

**United Kingdom-Edinburgh: Supply services of personnel including temporary staff**

OJ S 199/2013 12/10/2013

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: The Scottish Ministers acting through Scottish Procurement

Postal address: Area 3-F North, Victoria Quay

Town: Edinburgh

Postal code: EH6 6QQ

Country: United Kingdom

Contact person: SPCD

For the attention of: Diane Archer

E-mail: [diane.archer@scotland.gsi.gov.uk](mailto:diane.archer@scotland.gsi.gov.uk)

Telephone: +44 1312443670

**Internet address(es):**General address of the contracting authority: <http://www.scotland.gov.uk/Topics/Government/Procurement>Address of the buyer profile: [http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10622](http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10622)Electronic access to information: <http://www.publictendersscotland.publiccontractsscotland.gov.uk/>Electronic submission of tenders and requests to participate: <http://www.publictendersscotland.publiccontractsscotland.gov.uk/>**Additional information can be obtained from:**

the abovementioned address

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

the abovementioned address

**Tenders or requests to participate must be submitted:** the abovementioned address**I.2. Type of the contracting authority**

Ministry or any other national or federal authority, including their regional or local subdivisions

**I.3. Main activity**

General public services

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

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

Official name: National Records of Scotland

Official name: Historic Scotland

Official name: Disclosure Scotland

Official name: Registers of Scotland

Official name: Scottish Qualification Authority

Official name: Scottish Courts Service

Official name: Scottish Prison Service

Official name: Transport Scotland

Official name: The Scottish Government Core Directorates  
Official name: Highlands and Islands Enterprise  
Official name: Crown Office & Procurator Fiscal Service  
Official name: Scottish Police Authority  
Official name: National Museums of Scotland  
Official name: Scottish Children's Reporter Administration  
Official name: Scottish Enterprise  
Official name: Scottish Environment Protection Agency  
Official name: Scottish Legal Aid Board  
Official name: Scottish Natural Heritage  
Official name: Skills Development Scotland  
Official name: Visit Scotland  
Official name: Aberdeen City Council  
Official name: Aberdeenshire Council  
Official name: Angus Council  
Official name: Argyll and Bute Council  
Official name: City of Edinburgh Council  
Official name: Clackmannanshire Council  
Official name: Comhairle nan Eilean Siar  
Official name: Dumfries and Galloway Council  
Official name: Dundee City Council  
Official name: East Ayrshire Council  
Official name: East Dunbartonshire Council  
Official name: East Lothian Council  
Official name: East Renfrewshire Council  
Official name: Falkirk Council  
Official name: Fife Council  
Official name: Glasgow City Council  
Official name: Highland Council  
Official name: Inverclyde Council  
Official name: Midlothian Council  
Official name: Moray Council, The  
Official name: North Ayrshire Council  
Official name: North Lanarkshire Council  
Official name: Orkney Islands Council  
Official name: Perth and Kinross Council  
Official name: Renfrewshire Council  
Official name: Scottish Borders Council  
Official name: Shetland Islands Council  
Official name: South Ayrshire Council  
Official name: South Lanarkshire Council  
Official name: Stirling Council  
Official name: West Dunbartonshire Council  
Official name: West Lothian Council  
Official name: Central Scotland Fire and Rescue Service  
Official name: Dumfries and Galloway Fire and Rescue Service  
Official name: Fife Fire and Rescue Service  
Official name: Grampian Fire and Rescue Service  
Official name: Highlands and Islands Fire and Rescue Service  
Official name: Lothian and Borders Fire and Rescue Service

Official name: Strathclyde Fire and Rescue Service  
Official name: Tayside Fire and Rescue Service  
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: Healthcare Improvement Scotland  
Official name: NHS Shetland  
Official name: NHS Tayside  
Official name: NHS Western Isles  
Official name: Scottish Ambulance Service  
Official name: The Common Services Agency for the Scottish Health Service  
Official name: The State Hospital for Scotland  
Official name: Aberdeen College  
Official name: Adam Smith College  
Official name: Angus College  
Official name: Anniesland College  
Official name: Ayr College  
Official name: Banff and Buchan College  
Official name: Barony College  
Official name: Borders College  
Official name: Cardonald College  
Official name: Carnegie College  
Official name: Central College of Commerce  
Official name: Clydebank College  
Official name: Coatbridge College  
Official name: Cumbernauld College  
Official name: Dumfries and Galloway College  
Official name: Dundee College  
Official name: Edinburghs Telford College  
Official name: Elmwood College  
Official name: Forth Valley College  
Official name: Glasgow College of Nautical Studies  
Official name: Glasgow Metropolitan College  
Official name: Inverness College  
Official name: James Watt College  
Official name: Jewel and Esk College  
Official name: John Wheatley College  
Official name: Kilmarnock College

