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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

Telephone

+44 2078710416

Country

United Kingdom

NUTS code

UKI31 - Camden and City of London

Internet address(es)

Main address

www.optical.org

Buyer's address

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

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

www.mytenders.co.uk

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Other activity

Healthcare Regulator

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

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

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

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

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)

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.

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.

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

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

Telephone

+44 3450103503

Country

United Kingdom

Internet address

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