bristol.
- 19.4 In respect of any concerns a service provider may raise about any other sort of irregularity, the Council will treat their information in confidence in comparable fashion as the protection offered to employees under the Council's whistle-blowing policy. This can be found on the Council's publicly accessible website:

20 Fraud Act 2006 (Enforced 15th Jan 2007)

- 20.1 In responding to this tender document your attention is drawn to the Fraud Act which now includes offences of:
- 20.1.1 Dishonestly making a false representation; and
 - 20.1.2 Dishonestly failing to disclose information which a person is under legal duty to disclose.
- 20.2 In both cases with the intention of making a gain for oneself or causing a loss or exposing another to a risk of loss.
- 20.3 When returning your tender you are confirming that your tender contains accurate information which will not mislead the Council in the tender evaluation process.
- 20.4 In the event that the Council finds that any tender contains a false representation, or which fails to disclose information relevant to the tender selection process, that tender will be disqualified and the Council will consider referring the matter to the police.
- 20.5 If your tender is successful and the Council finds during the period of the Contract that either of the above applies, the Council reserves the right to immediate termination and to a full indemnity for any loss or damage caused.

21 Data Protection

- 21.1 The Council requires the tenderer to comply with the terms and conditions of the 1988 Data Protection Act and take appropriate data security measures when processing personal data. Any personal data processed by the tenderer may only be disclosed in line with instructions from Council and not disclosed to any third party unless permitted to do so. If the service provided does require the tenderer to be a data processor for the Council then the tenderer may be asked to sign a Data Processing Agreement.

22 Bristol Pound

- 22.1 The Council is keen to deliver economic, social and environmental value through its spending. Paying suppliers and giving grants to those who are prepared to accept their fees or grant in Bristol Pounds is a very visible

way to demonstrate that the local economy and communities are receiving additional benefit from that spending and more sustainable supply chains are being created.

- 22.2 The Bristol Pound '£B' is the UK's first city wide local currency. The £B is run as a not-for-profit partnership between the Bristol Pound Community Interest Company and Bristol Credit Union.
- 22.3 The £B can be spent at participating businesses using either paper £B or electronically from a £B account.
- 22.4 Business accounts are available to independent traders that are based in or around Bristol. The Council is able to pay suppliers in £B and will offer this option to any successful supplier who meets the criteria.

Further information on the £B can be found at: <http://bristolpound.org/what>

23 Living Wage

- 23.1 Bristol City Council became a Living Wage Foundation (LWF) employer in October 2014. Further details of the Living Wage Foundation can be found at [What is the Living Wage? Living Wage Foundation](#). The payment of the recommended Living Wage Foundation rate supports Bristol City Council in meeting many of its social, economic and environmental objectives e.g. ensuring that wages in the City can sustain families and individuals.
- 23.2 In accordance with the Council's aspirations and objectives and its obligations under the Public Services (Social Value Act) 2012 we recommend the adoption of the Living Wage Foundation rate to our providers and suppliers.
- 23.3 To assist in our understanding of the market place in relation to this Invitation to Tender you are requested to provide responses to the Living Wage questions found on Pro-contract. This question is for information only and is not scored or considered as part of the evaluation criteria and will not be taken into consideration in the award of the Contract

24 Social Value

- 24.1 In response to the Public Services (Social Value) Act 2012 BCC wish to encourage employment, education, training work placement and apprenticeship opportunities through their commissioning.

- 24.2 Focus your response to the social value question on what you will do during this contract to deliver social value. Your response should focus on the future actions you will take and not historic examples.
- 24.3 The question is testing what you will do to contribute to social value over and above the specific contract requirements. Please therefore focus on activities that you will do that will deliver social value but that are not included within the specification
- 24.4 Your response should be specific and give examples
- 24.5 Examples of potential activities have been included as guidance only. The council welcomes a creative approach to adding social value, so these are some examples to guide your thinking but you are not required to address these in your response.
- 24.6 Your response could set out the different activities you will undertake based on the volume of business you secure via the framework, for example, if the organisation secures £X value contracts we will do X, Y, Z and if we secure £X we will....etc.
- 24.7 Additional social value could be economic, social or environmental. Examples have been provided for each but you are not required to cover all three areas in your response, if your organisation's activities will focus on one area only.
- 24.8 Further details on Bristol City Council's Social Value commitments are available here:
<https://www.bristol.gov.uk/documents/20182/239382/Creating+Social+Value+-+Social+Value+Toolkit+-+approved+March+2016-1.pdf/a596f490-ab73-4827-9274-5025ca5a4f1b>

