

**APPLICATION TO JOIN THE FLEXIBLE CONTRACTING ARRANGEMENTS
(FCA) FOR THE PROVISION OF HOME SUPPORT (CHILDRENS AND
ADULTS) SERVICES AND QUICK DISCHARGE (ADULTS ONLY) SERVICE**

CONTRACT REFERENCE NUMBER: P2170

LIGHT TOUCH REGIME (LTR)

**DOCUMENT 001 THE INSTRUCTIONS P2170 DOCUMENT FOR
POTENTIAL SUPPLIERS INVITATION TO TENDER (ITT)**

(will be referenced to as 'The Instructions Document')

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CareMatch Portal User Guide Link below:

[User Guide for providers using Care Match Portal | Birmingham City Council](#)

1 Introduction

- 1.1 The Council wishes to establish Flexible Contracting Arrangements for the provision of Home Support Services and Quick Discharge Service (QDS) under the “light touch” arrangements set out in chapter 3 section 7 of the Public Contracts Regulations 2015 (PCR 2015) and the Public Procurement (Amendments, Repeals and Revocations) Regulations 2016. The application enables Birmingham City Council (the Council) to receive sufficient information from suppliers interested in providing the required services and to allow: a) both the assessment of their capacity and suitability, and b) enable the Council to evaluate the application submitted to find suitable Organisations who meet the Selection Criteria to appointment on to the Flexible Contracting Arrangements. Only suppliers that successfully enter into the Flexible Contracting Arrangements will receive an invitation to bid for individual packages of care via a “Call Off Contract”.
- 1.2 This agreement will allow for the Local Authority to work with the Integrated Commissioning Board (ICB), NHS Birmingham and Solihull ICB, in order to extend these arrangements to ICB funded patients on the basis that the ICB may introduce additional due diligence and competency arrangements which would need to be satisfied before Providers could receive referrals from the ICB.
- 1.3 For clarification, the definition of “potential supplier,” “supplier,” “tenderer,” “provider,” “you,” or “your” means the body completing the submission i.e. the legal entity seeking to participate in the procurement process, and responsible for the information provided; ultimately the legal entity with which the Council will contract. The ‘Potential Supplier’ is intended to cover any economic operator as defined by the PCR 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (‘VCSE’); Special Purpose Vehicle (‘SPV’); or other form of entity.
- Note: A potential supplier which changes its legal entity following the submission of a completed tender but prior to the conclusion of the Flexible Contracting Arrangements will not be permitted to continue in the process under a different Company Registration Number allocated by Companies House.**
- 1.4 The Flexible Contracting Arrangements (FCA) is based on the principles of a dynamic purchasing system which is an electronic system established by the Council to purchase individual packages of care by inviting tenders from suppliers admitted to the FCA. Suppliers can apply to join at the original tendering opportunity and at specific periods if the opportunity is reopened, at the Council’s discretion, as long as the suppliers meet the qualifying criteria. An initial opening and closing of the FCA must take place. Following this the system will reopen if the minimum number of providers is not achieved or the provision is insufficient.
- 1.5 The reopening of the FCA will be at the discretion of the Council. The Council reserves the right to re-open the FCA for one or more geographical areas or citywide where it considers that additional provision is required. Examples of the reasons are a lack of sufficient provision for the geographical area, for the requirements of the services for Children or poor performance.
- 1.6 An overview of the service requirements is set out below together with information on the procurement lots.

Home Support Service

Home Support services provide personal care to adults and children in their own home and can include help with the following:

- Personal care including washing and dressing.
- Housekeeping or cleaning.
- Cooking and preparing meals.

- Assistance with taking medications or health care needs.
- Companionship or activity-based support.

Quick Discharge Service (QDS)

The Quick Discharge Service also provides home support/personal care in the citizens own home but is commissioned by the Council on behalf of our wider health and care system to provide short term, rapid home care for those medically fit for discharge from hospital.

Lot Structure

The procurement process and contract is divided into 6 lots and awarded as follows:

Lot Ref	Lot Name	Minimum No. of Providers Required per Lot
Lot 1	Home Support Services North Birmingham and Optional QDS Plus*	25 including 5 Childrens
Lot 2	Home Support Services West Birmingham and Optional QDS Plus*	22 including 5 Childrens
Lot 3	Home Support Services East Birmingham and Optional QDS Plus*	22 including 5 Childrens
Lot 4	Home Support Services South Central Birmingham and Optional QDS Plus*	22 including 5 Childrens
Lot 5	Home Support Services South West Birmingham and Optional QDS Plus*	22 including 5 Childrens
Lot Ref	Lot Name	Maximum No. of Providers
Lot 6	Home Support Services - Quick Discharge Service (Citywide)	1

*The 'Optional QDS Plus' allows providers to express an interest in delivering a Quick Discharge Service which may be provided when demand exceeds capacity for the Lot 6 Home Support Services - Quick Discharge Service (Citywide). The expression of interest will not determine whether a provider is successful in being awarded to the FCA, however only providers awarded to the FCA will be able to apply for the Optional QDS Plus.

If the minimum number of providers is not achieved on Lots 1-5 during the initial procurement process; the FCA will be reopened as soon is practicably possible to address the shortfall. This may involve expanding the geographical area in which providers will be considered as eligible to apply.

- 1.7 The Flexible Contracting Arrangements will be for a period of 5 years, with the option to extend for up to two years. The duration of the call off contracts will be based on the individual requirements and will be managed in accordance with the terms of the Flexible Contracting Arrangements.

2 Operation of the Flexible Contracting Arrangements (FCA)

The Flexible Contracting Arrangements (FCA) will operate in a two-stage process:

Stage 1

- 2.1 Organisations wishing to join the FCA shall complete a Standard Selection Questionnaire (SSQ) that is standard for all suppliers. The SSQ submissions are evaluated on a pass / fail basis to establish the organisation's general capability to undertake the work required. The evaluation assesses aspects of the organisation's financial and technical ability.
- 2.2 For Lots 1-5 applications will be accepted onto the FCA or rejected at the SSQ stage. In the event of rejection, the supplier will be provided with feedback. NOTE there is a minimum

number of providers required for each Lot but no maximum limit. If the minimum number is not achieved the FCA will be awarded and those Lot(s) that did not achieve the minimum requirement will be reopened as soon as possible.

- 2.3 For Lots 1-5 the 'Optional QDS Plus' allows providers to express an interest in delivering a Quick Discharge Service when demand exceeds capacity for the Lot 6 Home Support Services - Quick Discharge Service (Citywide). The expression of interest will not determine whether a provider is successful in being awarded to the FCA, however only providers awarded to the FCA will be able to apply for the Optional QDS Plus.
- 2.4 For Lots 1-5 all organisations who meet the selection criteria as stated in the SSQ will be admitted to the FCA. There is no limit on the number of Organisations that may join the FCA.
- 2.5 For Lots 1-5 organisations can select up to 2 areas (lots) to deliver care in.
- 2.6 For Lot 6, in addition to the SSQ applicants will need to respond to a set of additional questions that will determine the capacity and capability to deliver the service to a sufficient standard. There are a number of pass / fail and scored questions. A method statement is required for the scored questions; a template is provided. Where a scoring will be applied this will be in accordance with the Council's scoring criteria as set out at Section 15.4. There is a maximum limit of 1 provider for this Lot.
- 2.7 The FCA may reopen to new potential suppliers at the Council's discretion. Suppliers who were rejected at a previous tendering opportunity of the FCA will have the opportunity to re-apply to enter the FCA should it reopen; this will be subject to the relevant entry criteria unless termination was due to a breach or performance issues. See 1.4 for more information.
- 2.8 The publication of the SSQ does not commit the Council to award any contract pursuant to any procurement process.
- 2.9 The Council reserves the right to, subject to PCR 2015 Public Procurement (Amendments, Repeals and Revocations) Regulations 2016: Cancel, postpone or suspend the selection and evaluation process at any stage. The Council may at its own absolute discretion extend the closing date and time specified for the receipt of SSQ applications.
- 2.10 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. If the question does not apply to you, please state clearly 'N/A'.

Stage 2

- 2.11 Following the initial award, suppliers who have successfully been awarded in the relevant care category will be invited to bid for individual packages of care as set out in Schedule 8 of the Flexible Contracting Arrangements.

3 Use of e-tendering

- 3.1 The FCA is being issued using the Council's e-tendering system, CareMatch Portal <https://www.carematchportal.com>. All tenders must be submitted via the CareMatch Portal.
- 3.2 Use of the e-tendering portal is free for Tenderers throughout the whole procurement process. The system is secure and access to tenders will only be made available to those employees of the Council and/or their authorised advisors.

Technical Support

3.3 If you need technical support during the tender e.g. if you cannot log into your CareMatch Portal account, something is preventing you from starting a registration or returning to a partially completed registration; you have any other problem accessing or navigating the CareMatch Portal, please follow the steps below:

1. Review the tender instructions document and any guidance in the CareMatch Portal, to check you are entering the correct type of information.
2. Review the CareMatch Portal User guide for instructions; [User Guide for providers using Care Match Portal | Birmingham City Council](#)
3. Check the Clarification Log and bulletins, as we may have published some further information already to support you: [Tender opportunities | Tender opportunities | Birmingham City Council](#)
4. Only after you have attempted to resolve your technical issue using the above support, should you contact the Council's Market Intelligence Team via email at: marketintelligence@birmingham.gov.uk

If you email a request for technical help, please include the email address you are using to log into CareMatch Portal and, if applicable, the Registration number of the application you are having problems with; this will be on the Registrations page. Please ensure you give as much detail as possible in your email, including screenshots where possible and which stage of the process you are stuck at.

NOTE if your query is in relation to the procurement then follow the process set out at Section 8 (Communications) of this document.

4 Call off orders (Packages of Care)

4.1 Potential Suppliers are to note that call off orders (packages of care) will be placed on a competition basis as and when needed to meet individual care and support needs. The Council makes no guarantee as to the number or value of any such orders.

5 Programme Timetable

EVENT	TARGET DATE
Stage 1 - Applications to Join the Flexible Contracting Arrangements (FCA)	
FCA open for Potential Providers to request to participate	8 April 2024
Clarification Period	10 April – 2 May 2024
Deadline for receipt of Selection Questionnaire	Noon 16 May 2024
Anticipated Evaluation Period	17 May – 7 June 2024
Award Approval	10 – 28 June 2024
Notification of Contract Award	1 July 2024
FCA Standstill Period	2 – 11 July 2024
FCA Contract Award	12 July 2024
FCA Starts – Individual Contracts	18 July 2024
Stage 2: Call Off Contract (individual packages of care)	July 2024
Closure of the FCA	

Anticipated Closing date of the FCA	July 2029
Option to extend for a further 2 years subject to performance	July 2031

6 **Potential Changes to SSQ Process during the FCA**

- 6.1 The publication of this SSQ in no way commits the Council to award any contract pursuant to any procurement process.
- 6.2 The Council may at its own absolute discretion extend the closing date and time specified for the receipt of SSQ applications.

