

UK-Edinburgh: architectural, construction, engineering and inspection services

OJ S 121/2012 27/06/2012

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: The Common Services Agency (hereinafter referred to as the 'Authority')

Postal address: Gyle Square, 1 South Gyle Crescent

Town: Edinburgh

Postal code: EH12 9EB

Country: United Kingdom

Contact person: Property and Capital Planning

For the attention of: Jacqueline Kilcoyne

E-mail: nss.hfsframeworkscotland@nhs.net

Telephone: +44 1412071821

Internet address(es):

General address of the contracting authority: <http://www.hfs.scot.nhs.uk>

Address of the buyer profile: <http://www.publictendersscotland.publiccontractsscotland.gov.uk>

Additional information can be obtained from:

Official name: The Common Services Agency (more commonly known as NHS National Services Scotland)

Postal address: Meridian Court, 5 Cadogan Street

Town: Glasgow

Postal code: G2 6QE

Country: United Kingdom

Contact person: Property and Capital Planning

For the attention of: Jacqueline Kilcoyne

Telephone: +44 1412071821

Internet address: <http://www.publictendersscotland.publiccontractsscotland.gov.uk>

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:

Official name: The Common Services Agency (more commonly known as NHS National Services Scotland)

Postal address: Meridian Court, 5 Cadogan Street

Town: Glasgow

Postal code: G2 6QE

Country: United Kingdom

Contact person: Property and Capital Planning

For the attention of: Jacqueline Kilcoyne

Telephone: +44 1412071821

Internet address: <http://www.publictendersscotland.publiccontractsscotland.gov.uk>

Tenders or requests to participate must be submitted: Official name: The Common Services Agency (more commonly known as NHS National Services Scotland)

Postal address: Meridian Court, 5 Meridian Court

Town: Glasgow

Postal code: G2 6QE
Country: United Kingdom
For the attention of: Jacqueline Kilcoyne
Telephone: +44 1412071821
Internet address: <http://www.publictendersscotland.publiccontractsscotland.gov.uk>

I.2. Type of the contracting authority

Body governed by public law

I.3. Main activity

Health

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

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

Official name: Golden Jubilee Hospital (National Waiting Times Centre Board)

Official name: NHS 24

Official name: NHS Ayrshire and Arran

Official name: NHS Borders

Official name: NHS Dumfries and Galloway

Official name: NHS Education for Scotland

Official name: NHS Fife

Official name: NHS Forth Valley

Official name: NHS Grampian

Official name: NHS Greater Glasgow and Clyde

Official name: NHS Health Scotland

Official name: NHS Highland

Official name: NHS Lanarkshire

Official name: NHS Lothian

Official name: NHS Orkney

Official name: NHS Shetland

Official name: NHS Tayside

Official name: NHS Western Isles

Official name: Scottish Ambulance Service

Official name: The State Hospital for Scotland

Official name: The Common Services Agency for the Scottish Health Service (commonly known as NHS National Services Scotland)

Official name: Healthcare Improvement Scotland

Official name: This list is not exhaustive, and should be read in conjunction with Section II.1.5 below. The types of bodies which may call off the Framework are more generally described at Section II.1.5 below.

Section II: Object of the contract

II.1. Description

II.1.1. Title attributed to the contract by the contracting authority

NHSScotland Lead Advisor Framework.

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

Services

Service category No 12: Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services
Main site or place of performance: Throughout Scotland.
NUTS code UKM Scotland

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

The procurement involves the establishment of a framework agreement

II.1.4. Information about framework agreement

Framework agreement with several operators

Maximum number Envisaged maximum number of participants to the framework agreement
: 6

Duration of the framework agreement

Duration in years: 3

Estimated total value of purchases for the entire duration of the framework agreement

Estimated value excluding VAT: 5 000 000 GBP

II.1.5. Short description of the contract or purchase(s)

The objective of the Scottish Government Health and Social Care Directorates (SGHSCD) and the Authority, acting through its division, Health Facilities Scotland (HFS) is to procure a new series of construction and professional advisor frameworks for use by NHSScotland bodies and those other organisations nominated by HFS and described in more detail in this section below ("Framework Customers"), to deliver cost and time efficiencies in the delivery of publicly funded health and social care projects across Scotland. The establishment of this new series of frameworks is presently scheduled for early 2013.

This Lead Advisor Framework (the "Framework"), part of a proposed series of professional services advisor frameworks, will be used by Framework Customers for other health and social care projects and consultancy advice in addition to work relating to projects to be delivered under the Frameworks Scotland 2 construction framework. Frameworks Scotland 2 is a national framework agreement for Scotland to be put in place between the Authority and appointed "Principal Supply Chain Partners", under which a range of publicly funded construction and repair/maintenance schemes will be delivered in respect of health, social care and other facilities.

