

United Kingdom-London: Education and training services

OJ S 83/2018 28/04/2018

Contract notice

Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Care Quality Commission
Postal address: 151 Buckingham Palace Road
Town: London
NUTS code: UK United Kingdom
Postal code: SW1W 9SZ
Country: United Kingdom
Contact person: Commercial and Contracts Team
E-mail: commercialcontracts@cqc.org.uk
Internet address(es):
Main address: <http://www.cqc.org.uk>

I.3. Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <https://cqc-commercial.bravosolution.co.uk/>
Additional information can be obtained from the abovementioned address
Tenders or requests to participate must be submitted electronically via: <https://cqc-commercial.bravosolution.co.uk/>
Tenders or requests to participate must be submitted to the abovementioned address
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: <https://cqc-commercial.bravosolution.co.uk/>

I.4. Type of the contracting authority

Body governed by public law

I.5. Main activity

Other activity: Regulatory Body

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

Level 6 Professional Regulatory Skills Programme
Reference number: CQC LD 126

II.1.2. Main CPV code

80000000 Education and training services

II.1.3.

Type of contract

Services

II.1.4. Short description

The Care Quality Commission (the 'contracting authority') is seeking a suitably qualified Provider to design and deliver a Regulatory Skills Programme of Learning at level 6 of the National Framework Qualifications.

The qualified Provider will be responsible for the accreditation requirements and the effective and efficient delivery of high quality, cost effective training programme that represents value for money and facilitates learning and development to enable the contracting authority's Inspection staff to effectively meet the professional requirements for regulatory activities in leading enforcement work that supports consistent practice.

II.1.5. Estimated total value

II.1.6. Information about lots

This contract is divided into lots: no

II.2. Description

II.2.3. Place of performance

NUTS code: UK United Kingdom

II.2.4. Description of the procurement

The contracting authority seeks a suitably qualified Provider to design a bespoke, innovative and cost effective solution that will achieve a nationally recognised Level 6 qualification of learning for an anticipated volume of 1,112 Inspections staff over 3 years.

The aim of a Professional Regulatory Skills Qualification is to improve the contracting authority's approach of its operating model by improving the robustness, timeliness and consistency of our regulatory work and that people who use services will be further protected by the robust and professional approach taken by our staff underpinned by a professionally recognised qualification to build specific skill or expertise and knowledge of those in an inspection and enforcement role within the contracting authority.

At the end of the programme the contracting authority is seeking learners to be able to:

- achieve a Level 6 certification demonstrating they meet the professional requirements for regulatory activities as identified in the national occupational standards,
- confidently and consistently apply processes of contracting authority's operating model that includes civil and criminal enforcement processes when services breach the legislation, specifically:
 - identify and respond to risk,
 - support the planning stages of inspection and registration activities,
 - support their day to day role and make improvements to the way evidence is gathered and recorded,
 - ensure the principles of the law and legislation are understood and applied, for example General Data Protection Regulations (GDPR), Police and Criminal Evidence Act 1984 (PACE), Criminal — procedure and Investigations Act 1996 (CPIA) and Regulation of Investigatory Powers Act 2000 (RIPA),
 - ensure clear audit trails are in place demonstrating proportionate judgements for registration, inspection ratings, civil and criminal enforcement,
 - know the elements of the key criminal offences and the legal tests to be met for civil enforcement action and understand how the respective burdens of proof apply in civil and criminal proceedings,

- gather, evaluate, analyse witness and physical evidence,
- recognise and distinguish between different types and quality of evidence,
- contribute to improving the quality and efficiency of our regulatory work within the limits of responsibility,
- demonstrate effective notetaking (including electronic note taking) and evidence gathering at all stages of the process that leads to an increase in the number of successful prosecutions,
- have the skill to make appropriate judgements, and thus decisions, on casework and to confidently and effectively communicate with our customers and other stakeholders, especially regarding the basis for, and outcomes from, the exercise of effective judgement,
- effectively support the contracting authority's legal team to focus on more complex cases due to the confidence and competence of inspection staff to deal with routine civil and criminal enforcement,
- effectively reduce the time taken by inspector, manager, Head of, Deputy Chief Inspectors to complete regulatory activity for both civil and criminal enforcement activity,
- successfully enable timely and effective responses when we find unregistered providers operating in the market,
- recognise the importance of equality and human rights to the quality of care received a taking appropriate action where there is evidence of poor care,
- build knowledge, competence and confidence on equality and human rights in their regulatory work.

