

Invitation to Participate



**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 1 – Expression of Interest (Stage 1 of a 2-stage process)

HSE PROJECT 19479

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

Attachment 1 – Competition Rules;
Attachment 2a – ESPD.pdf;
Attachment 2b – ESPD Word;
Attachment 3 – ESPD OGP User Guide;
Attachment 4 – Application Response Document;
Attachment 5 – Service Specification Tender 2023 v.1;
Attachment 6 – Service Response Document;
Attachment 7 – FAQs_v1

**Please note that this Expression of Interest document, and Attachment 5 – the Service Specification, shall take precedence over all other documentation in the event of a conflict in language or terminology*

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Important Notice

The HSE is minded to reconstitute the tendering arrangements for the supply of Home Support Services to an authorisation system. Under such a system the prices would be fixed for all operators and the terms of the agreement would be identical for all operators. Under the authorisation system the choice of operator would be made by clients, the users of the service. Such a system would be more patient-centered and administratively simpler. It also allows for the introduction, during the life of the system, of new service providers who meet the minimum qualifications.

However the HSE is still awaiting authorisation to move to a fixed price authorisation system and accordingly the current documentation is being introduced using both platforms namely selection of entities for an authorisation system or alternatively selection of entities to participate in a two stage tender process.

Accordingly in this document on references made to tender documents they may be, interpreted as also referring to the selection process to create a list of entities who are authorised to provide the service.

It is hoped a final decision on whether this will proceed by way of an authorisation system or a tender competition will be made public in the coming weeks.

This Invitation has been prepared for the purpose of providing certain information to entities interested in participating in the selection process for the services described herein (an **“Applicant”**).

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 and may wish to consult their legal advisors.

The HSE does not bind itself to accept any response to this Invitation to Participate in the Expression of Interest 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.

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Tender Title	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
HSE Ref.	HSE Project 19479
Tender Description	<p>HSE on behalf of Services for Older People intends to establish either an Authorisation Scheme with an initial term of 24 months to secure suitable service providers to meet the HSE's requirements for home support services or to select tenderers to tender for such services for a similar or shorter period.</p> <p>Interested parties are advised that although the process is being advertised on eTenders using the restricted procedure that this may in fact be a simple Authorisation Scheme and not subject to Directive 2014/24/EU. If the HSE proceed on the basis of an Authorisation system HSE Procurement will publish a contract notice on eTenders and in the Official Journal of the European Union each six months for two years inviting additional parties not already authorised to apply to join the Authorisation Scheme. The Authorisation Scheme may be extended for further periods and may remain open-ended on an ongoing basis.</p> <p>The reasons that the process is also being advertised on eTenders as a restricted procedure is to boost participation in the Authorisation Scheme, facilitate the submission of documents to a secure portal and to allow interested parties to request clarifications in a transparent and familiar matter and to leave open the possibility that this constitutes the first stage of a tender procedure.</p> <p>The HSE invites 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>

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The HSE has engaged in a market sounding exercise and undertaken consultation with key stakeholders over Quarters 2 and 3 2022 as part of the preparation for this process.

The HSE is looking forward to engaging with bidders proactively and in a positive manner to deliver these essential Services.

In respect of the Lots (to be set out at Stage 2), the outcome of this process will apply to any clients receiving a Home Support Service allocated from the commencement of the new Agreement where HSE directly employed staff are not available to deliver the Service.

The Lots will be structured on the basis of CHOs as the RHA structure under Sláintecare has yet to be fully implemented – this will be addressed at Stage 2 of the process.

Please note that Applicants at this stage are not required to set out which Lots they are applying for – this will be also addressed within the Stage 2 documentation.

