

This is a published notice on the Find a Tender service: <https://www.find-tender.service.gov.uk/Notice/033215-2023>

Tender

## **CE-176-23 - PROVISION OF FUNDED EARLY LEARNING AND CHILDCARE (ELC) PLACES**

South Ayrshire Council

F02: Contract notice

Notice identifier: 2023/S 000-033215

Procurement identifier (OCID): ocds-h6vhtk-041727

Published 9 November 2023, 3:45pm

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

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

South Ayrshire Council

County Buildings, Wellington Square

Ayr

KA7 1DR

#### **Email**

[procurement@south-ayrshire.gov.uk](mailto:procurement@south-ayrshire.gov.uk)

#### **Telephone**

+44 3001230900

#### **Country**

United Kingdom

## **NUTS code**

UKM94 - South Ayrshire

## **Internet address(es)**

Main address

<http://www.south-ayrshire.gov.uk/procurement/>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00405](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00405)

## **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/esop/pts-host/public/pts/web/login.html>

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/esop/pts-host/public/pts/web/login.html>

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

Regional or local authority

## **I.5) Main activity**

General public services

---

## **Section II: Object**

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

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

CE-176-23 - PROVISION OF FUNDED EARLY LEARNING AND CHILDCARE (ELC) PLACES

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

- 80110000 - Pre-school education services

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

Services

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

PROVISION OF FUNDED EARLY LEARNING AND CHILDCARE (ELC) PLACES

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

This contract is divided into lots: No

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

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

- 80110000 - Pre-school education services

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

NUTS codes

- UKM94 - South Ayrshire

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

South Ayrshire Council (the Council) is seeking to establish a Flexible Framework Agreement (FFA) to ensure the delivery of funded ELC placements within the Council's geographic area.

The choice of the provider will be selected by the parent/guardian of the child therefore the council is utilising a Flexible Framework Agreement under the Light Touch Rules contained in

the Public Contracts (Scotland) Regulations 2015.

Providers of ELC are invited to join the FFA by submitting a tender to the Council. They will be appointed to the FFA if they can successfully demonstrate that they meet the National Standard, the Law, applicable guidance, and the Council's procedural requirements and accept the Rates which have been set by the Council in relation to the delivery of funded hours.

The FFA will always be open and will allow providers to be added over its 5 year term.

### **II.2.5) Award criteria**

Price

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

further one (1) period of up to twelve (12) months

### **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.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

It is a requirement of this procurement that Tenderers hold, or can commit to obtain, prior to the commencement of any subsequently concluded Framework Agreement, the accreditations indicated below:

Benchmark with the National Standards Criteria

#### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

It is a requirement of this procurement that Tenderers hold, or can commit to obtain, prior to the commencement of any subsequently concluded Framework Agreement, the insurance and financial requirements indicated below:

Insurances:

Employers Liability Insurance (Compulsory) = 10 million GBP in respect of each claim without limit to the number of claims.

Public Liability Insurance = 5 million GBP in respect of each claim without limit to the number of claims.

Motor Vehicle Insurance = Minimum Third Party Motor Vehicle Liability in respect of any motor vehicle or plated plant used.

Evidence for insurance requirements will be requested at the Technical Envelope.

Documentation requested for the above insurances will include the names of insurers, policy numbers, expiry dates, limits of any one incident, annual aggregate caps, excesses and claims handling procedures.

Financial Standing:

The Council will access a Creditsafe report for a Tenderer's organisation and use the information contained within to assist with the assessment of the Tenderer's economic and financial standing.

In the event that this analysis is unavailable or unsatisfactory the Council will request the following information below:

A copy of the organisation's audited accounts or equivalent for the most recent 2 years, along with details of any significant changes since the last year end.

OR

A statement of the organisation's turnover; profit and cash flow for the most recent full year of trading or where a full year trading has not been completed the same information for the period applicable. NOTE if this information is not available in an audited format Tenderers may be required to provide an end of period balance sheet or make the response specified below.

OR

If Tenderers are unable to provide the information requested above, they may be required to provide additional information and documentation that will give the Authority the assurance that they are capable of carrying out any subsequent awarded contract. For example, a statement of their organisation's cash flow forecast for the current year and a letter from the organisation's bank outlining the current cash and credit position or other alternative means of demonstrating financial standing.

Once the Council has received and considered such financial information as is made available in line with the requirements above, the Council shall have discretion to ask Tenderers to provide either a parent company guarantee and/or a guarantee from an agreed financial institution as it considers appropriate (acting reasonably).

In the event that additional measures are requested, the Council shall, in its sole discretion, determine the terms of those measures that it deems as acceptable. If Tenderers cannot provide measures to the satisfaction of the Council then their submission may be rejected.

Evidence for financial standing requirements will be requested at the Technical Envelope

### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

Tenderers may be required to provide evidence of having the necessary capacity and capability to deliver the requirements. The below requirements may be requested to assist

with the assessment of applications:

Two (2) examples of the provision of similar services may be requested and must be from within the last 3 years for goods and services.

If Tenderers are unable to provide two (2) examples the tenderer may be required to explain why examples cannot be provided.

Tenderers may also be required to provide:

#### Technical Skills

A statement of the relevant professional and technical skills available within your organisation; or where applicable, consortium members and/or named sub-contractors in relation to this procurement exercise.

#### Guidance

The buyer will use the information you provide to evaluate whether your organisation; consortium members and/or named sub-contractors have the relevant professional and technical skills required for this procurement exercise.

#### Technical Resources

A statement of the relevant technical resources such as the tools, plant, facilities and technical equipment available to your organisation, or where applicable, consortium members and/or named sub-contractors in relation to this procurement exercise.

#### Guidance

The buyer will use the information you provide to evaluate whether your organisation; consortium members and/or named sub-contractors have the relevant technical resources for this procurement exercise.

#### Technical Confirmation

If available, copies of completion certificates or customers' written declaration which validates the examples you have provided.

#### Guidance

If you cannot provide certificates or customer declarations the Authority may choose to contact customers cited directly in order to validate the experience examples you have provided without any further reference to you.

Please note: The above information is not required to be included within your tender submission, but may be requested by the Council at any stage.

## **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

It is a requirement of this procurement that Tenderers staff hold, or can commit to obtain, prior to the commencement of any subsequently concluded Framework Agreement, the professional memberships indicated below:

All Service Providers must be registered with the Care Inspectorate at time of FFA submission, with quality grades of four (4) 'Good' or above.

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

Please refer to Procurement document



---

## **Section IV. Procedure**

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

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

Open 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

16 August 2027

Local time

12:00pm

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

English

#### **IV.2.7) Conditions for opening of tenders**

Date

16 August 2027

Local time

12:00pm

---

## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: four (4) years with the option to extend for a further one (1) period of up to twelve (12) months

### **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**

This Framework will remain open - please refer to Procurement documents for further information.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 25556. For more information see:

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

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:

This procurement will include a Community Benefit requirement.

It has become clear that there is scope within the Procurement Reform (Scotland) Act 2014 which applies to public contracts, to use contracts to deliver wider social benefits such as:

Targeted recruitment and training (providing employment and training opportunities/Apprenticeships)

SME and social enterprise development

Community engagement

As part of your tender response, Tenderers are requested to provide an outline of all community benefits they can offer for this contract.

(SC Ref:749941)

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

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

Ayr Sheriff Court

Ayr

Country

United Kingdom