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Contract

## **Social Care Agency Workers Flexible Framework Agreement**

Scotland Excel

F21: Social and other specific services – public contracts

Contract award notice

Notice identifier: 2023/S 000-030283

Procurement identifier (OCID): ocds-h6vhtk-040be0

Published 13 October 2023, 1:19pm

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Email**

[adultsocialcare@scotland-excel.org.uk](mailto:adultsocialcare@scotland-excel.org.uk)

#### **Telephone**

+44 1414888230

#### **Country**

United Kingdom

**NUTS code**

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

**Internet address(es)**

Main address

<http://www.scotland-excel.org.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10383](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10383)

**I.2) Information about joint procurement**

The contract is awarded by a central purchasing body

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

Body governed by public law

**I.5) Main activity**

General public services

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## Section II: Object

### II.1) Scope of the procurement

#### II.1.1) Title

Social Care Agency Workers Flexible Framework Agreement

Reference number

1721

#### II.1.2) Main CPV code

- 85300000 - Social work and related services

#### II.1.3) Type of contract

Services

#### II.1.4) Short description

This procurement exercise is to establish a 'National Flexible Framework Agreement' in accordance with Regulations 74-76 of the Public Contracts (Scotland) Regulations 2015 (further referred to as 'the Flexible Framework Agreement (FFA)') for the provision of trained and vetted Social Care Agency Workers in a variety of social care settings.

Scotland Excel as a central purchasing body, may procure this FFA on behalf of the following contracting authorities: the 32 Councils in Scotland and Associate Members are listed at: <https://home.scotland-excel.org.uk/about-us/our-members/>.

The FFA allows for New Entrants to be admitted, as Suppliers, after it has been established. Following award, successful Suppliers will also be able to add new services and locations to their service offering in accordance with the terms of the FFA.

The value provided in II.1.5 is an ESTIMATE only.

#### II.1.6) Information about lots

This contract is divided into lots: Yes

#### II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £80,000,000

## **II.2) Description**

### **II.2.1) Title**

Care Roles

Lot No

1

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

- 85311000 - Social work services with accommodation
- 85310000 - Social work services
- 85311100 - Welfare services for the elderly
- 85311200 - Welfare services for disabled people
- 85311300 - Welfare services for children and young people
- 85312000 - Social work services without accommodation
- 85312100 - Daycare services
- 85312110 - Child daycare services
- 85312400 - Welfare services not delivered through residential institutions
- 85312500 - Rehabilitation services
- 85312510 - Vocational rehabilitation services
- 85320000 - Social services
- 85323000 - Community health services
- 79620000 - Supply services of personnel including temporary staff

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

NUTS codes

- UKM - Scotland

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

Flexible Framework Agreement (FFA) for the provision of trained and vetted Agency

Workers in a variety of social care settings. Lot 1 includes Care Assistants, Support Workers, Housing Assistants and Senior Carers.

For full description of the above roles, please refer to Schedule 2a – Description of Core Roles.

The anticipated value is estimated and may be subject to change. Tenderers should note that there is no guarantee of any business, use, level of use or continuity of business through the FFA.

### **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**

Please note, the duration shown at section II.2.7 includes two up to twelve (12) month extensions.

## **II.2) Description**

### **II.2.1) Title**

Professional Roles

Lot No

2

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

- 85310000 - Social work services
- 85311100 - Welfare services for the elderly
- 85311200 - Welfare services for disabled people
- 85311300 - Welfare services for children and young people
- 85311000 - Social work services with accommodation
- 85312000 - Social work services without accommodation
- 85312100 - Daycare services

- 85312110 - Child daycare services
- 85312120 - Daycare services for disabled children and young people
- 85312400 - Welfare services not delivered through residential institutions
- 85312500 - Rehabilitation services
- 85312510 - Vocational rehabilitation services
- 85320000 - Social services
- 85323000 - Community health services
- 79620000 - Supply services of personnel including temporary staff
- 79622000 - Supply services of domestic help personnel

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

NUTS codes

- UKM - Scotland

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

Flexible Framework Agreement (FFA) for the provision of trained and vetted Agency Workers in a variety of social care settings. Lot 2 includes Social Workers, Occupational Therapists, Social Work Managers and Social Work Assistants.

For full description of the above roles, please refer to Schedule 2a – Description of Core Roles.

The anticipated value is estimated and may be subject to change. Tenderers should note that there is no guarantee of any business, use, level of use or continuity of business through the FFA.

