

eDisclosure Services (RM 3717)

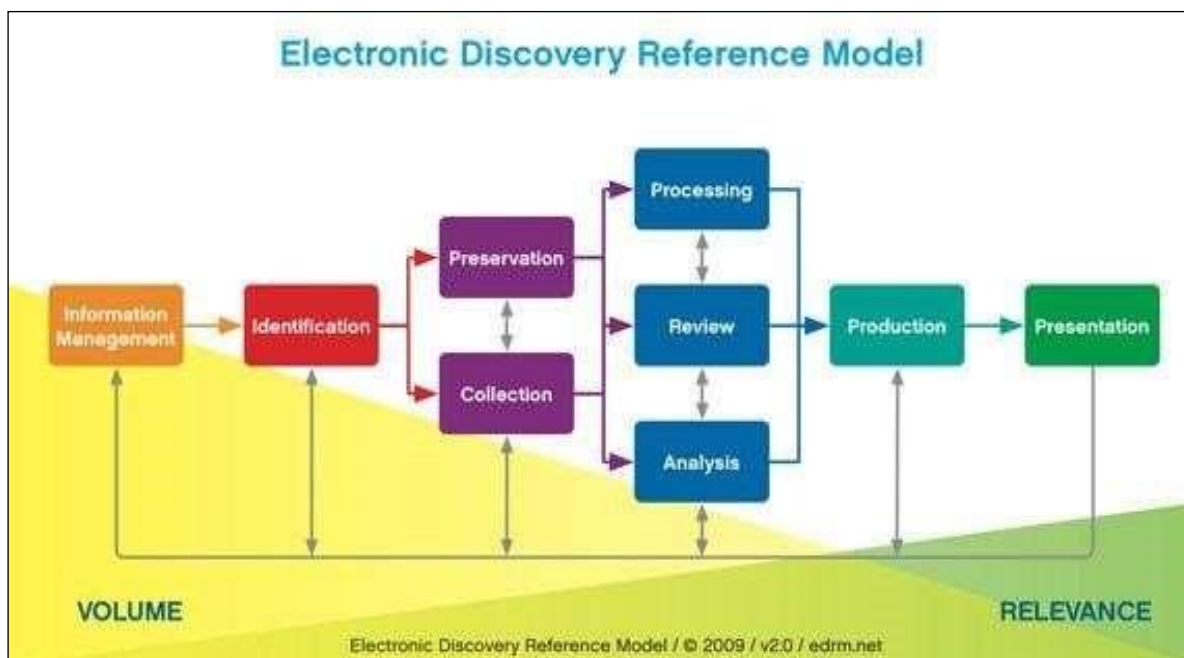
Customer Guidance Document

1. INTRODUCTION

Crown Commercial Service (“**CCS**”) and the Government Legal Department (“**GLD**”) have developed this guidance to assist Government departments and other customers (“**Customers**”) when accessing the eDisclosure Services Framework (RM 3717).

2. Background to the Framework

The Framework has been procured to replace the previous eDisclosure (and Hard Copy Review) Services Framework (RM924), - taking into account the results of close engagement with customers and suppliers of its predecessor. This new arrangement covers the supply of a wider and comprehensive menu of eDisclosure Services designed to cover the requirements of the “Electronic Discovery Reference Model” (EDRM) illustrated below, up to and including documents and electronic data marked Secret and Top Secret.



The Framework has been set up following a joint procurement project between CCS and the GLD with CCS as the contracting authority (“**the Authority**”). The Panel comprises 9 Lots of quality assured services provided by a cadre of eleven (11) suppliers. The Arrangement will last for 2 years from 01st June 2017 with the option to extend for up to a further 2 years in 1 year intervals (2+1+1).

3. Benefits of using the eDisclosure Services Framework

The Framework has been developed by combining CCS procurement and project management expertise with GLD technical expertise and knowledge.

Competitive tenders were evaluated following an “Open Procedure” procurement process that relied on a variable mix of Quality / Price criteria according to the Lot in question. The quality evaluation (through questions / responses) was conducted by a team that included senior practitioners from GLD and other central Government users. Price (value for money) was evaluated through careful consideration of supplier tenders according to a range of “cost models” specific to each Lot.

