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Tender

Childrens Services Advocacy Support and Legal Representation

Scottish Government

F02: Contract notice

Notice identifier: 2022/S 000-005467

Procurement identifier (OCID): ocds-h6vhtk-031bf7

Published 28 February 2022, 4:54pm

Section I: Contracting authority

I.1) Name and addresses

Scottish Government

4 Atlantic Quay, 70 York St

Glasgow

G2 8EA

Contact

Geri Bradley

Email

Geri.Bradley@gov.scot

Telephone

+44 7917497741

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.scotland.gov.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10482

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

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/>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

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

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Childrens Services Advocacy Support and Legal Representation

Reference number

581963

II.1.2) Main CPV code

- 85311300 - Welfare services for children and young people

II.1.3) Type of contract

Services

II.1.4) Short description

The Scottish Government is seeking a supplier to provide a demand led service for both Advocacy Support and Legal Advice service to children, aged 12-15.

II.1.5) Estimated total value

Value excluding VAT: £860,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 79112000 - Legal representation services
- 79100000 - Legal services

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Scotland

II.2.4) Description of the procurement

The Scottish Government has a requirement to place a contract with an external service provider for the Provision of Children's Service – Advocacy Support and Legal Representation.

The Education (Additional Support for Learning) Act 2004 provides the legal Framework for the provision of additional support for learning. The Education (Scotland) Act 2016 amends the 2004 Act to provide that children (aged Between 12-15 with capacity) can access certain rights conferred on them by the 2004 Act.

The Service Provision consists of the management/administration and delivery of the following:

Advocacy Support – To support children to prepare them to use their rights, using these rights and understanding the outcome of their use and to support children to understand the outcome where their parents have used their rights in relation to the child.

Legal Representation – To provide advice and representation in support of children using their rights to make a reference to the Additional Support Needs jurisdiction of the First-tier Tribunal for Scotland.

II.2.5) Award criteria

Quality criterion - Name: Understanding of the Requirement / Weighting: 40

Quality criterion - Name: Service management, Ordering and Contract Management including Data Collection, Protection and Confidentiality / Weighting: 15

Quality criterion - Name: Staff and Service/Contract Quality Management / Weighting: 25

Quality criterion - Name: Community Benefits / Weighting: 5

Quality criterion - Name: Fair Work First / Weighting: 5

Quality criterion - Name: Exit Strategy / Weighting: 5

Quality criterion - Name: Business Continuity and Disaster Recover (BCDR) / Weighting: 5

Price - Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £860,000

II.2.7) Duration of the contract, framework agreement or dynamic purchasing system

Start date

1 July 2022

End date

31 March 2025

This contract is subject to renewal

Yes

Description of renewals

Following the end of the initial 33 months the contract maybe extended by a period of up to 12 months.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

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

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions

Bidders will be required to have membership to the following to perform services

Legal Representation: Membership of the Law Society of Scotland is required.

Advocacy: Membership of the Scottish Independent Advocacy Alliance.

PVG scheme membership is required.

III.1.2) Economic and financial standing

List and brief description of selection criteria

Bidders will be required to state the value for their Current Ratio for the previous financial year

Bidders will be required to confirm they have the required levels of insurance cover specified below

Minimum level(s) of standards possibly required

Current ratio: Bidders must have a minimum current ratio of 1.0.

Current Ratio will be calculated as follows:

net current assets divided by net current liabilities.

There must be no qualification or contra-indication from any evidence provided in support of the bidders economic and financial standing

Insurance Cover

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded

contract, the types and levels of insurance indicated below:

Employer's (Compulsory) Liability Insurance in accordance with any legal obligation at the time being in force = 5,000,000 GBP (5 Million)

Public Liability Insurance = 2,000,000 GBP (2 Million)

Professional Indemnity Insurance = 2,000,000 GBP (2 Million).

Such insurances must be maintained for the duration of the Contract and for a minimum of 5 years following the expiry or termination of the Contract as appropriate.

III.1.3) Technical and professional ability

List and brief description of selection criteria

The Bidder must demonstrate the following:

a. Service Contracts – examples of relevant experience in last 3 years

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

Educational and Professional Qualifications legal qualifications required which The Bidder must demonstrate that they are compliant with Scots Law (LLB plus Diploma in Professional Legal Practice), and a member of the Law Society of Scotland.

The Bidder must specify a working knowledge of education law specifically related to additional support for learning and experience of working with children.

III.2.3) Information about staff responsible for the performance of the contract

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Open procedure

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

IV.2) Administrative information

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

Date

7 April 2022

Local time

12:00pm

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

English

IV.2.6) Minimum time frame during which the tenderer must maintain the tender

Duration in months: 6 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

7 April 2022

Local time

12:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Yes it is likely that a future procurement will be undertaken to replace this contract when it expires after additional extension period

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

Question Scoring Methodology for Award Criteria outlined in Invitation to Tender.

0 Unacceptable Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.

1 Poor Response is partially relevant but generally poor. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.

2 Acceptable Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.

3 Good Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

4 Excellent Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

Additional criteria for Cyber and Data Security Question.

Cyber security will be scored on a pass/fail basis.

Tenderers are also asked to confirm that they will pay staff that are involved in the delivery of services under the contract, at least the real Living Wage.

Tenderers who do not pass these questions will not be subject to Commercial Analysis. As a result the tender will not be considered further.

Bidders must complete the SPD (Scotland) to demonstrate adherence to the Exclusion and Selection Criteria for this procurement.

If there are named subcontractors/technicians upon which the bidder will rely to meet the selection criteria, these named parties must complete and reattach the SPD Supplier Response Form attached to SPD

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 20761. For more information see:

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

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:

- Graduate, Apprenticeships work placements and/or Trainee placements
- Supplier engagement with schools, colleges and/or universities
- Targeted employment support, recruitment and work-related training for priority groups within the community (for example long-term unemployed and young people) as part of your proposed workforce.
- Support for existing Charity and Third Sector Organisations that deliver benefits to the communities
- Use of SMEs or supported businesses as part of your supply chain

Up-skilling the existing workforce;

- Equality and diversity initiatives;
- Educational support initiatives.

(SC Ref:684304)

VI.4) Procedures for review

VI.4.1) Review body

Edinburgh Sheriff Court and Justice of the Peace Court

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom