

**Procurement Title**

Provision of a Food Distribution Network to Lancashire County Council

**Procurement Option**

Public Contract Regulations (PCR) 2015 Compliant – Above Threshold Open Tender Procedure

**New or Existing Provision**

Existing, due to expire in April 2023

**Estimated Annual Contract Value and Funding Arrangements**

Approximately £4million per annum

Estimated Total Contract Value: £16million

Approximately 90 to 95% will be funded by the School and Residential Care Catering Service (Facilities Management) and the remaining 5% to 10% across the rest of the county council including but not limited to: Facilities Management Services, Education and Children's Services and Adult Services.

**Contract Duration**

Four year framework agreement.

**Lotting**

The tender will be for a single supplier framework for the distribution of food and drink products (including the **supply** and distribution of fresh fruit and vegetables) to over 550 Lancashire County Council units, the majority of these being schools and colleges.

Lotting has been disregarded for the provision of a single distributor as there is a requirement for consistency of service across the school, college and care network.

However, the aim of the overall strategy is to tender subsequent lots under a separate framework for the supply of food and drink (across multiple product ranges) into the sole distributor that is awarded this contract. This will in turn encourage bids from local Small Medium Enterprises that do not have the infrastructure to distribute their products to the number of units stated above and at the frequency required countywide.

**Evaluation**

<b>Quality: 60%</b>	<b>Financial Criteria: 40%</b>
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Quality criteria will focus on: Operation Mobilisation, Quality Assurance Processes, Customer Service and Product Recall Procedures, Information Systems, Business Contingency Planning, Social Value and Product Testing.

Social Value will account for 10 to 15% of the total criteria focusing on environmental sustainability, supporting themed events in schools, promoting healthy eating in schools, and promoting training and employment opportunities for the people of Lancashire, particularly those from vulnerable groups.

### **Contract Detail**

The majority of the contract requirements for the supply of various food product groups can be found on a number of existing 3<sup>rd</sup> party frameworks. However, further competition through these frameworks has been discounted as they restrict the potential number of suppliers who are able to bid for this contract (and the subsequent supply only contracts); and in the majority of cases are limited to large-scale national suppliers, rather than regional providers or Small Medium Enterprises. Furthermore, contracts let under the available 3<sup>rd</sup> party frameworks would not support the food distribution network strategy outlined here.

The current contract for a Food Distribution Network has been in place since 1<sup>st</sup> May 2019 and is due to expire on 30<sup>th</sup> April 2023.

The procurement will provide a renewal of existing provisions for a single provider to operate a food distribution network (including supply of Fresh Fruit and Vegetables). Separate report(s) will be submitted outlining the procurement approach for the supply of individual food contracts, such as fresh provisions, groceries, frozen foods, fresh meat etc. as and when required throughout the duration of this contract (which the contracted distributor will also be able to tender for). The main outcomes of this overall strategy are listed below:

- A reduction in the number of customer orders to individual suppliers and consequently, a reduced number of transactions and invoice processes.
- A reduction in the number of separate deliveries from individual suppliers contributing to safe roads around Lancashire schools.
- Removal of the complex logistics required to deliver to over 550 units (multiple times per week) under the current individual supply and distribution contracts will help to reduce 'barriers to entry' for small providers as they will only be required to deliver once or twice a week into a single distribution hub.
- A reduction in barriers to entry will encourage local supplier and Small Medium Enterprises to bid for subsequent supply only contracts.
- Contribute to reducing carbon emissions by reducing the number of delivery vehicles required in the Lancashire area, reducing the number of food transport miles.

- Promote training, employment and educational opportunities for the people of Lancashire particularly identified vulnerable groups.

