

London Borough of Southwark

**Additional Adults Care at Home  
&  
Community-based Re-ablement**

**Supplier Selection Guidance**

<b>Project Title</b>	<b>Additional Adults Care at Home &amp; Community-based Re-ablement</b>
<b>Project Reference</b>	<b>DN500520</b>
<b>SQ submission deadline</b>	<b>05/11/2020</b>

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## **1 Introduction**

- 1.1 The London Borough of Southwark would like to thank you for expressing an interest in this procurement. This document provides you with general information about Southwark, the current and new Services and specific information regarding the evaluation process for the Standard Selection Questionnaire (SQ).

## **2 About Southwark**

- 2.1 Modern Southwark is an area of contrasts. In the north around London Bridge is a thriving business district, home to financial institutions, services companies and an emerging arts and media sector. Highly desirable riverside residential districts embody high quality design and lifestyle. Further south in Peckham is one of the biggest regeneration initiatives in the country. Heralded as best practice by visitors from all over the world, it has replaced high rise flats with houses and gardens for local families. For more information about Southwark, please go to [www.southwark.gov.uk](http://www.southwark.gov.uk). Other large-scale regeneration is currently well underway in the Elephant & Castle and Walworth areas.
- 2.2 Two thirds of Southwark's population live within local wards that are recognised as having high levels of deprivation. Out of 354 local authorities and districts in England, Southwark is ranked seventeenth in terms of deprivation. One in five of Southwark's population is below the age of fifteen; almost 50% are from a minority ethnic community; 34% of school pupils are black Africans, 15% are black Caribbean and 7% are from mixed ethnic groups. More than 100 languages are spoken.
- 2.3 Southwark borders the City of London and Tower Hamlets to the north along the River Thames, Lambeth to the west and Lewisham to the east. To the south are the London Boroughs of Bromley and Croydon. The main centres within Southwark include Borough, Elephant & Castle, Bermondsey, Rotherhithe, Walworth, Camberwell, Peckham and Dulwich. Southwark is the London Borough with the largest amount of social housing that is still under the direct control of the council.

## **3 The Authority's objectives**

- 3.1 The authority strongly supports and implements its Fairer Future programme, details of which can be found on its website at [www.southwark.gov.uk](http://www.southwark.gov.uk) Further details about the authority's requirements for the contract, which are linked to the Fairer Future programme and other corporate policy will be set out in the tender and contract documentation.
- 3.2 Under the Public Services (Social Value) Act 2012 the authority must consider how what is proposed to be procured might improve the economic, social and environmental well-being of the area where it exercises its functions, and how, in conducting the process of procurement, it might act with a view to securing that improvement. Accordingly, the subject matter of the contract has been scoped to take into account the priorities of the authority relating to economic, social and environmental well-being. These priorities are described in the invitation to tender and are reflected in environmental and social characteristics in the evaluation criteria for the award of the contract.
- 3.3 Southwark Council is seeking to award six (6) contracts to successful bidders five (5) for Additional Adults Care at Home and one (1) for Community-based Re-ablement. The contracts will be awarded across three (3) lots:
- Lot 1 – Additional Adults Care at Home (3 contracts) – North;

- Lot 2 – Additional Adults Care at Home (2 contracts) – South, and;
- Lot 3 – Community-based Re-ablement (1 contract).

The Adults Care at Home service is intended to commence on 05 July 2021 and the Reablement service is intended to commence on 04 October 2021. The primary aim of the services is to enhance the quality of life for its service users.

- 3.4 The approx. value of the proposed Additional Adults Care at Home contracts is £1.85m per annum. The approx. value of the proposed Community-based Re-ablement contract is £ 1.4m per annum.

## 4 Future Service requirements

### 4.1 Future Services

4.1.1 For Additional Adults Care at Home, the Authority is seeking to appoint five suppliers working across two lots (Lot 1 - North and Lot 2 - South). Three successful bidders in Lot 1 (North) will be awarded a contract and two in Lot 2 (South), these additions to the already existing providers (core providers) will secure an equitable number (7) in the North and South areas of the borough.

4.1.2 The contracts for the Adults Care at Home service is for a period of two (2) years with an option to extend for a further two (2) years (1+1). The estimated contract value for the initial 2 year term is £3.7m and £7.4m if both the extensions are exercised.

4.1.3 The Authority is seeking to appoint one supplier for its borough-wide Community-based Re-ablement service. The contract is for a term of three (3) years with an option to extend for a further two (2) years (1+1). The estimated contract value for the initial 3 year term is £4.2m and £7m if both the extensions are exercised.

The Services are described in more detail in Appendix B – Service Specifications.