7 **Debrief Process**

Following evaluation of the SSQs received feedback will be provided to unsuccessful applicants advising why the Potential Supplier has been unsuccessful. The feedback will include details of why the submission was rejected*. Potential Suppliers can use this information in any reapplication.

*NOTE: it is the intention to provide this feedback at the time of issuing the unsuccessful letter however if this will cause an unacceptable delay in the re-opening of the FCA for Call Off Contracts then the unsuccessful letter will be issued and a follow-up letter explaining the reasons for rejection will be issued as soon as possible after.

8 **Communications**

- 8.1 All communications (excluding those set out in Section 3.3 (Technical Support) where system technical support is needed), are to be made in writing using the Council's e-tendering system CareMatch Portal. This includes, but is not limited to, clarifications and the submission of SSQs, to the Council
- 8.2 No verbal queries or clarifications will be accepted. In the event of any misunderstandings reliance on verbal communications will not be permissible.
- 8.3 If a Potential Supplier is in doubt as to the interpretation of any part of the SSQ; or if they consider that any of its requirements are ambiguous or conflict with any other requirements, they should contact the Council via the Council's Tender system CareMatch Portal <https://www.carematchportal.com> using the question function and we will endeavour to answer enquiries prior to SSQs being submitted. The answer may be circulated to other Potential Suppliers where appropriate. **This clarification phase is available between 10 April – 2 May 2024.**

9 **Submission Overview**

Notes for Completion

- 9.1 "Authority" means Birmingham City Council that is seeking to invite suitable suppliers to participate in this procurement process.
- 9.2 This SSQ has been designed to assess the suitability of a Supplier to deliver the Authority's contract requirements. For Lots 1 – 5 If you are successful at this stage of the procurement process, you will be selected onto the Flexible Contracting Arrangements (FCA). For Lot 6 in addition to the SSQ there are a number of additional questions; some will be evaluated on a pass/fail basis, and some will have a scored evaluation.

10 Verification of Information Provided

Whilst reserving the right to request information at any time throughout the procurement process, the Council may enable the Supplier to self-certify that there are no mandatory/discretionary grounds for exclusion. The Council may request evidence that the supplier can meet the specified requirements at any point in the procurement process and after the award stage.

11 Sub-Contracting Arrangements

- 11.1 The Provider shall ensure that appropriate arrangements are in place to ensure continuity of the Service if its Employees are unavailable due to emergency or any planned or unplanned absences.
- 11.2 Where the Provider is unable to provide the Service, the Provider may discharge its obligations under this Arrangement in accordance with clause 20 of the Contract.
- 11.3 In the case of an extreme emergency the Provider may appoint a Sub-Contractor without obtaining prior permission from the Council in accordance with clause 20 of the Contract; no other sub-contracting will be considered.

12 Additional Information and Notices

- 12.1 The following documents form the Invitation To Tender (ITT) in addition to those on the CareMatch Portal. These series of documents shall remain the property of the Council and shall be returned upon demand.

Document Name	Description and Action Required
001 The Instruction Document P2170 Flexible Contracting Arrangements (FCA) Invitation To Tender Instructions for Potential Suppliers (this document)	For information on the procurement and associated processes.
Flexible Contracting Arrangements Agreement Terms and Conditions	For information on the Council's Conditions of Contract. Note the service specifications for Home Support and Quick Discharge Service are included.
Eligible Provider List	For information on eligible providers who are within a two-mile radius of the Birmingham Council Tax Boundary and have a CQC rating of Good or Outstanding.
Home Support and QDS 2024 Questions and Assessment Type	For information on the evaluation of the SSQ Questions and information provided.
002 QDS method statement Template	A template with questions to be completed when applying for the Quick Discharge Service (QDS) Lot 6.
Explanation of QDS document	An overview of the Home Support Quick Discharge Service (QDS)
The financial spreadsheet	Financial information in addition to the provision of the last 2 years financial accounts. See further guidance in the CareMatch portal if the accounts are not available.
P2170 Checklist	A checklist of information to be provided for applicants to use for reference