### **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**

Please note, the duration shown at section II.2.7 includes two up to twelve (12) month extensions.

## **II.2) Description**

### **II.2.1) Title**

Ancillary Roles

Lot No

3

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

- 85310000 - Social work services
- 85311000 - Social work services with accommodation
- 85311100 - Welfare services for the elderly
- 85311200 - Welfare services for disabled people
- 85311300 - Welfare services for children and young people
- 85312000 - Social work services without accommodation
- 85312100 - Daycare services
- 85312110 - Child daycare services
- 85312120 - Daycare services for disabled children and young people
- 85312400 - Welfare services not delivered through residential institutions
- 85312500 - Rehabilitation services
- 85312510 - Vocational rehabilitation services
- 85320000 - Social services
- 85323000 - Community health services
- 79620000 - Supply services of personnel including temporary staff
- 79622000 - Supply services of domestic help personnel

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

NUTS codes

- UKM - Scotland

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

Flexible Framework Agreement (FFA) for the provision of trained and vetted Agency Workers in a variety of social care settings. Lot 3 includes Domestic Assistants, Cooks, Assistant Cooks, Handypersons and Bus Escorts.

For full description of the above roles, please refer to Schedule 2a – Description of Core Roles.

The anticipated value is estimated and may be subject to change. Tenderers should note that there is no guarantee of any business, use, level of use or continuity of business through the FFA.

#### **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**

Please note, the duration shown at section II.2.7 includes two up to twelve (12) month extensions.

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## **Section IV. Procedure**

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

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

Open procedure

#### **IV.1.3) Information about a framework agreement**

The procurement involves the establishment of a framework agreement

### **IV.2) Administrative information**

#### **IV.2.1) Previous publication concerning this procedure**

Notice number: [2022/S 022-190490](#)



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## **Section V. Award of contract**

### **Lot No**

2

### **Title**

Professional Roles

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

16 January 2023

#### **V.2.2) Information about tenders**

Number of tenders received: 12

Number of tenders received from SMEs: 10

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 12

Number of tenders received by electronic means: 12

The contract has been awarded to a group of economic operators: Yes

#### **V.2.3) Name and address of the contractor**

ASA International Ltd, trading as ASA Recruitment

6 Coates Crescent

Edinburgh

EH3 7AL

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

H1 Healthcare Solutions Ltd

6th Floor Gordon Chambers, 90 Mitchell Street,

Glasgow

G1 3NQ

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Kenylink Services Ltd

Union House 111 New Union Street

Coventry

CV1 2NT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Hunter Gatherer AHP Resourcing Ltd

Camperdene House

Chipping Campden

GL556AT

Country

United Kingdom

NUTS code

- UKK13 - Gloucestershire

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Liquid Personnel Ltd

9 Appold Street

London

EC2A 2AP

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Sanctuary Personnel Limited

15 Friars Street

Ipswich

IP1 1TD

Country

United Kingdom

NUTS code

- UK - United Kingdom

**V.2.3) Name and address of the contractor**

Service Care Solutions Ltd

Arthur House, 12-13 Starkie Street

Preston

PR1 3LU

Country

United Kingdom

NUTS code

- UKD - North West (England)

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Seven Resourcing Limited

2nd Floor, Oberon House, BT Adastral Park, Ipswich, Suffolk,

Ipswich

IP5 3RE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Taylor Davenport Resourcing Ltd

Suite 3 & 4 Orbital House , 3 Redwood Crescent

East Kilbride

G74 5PA

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

The Social Care Community Partnership Limited

29 St Vincent Place, 3rd Floor Queens House

Glasgow

G1 2DT

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Tripod Partners Ltd

National House, 60-66 Wardour Street

London

W1F 0TA

Country

United Kingdom

NUTS code

- UKI3 - Inner London – West

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Red Sector Recruitment Ltd

Hexagon House , Avenue Four

Witney

OX28 4BN

Country

United Kingdom

NUTS code

- UK - United Kingdom

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £10,000,000

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## **Section V. Award of contract**

### **Lot No**

1

### **Title**

Care Roles

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

16 January 2023

#### **V.2.2) Information about tenders**

Number of tenders received: 30

Number of tenders received from SMEs: 27

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 30

Number of tenders received by electronic means: 30

The contract has been awarded to a group of economic operators: Yes

#### **V.2.3) Name and address of the contractor**

Aberness Care Ltd

Pavilion 3, Kingseat Business Park, Kingseat Ave, Kingseat

Aberdeen

AB21 0AZ

Country



United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Aberness Recruitment Agency Ltd