II.2.5. Award criteria

Criteria below

Quality criterion - Name: Technical / Weighting: 60 %

Cost criterion - Name: Commercial / Weighting: 40 %

II.2.6. Estimated value

Value excluding VAT: 687 500,00 GBP

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

The Authority shall, at its sole discretion, have the option to extend up to 12 months beyond expiry of initial contract term of 36 months (from award of contract) thereby giving a total duration of up to 48 months.

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

Envisaged minimum number: 3

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

II.2.14. Additional information

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:

In accordance with: (i) Article 57 to 60 of Directive 2014/24/EU of the European Parliament and of the European Council; and (ii) Regulations 57 to 60 of the public Contracts 2015 (SI 2015/102) (the 'Regulations'), which require or permit the contracting authority not to select or to treat as ineligible, economic operators, the contracting authority reserves the right to exclude any economic operator from participating in the SQ whom they deem to not satisfy any of the minimum selection criteria as stated in the procurement documents.

III.1.2. Economic and financial standing

List and brief description of selection criteria:

To support the financial assessment, the Authority will will conduct a financial check on all potential suppliers and every organisation that is being relied on to meet this procurement, using an independent company called, Dun and Bradstreet (D and B), to get a financial risk score for Potential Suppliers and any members of consortium or any nominated guarantors(s). The Authority reserves the right to exclude a Potential Supplier or request provision of further assurances such as parent company / bank guarantee where a potential supplier's financial scoring (also known as the Failure Score) is less than 51 or there is no financial risk score is available based on the rating provided by Dun and Bradstreet (D&B).

Minimum level(s) of standards possibly required:

Organisations are advised that a requirement of this tender is to have in place, or commit to obtain prior to the commencement of the contract, the following minimum insurance levels:

Employers (Compulsory) Liability: 5 000 000 GBP for each claim.

Public Liability: 5 000 000 GBP for each claim.

Professional Indemnity: 5 000 000 GBP for each claim.

All values stated in GBP.

III.1.3. Technical and professional ability

List and brief description of selection criteria:

The selection criteria is stated in the selection SQ documentation.

Minimum level(s) of standards possibly required:

Minimum level(s) of standards require Potential Suppliers attention is drawn to the requirements of the selection criteria.

Compliance with legislation (Pass / Fail).

Economic and Financial Standing / Wider Group member (Pass / Fail).

Relevant experience and contract examples (Pass / Fail).

Sub-Contractors (Pass / Fail) (as applicable).

Modern Slavery Act 2015 (Pass / Fail) (as applicable).

Insurance (Pass/Fail).

Equality and Diversity (Pass / Fail).

Health and Safety (Pass / Fail).

Data Protection (Pass / Fail).

Safeguarding (Pass / Fail).

Environmental Management and Sustainability (Pass / Fail).

Quality Assurance (Pass / Fail) (as applicable).

Section 8.14 Additional Questions — Technical and Professional Ability will be scored as per the scoring methodology detailed below.

Questions in this section marked as Pass / Fail questions Potential Suppliers will be evaluated on a pass or fail basis where a “YES” will be deemed to pass and a “NO” will be deemed to fail. Questions in this section marked as assessed questions Potential Suppliers who score a minimum 3 out of 4 (75 %) or above for the quality question held within the Technical Envelope of the SQ will be shortlisted for Invitation to the Tender.