This Framework will provide lead advisor services to Framework Customers on a call-off basis. The role of Lead Advisor is varied and may include inputs to projects to be delivered via a variety of procurement routes. It will be a key requirement of this framework to provide project management services, cost advisor services, supervisor services and brief writing for construction projects procured under the NEC3 suite of contracts. The Lead Advisor may also undertake technical building inspections and building surveys in accordance with the NHSScotland Property Appraisal Manual to assist in the development of Property and Asset Management Strategies (PAMS) and the NHSScotland State of Assets and Facilities Report. These inspections / surveys will also be used to inform backlog maintenance requirements and scope projects comprising programmes of risk reduction, statutory compliance and refurbishment works. The Lead Advisor will require to be conversant with all procurement routes used to deliver NHSScotland projects, though the primary focus of the role will be in respect of schemes delivered via the Frameworks Scotland 2 construction framework. It is intended that the following parties will be Framework Customers entitled to call off the Framework:-

— NHS Scotland Health Boards, Special Health Boards, and other NHS organisations operating in Scotland,

— Any other organisations involved in the provision of health, social care, or health or social care related services in Scotland (including those working with or on behalf of the above NHS Scotland bodies) including, without limitation, entities which are involved in the funding and/or operation of health and social care facilities, universities, charities and local authorities, as nominated by the Authority.

These bodies may act individually or collectively when calling off the Framework.

Further information is provided in the Memorandum of Information on <https://www.publictendersscotland.publiccontractsscotland.gov.uk> issued in connection with this tender process.

Health Facilities Scotland, a division of the Authority, is running this tender process. Economic operators are advised that the issue of documents by Health Facilities Scotland does not commit the Authority, the Scottish Ministers, any NHS Board in Scotland or any other NHSScotland organisation to:

- Proceed with the appointment of economic operators to this Framework,
- Award any subsequent contract for individual projects pursuant to this Framework.

None of the Authority, the Scottish Ministers, or any NHSScotland organisation, nor any of their advisors, shall be liable for any expenses incurred by economic operators in connection with the tender process whether for this Framework or any subsequent contract pursuant to this Framework.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at http://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=230388.

II.1.6. CPV code(s)

71000000 Architectural, construction, engineering and inspection services, 71500000 Construction-related services, 71530000 Construction consultancy services, 71540000 Construction management services, 71541000 Construction project management services, 71242000 Project and design preparation, estimation of costs, 71244000 Calculation of costs, monitoring of costs, 71315300 Building surveying services, 71324000 Quantity surveying services, 71246000 Determining and listing of quantities in construction, 71521000 Construction-site supervision services, 71221000 Architectural services for buildings, 71250000 Architectural, engineering and surveying services, 71251000 Architectural and building-surveying services, 71247000 Supervision of building work, 71248000 Supervision of project and documentation, 71315000 Building services, 71510000 Site-investigation services, 71520000 Construction supervision services

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

The Authority is not able to guarantee the volume, type or value of any work called off under the Framework, however the current estimate of the total potential value over the term of the Framework is noted below.

Estimated value excluding VAT: 5 000 000 GBP

II.2.2. Information about options

Options: yes

Description of options: The initial term of the framework will be 3 years. The framework may be extended for a period of up to 12 months at the end of the initial term at the sole discretion of the Authority.

Provisional timetable for recourse to these options:

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

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Section III: Legal, economic, financial and technical information

III.1. Conditions related to the contract

III.1.1. Deposits and guarantees required

Warranties, bonds and / or parent company guarantees or similar may be required.

Full details will be made available in supporting tender documentation.

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

Full details will be made available in supporting tender documentation.

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

Contracts will be entered into with the economic operator only. Whilst a “partnership” or consortium model may, in practice, be adopted by the economic operator from a contractual perspective the economic operator will be required to assume the role of a “prime contractor” in respect of any subcontractors and will be required to assume liability and responsibility for the acts and omissions of any subcontractors utilised by them to deliver services under the framework.

III.1.4. Contract performance conditions

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: Contract conditions (including framework agreement and conditions for specific contract awards) will be made available in supporting tender documentation.

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: A Pre-Qualification Questionnaire will be issued to all economic operators that respond within the time limit set out at section IV.3.4 detailing the requirements and information to be provided in relation to the personal situation of economic operators.

