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Tender

## **Residential Rehabilitation (Alcohol and Drugs) Services National Flexible Framework Agreement**

Scotland Excel

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2023/S 000-032641

Procurement identifier (OCID): ocids-h6vhtk-039bd2

Published 3 November 2023, 3:15pm

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Contact**

Jenny Weaver

#### **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.3) Communication**

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

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/>

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

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## **Section II: Object**

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

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

Residential Rehabilitation (Alcohol and Drugs) Services National Flexible Framework Agreement

Reference number

0123

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

- 85312500 - Rehabilitation services

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

Services

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

This Contract Notice relates to the establishment of a new '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 ') for the provision of Residential Rehabilitation services as defined in the Procurement Documents:

“Residential rehabilitation programmes aim to support individuals to attain an alcohol and drug-free lifestyle and be re-integrated into society. They provide intensive psychosocial support and a structured programme of daily activities which residents are required to attend over a fixed period of time.”

Supported accommodation services which meet this definition are also included in the Flexible Framework Agreement.

The Flexible Framework Agreement allows for New Entrants to be admitted, as Providers, after it has been established.

Following award, successful Providers will also be able to seek to vary their appointment by altering or adding Rehabilitation Service offerings in accordance with the terms of the Flexible Framework Agreement.

Please note that the value provided in II.1.5) is an ESTIMATE only.

This is a maximum value which is estimated to ensure that there is sufficient capacity within the Flexible Framework Agreement to accommodate any unforeseen peaks in demand and should not be relied upon as an indication of the likely value of work that may be awarded.

Applicants should note that there is no guarantee of any business, use, level of use or continuity of business through the Flexible Framework Agreement.

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

Value excluding VAT: £60,000,000

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

This contract is divided into lots: No

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

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

- 85000000 - Health and social work services
- 85310000 - Social work services
- 85311000 - Social work services with accommodation
- 85300000 - Social work and related services
- 85320000 - Social services
- 85312300 - Guidance and counselling services
- 85312320 - Counselling services
- 85111400 - Rehabilitation hospital services
- 33693300 - Addiction treatment

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

NUTS codes

- UKM - Scotland

Main site or place of performance

Various locations within Scotland.

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

This procurement process enables participation in a continually open Flexible Framework Agreement for the delivery of Residential Rehabilitation (Alcohol and Drugs) Services.

This Flexible Framework Agreement is intended to provide an efficient method of engaging Providers for the provision of Residential Rehabilitation (Alcohol and Drugs) Services to Purchasers in accordance with the requirements of Law and to increase transparency and availability of information about these services across Scotland.

The Flexible Framework Agreement is not sub-divided into “lots” or categories. This is in order to reflect the individuality and diversity of Services and to take account of and be proportionate to the characteristics of the market.

Applicants may offer one or multiple Rehabilitation Services and each offer relating to a Rehabilitation Service will be assessed as an independent and discrete offer.

Applicants should note that participation in the Flexible Framework Agreement and involvement in Call-Offs will be by reference to the Rehabilitation Services for which the Applicant has been admitted.

In line with the Flexible Framework Agreement specification, 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 Agreement. As such, workforce matters which change as a result of the implementation of national policy directives will be considered in line with the Flexible Framework Agreement variation procedures.

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

Value excluding VAT: £60,000,000

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

Duration in months

48

#### **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 an initial period of two years from the Commencement Date with the option to extend on two occasions each for a period of up to one year (up to a maximum Duration of four years).

48 months is the maximum Duration IF all extension options are exercised in full.

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## **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

It is a material condition of this Flexible Framework Agreement that the Provider ensures that it holds and maintains the necessary Registration with the relevant Regulatory Bodies including the Care Inspectorate and/or Healthcare Improvement Scotland according to the Services offered.

