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Tender

## **Early Learning & Childcare - Re-opening of framework 2022**

West Lothian Council

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2022/S 000-001045

Procurement identifier (OCID): ocds-h6vhtk-030aad

Published 13 January 2022, 3:25pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

West Lothian Council

West Lothian Civic Centre, Howden South Road

Livingston

EH54 6FF

#### **Email**

[Kimberley.archibald@westlothian.gov.uk](mailto:Kimberley.archibald@westlothian.gov.uk)

#### **Telephone**

+44 1506281607

#### **Country**

United Kingdom

**NUTS code**

UKM78 - West Lothian

**Internet address(es)**

Main address

<http://westlothian.gov.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00140](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00140)

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

**I.4) Type of the contracting authority**

Regional or local authority

**I.5) Main activity**

General public services

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**Section II: Object****II.1) Scope of the procurement****II.1.1) Title**

Early Learning & Childcare - Re-opening of framework 2022

Reference number

CC10587

### **II.1.2) Main CPV code**

- 80110000 - Pre-school education services

### **II.1.3) Type of contract**

Services

### **II.1.4) Short description**

West Lothian Council wish to seek bid submissions from suitably qualified and experienced providers to supplement it's existing framework (Contract Reference CC10056) for Early Learning and Childcare and it's in house service provision.

### **II.1.5) Estimated total value**

Value excluding VAT: £5,000,000

### **II.1.6) Information about lots**

This contract is divided into lots: No

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 80110000 - Pre-school education services

### **II.2.3) Place of performance**

NUTS codes

- UKM78 - West Lothian

Main site or place of performance

West Lothian

### **II.2.4) Description of the procurement**

To supplement it's own in house service provision and the framework providers appointed to framework CC10056 (Early Learning & Childcare), as the aforementioned framework

allows for re-opening to new providers, West Lothian Council now intend to re-open the framework. In addition to passing the Qualification Stage, Service providers appointed to the framework will be required to demonstrate that they fully meet the National Standards criteria and sub criteria and be prepared to accept the Council's hourly rate of 6.80 GBP per hour.

As this service is listed in Schedule 3 of the Public Contracts (Scotland) Regulations and the contract value exceeds 663,540 GBP over the contract period, the Council will be using the afforded flexibility of the Light Touch Regime to re-open the framework.

#### **II.2.6) Estimated value**

Value excluding VAT: £5,000,000

#### **II.2.7) Duration of the contract or the framework agreement**

Start date

19 April 2022

End date

31 July 2023

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

#### **II.2.14) Additional information**

Information regarding the allocation of points is contained within the Award Criteria and Weightings section of the Invitation to Tender.

The price evaluation will be fixed and details will be provided within the Invitation to Tender.

Bidders already appointed to framework CC10056 are not required to submit any fresh submission to remain on the framework.

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.4) Objective rules and criteria for participation**

List and brief description of rules and criteria

The approach to this tender is Light Touch under regulations 74 - 76 of the Public Contracts (Scotland) Regulations 2015. It is Open to any

bidder.

Full specification is included in the ITT.

### **III.2) Conditions related to the contract**

#### **III.2.2) Contract performance conditions**

Providers will be expected to follow the requirements set out in the service specification and must comply with all statutory requirements in the delivery of the service.

Notwithstanding any conditions agreed in the service specification, all terms and conditions set out in the main full contract will apply.

Bidders must demonstrate that they are able to meet all the criteria and sub criteria of the National Standards.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Form of procedure**

Open procedure

#### **IV.1.3) Information about a framework agreement**

The procurement involves the establishment of a framework agreement

In the case of framework agreements, provide justification for any duration exceeding 4 years:

This is not exceeding 4 years.

#### **IV.1.10) Identification of the national rules applicable to the procedure**

Information about national procedures is available at: <https://www.gov.scot/policies/public-sector-procurement/>

#### **IV.1.11) Main features of the award procedure**

Award Criteria: Quality Weighting 100%

Full details are contained in the ITT.

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2020/S 153-375990](#)

#### **IV.2.2) Time limit for receipt of tenders or requests to participate**

Date

21 February 2022

Local time

12:00pm

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

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## **Section VI. Complementary information**

### **VI.2) Information about electronic workflows**

Electronic invoicing will be accepted

Electronic payment will be used

### **VI.3) Additional information**

This tender is utilising the flexibility of the light touch regime to re-open this framework. In regard to the award criteria for this framework it is detailed within the Award Criteria and Weightings section of the Technical Envelope within the ITT.

In accordance with Section 67 (5) of the Public Contracts (Scotland) Regulations (5) i.e. the cost element may also take the form of a fixed price or cost on the basis of which economic operators will compete on quality criteria only whereby price is fixed at an hourly rate of 6.80 GBP.

Re: SPD Q2B, complete information for all company directors, using home address.

CONFIDENTIALITY - All information supplied by the Authority must be treated in confidence and not disclosed to third parties except insofar as this is necessary to obtain sureties or quotations for the purpose of submitting the tender. All information supplied by you to the Authority will similarly be treated in confidence except:

(i) for any information required to be disclosed or otherwise provided by the Authority to any person in order to comply with the Freedom of Information (Scotland) Act 2002 and any codes of practice applicable from time to time relating to access to public authorities' information.

The Tenderer shall co-operate, facilitate, support and assist the Authority in the provision of this information. In the event the Authority is required to provide information to any person as a result of a request made to it under such Act and/or codes, the Authority shall adhere to the requirements of such Act and/or codes in disclosing information relating to this Agreement, the Project documents and the Contractor.

(ii) that references may be sought from banks, existing or past clients, or other referees submitted by the tenderers;

(iii) for the disclosure of such information with regard to the outcome of the procurement process as may be required to be published in the Supplement to the current World Trade Organisation or elsewhere in accordance with the requirements of UK government policy

on the disclosure of information relating to government contracts.

Procedures for Review - An economic operator that suffers, or is at risk of suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2015 or the Procurement Reform (Scotland) Act 2014, may bring proceedings in the Sheriff Court or the Court of Session’.

Police Scotland Checks may be carried out as per the ITT.

Dunn & Bradstreet checks may be carried out as part of the Financial checks.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 20381. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 42556. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

Whilst the framework value exceeds 4,000,000.00 GBP, no one provider will be awarded a contract above 4,000,000.00 GBP.

The Contracting Authority does not intend to include any community benefit requirements in this contract for the following reason:

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

Non Evaluated Community Benefits:

Community Benefits proposals will not form part of the award criteria and will not be evaluated but any offered will become contractual

obligations. For further procurement information visit the link below.



<http://www.westlothian.gov.uk/article/2023/Doing-Business-With-The-Council>

(SC Ref:679236)

## **VI.4) Procedures for review**

### **VI.4.1) Review body**

Livingston Sheriff Court and Justice of the Peace Court

Howden South Road

Livingston

EH54 6FF

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/livingston-sheriff-court-and-justice-of-the-peace-court>