



**INVITATION TO PARTICIPATE IN A TENDER PROCEDURE UNDER ANNEX XIV OF
DIRECTIVE 2014/24 AND AN AUTHORISATION SCHEME FOR THE PROVISION OF HOME
SUPPORT SERVICES**

***(INCORPORATING SERVICES FORMERLY TENDERED AS ENHANCED HOMECARE
SERVICES & INCORPORATING TRADITIONAL HOME HELP SERVICES) NOT DELIVERED
BY HSE DIRECTLY EMPLOYED STAFF***

Stage 2 - Confirmation of Compliance

HSE PROJECT 19479

**This document should be read in conjunction with the
Authorisation Scheme Response Document
and
HSE Competition Rules Document**

Please note dates:

Close of Queries: 12 Noon 8th June, 2023

Close of Submission: 10:00am 15th June, 2023

Attachment 1 – Competition Rules;
Attachment 2 – Compliance Response Document;
Attachment 3 – Service Arrangement Part 1 (For Profit);
Attachment 3 – Service Arrangement Part 1 (Section 39);
Attachment 4 – Service Arrangement Part 2;
Attachment 5 – Q&A (Stage 2)
Attachment 6 – Addendum (For Profit)
Attachment 6 – Addendum (Not for Profit)



Important Notice

The HSE is now proceeding to reconstitute the tendering arrangements for the supply of Home Support Services to an Authorisation Scheme. Under such a system the prices will be fixed for all operators and the terms of the Arrangement would be identical for all operators. Under the Authorisation Scheme the choice of operator would be made by clients, the users of the service.

While every effort has been made to provide comprehensive and accurate information in all notices and documents prepared for the purposes of this process, the HSE does not accept any liability or provide any express or implied warranty in respect of such information. Applicants must form their own conclusions about the solution needed to meet the requirements set out in this Invitation to Confirm Compliance and may wish to consult their legal advisors.

The HSE does not bind itself to accept any response to this Invitation to Confirm Compliance Stage.

This Invitation does not constitute an offer or commitment to enter into a contract. No contractual rights in relation to the HSE will exist unless and until a formal written contract has been executed by or on behalf of the HSE.

Any notification of shortlisted Applicant status by the HSE does not give rise to any enforceable right by the Applicant.

This Invitation supersedes and replaces any and all previous documentation, communications and correspondence between the HSE and Applicants, and Applicants should place no reliance on such previous documentation and correspondence.

Authorisation Scheme – Stage 2

Tender Title	<p>INVITATION TO PARTICIPATE IN A TENDER PROCEDURE UNDER ANNEX XIV OF DIRECTIVE 2014/24 AND AN AUTHORISATION SCHEME FOR THE PROVISION OF HOME SUPPORT SERVICES</p> <p>CONFIRMATION OF COMPLIANCE STAGE (STAGE 2)</p>
HSE Ref.	HSE Project 19479
Tender Description	<p>HSE on behalf of Services for Older People intends to establish either an Authorisation Scheme pursuant to which Service Arrangements shall be entered into for an initial term of 12 months (or until such time as terminated by the HSE on the giving of one month's notice) to secure suitable service providers to meet the HSE's requirements for home support services or to select Applicants to tender for such services for a similar or shorter period.</p> <p>Interested parties are advised that although the process was advertised on eTenders using the restricted procedure that this is in fact a simple Authorisation Scheme and not subject to Directive 2014/24/EU. The Authorisation Scheme shall be of indefinite duration and continue in being until such time as terminated by the HSE. As noted above, the Service Arrangements to be entered into pursuant to the Authorisation Scheme shall have an initial term of twelve (12) months' duration (or until such time as terminated by the HSE on the giving of one month's notice) and may be extended for a further period of twelve (12) months (which may be subject to a rate review at the HSE's absolute discretion), such extended term subject always to termination by the HSE on the giving of one month's notice.</p> <p>At Stage 1, Invitation to Participate, the HSE invited requests for participation from interested parties for the provision of high quality, Home Support Services (or "HSS") for older people, where HSE directly employed staff are not available to deliver such services.</p> <p>The Home Support Services being procured in this process incorporates:</p> <ol style="list-style-type: none"> (1) services previously tendered as Enhanced Homecare Services and (2) traditional Home Help Services which have been part of the single funded Home Support Services (HSS) since 1st January 2018, and (3) home support services provided through Intensive HCP funded arrangements when HSE directly employed staff are not available to deliver the services, and (4) Consumer Directed Home Support Services, as another approach to service delivery. <p>All of the above requirements relate to when HSE directly employed staff are not available to deliver the services.</p> <p>These Services are critical to meet growing demand and meet Sláintecare / HSE Service Plan objectives of increasing access to care and supports at home and in the community thus reducing the requirement for long-term residential care and acute services.</p> <p>The HSE seeks responses from the prequalified candidates at Stage 1 of</p>

