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Tender

## **SLC - Care at Home and Housing Support Procured Services Arrangement**

South Lanarkshire Council

F02: Contract notice

Notice identifier: 2023/S 000-034846

Procurement identifier (OCID): ocids-h6vhtk-041cc0

Published 24 November 2023, 3:33pm

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

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

South Lanarkshire Council

Council Headquarters, Almada Street

Hamilton

ML3 0AA

#### **Contact**

Marie McGowan

#### **Email**

[marie.mcgowan@southlanarkshire.gov.uk](mailto:marie.mcgowan@southlanarkshire.gov.uk)

#### **Country**

United Kingdom

#### **NUTS code**

UKM95 - South Lanarkshire

**Internet address(es)**

Main address

<http://www.southlanarkshire.gov.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00410](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00410)

**I.3) Communication**

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

[www.publictendersscotland.publiccontractsscotland.gov.uk](http://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

[www.publictendersscotland.publiccontractsscotland.gov.uk](http://www.publictendersscotland.publiccontractsscotland.gov.uk)

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

[www.publictendersscotland.publiccontractsscotland.gov.uk](http://www.publictendersscotland.publiccontractsscotland.gov.uk)

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

Regional or local authority

**I.5) Main activity**

General public services

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## **Section II: Object**

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

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

SLC - Care at Home and Housing Support Procured Services Arrangement

Reference number

SLC/SW/23/035

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

- 85000000 - Health and social work services

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

Services

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

South Lanarkshire Council is seeking to appoint Service Providers to a Procured Services Arrangement (PSA) for the provision of Care at Home and Housing Support Services commencing on 1st July 2024.

The contract will be delivered to Supported Persons residing within South Lanarkshire and who are supported by the Council and South Lanarkshire Health and Social Care Partnership (SLHSCP).

SLHSCP deliver adult social care services and all community health services for adults and children in the South Lanarkshire area. The services will support individuals to live in their own homes and to play an active part in their communities as much as they are able.

The Self Directed Support (SDS) regulations offer Supported Persons a choice of provider to an extent not available through a Framework or a Dynamic Purchasing System (DPS) therefore the Council is utilising an innovative Procured Services Arrangement (PSA) under the Light Touch Rules contained in Regulation 74 - 76 of the Public Contracts (Scotland) Regulations 2015.

The PSA will allow providers to be added over its 15 year term, this will facilitate the Supported Person's choice.

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

Value excluding VAT: £714,300,000

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

This contract is divided into lots: No

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

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

NUTS codes

- UKM95 - South Lanarkshire

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

The contract will be delivered to Supported Persons residing within South Lanarkshire and who are supported by the Council and South Lanarkshire Health and Social Care Partnership (SLHSCP).

The Services are predominantly personal care services that are provided with, and for, a Supported Person in their own home. In some less common situations, non-personal care and housing support services may also be required where there are specifically assessed needs.

The Services are provided for Supported Persons who are assessed by the Council as needing support to maintain or regain their independence, safety, health and wellbeing. This may include Supported Persons who are returning home from hospital. It may also include Supported Persons who would require to be admitted to hospital or long-term care if support were not to be provided in the person's home.

The Council is responsible for providing and commissioning Services in South Lanarkshire. While the Services are predominantly provided to older people, the Services will also be commissioned for adults with needs arising from a learning disability, physical disability or other long-term health conditions, children and families and other vulnerable groups with care and support needs. Supported Persons receiving the Service may have a variety of care and support and health needs, including but not limited to:

- Physical frailty
- Sensory impairment
- Dementia
- Complex care needs

- Vulnerability
- End of Life and Palliative Care
- Learning difficulties
- Physical disabilities
- Addiction issues
- Mental health and cognitive impairment
- Other long-term conditions

The Services also provide essential support for unpaid carers, by providing support for the Supported Person.

The Service Provider will work in partnership with all organisations involved in the health and care of Supported Persons with the focus of providing support to maintain or regain independence and promote human rights.

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

Quality criterion - Name: Quality / Weighting: 95

Price - Weighting: 5

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

Duration in months

180

This contract is subject to renewal

Yes

Description of renewals

On completion of the initial evaluation process and appointment of Bidders to the Procured Services Arrangement, the ITT will reopen to new bids. The ITT will remain open for the lifetime of the PSA. There are no limits to the number of times that bidders can submit bids.

#### **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

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### **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

SPD Question 2.C.1 Reliance on the capacities of other entities

Bidders are required to complete a full SPD for each of the entities whose capacity they rely upon

SPD Question 2.D.1 Subcontractors on whose capacity the bidder does not rely

Bidders are required to complete a shortened version of the SPD for each Subcontractor on whose capacity the bidder does not rely on

Exclusion Criteria:

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.