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 (in receipt of HSE funded Home Support Service on date of commencement of these contracts the subject of this Authorisation Scheme process) are not affected by this Authorisation Scheme process and may continue to receive their existing level of service from their existing provider under existing arrangements & rates. If an existing client is approved for additional hours, which is delivered by an Approved Provider under previous tender arrangements, the additional hours will be paid at an agreed rate. Existing rates continue to apply to existing hours. In the event that the Approved Provider does not participate in this process then additional hours will be paid at an agreed rate, as will be set out in Stage 2 documentation;

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	<p>3) Grant Funded Arrangements: Specific arrangements apply in relation to Grant Funded providers which will be set out in Stage 2 documentation;</p> <p>4) 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):</p> <p>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>
CPV Code/Description	<p>85000000 - 9 Health and Social work services</p> <p>85140000 - 2 Miscellaneous health services</p> <p>85320000 – 8 Social Services</p> <p>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	Noon (local time), 26 September, 2022
Queries Deadline	Noon (local time), 18 September, 2022 Tenderers should review ‘Attachment 7 – FAQs_v1’ in advance of posing queries via eTenders as responses may be contained within
HSE Procurement contact	Claudia Manning All queries must be submitted via the Message facility on the etenders website, www.etenders.gov.ie
Submission Validity Period	6 months from second stage submission
Note:	<ul style="list-style-type: none"> • It is imperative that all questions in the Application Response Document section are completed in the format provided as this Response section will be used as the basis for evaluation of selection and 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. • 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);

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| | <ul style="list-style-type: none"> • This Invitation to Participate should in the event that this proceeds as a tender process be read in conjunction with the Competition Rules (see Attachment 1). |
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Application 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. 	

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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 and the tender process are conducted on behalf of HSE nationally, organisations funded by the HSE and other publicly funded agencies.

1) SPECIFICATION OF REQUIREMENT

Range of Anticipated Duties

The following is a range of anticipated duties that may be required for Home Support Services, as per the Home Support Care Plan pursuant to care needs assessment undertaken by HSE designated staff; this list is not exhaustive and required Services will vary depending upon individual needs.

- Provide all aspects of personal care including assistance with getting in and out of bed, showering/bathing, supervised toileting as per Home Support Care Plan delegated by relevant HSE staff;
- Manage continence care to include appropriate disposal of incontinence wear and reporting of any change in Client's condition to relevant HSE staff;
- Provide medication prompting and collection from pharmacy where required as per the Home Support Care Plan. Costs associated with the collection of medication from a pharmacy are to be accommodated within appropriate hourly rates and mileage rates where agreed;
- Observe dietary intake, ensuring that food and fluids are consumed as per Home Support Care Plan. If the Client is experiencing on-going difficulty eating or drinking, the Home Support Worker must report this to their supervisor, who must then report this matter to the relevant HSE staff, and appropriately record in the record of care;
- Undertake meal preparation as per Home Support Care Plan;
- Encourage Clients to exercise independently, where appropriate. Use appropriate mobility devices and delegated exercise programme as per Home Support Care Plan and/or as directed by relevant Health Care Professionals
- Observe and report any changes in general health and well-being and skin integrity and the Home Support Worker must report this to their supervisor, who must then report this matter to the relevant HSE staff, and appropriately record in the record of care;
- Undertake essential household duties as per Home Support Care Plan to maintain a safe environment pertaining to the Client including basic kitchen/day living area, bathroom and bedroom hygiene, heating and fire preparation where appropriate, rubbish removal and disposal as required;

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- Provide sessional home respite service where specifically required, as per Home Support Care Plan;
- Shop for relevant food requirements where no other support exists;
- Document care given and any issues of concern, and report as appropriate to the HSE.

A detailed Service Specifications document is being issued as part of this process (Attachment 5).

Applicants should closely examine the Service Specification (or Specification) (Attachment 5), and provide information as requested in the Application Response Document (Attachment 4) and Specification Response Document (Attachment 6).

See **HSE standard Service Arrangements**, link below:

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

The final documentation to be signed by parties will be amended to reflect the operation of the Authorisation Scheme or a tender process, which will be set out in Stage 2 documentation.