Authorisation Scheme – Stage 2

this procurement process with a view to awarding membership of the Authorisation Scheme.

While an Authorisation Scheme is being implemented at this time, it will be subject to ongoing review, and ongoing analysis of the component rates, in particular non-pay components.

The HSE further reserves the right to revert to a competitive tender process in the future at its absolute discretion.

In respect of the Lots, the outcome of this process will apply to any clients receiving a Home Support Service allocated from the commencement of the new Arrangement where HSE directly employed staff are not available to deliver the Service.

The impending legislation to establish a statutory home support scheme may impact upon the operation of the home support Authorisation Scheme once enacted. The requirement for Home Support Services is where clients require such services and supports within available resources and where HSE directly employed staff are not available to deliver same. Successful Applicants will provide the Home Support Services required ("Service Providers").

The requirement therefore constitutes a supplement to direct service provision.

The following should be noted in respect of the Lots in the event that an Authorisation Scheme is chosen as the preferred route:

- 1) New HSS clients (not already in receipt of any HSS) will have their Home Support Service provided by their chosen single Approved Provider under this Authorisation Scheme, when HSE directly employed staff are not available to deliver the Services;
- 2) Existing HSS clients already in receipt of HSE funded Home Support Service on date of commencement of this service arrangement (the subject of this Tender process) are not affected by this Tender and may continue to receive their existing level of service from their existing provider.

All existing rates under previous tender arrangements for providers will move to the Rates, subject to the provider becoming a member of the Authorisation scheme. If an existing client is approved for additional hours, which are delivered by an Approved Provider, the additional hours will be paid at the Rates. See Schedule 6 for further details on applicable Rates for the Services pursuant to this Authorisation Scheme

In the event that a provider does not become an Approved Provider under this Authorisation Scheme then all existing rates that the provider is in receipt of for services provided under previous tender arrangements will remain as per the rates set out in those previous arrangements

Authorisation Scheme – Stage 2

	<p>3) The HSE will continue to provide clients with an option for Consumer Directed Home Support (CDHS) as an additional service delivery mechanism – please refer to the 2018 National Guidelines and Procedures for the Standardised Implementation of the Home Support Service (HSS Guidelines): https://www.hse.ie/eng/services/list/4/olderpeople/national-guidelines-and-procedures-for-the-standardised-implementation-of-the-home-support-service-hss-guidelines.pdf</p> <p>The Home Support Service should be managed and provided at all times in a way that meets the individual needs of the person receiving home support and respects the rights, privacy, culture, dignity and care needs of the individual.</p> <p>The required Services are healthcare services. Healthcare services fall under the heading of “social and other specific services” for procurement law purposes. Healthcare Services are subject only to Part 3 of the European Union (Award of Public Authority Contracts) Regulations 2016 (S.I. 284 of 2016) (the “Regulations”). The balance of the provisions of the Regulations do not apply to this Authorisation Scheme process.</p> <p>These services are listed as Annex XIV services, and accordingly, only Articles 74 to 77 of Directive 2014/24/EC shall apply to the award of any contracts that arise from a future tender process. As such, the HSE has some flexibility in conducting a future tender process which will result in a Panel of successful service providers. Notwithstanding this, the HSE intends to conduct any tender competition in a fair, equitable and transparent manner and in accordance with the methodologies defined in future tender documentation.</p>
CPV Code/Description	<p>85000000 - 9 Health and Social work services 85140000 - 2 Miscellaneous health services 85320000 – 8 Social Services 98513310 – 8 Home Support</p>
Completed submissions must be returned to:	All submissions must be completed and returned through the etenders postbox facility. Applicants must register with www.etenders.gov.ie and express an interest in this process in order to be able to submit their electronic application.
Closing Date	10:00AM (local time), 15th June, 2023
Queries Deadline	Noon (local time), 8th June, 2023
HSE Procurement contact	<p>Claudia Manning All queries must be submitted via the Message facility on the etenders website, www.etenders.gov.ie</p>
Submission Validity Period	6 months from second stage submission
Note:	<ul style="list-style-type: none"> It is imperative that all questions in the Compliance Response Document section are completed in the format provided as this Response section will be used as the basis for award. If you have any queries or problems completing this document please submit any query in writing via the Q&A facility on the eTenders website which will route to the HSE.