The successful distributor will also be responsible for the supply of fresh fruit and vegetables as part of the same contract for the reasons outlined below:

- Majority of the products required have a short shelf life; and therefore, contracting with a supplier who is responsible for both supply and delivery ensures availability and quality.
- Fresh fruit and vegetable deliveries have a high delivery frequency (up to 3 times per week for some units), any additional delivery planning for subsequent contracts is minimised as these can be added to the existing deliveries.
- It ensures that the successful supplier has a vested interest in the food and drink industry and is able to support the county council's key development / priorities, specifically the catering services objective in maintaining required standards, including:
  - Positively influencing the Obesity and Health Agenda.
  - Continuous growth of primary and secondary school take up across Lancashire and subsequent growth of the School and Residential Care Catering Service.
  - Continual development of product range to meet customer need.
  - Maintaining Food for Life Served Here Silver Award for the School and Residential Care Catering Service.
  - Maintaining Sugarwise Gold Award for predominant primary school menu offering.
  - Value for money.

**Procurement Title**

Network Refresh - provision of backbone dark fibre services

**Procurement Option**

Further Competition via the Crown Commercial Service Gigabit Capable Connectivity Dynamic Purchasing System (RM6095)

**New or Existing Provision**

Renewal of existing service provision due to end of current contract

**Estimated Annual Contract Value and Funding Arrangements**

Current contract is £234,000 per annum covered by existing revenue budget in Digital Services.

Estimated one-off cost to change to a new provider is £340,000, which is to be funded by existing Digital Services Infrastructure refresh budget if a different provider were to win the competition.

New contract value is unknown until bids are received but early market engagement identified future costs being the same, or less, than the current annual costs and will all be met from Digital Services revenue budget.

The chosen route to market will ensure that the authority remains PCR compliant whilst allowing two of the three incumbent suppliers to bid for renewal of some specific routes within the requirement using the fibre assets that are already contracted. This is an opportunity for those suppliers to make a more attractive commercial offer to the authority than that estimated, particularly in terms of reduced up-front costs for Digital Services.

**Contract Duration**

The Contract(s) will be let for an initial period of ten years from 20<sup>th</sup> March 2023, with an option to extend for a further five years, concluding no later than the 19<sup>th</sup> March 2038.

**Lots**

The Authority's requirements have been split into multiples lots:

- Lot 1 – Unlit Dark Fibre service between Preston and Manchester (via Accrington).
- Lot 2 – Unlit Dark Fibre service between Preston and Manchester (via Burscough).
- Lot 3 – Unlit Dark Fibre service between Preston and Kendal (via Lancaster).
- Lot 4 – super lot in the event a single provider is selected for lots 1 and 2.
- Lot 5 – super lot in the event a single provider is selected for lots 1, 2 and 3.
- Lot 6 – core fibre between Whalley and Burscough (via Preston).

The Authority intends to award a separate contract for lot 1 and 2 service providers. In the event the same provider is ranked first in lot 1 and 2, the Authority will consider either:

1. a second ranked provider in either lot 1 or 2, or
2. the awarding of lot 4 to a single provider for both lot 1 and 2 routes.

If the Authority intends to award a contract under lot 3 and 4, then the Authority will consider whether a single provider under lot 5 would be beneficial to the Authority. Lot 6, as a separate technology, will be awarded independently to lots 1 to 5.

The Authority reserves the right not to award a lot(s) or routes within each lot.

### **Evaluation**

The Contract will be established by evaluating service providers against the following criteria:

- 60% technical, quality, and social value
- 40% whole of life costing

As this is a further competition under an existing Crown Commercial Service Dynamic Purchasing System, the usual stage 1 selection questionnaire has already been completed for each service provider when joining the Dynamic Purchasing System.

### **Contract Detail**

Lancashire County Council (operates a Wide Area Network that provides broadband and private connectivity for Council buildings, Schools, District Councils, other Public Sector partners and Commercial entities within Lancashire and surrounding Counties. The Wide Area Network also provides a resilient interconnect between Lancashire County Council Data Centres that are located within Preston and Manchester.

The backbone of the network is based on a mixture of rented dark fibre, and Lancashire County Council owned dark fibre within both owned and rented sub ducts. The contracts that support rented dark fibre and rented subduct are due to expire in 2023.