25 Other Matters

- 25.1 Tenderers should not attempt to canvass any Member or Officer of the Council about their tender or try and obtain confidential information relating to the services or the tendering process from anyone associated with the Council or from any other past or present service provider to the Council. If tenderers do so their tender is likely to be rejected.
- 25.2 The Council cannot and does not propose to commit itself as to:
- 25.2.1 What will be its service requirements after this contract has expired;
- 25.2.2 What arrangements it may propose to make to procure the services;
- or

- 25.2.3 What the legislative regime will be at that time either as to procurement of goods, services, works or transfer of staff after this contract has expired.
- 25.3 Tenderers should not try and recruit any Council who has during the year prior to the closing date for the submission of tenders been employed on work relating to the contract. If you do so, your tender is likely to be rejected.

26 Collaboration Arrangements

- 26.1 The resources, range and depth of skills needed to deliver this project to the council are such that organisations may wish to collaborate. The possible methods for such collaboration are considered below.
- 26.2 Collectively, each entity that wishes to bid (whether it is a single entity, the lead partner or a joint and several liability consortium) is referred to as a "Tenderer". The tenderer is responsible for ensuring that the tender submission is fully completed and the required information provided in respect of consortium members (as appropriate).
- 26.3 A consortia proposal requires either a clear lead organisation with whom the council will contract or evidence of a consortia structure where all members are joint and severally responsible for the performance of the contract, in which case all consortia members will sign the contract.
- 26.4 The following models of collaborative arrangements are indicative of possible collaborative working arrangements:
1. Lead partner consortium;
 2. Joint and several liability consortiums;
 3. Subcontracting

1. Lead partner consortium

- A lead partner consortium is a consortium of organisations who are working together to bid for, and if successful, deliver a contract. One partner, will contract with the council, on behalf of the other consortium members, and will be the conduit by which the contract is delivered by the consortium members. Accordingly, in this scenario, the lead partner is solely liable for the delivery of the contract. The other consortium members are effectively sub-contractors to the lead organisation.
- The technical capability of a consortium will be an amalgamation of the capability of individual members. In this approach, the lead

organisation will need to have the financial capacity to deliver the entire contract.

- Consortia members should consider various issues early on in the commissioning and procurement process to identify if a consortium route is the appropriate way forward and whether they are prepared to meet the various requirements.
- It is for the consortium members to assess whether their proposed partners have the capacity and capability likely to be able to deliver the contract. This is not the responsibility of the council.

2. Joint and several liability consortium

- The council will have a contractual relationship with all members of the consortium. It is usual for one consortium member to be nominated to co-ordinate the consortium bid – which may be referred to as the lead organisation. However, in these circumstances, the lead is for administrative purposes only and all members of the consortium are equally responsible for the delivery of the contract
- The cumulative strength of both the financial and technical capability is assessed at this stage.
- Whilst there is a lead/administrative partner for bid co-ordination purposes, this organisation is not solely liable as the council signs the contract with all the members of the consortium; thus all members are jointly and severally liable. As such, if one of the members of the consortium defaults, it is possible for the council to take action against the other member/s of the consortium for recovery of that default.

3. Sub-contracting

- This is where the council contracts with one provider (the lead contractor) and the relationship in respect of contract delivery is with that provider only. The provider then enters into sub-contracting arrangements with various suppliers for which the provider is then responsible in respect of contract delivery. The provider is responsible for the delivery of the contract whether or not they are providing the service themselves or if they have sub-contracted it out.
- It should be noted that the ultimate responsibility for any sub-contracted obligations would always rest with the tenderer. It is recognised that arrangements in relation to sub-contracting may be subject to future change. However, tenderers should be aware that where, in the opinion of the council, sub-contractors are to play a significant role, any changes to those sub-contracting arrangements may constitute a material change for the purposes of procurement

law, and therefore may affect the ability of the tenderer to proceed with the procurement process and/or to perform the contract. For the avoidance of doubt, in the event that the council considers that such a change constitutes a material change for the purposes of procurement law, then the council reserves the right to disqualify the tenderer from the procurement process.