4.2 **TUPE:** Potential suppliers should note that the view of the authority is that the provisions of the European Council Directive 2001/23/EC of 12 March 2001 (TUPE) are likely to apply to the award of this contract, although potential suppliers should seek their own independent advice in that regard and the authority offers no assurance in respect of the operation, effect or impact of TUPE on the contract.

## 5 Procurement Route and Timetable

5.1 The Public Contracts Regulations 2015 apply to this procurement (the “Regulations”). The authority is using a Restricted Procedure in accordance with Regulation 28 of the Regulations.

5.2 Rules that apply to this Procurement

This Procurement is for Social and Other Specific Services and as such falls under the ‘Light Touch Regime’ described in Schedule 3 to the Public Contracts Regulations 2015 (SI 2015/102) (“**Regulations**”). Accordingly the Council is only bound by those parts of the Regulations referred to therein and, to the extent that it follows any other part of the Regulations, it does so entirely voluntarily.

5.3 Services of the nature of those covered by this project are designated as “Schedule 3” Services (the Social and Other Specific Services) under the Regulations and as such are not subject to the full requirements of the Regulations. The authority is only bound by the

application of the Regulations to the extent that they are applicable to Schedule 3 services. The procurement is covered by Regulations 74 to 76 (the Light Touch Regime).

5.4 Allowing for the completion of the various formalities and authority approvals, it is envisaged that the new suppliers will be appointed by the date identified in Table 1.

5.5 A summary of the procurement timetable is set out below in Table 1.

**Table 1: Procurement Timetable**

<b>Activity</b>	<b>Date</b>
Publication of public advertisement	07/10/2020
SQ clarification requests deadline	29/10/2020
SQ submission deadline	05/11/2020
Completion of short-listing of applicants	07/12/2020
Send Shortlisted Tenderers Invitation to Tender and Unsuccessful letters	09/12/2020
Invitation to tender	09/12/2020
Closing date for receipt of tenders	14/01/2021
Completion of evaluation of tenders	19/02/2021
<b>Lot 1 and Lot 2 - Adults Care at Home timetable cont...</b>	
Internal governance period	22/02/2021 – 04/05/2021
Debrief Notice and Standstill Period	06/05/2021 – 17/05/2021
Contract award	18/05/2021
Mobilisation / TUPE Consultation period (if applicable)	19/05/2021 – 30/06/2021
Contract start	01/07/2021
Contract initial end date	30/06/2023
Contract completion date with extensions	30/06/2025
<b>Lot 3 – Community-based Re-ablement timetable cont...</b>	
Internal governance period	22/02/2021 – 24/06/2021
Debrief Notice and Standstill Period	28/06/2021 – 07/07/2021
Contract award	08/07/2021
Mobilisation / TUPE Consultation period (if applicable)	09/07/2021 – 30/09/2021
Contract start	01/10/2021
Contract initial end date	30/09/2024
Contract completion date with extensions	30/09/2026

## 6 Instructions to Potential Suppliers

### 6.1 SQ submissions – specific requirements

The procurement process will commence with a pre-qualification phase. As a requirement of this procurement, any potential bidders must be Care Quality Commission (CQC) registered and satisfy Southwark Council's minimum requirements of a CQC rating of

“Good”. In the event that a Supplier has a rating of ‘Requires Improvement’ they will be able to submit a self-cleansing statement as evidence that they are working towards a rating of ‘Good’ via a CQC improvement plan. If a Supplier has not yet been inspected OR has a “Good” or Excellent” rating but has not been inspected in the last 12 months, they will be able to provide supporting statement to reflect their current circumstances for information purposes only. Suppliers with an “Inadequate” rating will automatically fail the selection criteria, and therefore are advised not to proceed with completing or submitting the Standard Selection Questionnaire (SQ). Suppliers who pass the pre-qualifying phase should proceed to complete the Standard Selection Questionnaire (SQ) – Appendix A(b).

