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Tender

## **NHSScotland CDM / Construction and Property Health and Safety Advisor Framework**

NSS Health Facilities Scotland

F02: Contract notice

Notice identifier: 2022/S 000-014836

Procurement identifier (OCID): ocds-h6vhtk-03409a

Published 27 May 2022, 8:40am

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

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

NSS Health Facilities Scotland

Gyle Square, 1 South Gyle Crescent

Edinburgh

EH12 9EB

#### **Email**

[nss.hfsframeworkscotland@nhs.scot](mailto:nss.hfsframeworkscotland@nhs.scot)

#### **Telephone**

+44 1312756511

#### **Country**

United Kingdom

#### **NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.hfs.scot.nhs.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10442](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10442)

**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/web/login.html>

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/web/login.html>

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

Health

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## **Section II: Object**

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

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

NHSScotland CDM / Construction and Property Health and Safety Advisor Framework

Reference number

NHSSA / HFS CDM /C&PH&S Advisor 2022

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

- 71000000 - Architectural, construction, engineering and inspection services

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

Services

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

This Framework will provide CDM / Construction and Property Health and Safety Advisor services to NHSScotland on a call-off basis. The role of the CDM / Construction and Property Health and Safety Advisor is varied and may include inputs to health and social care projects to be delivered via a variety of procurement routes. It will be a key requirement of this Framework to provide CDM / Construction and Property Health and Safety Advisor services for construction projects procured under the NEC4 suite of contracts, ensuring that the Framework Customers are supported and advised in their duties under CDM 2015 Regulations together with providing other Construction and Property Health and Safety advice that may be required.

The authority is not able to guarantee the volume, type or value of any work called off under the framework however the current estimate of the total potential value over the term of the framework is noted below.

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

Value excluding VAT: £400,000

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

This contract is divided into lots: No

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

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

- 71000000 - Architectural, construction, engineering and inspection services
- 71200000 - Architectural and related services
- 71310000 - Consultative engineering and construction services
- 71500000 - Construction-related services
- 71530000 - Construction consultancy services
- 71248000 - Supervision of project and documentation
- 79420000 - Management-related services
- 45000000 - Construction work
- 71317200 - Health and safety services
- 71317210 - Health and safety consultancy services

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Across Scotland

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

As per the procurement documents

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

Price is not the only award criterion and all criteria are stated only in the procurement documents

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

Value excluding VAT: £400,000

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

Duration in months

48

This contract is subject to renewal

No

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

Envisaged number of candidates: 5

Objective criteria for choosing the limited number of candidates:

SPD Technical Envelope Section on Technical and Professional Ability - Questions 4C.1.2, 4C.8.1 and 4C 8.2 must be answered.

The scoring and evaluation mechanism is further described in the Scoring Questions Evaluation Guidance document which is attached to the SPD. It is the intention of the Authority that those bidders who achieve the five (5) highest scores will be invited to submit a tender unless two or more bidders score the same fifth (5th) highest score in which case all such bidders will be invited to tender.

### **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**

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.

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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

Bidders must confirm if they hold memberships / accreditation of professional bodies. Minimum requirements for H&S Professional Qualifications are valid membership of the Association of Project Safety (APS) at Incorporated Member (IMAPS) category, or equivalent.

Certified Membership status (CMAPS) level category of APS, or equivalent, will be considered as an enhanced qualification as part of the SPD response evaluation.

Equivalence to these qualifications is acceptable provided that the relevant qualification criteria as specified in the Statement of Requirement are evidenced.

Checks on qualifications will be carried out as part of the evaluation process.

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

List and brief description of selection criteria

This section refers to Section B of Part IV of the SPD (Scotland) ("SPD Scotland") and covers questions 4B.2 – 4B.6.1 of the SPD (Scotland) and responses will be assessed on a pass/fail basis:

4B1.2 Bidders will be required to have an average yearly turnover of a minimum of 200,000 GBP for the last 3 years based on submitted accounts for this period.

As part of the moderation process NSS will assess information provided by bidders related to reduced turnover linked to the pandemic.

4B2.2 Bidders will be required to have an average yearly turnover of a minimum of 200,000 GBP for the last 3 years based on submitted accounts for this period.

As part of the moderation process NSS will assess information provided by bidders related to reduced turnover linked to the pandemic.

4B.3 Where turnover information is not available for the time period requested, the bidder will be required to state the date on which they

were set up or started trading.