- There is an expectation with this model that only minor and/or specialist elements of the service will be sub-contracted; i.e. the lead contractor will deliver the core elements of the service.
- The council will make payments to the provider; that provider is responsible for payments to its sub-contractors. However, the council would expect payments to sub-contractors to mirror the payment conditions to the provider. The council would not usually expect to see evidence of the administrative arrangements between the provider and sub-contractor, however, may wish to see evidence of performance monitoring, due diligence and subcontractor agreements and/or policies.
- Whilst the council does not have a contractual arrangement with the sub-contractors, it does reserve the right to veto a choice of sub-contractor, if they are deemed to be unacceptable or inappropriate.

Other information – Multiple Bids

It is possible for an organisation to bid as a member of more than one consortium; or as part of a consortium, as an individual organisation, or as a sub-contractor to another bidder. However, they will need to ensure that they comply with competition law (Competition Act 1998). It is advisable for such organisations to seek independent legal advice as the council cannot offer this. In this instance, the relevant organisation/s are also required to submit a certificate 'regarding involvement in other bids' with their tender. This certificate will form part of the tender documentation. The purpose of this certificate is to protect the council from any claims regarding contravention of competition law. It also forms part of the council's due diligence regarding each bidding group's awareness of their members potential conflicts of interest. The relevant consortia will need to confirm that they are aware that an organisation is a party to more than one bid.

D. GUIDANCE FOR AND EVALUATION OF TENDERER SUBMISSION

27 Guidance for the Tenderer Submission

- 27.1 Please note that whenever used, the term 'organisation' refers to a sole practitioner, partnership, incorporated company, co-operative, charity or analogous entity operating outside the UK, as appropriate, and the term 'officer' refers to any director, company secretary, partner, associate, trustee or other person occupying a position of Council or responsibility within the organisation.
- 27.2 Answer the questions specifically for your organisation not for the group if you are a part of a group of companies. Where, however, group policies, statements etc. are normally used in your organisation, please answer accordingly.
- 27.3 This submission must be fully completed even if you have previously made a submission to the Council.
- 27.4 Where Candidates choose to submit all or any part of the European Single Procurement Document (ESPD) in place of a module required in the Suitability Assessment Questionnaire this must be clearly identified and referenced by the Tenderer.
- 27.5 The European Single Procurement Document (ESPD) is as detailed under Regulation 59 of the UK Public Contract Regulations 2015 and EU Implementing Regulation 2016/7. Available at http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:JOL_2016_003_R_0004&from=EN
- 27.6 Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified
- 27.7 Should you need to provide additional Appendices in response to the questions, these should be numbered clearly and listed as part of your submission.
- 27.8 Tenderers should note that they may be asked to clarify or provide additional information before the Council is able to determine the successful tenderer, and that the provision of false information may disqualify a tenderer from inclusion. Also, that in accord with the provisions of the Data Protection Act 1998, the name of a person dealing with an application will be a matter of record.

- 27.9 Non UK based organisations should answer each of the questions in this submission substituting where relevant the appropriate legislation, code of practice or professional qualifications which are applicable within their domestic jurisdiction.
- 27.10 The Council does not bind itself to complete this tender process and shall not be liable for any loss or expense incurred by any tenderer as a result of its decision not to proceed to the award of the contract.
- 27.11 If you require clarification of any issue in relation to this tender, this should be sought through ProContract, in the 'View Messages' section. Questions and responses will then be available for all other tenderers. No dialogue will be entered into outside of this process.
- 27.12 We want to ensure that you receive responses to clarification questions as soon as possible after you submit them, and will aim to answer your question within 10 working days. However, to help us do this we suggest that you submit any questions as soon as possible after the tender documents are released and that you avoid submitting them near to the submission deadline.
- 27.13 Before submitting your tender on ProContract, please ensure that:
- a) all questions have been answered;
 - b) all relevant/requested documents have been uploaded;
 - c) Where a maximum word count is stipulated for a narrative response, the word count limits must be adhered to. This is designed to allow tenderers to provide relevant detail in a concise manner. Answers should not exceed the word limit stated per question. Any wording over the limit or the use of embedded documents or of appendices to questions will not be evaluated. Wording in tables will contribute to the word count; wording in charts, diagrams and graphics are excluded. For this purpose "word" shall be given its normal meaning i.e. as a single unit of language. Please note each word should be separated by spaces and a string of words conjoined by slashes or any other punctuation mark or similar character will not be counted as a single word, (not withstanding any automated word count facility) but will be counted as separate words. Words that have hyphens but are in general usage are acceptable. The evaluation panel will determine if it thinks that the word count has been deliberately manipulated in order to give an organisation an unfair advantage, and where it is the panel's view that it has, words that are joined by hyphens, slashes etc. will be counted separately.
 - d) The named person in the questionnaire is an individual with the Council to make these statements on behalf of the tenderer. Completion of this template on ProContract will be taken to mean that

