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Tender

Mental Welfare Commission - Case Management System

Mental Welfare Commission

F02: Contract notice

Notice identifier: 2023/S 000-007139

Procurement identifier (OCID): ocds-h6vhtk-02e718

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Section I: Contracting authority

I.1) Name and addresses

Mental Welfare Commission

Thistle House, 91 Haymarket Terrace

Edinburgh

EH12 5HE

Contact

Paul McKinney

Email

paul.mckinney@nhs.scot

Country

United Kingdom

NUTS code

UKM75 - Edinburgh, City of

Internet address(es)

Main address

<http://www.mwcscot.org.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00333

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>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Health

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Mental Welfare Commission - Case Management System

II.1.2) Main CPV code

- 72000000 - IT services: consulting, software development, Internet and support

II.1.3) Type of contract

Services

II.1.4) Short description

A case management system is sought to replace MWC's core IT system, which, is complex system that enables management of forms, checks, alerts and automation of sequences of tasks to accomplish business processes that safeguard that we are able to monitor the use of mental health and incapacity legislation in Scotland, to ensure is being applied appropriately and lawfully. A high level of configurability to enable us to manage changes to legislative forms and processes and that enables direct and ad-hoc reporting is sought. MWC receive forms and documentation that is scanned and information captured directly into the system.

The system must allow the appropriate logic to manage each different form type, identify if it relates to an existing service user, if the form is a valid successor to a previous form, if the form is starting, extending or closing an episode, and be able to manage complex rules to test the legality of the information. Forms must be received in a specific sequence and within a timescale outlined in the various acts. The solution must enable alerts and messages for end users to be configured to indicate non-compliance with the legislation. Some forms may be digitised as part of the delivery of a new system, whilst other need to remain in pdf format. A Service User or Individual can be detained under several acts, which means there is a need for the system to manage concurrent episodes under different acts. The system should also be capable of managing and automating many business processes and tasks including email and document management, handling and recording of contacts made to and by the Commission, automation of the process for second opinion visits, investigations and various types of visits. The system should be capable of document storage and management of documentation relating to cases, visits, investigations. The supplier must be able to migrate all data including legacy data from our core IT system. Please refer to the SPD Instructions for Bidders document for a description of how to complete the SPD.

II.1.5) Estimated total value

Value excluding VAT: £4,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Edinburgh

II.2.4) Description of the procurement

The Mental Welfare Commission (MWC) is an independent statutory body funded by Scottish Government and charged with protecting and promoting the human rights of people with mental illness, learning disabilities, dementia, and related conditions in Scotland. Its key role is to protect the welfare of people who are vulnerable through mental disorder and one of the ways we do this is to monitor the use of the Mental Health legislation. MWC receive all notifications of detentions and other associated orders for the MHA and all welfare guardianship applications – over 40,000 notifications or forms per year.

The Commission's powers and statutory duties are outlined in the following legislation:

the Mental Health (Care and Treatment) (Scotland) Act 2003

the Adults with Incapacity (Scotland) Act 2000

the Criminal Procedures (Scotland) Act 1995

We carry out our statutory duties by focussing on five key areas of work:

Influencing and empowering

Visiting individuals

Monitoring the law

Investigation and casework

Information and advice

When someone is detained, they can be deprived of their liberty and treated without their consent. This care and treatment must be regulated carefully through legislation. As part of its monitoring of how the law is being used throughout Scotland the Commission receives over 40,000 notifications, forms, and associated paperwork each year for any of the following

Detentions and other associated orders for the MHA and CPSA,

All welfare guardianship and intervention order applications,

Treatment and compulsion orders under these acts

Due to the diversity of the work carried out by the Commission, there is a wide range of stakeholders who contribute to the completion or processing of the forms e.g.

Health boards (medical records)

Health and social care partnerships, specifically social work departments

Mental Health Tribunal for Scotland (MHTS)

Courts

Solicitors

Office of the Public Guardian

the Service User (we do not use the term “patient” as not everyone who uses the services of the Commission is a patient)

The new system should enable:

1.Support of all business processes which support the monitoring of the application of:

The Mental Health (Care and Treatment) (Scotland) Act 2003 (MHA 2003)

The Adults with Incapacity (Scotland) Act 2000 (AWIA 2000)

The Criminal Procedures (Scotland) Act 1995

2.Processing forms and episodes for all mental health and incapacity legislation

Opportunities for automation will be considered on a form-by-form basis, as long as it does not adversely impact project budget or timescales

3.Future business process re-engineering e.g.

Automation, where possible, of the handling and recording of contact made to and by the Commission e.g. email, Royal Mail, phone calls, visits, Advice Line.