Official name: Langside College  
Official name: Lews Castle College  
Official name: Moray College  
Official name: Motherwell College  
Official name: Newbattle Abbey College  
Official name: North Glasgow College  
Official name: North Highland College  
Official name: Oatridge College  
Official name: Orkney College  
Official name: Perth College  
Official name: Reid Kerr College  
Official name: Sabhal Mor Ostaig  
Official name: Shetland College  
Official name: South Lanarkshire College  
Official name: Stevenson College  
Official name: Stow College  
Official name: West Lothian College  
Official name: Edinburgh College of Art  
Official name: Edinburgh Napier University  
Official name: Glasgow Caledonian University  
Official name: Glasgow School of Art  
Official name: Heriot-Watt University  
Official name: Queen Margaret University  
Official name: Robert Gordon University  
Official name: Royal Scottish Academy of Music and Drama  
Official name: Scottish Agricultural College  
Official name: UHI Millennium Institute  
Official name: University of Aberdeen  
Official name: University of Abertay Dundee  
Official name: University of Dundee  
Official name: University of Edinburgh  
Official name: University of Glasgow  
Official name: University of St Andrews  
Official name: University of Stirling  
Official name: University of Strathclyde  
Official name: University of the West of Scotland  
Official name: Cairngorms National Park Authority  
Official name: Office of Scottish Charity Regulator  
Official name: Forestry Commission Scotland  
Official name: Audit Scotland

## **Section II: Object of the contract**

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### **II.1. Description**

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

Provision of Temporary and Interim Staff Services - Temporary Catering/Manual - North.

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

Services

Service category No 22: Personnel placement and supply services  
Main site or place of performance: North of Scotland (including Highlands & Islands, Moray, Aberdeenshire, Angus, Tayside, Perth & Kinross).  
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

Number Envisaged maximum number of participants to the framework agreement: 3

#### **Duration of the framework agreement**

Duration in years: 4

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

Estimated value excluding VAT: 1 900 000 GBP

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

This agreement is for the supply of Temporary Catering/Manual Staff Services to Public Sector organisations in the North Scotland (including Highlands & Islands, Moray, Aberdeenshire, Angus, Perth & Kinross and Tayside).

The framework agreement will be available for use by the Scottish Ministers (including Agencies), Scottish Non-Departmental Public Bodies, offices in the Scottish Administration which are not ministerial offices, cross-border public authorities within the meaning of section 88(5) of the Scotland Act 1998, the Scotland Office, the Scottish Parliamentary Corporate Body, councils constituted under section 2 of the Local Government etc. (Scotland) Act 1994, the Scottish Fire and Rescue Service, the Scottish Police Authority, Scottish National Park authorities, bodies registered as social landlords under the Housing (Scotland) Act 2001, Scottish health boards or special health boards, Student Loans Company Limited, the Forestry Commission, the Commissioner of Northern Lighthouse operating as the Northern Lighthouse Board, Scottish Futures Trust, Equality and Human Rights Commission, Business Stream Ltd, the Business Gateway National Unit at the Convention of Scottish Local Authorities, further or higher education institutions being fundable bodies within the meaning of section 6 of the further and Higher Education (Scotland) Act 2005, any public body established by or under the Scotland Act 1998 or any Act of the Scottish Parliament, any association of or formed by one or more of the foregoing, bodies financed wholly or mainly by one or more of the foregoing, bodies subject to management supervision by one or more of the foregoing and bodies more than half of the board of directors or members of which, or, in the case of a group of individuals, more than half of those individuals, being appointed by one or more of the foregoing. In addition to the contracting authorities listed, the framework agreement will be available to charities entered on the Scottish Charity Register and voluntary organisations entered on the Membership Database of the Scottish Council for Voluntary Organisations. Information about agencies of the Scottish Ministers and offices in the Scottish Administration which are not ministerial offices is available at:

<http://www.scotland.gov.uk/About/Information/FOI/19260/18085>

Scottish Non-Departmental Public Bodies are listed at:

<http://www.scotland.gov.uk/Topics/Government/public-bodies/about/Bodies>

Information about the Review of Public Procurement in Scotland and links to the other Centres of Expertise are available at:

<http://www.scotland.gov.uk/Topics/Government/Procurement>

NOTE: The authority is using PCS-Tender to carry out this procurement process. Please note this is a separate website and if you are not already registered, registration will be required

To access PCS-Tender, record your interest in this notice and access the tender documentation please visit <https://www.publictendersscotland.publiccontractsscotland.gov.uk> and search for project Code project\_1438 within the appropriate area.