- 12.2 These instructions apply to the procurement process to ensure that all potential suppliers are treated equally and fairly and to provide for compliance with other relevant legal requirements. The Council reserves the right to reject potential suppliers that do not comply with these instructions.
- 12.3 Potential Suppliers are advised to ensure that they are fully familiar with the nature and extent of the obligations to be accepted by them if their tender is accepted.
- 12.4 It is the responsibility of potential suppliers to obtain at their own expense all information necessary for the preparation of their ITT. The potential supplier is not entitled to claim from the Council any costs or expenses incurred in preparing this submission (whether it is successful or not), or if the Council cancels or postpones the procurement process at any time or for any reason.
- 12.5 Potential Suppliers should only consider information supplied in the ITT or other written information supplied by the Assistant Director - Procurement or their nominated officer. The Council will not accept responsibility for any inaccurate information obtained otherwise.
- 12.6 Any potential supplier which directly or indirectly canvasses any member, agent or officer of the Council concerning the award of this FCA will be disqualified.
- 12.7 No member, agent or officer of the Council has authority to vary or waive any part of the ITT, other than the Council's Representative or their nominated officer who shall do so in writing.
- 12.8 All information supplied by the Council in connection with this ITT shall be regarded as confidential by the potential supplier (except that such information may as is necessary be disclosed for the purpose of obtaining guarantees and quotations necessary for the preparation of the submission).
- 12.9 Please note that even though potential supplier(s) may consider information supplied to be in confidence or commercially sensitive the Council cannot accept any liability for the release of information which it is under a duty to disclose under the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (the "EIR"). This means that information may be subject to disclosure to the public unless an exemption applies. This includes such things as (not exclusively):
- Information in any part of the submission to the Council; including for subsequent care packages.
 - Information in any Agreement to which the Council is a party.
- 12.10 The information and any other documents to which this ITT refers have been prepared by the Council in good faith. However, it does not purport to be comprehensive or to have been independently verified and the Council does not accept any responsibility for the accuracy or completeness of the information and shall not be liable for any loss or damage arising as a result.
- 12.11 If an error is identified the Council may decide to amend or update the contents of documentation or addenda may be issued. Any addendum issued in advance of the SSQ submission date will take precedence and replace the relevant sections of the ITT for SSQ submission purposes. Only addenda issued by the Assistant Director – Procurement or their nominated representative will be valid. The Council will not accept responsibility for any inaccurate information obtained otherwise.
- 12.12 Where this results in a material change to the form or nature of the ITT, the Council reserves the right to extend the deadline for the submission of tenders. Any such extension will be given

in writing by Assistant Director - Procurement or their nominated representative and will clearly state the new date and time for submission of tenders.

12.13 A variant bid is not allowed in this procurement.

13 Offer Documentation and SSQ Submission

13.1 The electronic SSQ Web Form must be fully completed by the Potential Supplier. No extraneous information e.g. sales literature, standard terms of trading etc. should be submitted with the SSQ response.

13.2 The Potential Supplier must ensure all information is accurate at the time of application. Where previous applications have been made via the CareMatch Portal elements of the application may be prepopulated; this must be reviewed and updated to ensure accuracy before the application is submitted.

13.3 Where more than one SSQ is submitted by the same Potential Supplier for the same Care Quality Commission location, the Council shall disregard all SSQs submitted other than the latest amended version. Please refer to the User Guide [User Guide for providers using Care Match Portal | Birmingham City Council](#)

13.4 All documents requiring a signature must be signed:

Under the Electronic Communications Act 2000 a typed name can count as a signature if the person who typed it intended it to be treated as a signature.

13.5 The electronic SSQ Web Form must be fully completed and signed by the Potential Supplier; missing information may result in a non-compliant submission and may therefore take no further part in the procurement. Bidders may re-apply to join onto the FCA if it reopens; note this is at the Council's discretion. The SSQ Web Form must be submitted in accordance with the instructions for applying and by the date and time stated in Section 5.

13.6 The deadline for receipt of applications by the Council is not later than **noon on 16 May 2024** (unless this date is varied in accordance with 2.8 above). Any SSQ submission received after the specified deadline will not be considered under any circumstances. Please note, the system may reopen at the discretion of the Council.

13.7 The fully completed SSQ Web Form must be submitted through the CareMatch Portal by the deadline stipulated in Section 5. For the avoidance of doubt the CareMatch server time (shown on the submission page) shall apply to the delivery of SSQ Web Form Submission.

13.8 For Lots 1 – 5; note only one application must be completed and potential suppliers may be awarded to up to 2 Lots in total. Award will be made based on the Lots selected during the application stage. The Council may, at its discretion, increase the number of Lots that can be awarded if the FCA reopens.

NOTE - the following information set out at 13.9 and 13.10 are additional instructions for Lot 6 – Quick Discharge Service and do not apply to Lots 1-5. If you wish to apply for both Lots 1-5 and Lot 6 you must complete two separate applications.

13.9 For Lot 6 (QDS) only; the template provided for the additional evaluation requirements must be uploaded at the time of the submission of the SSQ Web Form.

13.10 The tender (method statement) document to be uploaded for assessment should be named in the following format: P2170 Lot 6 Quick Discharge Service 'insert Potential Supplier Name' and meet the following requirements:

- Documents submitted must be compatible with all Microsoft 365 or Adobe Acrobat pdf packages.
- it should be presented on size A4 document size.
- 11pt Arial, or equivalent must be used.
- each page must be clearly numbered and the total number of pages highlighted (e.g. Page 1 of 10)

See Section 15.4 for information on the evaluation criteria.

14 Electronic Tendering

- 14.1 The Council accepts no liability for any losses suffered by the Potential Supplier as a result of computer viruses. It is the Potential Supplier's responsibility to ensure that files delivered to the Council are free from viruses and the Council may reject a SSQ which is submitted in a file or files which are, or the Council reasonably suspects are infected with a virus and may also delete such file or files.
- 14.2 It is the Potential Supplier's responsibility to ensure that files delivered to the Council are complete and fully accessible by the Council and are not corrupted. The Council accepts no liability for corrupted files or data and may reject an SSQ submission which consists of or contains corrupted or inaccessible files.
- 14.3 If and to the extent that the delivery of an SSQ submission to the Council is prevented or delayed as a result of problems with the Council's server, the Authorised Recipient or their nominated officer will ensure the integrity of the Tenderer selection process and in his or her sole discretion may allow applications to be re-submitted.
- 14.4 Documents submitted in electronic format must be compatible with Microsoft 365.
- 14.5 All applications **MUST** be submitted by Potential Supplier's via the CareMatch Portal system <https://www.carematchportal.com>
- 14.6 Potential Supplier's **MUST** ensure plenty of time is allowed for uploading the submission prior to the deadline for SSQ submissions.