Authorisation Scheme – Stage 2

	<ul style="list-style-type: none"> • For general information on the HSE refer to www.hse.ie • Defined terms used in this Invitation to Participate include defined terms contained in the Competition Rules (attached); • This Invitation to Confirm Compliance should in the event that this proceeds as a tender process be read in conjunction with the Competition Rules (see Attachment 1).
--	---

Authorisation Scheme Submission Checklist	Check
Is the Response document completed in full and submitted via etenders postbox facility?	
Is all Supporting documentation required submitted via the etenders postbox facility?	
Have you noted the closing time and date for the return of submissions?	
eTenders Submission Instructions: <ul style="list-style-type: none"> • For guidance on ePostbox facilities go to http://www.etenders.gov.ie/system-user-guides • Post-box facility is time locked. Receipt of submissions is not possible after the official closing deadline. • Avoid last minute problems by rehearsing submission process well in advance of deadline. • Submissions will not be accepted in hard copy or by electronic means other than www.etenders.gov.ie • The following document formats are acceptable: Microsoft Word 2010 and earlier; PDF (all versions), and Excel – embedded files and links to attachments and websites may not be accepted or evaluated. 	

Authorisation Scheme – Stage 2

INTRODUCTION

THE HSE

The Health Service Executive (HSE) is responsible for providing Health and Personal Social Services for everyone living in the Republic of Ireland. The HSE was set up as part of the provisions of the Health Act, 2004, which states the objective of the HSE is to provide services that improve, promote and protect the health and welfare of the public.

The HSE provides thousands of different services in hospitals and communities across the country. These services range from public health nurses treating older people in the community to caring for children with challenging behaviour; from educating people how to live healthier lives to performing highly-complex brain surgery; from planning for major emergencies to controlling the spread of infectious diseases. At some stage every year, everybody in Ireland will use one or more of the services provided. They are of vital importance to the entire population.

Further general information about the HSE is available on the website www.hse.ie/en/.

This Authorisation Scheme process is conducted on behalf of HSE nationally, organisations funded by the HSE and other publicly funded agencies.

1) SPECIFICATION OF REQUIREMENT

A detailed Service Specifications document was issued as part of Stage 1 (Invitation to Participate) of this process. See HSE standard Service Arrangements, link below:

<https://www.hse.ie/eng/about/who/finance/nationalfinance/procurement/2023-2-21-standard-terms-for-services-supplies-v8-2.pdf>

The successful Applicants will be required to execute a contract similar to the HSE's standard Service Arrangement for the provision of Home Support services, attached herein.

Please note that the attachments are blank, however each shortlisted provider will be circulated an individualised Part 1 Service Arrangements for return with their Confirmation of Compliance documentation.

Part 2 of Arrangements (Service Schedules) documentation will be signed after award of a place on the Scheme – for the avoidance of doubt, Applicants are not required to complete same at this stage.

2) COMMUNICATIONS

As noted in on page 5, the sole point of contact within the HSE for this process shall be:

Claudia Manning via eTenders messaging facility only

Please note all queries in relation to this process must be submitted via the eTenders messaging facility.

Applicants may submit clarification queries during this Stage 2 of the process in respect of matters contained in the Documents. **All clarification requests must be submitted via eTenders messaging facilities only.** Such requests received will be collated and responses issued to all

Authorisation Scheme – Stage 2

Applicants via eTenders website. All clarification responses issued will be deemed to form a constituent element of the Authorisation Scheme documentation.

Any necessary meetings or discussions will be arranged and/or facilitated by the point of contact. In all phases of this procurement, all communication among Applicants and the HSE related to the Invitation to Confirm Compliance must be in writing, via eTenders messaging facilities. All Applicants will be advised by email of any significant issues raised by any Applicants. Copies of all questions received and answers given will be forwarded to all participants via the etenders website. It is the responsibility of all Applicants to check their email on a daily basis.