- 6.2** The SQ sets out the information to be provided by organisations wishing to express an interest. It is structured so that the Authority obtains information on the potential supplier’s experience, ability and history to assess their suitability to deliver the Authority’s contract requirements.
- 6.2.1 Following evaluation of responses to the SQ for Additional Adults Care at Home, a short list of the top 10, highest ranked potential suppliers for each lot will be drawn up. The shortlisted suppliers will be invited to tender and will proceed to the Invitation to Tender (ITT) stage. In the event that the 11th ranked potential supplier obtains a score that is within 1 point of the 10th ranked potential suppliers score, the Authority reserves the right to invite the 11<sup>th</sup> ranked potential supplier to tender as well.
- 6.2.2 Following evaluation of responses to the SQ for Community-based Re-ablement, a short list of the top 6, highest ranked potential suppliers for each lot will be drawn up. The shortlisted suppliers will be invited to tender and will proceed to the Invitation to Tender (ITT) stage. In the event that the 7th ranked potential supplier obtains a score that is within 1 point of the 6th ranked potential suppliers score, the Authority reserves the right to invite the 7<sup>th</sup> ranked potential supplier to tender as well.
- 6.3** Potential suppliers must complete the attached SQ in full – cross referencing to other applications is not sufficient. Failure to include information requested in mandatory fields may lead to the application being discounted. Responses must be explicit and comprehensive as this will be the single source of information on which potential suppliers will be scored and ranked. Potential suppliers are advised not to make any assumptions about their past nor current supplier relationships with the authority, nor to assume that such prior business relationships will be taken into account in the selection procedure other than where such information is required in completing the SQ.
- 6.4** **Supporting documents:** Please include, where appropriate, any supporting documents marking clearly on all enclosures the name of your firm, the lot it refers to and the number of the question to which they refer. You should provide an index of all documents referred to in the completed SQ. Bidders may not submit marketing or advertising material as this will be discounted and not scored if submitted.
- 6.5** **Question 1.2(a)(iii) – Group of economic operators:** where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity in a separate appendix. [Please note that the authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific legal form is deemed by the authority as being necessary for the satisfactory performance of the contract.]
- 6.6** **Question 1.2 (b) (ii) - Sub-contracting arrangements:** Where a potential supplier proposes to use one or more sub-contractors to deliver some or all of the contract requirements, a separate appendix should be used to provide details of the proposed bidding model that includes members of the supply chain, the percentage of work being

delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.

- 6.7 Unless stated otherwise, responses to questions 6.4.1 – 6.4.4 have a page limit of two A4 pages for each question and must be answered in English and submitted Arial, size 11, black font. The page limit set should not be exceeded and any additional wording may be disregarded. All additional pages and all supporting information should be presented in the same order as, and should be referenced, to the relevant question.
- 6.8 All responses must be in English, and any electronic submissions must be MS Word compatible.
- 6.9 The authority will accept a self-assessment of compliance with the exclusion and selection criteria at this early stage of procurement. The evidence is only required when the winning bidder(s) have been identified, or at an earlier stage if that is necessary to ensure the proper conduct of the procedure.
- 6.10 The authority will also accept the self-certification of the exclusion grounds via an EU ESPD template, including ones in different formats from other Member States, if a potential supplier submits one as part of this selection process.

## 7 Enquiries and Clarifications

- 7.1 If you have any queries in relation to this document and the SQ they should be made via the Authority's tender portal (Procontract) as soon as possible and in any case not later than **15.00 on 29 October 2020**. The Authority aims to respond to any queries raised by potential suppliers regarding this procurement within 5 working days. All exchanges must be kept strictly confidential by potential suppliers, their advisers and their consultants. Potential suppliers will be asked to enter into confidentiality agreements should it become appropriate to release confidential information. Where responses to enquiries provide further information or clarification in relation to the project, the authority will also communicate such information to other potential suppliers. The confidentiality of prospective proposals will be respected.
- 7.2 **The deadline for receipt of completed SQs is 15:00 on 05 November 2020.** Completed SQs must be uploaded to the Authority's tender portal <https://procontract.due-north.com> before the deadline. SQs submitted after this deadline may not be considered.
- 7.3 If you do not wish to proceed, in order to help Southwark Council ensure continuous improvement in its services, we would be grateful if you would advise us of your reasons for withdrawing.

## 8 SQ – General requirements

- 8.1 If at any time during the tender period there are any material changes to the information provided by a potential supplier in their response to the SQ, they must advise the authority promptly in writing.
- 8.2 The authority will not reimburse any expense incurred by the potential supplier in preparing responses to the SQ.
- 8.3 **Right to cancel or vary the process:** the authority reserves the right to:

- cancel the selection and evaluation process at any stage; and/or
- require a potential supplier to clarify its submission in writing and/or provide additional information; and/or
- amend the terms and conditions of the tendering process.

and shall not be liable for any third party costs, disbursements or otherwise arising as a direct or indirect result of such cancellation, withdrawal or non-consideration.