If you have already registered on Public Contracts Scotland and PCS-Tender and paired your accounts you can access PCS-Tender through your Public Contracts Scotland Control Panel.

**II.1.6. CPV code(s)**

79620000 Supply services of personnel including temporary staff

**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**

Estimated value excluding VAT: 1 900 000 GBP

**II.2.2. Information about options**

Options: yes

Description of options: There will be an option to extend the initial 3 year framework by 1 year.

**II.2.3. Information about renewals**

This contract is subject to renewal: no

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

Duration in months: 48 (from the award of the contract)

**Section III: Legal, economic, financial and technical information**

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**III.1. Conditions related to the contract**

**III.1.1. Deposits and guarantees required**

Guarantees may be required from parent companies and from banks. Also, insurance for professional indemnity, employer and 3rd party liability is required.

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

This will be covered in the Invitation to Tender, where applicable.

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

Consortia must nominate a prime or lead contractor to deal with Scottish Ministers on all matters relating to this procurement. If successful, consortium bidders will be required to accept 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: (1) All candidates will be required to produce a certificate or declaration demonstrating that they are not bankrupt or the subject of an administration order, are not being wound-up, have not granted a trust deed, are not the subject of a petition presented for sequestration of their estate, have not had a receiver, manager or administrator appointed and are not otherwise apparently insolvent.

(2) All candidates will be required to produce a certificate or declaration demonstrating that the candidate, their directors, or any other person who has powers of representation, decision or control of the candidate has not been convicted of conspiracy, corruption, bribery, or money laundering. Failure to provide such a declaration will result in the candidate being declared ineligible and they will not be selected to participate in this procurement process.

(3) All candidates will be required to produce a certificate or declaration demonstrating that they have not been convicted of a criminal offence relating to the conduct of their business or profession.

(4) All candidates will be required to produce a certificate or declaration demonstrating that they have not committed an act of grave misconduct in the course of their business or profession.

(5) All candidates must comply with the requirements of the State in which they are established, regarding registration on the professional or trade register.

(6) Any candidate found to be guilty of serious misrepresentation in providing any information required, may be declared ineligible and not selected to continue with this procurement process.

(7) All candidates will have to demonstrate that they are licensed, or a member of the relevant organisation, in the State where they are established, when the law of that State prohibits the provision of the services, described in this notice, by a person who is not so licensed or who is not a member of the relevant organisation.

(8) All candidates will be required to produce a certificate or declaration demonstrating that they have fulfilled obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which the candidate is established

(9) All candidates will be required to produce a certificate or declaration demonstrating that they have fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established.

### **III.2.2. Economic and financial ability**

List and brief description of conditions: (1) All candidates will be required to provide a statement, covering the 3 previous financial years including the overall turnover of the candidate and the turnover in respect of the activities which are of a similar type to the subject matter of this notice.

### **III.2.3. Technical and professional ability**

List and brief description of conditions:

(1) Details of the educational and professional qualifications of their managerial staff; and those of the person(s) who would be responsible for providing the services or carrying out the work or works under the contract;

(2) A statement of the principal goods sold or services provided by the supplier or the services provider in the past 3 years, detailing the dates on which the goods were sold or the services provided; the consideration received; the identity of the person to whom the goods were sold or the services were provided

(3) A check may be carried out by the contracting authority or by a competent official body of the State in which the candidate is established, to verify the technical capacity of the candidate; and if relevant, on the candidates study and research facilities and quality control measures;

(4) A statement of the candidate's technical facilities; measures for ensuring quality; and their study and research facilities;

(5) An indication of the proportion of the contract which the services provider intends possibly to subcontract.

(6) A statement of the technicians or technical services available to the candidate to carry out the work under the contract; or be involved in the production of goods or the provision of services under the contract; particularly those responsible for quality control, whether or not they are independent of the candidate.

#### **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**

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#### **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

##### **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**

SP-13-019

##### **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**

11.11.2013 - 12:00



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

6.2.2014

**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**

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**VI.1. Information about recurrence**

This is a recurrent procurement: yes

Estimated timing for further notices to be published: In 4 years.

**VI.2. Information about European Union funds**

**VI.3. Additional information**

In addition to the contracting authorities listed at II.1.4 above, the framework agreement will be available to charities entered on the Scottish Charity Register and voluntary organisations entered on the Membership Database of the Scottish Council for Voluntary Organisations.

(SC Ref:277608)

(SC Ref:277909)

**VI.4. Procedures for review**

**VI.4.1. Review body**

**VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: An economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2012 may bring proceedings in the Sheriff Court or the Court of Session.

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

**VI.5. Date of dispatch of this notice**

10.10.2013