this application has been made on behalf of and has been authorised by, the organisation.

e) All acronyms are adequately defined.

27.14 The completed submission must be returned no later than **12 noon on Friday 21st October 2016** via ProContract in order to be considered for a place on the framework from the point at which the framework is used to make placements.

28 Evaluation of the Tenderer Submission (to secure a place on the Community Support Services Open Framework)

28.1 In order to secure a place on the Community Support Services Framework providers will need to submit the following, which will be evaluated:

28.2 Part A: Suitability Assessment Questionnaire

- This includes Mandatory Exclusions, Discretionary Exclusions and Selection Criteria.
- Suitability Assessment submissions will be evaluated according to the assessment criteria within the Suitability Assessment Questionnaire.
- Any organisation failing to meet the Suitability Assessment requirements will not be successful in securing a place on the Community Support Services Framework.

28.3 Part B: Category Selection Template – for information only

28.4 Parts C, D, E & F: Service Delivery

- Please complete the tender questions within the e-procurement system that are relevant to the lots you are applying for
- Part C is for completion by organisations applying for Lot 1 - Day Services, Lot 2 - Supported Living or Lot 3 - Support to Access the Community
- Part D is for completion by organisations applying for Lot 4 – Time for You Carers Services
- Part E contains additional questions for completion by organisations applying for Lot 2 – Supported Living
- Part F contains an additional question for completion by organisations who will deliver personal care as part of a CSS package of care
- Please refer to the evaluation criteria and sub-weightings in the Tender Questions document in the tender pack.
- Please ensure that all questions in the relevant Parts are answered, even if they are listed as ‘non-compulsory’ on ProContract

- Please ensure answers do not use non-committal or aspirational language. Answers should provide positive commitment to the subject matter.
- Answers should not exceed the word limit stated per question. Any wording over the limit or the use of embedded documents or of appendices to questions will not be evaluated.

Evaluation of Parts C, D E & F

- Evaluation of the questions in these parts will be conducted as follows, with the exception of the Information Security and CQC questions
- In evaluation of the questions each of the sub criteria will be scored between 0 and 5 as shown in Table B.
- Scores for each of the sub-criteria will be weighted to calculate an overall weighted score for each part.
- The Information Security and CQC sections are pass / fail.
- The CQC question is only relevant where tenderers provide CQC regulated services.
- Only providers who meet the required standards, as set out in Table A, will be placed on the Community Support Services Framework.

28.5 Part G: Living Wage – for information only

28.6 Part H: Declarations

- Please complete and upload the Non-Collusive Tendering and Non-Canvassing Certificate

Table A: Summary of Submission Requirements and Minimum Scores

	Submission Requirements	Minimum Score Requirements
Lot 1 – Day Services	Part A, Part B and Part C	<ul style="list-style-type: none"> • Minimum overall weighted score of 40 on Part C • Pass on Information Security and where applicable, CQC. <p>Any provider scoring less than 1 in any question will not be placed on the framework. For the avoidance of doubt a score of 0.99 or less in any of</p>

