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**United Kingdom-Liverpool: Legal services
2017/S 029-052965**

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1) Name, addresses and contact point(s)

The Minister for the Cabinet Office acting through Crown Commercial Service
9th Floor The Capital Old Hall Street
L3 9PP Liverpool
United Kingdom
Telephone: +44 3450103503
E-mail: supplier@crowncommercial.gov.uk , enablement@crowncommercial.gov.uk

Internet address(es):

General address of the contracting authority: <http://www.gov.uk/ccs>
Address of the buyer profile: <https://gpsesourcing.cabinetoffice.gov.uk>

Further information can be obtained from: The above mentioned contact point(s)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from: The above mentioned contact point(s)

Tenders or requests to participate must be sent to: The above mentioned contact point(s)

I.2) Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local sub-divisions

I.3) Main activity

Other: public procurement

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

Section II: Object of the contract

II.1) Description

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

Electronic Disclosure Services (eDisclosure Services).

II.1.2) Type of contract and location of works, place of delivery or of performance

Services

Service category No 21: Legal services

Main site or location of works, place of delivery or of performance: Primarily in the UK with some limited requirements overseas.

NUTS code UK

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

The notice involves the establishment of a framework agreement

II.1.4) Information on framework agreement

Framework agreement with several operators

Number of participants to the framework agreement envisaged: 36

Duration of the framework agreement

Duration in years: 2

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

Estimated value excluding VAT: 13 000 000 GBP

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

Crown Commercial Service as the Authority is putting in place a pan government Framework Agreement for use by UK public sector bodies identified at VI.3) (and any future successors to these organisations), which include Central Government Departments and their Arm's Length Bodies and Agencies, Non Departmental Public Bodies, NHS bodies and Local Authorities.

This Procurement will be concluded with an initial Framework Period of two (2) years. The Authority may, at its sole discretion, extend the duration of this Framework from the expiry of the Initial Framework Period for a maximum of two (2) further terms, each of these further terms will be for up to a maximum of twelve (12) months duration.

Potential Providers are permitted to bid for all Lots.

Cyber Essentials is mandatory for Central Government Contracts which involve handling personal information and providing certain ICT products and services.

The Government is taking steps to further reduce the levels of cyber security risk in its supply chain through the Cyber Essentials scheme. The scheme defines a set of controls which, when properly implemented, will provide organisations with basic protection from the most prevalent forms of threat coming from the internet.

To participate in this Procurement, Potential Providers (and Key Sub-Contractors / Sub-Contractors) must be able to demonstrate compliance with the technical requirements prescribed by Cyber Essentials (or equivalent standard accepted by the Authority as referenced in the ITT Suite) for Services under and in connection with this Procurement. Further details of the Cyber Essential Scheme may be found here:

<https://www.cyberstreetwise.com/cyberessentials/>

Further details of this mandatory requirement can be found in PPN 09/14.

Crown Commercial Service reserves the right for an electronic auction to be held by contracting authority(s) during further competition among the parties to the Framework Agreement(s).

II.1.6) Common procurement vocabulary (CPV)

79100000, 79140000

II.1.7) Information about Government Procurement Agreement (GPA)

The contract is covered by the Government Procurement Agreement (GPA): yes

II.1.8) Lots

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

II.1.9) Information about variants

Variants will be accepted: no

II.2) Quantity or scope of the contract

II.2.1) Total quantity or scope:

Crown Commercial Service, as the Authority, intends to put in place a Framework Agreement for eDisclosure Services. The Framework Agreement will be available to Central Government and Wider Public Sector organisations to provide the Services throughout the UK.