**8.4 Disclaimer:** this document does not constitute the whole or any part of an offer or contract. This document is supplied entirely without prejudice. The information contained within and supplied with this SQ has been prepared by the authority in good faith but does not purport to be accurate, complete and exhaustive or to have been independently verified or to contain all of the information that a potential supplier may require. Nothing in the SQ is warranted by the authority or its advisors nor shall it be deemed a promise or representation as to the future nor incur any liability arising out of any reliance being placed on it. Potential suppliers shall further be deemed to have carried out all necessary research, investigations and due diligence and all necessary enquiries in order to have satisfied themselves as to the nature, extent, volume and requirements of the Contract, their obligations described in the SQ, the extent of the personnel, equipment, assets, plant and machinery which may be required, the suitability or correctness of any statement and any other matter which may affect their bids.

**8.5 Contact with the authority:** all contact with the authority shall only be made through methods identified in this document. No contact shall be made with other Councillors, officers or employees of the authority or any other Authorities or statutory bodies in relation to these proposed contracts without the prior written consent of the authority.

**8.6 Canvassing, collusion and corruption:** any potential supplier who directly or indirectly:

- canvasses any member or official of the authority, or their legal, financial or technical advisors, concerning the award of the contract,
- engages in any corrupt practice involving councillors or officials of the authority or their advisers;
- discusses any aspect of their response to this SQ with any other potential supplier, or otherwise exchanges information or colludes in respect of the contract;
- commits any offence under the Bribery Act 2010 or gives any fee or reward the receipt of which is an offence under s17(2) of the Local Government Act 1972;

will be disqualified from further participation in this procurement process.

**8.7 Freedom of Information Requests:**

8.7.1 In accordance with the obligations and duties placed upon public authorities by the Freedom of Information Act 2000 (the 'FoIA'), all information submitted to the authority may be disclosed in response to a request made pursuant to the FoIA. In respect of any information submitted by a potential supplier that it considers being commercially sensitive the potential supplier should:

- Clearly identify such information as commercially sensitive;
- Explain the potential implications of disclosure of such information; and
- Provide an estimate of the period of time during which the potential supplier believes that such information will remain commercially sensitive.

- 8.7.2 Where a potential supplier identifies information as commercially sensitive, the authority will endeavour to maintain confidentiality. Potential suppliers should note however, that even where information is identified as commercially sensitive, the authority might be required to disclose such information in accordance with the FoIA. Accordingly, the authority cannot guarantee that any information marked 'commercially sensitive' will not be disclosed.
- 8.7.3 Potential suppliers should note that the authority may disclose the names of any/all potential suppliers pursuant to an FoIA request and by expressing interest in this procurement, potential suppliers are deemed to give their consent to the disclosure of its name by the authority.
- 8.8 Confidentiality:** potential suppliers should treat all information and documents issued by the authority and their advisors as private and confidential and the express written consent of the authority must be obtained prior to the release of information or documents to any third party other than their own funders, advisors or proposed sub-contractors who should be made aware of the requirements of confidentiality before information or documents are released to them. If you are unable or unwilling to comply with this requirement, you are required to destroy this SQ and all associated documents immediately and not retain any electronic or paper copies.

## **9 Evaluation of the Standard Selection Questionnaire (SQ)**

- 9.1 Bidders are required to indicate which lot(s) they will be bidding for by ticking the respective box on the front cover of the SQ. Bidders can apply for all lots, however, bidders bidding for both Lot 1 and Lot 2 can only be awarded one contract for the Additional Adults Care at Home. Therefore, bidders who intend to bid for both Additional Adults Care at Home lots, must state their preference under 8.3 (Preferred Contracts) of the SQ, their preference will be considered should their bid be successful for both Lot 1 and Lot 2. Bidders who wish to bid for more than one lot need only complete one SQ.
- 9.2 The authority will assess the SQ responses of potential bidders who have pre-qualified in three stages:

**Stage 1** – a compliance check will establish that all of the information requested has been provided and all questions answered. The authority shall check each SQ response upon receipt to verify a complete and authority compliant submission. The authority reserves the right to reject/disqualify any potential supplier that submits an incomplete SQ. The authority will then check responses to the mandatory and discretionary criteria.

**Stage 2** - compliant SQ responses will then be assessed on a pass/fail basis against the Minimum Standards set out in Table 2.

**Stage 3** - SQ responses to Section 6 (specific questions to assess Technical and Professional Ability i.e. questions 6.4.1 – 6.4.4 will then be scored and weighted in accordance with the methodology set out below.