Highland Rail House, Second Floor, Station Square

INVERNESS

IV1 1LE

Country

United Kingdom

NUTS code

- UKM6 - Highlands and Islands

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Ailsa Care Services Ltd

6th Floor, Sugar Bond, 2 Anderson Place

Edinburgh

EH6 5NP

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Allied and Clinical Recruitments Limited

Regus Manchester Business Park, 3000 Aviator Way

Manchester

M22 5TG

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

ASA International Ltd, trading as ASA Recruitment

6 Coates Crescent

Edinburgh

EH3 7AL

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Caledonia Healthcare Ltd.

Suite 5.2, 5th Floor, Ingram House, 227 Ingram Street

Glasgow

G1 1DA

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Care Response 247 Ltd

74 - 76 Firhill Road, Suite 14

GLASGOW

G20 7BA

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Caring Hearts Recruitment Ltd

301A-C Embroidery Mill Building

Paisley

PA1 1TJ

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Florence Staffing Ltd

2nd Floor, 32-38 Leman Street

London

E1 8EW

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

GSR Nursing Ltd

292 Rosemount Place

Aberdeen

AB25 2YA

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

H1 Healthcare Solutions Ltd

6th Floor Gordon Chambers, 90 Mitchell Street,

Glasgow

G1 3NQ

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

HSC Futures Ltd

75 London Road

Kilmarnock

KA3 7BP

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Independent Clinical Services Limited

9 Appold Street, Liverpool Street

London

EC2A 2AP

Country

United Kingdom

NUTS code

- UKI - London

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Jobs and Co Ltd

4th Floor, 52 St Enoch Square

Glasgow

G1 4AA

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Kenylink Services Ltd

Union House 111 New Union Street

Coventry

CV1 2NT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Mitchell & Murdoch Care Ltd.

10 Abbey Park Place

Dunfermlin

KY12 7NZ

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

MVN Associates Ltd

137 Shawbridge street

Glasgow

ML69XG

Country

United Kingdom

NUTS code

- UK - United Kingdom

**V.2.3) Name and address of the contractor**

Newcross Healthcare Solutions Limited

Waterside, Berry Pomeroy

Totnes

TQ9 6LH



Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Oncall Care Service Ltd

121 Moffat Street

Glasgow

G5 0ND

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Pegasus Healthcare Solutions Limited

c/o Mclay, McAllister & McGibbon LLP, 145 St Vincent Street

Glasgow

G2 5JF

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Reed Specialist Recruitment Limited

Academy Court

London

WC2A 1DT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Service Care Solutions Ltd

Arthur House, 12-13 Starkie Street

Preston

PR1 3LU

Country

United Kingdom

NUTS code

- UKD - North West (England)

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Seven Resourcing Limited

2nd Floor, Oberon House, BT Adastral Park, Ipswich, Suffolk,

Ipswich

IP5 3RE

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

SRS Partnership Limited

119 Pentagon Centre, 38 Washington Street

Glasgow

G3 8AZ

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Staffscanner Ltd

125 west regent street

Glasgow

G2 2SD

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

The Social Care Community Partnership Limited

29 St Vincent Place, 3rd Floor Queens House

Glasgow

G1 2DT

Country

United Kingdom

NUTS code

- UKM82 - Glasgow City

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Tripod Partners Ltd

National House, 60-66 Wardour Street

London

W1F 0TA

Country

United Kingdom

NUTS code

- UKI3 - Inner London – West

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

UK Private Healthcare Ltd

35 Albert Street, Aberdeen

Aberdeen

AB25 1XU

Country

United Kingdom

NUTS code

- UKM5 - North Eastern Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Search Consultancy Ltd

Atrium Court , 50 Waterloo Street

Glasgow

G2 6HQ

Country

United Kingdom

NUTS code

- UK - United Kingdom

**V.2.3) Name and address of the contractor**

Red Sector Recruitment Ltd

Hexagon House , Avenue Four

Witney

OX28 4BN

Country

United Kingdom

NUTS code

- UK - United Kingdom

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £68,000,000

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## **Section V. Award of contract**