This Procurement will establish a multi Supplier Framework Agreement. The Framework Agreement will be divided into nine (9) Lots:

- Lot 1 — Low Volume Work Service Package for documents and data with a security classification up to 'Official' (and including 'Official Sensitive').
- Lot 2 End to End Service package for documents and data with a security classification up to 'Official' (and including 'Official Sensitive').
- Lot 3 Project Management and Advice for documents and data with a security classification up to 'Official' (and including 'Official Sensitive').
- Lot 4 Data Preservation and Collection for documents and data with a security classification up to 'Official' (and including 'Official Sensitive').
- Lot 5 Document Processing for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')
- Lot 6 Document Review and Document Production for documents and data with a security classification up to 'Official' (and including 'Official Sensitive').
- Lot 7 Disclosure from Other Opponent Parties for documents and data with a security classification up to 'Official' (and including 'Official Sensitive').
- Lot 8 Presentation at Trial for documents and data with a security classification up to 'Official' (and including 'Official Sensitive').
- Lot 9 End to End Service for documents and data with a security classification up to and including 'Secret' and 'Top Secret'.

A Framework Agreement for Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8 and Lot 9 will be awarded to four (4) successful Potential Providers on each of these Lots.

Estimated value excluding VAT: 13 000 000 GBP

II.2.2) **Information about options**

Options: no

II.2.3) **Information about renewals**

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

Duration in months: 24 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Lot 1 — Low Volume Work Service Package for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The scope of this Lot includes the provision of eDisclosure Services in respect of an overall initial dataset (pre-processing) of no more than 5GBs Electronically Stored Information (ESI) plus no more than 1 750 pages of hard-copy documents.

The Supplier shall be able to provide the following Services including all Mandatory Requirements that specifically relate to Lot 1, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

Mandatory requirements for Lot 1 are detailed at 4.4, 4.5, 4.6 and 4.7 and 4.9 of this document:

- Document Processing, as detailed in paragraph 4.4;
- Document Review, as detailed in paragraph 4.5;
- Document Production, as detailed in paragraph 4.6; and
- Disclosure from Other Opponent Parties, as detailed in paragraph 4.7;
- Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 1 000 000 and 2 000 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 2

Lot title: Lot 2 End to End Service package for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The Supplier shall be able to provide the following Services including all Mandatory Requirements that specifically relate to Lot 2, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

All of the Mandatory requirements relate to Lot 2:

- Project Management and Advice, as detailed in paragraph 4.1;
- Document Identification, as detailed in paragraph 4.2;
- Data Preservation and Collection, as detailed in paragraph 4.3;
- Document Processing, as detailed in paragraph 4.4;
- Document Review, as detailed in paragraph 4.5;
- Document Production, as detailed in paragraph 4.6;
- Disclosure from Other Opponent Parties, as detailed in paragraph 4.7; and
- Presentation at Trial, as detailed at paragraph 4.8, and
- Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 2 000 000 and 5 000 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 3

Lot title: Lot 3 Project Management and Advice for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The Supplier shall be able to provide the following Service including all Mandatory Requirements that specifically relate to Lot 3, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

Mandatory requirements for Lot 3 are detailed at 4.1 and 4.9 of this document:

- Project Management and Advice, as detailed at paragraph 4.1 and
- Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 200 000 and 500 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 4

Lot title: Lot 4 Data Preservation and Collection for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The Supplier shall be able to provide the following Service including all Mandatory Requirements that specifically relate to Lot 4, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

Mandatory requirements for Lot 4 are detailed at 4.3 and 4.9 of this document:

- Data Preservation and Collection as detailed at paragraph 4.3 and
- Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 200 000 and 500 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 5

Lot title: Lot 5 Document Processing for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The Supplier shall be able to provide the following Service including all Mandatory Requirements that specifically relate to Lot 5, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

Mandatory requirements for Lot 5 are detailed at 4.4 and 4.9 of this document:

- Document Processing, as detailed at paragraph 4.4 and
- Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 200 000 and 500 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 6

Lot title: Lot 6 Document Review and Document Production for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The Supplier shall be able to provide the following Service including all Mandatory Requirements that specifically relate to Lot 6, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

Mandatory requirements for Lot 6 are detailed at 4.5, 4.6 and 4.9 of this document:

- Document Review, as detailed at paragraph 4.5;
- Document Production, as detailed at paragraph 4.6 and

— Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 200 000 and 500 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 7

Lot title: Lot 7 Disclosure from Other Opponent Parties for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The Supplier shall be able to provide the following Service including all Mandatory Requirements that specifically relate to Lot 7, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

Mandatory requirements for Lot 7 are detailed at 4.7 and 4.9 of this document:

— Disclosure from Other Opponent Parties as detailed at paragraph 4.7; and

— Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 200 000 and 500 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 8

Lot title: Lot 8 Presentation at Trial for documents and data with a security classification up to 'Official' (and including 'Official Sensitive')

1) **Short description**

The Supplier shall be able to provide the following Service including all Mandatory Requirements that specifically relate to Lot 8, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

- Mandatory requirements for Lot 8 are detailed at 4.8 and 4.9 of this document;
- Presentation at Trial, as detailed at paragraph 4.8; and
- Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 200 000 and 500 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Lot No: 9

Lot title: Lot 9 End to End Service for documents and data with a security classification up to and including 'Secret' and 'Top Secret'

1) **Short description**

The Supplier shall be able to provide the following Services including all Mandatory Requirements that specifically relate to Lot 9, as detailed in Section 4 of Framework Schedule 2: Services and Key Performance Indicators.

All of the Mandatory requirements relate to Lot 9:

- Project Management and Advice, as detailed at paragraph 4.1;
- Document Identification, as detailed at paragraph 4.2;
- Data Preservation and Collection, as detailed at paragraph 4.3;
- Document Processing, as detailed at paragraph 4.4;
- Document Review, as detailed at paragraph 4.5;
- Document Production, as detailed at paragraph 4.6;
- Disclosure from Other Opponent Parties, as detailed at paragraph 4.7;
- Presentation at Trial, as detailed at paragraph 4.8 and
- Security Requirements, as detailed in paragraph 4.9.

2) **Common procurement vocabulary (CPV)**

79100000, 79140000

3) **Quantity or scope**

Estimated value excluding VAT:

Range: between 1 000 000 and 3 000 000 GBP

4) **Indication about different date for duration of contract or starting/completion**

5) **Additional information about lots**

The Authority considers that the Transfer of Undertakings (Protection of Employment) Regulations 2006 does not apply at Framework level, but may apply at Call Off Contract level. It is the responsibility of Potential Providers to take their own advice and consider whether TUPE is likely to apply in particular circumstances of the contract and to act accordingly. The Potential Provider is encouraged to carry out its own due diligence exercise. In the event that TUPE applies in respect of a Call Off Agreement, Contracting Authorities will provide relevant information as part of a Further Competition Process.

The Authority intends to use an eTendering system in this procurement exercise and reserves the right to use an electronic reverse auction.

Section III: Legal, economic, financial and technical information

III.1) **Conditions relating to the contract**

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

Participants will be advised if this is necessary during the procurement. Parent company and/or other guarantees of performance and financial liability may be required by Crown Commercial Service if considered appropriate.

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

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

No special legal form is required but if a contract is awarded to a Group of Economic Operators, the Contracting Authority may require the Group of Economic Operators to form a legal entity before entering into the Framework Agreement.

III.1.4) **Other particular conditions**

The performance of the contract is subject to particular conditions: no

III.2) **Conditions for participation**

III.2.1) **Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers**

Information and formalities necessary for evaluating if the requirements are met: Potential Providers will be assessed in accordance with Section 5 of the 2015 Public Contract Regulations (implementing the Directive) on the basis of information provided in response to an Invitation to Tender ('ITT').

This procurement will be managed electronically via Crown Commercial Service's e-Sourcing Suite. To participate in this procurement, Potential Providers must first be registered on the e-Sourcing Suite.