Questions received after **12 noon, 25th May, 2023 (local time)** will not be entertained.

Applicants shall not contact any other HSE personnel about this Authorisation Scheme process between the issuance of this document unless previously authorised to do so.

Failure to comply with any of the above procedures may result in disqualification of the Applicant.

3) SERVICE ARRANGEMENT / PERFORMANCE MANAGEMENT

The successful Applicants will be required to execute a contract similar to the HSE's standard Service Arrangement for the provision of Home Support Services. Available at the following web-link:-

<https://www.hse.ie/eng/services/publications/non-statutory-sector/home-support-services-documentation.html>

See Tender Description section above for details on the duration of the Authorisation Scheme and the Service Arrangements arising from the Authorisation Scheme.

This is subject to the reservations in the paragraphs below (page 8) of this document.

The Service Arrangement will be subject to review on an ongoing basis. The successful Applicants will be expected to participate in monitoring (including providing periodic management reports for the term of the Service Arrangement) and continuously improving the Services required under the Service Specification.

The HSE will monitor service delivery and performance under these contracts. Service providers will be subject to ongoing review, audit and inspection of their service delivery, service management and support, and of their facilities.

Please note that the HSE does not guarantee any level of business to any service provider under these arrangements.

Please Note:

The Department of Health is currently engaged in the development of legislation and regulation for the establishment of a statutory Home Support Scheme. This process will consider the future design of both the funding and regulation systems for these crucial services. The outcome of this process and the arrangements & Arrangements arising from it are subject to any superseding legislation that may impact on Home Support Services in Ireland, even where this arises within the planned timelines of this process and emerging Arrangements. This will be subject to further engagement as required.

Authorisation Scheme – Stage 2

In addition, in the event that there are other regulatory changes which come into effect after the award of contracts (and which, for example, affect some but not all Approved Providers) the HSE reserves the right to take the appropriate course of action at the relevant time which may include adjustments to the allocation of Approved Providers or the restructuring of relevant Lots as the HSE considers necessary and appropriate having regard to all relevant circumstances prevailing at the time, and subject to engagement with all relevant stakeholders.

4) OVERVIEW OF THE PROCESS:

This procurement / authorisation process will comprise of a number of stages as summarised below:

Stage 1 – EOI response – this stage is now complete

Applicants were required to complete all aspects of this Stage 1 documentation.

Stage 2 – Invitation to Respond to Stage 2 and or Appointment to the Authorisation Scheme

The HSE is now proceeding on the basis of an Authorisation Scheme. The HSE will provide to all successful Applicants the standard contract which will they be required to execute together with the commercial terms (to include the applicable rate). Upon receipt of the executed Arrangement by these selected parties the HSE will announce the commencement of the Authorisation Scheme. Future applicants for such Home Support Services as cannot be provided directly by the HSE will be notified of the selected service providers. The users will then engage with the service provider of choice to commence services.

Unsuccessful Applicants at Stage 1 will be afforded the opportunity to re-apply immediately following appointment of Stage 2 applicants and thereafter every 6 months. Such future approaches to the market will be published via www.etenders.gov.ie

EVALUATION PROCESS OF CONFIRMATION OF COMPLIANCE (STAGE 2) SUBMISSIONS:

3 - Local service delivery – Applicants are required to set out the CHO areas they wish to operate in (See Appendix 2 for information and Authorisation Scheme Response Document for completion). Applicants are requested to identify the areas they wish to be considered for in the Geographic Service Provision Intent. Applicants must ensure that they can immediately provide the relevant services in the areas that they identify (i.e., the Lots). Applicants should note that failure to do so may result to temporary suspension and repeated failure to do so may ultimately lead to an Applicant's expulsion from said Lot. The HSE will proactively manage this to ensure the integrity of the Arrangement from the commencement date of the contract. Applicants should refer to Part 1 Service Arrangement and Schedule 3 (Service Delivery Specification) of Part 2 of the Service Arrangement for further information in this regard.

Notes:

The HSE reserves the right to undertake site visits and/or to seek appropriate documentary evidence, to support claims made either in relation to any or all of the above requirements, as part of evaluation and/or as part of monitoring arrangements in the operation of these arrangements.