It is a mandatory requirement for selection for participation in this procurement exercise that all economic operators and their sub-contractors are certified by a member of Safety Schemes in Procurement (SSIP) as Designer (or equivalent organisation).

III.2.2. Economic and financial ability

List and brief description of conditions: A Pre-Qualification Questionnaire will be issued to all economic operators that respond within the time limit set out at section IV.3.4 detailing the requirements and information to be provided in relation to the economic and financial capacity of economic operators.

Minimum level(s) of standards possibly required: Minimum standards will be detailed in the PQQ to be issued by the Authority.

III.2.3. Technical and professional ability

List and brief description of conditions:

A Pre-Qualification Questionnaire will be issued to all economic operators that respond within the time limit set out at section IV.3.4 detailing the requirements and information to be provided in relation to the technical capacity of economic operators.

Minimum level(s) of standards possibly required:

It is a mandatory requirement for selection for participation in this procurement exercise that all economic operators and their sub-contractors are certified by a member of Safety Schemes in Procurement (SSIP) as Designer (or equivalent organisation).

III.2.4. Information about reserved contracts

III.3. Conditions specific to services contracts

III.3.1. Information about a particular profession

III.3.2. Information about staff responsible for the performance of the contract

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: 10

Objective criteria for choosing the limited number of candidates: However in the event that there is minimal scoring differential between the economic operators ranked tenth and eleventh, or eleventh and twelfth (and so on), the Authority reserves the right to invite to tender any economic operator(s) whose score is not materially different to the economic operator ranked immediately above it.

Objective criteria for choosing the limited number of candidates.

Full details are available in the Pre-Qualification Questionnaire which will be issued to all economic operators that respond within the time limit set out at section IV.3.4.

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

An electronic auction will be used: no

IV.3. Administrative information

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

IV.3.2. Previous publication concerning this procedure

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

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

1.8.2012 - 12:00

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

19.9.2012

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

Section VI: Complementary information

VI.1. Information about recurrence

VI.2. Information about European Union funds

VI.3. Additional information

Please refer to the Pre-Qualification Questionnaire and the Memorandum of Information (MOI) issued pursuant thereto for further details.

This Framework is a procurement method for publicly funded schemes for health and social care projects. Under this procurement all economic operators will be required to support the Authority's economic and social regeneration activities. Accordingly, contract performance conditions may relate in particular to social and environmental considerations that are relevant to the contract.

Access to Pre Qualification questionnaire: Candidates wishing to be considered for this contract must register their interest through the Public Contracts Scotland website.

Once expressions of interest have been registered, candidates will be able to be allocated the Pre Qualification Questionnaire by then registering on the NHS Scotland E-tendering system. Candidates can register at:

<https://www.publictendersscotland.publiccontractsscotland.gov.uk>

This procurement exercise will be conducted on the NHS Scotland eTendering portal at www.publictendersscotland.publiccontractsscotland.gov.uk.

The Authority reserves the right, if and when this requirement is offered to tender, to conduct the selection or award stages by various means such as electronic submissions via the internet, by interview/ presentation and formal documentation review.
(SC Ref:230388).

VI.4. Procedures for review

VI.4.1. Review body

VI.4.2. Review procedure

Precise information on deadline(s) for review procedures: The Authority will notify economic operators who submitted a tender or (where no deselection notification has previously been made) applied to be selected to tender, of its decision to award the contract, which notification will contain, among other information, a summary of the reasons why the economic operator was unsuccessful. The notification will incorporate a 'standstill period' of a minimum of 10 clear calendar days (or 15 if the notice is not sent electronically) between the date on which the Authority despatches the notice and the date on which the Authority proposes to make an award pursuant to this procurement. The bringing of court proceedings against the Authority during the standstill period will automatically continue the prohibition on entering into the contract 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 contract has been entered into include the setting aside of the decision to award the contract to the winning tenderer. The bringing of court proceedings against the Authority after the contract has been entered into will not affect the contract unless grounds for the imposition of special penalties under The Public Contracts (Scotland) Regulations 2012 can be established. Otherwise the remedies that may be awarded by the courts where the contract has been entered into are limited to the award of damages. Economic operators are entitled to write to the Authority after receipt of the notification should they require further clarification. The Authority will respond within 15 days of such a written request, but it should be noted that receipt by the Authority of such request during the standstill period may not prevent the Authority from awarding the contract following the expiry of the standstill period. Where an economic operator is dissatisfied with the Authority's response to its request for clarification, or considers that the contract has been concluded in breach of The Public Contracts (Scotland) Regulations 2012, such economic operator is advised to promptly seek independent legal advice.

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

VI.5. Date of dispatch of this notice

22.6.2012