

United Kingdom-Liverpool: Medical practice services

OJ S 101/2014 27/05/2014

Contract notice**Services****Directive 2004/18/EC****Section I: Contracting authority**

I.1. Name and addresses

Official name: Police and Crime Commissioner for Merseyside

Postal address: Office of the Police and Crime Commissioner for Merseyside, Allerton Road

Police Station, Rose Lane

Town: Liverpool

Postal code: L18 6JE

Country: United Kingdom

For the attention of: Mr Andrew Street

E-mail: andrew.m.street@merseyside.pnn.police.uk

Telephone: +44 1517771928

Internet address(es):General address of the contracting authority: www.merseyside.police.ukAddress of the buyer profile: www.bluelight.gov.uk**I.2. Type of the contracting authority**

Body governed by public law

I.3. Main activity

Public order and safety

I.4. Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: yes

Section II: Object of the contract

II.1. Description**II.1.1. Title attributed to the contract by the contracting authority**

Provision of Forensic Medical and Healthcare Services (excluding SARCS).

II.1.2. Type of contract and place of performance or delivery

Services

Service category No 25: Health and social services

Main site or place of performance: Merseyside

NUTS code UKD5 Merseyside

II.1.3. Information about a framework agreement or a dynamic purchasing system

The notice involves a public contract

II.1.4. Information about framework agreement**II.1.5. Short description of the contract or purchase(s)**

Provision of professional forensic medical and healthcare services to detainees within force

custody suites. The service is required 24 hours a day, 7 days a week, 365/366 days a year and, presently, at five locations. The service may also be required at police stations and at scenes of sudden death.

Many police forces and NHS Local Area Teams in England are working towards the transfer of commissioning responsibility for healthcare in police custody from the Home Office to the Department of Health. The work of these Police/NHS Partnerships sits within the National Police Transition Programme.

The driver for the transfer of commissioning is the Bradley Review (2009), which found that police custody marks a crucial stage in the criminal justice pathway for identifying health and social need and providing access to appropriate treatment, care, diversion and referral. Bradley's recommendations to transfer commissioning of police healthcare to the NHS were accepted by the previous government under the "Improving Health, Supporting Justice" delivery plan and have been adopted by the coalition government. This contract supports the delivery plan, with the Healthcare Provider playing a key role in its achievement.

It is envisaged that if a legal transfer is effected, then the transfer of commissioning will take place in 2015. It is anticipated therefore that during the contract period, the commissioning authority will change from Merseyside Police to the NHS England Lancashire Area Team and the contract will be novated. Tenderers should note that healthcare services are now being commissioned in line with current clinical standards.

Because of the nature of police healthcare services, police forces and the NHS shall share contract governance and this will continue after the transfer of commissioning. The governance is through the Strategic Healthcare Joint Partnership Board, currently chaired by Chief Superintendent Carl Krueger, along with representatives from NHS England Lancashire Area Team and NHS England (Merseyside).

II.1.6. CPV code(s)

85121000 Medical practice services, 85121100 General-practitioner services, 85141000 Services provided by medical personnel, 85141200 Services provided by nurses

II.1.7. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

II.1.8. Lots

This contract is divided into lots: no

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Potential providers are invited to tender for the provision of a forensic medical and healthcare service on a 24 hour/7 days per week, 365/366 days a year basis. Potential providers will attend to the the healthcare needs of people in Police Custody and to carry out healthcare and forensic examinations on victims, suspects, witnesses and police personnel.

The service provider will operate a single point of contact/call centre through which the force can call at any time of the day or night, every day of the year including all public holidays, to ask for Forensic Medical and Healthcare Services.

The service provider will assist in the gathering of evidence for presentation at court with the scope of services including, but not limited to, the obtaining of blood and intimate samples, the provision of evidence of opinion in relation to injuries suffered, and the provision of expert advice. The service provider will provide written reports and attend court as required.

Consumables e.g. drugs, dressings will be provided by the service provider. Other medical services required will include, but not be limited to, the examination of prisoners/detainees for fitness to be detained in custody, attending to persons at the scene of incidents who may require medical services and the assessment of the fitness of persons for interview, transfer and release. Medical and psychological needs will need to be catered for in the provision of Forensic Medical and Healthcare Services. Further services may be added within the broad range of Forensic Medical and Healthcare Services throughout the duration of any contract awarded.

The service provider will be expected to provide Forensic Medical and Healthcare Services at Merseyside Police locations as well as at any other locations to meet operational requirements, this may on occasion be outside the county boundary. This will involve the availability of a pool of healthcare professionals to service requirements within certain time limits depending on the seriousness of the incident.

Merseyside Police are working with an NHS Commissioner as part of the Department of Health, Offender Health, Early Adopter Programme to establish/commission a new contract for the provision of Forensic Medical and Healthcare Services. This new contract will inform part of a Statement of Readiness for the transfer of the budget and commissioning responsibility to the NHS. Providers will be required to integrate with the local health economy and other stakeholders to develop and improve the health and social care outcomes for those people within the criminal justice system.

Estimated value excluding VAT: 6 500 000 GBP

II.2.2. Information about options

Options: yes

Description of options: The contract will be for an initial period of three years with two optional 12-month extensions. The initial period will be 21.1.2015 to 20/01/2018.

II.2.3. Information about renewals

II.3. Duration of the contract or time limit for completion

Duration in months: 36 (from the award of the contract)

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

The right is reserved to require a parent company guarantee and/or suitable performance bond or bank guarantees to secure any advance payment/warranty or maintenance as felt appropriate.