Successful Applicants will be subject to on-going service delivery monitoring to ensure that they are meeting these requirements in accordance with their Authorisation Scheme proposals. Please refer to the Authorisation Scheme Response Document for further details.

Authorisation Scheme – Stage 2

Procedure:

As set out in the Stage 1 documentation, the HSE will review Authorisation Scheme applications on bi-annual (every 6 months) basis. For the establishment of the initial Authorisation Scheme, the HSE has conducted the following process to admit Authorisation Scheme Applicants to the Authorisation Scheme:

1. Potential providers have submitted Authorisation Scheme applications using the etenders post box facility on www.etenders.gov.ie
2. The HSE has evaluated all Authorisation Scheme applications against the minimum requirements set out in the Stage 1 documentation.
3. The HSE now requires Applicants to complete the Stage 2 Authorisation Scheme Response Document which sets contains the Rates applicable, the Lots available and details in relation to the Arrangement governing this Authorisation Scheme;
4. In future procedures, the HSE may hold clarification meetings / teleconference with potential providers as may be required*.

*The HSE may hold clarification meetings with Authorisation Scheme Applicants. Authorisation Scheme Applicants are required to have suitable personnel available to attend any such meeting(s) or make available a suitably senior individual within their organisation to provide clarifications by telephone on a date to be advised. Authorisation Scheme Applicants will attend such meetings at their own expense.

Potential Providers whom have been unsuccessful at this initial approach to market are free to re-apply to the Authorisation Scheme once it re-opens at the periodic intervals.

Authorisation Scheme Arrangement:

Authorisation Scheme Applicants that have met the minimum requirements set out in the Invitation to Participate will be required to confirm their appointment to the Authorisation Scheme by signing the relevant declaration included herein. The HSE will not enter into any negotiations with Authorisation Scheme Applicants as to its terms.

Authorisation Scheme Applicants should assume that the terms of the Authorisation Scheme Arrangement will broadly mirror the HSE Standard Conditions of Contract (V8) and the terms specified in the Invitation to Participate with some Authorisation Scheme specific changes.

<https://www.hse.ie/eng/about/who/finance/nationalfinance/procurement/2022-12-21-standard-terms-for-services-supplies-v8-dec-2022.pdf>

Please pay particular attention to Section 24 of the conditions pertaining to Insurance Cover. The HSE will require Authorisation Scheme Applicants to meet the levels of cover stated in the categories of Public Liability, Professional Indemnity and Employers Liability.

Successful Providers will also be required to sign up to the HSE's Service Provider Confidentiality Arrangement.

Operation of Arrangements:

Successful Approved Providers will be required to sign Service Arrangements with the relevant CHO requiring them to comply fully with the tender and local service delivery requirements. The service Arrangements will be based on the HSE's existing standard Service Arrangements.

The Service Arrangements will be subject to continuous performance monitoring and on-going review. Regular service provider audits will also be conducted by HSE Health service personnel, and/or by a central contract management unit. The nature and extent of audits will be decided by HSE.

Authorisation Scheme – Stage 2

Site visits may be conducted by the HSE as part of the tender process, and thereafter for contract audit and monitoring purposes, during the lifetime of the Service Arrangements. Furthermore the HSE may at its discretion seek additional documentation as part of its tender evaluation process or in relation to the signing of the Service Arrangements and annual reviews of same e.g. annual declaration of continuing compliance.

Service Arrangements will be finalised with Approved Providers for an initial 12 month period from the 14th of August, 2023 with the option to extend for a further 12 months, subject to a rate review. Part 2 of the Service Arrangements (Service Schedules) will be finalised on a CHO Lot by Lot basis.

As an interim measure, and distinct from the establishment of the Authorisation scheme, the HSE will offer to pay the Authorisation scheme Rates from 1st of July 2023 for all currently contracted home support services covered by previous tenders for these services, as an extension to the current contracts for all Service Providers that are agreeing to the terms of the Authorisation Scheme. This will allow time for the completion of the tender and the HSE's internal approval process.

This offer is subject to the Service providers agreeing to the revised terms with effect from July 1st, and until such time as the Authorisation scheme is formalised in August, i.e. the period from the 1st July 2023 to 13th August, 2023.

