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Tender

## **Temporary Agency Allied Health Professionals & Other Clinical Professions**

NHS National Services Scotland

F02: Contract notice

Notice identifier: 2022/S 000-034872

Procurement identifier (OCID): ocids-h6vhtk-038c1c

Published 9 December 2022, 9:10am

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

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

NHS National Services Scotland

Gyle Square (NSS Head Office), 1 South Gyle Crescent

Edinburgh

EH12 9EB

#### **Contact**

David Bryce

#### **Email**

[david.bryce@nhs.scot](mailto:david.bryce@nhs.scot)

#### **Telephone**

+44 1312757454

#### **Country**

United Kingdom

**NUTS code**

UKM - Scotland

**Internet address(es)**

Main address

<http://www.nss.nhs.scot/browse/procurement-and-logistics>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11883](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11883)

**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

[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**

National or federal Agency/Office

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

Health

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## **Section II: Object**

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

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

Temporary Agency Allied Health Professionals & Other Clinical Professions

Reference number

NP505-22

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

- 79620000 - Supply services of personnel including temporary staff

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

Services

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

The supply of temporary agency Allied Health Professionals and other clinical professions (including HSS and Pharmacy) to All entities constituted pursuant to the National Health Service (Scotland) Act 1978, (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS organisation established pursuant to the NHS (Scotland) Act 1978) and any Integrated Joint Boards established pursuant to the Public Bodies (Joint Working) Scotland Act 2014

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

Value excluding VAT: £33,000,000

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

This contract is divided into lots: No

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

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

- 79620000 - Supply services of personnel including temporary staff

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

NUTS codes

- UKM - Scotland

Main site or place of performance

NHS Scotland entities pursuant to National Health Service (Scotland) act 1978 ie all Health boards, Special Health boards, Health Improvement Scotland and the common service agency)

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

The Common Services Agency (more commonly known as National Services Scotland) ("the Authority") acting through its division Procurement, Commissioning and Facilities is undertaking this procurement of the supply of Temporary Agency Allied Health Professionals and Other Clinical Professions on behalf of all entities constituted pursuant to the National Health Service (Scotland) Act 1978 (i.e. all NHS Scotland Health Boards, Special Health Boards and the Authority or other NHS Organisation established pursuant to the NHS (Scotland) Act 1978), any integrated Joint Boards established pursuant to the Public Bodies (Joint Working) Scotland Act 2014

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

Quality criterion - Name: Technical Merit / Weighting: 40

Quality criterion - Name: Implementation / Weighting: 10

Price - Weighting: 50

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

Value excluding VAT: £33,000,000

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

Duration in months

60

This contract is subject to renewal

Yes

#### Description of renewals

The Framework Agreement duration will be 3years (36 months) with 2 twelve months extensions available

The Common Services Agency shall be entitled (at its sole discretion) to extend the duration of the Framework agreement by two 12 calendar month periods

#### **II.2.10) Information about variants**

Variants will be accepted: No

#### **II.2.11) Information about options**

Options: No

#### **II.2.12) Information about electronic catalogues**

Tenders must be presented in the form of electronic catalogues or include an electronic catalogue

#### **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

Economic operators should confirm that neither it, its directors, nor any person who has power or representation

decision or control of the economic operator has been convicted of any of the offences detailed in Regulation 58

of The Public Contracts (Scotland) Regulations 2015 and that the grounds detailed in the Regulations do not apply

to the economic operator.

Minimum level(s) of standards required:

Registration with Disclosure Scotland in relation to PVG scheme

Potential Framework Participants must confirm Employer liability of 5 Million UKGBP and 2 million UKGBP Public liability and any other relevant insurances

Potential Framework Participants must submit with their tender at least two references from NHS registered bodies or

registered healthcare providers attesting to the nature, quality and effectiveness of services provided by the

potential framework participant

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

List and brief description of selection criteria

(1) Potential Framework Participants will be required to provide a statement covering the 3 years previous financial years where available

including the overall turnover of the Potential Framework Participant in respect of the activities which are of a similar type to the subject

matter of this notice.

(2) Potential Framework Participant will be required to provide a statement of account or extracts reflecting to their

business

(3) See contract/tender documentation which incorporates the requirements of the ESPD (Scotland) and the financial

period of reporting is the previous 3 financial years.

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

List and brief description of selection criteria

Potential Framework Participants must be able to demonstrate experience in providing an efficient, responsive and

effective service for the provision of registered medical practitioners on an agency/locum basis (including an understanding of the need to accurately assess the skills and capabilities required against those offered by individual Allied Health Professional & Other

Clinical Professions) and the capability to provide Agency Services to Participating Authorities across Scotland.

