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Tender

## **Social Care Agency Workers Flexible Framework Agreement**

Scotland Excel

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2022/S 000-014192

Procurement identifier (OCID): ocds-h6vhtk-02f2b4

Published 24 May 2022, 10:58am

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **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**

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**

General public services

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## Section II: Object

### II.1) Scope of the procurement

#### II.1.1) Title

Social Care Agency Workers Flexible Framework Agreement

Reference number

1721

#### 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 'National Flexible Framework Agreement' in accordance with Regulations 74-76 of the Public Contracts (Scotland) Regulations 2015 (further referred to as 'the Flexible Framework Agreement (FFA)') for the provision of trained and vetted Social Care Agency Workers in a variety of social care settings.

Scotland Excel as a central purchasing body, may procure this FFA on behalf of the following contracting authorities: the 32 Councils in Scotland and Associate Members are listed at: <https://home.scotland-excel.org.uk/about-us/our-members/>.

The FFA allows for New Entrants to be admitted, as Suppliers, after it has been established. Following award, successful Suppliers will also be able to add new services and locations to their service offering in accordance with the terms of the FFA.

The value provided in II.1.5 is an ESTIMATE only.

#### TENDER INFORMATION SESSIONS

Scotland Excel is running Tenderer Information Sessions on the following dates - Tuesday 7 June 2022 @ 2pm-3.30pm and Thursday 9 June 2022 @ 10am-11.30am. Please contact [adultsocialcare@scotland-excel.org.uk](mailto:adultsocialcare@scotland-excel.org.uk) if you would like to attend either session.

#### II.1.5) Estimated total value

Value excluding VAT: £80,000,000

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

## **II.2) Description**

### **II.2.1) Title**

Professional Roles

Lot No

2

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

- 85310000 - Social work services
- 85311100 - Welfare services for the elderly
- 85311200 - Welfare services for disabled people
- 85311300 - Welfare services for children and young people
- 85311000 - Social work services with accommodation
- 85312000 - Social work services without accommodation
- 85312100 - Daycare services
- 85312110 - Child daycare services
- 85312120 - Daycare services for disabled children and young people
- 85312400 - Welfare services not delivered through residential institutions
- 85312500 - Rehabilitation services
- 85312510 - Vocational rehabilitation services
- 85320000 - Social services
- 85323000 - Community health services

- 79620000 - Supply services of personnel including temporary staff
- 79622000 - Supply services of domestic help personnel

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

NUTS codes

- UKM - Scotland

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

Flexible Framework Agreement (FFA) for the provision of trained and vetted Agency Workers in a variety of social care settings. Lot 2 includes Social Workers, Occupational Therapists, Social Work Managers and Social Work Assistants.

For full description of the above roles, please refer to Schedule 2a – Description of Core Roles.

The anticipated value is estimated and may be subject to change. Tenderers should note that there is no guarantee of any business, use, level of use or continuity of business through the FFA.

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

Value excluding VAT: £10,000,000

### **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**

Please note, the duration shown at section II.2.7 includes two up to twelve (12) month extensions.

## **II.2) Description**

### **II.2.1) Title**

Ancillary Roles

Lot No

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

- 85310000 - Social work services
- 85311000 - Social work services with accommodation
- 85311100 - Welfare services for the elderly
- 85311200 - Welfare services for disabled people
- 85311300 - Welfare services for children and young people
- 85312000 - Social work services without accommodation
- 85312100 - Daycare services
- 85312110 - Child daycare services
- 85312120 - Daycare services for disabled children and young people
- 85312400 - Welfare services not delivered through residential institutions
- 85312500 - Rehabilitation services
- 85312510 - Vocational rehabilitation services
- 85320000 - Social services
- 85323000 - Community health services
- 79620000 - Supply services of personnel including temporary staff
- 79622000 - Supply services of domestic help personnel

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

NUTS codes

- UKM - Scotland

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

Flexible Framework Agreement (FFA) for the provision of trained and vetted Agency Workers in a variety of social care settings. Lot 3 includes Domestic Assistants, Cooks, Assistant Cooks, Handypersons and Bus Escorts.

For full description of the above roles, please refer to Schedule 2a – Description of Core Roles.

The anticipated value is estimated and may be subject to change. Tenderers should note that there is no guarantee of any business, use, level of use or continuity of business through the FFA.

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

Value excluding VAT: £2,000,000

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

Duration in months

48

### **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**

Please note, the duration shown at section II.2.7 includes two up to twelve (12) month extensions.