Home Support Services approved by HSE will be assigned to Approved Providers on the basis of client (i.e. service user) choice in the first instance.

The client will be provided with a list of Approved Providers in random order (selected on a once off basis by the HSE team using a random selection tool), when support is being offered in order for the client to make this choice. In cases where client is not able or is unwilling to choose, the HSE will email all CHO specific Approved Providers requesting a response within the timeframe contained in the e-mail. The first Provider that responds within the indicated timeframe with confirmation of a named Home Support staff member to deliver the service will be awarded the contract for that client.

In certain circumstances local service managers are required to seek Home Support Services as a matter of urgency, for example when a client is being discharged from an acute hospital setting, etc. The amount of time to be accorded to Approved Providers to respond to offers of services will therefore depend on the prevailing circumstances, and will be determined as appropriate by the service manager making the request.

The HSE reserves the right to remove service providers temporarily and/or permanently from the Approved Providers list(s) if acceptable performance is not demonstrated.

The Service Arrangements will be subject to review on an on-going basis. The Approved Provider(s) will be expected to participate in monitoring (as well as providing periodic management reports for contract duration to the HSE) and continuously improving the service provider/purchaser relationship.

Consumer Directed Home Support (CDHS) is available across the 9 CHOs as an additional service delivery mechanism. The operation of CDHS does not conflict with the tender requirements or specifications.

CDHS do not replace existing mechanisms of service delivery, but are designed to enhance service delivery options for individual suitable clients. The enhancements relate to the greater choice for the client in terms of days and times of service delivery whereby HSE staff will determine only those times/days that are essential in terms of a clients assessed need e.g. a medication prompting requirement at particular time of day. The client is then free to arrange the delivery of the remaining

Authorisation Scheme – Stage 2

approved level of home support directly with the chosen Approved Provider in compliance with the tender arrangements and in consultation with informal carers if appropriate to the client. Further details on CDHS are included in the Service Specification document.

Approved Providers must deliver the entire approved home support hours requirement offered by the HSE and the Approved Provider cannot choose to deliver only a portion of the requirement offered by the HSE (unless client insists on staying with their existing provider for the existing hours in which case existing rates will continue to apply).

Approved Providers shall not withdraw services from a service user without prior consultation with the appropriate HSE staff member and if Services are to be withdrawn the Service Provider shall provide at least three (3) months' written notice to the HSE in advance of such Services being withdrawn.

Tenderers should be aware that the HSE does not guarantee that they will be awarded any call-off business or contracts or any quantum of services on foot of these Service Arrangements. Any data provided in relation to historical services allocated does not guarantee any award of business and subsequent draw down during the lifetime of the Arrangements is subject to funding availability, the offering of a specific support service and the finalisation of a related care plan.

5) CONSORTIA

For the first stage of application to the Authorisation Scheme, each individual entity was required to apply on their basis in order to demonstrate that they meet the relevant service standards.

In this, the second stage of this process, organisations and in particular SME's, are encouraged to consider a consortium, where they are not of sufficient scale to apply to the Authorisation Scheme in their own right. Their Application will require that there is a Lead/Prime Entity for all such groupings and undertakings who assumes full responsibility for the delivery of the Contract. If an Application is submitted by a group of Applicants or subcontractors, each entity must show that they have the required economic and financial capacity and the professional and technical ability to perform the Services in the Authorisation Scheme.

Should the contract be awarded to a consortium, each firm in the consortium shall be jointly and severally liable to the HSE for the fulfilment of the terms of the contract and each consortium member will be required to complete a Part 1 Service Arrangement Addendum.

An economic operator may, where appropriate and for a particular contract, rely on the capacities of other entities, regardless of the legal nature of the links which it has with them. It must, in that case, prove to the HSE that it will have at its disposal the resources necessary, for example, by producing an undertaking by those entities to that effect.

Stage 2 – Confirmation of Compliance:

Applicants that were shortlisted from Stage 1 are required to submit the following documentation in order to be admitted to the Scheme (contained within the Authorisation Scheme Response Document):

1. Declaration of Authorisation Scheme Participation
2. Confirmation of Geographic Service Provision intent
3. Declaration regarding Consortium

Authorisation Scheme – Stage 2

4. Completed Part 1 Service Arrangement
5. Completed Part 1 Service Arrangement Addendum where applicable – to be completed post tender and prior to the commencement date
6. Part 2 Service Arrangement – to be completed post tender

Authorisation Scheme – Stage 2

Declaration of Authorisation Scheme Participation

Applicants who fail to sign the declaration below (without qualification or amendment) will be excluded from the Authorisation Scheme.