Automation, where possible, of the process for managing Designated Medical Practitioners (DMPs). Includes:

Directory maintenance

Availability monitoring

Managing appointments

Payment of fees

Where possible:

Process automation for managing visits; and,

Process automation for managing investigation

4.Management of processes, tasks & resource allocation

For an individual

For a group of individuals

For the organisation

5.Management Information reporting

Regular & ad-hoc reports

On screen and physical reports for MWC staff, managers and Executive Leadership Team.

Reports for external publication on the MWC website

6.Document storage & management of documentation relating to cases, visits, investigations stored On IMP database and In folders on the shared FS1 drive

7.A comprehensive case management solution

8. Migration of data from core IT system to the [New System], includes legacy data from v5, as well as v6 & v7 form data and any forms implemented subsequent to this requirements report

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £4,000,000

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

Duration in months

72

This contract is subject to renewal

Yes

Description of renewals

2 x 24 month extension periods. 4million GBP represents an estimated contract spend over the first 6 years of the term.

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 3

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

II.2.12) Information about electronic catalogues

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

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

Economic operators may be excluded from this competition if they are in any of the situations referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015

Section III. Legal, economic, financial and technical information

III.1) Conditions for participation

III.1.2) Economic and financial standing

List and brief description of selection criteria

ESPD Part.4B: Bidders are required to provide statement of accounts or extracts relating to their business for the previous 3 years.

Where any are risks identified by the Authority as part of the due diligence carried out on the above information the Authority may require

bidders to provide additional information to demonstrate financial standing. Additional information can include but not be limited to:

- parent company accounts (if applicable)
- deeds of guarantee
- bankers statements and references
- accountants' references
- management accounts

- financial projections, including cash flow forecasts
- details and evidence of previous contracts, including contract values
- capital availability.

Bidders who cannot provide suitable evidence of a secure financial standing may be excluded from the procurement.

Q.4B.5.1 and Q.4B.5.2: It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any

subsequently awarded contract, the types and levels of insurance indicated below:

Employers liability insurance: 5 000 000 GBP;

Public liability insurance: 10 000 000 GBP;

Professional indemnity insurance: 5 000 000 GBP.

III.1.3) Technical and professional ability

List and brief description of selection criteria

Please reference the SPD Instructions to Bidders document which is located within the attachments area of PCS-T for this project. This document provides details of the scored questions and their respective weightings.

III.2) Conditions related to the contract

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

Competitive procedure with negotiation

IV.1.4) Information about reduction of the number of solutions or tenders during

negotiation or dialogue

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

IV.1.5) Information about negotiation

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

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: [2021/S 000-024490](#)

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

Date

11 April 2023

Local time

12:00pm

IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates

26 May 2023

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

Tender must be valid until: 1 July 2024

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

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

The award criteria questions and weightings will be published in the ITT.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 23738.
For more information see:

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

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:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

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

The Public Sector in Scotland is committed to the delivery of high quality public services, and recognises that this is critically dependent on

a workforce that is well-rewarded, well-motivated, well-led, has access to appropriate opportunities for training and skills development,

diverse and engaged in decision making. These factors are also important for workforce recruitment and retention, and thus continuity of

service.

Public Bodies in Scotland are adopting fair work practices, which include:

- a fair and equal pay policy that includes a commitment to supporting the living wage, including, for example being a living wage

accredited employer;

- clear managerial responsibility to nurture talent and help individuals fulfil their potential, including for example, a strong commitment

to modern apprenticeships and the development of Scotland's young workforce;

- promoting equality of opportunity and developing a workforce which reflects the population of Scotland in terms of characteristics such

as age, gender, religion or belief, race, sexual orientation and disability;

- support for learning and development;

- stability of employment and hours of work, and avoiding exploitative employment practices, including for example no inappropriate use

of zero-hours contracts;

- flexible working (including for example practices such as flexi-time and career breaks) and support for family friendly working and

wider work life balance;

- support progressive workforce engagement, for example Trade Union recognition and representation where possible, otherwise

alternative arrangements to give staff an effective voice.

In order to ensure the highest standards of service quality in this contract we expect contractors to take a similarly positive approach to fair work practices as part of a fair and equitable employment and reward package.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 23738. 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:

Your proposal must address the following Community Benefit themes:

- Modern Apprenticeships, and address minimum requirements as outlined in para 19.7 of Schedule 1
- Work with schools, colleges offering educational support for those who are young / out of work.
- how you will encourage the participation of SMEs via sub-contracting opportunities.

You must detail any specific actions, deliverables and resources to be utilised, along with accompanying timescales for delivery and a description of who will benefit from the proposal. Your response should include but not be limited to:

- How you will arrange the support
- Where this will take place
- Who will benefit from the support
- How many hours per month you will offer
- The services you will offer

(SC Ref:725550)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

edinburgh@scotcourts.gov.uk

Fax

+44 1312252525

Country

United Kingdom