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Tender

## **SLC - Education Digital Futures - Education ICT Managed Service**

South Lanarkshire Council

F02: Contract notice

Notice identifier: 2023/S 000-036791

Procurement identifier (OCID): ocds-h6vhtk-03c329

Published 14 December 2023, 12:47pm

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

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

South Lanarkshire Council

Council Headquarters, Almada Street

Hamilton

ML3 0AA

#### **Email**

[irene.peacock@southlanarkshire.gov.uk](mailto:irene.peacock@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

<https://www.publctenderscotland.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.publctenderscotland.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.publctenderscotland.publiccontractsscotland.gov.uk](http://www.publctenderscotland.publiccontractsscotland.gov.uk)

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

Regional or local authority

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

Education

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## **Section II: Object**

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

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

SLC - Education Digital Futures - Education ICT Managed Service

Reference number

SLC/FC/23/008

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

- 72222300 - Information technology services

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

Services

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

The Council wishes to appoint a supplier to provide an Education Managed Service for all Education establishments within South Lanarkshire.

The objective of this procurement exercise is to put in place a fully managed ICT managed service for Education which builds on this position of strength, which continues to offer schools with modern and transformative environments and digital solutions.

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

Value excluding VAT: £59,000,000

#### **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

Main site or place of performance

South Lanarkshire

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

The procurement route will be via Competitive Procedure with Negotiation (CPN) which allows for innovation and to negotiate with suppliers on their proposals.

**II.2.5) Award criteria**

Quality criterion - Name: Quality / Weighting: 60

Price - Weighting: 40

**II.2.6) Estimated value**

Value excluding VAT: £59,000,000

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

Duration in months

84

This contract is subject to renewal

Yes

Description of renewals

The contract has an optional extension of 5 years subject to satisfactory performance, financial standing and availability of funding.

**II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 3

Maximum number: 5

Objective criteria for choosing the limited number of candidates:

Limiting the number of candidates invited to tender will allow for more effective negotiation given the timely nature of this process, while still ensuring genuine competition.

#### **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

There are a number of questions / statements that have been included in the Contract Notice and within Stage 1 - SPD which detail the minimum requirements that Bidders must be able to evidence for participation in this tender and ultimately will be required to

evidence prior to any award being made. There are in addition further statements made that simply provide relevant information relating to the tender itself.

These questions and statements form an integral part of the Single Procurement Document (the SPD) which the Council has decided to implement for all tenders in excess of 50000 GBP in value.

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.

Subcontractors on whose capacity the bidder does not rely.

Bidders who are selected to submit an ITT will be asked whether they intend to

subcontract within the ITT (Stage 2) Tender. A shortened version of the SPD covering the exclusion grounds will require to be completed by each Subcontractor so identified and uploaded within the ITT (Stage 2) Technical Envelope.

### 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 SPD 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.

### SPD Question 4A.2 Authorisation/Membership

Where it is required, within a bidder's country of establishment they must confirm which authorisation or memberships of the relevant organisation(s) are required in order to perform this service. Bidders must confirm if they hold the particular authorisation or memberships.

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

Minimum level(s) of standards possibly required

#### SPD Questions 4B.1.1 Economic and Financial Standing

The Council will assess Bidders annual turnover to provide assurance of the capacity of the Bidder to deliver the contract. The minimum required turnover per year is 6,400,000

GBP and the past 3 financial years should be included in the response.

#### 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 SPD 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.

Professional Indemnity Insurance covering the failure of the bidder to use the skill and care normally used by professionals providing the services described in this tender 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**

Minimum level(s) of standards possibly required

#### SPD 4C.1 Technical and Professional Ability (Scored Question in SPD, Technical Envelope)

Bidders should demonstrate in their response to question 4C.1.2 that they have held contracts (preferably public sector authority) of a similar nature, size and value to those mentioned in the Specification, within the last 3 years. A mimimum of 3 examples and a maximum of 5 should be provided.

#### SPD Question 4C.6 Technical and Professional Ability (Qualifications)

The bidder as a company will hold the following educational or professional qualifications:

- Protection of Vulnerable Groups (Scotland) Act 2007. All individuals who will be engaged in the delivery of the contract must be appropriately vetted;
- Security Standards / Accreditation, all bidders will be expected to hold Information Security Standards / accreditation up to and including ISO/IEC 27001:2013 in conjunction with Cyber Essentials Plus. Bidders not meeting this criteria must complete the Cloud Hosting Security Principles document.

SPD Question 4C.10 Technical and Professional Ability (Sub-Contracting)

Bidders will be required to confirm within the ITT (Stage 2, Technical Envelope) whether they intend to subcontract and, if so, for what proportion of the contract

SPD Question 4D.1 Quality Assurance Schemes – Optional Statement

It is a requirement of this tender that the bidder recommended for award holds the following Quality Assurance scheme membership: ISO9001 or can meet the criteria stated in the procurement documents.

SPD Question 4D.2 Environmental Management Standards – Optional Statement

It is a requirement of this tender that the bidder recommended for award holds the following environmental standard/accreditation or can meet the criteria stated in the procurement documents.

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

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

As stated in the tender documents

### **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**

Competitive procedure with negotiation

**IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated

**IV.1.5) Information about negotiation**

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

**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 000-011498](#)

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

Date

31 January 2024

Local time

12:00pm

**IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

15 March 2024

**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: 6 (from the date stated for receipt of tender)

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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 contract has an optional extension of 5 years, if extension is executed further notices will be published in 2034/35.

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

Electronic ordering will be used

Electronic invoicing will be accepted

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

SPD Questions 3A.1 to 3A.7 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.

Declarations and Certificates

In a restricted tendering procedure, prior to the issue of invitation to tender, the bidders who are being recommended for issue of tenders will provide the undernoted certificates, declarations and/or completed questionnaires to evidence their compliance with the relevant questions within the Qualification Envelope.

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

SPD Question 2D.1 Prompt Payment Certificate

SPD Question 3D.3 Human Rights Act Declaration

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 4C.6 Protection of Vulnerable Groups (Scotland) Act 2007 Declaration

SPD Question 3A.6 Modern Slavery Act 2015 Declaration

Declaration Section Health and Safety Questionnaire

Declaration Section Serious and Organised Crime – Information Sharing Protocol

The Signature Page must be completed and uploaded within the relevant question in the Stage 1 SPD Technical Envelope.

In the case of a restricted tendering procedure this information will be requested by the Council prior to the issue of invitation to tender to the selected bidders.

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. In this scenario the Council will seek to obtain the relevant information and evidence from the second highest scoring bidder and so on until a fully compliant bidder is identified.

The buyer is using PCS-Tender to conduct this PQQ exercise. The Project code is 6310. 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:

Under this contract bidders will be required to actively participate in the achievement of Community Benefits. Details of the expected Community Benefits will be provided at Stage 2 – ITT.

(SC Ref:746496)

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

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

Hamilton Sheriff Court

Sheriff Court House, 4 Beckford Street,

Hamilton

ML3 0BT

Email

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

Country

United Kingdom

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

Precise information on deadline(s) for review procedures

Please note, the alternative review body to the local Sheriff Court detailed in VI.4.1 is:

Court of Session

Parliament House

Parliament Square

Edinburgh

EH1 1RQ

+44 1312252595

[supreme.courts@scotcourts.gov.u](mailto:supreme.courts@scotcourts.gov.u)