The county council intends to contract with suppliers who are able to provide managed infrastructure services in the form of unlit dark fibre. Crown Commercial Services framework core terms and schedules will be used for this procurement activity. The Authority's Legal Team will make minor amendments and additions to this contract to meet the outcomes of the service requirements and align the contract to the legal risk appetite of the council.

**Procurement Title**

Statutory Advocacy Service (Generic and Carers Specific): Lancashire Advocacy Hub and Lancashire Carers Advocacy Service

**Procurement Option**

Public Contract Regulations (PCR) 2015 Compliant – Above Threshold Open Tender Procedure

**New or Existing Provision**

Existing. The current contracts for the Lancashire Advocacy Hub and Carers Advocacy Services are due to end on 31<sup>st</sup> July 2023. This contract was extended beyond the original term (it was previously due to cease on 31<sup>st</sup> July 2022) via a waiver of Procurement Rules. This extension was to allow for consideration of possible changes in Liberty Protection Safeguarding legislation under the Mental Capacity (Amendment) Act 2019 and associated Regulations, and how this might impact on statutory advocacy services. The government is currently preparing its response to a public consultation on Liberty Protection Safeguarding and no implementation date for the proposals has yet been announced by government.

**Estimated Annual Contract Value and Funding Arrangements**

The funding for this new service will be:

**Advocacy Hub:** Annual Value: £1,667,500  
Total Value: £8,337,500

This includes retention of the additions made to the budget during the existing contract term to provide for statutory advocacy at new mental health facilities at Priors Kemple View, Langho and Pine House Rehabilitation Unit, Bacup; additional Independent Mental Capacity Advocates to address the backlog of Deprivation of Liberty Safeguards cases in preparation for the eventual implementation of Liberty Protection Safeguarding; and an inflationary uplift.

**Carers Advocacy:** Annual Value: £120,000  
Total Value: £600,000

Although implementation of the Liberty Protection Safeguarding legislation has been delayed, when it is implemented there will be additional impact on advocacy services; the number of advocates required and the associated cost is likely to increase. Some additional funding has been included in this budget although it is unlikely to be sufficient to cover the full costs of implementation of the Liberty Protection Safeguarding legislation in terms of greater demand for Independent Advocacy. Commissioners will work closely with the successful provider during the implementation of the new legislation to determine if additional funding is required, and an update with any additional funding requests will be provided to Cabinet.

An annual uplift will be applied throughout the term of these contracts each April as part of the fee setting exercise across Lancashire County Council, Adult Social Care.

### Contract Duration

The initial contract periods will be:

**Advocacy Hub:** initially 3 years plus two possible extensions of 1 year per extension, with a maximum contract duration of 5 years.

**Carers Advocacy:** initially 3 years plus two possible extensions of 1 year per extension, with a maximum contract duration of 5 years.

### Lotting

This tender will consist of 2 contracts:

- **Advocacy Hub Service**
- **Carers Advocacy Service**

### Evaluation

	Quality	Financial
Advocacy Hub	60%	40%
Carers Advocacy Service	60%	40%

### Social Value

10% of the quality award criteria will be allocated to Social Value. For focus will be on:

- Consider the employment needs of local communities when recruiting and how recruitment processes can support the local economy, for example by creating employment opportunities for former armed forces personnel.
- Provide volunteering opportunities for the local community and encourage the development of peer support models within Service delivery.
- Support people to access education, training and employment opportunities.
- Explore opportunities of securing external funding to develop Service delivery.
- Develop strategies to promote environmental sustainability, for example by minimising travel to reduce the Service Provider's carbon footprint.

### Contract Detail:

1. **Advocacy Hub** will be an independent advocacy service ("the Lancashire Advocacy Hub" or "the Hub") to ensure that all eligible people will have access to advocacy.

Specifically, the Hub will provide, within the Authority area, a fully integrated service comprising the following three elements:

- (i) A Single Point of Contact & Information Service.
- (ii) An independent, non-statutory (or "generic") advocacy service.
- (iii) An independent statutory advocacy service required by law.