15 Evaluation of the SSQ

- 15.1 The evaluation of SSQs for the FCA will consider responses and, where requested, written information and evidence provided by the Potential Supplier. All relevant evidence submitted will be evaluated against the selection criteria. Where there are inconsistencies in the application, the Council may follow up with a clarification; a time limit will be set for the response and included in the clarification request. It is the Potential Supplier's responsibility to ensure that any clarifications are received and correctly responded to within the set time frame. For more information see the CareMatch Portal User guide.
- 15.2 The Council may, at its sole discretion, select Potential Suppliers to be invited to present and demonstrate details of their responses, to allow clarification of specific points. This will provide the Council with an opportunity of adjusting the initial scoring where it deems appropriate.
- 15.3 SSQ Evaluation Methodology

Pass / Fail Questions – Organisations that fail any of the 'pass/fail' questions may be excluded from the procurement process at this stage.

The application requires information and sometimes evidence in order to process the application; an incomplete application may fail.

Additional information is provided when you hover over the 'i' icon in the relevant field of the CareMatch Portal. Note some documents need to be uploaded and some information may be prepopulated; the prepopulated information needs checking and confirming.

The criteria on which the Potential Supplier's submission will be evaluated are set out in the table below. See the document 'Home Support and QDS 2024 Questions and Assessment Type' for more information.

Criteria for Lots 1 – 6		Evaluation
PART 1	There are a range of pass / fail questions within the SSQ webform within the CareMatch Portal.	See 'Home Support and QDS 2024 Questions and Assessment Type' document for information on the pass / fail questions.
Criteria for Lot 6 – Quick Discharge Service (if applicable)		Evaluation
PART 2	There are additional pass / fail questions within the SSQ webform relating to the delivery of a Quick Discharge Service volume and geographical coverage.	See 'Home Support and QDS 2024 Questions and Assessment Type' document for information on the pass / fail questions.
PART 3	There is an additional pass / fail question within the '002 P2170 QDS Lot 6 Method Statement'	Sufficient experience See table in this document Ref P3.1 in Section 15.4 and the 002 P2170 Lot 6 Method Statement for completion instructions.
PART 4	There are additional quality questions which are scored. See Questions and instructions in the '002 P2170 QDS Lot 6 Method Statement; e.g. wordcount.	See 001 Section 15.4 for the scoring methodology and the 002 P2170 Lot 6 Method Statement for completion instructions.
Criteria for Lots 1 - 6		Evaluation
PART 5	Final Due Diligence	Review the evaluation set out at 1 in this table

IMPORTANT INFORMATION

Please ensure that your information is current and accurate and matches the information held by the relevant organisations as this forms part of the evaluation:

- Care Quality Commission
- Companies House <https://www.gov.uk/government/organisations/companies-house>
- Modern Day Slavery publication (where the annual turnover of £36m or more) [Modern Slavery Act 2015 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2015/31/section/1)
- Digital Social Care Record <https://www.digitalsocialcare.co.uk/data-security-protecting-my-information/data-security-and-protection-toolkit/>
- Data Security Protection Toolkit <https://www.dsptoolkit.nhs.uk/Help/Overview>

In addition to the above accurate information, please ensure you meet the eligibility/entry criteria for the FCA, in particular this includes ensuring each Provider location meets the following criteria:

- a. Your Provider location has a current Care Quality Commission (CQC) quality rating at the time of tender submission – those unrated will be rejected.
- b. Your Provider location has a Care Quality Commission quality rating of either Good or Outstanding at the time of any tender submission - those rated as Inadequate or Requires Improvement will be rejected.

- c. Your Provider locations is not recorded as 'dormant' by the Care Quality Commission at the time of any tender submission – those registered as 'dormant' will be rejected.
- d. Your Provider location has the CQC service type of 'Homecare Agencies' and the registration of Personal Care
- e. If your Provider location is wishing to support Children, that you have the CQC Service User Band or 'Specialism' of 'Children 0-18 years' at the time of any tender submission.
- f. Your Provider location is within 2 miles of the Birmingham Council Tax boundary.
- g. If you are wishing to apply for the main Quick Discharge Service (Lot 6) that the Provider location employs 200 or more staff at the time of any tender submission

Changes in Eligibility between tender submission and award to the FCA

There may be scenarios where a provider's eligibility to join the FCA changes between the tender submission and the final award of the FCA. These scenarios may include but are not limited to:

- 1) The Provider location's Care Quality Commission (CQC) quality rating changing to Requires Improvement of Inadequate which makes them ineligible.
- 2) The Provider location being recorded as 'dormant' by the Care Quality Commission which makes them ineligible.
- 3) A Provider location no longer having a CQC service type of 'Homecare Agencies' and the registration of Personal Care which makes them ineligible.
- 4) A Provider location wishing to support Children no longer having the CQC Service User Band or 'Specialism' of 'Children 0-18 years' which would make them ineligible to apply for this category of care.
- 5) A change in the Provider location which means they are no longer within 2 miles of the Birmingham Council Tax boundary which makes them ineligible.
- 6) A change in the Provider location staffing numbers which means they are no longer eligible to deliver for the main Quick Discharge Service.
- 7) Expiry of the Provider location's Insurance documents, where valid insurance certificates are requested but not provided within the stipulated deadline; this will be considered a fail and the location will not be awarded to the FCA.

