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Tender

Care and Support Services Flexible Framework Agreement NEW ENTRANTS

Scotland Excel

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2024/S 000-031656

Procurement identifier (OCID): ocds-h6vhtk-03cec0

Published 3 October 2024, 10:56am

Section I: Contracting authority

I.1) Name and addresses

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

Contact

Adult Social Care Team

Email

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

I.2) Information about joint procurement

The contract is awarded by a central purchasing body

I.3) Communication

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/>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Care and Support Services Flexible Framework Agreement NEW ENTRANTS

Reference number

2022

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 Contract Notice confirms that the Care and Support Flexible Framework Agreement has now been established in accordance with Regulations 74-76 of the Public Contracts (Scotland) Regulations 2015 (further referred to as 'the Flexible Framework Agreement'). The services include Care at Home and Supported Living Services, collectively referred to as Care and Support Services.

The Flexible Framework Agreement will remain open to allow new Providers ("New Entrants") to participate throughout the Open Period. Further information about New Entrant applications is set out in Section VI.3 Additional information. Following award, successful providers will also be able to seek to vary their appointment by altering or adding Care and Support Service offerings in accordance with the terms of the Flexible Framework Agreement.

Care and Support Services will support people to achieve the best possible quality of life, in terms of their personal aspirations, choices and abilities, that enables them to live independently and safely within their own home for as long as practicable.

II.1.5) Estimated total value

Value excluding VAT: £1,500,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 85300000 - Social work and related services
- 85310000 - Social work services

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations of the Councils in Scotland.

II.2.4) Description of the procurement

As further detailed in the procurement documents of the Flexible Framework Agreement for the provision of Care and Support Services for Adults across Scotland.

II.2.6) Estimated value

Value excluding VAT: £1,500,000,000

II.2.7) Duration of the contract or the framework agreement

Duration in months

72

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.1.4) Objective rules and criteria for participation

List and brief description of rules and criteria

Where a Service is registered with the Care Inspectorate, a minimum grade of three (3) is required across all inspected key quality questions unless it falls within the circumstance where Scotland Excel will accept an alternative indicator of quality to establish if this minimum requirement is met, as detailed below: In the circumstance where Quality grades have not yet been assigned to the registered Service because the Service has not had its first inspection: SXL will consider the score assigned by the Care Inspectorate in its Scrutiny Assessment Tool (SAT) (or its equivalent replacement), for the Service. *A SAT score of Low will be required to meet the minimum requirement. Required minimum insurances as follows: (a) Public Liability/(b) Employers' Liability/(c) Statutory Third-Party Motor Vehicle Liability LIMITATIONS ON LIABILITY are detailed in the Flexible Framework Terms. Additional Insurance requirement, see Additional Information.

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

Registration with the Care Inspectorate.

Tenderers should provide Registration number(s) and any supporting information at Section 4A.2 in the SPD

III.2.2) Contract performance conditions

For full details of the contract conditions relevant to the Flexible Framework and contracts to be called off thereunder, please see the tender documents. Tenderers will be asked to confirm their acceptance of the contract conditions. TENDERS MADE SUBJECT TO CONDITIONS MAY NOT BE CONSIDERED AND MAY BE REFUSED ON THE GROUNDS OF SUCH CONDITIONS ALONE.

Scotland Excel may require the members of any tendering group of entities (including, but

not limited to consortium members, members of a group of economic operators and/or sub-contractors) to be jointly and severally liable for the performance of the contract and may require them to assume a specific legal form for the purposes of the appointment to the Flexible Framework.

For further information relative to the submission of consortia tenders, tenders by groups of economic operators and sub-contracting, please refer to the tender documentation which is available in the relevant PCS-T project for this procurement exercise.

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

In the case of framework agreements, provide justification for any duration exceeding 4 years:

These services come within the 'Social and Other Specific Services' category as defined in, and subject to, the procurement regimes set out in section 7 of the Public Contracts (Scotland) Regulations 2015, commonly known as the Light Touch Regime. The duration of the Flexible Framework Agreement is a maximum of 72 months, for the purposes of business continuity and sustainability.

IV.1.11) Main features of the award procedure

The scope of services to be provided under this Framework Agreement are covered within the definition of 'Social and Other Specific Services' in Schedule 3 of the Public Contracts (Scotland) Regulations 2015 and therefore the procurement process shall be subject to the requirements of section 7 of the Regulations. Please note the variations applied to this exercise together with the specific requirements and evaluation approaches applicable are set out in the procurement documents.

IV.2) Administrative information

IV.2.1) Previous publication concerning this procedure

Notice number: [2023/S 000-014678](#)

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

Date

29 March 2030

Local time

12:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

Section VI. Complementary information

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

As set out in section II.1.4, Short description, this Contract Notice confirms that the Flexible Framework Agreement has now been established and remains open for new Providers ("New Entrants") to participate throughout the Open Period.

This Procurement process is subject to the Law and Guidance applicable in Scotland relative to the award of public contracts including (without limitation) as set out in the Public Contracts (Scotland) Regulations 2015 as currently in force. As such, this Notice relates to the use of a procedure based upon the Open Procedure to establish a Flexible Framework with variations as permitted under the Regulations.

Full details of the requirements of this Flexible Framework Agreement (including permitted variations and contract conditions) are available in the Procurement Documents contained within the relevant project on PCS-T: Project_25284, ITT_56345. In line with the published Flexible Framework Terms, should any of the defined terms, procedures or any other regulated matter become subject to any change in the Law, resulting in any change to the defined terms, or to the manner in which such procedures or other matters require to be dealt with, then such changes shall take precedence over that contained in the flexible framework. As such, workforce matters which change as a result of the implementation of national policy directives will be considered in line with the framework variation procedures. All staff and those providing the Service must be suitably qualified and registered with the relevant regulatory body/ies in order to provide the Service in Scotland. Further clarifications on additional Insurances that may be required for the delivery of Services have been requested in the SPD (Professional Indemnity where applicable and Medical Malpractice where applicable). Applicants will be required to confirm whether they intend to subcontract any share of the contract to third parties and, if so, to complete the relevant sections of the SPD for each subcontractor. Scotland Excel, as a central purchasing body, has established this flexible framework for the use and benefit of its members namely 32 local authorities in Scotland, Tayside Contracts and together with any Integration Authority, or other body, established pursuant to the Public Bodies (Joint Working) (Scotland) Act 2014. Scotland Excel local authority members are entitled to use this framework. The above is subject to each contracting authority entering into and maintaining a membership agreement or other

access agreement with Scotland Excel. Applications may be excluded from evaluation (in whole, or in part) if they do not include the information required in accordance with instructions given. Scotland Excel held 2 Applicant Information Sessions on Thursday 8 February 2024 @ 2pm and Tuesday 13 February 2024 @ 2pm. Slides and Frequently Asked Questions from these sessions are available in the Buyers Attachment Area of the ITT.

A sub-contract clause has been included in this contract. For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see: <https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

In accordance with section 25(3) of the Procurement Reform (Scotland) Act 2014 note that, Scotland Excel intends to include community

benefit requirements as set out in the Procurement Documents.

(SC Ref:779218)

VI.4) Procedures for review

VI.4.1) Review body

Court of Session

Edinburgh

EH1 1RQ

Country

United Kingdom