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 the application process in respect of matters contained in the Documents (including the Specification). **All clarification requests must be submitted via eTenders messaging facilities only.** Such requests received will be collated and responses issued to all Applicants via eTenders website. All clarification responses issued will be deemed to form a constituent element of the application 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 Participate must be in writing, via eTenders messaging facilities. All Applicants will be advised by email of any significant issues raised by any Applicant. 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, 18 September, 2022 (local time)** will not be entertained.

Applicants shall not contact any other HSE personnel about this application / selection 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

In the case of an Authorisation Scheme 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:-

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

In the event the process proceeds based on a tender, the contract will be based on the above standard terms.

The duration of the Service arrangements will be determined in the second stage of this process. **This is subject to the reservations in the paragraphs below (page 9) 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 & agreements 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 agreements. This will be subject to further engagement as required.

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

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

Following receipt and review of Applicants' responses to this EOI, the HSE will issue Stage 2 documentation to those Applicants that satisfy the requirements of this EOI. The Applicant must complete the Response Documents in such a manner that provides sufficient information which demonstrates that it satisfies each of the selection criteria listed.

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

After stage one, the HSE will inform applicants as to whether the process will continue as an Authorisation Scheme or a 2 stage tender process.

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In the event the HSE has decided to proceed based on 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. Upon receipt of the executed agreement 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.

However if the HSE has decided to proceed based on a two stage tender process it will invite Applicants to submit responses to Stage 2 based on the requirements set out in the Stage 2 documentation. These responses shall contain all the elements required and necessary for the performance of the contract.

Stage 2 responses will be evaluated against the **award criteria and weightings** contained in the Stage 2 Document. All further information in relation to the specifications and requirements will be set out therein.

EVALUATION PROCESS OF EXPRESSION OF INTEREST (STAGE 1) SUBMISSIONS:

Stage 1 Minimum Requirements:

The HSE is seeking Home Support Services Providers to make an Authorisation Scheme Application. Service Providers are required to meet the requirements under Step 1 below on a pass/fail basis.

1. – Applicants must, in the first instance, complete all relevant declarations, and comply with tax clearance and insurance requirements and supply a financial viability statement prepared and signed by an independent professional.

As part of this Stage 1 of the process, Applicants must complete and submit the European Single Procurement Document ("**ESPD**"). The ESPD must be completed and submitted through the eTenders website/ Irish Government Procurement Opportunities Portal (www.etenders.gov.ie). Guidance on the completion of the ESPD is available within Attachment 3.

In addition to completing the ESPD, all Applicants are required to provide:

- a) all of the supporting documentation/information set out herein to allow HSE conduct an evaluation against service specifications exercise to determine the Applicants who will be invited to respond to Stage 2. Applicants are required to provide supporting documentation requested under the selection criteria. If the supporting documentation is not provided or is withheld or if there is a serious misrepresentation in supplying such supporting documentation, the Applicant in question shall be eliminated from the process. For the avoidance of any doubt, Applicants who do not, in the opinion of the HSE, confirm and/or demonstrate satisfactory compliance with the selection criteria will be excluded from further consideration in this process.

Where an Applicant is relying on the capacity of other entities for the purpose of fulfilling any of the selection criteria it must ensure that each such entity:

- a) Completes and submits a separate ESPD in respect of each such entity; and
- b) Submit proof, to the satisfaction of the HSE, that each such entity will place the necessary resources at the disposal of the Applicant.

Applicants must declare by way of **ESPD** that either:

- (i) No mandatory grounds for exclusion pursuant to Regulation 57 of the Procurement Regulations (equivalent of Article 57 of Directive 2014/24/EU) apply to them; or

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- (ii) In circumstances where any mandatory exclusion grounds apply to the Applicant (and where the Applicant is not precluded from doing so under Regulation 57 of the Procurement Regulations (equivalent of Article 57 of Directive 2014/24/EU) that it can provide evidence to the effect that measures taken by it are sufficient to demonstrate its reliability despite the existence of any such relevant exclusion ground.

A completed declaration of the ESPD provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. The HSE requires all the organisations that the Applicant will rely on to meet the selection criteria to provide a completed ESPD. For example, these could be parent companies, affiliates, associates, or sub-contractors, if they are relied upon to meet the selection criteria.