**Table 2 – SQ Evaluation Criteria**

Section number	Section	Maximum Score Achievable
1	Potential supplier information	Info only
2	Grounds for mandatory exclusion	Pass/Fail
3	Grounds for discretionary exclusion	Pass/Fail
4	Economic and financial standing	Pass/Fail
5	Wider group details	Pass/Fail
6.1, 6.2 6.3,	Technical and professional ability	Pass/Fail
6.4	Project Specific Questions – See table 4	Scored
7	Modern Slavery Act 2015 requirements	Pass/Fail
8.1	Insurance	Pass/Fail
8.2	Health and Safety	Pass/Fail

**9.3 Section 1 – Applicant Information – Information only**

9.3.1 Applicants are required to complete Section 1 (Applicant Information) of the SQ. Any Applicant who fails to provide all of the information required may, at the discretion of the Authority, be deemed non-compliant and excluded from the procurement process.

**9.4 Section 2 - Grounds for mandatory exclusion – pass/fail**

9.4.1 Applicants must complete Section 2 (Grounds for mandatory exclusion) in the SQ.

9.4.2 Section 2 is assessed on a pass/fail basis. Applicants are required to pass Section 2 in order for their SQ Response to be considered further by the Authority.

9.4.3 In order to pass Section 2, Applicants must provide all of the information required in Section 2 of the SQ and pass the Minimum Standard for Section 2 described in the table below. Any Applicant who fails to satisfy the Minimum Standard will be rejected.

Criteria	Minimum Standard and method of assessment
<p><b>Grounds for Mandatory Exclusion</b></p>	<p><b>Pass/Fail</b></p> <p>You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).</p> <p>If you have answered “yes” to question 2.3 on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details using a separate appendix. You may contact the Authority for advice before completing this form.</p> <p>Any Applicant that answers ‘yes’ to question 2.1 should provide sufficient evidence, in a separate appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleans” the situation referred to in that question. The Applicant has to demonstrate it has taken such remedial action, to the satisfaction of the Authority in each case.</p> <p>If such evidence is considered by the Authority (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.</p> <p>In order for the evidence referred to above to be sufficient, the Applicant shall, as a minimum, prove that it has:</p> <ul style="list-style-type: none"> <li>● paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;</li> <li>● clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and</li> <li>● taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.</li> </ul> <p>The measures taken by the Applicant shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, the Applicant shall be given a statement of the reasons for that decision.</p>

## **9.5 Section 3 - Grounds for discretionary exclusion - pass/fail**

- 9.5.1 Section 3 - grounds for discretionary exclusion – is also scored on a pass/fail basis. Applicants are required to pass every question in Section 3 of the SQ in order for their responses to be considered further by the Authority. The Authority may exclude an Applicant from the procurement if the Applicant answers yes to any of the questions in Section 3 and the rejection event has occurred in the last three years but may decide, having considered all the relevant circumstances, to allow the Applicant to proceed further.
- 9.5.2 If an Applicant answers ‘yes’ to any question, Applicants should set out (in a separate appendix) full details of the relevant incident and any remedial action taken subsequently. The Authority will evaluate this evidence before making a decision on whether to exclude the Applicant.
- 9.5.3 Applicants answering “yes” to any question have the opportunity to provide evidence of “self-cleaning”. Should an Applicant provide sufficient evidence that robust remedial action has taken place subsequently which prevents a re-occurrence of the offence or misdeed, then the Authority will evaluate this evidence before making a decision on whether to exclude the Applicant.
- 9.5.4 The Authority is also entitled to exclude an Applicant in the event that the Applicant is guilty of serious misrepresentation in providing any information referred to within the Regulations or if the Applicant fails to provide any such information requested by the Authority.

## **9.6 Conflicts of interest**

- 9.6.1 In accordance with question 3.1 (g) of Section 3 of the SQ the Authority may exclude the Applicant if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.
- 9.6.2 Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Applicant to inform the Authority, detailing the conflict in a separate appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the Authority should not represent a conflict of interest for the Applicant.

## **9.7 Taking account of Applicants’ past performance**

- 9.7.1 In accordance with question 3.1 (i) of Section 3 of the SQ the Authority may assess the past performance of an Applicant (through a certificate of performance provided by a customer or other means of evidence). The Authority may take into account any failure to discharge obligations under the previous principal relevant contracts of the Applicant completing the SQ. The Authority may also assess whether specified Minimum Standards for reliability for such contracts are met.
- 9.7.2 In addition, the Authority may re-assess reliability based on past performance at key stages in the procurement process (i.e. Applicant selection, Tender evaluation, contract award stage etc.). Applicants may also be asked to update the evidence they provide in

