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Tender

## **Provision of Forensic Toxicology Casework Analysis**

Scottish Police Authority

F02: Contract notice

Notice identifier: 2022/S 000-017184

Procurement identifier (OCID): ocds-h6vhtk-0349c5

Published 23 June 2022, 12:35pm

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

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

Scottish Police Authority

1 Pacific Quay, 2nd Floor

Glasgow

G51 1DZ

#### **Contact**

Sharon Barr

#### **Email**

[sharon.barr@scotland.police.uk](mailto:sharon.barr@scotland.police.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM82 - Glasgow City

**Internet address(es)**

Main address

<http://www.spa.police.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA19762](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA19762)

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/esop/pts-host/public/pts/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/esop/pts-host/public/pts/web/login.html>

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

Body governed by public law

**I.5) Main activity**

Public order and safety

## **Section II: Object**

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

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

Provision of Forensic Toxicology Casework Analysis

Reference number

PROC-22-1695

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

- 71900000 - Laboratory services

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

Services

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

Provision of Forensic Toxicology casework analysis specifically in relation to samples submitted under Section 4 and Section 5A of the Road Traffic Act 1988.

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

Value excluding VAT: £10,000,000

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

This contract is divided into lots: No

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

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

- 71900000 - Laboratory services

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

NUTS codes

- UK - United Kingdom

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

The Scottish Police Authority has a requirement to put in place a Framework Agreement for the provision of Forensic Toxicology casework analysis specifically in relation to samples submitted under Section 4 and Section 5A of the Road Traffic Act 1988.

The Service Provider shall carry out analysis of samples and report results in accordance with the requirements of the Scottish Police Authority and the Crown Office and Procurator Fiscal Service (COPFS). The most effective examination and analytical processes shall be used at all times.

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

Quality criterion - Name: Quality / Weighting: 60

Price - Weighting: 40

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

Value excluding VAT: £10,000,000

#### **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.2.10) 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

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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 Question 4A.1 Trade Registers

It is a requirement of this tender that if the Tenderer is UK based they must hold a valid registration with Companies House. Where the

Tenderer is UK based but not registered at Companies House they must be able to verify to the SPA satisfaction that they are trading from

the address provided in the tender and under the company name given.

Tenderers within the UK must confirm if they are registered under Companies House within this question.

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##### SPD Question 4A.2 Authorisation/Membership

Where it is required, within a Tenderer's country of establishment they must confirm which authorisation or memberships of the relevant

organisation(s) are required in order to perform this service.

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

List and brief description of selection criteria

It is a requirement that Tenderers hold, or can commit to obtain prior to commencement of the Framework Agreement the levels of insurance cover indicated below:

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##### SPD Question 4B5 Insurances

Employers (Compulsory) Liability Insurance = 10 million GBP in respect of each claim without limit to the number of claims. Tenderers may be required to provide their current Employers Liability Insurance certificate which should include name of the insurers, policy

numbers, expiry date and limits for any one incident and annual aggregate caps and the excesses under the policies.

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Public Liability Insurance = 10 million GBP in respect of each claim without limit to the number of claims. Tenderers may be required to provide a copy of their current Public Liability Insurance certificate.

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Product Liability Insurance = 5 million GBP in respect of each claim and in the aggregate. Tenderers may be required to provide a copy of their current Professional Indemnity Insurance certificate.

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Professional Indemnity Insurance = 5 million GBP in respect of each claim and in the aggregate. Tenderers may be required to provide a copy of their current Professional Indemnity Insurance certificate.

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Documentation requested for the above insurances should include name of insurers, policy numbers, expiry date and limits of any one incident and annual aggregate caps and the excesses under the policies.

Minimum level(s) of standards possibly required

SPD Question 4B6 Financial Standing:

The Authority will access a Credit safe report for a Tenderers organisation and use the information contained within to assist with the assessment of the Tenderer's economic and financial standing. Tenders are asked to provide their company number within the SPD to allow the Authority to access a Credit Safe Report.

Within such reports, the risk of business failure is expressed as a score of 30 or below (high risk of business failure). In the event that a company is determined to have a risk failure rating of 30 and below i.e. that the company is considered to have a high risk of business failure, the submission will not be considered further.

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If you are successful in gaining a position on the Framework Agreement and your risk

failure rating falls below 30 then the SPA reserve the right to remove you from the Framework Agreement. It is the Contractor's responsibility to ensure that the information held by Credit Safe is accurate and up to date.

For the avoidance of doubt, the SPA will request a report from Credit Safe following the closing date for the receipt of the Tenders to ensure that the most up to date information is used. Where you are not registered on credit safe e.g. charitable organisations or new start companies/ Sole Traders with less than 3 years trading history, discretionary powers are available to the Director of Finance to consider

abbreviated accounts along with bankers references etc.

Tenderers should be aware that any outstanding County Court Judgements will have a detrimental effect on the rating held by Credit Safe and it is your responsibility to ensure that the information held by Credit Safe is accurate and up to date - failure to do so may result in rejection of your submission.