These scenarios will be considered at the Due Diligence stage and will result in the Provider location not being awarded to the FCA.

Based on the CQC Care Directory 02.04.2024 and Council Tax information the eligible providers listed meet the CQC rating requirements and are located within a 2-mile radius of the Birmingham Council Tax boundary. If you do not appear on the list and think you are eligible to apply, then contact us via a clarification during the clarification period. This list will be updated based on the latest CQC published datasheet** prior to the submission date.

15.4 Evaluation Criteria

The evaluation of tenders in the table at 15.3 will be based on a both a pass / fail and for elements of Lot 6 a scored assessment that enables the Council to assess tenders in terms of quality. All relevant evidence submitted will be assessed against the criteria set out in this section so that each tender is assessed on a fair and consistent basis.

Following initial assessments as set out at 'PART 1' in the table to ensure compliance with minimum standards, the Council will evaluate tenders against the main criteria to assess capacity and capability.

ALL LOTS	LOT 6 QDS - EVALUATION CRITERIA			ALL LOTS
PART 1	PART 2	PART 3	PART 4	PART 5
Potential Supplier Information SSQ Web Form Pass / Fail Questions Pass on all questions is required to proceed to next step	QDS SSQ Webform Pass / Fail Questions Pass on all questions is required to proceed to next step	QDS Method Statement Pass / Fail Question Pass on all questions is required to proceed to next step	QDS method statement Scored Questions Minimum Threshold of 60% (60 marks out of 100) is required to proceed to next step	Final Due Diligence See paragraph 15.5

Part 1 – ALL LOTS Potential Supplier Information (SSQ Web Form)

Prior to the commencement of tender evaluations, the Council will complete an initial due diligence to ensure that all submissions are compliant in accordance with the **Checklist**; *note there is a checklist for Lots 1-6.*

Initial due diligence to:

- Identify any missing information. Please note:
 - The Council may only evaluate information submitted as part of the tender. Where information has not been provided, this may result in the potential supplier's tender being regarded as non-compliant and excluded from the procurement process or, where evaluation can proceed without the information, this will be assessed accordingly.
- Identify any additional information that has been submitted that has not been requested e.g., appendices, sales literature, standard terms of trading etc. Any such information will be disregarded prior to the evaluation process.
- Identify where responses exceed the prescribed word or page limits. Where the prescribed response length has been exceeded, the information beyond the prescribed limit will not form part of the evaluation. Note this only applies to Lot 6 QDS.

PART 2 – Lot 6 QDS Additional Pass / Fail Questions (webform)

The responses to the additional Pass/Fail questions at PART 2 in the webform will be assessed by the Corporate Procurement Team. Failure to pass all questions will result in the application being rejected from the procurement at this stage and not progressing further. The Council reserves the right to check and confirm the responses with the applicant if it chooses to do so, this will be at the discretion of the Council.

REF	PART 2– SSQ WEBFORM (LOT 6 QDS) ADDITIONAL PASS / FAIL QUESTIONS	
PART 2.1	Please state the number of care workers currently working at the provider location the application is for. Note there must be a minimum of 200 care workers to pass this question.	PASS / FAIL
PART 2.2	Can you provide a Quick Discharge Service and Quick Intervention Service to all Birmingham citizens in accordance with the service specification, when required to do so.	PASS / FAIL
PART 2.3	Do you agree to putting in place an 'out of hours' provision in accordance with the Service Specification to ensure that authorised staff can make referrals outside of 'office hours'?	PASS / FAIL
PART 2.4	Can you establish a separate workforce at commencement of the contract for this service? Note the current arrangement expires on 7 October 2024 at the	PASS / FAIL

	latest so the workforce must be in place beforehand. Note the mobilisation plan will be agreed with the successful bidder.	
PART 2.5	Do you agree to putting in place a workforce development programme; including additional training to ensure the Quick Discharge Service Specification can be met?	PASS / FAIL

PARTS 3 & 4 – Lot 6 QDS Method Statement

P2170 LOT 6 QUICK DISCHARGE SERVICE (QDS) ASSESSED QUESTIONS	
ASSESSMENT	
<p>NOTE: DOCUMENT UPLOAD REQUIRED – THERE IS A TEMPLATE FOR THIS DOCUMENT WHICH <u>MUST</u> BE USED – 002 P2170 LOT 6 QDS METHOD STATEMENT</p> <p>Complete the 002 P2170 Lot 6 QDS Method Statement Template which is available in the CareMatch Portal. Please address the requirements of the Service Specification and tender instructions, e.g. word count limit.</p> <p><u>NOTE:</u> The tender method statement must include information under the following headings, referenced P3.1 to P4.-5. Note the evaluation will be based solely on the relevant information under these headings. Additional information may be included but will not be evaluated.</p> <p>Once complete please upload the method statement in the appropriate area of the Care Match Portal system. If more than one method statement is uploaded the latest document uploaded document will be assessed.</p> <p>NOTE if the response to P3.1 is scored as a fail then the application will be rejected from the procurement at this stage and not progress further.</p>	

PART 3 – Lot 6 QDS Pass / Fail Question - 002 P2170 QDS LOT 6 Method Statement

The response to the pass / fail question will be assessed by the full evaluation team. The evaluation team (except the Chair who is facilitating and not evaluating) will assess the response and award a consensus pass / fail assessment. A pass is required to proceed to the next stage.

