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Tender

## **Legal Support Services (Fitness to Practise)**

General Optical Council

F02: Contract notice

Notice identifier: 2021/S 000-029339

Procurement identifier (OCID): ocds-h6vhtk-02fa0a

Published 25 November 2021, 12:14pm

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

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

General Optical Council

10 Old Bailey

London

EC4M 7NG

#### **Contact**

Louise Hall

#### **Email**

[lhall@optical.org](mailto:lhall@optical.org)

#### **Telephone**

+44 2078710416

#### **Country**

United Kingdom

**NUTS code**

UKI31 - Camden and City of London

**Internet address(es)**

Main address

[www.optical.org](http://www.optical.org)

Buyer's address

[https://www.mytenders.co.uk/search/Search\\_AuthProfile.aspx?ID=AA14321](https://www.mytenders.co.uk/search/Search_AuthProfile.aspx?ID=AA14321)

**I.3) Communication**

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

[https://www.optical.org/en/about\\_us/working\\_for\\_us/goc-tenders-.cfm](https://www.optical.org/en/about_us/working_for_us/goc-tenders-.cfm)

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.mytenders.co.uk](http://www.mytenders.co.uk)

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

Body governed by public law

**I.5) Main activity**

Other activity

Healthcare Regulator

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## **Section II: Object**

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

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

Legal Support Services (Fitness to Practise)

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

- 79100000 - Legal services

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

Services

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

The requirements of the service are:

- conduct of investigative work on the General Optical Council's behalf in relation to fitness to practise allegations relating to registered opticians and optical businesses
- preparation for, and presentation of, the GOC's case at substantive Fitness to Practise Committee hearings
- occasional preparation for, and presentation of the GOC's case at non-substantive hearings (interim order applications/reviews/extensions, substantive order reviews) and Registration Appeal Committee hearings
- provision of advice relating to the conduct of individual investigations into the fitness to practise of GOC registrants, and relating to interpretation of GOC legislation and rules
- provision of training to Committee members, Case Examiners and GOC staff.

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

Value excluding VAT: £611,000

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

This contract is divided into lots: No

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

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

NUTS codes

- UKI31 - Camden and City of London

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

The full description document (including expression of interest assessment criteria) is available at: [https://www.optical.org/en/about\\_us/working\\_for\\_us/goc-tenders-.cfm](https://www.optical.org/en/about_us/working_for_us/goc-tenders-.cfm)

The value of this contract as stated is its total value - please note that we anticipate appointing up to two suppliers to provide the service (meaning that the value of the contract would be approximately half its stated total value if two providers are appointed).

We are the regulator for the optical professions in the UK. Our purpose is to protect the public by promoting high standards of education, performance and conduct amongst opticians. We currently register around 30,000 optometrists, dispensing opticians, student opticians and optical businesses.

A brief description of our four core regulatory functions is:

- Setting standards for optical education and training, performance and conduct.
- Approving qualifications leading to registration.
- Maintaining a register of individuals who are qualified and fit to practise, train or carry on business as optometrists and dispensing opticians.
- Investigating and acting where registrants' fitness to practise, train or carry on business is impaired.

Our website is at: [www.optical.org](http://www.optical.org)

We are seeking to procure legal support services for our Fitness to Practise (FTP) directorate, with effect from 1 April 2022.

This year (2021-22) it is forecast that we will open approximately 120 fitness to practice investigations. Currently, approximately 45 per cent of investigation cases are being referred to our Fitness to Practise Committee. We expect to instruct up to half of these referred cases out to the appointed provider(s), either for advocacy only, or for investigation and advocacy (for the sake of clarity, we expect to manage the other half in-house). We also expect to instruct appointed providers to undertake initial-stages investigations in a (total) maximum of 10 cases per annum. We expect these current case numbers to broadly continue through the period of the contract.

The provision of legal services will be governed by an agreement commencing 1 April 2022 and concluding 31 March 2024, but with an option for the GOC to extend for 12 months to 31 March 2025.

The requirements of the service are:

- conduct of investigative work on the GOC's behalf in relation to fitness to practise allegations relating to registered opticians and optical businesses
- preparation for, and presentation of, the GOC's case at substantive Fitness to Practise Committee hearings
- occasional preparation for, and presentation of the GOC's case at non-substantive hearings (interim order applications/reviews/extensions, substantive order reviews) and Registration Appeal Committee hearings
- provision of advice relating to the conduct of individual investigations into the fitness to practise of GOC registrants, and relating to interpretation of GOC legislation and rules
- provision of training to Committee members, Case Examiners and GOC staff.

Note: Fitness to Practise Committee in-person hearings are held in London.

This procurement process is being undertaken as a two-stage restricted tender procedure, pursuant to section 6.2 (ii) of the GOC Contracts and Procurement Policy: <https://www.optical.org/download.cfm?docid=4E059864-DC2B-4A6C-A0F5350B72A6AF34>

Before applying, please ensure you are familiar with the fitness to practise function of the General Optical Council:

[https://www.optical.org/en/Investigating\\_complaints/index.cfm](https://www.optical.org/en/Investigating_complaints/index.cfm)

#### **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: £611,000

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

Start date

1 April 2022

End date

31 March 2024

This contract is subject to renewal

Yes

Description of renewals

Option for the GOC to extend for 12 months from 1 April 2024.

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

Envisaged minimum number: 5

**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.1.2) 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

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

#### **III.2.1) Information about a particular profession**

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

The service is a legal service.

Applicants must be able to demonstrate that they (or their organisation/team) possess the appropriate legal qualifications/authorisation to permit them to provide legal services.

The service is governed by the Opticians Act 1989 (<https://www.legislation.gov.uk/ukpga/1989/44/contents>) and by the Legal Services Act

2007 (<https://www.legislation.gov.uk/ukpga/2007/29/contents>)

#### **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**

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

Date

31 December 2021

Local time

5:00pm

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

7 January 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: 3 (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: Yes

Estimated timing for further notices to be published: Future recurrence of this procurement is unlikely to happen before October 2023.

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

NOTE: To register your interest in this notice and obtain any additional information please visit the myTenders Web Site at

[https://www.mytenders.co.uk/Search/Search\\_Switch.aspx?ID=224594](https://www.mytenders.co.uk/Search/Search_Switch.aspx?ID=224594).

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

[https://www.mytenders.co.uk/sitehelp/help\\_guides.aspx](https://www.mytenders.co.uk/sitehelp/help_guides.aspx).

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

(MT Ref:224594)

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

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

Public Procurement Review Service

70 Whitehall

London

SW1A 2AS

Email

[publicprocurementreview@cabinetoffice.gov.uk](mailto:publicprocurementreview@cabinetoffice.gov.uk)

Telephone

+44 3450103503

Country

United Kingdom

Internet address

<https://www.gov.uk/government/publications/public-procurement-review-service-scope-and-remit>

**VI.4.4) Service from which information about the review procedure may be obtained**

Public Procurement Review Service

70 Whitehall

London

SW1A 2AS

Email

[publicprocurementreview@cabinetoffice.gov.uk](mailto:publicprocurementreview@cabinetoffice.gov.uk)

Telephone

+44 3450103503

Country

United Kingdom

Internet address

<https://www.gov.uk/government/publications/public-procurement-review-service-scope-and-remit>