**IMPORTANT NOTE:** This requirement is not applicable to Sole Traders/ Charities. Sole Traders/ Charities may be required to provide a bankers reference if successful.

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

List and brief description of selection criteria

#### **SPD Question 4C.1.2 Technical and Professional Ability**

With reference to the nature and details of the services that are the subject matter of this tender, relevant examples are to be provided of the services undertaken by the Tenderer in the last 3 years.

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It is a mandatory requirement of this tender that bidders can demonstrate that they have experience in the analysis and reporting of blood/urine samples relating to The Road Traffic Act, 1988 (Section 4 and section 5A). Include details of the relevant court attendance experience of the scientists you intend to use to undertake the Authority's casework.

A minimum of 2 and a maximum of 3 relevant examples of services carried out during the last three years must be provided.

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#### **SPD Question 4C.6 Educational and Professional Qualifications**

It is a mandatory requirement that Scientific staff signing court reports must hold an honours degree (minimum 2:2) in a relevant scientific subject as well as minimum 2 years relevant experience.

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Those staff will also be required to be authorised by government ministers to act as signatory to court reports within the relevant legislation and to allow them to present evidence as an expert witness in court. Therefore, all scientists assigned to Scottish Police Authority casework will require to be authorised before work can commence. If not already held, that authorisation can be requested via the Authority after the award of Framework.

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Minimum level(s) of standards possibly required

SPD Question 4D.1 Quality Assurance

The following are mandatory requirements:

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BS EN ISO/IEC 17025:2017

Contractor/Sub-contractor must possess BS EN ISO/IEC 17025:2017 accreditation issued by UKAS and the following services must be covered within the scope of the accreditation:

-Section 5A (as detailed within Appendix A of the ITT)

Anything listed in Appendix A which is not covered within the scope of the accreditation must operate under the same management system policies and procedures as the accredited services.

Lab accreditation number to be provided by tenderer.

SPA Forensic Services may require to carry out a supplier audit prior to go live of outsourcing service.

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LAB51

Tenderers must provide evidence to support compliance with the requirements of the UKAS publication LAB 51 or evidence that they are working towards achieving it e.g. evidence of application for extension to scope.

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#### ISO/IEC 27001

The contractor and/or subcontractors must be certified to ISO/IEC 27001 (or equivalent) or have equivalent arrangements in place against the 14 control areas listed below:

- 1) Information Security Policies
- 2) Organization of Information Security
- 3) Human Resource Security
- 4) Asset Management
- 5) Access Control
- 6) Cryptography
- 7) Physical and environmental security.
- 8) Operation Security-
- 9) Communication security - Network security management and Information transfer.
- 10) System acquisition, development and maintenance
- 11) Supplier relationships
- 12) Information security incident management
- 13) Information security aspects of business continuity management
- 14) Compliance

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#### Cyber Essentials or Cyber Essentials plus

The contractor and/or subcontractors are to be certified to Cyber Essentials or Cyber

Essentials plus or have equivalent arrangements in place as below:

1) Evidence of a robust cyber security strategy

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

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

Key Performance Indicators are detailed within the Invitation to Tender

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## **Section IV. Procedure**

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

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

Open 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

#### **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

25 July 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

25 July 2022

Local time

12:00pm

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### **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**

Vetting

The tenderer's representative with overall responsibility for undertaking the works and the personnel assigned to the supply of the services shall be vetted to Non Police Personnel Vetting Standards (NPPV) Level 1. It would be beneficial if tenderer's put forward a team that hold or have recently held NPPVLevel 1.

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Assessment of Employment Status

Tenderers may be asked to declare whether they intend to provide services through a Personal Service Company (PSC). From April 2017,

the responsibility to pay employment taxes shifts from the PSC to public sector bodies and the Authority must be aware of any successful

tenderer's detailed employment status.

For further information on determining employment status the Government has published guidance on this IR35 Legislation

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### Living Wage

Tenderers will be asked to confirm if they pay all employees as a minimum the Real Living Wage as published by the Living Wage Foundation for statistical information gathering purposes only.

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### Equality and Diversity

Tenderers will be required to comply with the statutory obligations under the Equality Act 2010.

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### Declaration of Non-Involvement in Serious Organised Crime

Tenderers must complete and sign a Declaration of Non-Involvement in Serious Organised Crime form.

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### Subcontractor Detail

Tenderers will be required to provide details of the subcontractors they intend to use in their supply chain. Tenderers are required to

complete this section as part of the SPD.

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### Data Protection

Tenderers must be aware of their obligations under the Data Protection Act 2018 and the

GDPR as set out in the Invitation to Tender.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 21646.

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:

Framework Agreement with no guaranteed level of spend with any suppliers appointed to the Framework.

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

Framework Agreement with no guaranteed level of spend with any suppliers appointed to the Framework.

As part of the Technical Criteria, Tenderers are required to provide an outline of any Community Benefits that can be offered.

(SC Ref:697686)

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

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

Glasgow Sheriff Court

Glasgow

Country

United Kingdom