If you have not yet registered on the eSourcing Suite, this can be done online at <https://gpsesourcing.cabinetoffice.gov.uk> by following the link 'Register for CCS eSourcing'. Please note that, to register, you must have a valid DUNS number (as provided by Dun and Bradstreet) for the organisation which you are registering, who will be entering into a contract if invited to do so. Full instructions for registration and use of the system can be found at:

<https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers>

Once you have registered on the eSourcing Suite, a registered user can express an interest for a specific procurement. This is done by emailing expressionofinterest@crownccommercial.gov.uk

Your email must clearly state: the name and reference for the procurement you wish to register for; the name of the registered supplier; and the name and contact details for the registered individual sending the email. Crown

Commercial Service will process the email and then enable the supplier to access the procurement online via the e-Sourcing Suite. The registered user will receive a notification email to alert them once this has been done.

As a user of the e-Sourcing Suite you will have access to Emptoris email messaging service which facilitates all messages sent to you and from you in relation to any specific RFX event. Please note it is your responsibility to access these emails on a regular basis to ensure you have sight of all relevant information.

For technical assistance on use of the e-Sourcing Suite please contact Crown Commercial Service Help-desk email: enablement@crowcommercial.gov.uk

Responses must be published by the date in IV.3.4).

A full copy of the ITT documentation for this Procurement is also available via Crown Commercial Service website from the date of this publication of the contract notice:

<http://ccs-agreements.cabinetoffice.gov.uk/procurement-pipeline>

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

Information and formalities necessary for evaluating if the requirements are met: Potential Providers will be assessed on the basis of information provided in response to an ITT.

The ITT can be accessed at: <https://gpsesourcing.cabinetoffice.gov.uk> using the instructions detailed in III.2.1) Crown Commercial Service and contracting authority(s) may take into account any of the following information:

- A statement of your turnover profit and loss account and cash flow for the most recent year of trading;
- A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position; and/or
- An alternative means of demonstrating financial status.

Minimum level(s) of standards possibly required: As stated in the Invitation To Tender (ITT).

III.2.3) **Technical capacity**

Information and formalities necessary for evaluating if the requirements are met:

Potential Providers will be assessed in accordance with Section 5 of the Regulations implementing the Directive, on the basis of information provided in response to an ITT.

The ITT can be accessed at: <https://gpsesourcing.cabinetoffice.gov.uk> using the instructions detailed in III.2.1)

The Authority shall take into account the following information:

- (a) One (1) suitable contract example per Lot, from the public or private sector, where similar requirements to those sought under this Procurement have been performed. Contract examples should have been performed over and within the last three (3) years only, prior to publication of this Contract Notice. Customer contacts must be warned they may be contacted by Crown Commercial Service, to verify the accuracy of the information provided at any time;
- (b) A list of the principal deliveries or main services provided over the past three (3) years, with the sums, dates and recipients, whether public or private, involved;
- (c) A description of the technical facilities and measures used by the Potential Provider for ensuring quality and data security; and/or
- (d) An indication of the proportion of the contract which the Potential Provider intends possibly to Sub-Contract.

Minimum level(s) of standards possibly required:

As stated in the Invitation To Tender (ITT).

III.2.4) **Information about reserved contracts**

III.3) **Conditions specific to services contracts**

III.3.1) **Information about a particular profession**

Execution of the service is reserved to a particular profession: no

III.3.2) **Staff responsible for the execution of the service**

Section IV: Procedure

IV.1) **Type of procedure**

IV.1.1) **Type of procedure**

Open

IV.1.2) **Limitations on the number of operators who will be invited to tender or to participate**

IV.1.3) **Reduction of the number of operators during the negotiation or dialogue**

IV.2) **Award criteria**

IV.2.1) **Award criteria**

The most economically advantageous tender in terms of the criteria stated below

1. Quality (Lot 1). Weighting 40
2. Price (Lot 1). Weighting 60
3. Quality (Lots 2 - 9). Weighting 70
4. Price (Lots 2 - 9). Weighting 30

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:**

RM3717

IV.3.2) **Previous publication(s) concerning the same contract**

Prior information notice

Notice number in the OJEU: [2016/S 009-011656](#) of 14.1.2016

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

Payable documents: no

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

13.3.2017 - 15:00

IV.3.5) **Date of dispatch of invitations to tender or to participate to selected candidates**

IV.3.6) **Language(s) in which tenders or requests to participate may be drawn up**

English.