REF	PART 3 QDS LOT 6 ASSESSMENT (PASS / FAIL) (Sufficient experience will pass / insufficient experience will fail)
P3.1	<p>Your <u>experience</u> of delivering hospital discharge services including the following:</p> <ul style="list-style-type: none"> • Experience of delivering hospital discharge services • Experience of providing services to vulnerable citizens • Experience of partnership working <p>(WORD COUNT LIMIT 1000)</p>

A Pass is required to proceed to the next stage.

PART 4 – Lot 6 QDS Scored - 002 P2170 QDS LOT 6 Method Statement

Weighting of Evaluation and Award Criteria for the Scored Questions (PART 4)

Quality will account for **100%** in total of the tender evaluation. After rejecting bids that in the opinion of the Council are unrealistically low in terms of Quality the highest Quality score will be given 100% for Quality. Other Quality scores will then be expressed as a proportion of the highest score. This gives the adjusted Quality score. The % weighting for Quality is then applied to each adjusted Quality score to give the Weighted Quality Scores. The Council may reject tenders that fail to meet the quality threshold of 60%; tenders shall be awarded weighted score which is calculated by using the score for each question multiplied by the weighting for that question.

The breakdown of Quality is shown in the table below:

REF	PART 4 – Quick Discharge Service (QDS) LOT 6 QUALITY ASSESSMENT (SCORED)
P4.1	Please set out how you plan to deliver the service in Birmingham (25% weighting) (WORD COUNT LIMIT 1000)
P4.2	Please set out how you intend to deliver against the contract and in what timescale (10% weighting) (WORD COUNT LIMIT 1000) Note: Please include a mobilisation chart (this will not be included in the word count).
P4.3	Please set out the systems and processes you will put in place and by when, in order to deliver the service (20% weighting) (WORD COUNT LIMIT 1000)
P4.4	Please set out how you will resource the service and how this will be structured, including staff and management structure? (25% weighting) (WORD COUNT LIMIT 1000) Note: Please include x1 organogram/structure chart that will not be included in the word count
P4.5	Please set out how you will manage the quality and performance of the service (20% weighting) (WORD COUNT LIMIT 1000)

The responses to the scored questions will be assessed by the full evaluation team. The evaluation team (except the Chair who is facilitating and not evaluating) will assess the responses and award a consensus score between 0 - 5 in accordance with the scoring system detailed in the table below. Note that the option to score any ½ marks is not permissible.

SCORE	DEFINITION	ASSESSMENT
5	An excellent response submitted in terms of detail and relevance which clearly fully meets the requirements with no negative implications. Demonstrates excellent understanding and evidence in their ability / proposed methodology to deliver a solution	Excellent
4	A good response submitted in terms of detail and relevance that meets the requirements without significant negative inconsistencies. The Tenderer demonstrates an understanding of the requirement and evidence of their ability / proposed methodology to	Good

SCORE	DEFINITION	ASSESSMENT
	deliver a solution. The requirements would be met to a good standard without intervention or significant ongoing issues	
3	A satisfactory response submitted in terms of the level of detail, accuracy, relevance and evidence in their ability / proposed methodology to deliver a solution. Aspects of the response may be good but there are some omissions of important factors or negative indications that reduce the extent to which the requirements will be met.	Satisfactory
2	Satisfies the requirement but there are clearly minor reservations of the response provided, either in understanding the requirement, and / or details around proposed methodology, and / or limited evidence to support the response. There would be concerns that requirements would require intervention or ongoing issues	Minor Reservations
1	Limited response provided, or a response that is inadequate, inaccurate and / or only partially addresses the question. Serious reservations regarding the response provided, either in understanding and / or details around proposed methodology, and / or little / no evidence to support the response.	Serious reservations
0	Does not meet the requirement. Does not comply and / or insufficient information provided to demonstrate that either in understanding and / or details around proposed methodology, with little / no evidence to support the response. Alternatively, no response to the question or a response that is significantly irrelevant or inaccurate	Unacceptable

The Council reserves the right to reject any submission which:

- fails to confirm compliance with or fulfilment of the requirements of Regulation 57 of the Public Contract Regulations 2015 (PCR15).
- is submitted in whole or in part after the deadline.
- fails to provide any of the requested evidence.
- fails to notify the Council of any updates to any answer(s) previously provided.
- inadequately or incorrectly completes any question.
- Fails to achieve a 'Pass' in respect of a 'Pass/Fail' criteria question.
- Achieves a score below a **60% (60 marks out of 100)** threshold in terms of quality.
- Below 2 in the scored quality assessment

15.5 **PART 5 ALL LOTS**

A final due diligence assessment will ensure that a consistent approach to the evaluation of applications has been maintained. It may also include financial standing of the potential supplier, level of resource and capacity. The Council reserves the right to seek affirmation of information provided during the process. Where there has been a material adverse change in such information, the Council reserves the right to exclude the potential supplier from the process.

