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Tender

## **Early Learning and Childcare - South Lanarkshire Council Procured Service Arrangement**

South Lanarkshire Council

F02: Contract notice

Notice identifier: 2024/S 000-006503

Procurement identifier (OCID): ocds-h6vhtk-02cbe7

Published 29 February 2024, 11:39am

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

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

South Lanarkshire Council

Council Headquarters, Almada Street

Hamilton

ML3 0AA

#### **Contact**

Procurement Service

#### **Email**

[procurement\\_service@southlanarkshire.gov.uk](mailto:procurement_service@southlanarkshire.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM95 - South Lanarkshire

**Internet address(es)**

Main address

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

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00410](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00410)

**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**

Education

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## **Section II: Object**

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

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

Early Learning and Childcare - South Lanarkshire Council Procured Service Arrangement

Reference number

SLC/PS/EDUC/19/019

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

- 80110000 - Pre-school education services

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

Services

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

The choice of the provider will be selected by the parent/guardian of the child therefore the council is utilising an innovative Procured Service Arrangement (PSA) under the Light Touch Rules contained in Regulations 74-76 of the Public Contracts (Scotland) Regulations 2015.

Providers of ELC are invited to join the PSA by submitting a tender to the Council. They will be appointed to the PSA if they can successfully demonstrate that they meet the National Standard, the Law, applicable guidance, and the Council's procedural requirements and accept the Rates which have been set by the Council in relation to the delivery of funded hours.

The PSA will allow providers to be added over its 10 year term.

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

Value excluding VAT: £143,500,000

#### **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

- UKM95 - South Lanarkshire

Main site or place of performance

South Lanarkshire Council geographical boundary

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

South Lanarkshire Council ("the Council") is seeking to establish a Procured Service Arrangement (PSA) to ensure the delivery of funded ELC placements within the Council's geographic area.

### **II.2.5) Award criteria**

Quality criterion - Name: National Standards Criteria / Weighting: 95

Price - Weighting: 5

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

Duration in months

125

This contract is subject to renewal

No

### **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

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

The duration is from 01/03/2020 to 31/07/2030

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This notice is alerting the market that Phase 11 of this PSA is now open for application within a new project in PCS-T. The previous PCS-T project was 22253, from today all applications should be made to Project 22253 in PCS-T.

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## **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

SPD 2C1 If the bidder relies on the capacities of other entities in order to meet the selection criteria they must complete a full SPD.

SPD 2D1 If the bidder intends to subcontract any share of the contract to third parties who are not being relied upon to meet the selection criteria the bidder is required to complete a shortened version of the SPD.

#### **Exclusion Criteria**

SPD Questions 3A – 3C have been identified as mandatory exclusion grounds and SPD Questions 3D have been identified as discretionary exclusion grounds. All the exclusion grounds will be assessed on a PASS/FAIL basis. For the mandatory exclusion grounds your bid will be excluded where you fail to provide either a positive response or to provide details to the satisfaction of the Council of the self cleansing measures you have undertaken. For the discretionary exclusion grounds your bid may be excluded where you fail to provide either a positive response or if the Council is not satisfied as to the self cleansing measures undertaken.

SPD 4A - "It is a requirement of this tender that if the bidder is UK based they must hold a valid registration with Companies House. Where the bidder is UK based but not registered at Companies House they must be able to verify to the Councils satisfaction that they are trading from the address provided in the tender and under the company name given.

If the bidder is based out-with the UK they must be enrolled in the relevant professional or trade register appropriate to their country as described in Schedule 5 of the Public Contracts (Scotland) Regulations 2015.

SPD 4D1 - The bidder must confirm they can meet the criteria of the Health and Safety Statements which are as follows;

#### **Policy Statement :**

4a The bidder must have a regularly reviewed and documented policy for Health and Safety (H&S) management, endorsed by the Chief Executive Officer, or equivalent. The policy must be relevant to the nature and scale of the work and set out responsibilities for

H&S management at all levels within the organisation. The policy must be relevant to the nature and scale of your operations and set out your

company's responsibilities of health and safety management and compliance with legislation.

Note - Organisations with fewer than five employees are not required by law to have a documented policy statement.

Recording of Accidents :

4h. Documented procedures for recording accidents/incidents and undertaking follow-up action. This will include records of accident rates/statistics and frequency for all RIDDOR reportable events for at least the last 3 years. It must demonstrate a system for reviewing significant incidents, and recording action taken as a result including action taken in response to enforcement.