Applicants declare as follows, with the undersigned as an officer or otherwise authorised signatory of the stated Applicant:

1. Applicable Rate

Following engagement with the market, the HSE has determined the below rates for the delivery of the specified Home Support Services under this Authorisation Scheme.

By signing the below declaration Applicants are indicating their Arrangement to apply these rates to all new and existing business from 14th August, 2023:

Monday - Saturday		Rate
Day Rate 8am to 10pm	60 min	€31
	30 min	€21.70
Night Rate 10pm to 8am	60 min	€26.29
Sunday / Bank Holiday		Rate
Day Rate 8am to 10pm	60min	€38.75
	30 min	€26.26
Night Rate 10pm to 8am	60min	€32.13

Rate Notes:

- The rates set out herein are non-negotiable. By completing and returning this suite of documentation, Applicants are accepting the commercial and service terms of this Arrangement;
- It is the HSE's requirement that, at a minimum, the "living wage" (i.e., the hourly wage rate that should provide employees with sufficient income to achieve an agreed acceptable minimum standard of living) will be paid by the Approved Providers to its employees providing Home Support Services;
- The foregoing rate is inclusive of, and contingent upon, the Provider meeting its legal obligations vis-à-vis employees in relation to the payment of travel time, payment for which is included in the above rate. The HSE reserves the right to undertake an audit exercise where necessary to ensure that this mandatory requirement is being met.
- As set out herein, the HSE will pay the Rates to all Service Providers for new care packages awarded under the Authorisation Scheme.

The HSE will also separately agree to an increase in the contracted rates paid to all Approved Providers (i.e. those providers successfully appointed to this Authorisation Scheme) under

Authorisation Scheme – Stage 2

existing home support agreements established on foot of previous home support tenders to align with the Rates. See Schedule 6 of the Arrangement for further information in this regard.

- e) This initial rate offered is for an initial term of twelve months (or until such time as terminated by the HSE on the giving of one month's notice) and may be extended for a further period of twelve months (which may be subject to a rate review at the HSE's discretion), such extended term subject always to termination by the HSE on the giving of one month's notice
 - f) Future rates to be offered under the Authorisation Scheme, and the components to be included, are funding dependent, as well as subject to ongoing analysis of rates in collaboration with the Service Providers.
 - g) The HSE reserves its right to allocate 30 minute calls where, in its reasonable opinion, such represents an appropriate input to support clients' needs. The use of half hour calls for new clients will be reviewed in the context of the implementation of the Service Arrangement with the intention to:
Limit the extent of half hour calls to no more than 25% of new clients approved for Home Support in any CHO, to any one Approved Provider at any time.
- 2. Any Service Arrangements are subject to the primacy of any statutory arrangements implemented in the future.
 - 3. The Applicant agrees to submit this Declaration of Authorisation Scheme Participation in accordance with the process tender documents and all other relevant information referenced in the documentation.
 - 4. Additionally, the Applicant agrees that their Authorisation Scheme Response Document will, at the option of the HSE, become a legally binding and essential portion of the final contract between the Applicant (if selected) and the HSE, but the Applicant acknowledges that no contract shall come into being until such time as HSE Board approval has been obtained by the HSE in relation to the establishment of this Authorisation Scheme. The Applicant further hereby agrees and acknowledges that the Authorisation Scheme, together with the Service Arrangements to be entered into pursuant to the Authorisation Scheme, remains subject to HSE Board approval. The Applicant understands that failure to comply with this requirement may adversely affect inclusion on future bid lists.
 - 5. The Applicant confirms that they continue to fully meet or exceed the minimum requirements as specified by the HSE at Stage 1 of this process.
 - 6. For the avoidance of doubt, the operation of the Authorisation Scheme shall be bound by the terms and conditions of the documentation in the following order of precedence:
 - a) Part 1 Service Arrangement with associated Addendum (where applicable)–and Part 2 Service Arrangement (Service Schedules)
 - b) Tender documentation for Stage 1 and Stage 2;

