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Tender

## **Children's Residential Care and Education, including Short Break, Services Flexible Framework Agreement**

Scotland Excel

F21: Social and other specific services – public contracts

Contract notice

Notice identifier: 2022/S 000-034110

Procurement identifier (OCID): ocds-h6vhtk-0389f8

Published 1 December 2022, 4:20pm

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

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

Scotland Excel

Renfrewshire House, Cotton Street

Paisley

PA1 1AR

#### **Email**

[socialcare@scotland-excel.org.uk](mailto:socialcare@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**

Children's Residential Care and Education, including Short Break, Services Flexible Framework Agreement

Reference number

1121 ("Flexible Framework")

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

- 85310000 - Social work services

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

Services

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

This Contract Notice confirms that the Flexible Framework has now been established and will remain open for admission by new providers throughout its duration. Any new providers so admitted will be listed on the publicly available Scotland Excel Contracts Register which will be updated as and when necessary. Further information about new provider applications is set out in later section VI.3 Additional information.

The scope and structure of service options within the Flexible Framework include:

- Residential care;
- Residential care and education;
- Short Breaks;
- Day Education.

Please note, Providers already awarded to the Flexible Framework do not need to re-apply.

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

Value excluding VAT: £951,000,000

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

This contract is divided into lots: Yes

Tenders may be submitted for all lots

## **II.2) Description**

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

Residential Care

Lot No

1

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

- 85311000 - Social work services with accommodation
- 85311300 - Welfare services for children and young people
- 85310000 - Social work services
- 85320000 - Social services
- 85000000 - Health and social work services

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

NUTS codes

- UKM - Scotland

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

As further detailed in the procurement documents, Service Option 1 of the Flexible Framework Agreement is for the provision of Residential Care Services for Children and Young People across Scotland.

### **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

## **II.2) Description**

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

Residential Care and Education

Lot No

2

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

- 85311000 - Social work services with accommodation
- 85311300 - Welfare services for children and young people
- 80000000 - Education and training services
- 80100000 - Primary education services
- 80110000 - Pre-school education services
- 80200000 - Secondary education services
- 85320000 - Social services
- 85000000 - Health and social work services
- 80340000 - Special education services
- 85300000 - Social work and related services

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

NUTS codes

- UKM - Scotland

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

As further detailed in the procurement documents, Service Option 2 of the Flexible Framework Agreement is for the provision of Residential Care and Education Services for Children and Young People across Scotland.

### **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

## **II.2) Description**

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

Short Breaks

Lot No

3

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

- 85300000 - Social work and related services
- 85311300 - Welfare services for children and young people
- 85310000 - Social work services
- 85311000 - Social work services with accommodation
- 85320000 - Social services
- 85000000 - Health and social work services

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

NUTS codes

- UKM - Scotland

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

As further detailed in the procurement documents, Service Option 3 of the Flexible Framework Agreement is for the provision of Short Break Services for Children and Young People across Scotland.

### **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

## **II.2) Description**

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

Day Education

Lot No

4

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

- 85312000 - Social work services without accommodation
- 80000000 - Education and training services
- 80100000 - Primary education services
- 80110000 - Pre-school education services
- 80200000 - Secondary education services
- 85300000 - Social work and related services
- 85311300 - Welfare services for children and young people
- 85310000 - Social work services
- 85000000 - Health and social work services
- 85320000 - Social services

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

NUTS codes

- UKM - Scotland

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

As further detailed in the procurement documents, Service Option 4 of the Flexible

Framework Agreement is for the provision of Day Education Services for Children and Young People across Scotland.

#### **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

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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

#### **SELECTION**

All staff and those providing the Service must be suitably qualified and registered with the relevant regulatory body/ies.

Care Inspectorate Registration SO1 2 and 3

Providers must be Registered and must maintain the necessary Registration with Social Care and Social Work Improvement Scotland

(SCWIS) known as the Care Inspectorate. Failure to demonstrate that this requirement has been met may lead to a bidder being excluded

from the process.

Education Scotland/Registration SO2 and 4

Where school education is to be provided, every individual school or learning centre which a Provider intends to include in any bid, must

be registered (with the exception of Grant Aided Special Schools) with the Registrar of Independent Schools, and meet the requirements of



such establishments as set out in legislation and national guidance.

Full details of economic and financial standing, including Insurance, are within the Procurement Documents within the relevant project on

PCS-T.

## **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 and/or Education Scotland and Scottish Social Services Council and/or General Teaching Council

for Scotland.

Tenderers should provide Registration number(s) etc at Section 4A.2 in the SPD.

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## **Section IV. Procedure**

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

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

Open procedure

#### **IV.1.11) Main features of the award procedure**

The scope of services to be provided under this 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 procurement process shall be subject to the requirements of section 7 of the Regulations.

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

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

Date

29 September 2028

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**

As set out in earlier section II.1.4, Short description, this Contract Notice confirms that the Flexible Framework has now been established and remains open for admission by new providers throughout its duration.

Full details of the requirements of this Flexible Framework Agreement (including permitted variations and contract conditions) are available in the Procurement Documents within the relevant project on PCS-T (including Schedule 8, New Entrants to the Flexible Framework Agreement Guidance Note).

Summary information is set out below:

New providers who wish to submit Tenders to join the Flexible Framework Agreement are referred to the above Procurement Documents.

**AWARD CRITERIA – Applicable to SO 1,2 and 3**

Where a Service is registered with the Care Inspectorate, a minimum grade of three (3) is required across all inspected key questions. In the event that a Care Inspectorate newly registered Service is waiting its first inspection, and in recognition that the Care Inspectorate

inspection regime remains affected by the impact of the COVID19 pandemic, Scotland Excel reserves the right to agree with the Care

Inspectorate, suitable alternative indicator(s) of quality to assess whether the minimum requirement is met. The alternative shall reflect the circumstances and may include, but not be limited to:

-Review/confirmation of the Scrutiny Assessment Tool (or equivalent) score and responses; and

-For a Service that was previously registered under a different CS number, review of previous grades held

Tenderers will be informed which alternative indicator(s) of quality has been applied.

Tenderers 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.

This Tender 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 established 'flexible' Framework Agreement, which permits new entrants meeting the requirements to join the flexible framework agreement throughout its duration (as detailed in the Procurement Documents).

Scotland Excel, as a central purchasing body, is establishing this flexible framework for the use and benefit of its members namely 32 local authorities in Scotland, Tayside Contracts, associate members, together with any Integration Authority, or other body, established pursuant to the Public Bodies (Joint Working) (Scotland) Act 2014. Scotland Excel local authority members and associate members entitled to use this framework, are listed at [http://www.scotlandexcel.org.uk/home/Aboutus/Ourmembers/Our\\_members.aspx](http://www.scotlandexcel.org.uk/home/Aboutus/Ourmembers/Our_members.aspx)

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

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.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22548. 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 benefit requirements as set out in the Procurement Documents.

(SC Ref:708141)

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

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

Court of Session

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.