Procuring any legal support service can be a costly and time consuming process both for customers and for suppliers. In particular, eDisclosure Services are normally required against a backdrop of demanding time constraints. Use of this Framework will reduce the time and costs associated with selecting a supplier by offering a suite of services that offer value for money and high quality suppliers who have been competitively tendered and quality assured.

The principal benefits of using the eDisclosure Services Framework are:

- **Central strategy:** The arrangement forms part of the Government’s strategy to maximise procurement efficiency and value for money by centralising, standardising and aggregating spend for legal services.
- **Ease of route to market:** The arrangement provides a simple and streamlined route for Customers to access a comprehensive list of capable firms with the right skills and expertise to either supplement in-house legal resource, or to provide an end to end service.
- **Competitive rates:** The arrangement offers delivery of cashable savings through competitive rates which offer significant reductions against market rates, and the opportunity for further reductions by conducting a further competition.
- **Enhanced scope and choice:** the Framework covers 9 Lots offering a suite of services including “end to end” and individual services packages designed to align closely with individual customer needs.
- **Attractive commercial terms:** the arrangement facilitates various attractive commercial terms including alternative pricing models. These range from traditional practitioner hourly rates to costs per “gigabyte of data” and physical document production.
- **Ease of Call Off:** the Arrangement provides for greater use of Direct Awards as well as traditional Further Competition.
- **CCS Framework Management:** The arrangements will be managed by CCS including annual auditing of Quality, Benchmarking, Quarterly KPI’s and monthly gathering of MI.
- **Supplier Relationship Management:** The Framework will benefit from Strategic Supplier Management operated by CCS. If required by customers, CCS can provide a summary dashboard illustrating supplier performance as part of the SRM review.

4. Using the Framework

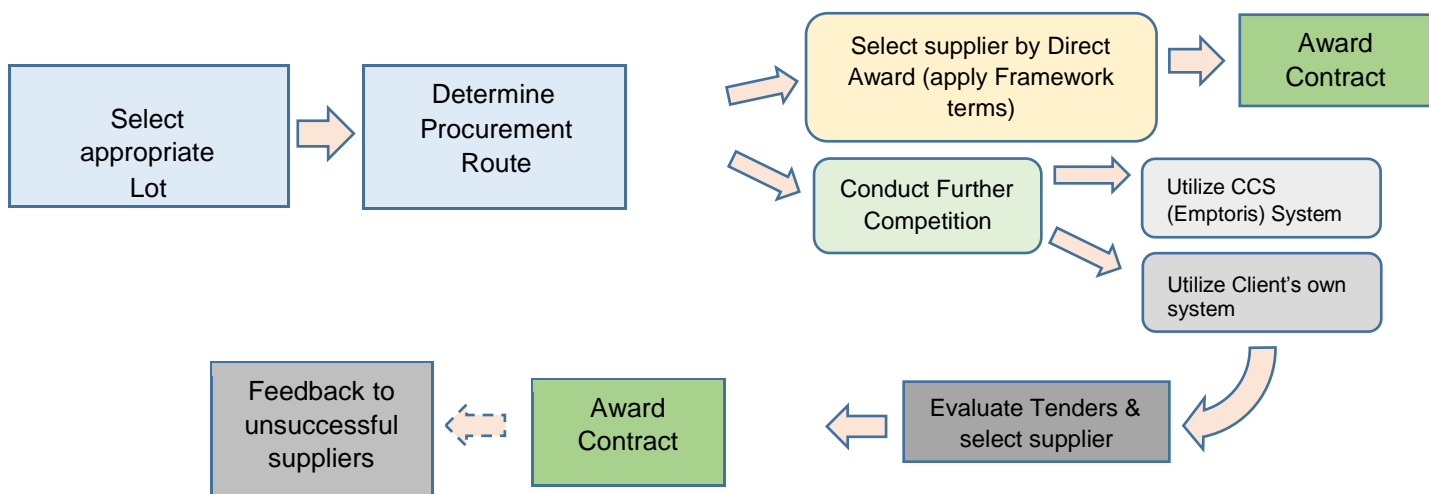
This Framework is available to all Contracting Authorities throughout the UK Public Sector.