this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

**9.8 Minimum Standards for Section 3 of the SQ are set out in the table below.**

Criteria	Minimum Standard and method of assessment
<p><b>Grounds for Discretionary Exclusion</b></p>	<p><b>Pass/Fail</b></p> <p>The Authority may exclude you from the procurement exercise if you answer “yes” to any of the questions in this section but may decide, having considered all the relevant circumstances, to allow you to proceed further. If you answer ‘yes’ to any question, please set out (in a separate appendix) full details of the relevant incident and any remedial action taken subsequently. The Authority will evaluate this evidence before making a decision on whether to exclude you.</p> <p>The Authority is also entitled to exclude you in the event that you are guilty of serious misrepresentation in providing any information referred to within the Public Contracts Regulations 2015 or you fail to provide any such information requested by us.</p> <p>Any Applicant that answers ‘yes’ to question 3.1 should provide sufficient evidence, in a separate appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleans” the situation referred to in that question. The Applicant has to demonstrate it has taken such remedial action, to the satisfaction of the Authority in each case.</p> <p>If such evidence is considered by the Authority (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.</p> <p>In order for the evidence referred to above to be sufficient, the Applicant shall, as a minimum, prove that it has:</p> <ul style="list-style-type: none"> <li>● paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;</li> <li>● clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and</li> <li>● taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.</li> </ul> <p>The measures taken by the Applicant shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, the Applicant shall be given a statement of the reasons for that decision.</p>

## **9.9 Section 4 – Economic and Financial standing – Pass/Fail**

9.9.1 Applicants must be in a sound financial position to participate in a procurement of this size as set out in regulation 58 of the Regulations.

9.9.2 The financial assessment will be carried out in three parts. No one part or element thereof will be decisive in the final decisions. All parts covered below will be assessed “in the round” and not on an individual basis. Any “fail” will be considered and may lead to further clarification/assurances being obtained or to the exclusion from the next stage of the process, depending on the severity of the financial risk to the authority identified.

9.9.3 Using the information contained in the last two years’ audited accounts (or other information supplied under the SQ) a review will be undertaken using the factors listed below. The financial assessment will consist of the following:

Ratio analysis including:

- Liquidity i.e. working capital ratios
- Efficiency tests i.e. debtor and creditor collection period
- Profitability tests i.e. return on capital employed
- % of the contract value annually as % of turnover.

Assessment of movements of liquidity and funds between group companies; information on mergers and acquisitions and ownership tree.

Review of audited published accounts, and interpretation of any notes that may affect wellbeing of company. Review to include:

- Charges, judgements, injunctions due to prior failings or other adverse legal findings
- Going concern
- Audit qualifications.

Assessment of general background information including:

- The companies and directors.
- Business type in each of the set of accounts.
- Prior experience/ current activities.

9.9.4 To achieve an overall pass in the financial assessment, potential bidders will need to demonstrate the following:

- Minimum turnover of 1.5 times the annual contract value, and 1.5 times the total annual contract value should a bidder be successful in more than one lot (achievement of this threshold will be reviewed in the wider context of a potential supplier’s full SQ response and evaluation).
- A credit score and credit rating of 40:1
- An acceptable level of financial risk for the authority

9.9.5 It should be noted that the authority reserves the right to reassess any potential supplier's financial position at any time up to contract award to confirm that it meets with the requirements of this SQ.

## **9.10 Section 5 - Wider Group Details**

9.10.1 Applicants must complete Section 5 (Wider Group Details) in the SQ.

9.10.2 Section 5 is assessed on a pass/fail basis. Applicants are required to pass Section 5 in order for their SQ Response to be considered further by the Authority. The Minimum Standard is set out in paragraph 9.10.3 below.

9.10.3 In order to pass Section 5, Applicants must either:

- have indicated in their response to question 1.2 that they are not part of a wider group and therefore Section 5 is not applicable to them; or
- if they have indicated in their response to question 1.2 that they are part of a wider group provide all of the information required in Section 5 of the SQ

9.10.4 Any Applicant who fails to satisfy this Minimum Standard will be excluded from the process and not be further considered.

## **9.11 Section 7 - Modern Slavery Act 2015**

9.11.1 Applicants must complete Section 7 (Modern Slavery Act 2015) in the SQ.

9.11.2 Section 7 is assessed on a pass/fail basis. Applicants are required to pass Section 7 in order for their SQ Response to be considered further by the Authority. The Minimum Standard is set out in paragraph 9.11.3 below.

9.11.3 In order to pass Section 7, Applicants must either:

- have indicated in their response to question 7.1 that it does not apply to them; or
- have indicated in their response to question 7.1 that it does apply to them and confirmed in their response to 7.2 that it is compliant with the annual reporting requirements contained within Section 54 of the Modern Slavery Act 2015.

9.11.4 An Applicant who fails to satisfy this Minimum Standard will be excluded from the process and not be further considered.