IV.3.7) **Minimum time frame during which the tenderer must maintain the tender**

in days: 120 (from the date stated for receipt of tender)

IV.3.8) **Conditions for opening of tenders**

Place:

Electronically, via web-based portal.

Section VI: Complementary information

VI.1) **Information about recurrence**

This is a recurrent procurement: no

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

The contract is related to a project and/or programme financed by European Union funds: no

VI.3) **Additional information**

Potential Providers should note that, in accordance with the UK Government's policies on transparency, Crown Commercial Service intends to publish the Invitation to Tender (ITT) document and the text of any Framework Agreement awarded, subject to possible redactions at the discretion of Crown Commercial Service. The terms of the proposed Framework Agreement will also permit a public sector contracting authority, awarding a contract under this Framework Agreement, to publish the text of that contract, subject to possible redactions at the discretion of the contracting authority. Further information on transparency can be found at:

<https://www.gov.uk/government/publications/procurement-and-contracting-transparency-requirements-guidance>

The Authority expressly reserves the right:

(i) Not to award any contract as a result of the procurement process commenced by publication of this notice; and

(ii) To make whatever changes it may see fit to the content and structure of the tendering competition; and in no circumstances will the Authority be liable for any costs incurred by the candidates.

If the Authority decides to enter into a Framework Agreement with the successful supplier, this does not mean that there is any guarantee of subsequent contracts being awarded. Any expenditure, work or effort undertaken prior to contract award is accordingly a matter solely for the commercial judgement of Potential Providers.

Any orders placed under this Framework Agreement will form a separate contract under the scope of this Framework between the supplier and the specific requesting other Contracting Authority. The Authority and other Contracting Authorities utilising the Framework reserve the right to use any electronic portal during the life of the agreement.

The duration referenced in Section II.1.4) is for the placing of orders.

The value provided in Section II.1.4) is only an estimate. The Authority cannot guarantee to successful Potential Providers any business through this Framework Agreement.

In reference to Section II.1.4), Framework Agreements will be concluded with the maximum number of Potential Providers. For all Lots this may increase only where two (2) or more Potential Providers have tied scores and are placed in the last position. The Authority reserves the right to award a Framework Agreement to additional Potential Providers where their Final Score is within 1 % of the original awarded last place position only.

In the event that there is a substantive challenge to the Procurement, and such challenge is confined to a single Lot, the Authority reserves the right to the extent that it is lawful to do so, to conclude a Framework Agreement with the successful Potential Provider(s) in respect of the Lot(s) that have not been challenged.

This Framework Agreement will be accessible for use by all UK Central Government Departments and their Arm's Length Bodies and agencies; Non-Ministerial Departments and Executive Agencies; and, the Wider Public Sector (and any future successors to these organisations).

The list of Contracting Authorities able to access this Framework Agreement has been updated as follows: Crown Commercial Service wishes to establish a Framework Agreement for use by the following UK public sector bodies (and any future successors to these organisations):

Central Government Departments, Local Government and Public Corporations that can be accessed at the Public Sector Classification Guide:

<https://www.ons.gov.uk/economy/nationalaccounts/uksectoraccounts/datasets/publicsectorclassificationguide>

Please note Central Government departments may be subject to Government Digital Service approval before using the Framework Agreement.

Local Authorities

<http://openlvlocal.com/councils/all>

www.ubico.co.uk Agent acting on behalf of Cheltenham Borough Council.

NDPBs

<https://www.gov.uk/government/organisations>

National Parks Authorities

<http://www.nationalparks.gov.uk/>

Educational Establishments in England and Wales, maintained by the Department for Children, Schools and Families including Schools, Universities and Colleges but not Independent Schools.