The Service provisions under the Lot-based structure of this Framework span a wide and diverse customer base and require a variety of specialist services encompassed by the EDRM, - but broadly some or all of the following eight (8) stages:

- Project Management and Advice;
- Document Identification;
- Document Preservation and Collection;
- Document Processing;
- Document Review;
- Document Production;
- Disclosure from Other Opponent Parties; and □ Presentation at Trial.

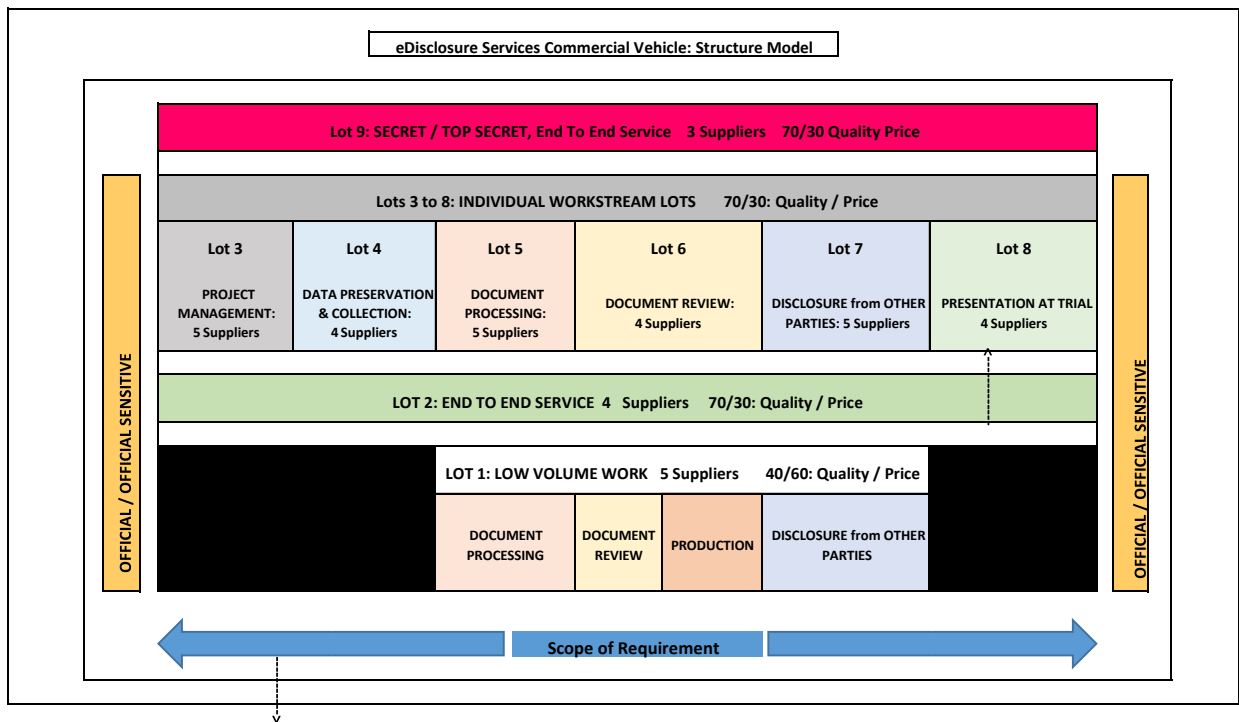
Robust data security requirements are built into each Lot. The Framework is structured to offer a Contracting Authority flexibility and choice. It is a matter of judgment however, for the Contracting Authority to decide which particular Lot(s) is/are most appropriate to meet with their specific requirements, business need, and “best fit” for the Contracting Authority’s requirements including value for money.

5. Client Route to Supplier Selection and Contract



6. The Lot Structure explained:

The Framework is structured with 9 Lots, as illustrated in the diagram below:-



7. The service Lots in detail:

Please note that the detailed specifications of the individual services are contained within the Framework Schedule 2 - Services and Key Performance Indicators, paragraphs 4.1 to 4.9.

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

This Lot scope includes the provision of e-Disclosure Services with respect to an overall initial dataset (pre-processing), (provided by the client) of no more than 5GBs Electronically Stored Information ("ESI") plus no more than 1,750 pages of hardcopy documents.

The Supplier shall provide the following Services, including all Mandatory Requirements that specifically relate to **Lot 1**, as detailed in Section 4 of the Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.4, 4.5, 4.6, 4.7 and 4.9.