		these questions (when all sub-criteria scores are taken into account) will mean that the provider is not placed on the framework.
Lot 2 – Supported Living	Part A, Part B, Part C and Part E	<ul style="list-style-type: none"> • Minimum overall weighted score of 40 on Part C • Pass on Information Security and where applicable, CQC • Minimum overall weighted score of 40 on Part E. <p>Any provider scoring less than 1 in any question will not be placed on the framework. For the avoidance of doubt a score of 0.99 or less in any of these questions (when all sub-criteria scores are taken into account) will mean that the provider is not placed on the framework.</p>
Lot 3 – Support to Access the Community	Part A, Part B and Part C	<ul style="list-style-type: none"> • Minimum overall weighted score of 40 on Part C • Pass on Information Security and where applicable, CQC <p>Any provider scoring less than 1 in any question will not be placed on the framework. For the avoidance of doubt a score of 0.99 or less in any of these questions (when all sub-criteria scores are taken into account) will mean that the provider is</p>

		not placed on the framework.
Lot 4 – Time for You Carers Services	Part A, Part B and Part D	<ul style="list-style-type: none"> • Minimum overall weighted score of 40 on Part D • Pass on Information Security and where applicable, CQC <p>Any provider scoring less than 1 in any question will not be placed on the framework. For the avoidance of doubt a score of 0.99 or less in any of these questions (when all sub-criteria scores are taken into account) will mean that the provider is not placed on the framework.</p>
Delivering Personal Care as part of a CSS package	Part F	<ul style="list-style-type: none"> • Minimum overall weighted score of 40 on Part F

28.7 Providers failing to meet any of the requirements of Part A (Suitability Assessment) will not be successful in securing a place on the Community Support Services Framework.

28.8 Providers failing to meet any of the requirements of Part C will not be successful in securing a place on the Community Support Services Framework for Lot 1 (Day Services).

28.9 Providers failing to meet any of the requirements of Part C AND Part E will not be successful in securing a place on the Community Support Services Framework for Lot 2 (Supported Living).

28.10 Providers failing to meet any of the requirements of Part C will not be successful in securing a place on the Community Support Services Framework for Lot 3 (Support to Access the Community).

28.11 Providers failing to meet any of the requirements of Part D will not be successful in securing a place on the Community Support Services Framework for Lot 4 (Time for You Carers Services).

28.12 Providers failing to meet any of the requirements of Part F will not be accepted for delivery of Personal Care as part of a CSS package of care.

28.13 Please note providers will not be required to submit prices at this stage in the process. However, by submitting a bid you are accepting the price ranges/bands as published and agree to tender within these rates when submitting prices for further competitions. Please refer to the Specification for details of the price bands.

28.14 Answers to each question should be self-contained, and should not cross-refer to responses to other questions.

28.15 Please refer to Appendix 3 for detail on calculation of scores.

28.16 **Table B. Tender Scoring Matrix**

Scores will be awarded in accordance with the Scoring Matrix indicated. The relevant mark shown in the Scoring Matrix will be allocated where the tenderer's response complies with one or more of the bulleted descriptions.

Providers must score the minimum pass mark in all questions AND a minimum total weighted score of 40 in each Part in order to be successfully placed on the framework.

Any provider scoring less than 1 in any question will not be placed on the framework. For the avoidance of doubt a score of 0.99 or less in any of these questions (when all sub-criteria scores are taken into account) will mean that the provider is not placed on the framework.

Scoring Matrix		
Assessment	Scores 0-5	Reason to award this score based on evidence provided against the criteria included
Unacceptable	0	<ul style="list-style-type: none">• Does not comply and/or insufficient information provided to demonstrate that the Tenderer has the ability, understanding, experience, skills, resource & quality measures required to provide the service, with little or no evidence to support the response.
Serious reservations	1	<ul style="list-style-type: none">• Considerable reservations of the Tenderer's relevant ability, understanding, experience, skills, and resource & quality measures required to provide the service, with little or no evidence to support the response.