<http://www.education.gov.uk/edubase/home.xhtml>

Police Forces in the United Kingdom

[http://www.police.uk/?view=force sites](http://www.police.uk/?view=force%20sites)

<http://apccs.police.uk/about-the-apcc/>

Fire and Rescue Services in the United Kingdom

<http://www.fireservice.co.uk/information/ukfrs>

<http://www.nifrs.org/areas-districts/>

<http://www.firescotland.gov.uk/vour-area.aspx>

NHS Bodies England

<http://www.nhs.uk/ServiceDirectories/Pages/AcuteTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/MentalHealthTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/CareTrustListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/AmbulanceTrustListing.aspx>

<http://www.nhs.uk/ServicePirectories/Pages/SpecialHealthAuthorityListing.aspx>

<http://www.nhs.uk/ServiceDirectories/Pages/OtherListing.aspx>

Hospices in the UK

<http://www.helpthehospices.org.uk/about-hospice-care/find-a-hospice/uk-hospice-ancl-palliativecare-services/>

Registered Social Landlords (Housing Associations)

Third Sector and Charities in the United Kingdom

<http://www.charitycommission.gov.uk/find-charities/>

<http://www.oscr.org.uk/search-charity-register/>

<https://www.charitycommissionni.org.uk/ShowCharity/RegisterOfCharities/RegisterHomePage.aspx>

Citizens Advice in the United Kingdom

<http://www.citizensadvice.org.uk/index/getadvice.htm>

www.cas.org.uk

<http://www.citizensadvice.co.uk/>

Scottish Public Bodies

The Framework Agreement will be available for use by any Scottish Public Sector Body: the Authority; 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 (except where they are acting in their capacity as educational authority); Scottish joint fire boards or joint fire and rescue boards; Scottish joint police boards or any successor National Police or Fire 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, Northern Lighthouse Board, 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 1 or more of the foregoing, bodies financed wholly or mainly by 1 or more of the foregoing, bodies subject to management supervision

by 1 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.

Scottish Government <http://www.scotland.gov.uk/Home> Scottish Parliament

<http://www.scottish.parliament.uk/abouttheparliament/27110.aspx> Scottish Public Services

Ombudsman Scottish Information Commissioner Commissioner for Children and Young People in Scotland

Scottish Commission for Human Rights Commission for Ethical Standards in Public Life in Scotland Standards Commission for Scotland Scottish Local Authorities.

<http://www.scotland.gov.uk/About/Government/councils> <http://www.scotlandexcel.org.uk/home/AboutUs/OurMembers/AssociateMembers.aspx> Scottish Agencies. NDPBs

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

<http://www.scotland.gov.uk/Topics/Health/NHS-Workforce/NHS-Boards> Scottish Further and Higher Education Bodies <http://www.universities-scotland.ac.uk/index.php?page=members>

<http://www.sfc.ac.uk/aboutus/council> funded institutions/WhoWeFundColleges.aspx Scottish

Police <http://www.scotland.police.uk/vour-community/> Scottish Housing Associations

http://www.sfha.co.uk/component/option.com_membersdir/Itemid,149/view,membersdir/ The Scotland Office

<http://www.scotlandoffice.gov.uk/scotlandoffice/33.30.html> Registered Social Landlords (Housing Associations) — Scotland.

Scottish Schools Primary Schools

<http://www.ltscotland.org.uk/scottishschoolsonline/index.asp?>

[schoolsearchstring=&addresssearchstring=&authorityv=&strTypes=isprimarvschool&bSubmit=l&Submit=Search](http://www.ltscotland.org.uk/scottishschoolsonline/index.asp?schoolsearchstring=&addresssearchstring=&authorityv=&strTypes=isprimarvschool&bSubmit=l&Submit=Search)
Secondary Schools

<http://www.ltscotland.org.uk/scottishschoolsonline/index.asp?>

[schoolsearchstring=&addresssearchstring=&authorityv=&strTypes=issecondarvschool&bSubmit=l&Submit=Search](http://www.ltscotland.org.uk/scottishschoolsonline/index.asp?schoolsearchstring=&addresssearchstring=&authorityv=&strTypes=issecondarvschool&bSubmit=l&Submit=Search)
Special Schools