## **9.12 Section 8: Insurance**

9.12.1 Applicants must complete Section 8 (Insurance) in the SQ.

9.12.2 Section 8 is assessed on a pass/fail basis. Applicants are required to pass Section 8 in order for their SQ Response to be considered further by the Authority. The Minimum Standard is set out in paragraph 9.12.3 below.

9.12.3 In order to pass Section 8, Applicants must self-certify that they already have, or can commit to obtain, prior to the commencement of the Contract, the levels of insurance

indicated. An applicant who fails to satisfy this Minimum Standard will be excluded from the process and not be further considered.

**9.13 Stage 3 – Technical and professional ability and contract specific questions to assess technical and professional ability - Scored criteria**

9.13.1 Applicants who pass Sections 1 to 5, 7 and 8 of the SQ will then be assessed or scored on the basis of their responses to Section 6. Applicants must complete Section 6 (Technical and Professional Ability) in the SQ. The Authority is entitled to exclude an Applicant from the procurement exercise if the Applicant fails to answer any of the questions in Section 6.

9.13.2 The Authority is looking for evidence that the Applicant demonstrates the necessary technical resources, experience and has the technical and professional ability to perform the Services. The Minimum Standard is set out in Table 4.

9.13.3 Responses to questions 6.1 or 6.3 (as applicable) and 6.2, in Section 6 will be assessed on a pass/fail basis.

9.13.4 Questions in 6.4 are weighted in accordance with the stated weightings against each question set out in Table 4 and responses will be scored on a system of 0 – 5 points as indicated in Table 3.

9.13.5 In order to pass Section 6 of the SQ, Applicants for all lots are required to pass question 6.1 or 6.3 (as applicable), and to achieve a score of 3 or greater for questions 6.4.1 Experience (a and/or b) and 6.4.2 Safe, Effective, Caring, Responsive to needs, and Well-led of the scored SQ questions. If a SQ Response to any of these questions scores less than 3 the SQ Response will fail and the Applicant will be rejected.

**9.13.6 Scoring System – Technical and Professional Ability**

9.13.7 The scoring system set out in Table 3 will be used to score the SQ Response to SQ questions in 6.4 (technical and professional ability questions of the SQ).

**Table 3 – Scoring Methodology**

Assessment	Score	Interpretation
Excellent response	5	Demonstration by the potential supplier of exceptional level of ability, understanding, experience, skills, resource, and quality measures required to provide the Services. Response identifies factors that will offer potential added value, with very good evidence to support the response.
Good response	4	Demonstration by the potential supplier of a good level of ability, understanding, experience, skills, resource and quality measures required to provide the Services. Response identifies factors that may offer potential added value, with good evidence to support the response.
Satisfactory response	3	Demonstration by the potential supplier of satisfactory level of ability, understanding, experience, skills, resource and quality measures required to provide the Services, with sufficient evidence to support the response.
Less than satisfactory response	2	Some minor reservations of the potential supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the Services with insufficient evidence to support the response.
Poor response	1	Some serious reservations of the potential supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the Services, with no evidence to support the response.
Unacceptable or no response given	0	Does not comply and/or insufficient information provided to demonstrate that the potential supplier has the ability, understanding, experience, skills, resource and quality measures required to provide the Services

- 9.13.8 Where relevant, a minimum score to be achieved against each scored question in Section 6.4 is set out in table 4.
- 9.13.9 Where a potential supplier does not achieve the minimum score with weighting against any of the questions (or part thereof), the authority may reject the submission and will not continue to assess the SQ further.
- 9.13.10 Where an applicant scores less than 2 on one or more of the questions in Section 6.4, the application will fail and automatically be rejected.
- 9.13.11 **Clarification of Responses:** the authority's approach to clarification will be consistent to ensure that one potential supplier does not receive an unfair advantage over the rest. In addition, there will be a clear audit trail documenting the reasoning behind any attempt to seek clarification in writing from any potential supplier. Potential suppliers should be aware that the authority is under no obligation to seek clarification and it is the responsibility of each potential bidder to ensure that their responses are unambiguous and complete and to seek clarification if necessary of the authority's requirements.
- 9.13.12 **Consensus scoring:** The authority will conduct a 'consensus scoring process' where moderation of the scores awarded during the exercise will take place. The moderation shall give regard to any variance in the scores between the evaluators. A consensus score will be agreed by the evaluators for each of the scored criteria.
- 9.13.13 **Ranking sub-stage:** potential Bidders will then be ranked in numerical order against their cumulative weighted score. Following this evaluation exercise and providing it results in an adequate number of suitable potential suppliers, the authority will draw up shortlist to invite to tender. It is currently expected that the shortlist will contain up to 10 bidders for each lot (North and South) for the Adults Care at Home and 6 bidders for Lot 3 Re-ablement.
- 9.13.14 **Invitation to Tender (ITT):** the evaluation of the shortlisted suppliers ITT submissions will be scored and weighted on a 30:70 quality/price ratio for Additional Adults Care at Home and a 70:30 quality/price ratio for Community-based Re-ablement. Further detailed information is provided in the ITT Documents issued at the same time as this Supplier Selection Guidance. Potential suppliers should be aware that although the ITT Documents have been uploaded to the authority's portal as required by law, these are provided for information purposes only and may be subject to change. Potential suppliers are not required to complete any part of the ITT Documents at this stage of the procurement and only the SQ application should be completed now and submitted to the authority.