Applicants should also note the following minimum requirements:

- Meeting the national definition of Residential Rehabilitation
- Financial stability
- Minimum insurance requirements

Full details are listed in the Contract Notice Attachment in the "1. Contract Notice" folder of the "Buyer Attachments" area of itt\_49558 (project\_24035) on the Public Contracts Scotland-Tender (PCS-T)

website:<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

Economic operators may be excluded from this competition if they are in any of the situations referred to in regulation 58 of the Public Contracts (Scotland) Regulations 2015.

### **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 relevant Regulatory Bodies including the Care Inspectorate and/or Healthcare Improvement Scotland according to the Services offered.

### **III.2.2) Contract performance conditions**

Requirements for performance of the Flexible Framework Agreement are set out in the Procurement Documents, in particular the Flexible Framework Terms and Schedules 1-8 of the Flexible Framework Terms, available in the "Buyer Attachments" area of itt\_49558 (project\_24035 ) on the Public Contracts Scotland-Tender (PCS-T) website:

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

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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.1.11) Main features of the award procedure**

The scope of Services to be provided under this Flexible Framework Agreement falls within the definition of social and other specific services in Schedule 3 to the Public Contracts (Scotland) Regulations 2015 ("the Regulations") and therefore the procedure and "Flexible Framework Agreement" referred to above have variations applied by virtue of Regulation 76(8). Please see the Procurement Documents for further information

Evaluation weighting: Technical-max score of 90; Commercial-max score of 10

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

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

Notice number: [2023/S 000-002750](#)

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

Date

12 January 2024

Local time

12:00pm

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

English



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## **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**

For full details of the requirements of this Flexible Framework Agreement (including permitted variations and contract conditions), please see the applicable procurement documents available in the attachment area of itt\_49558 (project\_24035 ) on the Public Contracts Scotland-Tender (PCS-T) website:

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

There is no fixed number of Providers who may be awarded participation on the Flexible Framework Agreement.

In accordance with Regulations 20 (7) and 20 (8) of the Public Contracts (Scotland) Regulations 2015, Scotland Excel may, where it is considered necessary, impose conditions for the performance of the contract by a group of economic operators which are different from those imposed on individual participants (for example Scotland Excel may require the group of economic operators to be jointly and severally liable for the performance of the contract), and may require groups of economic operators to assume a specific legal form for the purposes of the award of the contract.

For further information relative to the submission of consortia Applications for Admission, Applications for Admission by groups of economic operators and sub-contracting, please refer to the Application Documents which are available in the relevant PCS-T project for this procurement exercise.

Applicants will be required to confirm whether they intend to subcontract any share of the contract to third parties and, if so, to complete relevant sections of the SPD for each subcontractor.

Scotland Excel is a central purchasing body and is procuring this flexible framework agreement on behalf of the following contracting authorities (and successor bodies):

A)The 32 local authorities in Scotland as listed at <https://home.scotland-excel.org.uk/about-us/our-members/>

B)Scotland Excel associate members as listed at <https://home.scotland-excel.org.uk/about-us/our-members/>

C)any Integration Authority, or other body, established pursuant to the Public Bodies (Joint Working)(Scotland)Act 2014.

D)Tayside Contracts

E)Scottish Prison Service (SPS)

F)Scottish National Health Service Authorities and Trusts

G)Scottish Government and Scottish Central Government Bodies.

The above is subject to each contracting authority entering into and maintaining a relevant membership agreement or other access agreement with Scotland Excel.

#### APPLICANT INFORMATION SESSIONS

Scotland Excel is running Applicant Information Sessions on the following dates – THURSDAY 9 NOVEMBER 2023 AT 10.00 AM and MONDAY 13 NOVEMBER 2023 AT 1.30 PM.

Please contact [adultsocialcare@scotland-excel.org.uk](mailto:adultsocialcare@scotland-excel.org.uk) if you would like to attend either session.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 24035. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

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 benefits as a voluntary commitment as set out in the Procurement Documents.

(SC Ref:731554)

## **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

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