4B.4 Bidders will be required to state the value(s) for the financial ratio(s) from their last three years accounts and will be evaluated as set down in the CDM / Construction and Property Health and Safety Advisor Framework Economic/Financial Standing Evaluation guidance attached to this SPD Question.

4B.6 - Qualitative Moderation - As a requirement for the financial economic and financial standing evaluation, each potential supplier must complete Question 4B.6 of the SPD setting out the information as indicated in the instructional attachment to this question.

If the combined weighted score for the ratios in 4B.4 achieved is below 3, the score may be subject to qualitative moderation based on the information provided by the potential supplier in response to 4B.6 and NSS's review of verified information relating to the potential supplier which is publicly available over the year up to the date of the SPD submission. Such moderation may, subject to the following, result in the scores awarded being amended upwards.

If following the above moderation exercise it is considered appropriate by NSS that a potential supplier should be invited to proceed to the Tender stage of this procurement exercise because in light of the further information considered by NSS, that potential supplier is considered, overall, to have evidenced adequate financial standing, then NSS may make that selection conditional upon the potential

supplier providing appropriate performance and financial guarantees from relevant parent company(ies).

NSS therefore reserves the right to require the provision to it of appropriate parent company financial data, and to assess risk as part of the qualitative moderation exercise on the basis of that parent company financial data (which will be assessed on the basis of the tests set out in section 3 above) is acceptable, and that a Parent Company Guarantee, in the form stipulated by NSS, would be entered into by an approved parent company or other guarantor acceptable to NSS.

Potential suppliers must confirm that appropriate parent company information will be made available if sought, and that a Parent Company Guarantee in the form stipulated by NSS will be entered into as a condition of participation in the framework.

Credit Scoring - NSS will credit check all potential suppliers and will use Creditsafe for these checks.

Creditsafe ratings are as follows:

- 71-100 Very Low Risk

- 51-70 Low Risk
- 30-50 Moderate Risk
- 21-29 High Risk
- 1-20 Very High Risk

Potential Suppliers with scores within the Very High Risk and High Risk categories as defined above will not be permitted to proceed to Tender Stage unless information provided through the response to SPD Question 4B.6 is further assessed through the prescribed moderation process and NSS make a decision to invite the potential supplier to proceed to Tender stage.

Please download and read the scoring guidance document for further information.

Minimum level(s) of standards possibly required

It is a requirement of this Framework that bidders hold, or can commit to obtaining prior to award of the Framework the forms and levels of insurance indicated below:

4B.5.1 Employer's Liability Insurance of not less than the sum of 10 million GBP in respect of each and every claim or series of claims

arising from the same original cause or event;

4B.5.2 Public Liability Insurance of not less than the sum of 5 million GBP in respect of each and every claim or series of claims arising from the same original cause or event;

Professional Indemnity Insurance of not less than the sum of 2 million GBP in respect of each and every claim or series of claims arising from the same original cause or event and 5 million GBP for appointments related to projects with a value over 20 million GBP.

Refer to the SOR for full details.

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

Selection criteria as stated in the procurement documents

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

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

Conditions relating to Contract Performance are included within the Statement of

Requirement.

## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Restricted procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 3

#### **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

29 June 2022

Local time

12:00pm

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

28 July 2022

#### **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)

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: No

### VI.3) Additional information

Please refer to the Statement of Requirement for further details together with the SPD (Scotland) Questionnaire. This Framework is a

procurement method for publicly funded Health and Social Care Projects. Under this procurement all economic operators will be required to support the Authority's economic and social regeneration activities. The CDM / Construction and Property Health and Safety Advisor Framework is intended to provide accessible independent consultancy support to NHSScotland organisations on a call-off basis.

The Estimated Contract Notice Value is an approximate amount for the framework and is not a guaranteed value which will be achieved

through this framework.

Legal form to be taken by the grouping of suppliers, contractors or service providers to whom the contract is to be awarded:

Contracts will be entered into with the economic operator only. Whilst a "partnership" or consortium model may, in practice, be adopted by

the economic operator from a contractual perspective the economic operator will be required to assume the role of a "prime contractor" in respect of any subcontractors and will be required to assume liability and responsibility for the acts and omissions of any subcontractors utilised by them to deliver services under the framework.

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:

As indicated in the Statement of Requirement

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 21414.

For more information see:

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

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 21414.

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:

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:

As indicated in the Statement of Requirement

(SC Ref:689985)

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

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

Edinburgh Sheriff Court

27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

Internet address

<http://www.frameworks-scotland2.scot.nhs.uk/>