**Table 4: Scoring Methodology for Section 6**

Question		Available Range of Points and Basis of Scoring	Weightings for Individual Questions	Minimum Score with Weighting
Each of the sub-criteria questions will be scored separately.				
<b>6.4 Project Specific Questions</b>				
6.4.1(a)	<p><b>Experience</b> (<i>Lots 1 and 2 – Additional Adults Care at Home Only</i>)</p> <p>This service provides care and support to Adults aged 18+ who have been assessed to meet the council's eligibility criteria for unmet needs. This includes (but is not limited to) adults who have assessed care and support needs associated with physical ill health, learning disability, physical disability, and communication impairments.</p> <p>Please tell us more about your organisation's experience of managing similar outcome-focused, person-centred services for adults.</p> <p>Your response should include examples of:</p> <ul style="list-style-type: none"> <li>• How your organisation ensures that you deliver a person centred service.</li> <li>• How you minimise disruption when organising cover arrangements for staff absence, or a change of care worker, both in relation to planned and emergency cover</li> </ul>	<b>0-5</b>	<b>25</b>	<b>3</b>

	<p>arrangements.</p> <p>How you ensure that your recruitment and training practices obtain and retain skilled and motivated staff to deliver the outcomes required for your clients and service users.</p>			
6.4.1(b)	<p><b>Experience</b> (<i>Lot 3 - Community-based Reablement Only</i>)</p> <p>This service provides Community-based Reablement to Adults aged 18+ who have been assessed to meet the council's eligibility criteria for unmet needs. This includes (but is not limited to) adults who have assessed care and support needs associated with physical ill health, learning disability, physical disability, and communication impairments.</p> <p>Please tell us more about your organisation's experience of managing similar outcome-focused, person-centred services for adults that enhances independence and reduces the need for long term care.</p> <p>Your response should include examples of:</p> <ul style="list-style-type: none"> <li>• How your organisation ensures that you deliver a person-centred service.</li> <li>• How you minimise disruption when organising cover arrangements for staff absence, or a change of care worker, both in relation to planned and emergency cover arrangements.</li> <li>• How you ensure that your recruitment and</li> </ul>	0-5	25	3

	<p>training practices obtain and retain skilled and motivated staff to deliver the reablement outcomes required for your clients and service users.</p> <ul style="list-style-type: none"> <li>• How you work as part of multi-disciplinary team to deliver the reablement outcomes set for the service users.</li> </ul>			
6.4.2	<p><b>Safe, Effective, Caring, Responsive to needs, and Well-led</b></p> <p>How have you insured that your service is; safe, effective, caring, responsive to needs, and well-led at all times? Please give recent examples in support of your response.</p>	<b>0-5</b>	<b>25</b>	<b>3</b>
6.4.3	<p><b>Partnership working</b></p> <p>Please provide details of your organisation's experience of partnership working. Your response should include examples of:</p> <ul style="list-style-type: none"> <li>• where you have worked to deliver a similar service with a partner organisation.</li> <li>• where you have adapted your practice to respond to changes within the local health and social care economy.</li> <li>• effective use of internal and external communications to facilitate partnership working</li> <li>• Details of how you worked to establish and</li> </ul>	<b>0-5</b>	<b>25</b>	<b>n/a</b>

	maintain service quality and efficient ways of working, as well as delivering continuous improvements during the life of the contract.			
6.4.4	<p><b>Quality Assurance</b></p> <p>For each of the following questions, please set out:</p> <ul style="list-style-type: none"> <li>• Evidence of your organisations approach to quality assurance, in developing a robust systematic process for checking whether your services are meeting the specified requirements.</li> <li>• Evidence and case studies from current or previous contracts to demonstrate that your organisation has an effective, auditable, and accountable quality assurance management system.</li> </ul> <p><b>Please submit your most recent quality assurance report which includes the performance and quality outcomes of the branch you intend to operate the service from.</b></p>	<b>0-5</b>	<b>25</b>	<b>n/a</b>