<http://www.ltscotland.org.uk/scottishschoolsonline/index.asp?>

[schoolsearchstring=&addresssearchstring=&authorityv=&strTypes=isspecial&bSubmit=l&Submit=Sea](http://www.ltscotland.org.uk/scottishschoolsonline/index.asp?schoolsearchstring=&addresssearchstring=&authorityv=&strTypes=isspecial&bSubmit=l&Submit=Sea)

Scottish Public Bodies;

National Records of Scotland;

Historic Scotland;

Disclosure Scotland;

Registers of Scotland;

Scottish Qualification Authority;

Scottish Courts Service;

Scottish Prison Service;

Transport Scotland;

The Scottish Government Core Directorates;

Highlands and Islands Enterprise;

Crown Office and Procurator Fiscal Service;

Scottish Police Authority;

National Museums of Scotland;

Scottish Children's Reporter Administration;

Scottish Enterprise;

Scottish Environment Protection Agency;

Scottish Legal Aid Board;

Scottish Natural Heritage;
Skills Development Scotland;
Visit Scotland;
Aberdeen City Council;
Aberdeenshire Council;
Angus Council;
Argyll and Bute Council;
City of Edinburgh Council;
Clackmannanshire Council;
Comhairle nan Eilean Siar;
Dumfries and Galloway Council;
Dundee City Council;
East Ayrshire Council;
East Dunbartonshire Council;
East Lothian Council;
East Renfrewshire Council;
Falkirk Council;
Fife Council;
Glasgow City Council;
Highland Council;
Inverclyde Council;
Midlothian Council;
Moray Council;
The North Ayrshire Council;
North Lanarkshire Council;
Orkney Islands Council;
Perth and Kinross Council;
Renfrewshire Council;
Scottish Borders Council;
Shetland Islands Council;
South Ayrshire Council;
South Lanarkshire Council;
Stirling Council;
West Dunbartonshire Council;
West Lothian Council;
Central Scotland Fire and Rescue Service;
Dumfries and Galloway Fire and Rescue Service;
Fife Fire and Rescue Service;
Grampian Fire and Rescue Service;
Highlands and Islands Fire and Rescue Service;
Lothian and Borders Fire and Rescue Service;
Strathclyde Fire and Rescue Service;
Tayside Fire and Rescue Service;
Golden Jubilee Hospital (National Waiting Times Centre Board);
NHS 24;

NHS Ayrshire and Arran;
NHS Borders;
NHS Dumfries and Galloway;
NHS Education for Scotland;
NHS Fife;
NHS Forth Valley;
NHS Grampian;
NHS Greater Glasgow and Clyde;
NHS Health Scotland;
NHS Highland;
NHS Lanarkshire;
NHS Lothian;
NHS Orkney;
Healthcare Improvement Scotland;
NHS Shetland;
NHS Tayside;
NHS Western Isles;
Scottish Ambulance Service;
The Common Services Agency for the Scottish Health Service;
The State Hospital for Scotland;
Aberdeen College;
Adam Smith College;
Angus College;
Annie'sland College;
Ayr College;
Banff and Buchan College;
Barony College;
Borders College;
Cardonald College;
Carnegie College;
Central College of Commerce;
Clydebank College;
Coatbridge College;
Cumbernauld College;
Dumfries and Galloway College;
Dundee College;
Edinburgh's Telford College;
Elmwood College;
Forth Valley College;
Glasgow College of Nautical Studies;
Glasgow Metropolitan College;
Inverness College;
James Watt College;
Jewel and Esk College;
John Wheatley College;