SPD Questions 3A – 3C have been identified as mandatory exclusion grounds and ESPD Questions 3D have been identified as discretionary exclusion grounds. All the exclusion grounds will be assessed on a PASS/FAIL basis. For the mandatory exclusion grounds a bid will be excluded where the bidder fails to provide either a positive response or to provide details to the satisfaction of the Council of the self cleansing measures undertaken. For the discretionary exclusion grounds a bid may be excluded where the bidder fails to provide either a positive response or if the Council is not satisfied as to the self cleansing measures undertaken.

SPD Question 4A.1 Trade Registers. It is a requirement of this tender that if the bidder is UK based they must hold a valid registration with Companies House. Where the bidder is UK based but not registered at Companies House they must be able to verify to the Councils satisfaction that they are trading from the address provided in the tender and under the company name given.

If the bidder is based out-with the UK they must be enrolled in the relevant professional or trade register appropriate to their country as described in Schedule 5 of the Public Contracts (Scotland) Regulations 2015.

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

List and brief description of selection criteria

#### **SPD Question 4B.4 Economic and Financial Standing**

The Council will use the following ratios to evaluate a bidders financial status:

Profitability – this is taken as profit after tax but before dividends and minority interests. If a company makes a profit then it is a pass for this ratio;

Liquidity – this is calculated as current assets less stock and work in progress, divided by current liabilities. If the answer is greater than or equal to one then it is a pass for this ratio

Gearing – this is calculated as the total external secured borrowing (short term and long term) divided by shareholder funds expressed as a percentage. If the answer is less than or equal to 100% it is considered a pass for this ratio.

Bidders must provide the name and value of each of the 3 ratios within their response to ESPD question 4B.4.

The Council requires bidders to pass 2 out of the 3 financial ratios above.

Where 2 out of the 3 ratios cannot be met, the Council may take the undernoted into consideration when assessing financial viability and the risk to the Council, providing that the Bidder can supply evidence to substantiate any of the mitigating criteria when requested to do so. The following list is not exhaustive and other criteria may be considered where proposed by a bidder as mitigating factors:

Would the bidder have passed the checks if prior year accounts had been used?

Were any of the poor appraisal outcomes "marginal"?

Does the bidder operate in a market which, traditionally, requires lower liquidity or higher

debt finance?

Does the bidder have sufficient reserves to sustain losses for a number of years?

Does the bidder have a healthy cashflow?

Is the bidder profitable enough to finance the interest on its debt?

Is most of the bidder's debt owed to group companies?

Is the bidder's debt due to be repaid over a number of years, and affordable?

Have the bidder's results been adversely affected by "one off costs" and / or "one off accounting treatments"?

Do the bidder's auditors (where applicable) consider it to be a "going concern"?

Will the bidder provide a Parent Company Guarantee?

Is the bidder the single supplier/source of the Goods/Works/Services in the marketplace?

The Council will request submission of and assess the bidders financial accounts, and may use financial verification systems to validate the information provided.

#### SPD Question 4B.5 Insurance

The bidder must confirm that they have or will commit to obtain prior to the commencement of the contract, the following levels of Insurance Cover:

Employer's Liability Insurance covering the death of or bodily injuries to employees of the bidder arising out of and in the course of their employment in connection with this contract to the level of 10000000 GBP in respect of each claim, without limit to the number of claims.

Public Liability Insurance covering the death of or bodily injury to a person (not an employee of the bidder) or loss of or damage to property resulting from an action or failure to take action by the bidder to the level of 5000000 GBP in respect of each claim, without limit to the number of claims.

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

List and brief description of selection criteria

#### SPD Question 4C.1.2 Technical and Professional Ability



Bidders must provide 3 detailed examples of relevant experience with reference to the nature and details of the services that are the subject matter of this tender, examples are to be provided of the services undertaken by the bidder in the last 3 years.

#### SPD Question 4C.6 Technical and Professional Ability

It is a requirement of this tender that Bidders shall work to maintain and exceed a Care Inspectorate Grade of 3 or above for all key questions in the Care Inspectorate quality indicator framework.

Bids will be considered from Providers who are registered with the Care Inspectorate but are awaiting their first inspection. Providers who have yet to be inspected may be subject to increased monitoring and service caps pending successful evaluation of services.