Final due diligence will also provide the Council with an opportunity to make final adjustments to the assessment.

16 Acceptance onto the FCA

16.1 The initial set up of the FCA will follow the timescales set out at Section 5. If the FCA reopens a timetable will be provided at that time.

16.2 For Lots 1 – 5, suppliers that pass all the selection criteria will be awarded to the FCA and will be advised in writing. Suppliers will not be ranked in any order on the FCA, however individual

packages of care awarded under the FCA will be subject to quality ranking in accordance with Schedule 8 of the FCA.

- 16.3 For Lot 6 (QDS), the supplier that passes all the selection criteria and is awarded the highest scores for the Quality assessment will be awarded to the FCA and will be advised in writing. As there is only one supplier the packages of care will be delivered by this supplier.
- 16.4 For all lots, the suppliers that have not been successful will be advised in writing together with the reasons for the rejection.

17 FCA Validity Period

- 17.1 The duration of the FCA is 5 years with the option to extend for 2 years; this will be specified in the Find a Tender Contract Notice.
- 17.2 The FCA may reopen at the discretion of the Council. In the event of this happening a notice will be published via the CareMatch Portal and Contracts Finder with information on the duration of the application process. It is anticipated that the application process will be the same as set out in this tender document however if there are any changes this will be set out in the notice or accompanying documents together with the timescales.
- 17.3 Suppliers accepted onto the FCA can be removed as a result of their actions, including inactivity, or failure to comply with the required minimum standards as specified. There may be an opportunity available to be re-admitted to the FCA in the event of circumstances changing unless terminated due to breaches or performance issues; note this is subject to the FCA reopening.

18 Award of Call-Off Contracts (Packages of Care)

- 18.1 The Flexible Contracting Arrangements includes the Terms and Conditions for subsequent call-off contracts. There is no obligation to procure any care package(s) under this Flexible Contracting Arrangements. The Flexible Contracting Arrangements in itself is therefore not a contract; contracts are only formed when care packages are called off under the Flexible Contracting Arrangements.
- 18.2 Once the Flexible Contracting Arrangements is established, Call Off Contracts will be undertaken for each specific scheme. The arrangements for these call offs are set out in Schedule 8 of the FCA.
- 18.3 For Lots 1 – 5, individual Agreements under the Flexible Contracting Arrangements will be advertised via a micro tendering process through the CareMatch Portal.
- 18.4 Call off contracts totaling above the procurement threshold for services, currently £179k with a single provider, will require an associated Social Value Action Plan. Suppliers are required to commit to providing a Social Value Action Plan (SVAP) when requested. Council officers will support suppliers in the development of the action plans during the contract management process.
- 18.5 All contracted providers will be required to pay the Birmingham Care Wage to all staff, which is equivalent to the National Living Wage over 23 years of age pay rate.
- 18.6 Fees: Schedule 14 - Fee Structure of the FCA, sets out details of fees payable. The fee rates are published and updated annually on the Council's website at: [Invoice, payment and fees | Birmingham City Council](#)

19 Contract Award

Contracts for individual service packages will be awarded in accordance with Schedule 8 of

the Contract.

20 Contract Documents

Successful Suppliers will be issued with details of each Individual Agreement and Support Plan (package of care) through the Micro-tendering System and in accordance with the Contract.

21 Submission Guidance

- 21.1 The table included in the Checklist has been prepared in order to further support suppliers in submitting whole and compliant submissions. Please use this checklist to ensure that all relevant information has been completed.
- 21.2 Where there are inconsistencies in the application, the Council may follow up with a clarification and a time limit will be set for the response and included in the clarification request. It is the Potential Supplier's responsibility to ensure that any clarifications are received and correctly responded to within the set time frame. Ensure system alerts are switched on and check spam folders during the bidding and evaluation period. For more information see the CareMatch Portal User Guide section 3.3.

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

TUPE – This Procurement may be subject to the transfer of employees under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014. The application of TUPE will always be a matter of law. The Council will assist potential suppliers by making TUPE information available.

TUPE information is available for Lot 6. TUPE information must be requested via the Question Function in the CareMatch Portal and will be released to tenderers upon receipt of a signed copy of the TUPE Confidentiality Agreement which will be sent via email. You are advised to fill this in as soon as possible on receipt and return in accordance with the email instructions.

TUPE information is not available for Lots 1-5 as there will not be a transfer of current service provision to a new contract as part of the awarding of the FCA. However, if there is a requirement to transfer a service during the term of the FCA, TUPE will be managed in accordance with the FCA Terms and Conditions.

23 Mobilisation

Mobilisation will commence as soon as the FCA is awarded.

For Lots 1 – 5 Call Off Contracts will follow the process set out at schedule 8.

For Lot 6 (QDS) mobilisation will be agreed with commissioners.

24 Consortia Bids

Consortia bids will not be permitted for the FCA.

25 Decommissioning of Some Existing Services

For Lots 1 -5: For providers currently contracted to the Council for home support services who are unsuccessful or who do not/cannot submit a tender as part of this procurement, there may be a requirement to decommission providers or retender individual packages of care (Call Offs). There will be a 2-year transition period for this as set out in the Commissioning Strategy. However, the Council will work with providers who may wish/need/be required to hand back existing packages of care (Call Offs) before this time.