Kilmarnock College;
Langside College;
Lews Castle College;
Moray College;
Motherwell College;
Newbattle Abbey College;
North Glasgow College;
North Highland College;
Oatridge College;
Orkney College;
Perth College;
Reid Kerr College;
Sabhal Mor Ostaig;
Shetland College;
South Lanarkshire College;
Stevenson College;
Stow College;
West Lothian College;
Edinburgh College of Art;
Edinburgh Napier University;
Glasgow Caledonian University
Glasgow School of Art;
Heriot-Watt University
Queen Margaret University;
Robert Gordon University;
Royal Scottish Academy of Music and Drama;
Scottish Agricultural College;
UHI Millennium Institute;
University of Aberdeen;
University of Abertay Dundee;
University of Dundee;
University of Edinburgh;
University of Glasgow;
University of St Andrews;
University of Stirling;
University of Strathclyde;
University of the West of Scotland;
Cairngorms National Park Authority;
Office of Scottish Charity Regulator;
Forestry Commission Scotland;
Audit Scotland;
Welsh Public Bodies;
National Assembly for Wales.
Welsh Assembly Government and Welsh Local Authorities, and all bodies covered by:
<http://www.assemblywales.org/abthome/abt-links.htm>

<http://new.wales.gov.uk/about/civilservice/directorates/?lang=en> NHS Wales
<http://www.wales.nhs.uk/ourservices/directory> Housing Associations — Registered Social Landlords.
Wales NI Public Bodies Northern Ireland Government Departments
<http://www.northernireland.gov.uk/gov.htm> Northern Ireland Public Sector Bodies and Local Authorities
<http://www.northernireland.gov.uk/az2.htm> Schools in Northern Ireland
<http://www.nidirect.gov.uk/index/search.lsim?sr=0&nh=10&cs=iso-8859-l&sc=nidirectcms&sm=0&mt=l&ha=nidirect-cms&cat=Banner&qt=SCHOOLS>
Universities in Northern Ireland <http://www.deni.gov.Uk/links.htm#colleges> Health and Social care in Northern Ireland
<http://www.hscm.net/index.php?link=hospitals>
<http://www.hscm.net/index.php?link=boards> <http://www.hscni.net/index.php?link=agencies>
<http://www.hscni.net/index.php?link=councils> Northern Ireland Housing Associations
<http://www.nidirect.gov.uk/index/contacts/contacts-az.htm/housing-associations-contact> Police Service of Northern Ireland <http://www.psn.police.uk/index.htm>

Entities which are not public sector bodies may also use the Framework Agreements if the Authority is satisfied that: such entity is calling off Goods and Services directly, solely and exclusively in order to satisfy contractual obligations to one (1) or more public sector bodies, all of which are entitled to use the Framework Agreements on their own account; all Goods and Services to be called-off by it are to be used directly, solely and exclusively to provide energy at sites occupied by such public sector body(ies); and it will pass the benefit of the Call-Off Contract to such public sector body(ies) directly, in full and on a purely 'pass-through' basis. Accordingly there must be no mark-up, management fee, service charge or any similar cost solely in relation to the supply of energy imposed on the relevant public sector body(ies), who must be able to benefit from the terms of the Framework Agreements in a like manner and to the same extent as if using the Framework Agreements on its/ their own account.

This Framework Agreement will also be accessible for use by any corporation established, or a group of individuals appointed to act together, for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, and

- (i) Financed wholly or mainly by another Contracting Authority (listed above in this section VI.3) of this notice;
- (ii) Subject to management supervision by another Contracting Authority (listed above in this section VI.3) of this notice; or
- (iii) 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, are appointed by another Contracting Authority (listed above in this section VI.3) of this notice;
- (iv) An association of or formed by one (1) or more of the Contracting Authorities (listed above in this section VI.3) of this notice.

Please refer to the Invitation to Tender document for the CCS complaints procedure.

VI.4) **Procedures for appeal**

VI.4.1) **Body responsible for appeal procedures**

VI.4.2) **Lodging of appeals**

Precise information on deadline(s) for lodging appeals: There is no right of appeal in this procurement. If you have a complaint or seek to challenge the outcome, please follow the guidance on procedure contained in the previous section.

VI.4.3) **Service from which information about the lodging of appeals may be obtained**

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

8.2.2017