**A Single Point of Contact & Information service:** A single, central point of contact for all advocacy enquiries within the Lancashire County Council area; providing information and advice about advocacy; assigning and managing referrals to an advocate where appropriate; and signposting to other services where relevant.

**An independent non-statutory (also known as "generic" or "issue-based") advocacy service** to provide non-statutory, issue-based advocacy.

Generic advocacy has a preventative role, reducing the need for statutory, intensive support by helping Service Users through the provision of information and advice, self-peer- and group advocacy, and through self-help materials and resources.

Delivery of this element of the Hub will typically involve a time-limited set of interactions with individuals, or an alternative model devised by the Service Provider.

**An independent statutory advocacy** service to deliver all statutory independent advocacy services required by law.

- 2. Carers Advocacy** will be a distinct service exclusively for carers. The service will provide all statutory advocacy for carers under the Care Act, will seek to increase awareness of the rights of carers under the Act, and liaise closely with the Independent Advocacy service, the Carers Assessment and Support Service and other council-procured services to promote the availability of and engagement with the new Carers Advocacy service.



**Procurement Title**

Construction Partnering Framework

**Procurement Option**

An open procedure that is compliant with the Public Contract Regulations 2015

**New or Existing Provision**

Renewal of an existing construction framework

**Estimated Annual Framework Value and Funding Arrangements**

The estimated annual framework value is £75m, with a total estimated value of £300m.

There is no obligation on the county council to enter into call off contracts under the framework agreement.

All works under the framework will be funded from capital expenditure budgets approved on an individual programme basis.

**Framework Duration**

The framework will be let for a maximum of four years and it is anticipated that the framework agreement will commence on 1<sup>st</sup> June 2023.

**Lots**

The framework will be split into four lots based on the estimated project cost at the inception of the project.

- o Lot A – construction works up to £500,000, maximum 6 partnering contractors.
- o Lot B – construction works from £500,000 to £3m, maximum 4 partnering contractors.
- o Lot C – construction works from £3m to £15m, maximum 4 partnering contractors.
- o Lot F\* – construction works from £15m to £30m, maximum 2 partnering contractors.

\* Lot D (Mechanical Partnering) and E (Electrical Partnering) are covered by an existing framework.

**Evaluation**

The Agreement will be established by evaluating construction partners against the following criteria:

Stage 1: mandatory and discretionary grounds to ascertain suppliers' financial, technical capability and ability to demonstrate their experience in operating in compliance with Industry standards. Each tenderer must pass this stage before proceeding to stage 2.

Stage 2: the tender bids will be evaluated on.

- 70% technical, quality, and social value
- 10% preliminary schedule of rates

- 10% overheads
- 10% profits

The highest scoring tenderers in each of lots A, B and C, between 14 and 16 in total, will be awarded a place on the framework, subject to the following qualifications.

Tenderers can bid for multiple lots, but, with the exception of Lot F, a tenderer who submits a successful bid for multiple lots will only be awarded a place in one of lots A, B or C. If a tenderer is successful in more than one lot, their award will be based on their highest preference lot with the next highest ranked tenderer in the lower preference lot(s) being awarded a place on the framework.

Lot F can be populated by a tenderer also successful on lot C or be a contractor that is only on the framework for lot F.

### **Contract Detail**

The Authority has a continued strategic requirement to maintain contractual relationships with a partnering ethos. The construction partnering framework will cover new build, extensions, adaptations, refurbishments and reactive emergency works. Typically, the work will cover the following sectors, with some construction projects incorporating a combination of more than one sectors:

- Education (including Community & Sport)
- Leisure (Libraries & Museums)
- Adult and Children's Social Care
- Civic & Corporate
- Offices
- Landscaping, environmental, external works and playing fields

The framework will operate as a rotational list based on estimated project budgets (not based on the quantity of projects). The Authority will also reserve the right to conduct further competition for individual projects. Each further competition will be evaluated based on either most economically advantageous tender (quality and price); or best price (lowest price only).

The Authority may also, in exceptional circumstances and in accordance with the objective criteria set out in the framework, direct award to a framework contractor provided it is within the scope of the framework.