Scoring Criteria:

4. Full response gives an outstanding level of confidence, well evidenced and/or relevant examples. Exceptional demonstration of the relevant ability, understanding, experience, skills, resources and quality measures required to provide to successfully meet the requirements = High level of Confidence (100 %);
3. Good response with satisfactory detail and evidence with some additional benefits. Above average demonstration by the Potential Provider of the relevant ability, understanding, experience, skills, resource and quality measures required to meet the requirements = Good level of Confidence (75 %);
2. Part response with some shortcomings in evidence / information provided with limited and /or insufficient evidence to support the response. Some reservations about the Potential Provider’s relevant ability, experience, skills, resource and quality measures required to meet the requirement to a satisfactory level = Some Concerns (50 %);
1. Very limited response with insufficient or no evidence / information provided to demonstrate that the Potential Provider has the ability, understanding, experience, skills, resource and quality measures required to meet the requirements = Major Concerns (25 %);
0. No evidence, or not answered the question appropriately, or evidence is not relevant to the question asked = Cannot be scored. (0 %)

Section IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Restricted procedure

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

IV.1.8. Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2017/S 179-366509](#)

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

Date: 31/05/2018 Local time: 12:00

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

Date: 02/07/2018

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)

Section VI: Complementary information

VI.1. Information about recurrence

This is a recurrent procurement: no

VI.3. Additional information

The contracting authority considers that this Contract may be suitable for economic operators that are small or medium enterprises ('SMEs'). However, any selection of economic operators will be based solely on the criteria set out for the procurement, and the Contract will be awarded to the most economically advantageous tender.

The contracting authority has made a decision NOT to divide this contract into lots, because in the contracting authority's reasonable opinion it would not be financially viable for the authority to sub-divide provision of the Service. The contracting authority reserves the right not to award a contract and to annul the procurement process at any stage.

The procurement documentation can be found at: <https://cqc-commercial.bravosolution.co.uk>.

Potential Suppliers wishing to Express an Interest (EOI) in participating will be required to register on the Bravo system by following the below Instructions.

How to Express Interest:

1. Register your company on the eSourcing portal (this is only required once):
 - browse to the eSourcing Portal: <https://cqc-commercial.bravosolution.co.uk> and click the link to register Bravo Project reference = Project_106,
 - accept the terms and conditions and click "continue",
 - enter your correct business and user details,
 - note the username you chose and click "Save" when complete,
 - you will shortly receive an email with your unique password (please keep this secure).
2. Express an Interest in the tender:
 - login to the portal with the username / password,
 - click the "PQQs / RFIs Open To All Suppliers" link (This area in Bravo contains Selection Questionnaires (SQ) or Requests for Information (RFI) open to any registered supplier),
 - click on the relevant "PQQs / RFIs" to access the content,
 - click the "Express Interest" button at the top of the page,
 - this will move the "PQQs / RFIs" into your "My "PQQs / RFIs" page (This is a secure area reserved for your projects only),
 - you can now access any attachments by clicking "Buyer Attachments" in the "PQQs / RFIs Details" box 3 responding to the tender,
 - click "My Response" under "PQQs / RFIs Details", you can choose to "Create Response" or to "Decline to Respond" (please give a reason if declining),
 - you can now use the "Messages" function to communicate with the buyer and seek any clarification,
 - note the deadline for completion, then follow the onscreen instructions to complete the Selection Questionnaire (SQ).

You must then submit your reply using the "Submit Response" button at the top of the page.

If you require any further assistance please consult the online help, or contact the

BravoSolution dedicated Supplier Support, available from the Bravo Help desk:

Phone: 0800 368 4850 (Monday to Friday 9:00 am to 6:00 pm).

E-mail: help@bravosolution.co.uk

Please quote the Bravo Project number Project 106 for all helpdesk enquiries.

VI.4. Procedures for review

VI.4.1. Review body

Official name: Care Quality Commission

Postal address: 151 Buckingham Palace Road

Town: London

Postal code: SW1W 9SZ

Country: United Kingdom

E-mail: commercialcontracts@cqc.org.uk

Internet address: <http://www.cqc.org.uk>

VI.5. Date of dispatch of this notice

26/04/2018