Risk Assessments :

4j. Documented arrangements for carrying out risk assessments capable of supporting safe methods of work and reliable contract delivery where necessary. This must demonstrate that the bidder has in place and implements, procedures for carrying out risk assessments and for developing and implementing safe systems of work ("method statements"), and be able to provide relevant indicative examples. The identification and control of any significant occupational health issues must be prominent.

You must in addition supply a sample of 3 Risk Assessments for the following subject matter;

RA 1 - Child Excursions

RA 2 - Provision of Care

RA 3 - Child Supervision and Safety

### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

SPD 4B - The bidder confirms they already have or can commit to obtain, prior to the commencement of the

contract, the levels of insurance cover indicated below:

4B5.1 Employer's (Compulsory) Liability: 10M GBP

4B5.2 Other Insurance - Public Liability 5M GBP

### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

It is a minimum requirement of the tender that the Bidder holds the following qualifications. The bidder must be able to produce evidence of this upon request within 2 working days.

SPD 4C6 - Food Safety and Hygiene Certificate

Protection of Vulnerable Groups (Scotland) Act Declaration.

All Settings (Excluding Childminders)

Bidder to confirm that All support workers, practitioners and lead practitioners/managers working in the setting and included in the adult: child ratios have either obtained the benchmark qualification for

their role or, if they are still within their first 5 years of registering with the SSSC, have started to work

towards this.

or

Childminders Only - Bidder to confirm that From the implementation of the full roll-out of 1140 hours, childminders delivering the funded entitlement must have either obtained the benchmark qualification for ELC practitioners or, if they are still within their first 5 years of delivering the funded hours be working towards this.

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

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

See Attachment 4 and the Procured Service Arrangement Terms and Conditions Attachment 16 within the tender documents.



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

Notice number: [2023/S 000-025542](#)

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

Date

30 August 2024

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

30 August 2024

Local time

12:00pm

Place

Finance & Corporate Resources

South Lanarkshire Council

12th Floor, Council Offices

Almada Street, Hamilton ML3 0AA

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: PSA term will be just over 10 years, bidders can apply at any time to join the PSA. Evaluations will take place from the 1st of March and the 1st of September each year.

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

Electronic invoicing will be accepted

Electronic payment will be used

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

When requested by the council bidders must complete and submit the following declarations to evidence their compliance with the relevant questions in the Qualification and Technical envelopes.

Declarations and Certificates

SPD Question 2D.1 Prompt Payment Certificate

SPD Questions 3A.1 to 3A.8

Serious and Organised Crime Declaration

Serious and Organised Crime – Information Sharing Protocol with Police Scotland Form

SPD Question 3A.6 Modern Slavery Act Declaration

SPD Question 3D.3 Human Rights Act Declaration

SPD Question 3D.11 Non-Collusion Certificate

Declaration Section Form of Tender

SPD Question 4B.5.1 Insurance Certificates

SPD Question 4C.6

Protection of Vulnerable Groups (Scotland) Act Declaration

Food Safety and Hygiene Certificate

SSSC registration numbers and Qualifications held

SPD Question 4D.1 Health and Safety Evidence of the statements

Failure to provide this information or in the event that the information provided does not support or evidence the statements made within the SPD will invalidate the bid.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22253. 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:

The award of a funded placement is dictated by parental choice therefore no work is guaranteed.

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

Due to the PSA not providing a guarantee of work, community benefits are not being made mandatory within the tender. Community Benefits have been encouraged and bidders have been asked to commit to one of the community examples in Attachment 7 of the Tender Documents. Any Community benefits offered will form part of their contractual obligation and be subject to performance monitoring.

(SC Ref:759439)

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

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

Hamilton Sheriff Court

Sheriff Court House, 4 Beckford Street,

Hamilton

ML3 0BT

Email

[hamiltoncivl@scotcourts.gov.uk](mailto:hamiltoncivl@scotcourts.gov.uk)

Telephone

+44 1698282957

Country

United Kingdom

Internet address

[www.scotscourts.gov.uk](http://www.scotscourts.gov.uk)

### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

In Scotland, the alternative review body is:

Court of Session

Parliament House

Parliament Square

Edinburgh

EH1 1RQ