Minor reservations	2	<ul style="list-style-type: none"> Some minor reservations of the Tenderer's relevant ability, understanding, experience, skills, and resource & quality measures required to provide the service with little or no evidence to support the response.
Satisfactory	3	<ul style="list-style-type: none"> Demonstration by the Tenderer of the relevant ability, understanding, experience, skills, resource & quality measures required to provide the service with evidence to support the response
Good	4	<ul style="list-style-type: none"> Above average demonstration by the Tenderer of the relevant ability, understanding, experience, skills, resource & quality measures required to provide the service; Response identifies factors that will offer potential added value, with evidence to support the response.
Excellent	5	<ul style="list-style-type: none"> Exceptional demonstration by the Tenderer of the relevant ability, understanding, experience, skills, resource & quality measures required to provide the service; Response identifies factors that will offer potential added value, with evidence to support the response

29 Guidance for the Tenderer Submission regarding consortia / collaboration bids

Consortium Bids

- Each consortium member will need to register on the ProContract Supplier portal separately. Each consortium member must complete the **Suitability Assessment Questionnaire**.
- If a single member of the consortium fails to achieve the requirement, the consortium as a whole will not be considered for the **Service Delivery Assessment**.

Sub-contracting

- Only the tenderer (i.e. the lead contractor) should complete the submission – Suitability Assessment Questionnaire and Service Delivery Assessment.
- The lead contractor should include details of known proposed sub-contractors in answer to question 1.2(b) of the Suitability Assessment. If such details are included, the lead contractor would not be obliged to use the proposed sub-contractors should the lead contractor be awarded the contract. However, when evidencing how they are going to deliver the contract, if the lead contractor will be reliant on known proposed sub-contractors to deliver specific areas, they will need to make reference to that in their evidence.
- Please note sub-contractors do not need to register on ProContract Supplier Portal or complete any part of the submission.

30 Failure to secure a place on the Care Home Open Framework

- 30.1 The CSS framework is open so providers can apply at any time, however, submissions will be evaluated at set intervals, expected to be quarterly. This provides the opportunity for new providers to apply during the course of the framework and the opportunity for existing providers that did not apply initially or that were unsuccessful to apply.
- 30.2 In order to mitigate risks associated with potentially a high volume of package transfers in the initial period following the launch of the framework, BCC will provide the opportunity for current providers who are unsuccessful to re-apply and secure a direct award for their current provision before individual packages are advertised on the framework. Following the launch of the framework there may be a need to advertise a high volume of packages as a result of provider failure (to secure a place on the Community Support Services Framework) alongside the advertisement of packages via the framework following reviews or where existing providers do not agree to adjust the hourly rate. This approach therefore is intended to secure a safe and manageable transition.
- 30.3 If existing providers fail to meet the tender requirements but score 33 – 39% on the parts relevant to the lot they are applying for and meet the pass park for the Safeguarding and Mental Capacity Act questions, they will be given an opportunity to resubmit their bids within one month of receiving feedback. The bids will then be evaluated within two months and notification will be provided of the outcome. The existing packages will not be re-advertised on the framework until the outcome of the second submission is confirmed, subject to this submission being received within one month. Providers in this category will therefore have the opportunity to

secure a direct award for the remainder of the first 12 months following go-live, if they agree to adjust their prices to fall within the identified price range from the outset pending the outcome of their revised submission and are then successful in their bid.

- 30.4 If existing providers fail to meet the tender requirements but score 33 – 39% on the parts relevant to the lot they are applying for and do not re-submit their bid within one month of receiving feedback from the first round of applications, the packages of care they provide will be in the first cohort of reviews and will be advertised on the framework.
- 30.5 If existing providers fail to meet the tender requirements and score 32% or less or do not apply to be on the Community Support Services Framework, they will have the opportunity to re-apply at any point throughout the life of the framework, however, all existing packages of care will be reviewed in the first cohort of reviews (see 5.1) and then advertised on the framework.

31 Evaluation of Mini Competition Submissions (Spot Placements)

- 31.1 See Section E of Commissioning Plan.
- 31.2 Bidders should be aware that, based on their financial assessment, the Council may limit the number of placements it makes with the bidder in any one contract year. The Council is likely to restrict placements to a maximum value per annum of half the bidder's annual turnover, based on the bidder's most recent set of accounts.

32 Evaluation of Mini Competition Submissions (Block Contracts)

- 32.1 See Section F of the Commissioning Plan.
- 32.2 Please refer to Appendix 1 below for details of price & quality evaluation.
- 32.3 Bidders should be aware that, based on their financial assessment, the Council may limit the number of placements it makes with the bidder in any one contract year. The Council is likely to restrict placements to a maximum value per annum of half the bidder's annual turnover, based on the bidder's most recent set of accounts.

APPENDIX 1: How marks for Price & Quality will be calculated (applicable to Blocks only).

1 Marks for Price

- 1.1 Each bidder will receive 100% of the available marks less the percentage by which their bid exceeds the lowest bid. This means that 30 marks will be awarded to the bid with the overall lowest total price/cost (weighted price score).
- 1.2 By way of example, if lowest price is £150,000, the score for a bid of £200,000 will be calculated as follows:
 - Calculate the percentage difference between the lowest price bid and tendered price. $\text{£}200,000 - \text{£}150,000 = \text{£}50,000$, a 33.33% difference above the lowest price.
- 1.3 This bid will therefore receive an allocated score of 66.67% (100 (the winning bidders allocated score) -33.33).
- 1.4 The maximum mark available for price (30) is multiplied by the above figure (66.67%) to give a final score of 20 marks (weighted price score).

2 Marks for Quality

- 2.1 Each bidder will receive 100% of the available marks less the percentage by which their bid is scored below the highest scoring bid. This means that 70 marks will be awarded to the bid that achieves the highest quality score against the published criteria (weighted score).
- 2.2 By way of example, if highest quality score achieved is 30 points, the score for a bid achieving 20 points will be calculated as follows:
 - Calculate the percentage difference between bid achieving the highest points and the points awarded to the bidder. $30 - 20 = 10$, a 33.33% difference below the highest quality marks. This is the allocated quality score
- 2.3 This bid will therefore receive an allocated score of 66.67% (100 (the winning bidders allocated score) -33.33).
- 2.4 The maximum mark available for quality (70) is multiplied by the above figure (66.67%) to give a final score of 46.67 marks (weighted quality score).

APPENDIX 2: Adults at Risk Safeguarding policy evidence required and Mental Capacity Act & Deprivation of Liberty Guidance

Adults at Risk Safeguarding Policy Evidence of:
<ul style="list-style-type: none">• Whistle Blowing policy that is shared with staff and service users• Clear process for recording allegations of abuse• Safeguarding concerns are made to the relevant agencies (e.g. Bristol City Council) in a timely way, appropriate to level of urgency and risk• Safeguarding concerns contain all relevant information to ensure that any enquiry can be conducted comprehensively• Dignity, choice and respect for the Service User• Service Users are asked to consent to a concern being reported, where they have capacity to do. Reasons for overriding consent, e.g. that others may be at risk, must be explained to the Service User.• Service Users are supported to be as involved as possible in the safeguarding process.• Robust engagement with the safeguarding process e.g. written reports of safeguarding investigations• Promotion of Service User choice and control at all times to avoid abusive and disrespectful practice.• Evidence of the policy being embedded into the organisation e.g. staff group training and induction process.
Adults at Risk Mental Capacity Act & Deprivation of Liberty Safeguards Policy Evidence of:
<ul style="list-style-type: none">• Assessment of capacity relating to making specific decisions is based on a functional test of capacity.• Urgent Deprivation of Liberty authorisation is taken out, and at the same time an Application for Standard authorisation is made to the Supervisory body (the Local Authority) when the Service Provider (Managing Authority) believes that it is in the Service Users best interest to deprive them of their liberty.• Decisions taken by staff on behalf of a Service User are demonstrably in the Service User's best interests e.g. individuals past and present wishes and feelings, any belief and values which would have influenced their decision and the view of their support network and other professionals.• A clear procedure is followed setting out the actions required of staff in relation to Service Users who do not have capacity to make decisions• Where Mental Capacity Act assessments are in place for residents these are reviewed on at least a monthly basis.• Evidence of the policies being embedded into the organisation e.g. staff group training and induction process.

APPENDIX 3: Scoring of Qualitative Elements

Each sub-criterion is given a score by the evaluators between 0-5. This is entered into Column I.

The sub-criteria weightings (from Column H) are applied to give the weighted sub-criteria score (Column J).

For each question the sum of all sub-criteria in that particular question is calculated, giving a Total Question Score (out of 100) for each question (Column K).

The score out of 100 for each question is converted to a Total Question Score (out of 5) (Column L). To be successful Tenderers must score a minimum of 1.00 for each question in the Total Question Score.