The HSE **shall** exclude an Applicant from further participation in this process where a mandatory ground(s) of exclusion pursuant to Regulation 57 of the Procurement Regulations applies to them or where an Applicant fails to demonstrate its reliability despite the existence of a relevant exclusion ground. In this regard, the HSE will examine the Applicant's additional information provided in accordance with Regulation 57(12) and (13) of the Procurement Regulations to determine the reliability of the Applicant. If the HSE views the additional information as insufficient to demonstrate the Applicant's reliability, the Applicant will be rejected.

In addition, the Applicant **shall** be excluded from further participation in this process where any entity on whose capacity the Applicant relies upon for the purpose of meeting the economic and financial standing criteria or the professional and technical capability criteria fails to demonstrate either (i) an absence of any grounds for exclusion pursuant to Regulation 57 of the Procurement Regulations or (ii) their reliability despite the existence of a relevant exclusion ground *unless* it replaces the entity with one which can demonstrate its reliability to the satisfaction of the HSE.

2 - Service Specifications (minimum requirements)

If Applicants meet the requirements under step one on a pass/fail basis, they will then be considered under Step two as follows:

- A. For Applicants in the previous tender process (2018) that were deemed by HSE to have met the minimum standards contained therein, **a self-declaration** included in the Service Specifications Response Document, confirming on going compliance with these specifications will be required, taking account of the amendments to these specifications set out in these Authorisation Scheme documents. HSE reserves the right to check compliance as part of the Authorisation Scheme evaluation.
- B. For Applicants in the previous process that did not meet all the minimum specifications under certain headings, or any Applicants that did not participate in the 2018 tender, they will be required to complete the Service Specifications Response Document, and will be assessed under each heading **on a pass / fail basis**. Applicants are reminded to submit sufficient evidence to facilitate HSE to assess compliance and HSE reserves the right to check compliance as part of the Authorisation Scheme evaluation.
- C. Existing service providers (performing Services under contracts awarded under other arrangements e.g. the 2012 and or 2016 Tender process) who did not participate in the 2018 Tender process, shall be required to **complete a Service Specifications Response Document, and will be assessed under each heading on a pass / fail basis**. Applicants are reminded to submit sufficient evidence to facilitate HSE to assess compliance and HSE reserves the right to check compliance as part of the Authorisation Scheme evaluation.
- D. Each member of a consortium must complete the documentation in order to be appointed to the Authorisation Scheme. Consortia will only be considered at the second stage of this process.

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

3 - Local service delivery - Details in relation to this will be assessed at the next stage.

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 Application Response Document for further details.

Procedure:

The HSE will review Authorisation Scheme Applications on bi-annual (every 6 months) basis. For the establishment of the initial Authorisation Scheme, the HSE will conduct the following process to admit Authorisation Scheme Applicants to the Authorisation Scheme:

1. Potential providers will submit Authorisation Scheme Applications using the etenders post box facility on www.etenders.gov.ie
2. The HSE will evaluate all Authorisation Scheme Applications against the minimum requirements set out in this document.
3. The HSE may hold clarification meetings / teleconference with potential providers as may be required*.
4. The HSE will then inform providers as to the result of their Authorisation Scheme Application and execute Authorisation Scheme Agreements as applicable.

*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 Agreement:

Authorisation Scheme Applicants that meet the minimum requirements set out in this Invitation to Participate will be provided with a standard form Authorisation Scheme Agreement for execution. The HSE will share the Authorisation Scheme Agreement in the near future for review, and 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 Agreement will broadly mirror the HSE Standard Conditions of Contract (V7) and the terms specified in this Invitation to Participate with some Authorisation Scheme specific changes.

<http://www.hse.ie/eng/about/Who/Procurement/TermsConditions/>

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.

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Successful Providers will also be required to sign up to the HSE's Service Provider Confidentiality Agreement (this will be circulated at Stage 2).

5) CONSORTIA

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

In 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.

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.