- Document Processing;
- Document Review;
- Document Production;
- Disclosure from Other Opponent Parties; and □ Security Requirements:

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

The Supplier shall provide the following Services, including all Mandatory Requirements that relate to **Lot 2**, as detailed in Section 4 of the Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.1 to 4.9

- Project Management and Advice;
- Document Identification;
- Data Preservation and Collection;
- Document Processing;
- Document Review;
- Document Production;
- Disclosure from Other Opponent Parties;
- Presentation at Trial; and ☐ Security Requirements:

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

The Supplier shall provide the following Services, including all Mandatory Requirements that relate to **Lot 3**, as detailed in Section 4 of this Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.1 and 4.9

- ☐ Project Management and Advice; and
- ☐ Security Requirements:

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

The Supplier shall provide the following Services, including all Mandatory Requirements that relate to **Lot 4**, as detailed in Section 4 of the Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.3 & 4.9

- Data Preservation and Collection; and
- Security Requirements:

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

The Supplier shall be able to provide the following Services, including all Mandatory Requirements that relate to **Lot 5**, as detailed in Section 4 of this Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.4 & 4.9

- ☐ Document Processing; and
- ☐ Security Requirements:

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

The Supplier shall provide the following Services, including all Mandatory Requirements that relate to **Lot 6**, as detailed in Section 4 of this Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.5, 4.6 & 4.9

- ☐ Document Review; ☐
- Document Production;
- and ☐ Security
- Requirements:

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

The Supplier shall be able to provide the following Services, including all Mandatory Requirements that relate to **Lot 7**, as detailed in Section 4 of this Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.7 & 4.9

- ☐ Disclosure from Other Opponent Parties; and ☐
- Security Requirements:

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

The Supplier shall provide the following Services, including all Mandatory Requirements that relate to **Lot 8**, as detailed in Section 4 of this Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.8 & 4.9

- ☐ Presentation at Trial; and
- ☐ Security Requirements:

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

The Supplier shall be able to provide the following Services, including all Mandatory Requirements that relate to **Lot 9**, as detailed in Section 4 of this Framework Schedule 2: Services and Key Performance Indicators, paragraphs 4.1 to 4.9

- Project Management and Advice;
- Document Identification;
- Data Preservation and Collection;
- Document Processing;
- Document Review;
- Document Production;
- Disclosure from Other Opponent Parties;
- Presentation at Trial; and ☐ Security Requirements:

8. Suppliers appointed to each Lot

Lot 1
Legastat
Unified
KPMG
PA Consulting
Anexsys
Lot 2
KPMG
Legastat
Anexsys
MD5
Lot 3
KPMG
Legastat
MD5
WordWave
Lot 4
Anexsys
KPMG
CYFOR
WordWave
Unified

Lot 5
KPMG
Anexsys
Badenoch & Clark
PA Consulting
CCL Solutions
Lot 6
KPMG
Legastat
Unified
United Lex
Lot 7
KPMG
Legastat
Anexsys
Unified
Lot 8
Anexsys
Badenoch & Clark
Unified
CCL Solutions
Lot 9
KPMG
PA Consulting
Anexsys

9. Placing an Order

In general, a call-off contract (placing an order) can be formed either by a Direct Award or following a Further Competition. The procedures allowable under each Lot are as follows:

- Lot 1 – Direct Award only
- Lot 2 – Direct Award or Further Competition
- Lot 3 – Direct Award or Further Competition
- Lot 4 – Direct Award or Further Competition
- Lot 5 – Direct Award or Further Competition
- Lot 6 – Direct Award or Further Competition
- Lot 7 – Direct Award or Further Competition
- Lot 8 – Direct Award or Further Competition
- Lot 9 – Direct Award or Further Competition

Full information regarding Ordering Procedure and Award Criteria are contained in the Schedules 5 and 6 respectively of the Framework Agreement (RM3717) and are available for download from the CCS webpage:

<http://ccs-agreements.cabinetoffice.gov.uk/contracts/rm3717>

10. Contact Information

For further information contact the CCS Customer Service Desk: Tel: 0845 410 2222

The CCS Framework Manager is Nicola Murray:

e-mail: legal.services@crownccommercial.gov.uk

Website: <http://ccs.agreements.cabinetoffice.gov.uk>

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