The Total Question Scores (out of 100) in Column K are then weighted. The Question Weighting (shown in Column F) and Section Weighting (shown in Column B) are applied to give a Weighted Total Question Score (Column M).

All Weighted Total Question Scores are added together to give an Overall Weighted Score (out of 100). This Overall Weighted Score must be equal to or greater than 30 for the Tenderer to be successful (assuming all other requirements are met).

Please see worked example below:

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Question Category	Section Weighting	Q #	Question	Word Count	Question Weighting (%)	Sub Criteria	Sub Criteria Weighting	Score (0-5)	Weighted sub-criteria score	Total Qn Score (out of 100)	Total Qn Score (0-5)	Weighted Total Qn Score
2	Quality Assurance	14%	1.1	XXXX	1000	58	1	25.00	4	20.00	60.00	3.00	4.87
3				2			25.00	2	10.00				
4				3			25.00	3	15.00				
5				4			25.00	3	15.00				
6			1.2	XXXX	200	21	1	100.00	4	80.00	80.00	4.00	2.35
7			1.3	XXXX	200	21	1	100.00	1	20.00	20.00	1.00	0.59

Please see formulae below:

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Question Category	Section Weighting	Q #	Question	Word Count	Question Weighting (%)	Sub Criteria	Sub Criteria Weighting	Score (0-5)	Weighted sub-criteria score	Total Qn Score (out of 100)	Total Qn Score (0-5)	Weighted Total Qn Score
2	Quality Assurance	14%	1.1	XXXX	1000	58	1	25.00	4	$=\frac{(\$H2/5)*I2}{2}$	=SUM(J2:J5)	=K2/20	=K2/100*\$F2*\$B2
3				2			25.00	2	$=\frac{(\$H3/5)*I2}{2}$				
4				3			25.00	3	$=\frac{(\$H4/5)*I2}{2}$				
5				4			25.00	3	$=\frac{(\$H5/5)*I2}{2}$				
6			1.2	XXXX	200	21	1	100.00	4	$=\frac{(\$H6/5)*I2}{2}$	=J6	=K6/20	=K6/100*\$F6*\$B2
7			1.3	XXXX	200	21	1	100.00	1	$=\frac{(\$H7/5)*I2}{2}$	=J7	=K7/20	=K7/100*\$F7*\$B2

APPENDIX 4: Equalities Guidance

In evaluation of the Equalities question, the following evidence will be sought.

Demonstrate a good understanding of the Equality Act 2010, including the Public Sector Equality Duty.

In order for the providers to score at least a 3 for this question, they need to have an accurate understanding of the legislation. In order to score at least a 3 the response they give to this question, whether provided in the policies attached as evidence or in the question's response, needs to include at least 3 of the following:

- Accurate reference to the nine protected characteristics
- References the need to tackle discrimination, harassment and victimisation
- Reference to public sector equality duty
- Replacing previous equality legislation/no references to out of date legislation
- Reference to reasonable adjustments

Demonstrates as an employer that equality of opportunity integral to vacancy advertising, recruitment, retention, promotion, training and grievances

In order for the providers to score at least a 3 for this question, they need to have arrangement in place to protect job seekers and employees from harassment and discrimination. In order to score at least a 3 the response they give to this question, whether provided in the policies attached as evidence or in the question's response, needs to include at least 3 of the following

- Advertise to ensure wide pool of applicants
- Job requirements do not contain discriminatory statements/reference to job descriptions
- Equality training for interview panels/fair transparent recruitment process
- A complaints and grievance procedure is in place
- There are arrangements for equality training, including a commitment to providing access to training for all employees.

Demonstrate that the services will be tailored and regularly reviewed to include understanding of the various resident needs, backgrounds and their differing requirements

In order to score at least a 3 the response they give to this question, whether provided in the policies attached as evidence or in the question's response, needs to include at least 3 of the following:

- Reference service user needs, backgrounds and their differing requirements.
- Organisational review - Equality action plans/use of impact assessment/annual reviews by management

- Equalities monitoring of service users and/ or outcomes, evidence of producing and using data
- Individual reviews - feedback from service users or individual reviews of cases
- Evidence of making access improvements