Signed: _____

Date: _____

Print Name: _____

Position: _____

On behalf of Organisation Name: _____

Authorisation Scheme – Stage 2

Geographic Service Provision Intent

Applicants are requested to identify the areas in which they wish to provide services, and the consortium structure(s) by regional lot (if applicable). Applicants must ensure that they can immediately delivery in the areas they identify. **(any Lots that are left blank will be interpreted as a No).**

Lot Number	Lot Description	Please indicate which Lots you wish to be considered for by entering YES or NO in the boxes below.
Regional Lot 1	Donegal LHO Sligo/Leitrim LHO Cavan/Monaghan LHO.	
Regional Lot 2	Galway LHO Roscommon LHO Mayo LHO	
Regional Lot 3	Clare LHO Limerick LHO North Tipperary /East Limerick LHO	
Regional Lot 4	Kerry LHO North Cork LHO North Lee LHO South Lee LHO West Cork LHO	
Regional Lot 5	South Tipperary LHO Carlow/Kilkenny LHO Waterford LHO Wexford LHO	
Regional Lot 6	Wicklow LHO Dun Laoghaire LHO Dublin South East LHO	
Regional Lot 7	Kildare/West Wicklow LHO Dublin West LHO Dublin South City LHO Dublin South West LHO	
Regional Lot 8	Laois/Offaly LHO Longford/Westmeath LHO Louth LHO Meath LHO	
Regional Lot 9	Dublin North LHO Dublin North Central LHO Dublin North West LHO	

Authorisation Scheme – Stage 2

DECLARATION REGARDING CONSORTIUM

If the Applicant is from a consortium, the Applicant should clearly state which entities are proposed to be members of the consortium, what role each consortium member shall perform and confirmation that each consortium members would be jointly and severally liable to HSE for the fulfilment of the terms of the contract (expand the table as necessary):

Name of Consortium	
Relevant CHO (<i>in the event that members differ per CHO, please replicate the table below</i>)	

CHO	Entity Name (Full Legal Entity Name)	Company Registration Number	Description of Roles of each member	Liability	Tax Reference Number	Tax Clearance Access Code (TCA)

(please complete a separate table for each CHO)

Applicants are required to note that only those providers shortlisted at Stage 1 may form a consortium – Applicants whom were assessed at Stage 1 and failed to be shortlisted cannot form part of a consortium.

Each member is required to complete the Part 1 Service Arrangement (Attachment 3) attached as part of this suite of documents. Each Consortium member is also required to sign the Addendum to Part 1 Service Arrangement (Attachment 6) - to be completed post tender and prior to the commencement date.

Signed: _____

Date: _____

Print Name: _____

Position: _____

On behalf of Organisation Name: _____

Authorisation Scheme – Stage 2

Completed Service Arrangements Part 1

Applicants who fail to sign the declaration below (without qualification or amendment) will be excluded from the Authorisation Scheme.

Applicants declare as follows, with the undersigned as an officer or otherwise authorised signatory of the stated Applicant:

Blank versions of Part 1 and Part 2 of the Service Arrangements have been attached within this Authorisation Scheme pack to ensure that all applicants are fully aware of all contract terms.

During the Stage Two ‘out to market’ period, individualised Part 1 Arrangements will be circulated to all Stage Two Applicants via the eTenders messaging service. Applicants are required to complete these individualised Part 1 Arrangements (by organisation, regardless of consortia) and return them with their Authorisation Scheme responses. In respect of Consortia, each consortium member/company is also required to submit a signed Part 1 Service Arrangement Addendum prior to commencement of contract.

Please note this Part 1 Service Arrangement document is in final form and will not be subject to amendment by the Applicants.

Part 2 of the Service Arrangements (Service Schedules) will be managed and individualised following HSE Board approval and for the avoidance of doubt will not be subject to amendment by the Applicants. The Applicant hereby acknowledges that no contract shall come into being until such time as HSE Board approval has been obtained by the HSE in relation to the establishment of this Authorisation Scheme.

On this basis, the Applicant is required to confirm that they hereby accept the Part 1 and 2 of the Service Arrangements as provided to the Applicant.

Signed: _____

Date: _____

Print Name: _____

Position: _____

On behalf of Organisation Name: _____