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Tender

## **HIV Support and Prevention Services**

Kirklees Council

F02: Contract notice

Notice identifier: 2021/S 000-022247

Procurement identifier (OCID): ocds-h6vhtk-02bc3f

Published 8 September 2021, 11:58am

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

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

Kirklees Council

Riverbank Court

HUDDERSFIELD

HD59AA

#### **Contact**

Rebecca Gunn

#### **Email**

[Rebecca.gunn@kirklees.gov.uk](mailto:Rebecca.gunn@kirklees.gov.uk)

#### **Telephone**

+44 1484221000

#### **Country**

United Kingdom

**NUTS code**

UKE44 - Calderdale and Kirklees

**Internet address(es)**

Main address

<https://www.kirklees.gov.uk/beta/default.aspx>

**I.3) Communication**

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

<https://www.yortender.co.uk/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.yortender.co.uk/>

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

Regional or local authority

**I.5) Main activity**

General public services

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**Section II: Object**

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

**II.1.1) Title**

HIV Support and Prevention Services

Reference number

KMCPH-024

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

- 85000000 - Health and social work services

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

Services

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

Tenders are invited by the Council from Providers with relevant experience and ability to demonstrate sufficient capacity for the provision of HIV Support and Prevention Services (the "Services")

The work of the HIV Support and Prevention Service will complement other (HIV specific and generic) health and social care Services and enable people living with and affected by HIV in Kirklees to live independent lives and effectively manage their long term condition. It will also work to reduce HIV transmission and tackle HIV related stigma and prejudice.

The estimated value of the Services to be awarded is approximately four hundred and fifty thousand pounds (£450,000) over the initial three (3) years.

The anticipated commencement date for the Contract is 1st April 2022.

The anticipated expiry date for the Contract is 31st March 2025, with the option to extend for a further period of twenty four (24) months.

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

Value excluding VAT: £750,000

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

This contract is divided into lots: No

## **II.2) Description**

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

NUTS codes

- UKE44 - Calderdale and Kirklees

Main site or place of performance

Kirklees

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

The Council of the Borough of Kirklees (the "Council") is conducting this procurement process under the "Light Touch" regime of Regulations 74 to 77 of the Public Contract Regulations 2015 (SI 2015/102) (the "PCR 2015"). This procurement exercise will therefore be run in accordance with the PCR 2015 as they apply to "Light Touch" services.

Tenders are invited by the Council from Providers with relevant experience and ability to demonstrate sufficient capacity for the provision of HIV Support and Prevention Services (the "Services")

The anticipated commencement date for the Contract is 1st April 2022.

The anticipated expiry date for the Contract is 31st March 2025, with the option to extend for a further period of twenty four (24) months.

Invitations to Tender will be advertised and managed through the regional procurement portal, which is available at the address set out in Section I.1 of this Notice ([www.yortender.co.uk](http://www.yortender.co.uk)). Interested economic operators for the service must express their interest in this opportunity via YORtender, by downloading the documentation and submitting their full tender response by the deadline detailed at Section IV.2.2 of this notice. Bidders should submit both their completed Selection Questionnaires (SQ) and Supplier Submission Document (full Tender response) together by the deadline for initial tenders. Bidders should note that their Tender responses will only be evaluated substantively once suitability of the Bidders has been assessed in accordance with the selection criteria and minimum levels of suitability, as detailed in the SQ. Bidders who fail to satisfy the minimum requirements stipulated in the SQ will be eliminated from the process at this stage and their Tender response will not be subject to further evaluation.

The Service is likely to be subject to the implications of the Acquired Rights Directive EU2001/23/EC and the Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246) (as amended) ("TUPE"). However, it is a matter for the economic operators to determine for themselves whether or not TUPE applies, and it is strongly recommended by the Contracting Authority that economic operators seek their own independent professional advice (including any legal, financial or actuarial advice) in this respect in order to fully understand the potential consequences of TUPE before compiling and submitting their Tender. Some high level anonymised TUPE liability information is available from the Contracting Authority on receipt of a signed NDA, refer to the Information and Instructions Document.

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

Quality criterion - Name: Quality / Weighting: 80

Quality criterion - Name: Social Value / Weighting: 10

Price - Weighting: 10

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

Value excluding VAT: £750,000

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

Start date

1 April 2022

End date

31 March 2025

This contract is subject to renewal

Yes

Description of renewals

The anticipated expiry date for the Contract is 31st March 2025, with the option to extend for a further period of twenty four (24) months.

### **II.2.10) Information about variants**

Variants will be accepted: No

### **II.2.11) Information about options**

Options: 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

The minimum criteria for consideration of this contract is described in the Selection Questionnaire document, under the scoring and assessment section. Qualitative and financial criteria are outlined in the Invitation to Tender document, including minimum score thresholds for qualitative criteria. The Council reserves the right to exclude any Bidder whom they deem to not satisfy any criteria outlined within the Tender Documentation (available from the address at 1.3 above). Applicants will Pass/Fail on the basis of being financially viable. The rationale applied will be Applicants being able to demonstrate that the net worth quoted on the latest year of their balance sheet is positive.

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

Selection criteria as stated in the procurement documents

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

Selection criteria as stated in the procurement 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: [2021/S 000-013516](#)

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

Date

1 November 2021

Local time

1:00pm

#### **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

1 November 2021

Local time

2:00pm

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## **Section VI. Complementary information**

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

This is a recurrent procurement: No

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

Bidders should note that the Contract relates to services that fall under the "light touch" regime of Regulations

74 to 77 of the PCR 2015. This Procurement Exercise will therefore be run in accordance with the PCR 2015 as

they apply to "light touch" services.

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

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

High Court of England and Wales

London

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

In accordance with Regulation 86 (Notices of decisions to award a contract or conclude a framework), Regulation 87 (Standstill periods) and Chapter 6 (Applications to Court) of the Public Contracts Regulations 2015 (SI 2015/102), the contracting authority will incorporate a minimum ten (10) calendar day standstill period at the point that information on the award of the Contract is communicated to economic operators. This period allows any unsuccessful economic operator(s) to seek further debriefing from the contracting authority before the award of the Contract to the successful economic operators. Such additional information should be requested from the address at Sections I.1 and I.3 of this Notice above. If an appeal regarding the award of the Contract has not been successfully resolved, then the Public Contracts Regulations 2015 (SI 2015/102) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland). Any such action must be started within thirty (30) days beginning with the date when the aggrieved party first knew or sought to have grounds for starting the proceedings had arisen. The Court may extend the time limited for starting proceedings where the Court considers that there is a good reason for doing so, but not so as to permit proceedings to be started more than three (3) months after that date. Where the Contract has not been awarded, the Court may order the setting aside of the award decision or order the contracting authority to amend any document and may award damages. If however the Contract has been awarded, the Court may only award damages or, where the contract award procedures have not been followed correctly, declare the Contract to be ineffective.