### **Lot No**

3

### **Title**

Ancillary Roles

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

16 January 2023

#### **V.2.2) Information about tenders**

Number of tenders received: 10

Number of tenders received from SMEs: 9

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 10

Number of tenders received by electronic means: 10

The contract has been awarded to a group of economic operators: Yes

#### **V.2.3) Name and address of the contractor**

ASA International Ltd, trading as ASA Recruitment

6 Coates Crescent

Edinburgh

EH3 7AL

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Florence Staffing Ltd

2nd Floor, 32-38 Leman Street

London

E1 8EW

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

GSR Nursing Ltd

292 Rosemount Place

Aberdeen

AB25 2YA

Country

United Kingdom



NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

H1 Healthcare Solutions Ltd

6th Floor Gordon Chambers, 90 Mitchell Street,

Glasgow

G1 3NQ

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Jobs and Co Ltd

4th Floor, 52 St Enoch Square

Glasgow

G1 4AA

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Kenylink Services Ltd

Union House 111 New Union Street

Coventry

CV1 2NT

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Mitchell & Murdoch Care Ltd.

10 Abbey Park Place

Dunfermlin

KY12 7NZ

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

MVN Associates Ltd

137 Shawbridge street

Glasgow

ML69XG

Country

United Kingdom

NUTS code

- UK - United Kingdom

**V.2.3) Name and address of the contractor**

Newcross Healthcare Solutions Limited

Waterside, Berry Pomeroy

Totnes

TQ9 6LH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

Yes

**V.2.3) Name and address of the contractor**

Service Care Solutions Ltd

Arthur House, 12-13 Starkie Street

Preston

PR1 3LU

Country

United Kingdom

NUTS code

- UKD - North West (England)

The contractor is an SME

Yes

**V.2.4) Information on value of contract/lot (excluding VAT)**

Total value of the contract/lot: £2,000,000

## Section VI. Complementary information

### VI.3) Additional information

#### CONDITIONS FOR PARTICIPATION

The scope of services to be provided under this FFA is relative to the provision of a social and other specific service as defined in Schedule 3 of the Public Contracts (Scotland) Regulations 2015 ("the Regulations") and in accordance with Regulations 74-76. Any application of or reference to other Regulations unless clearly identified is not to be implied and should not be construed as applying any of the other Regulations to the procurement exercise or resulting FFA, or bringing any of them into force.

Accordingly, it is Scotland Excel and the Purchasers intention that, after the establishment of this arrangement, New Entrants may be permitted to apply to be included within this arrangement as being available to provide the Service within certain Lots and Regional Sub-Lots as required to ensure sufficient service coverage across all geographical Regions in Scotland. New Entrants will be permitted to apply to be included within this arrangement at a frequency determined by the requirements of the Purchasing Authorities.

By virtue of Regulation 76(3) of the Regulations, Tenderers in any of the situations listed in Regulation 58 of the Regulations may be excluded.

#### FINANCIAL STABILITY

Scotland Excel will conduct a financial analysis on Tenderers from a credit referencing agency. The Tenderer is to confirm that a search will not return a "Warning" or "caution" returnable code or any neutral code or can provide documents to prove that the tender does/would not represent an unmanageable risk should it be appointed onto the proposed FFA. Tenderers who are unable to demonstrate satisfactory financial stability will be excluded.

#### MINIMUM INSURANCE REQUIREMENTS

- i) Public/Products Liability – To a minimum limit of 5,000,000GBP for each individual claim. Where activities such as first aid, administration of prescribed drugs or medicines and administration of drugs or medicines available without prescription will be carried out, evidence of extension of said public liability for treatment risk and/ or administration of medicines;
- ii) Employers' Liability – To a minimum limit of indemnity of 10,000,000GBP for each individual claim. Where the Supplier is exempt from this requirement, e.g., as a 'sole

trader', then this must be confirmed by the Supplier;

iii) Professional Indemnity – To a minimum limit of indemnity of 1,000,000GBP for each individual claim and in the aggregate to cover all risks in the performance of this FFA from time to time;

iv) Statutory Third-Party Motor Vehicle Liability – To a minimum indemnity limit of 5,000,000GBP for property damage and unlimited for third party injury or ongoing arrangements in place to ensure that Agency Workers using their private vehicles are appropriately insured for business purposes.

(SC Ref:745031)

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

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

Court of Session

Parliament Square

Edinburgh

EH1 1RQ

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Precise information on deadline(s) for review procedures:

An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulation 2015 (SSI 2015/446) (as amended) may bring proceedings in the Sheriff Court or the Court of Session.