#### SPD Question 4C.6.1 Technical and Professional Ability

It is a requirement of this tender that Bidders can demonstrate that staff delivering care are registered with Scottish Social Services Council (SSSC) throughout the duration of the PSA. Bidders will be required to provide this information to the Council in relation to the staff who deliver the Services.

Throughout the period of the PSA, Providers shall comply with any conditions of the Care Inspectorate, any relevant legislation including (but not limited to) the Public Services Reform (Scotland) Act 2010, Health and Care (Staffing) (Scotland) Act 2019 and to best practice guidelines issued by the Scottish Government or by non-departmental public bodies including (but not limited to) the Care Inspectorate, Scottish Social Services Council (SSSC), the Mental Welfare Commission and the Scottish Human Rights Commission.

### **III.2) Conditions related to the contract**

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

As detailed in Attachment 5 - Care at Home Procured Services Arrangement Terms and Conditions and Attachment 6 - Care at Home Call On Contract.

#### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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## **Section IV. Procedure**

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

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

Open procedure

#### **IV.1.3) Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

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

Light Touch process. The ITT will remain open for the lifetime of the PSA. Bidders can apply for appointment to the PSA at any time during its term by submission of a completed ITT with required supporting documentation. There are no limits to the number of times that bidders can submit bids. Bids will be evaluated in accordance with the process set out in "Attachment 2 - Evaluation of Tenders".

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

Notice number: [2023/S 000-737156](#)

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

Date

15 January 2024

Local time

12:00pm

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

English

#### **IV.2.6) Minimum time frame during which the tenderer must maintain the tender**

Tender must be valid until: 16 July 2024

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

Date

15 January 2024

Local time

12:00pm

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## **Section VI. Complementary information**

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

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: The PSA will be published and evaluated in phases. On closing of Phase 1, the Council will publish Phase 2 with a closing date of 6 months from publication date.

Bidders can apply for appointment to the PSA throughout its term. There are no limits to the number of times that bidders can submit bids.

A new procurement process will take place in 2038

### **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**

SPD Questions 3A.1 to 3A.8 Serious and Organised Crime – Information Sharing Protocol

It is a requirement of this tender that the bidder recommended for award completes and submits, when requested to by the Council, the Serious and Organised Crime – Information Sharing Protocol form for evaluation prior to any award being made.

#### SPD Question 4C.10 Technical and Professional Ability

Bidders will be required to confirm whether they intend to subcontract and, if so, for what proportion of the contract.

#### SPD Question 4D.1 Quality Assurance Schemes

It is a requirement of this tender that the bidders complete the H&S Vetting Document.

#### Declarations and Certificates

Successful Bidders will provide the undernoted certificates, declarations and/or completed questionnaires to evidence their compliance with the relevant questions within the Qualification, Technical and Commercial Envelopes.

#### SPD Question 2D.1 Prompt Payment Certificate

#### SPD Question 3D.3 Human Rights Act Declaration

#### Declaration Section \*Form of Tender

#### SPD Question 3D.11 Non-Collusion Certificate

#### SPD Question 4B.5.1 Insurance Certificates

#### SPD Questions 3A.1 to 3A.8 Serious and Organised Crime Declaration

#### SPD Question 3A.6 Modern Slavery Act 2015 Declaration

#### SPD Question 4C.6 Confirmation of Registration with the Care Inspectorate and Protection of Vulnerable Groups (Scotland) Act 2007 Declaration

#### SPD Question 4C.6.1 Confirmation of SSSC status of staff who deliver the Services.

All certificates, declarations and questionnaires can be found within the Attachment area of PCS-t.

Attachment 13 - Form of Offer to Tender and Attachment 4 - Commercial Envelope Response must be completed and uploaded within the relevant question in the Commercial Envelope.

Failure to provide this information or in the event that the information provided does not support or evidence the statements made within the SPD will invalidate the bid.

The Council reserves the right to review the qualification and technical criteria for appoint to the PSA in line with changes to legislation, good industry practice and commercial considerations.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 25681. 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:

The Council will require appointed Providers that as part of any awarded Call-On contracts under the PSA they will assist in transforming the South Lanarkshire local community through delivery of community benefits as detailed in the tender documents.

Community Benefits in Procured Services Arrangements will be addressed annually based on cumulative spend for all Call-On contracts awarded. The Provider will be required to provide a method statement and programme setting out how and when the Community Benefits offered will be delivered for the CBs selected.

The delivery of Community Benefits will be monitored and reported through the Council's performance appraisal process.

(SC Ref:751298)

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

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

Hamilton Sheriff Court

Sheriff Court House, 4 Beckford Street

Hamilton

ML3 0BT

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