## **II.2) Description**

### **II.2.1) Title**

Care Roles

Lot No

1

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

- 85311000 - Social work services with accommodation
- 85310000 - Social work services
- 85311100 - Welfare services for the elderly
- 85311200 - Welfare services for disabled people
- 85311300 - Welfare services for children and young people
- 85312000 - Social work services without accommodation

- 85312100 - Daycare services
- 85312110 - Child daycare services
- 85312400 - Welfare services not delivered through residential institutions
- 85312500 - Rehabilitation services
- 85312510 - Vocational rehabilitation services
- 85320000 - Social services
- 85323000 - Community health services
- 79620000 - Supply services of personnel including temporary staff

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

NUTS codes

- UKM - Scotland

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

Flexible Framework Agreement (FFA) for the provision of trained and vetted Agency Workers in a variety of social care settings. Lot 1 includes Care Assistants, Support Workers, Housing Assistants and Senior Carers.

For full description of the above roles, please refer to Schedule 2a – Description of Core Roles.

The anticipated value is estimated and may be subject to change. Tenderers should note that there is no guarantee of any business, use, level of use or continuity of business through the FFA.

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

Value excluding VAT: £68,000,000

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

Duration in months

48

### **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**

Please note, the duration shown at section II.2.7 includes two up to twelve (12) month extensions.

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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

Economic operators may be excluded from this process if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015, the Invitation to Tender contained on PCS-T and is relevant to this procurement and the other procurement documents for further information.

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

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

For full details of the contract conditions, please see the applicable procurement documents available in the attachment area of itt\_43114 (project\_20624) on the Public Contracts Scotland-Tender (PCS-T) website:

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

Scotland Excel will require the members of any tendering group of entities (including, but not limited to, consortium members of a group of economic operators and / or sub-contractors) to be jointly and severally liable for the performance of the contract (no matter the legal form taken by those entities in order to enter into the contract).

Consortium information may be disclosed in accordance with the Regulations.

Tenderers should note that there is no guarantee of any business, use, level of use or continuity of business through the FFA.

## **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

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

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

Notice number: [2021/S 000-027462](#)

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

Date

30 June 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 ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

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

#### **CONDITIONS FOR PARTICIPATION**

The scope of services to be provided under this FFA is relative to the provision of a social and other specific service as defined in Schedule 3 of the Public Contracts (Scotland) Regulations 2015 ("the Regulations") and in accordance with Regulations 74-76. Any application of or reference to other Regulations unless clearly identified is not to be implied and should not be construed as applying any of the other Regulations to the procurement exercise or resulting FFA, or bringing any of them into force.

Accordingly, it is Scotland Excel and the Purchasers intention that, after the establishment of this arrangement, New Entrants may be permitted to apply to be included within this arrangement as being available to provide the Service within certain Lots and Regional Sub-Lots as required to ensure sufficient service coverage across all geographical Regions in Scotland. New Entrants will be permitted to apply to be included within this arrangement at a frequency determined by the requirements of the Purchasing Authorities.

By virtue of Regulation 76(3) of the Regulations, Tenderers in any of the situations listed in Regulation 58 of the Regulations may be excluded.

#### **FINANCIAL STABILITY**

Scotland Excel will conduct a financial analysis on Tenderers from a credit referencing agency. The Tenderer is to confirm that a search will not return a "Warning" or "caution" returnable code or any neutral code or can provide documents to prove that the tender does/would not represent an unmanageable risk should it be appointed onto the proposed FFA. Tenderers who are unable to demonstrate satisfactory financial stability will be excluded.

#### **MINIMUM INSURANCE REQUIREMENTS**

- i) Public/Products Liability – To a minimum limit of 5,000,000GBP for each individual claim. Where activities such as first aid, administration of prescribed drugs or medicines and administration of drugs or medicines available without prescription will be carried out, evidence of extension of said public liability for treatment risk and/ or administration of medicines;
- ii) Employers' Liability – To a minimum limit of indemnity of 10,000,000GBP for each individual claim. Where the Supplier is exempt from this requirement, e.g., as a 'sole trader', then this must be confirmed by the Supplier;
- iii) Professional Indemnity – To a minimum limit of indemnity of 1,000,000GBP for each individual claim and in the aggregate to cover all risks in the performance of this FFA from time to time;
- iv) Statutory Third-Party Motor Vehicle Liability – To a minimum indemnity limit of 5,000,000GBP for property damage and unlimited for third party injury or ongoing arrangements in place to ensure that Agency Workers using their private vehicles are appropriately insured for business purposes.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 20624. 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:

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 part of your response within the Technical Envelope, bidders will be requested to commit to delivery of community benefits in accordance with the methodology outlined in the tender documents.

(SC Ref:680805)

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

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

Court of Session

Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulation 2015 (SSI 2015/446) (as amended) may bring proceedings in the Sheriff Court or the Court of Session.