2016/17 Scheme

NORTH SOMERSET COUNCIL

DECISION OF COUNCILLOR DAWN PAYNE
THE EXECUTIVE MEMBER FOR ADULT SOCIAL CARE
with advice from the
DIRECTOR OF PEOPLE AND COMMUNITIES

DECISION NO: P&C39

SUBJECT: 'Novation of Extra Care Contracts (Worle)

DECISION:

1. To approve the novation of the contract for Extra Care Schemes at Lakeside Court and Diamond Court in Worle, to Notaro Homecare Ltd (Registered Company No 10322148) and for Tamar Court Extra Care scheme including day service to Alliance Living Care (Registered Company No 04164129) following notification of the proposed withdrawal of Human Support Group at short notice.

BACKGROUND:

This notice was reluctantly accepted given the risk that resources would diminish if contract notice period was adhered to and given the concern that capacity in the area would be insufficient to meet need. Therefore HSG will be released from the support to live at home and Extra Care contracts on 14 December 2016.

In order therefore to deliver a new provider in accordance with the timelines required for provider to provider TUPE transfer, this novation was completed at short notice. Providers approached included both successful providers of other support to live at home contract awards and the existing sub-contractor for the Worle area. The recommended award is to Notaro for Lakeside Court and Diamond Court and Alliance for Tamar Court, Alliance only expressed interest in the one scheme which they also provide the housing management. Both successful companies are locally based providers already operating in the Worle area and have extensive experience of TUPE transfers and the delivery of domiciliary care and other care services in the District.

Reasons:
Notaro and Alliance are established local services with proven reliability and flexibility with an existing presence in the Worle area as the current sub-contract provider, therefore they are able to recruit staff to this service and start within a short timeframe.

Other Alternatives Considered:

Given the urgency of the action, alternatives were restricted to discussions with other contract holders namely Notaro, Brunel Care and Alliance Living Care. The partnership working from all three companies to support this urgent action is acknowledged and appreciated.

Financial Implications:

The hourly rate offered by both companies are competitive and broadly in line with contributing to the overall saving of £500k from the support to live at home tender process.

Procurement

Following initial discussions we considered two potential procurement routes, both of which allowed us to progress urgent conversations in a fair and transparent fashion. The two procurement routes considered were novating the contract to another provider/s or utilising Regulation 32 of the Public Contract Regulations 2015, which allows the use of the negotiated procedure without prior publication for reasons of extreme urgency brought about by events unforeseeable by the contracting authority whereby the time limits for the open or restricted procedures or competitive procedures with negotiation cannot be complied with. We approached Alliance and Brunelcare given that both of these providers had evidenced their abilities by winning Rounds 2 and 3 of the Support to Live at Home procurements run within the last 6 months. We also felt that both of these providers would be in a position to implement the contractual requirements in Worle at a fast pace. When it became clear that the partnership arrangement that Alliance and Brunelcare were offering was not practical for the support to live at home contract and that they were not in a position to accept a novation, we then considered our other option which was to pursue a novation of the contract to the current sub-contractor, Notaro. Alliance was the only offer with regards Tamar and for Lakeside and Diamond Court the Notaro offer was the only offer at an acceptable value. Successful conversations were then held with Notaro. Legal advice was also taken throughout this process

Signed: D. Payne
Councillor Dawn Payne
Executive Member for Adult Social Care

Dated: 15/11/16

Confirmation of advice given:

Signed: Gerald Hunt
Gerald Hunt
Head of Commissioning

Dated: 15.11.16