III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them

Terms concerning financing and payment will be sent out with the invitation to tender.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

Joint and several liability.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: no

III.2. Conditions for participation

III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions: Any supplier may be disqualified who:

- (a) is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;
- (b) is the subject of proceedings for a declaration of bankruptcy, for an order compulsory winding up the administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- (c) has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- (d) has been guilty of grave professional misconduct proven by any means which the contract authorities can demonstrate;
- (e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information;
- (h) has been the subject of a conviction for participation in a criminal organization, as defined in Article 2 (1) of Council Joint Action 98/733/JHA;
- (i) has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of 26 May 1972 and Article 3 (1) of Council Joint Action 98/742/JHA3 respectively;
- (j) has been the subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
- (k) has been the subject of a conviction for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering.

Information and formalities necessary for evaluating if requirements are met:

Please see PQQ.

III.2.2. Economic and financial ability

List and brief description of conditions: (a) appropriate statements from banks or, where appropriate, evidence of relevant professional risk indemnity insurance;

(b) the presentation of balance-sheets or extracts from the balance-sheets, where publication of the balance-sheet is required under the law of the country in which the economic operator is established;

(c) a statement of the undertaking's overall turnover and, where appropriate, of turnover in the area covered by the contract for a maximum of the last three financial years available, depending on the date on which the undertaking was set up or the economic operator started trading, as far as the information of these turnovers is available.

Information and formalities necessary for evaluating if requirements are met:

Please see PQQ.

Minimum level(s) of standards possibly required: Please see PQQ.

III.2.3. Technical and professional ability

List and brief description of conditions:

- (b) a list of the principal deliveries effected or the main services provided in the past three years, with the sums, dates and recipients, whether public or private, involved. Evidence of delivery and services provided shall be given: - where the recipient was a contracting authority, in the form of certificates issues or countersigned by the competent authority, - where the recipient was a private purchaser, by the purchaser's certification or, failing this, simply by a declaration by the economic operator;
- (c) an indication of the technicians or technical bodies involved, whether or not belonging directly to the economic operator's undertaking, especially those responsible for quality control and, in the case of public works contracts, those upon whom the contractor can call in order to carry out the work;
- (d) a description of the technical facilities and measures used by the supplier or service provider for ensuring quality and the undertaking's study and research facilities;
- (f) the educational and professional qualifications of the service provider or contractor and/or those of the undertaking's managerial staff and, in particular, those of the person or persons responsible for providing the services or managing the work;
- (j) an indication of the proportion of the contract which the services provider intends possibly to subcontract;

Information and formalities necessary for evaluating if requirements are met:

Please see PQQ.

Minimum level(s) of standards possibly required:

Please see PQQ.

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

Execution of the service is reserved to a particular profession: yes

Reference to the relevant law, regulation or administrative provision: Forensic medical examiners must be qualified and registered medical practitioners who have additional competencies and qualifications. Also be members of the Faculty of Forensic and Legal Medicine and be bound by the Codes of Practice of the General Medical Council. General Practitioners must be qualified and registered and be bound by the Codes of Practice of the General Medical Council. Forensic Nurse Practitioners must be graded at Band 6, have three years post-qualification experience, at least three years A&E, prison, custody or NHS Walk-In Centre experience (or equivalent) and successfully completed the Intermediate Life Support Course. Paramedics must hold a Paramedic qualification and have three years post-qualification experience. All Medical Staff must have courtroom skills training and proficiency in the English language as required by the General Medical Council.

III.3.2. 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: yes

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure

Restricted

IV.1.2. Information about the limits on the number of candidates to be invited

Envisaged number of candidates: 6

Objective criteria for choosing the limited number of candidates: Please see PQQ. The six economic operators with the highest score from the pre-qualification questionnaire will be invited to tender. In the event of tied scores ranking will be determined by ordering linked to the highest score for Section 4. Should this still result in tied scores the process will be repeated with Section 5 and finally Section 9.

IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue

IV.2. Award criteria

IV.2.1. Award criteria

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

IV.2.2. Information about electronic auction

IV.3. Administrative information

IV.3.1. File reference number attributed by the contracting authority

PCCM/PD/026.

IV.3.2. Previous publication concerning this procedure

IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document

Time limit for receipt of requests for documents or for accessing documents: 2.6.2014 - 16:00
Payable documents: no

IV.3.4. Time limit for receipt of tenders or requests to participate

23.6.2014 - 16:00

IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates

IV.3.6. Languages in which tenders or requests to participate may be submitted

English.

IV.3.7. Minimum time frame during which the tenderer must maintain the tender

IV.3.8. Conditions for opening of tenders

Persons authorised to be present at the opening of tenders: yes

Information about authorised persons and opening procedure: Representatives of the Police and Crime Commissioner for Merseyside.

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.2. Information about European Union funds

The procurement is related to a project and/or programme financed by European Union funds:
no

VI.3. Additional information

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: The Police and Crime Commissioner for Merseyside will incorporate a standstill period at the point information on the award of the contract is communicated to tenderers. That notification will provide full information on the award decision. The standstill period, that will be for a minimum of ten calendar days, provides time for unsuccessful tenderers to challenge the award decision before the contract is entered into. The Public Contracts Regulations 2006 (SI 2006 No 5) provides for aggrieved parties who have been harmed or who are at risk of harm, by breach of the rules to take action in the High Court (England, Wales and Northern Ireland).

VI.4.3. Service from which information about the review procedure may be obtained

VI.5. Date of dispatch of this notice

22.5.2014