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Tender

## **Care and Support Services Flexible Framework Agreement**

Scotland Excel

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2024/S 000-003489

Procurement identifier (OCID): ocds-h6vhtk-03cec0

Published 2 February 2024, 11:29am

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Contact**

Adult Social Care Team

#### **Email**

[adultsocialcare@scotland-excel.org.uk](mailto:adultsocialcare@scotland-excel.org.uk)

#### **Telephone**

+44 1414888230

**Country**

United Kingdom

**NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

**Internet address(es)**

Main address

<http://www.scotland-excel.org.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10383](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10383)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3) Communication**

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**

Body governed by public law

**I.5) Main activity**

General public services

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Care and Support Services Flexible Framework Agreement

Reference number

2022

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

- 85300000 - Social work and related services

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

Services

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

This procurement exercise is to establish a Care and Support Services Flexible Framework Agreement services which fall within Schedule 3 and Regulations 74-76 of the Public Contracts (Scotland) Regulations 2015 (further referred to as 'the Flexible Framework'). The services include Care at Home and Supported Living Services, collectively referred to as Care and Support Services.

Care and Support Services will support people to achieve the best possible quality of life, in terms of their personal aspirations, choices and abilities, that enables them to live independently and safely within their own home for as long as practicable.

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

Value excluding VAT: £1,500,000,000

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

This contract is divided into lots: No

### **II.2) Description**

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

- 85300000 - Social work and related services

- 85310000 - Social work services

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations of the Councils in Scotland.

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

As further detailed in the procurement documents of the Flexible Framework Agreement for the provision of Care and Support Services for Adults across Scotland.

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

Value excluding VAT: £1,500,000,000

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

Duration in months

72

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

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

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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

Where a Service is registered with the Care Inspectorate, a minimum grade of three (3) is required across all inspected key quality questions unless it falls within the circumstance where Scotland Excel will accept an alternative indicator of quality to establish if this minimum requirement is met, as detailed below: In the circumstance where Quality grades have not yet been assigned to the registered Service because the Service has not had its first inspection: SXL will consider the score assigned by the Care Inspectorate in its

Scrutiny Assessment Tool (SAT) (or its equivalent replacement), for the Service.\*A SAT score of Low will be required to meet the minimum requirement. Required minimum insurances as follows: (a)Public Liability/(b)Employers' Liability/(c)Statutory Third-Party Motor Vehicle Liability LIMITATIONS ON LIABILITY are detailed in the Flexible Framework Terms.Additional Insurance requirement, see Additional Information.

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

#### **III.2.1) Information about a particular profession**

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

Registration with the Care Inspectorate.

Tenderers should provide Registration number(s) and any supporting information at Section 4A.2 in the SPD

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

For full details of the contract conditions relevant to the Flexible Framework and contracts to be called off thereunder, please see the tender documents. Tenderers will be asked to confirm their acceptance of the contract conditions. TENDERS MADE SUBJECT TO CONDITIONS MAY NOT BE CONSIDERED AND MAY BE REFUSED ON THE GROUNDS OF SUCH CONDITIONS ALONE.

Scotland Excel may require the members of any tendering group of entities (including, but not limited to consortium members, members of a group of economic operators and/or sub-contractors) to be jointly and severally liable for the performance of the contract and may require them to assume a specific legal form for the purposes of the appointment to the Flexible Framework.

For further information relative to the submission of consortia tenders, tenders by groups of economic operators and sub-contracting, please refer to the tender documentation which is available in the relevant PCS-T project for this procurement exercise.

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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:

These services come within the 'Social and Other Specific Services' category as defined in, and subject to, the procurement regimes set out in section 7 of the Public Contracts (Scotland) Regulations 2015, commonly known as the Light Touch Regime. The duration of the Flexible Framework Agreement is a maximum of 72 months, for the purposes of business continuity and sustainability.

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

The scope of services to be provided under this Framework Agreement are covered within the definition of 'Social and Other Specific Services' in Schedule 3 of the Public Contracts (Scotland) Regulations 2015 and therefore the procurement process shall be subject to the requirements of section 7 of the Regulations. Please note the variations applied to this exercise together with the specific requirements and evaluation approaches applicable are set out in the procurement documents.

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

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

Notice number: [2023/S 000-014678](#)

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

Date

15 March 2024

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 ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

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

This Procurement process is subject to the Law and Guidance applicable in Scotland relative to the award of public contracts including (without limitation) as set out in the Public Contracts (Scotland) Regulations 2015 as currently in force. As such, this Notice relates to the use of a procedure based upon the Open Procedure to establish a Flexible Framework with variations as permitted under the Regulations. In particular, once established, new entrants meeting the requirements are permitted to join the Flexible Framework agreement throughout its duration, and appointed providers may add services to their appointment in accordance with the service variation provisions contained in the Flexible Framework Terms. Full details of the requirements of this Flexible Framework Agreement (including permitted variations and contract conditions) are available in the Procurement Documents contained within the relevant project on PCS-T: Project\_24866, ITT\_52027. In line with the published Flexible Framework Terms, should any of the defined terms, procedures or any other regulated matter become subject to any change in the Law, resulting in any change to the defined terms, or to the manner in which such procedures or other matters require to be dealt with, then such changes shall take precedence over that contained in the flexible framework. As such, workforce matters which change as a result of the implementation of national policy directives will be considered in line with the framework variation procedures. All staff and those providing the Service must be suitably qualified and registered with the relevant regulatory body/ies in order to provide the Service in Scotland. Further clarifications on additional Insurances that may be required for the delivery of Services have been requested in the SPD (Professional Indemnity where applicable and Medical Malpractice where applicable). Applicants will be required to confirm whether they intend to subcontract any share of the contract to third parties and, if so, to complete the relevant sections of the SPD for each subcontractor. Scotland Excel, as a central purchasing body, is establishing this flexible framework for the use and benefit of its members namely 32 local authorities in Scotland, Tayside Contracts and together with any Integration Authority, or other body, established pursuant to the Public Bodies (Joint Working) (Scotland) Act 2014. Scotland Excel local authority members are entitled to use this framework. The above is subject to each contracting authority entering into and maintaining a membership agreement or other access agreement with Scotland Excel. Applications may be excluded from evaluation (in

whole, or in part) if they do not include the information required in accordance with instructions given. Scotland Excel anticipate scheduling 2 Applicant Information Sessions on Thursday 8 February 2024 @ 2pm and Tuesday 13 February @ 2pm (these dates are subject to change/availability/numbers). As outlined in the Contract Notice Providers can book via [adultsocialcare@scotland-excel.org.uk](mailto:adultsocialcare@scotland-excel.org.uk) to note your interest providers will be informed of a suitable date.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 24866. For more information see:

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

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

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:

In accordance with section 25(3) of the Procurement Reform (Scotland) Act 2014 note that, Scotland Excel intends to include community

benefit requirements as set out in the Procurement Documents.

(SC Ref:739647)

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

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

Court of Session

Edinburgh

EH1 1RQ

Country

United Kingdom