Minimum level(s) of standards required:

Additional minimum conditions relating to the provision of temporary agency Allied Health Professionals & Other Clinical Professions are

detailed in the Framework Terms & Conditions and ITT.

Minimum level(s) of standards possibly required

Potential Framework suppliers must have Cyber essentials+ registration or be willing to achieve the qualifications within 12 months of award

Potential Framework suppliers must have ICO registration and GDPR formal security policy in place

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

Envisaged maximum number of participants to the framework agreement: 20

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

Changes to practise will require change to fully implement. This award may take the additional year extension option that would take it past the 4-year point, this will be determined during the 4th year of the framework

#### **IV.1.6) Information about electronic auction**

An electronic auction will be used

#### **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

20 January 2023

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**

Duration in months: 4 (from the date stated for receipt of tender)

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

Date

20 January 2023

Local time

12:00pm

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## **Section VI. Complementary information**

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

This is a recurrent procurement: No

### **VI.2) Information about electronic workflows**

Electronic ordering will be used

### **VI.3) Additional information**

The procurement involves the establishment of a framework agreement with several operators

Fair Work Practices

The Procurement Reform (Scotland) Act 2014 allows Scottish Ministers to publish statutory guidance to support its implementation.

Addressing Fair Work Practices, including the Real Living Wage, in Procurement

This guidance the first element of guidance to be published under section 29 of the Procurement Reform (Scotland) Act 2014 and applies to procurements which commence on or after 1 November 2015.

Background (from the guidance)

The Public Sector in Scotland is committed to the delivery of high quality public services, and recognises that this is critically dependent on a workforce that is well-rewarded, well-motivated, well-led, has access to appropriate opportunities for training and skills development, are diverse and is engaged in decision making. These factors are also important for workforce recruitment and retention, and thus continuity of service.

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22496. 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:

Background (from Scottish Government - Scottish Procurement Policy Note 6/2014 20th November 2014)

- The Scottish Model of Procurement aims to secure the maximum economic benefit from the 10 billion UKGBP spent by the

public sector on goods and services each year, through an approach that balances the business friendly and the socially

responsible.

- The Public Procurement Reform Programme delivers value that goes beyond savings and benefits – improving supplier

access to public contracts, particularly for SMEs; maximising efficiency and collaboration; and placing the local,

social and economic aspects of sustainability at the heart of the purchasing process.

- The Procurement Reform (Scotland) Act 2014 has established a national legislative framework for sustainable public

procurement that supports Scotland's economic growth through improved procurement practice – and requires public bodies

to consider how their procurement activity can improve the economic, social and environmental wellbeing of the

authority's area.

- It also specifically requires public bodies to consider imposing community benefit requirements as part of a major

contract; these might relate to, for example, employment opportunities or to sub-contracting opportunities

(SC Ref:708660)

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

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

Sheriff Court House

27 Chambers Street

Edinburgh

EH1 1LB

Email

[edinburgh@scotcourts.gov.uk](mailto:edinburgh@scotcourts.gov.uk)

Telephone

+44 1312252525

Country

United Kingdom

#### **VI.4.3) Review procedure**

Precise information on deadline(s) for review procedures

The Authority will notify economic operators who submitted a tender or (where no deselection process has previously been made) applied

to be selected to tender, of its decision to award the Framework Agreement which notification will contain, among other

information, a summary of the reasons as to why the economic operator was unsuccessful. The notification will

incorporate a 'standstill period' of a minimum of 10 (ten) clear calendar days (or a minimum of 15 (fifteen) if the

communication method used is not electronic) between the date on which the Authority despatches the notice(s) and the

date on which the Authority proposes to conclude the relevant Framework Agreement.

The bringing of court proceedings against the Authority during the standstill period will automatically continue the

prohibition on entering into the Framework Agreement until the court proceedings are determined, discontinued or

disposed of, or the court, by interim order, brings to an end the prohibition. The remedies that may be awarded by the

courts before the Framework Agreement has been entered into include the setting aside of the decision to award the

Framework Agreement to the winning tenderer(s).

The bringing of court proceedings against the Authority after the Framework Agreement has been entered into will not

affect the Framework Agreement unless grounds for the imposition of special penalties under the Public Contracts

(Scotland) Regulations 2015 can be established. Otherwise the remedies that may be awarded by the courts where the

Framework Agreement has been entered into are limited to the award of damages