

# Services - 189318-2017

19/05/2017 S96 -- Services -- Contract notice -- Open procedure

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I. II. III. IV. VI.

United Kingdom–Liverpool: Legal services

2017/S 096–189318

Contract notice

Services

Directive 2014/24/EU

## Section I: Contracting authority

### I.1) Name and addresses

The Minister for the Cabinet Office acting through Crown Commercial Service  
9th Floor, The Capital, Old Hall Street  
Liverpool  
L3 9PP  
United Kingdom  
Telephone: +44 3450103503  
E-mail: [supplier@crownccommercial.gov.uk](mailto:supplier@crownccommercial.gov.uk)  
NUTS code: UK  
Internet address(es):  
Main address: [www.gov.uk/ccs](http://www.gov.uk/ccs)  
Address of the buyer profile: <https://gpsesourcing.cabinetoffice.gov.uk>

### I.2) Joint procurement

The contract is awarded by a central purchasing body

### I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://ccs-agreements.cabinetoffice.gov.uk/procurement-pipeline>  
Additional information can be obtained from the abovementioned address  
Tenders or requests to participate must be submitted electronically via:  
<https://gpsesourcing.cabinetoffice.gov.uk>

### I.4) Type of the contracting authority

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

### I.5) Main activity

General public services

## Section II: Object

### II.1) Scope of the procurement

#### II.1.1) Title:

Finance and Complex — Legal Services Panel Agreement.  
Reference number: RM3787

#### II.1.2) Main CPV code

79100000

#### II.1.3) Type of contract

Services

#### II.1.4) Short description:

Crown Commercial Service as the Authority is putting in place a Panel Agreement for Finance and Complex Legal Services ('the Panel') for Crown Bodies and other permitted users identified at VI.3 (and any future successors to these organisations)

(‘Panel Customers’). Panel Customers will then be able to enter into Legal Service Contracts with successful Suppliers for any required services. This procurement relates to the legal services which are listed in Schedule 3 of the Public Contracts Regulations 2015 (PCR) 2015 as a specific service. This procurement is being conducted under the Light Tough Regime (‘LTR’) is therefore subject to limited regulation and will be conducted in accordance with regulations 74 to 76 PCR 2015.

This Panel Agreement will be for an initial Panel Period of two (2) years, with the option to extend for up to two (2) further periods of twelve (12) consecutive months.

**II.1.5) Estimated total value**

Value excluding VAT: 90 000 000.00 GBP

**II.1.6) Information about lots**

This contract is divided into lots: no

**II.2) Description**

**II.2.1) Title:**

**II.2.2) Additional CPV code(s)**

79110000

79112000

79111000

79140000

79130000

79100000

**II.2.3) Place of performance**

NUTS code: UK

**II.2.4) Description of the procurement:**

Suppliers on the Panel will be full service providers of finance and highly complex legal services, authorised and regulated by the SRA and/or appropriate regulatory bodies in other EU jurisdictions.

This Panel Agreement covers external legal advice and full project support required by Central Government and its associated bodies, for finance and highly complex transactions including complex finance, capital markets, regulatory complex work and the most, innovative and/or strategically important projects for Central Government. Suppliers shall be able to offer market leading legal expertise and a market leading level of service in order to meet Panel Customer needs to deliver their most complex and challenging projects and matters.

Suppliers will be able to provide all the Mandatory Specialisms required as set out VI.3). The Panel will cover Optional Specialisms also set out in VI.3)

The procurement will be conducted in three (3) Stages.

as set out in VI.3.

**II.2.5) Award criteria**

Price is not the only award criterion and all criteria are stated only in the procurement documents

**II.2.6) Estimated value**

Value excluding VAT: 90 000 000.00 GBP

**II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 48

This contract is subject to renewal: no

**II.2.10) Information about variants**

Variants will be accepted: no

**II.2.11) Information about options**

Options: no

**II.2.12) Information about electronic catalogues**

**II.2.13) Information about European Union funds**

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

#### II.2.14) Additional information

The Authority does not consider that the Transfer of Undertakings (Protection of Employment) Regulations 2006 to be an issue in respect of this Procurement at Panel Agreement Stage as services are not provided at this level. At Legal Services Contract stage, the Authority takes the view that TUPE is unlikely to apply. It is the responsibility of Potential Providers to take their own advice.

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

#### III.1) Conditions for participation

##### III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers

List and brief description of conditions:

This procurement will be managed electronically via the Crown Commercial Service's e-Sourcing Suite. To participate in this procurement, participants 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@crowncommercial.gov.uk](mailto:ExpressionOfInterest@crowncommercial.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 the Emptoris 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 messages 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 Support Desk email: [eEnablement@crowncommercial.gov.uk](mailto:eEnablement@crowncommercial.gov.uk) Stage 1 and Stage 2 tender submissions must be submitted by the date in IV.2.2 of this Contract Notice. Refer to paragraph 6 of Attachment 1 ~The Invitation for further information regarding timescales.

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 Plus 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. There are two (2) levels of certification: Cyber Essentials and Cyber Essentials Plus. To participate in this Procurement, Potential Providers must be able to demonstrate that they comply with the technical requirements prescribed by Cyber Essentials Plus for services under and in connection with this Procurement. Potential Providers may be awarded a place on the Panel Agreement but shall not enter into any Call Off Procedure and/or any Legal Services Contract with Panel Customers until they are able to demonstrate to the Authority that they meet the technical requirements

prescribed by Cyber Essentials Plus for services under and in connection with this Procurement.

### III.1.2) Economic and financial standing

List and brief description of selection criteria:

Potential Providers will be assessed on the basis of information provided in the Invitation. The Invitation can be accessed at:

<https://gpsesourcing.cabinetoffice.gov.uk> using the instructions detailed in III.2.1

The Authority shall use a credit reference agency as the first step in determining financial risk in relation to Potential Providers' Tender Submission. The Authority will request a financial risk score based on the information provided by Potential Providers in their response to the Stage 1 Eligibility Questionnaire.

In assessing the financial risk represented by Potential Providers, the Authority may take into account a copy of its audited accounts for the most recent two financial years and/or one or more of the following in respect of its organisation: a) a statement of the turnover, profit & loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation; or b) a statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position; and/or c) an alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank or an alternative means of demonstrating financial status). Potential Providers must possess the required level of Insurance cover detailed in the Invitation. The Invitation can be accessed at: <https://gpsesourcing.cabinetoffice.gov.uk> using the instructions detailed in III.2.1.

### III.1.3) Technical and professional ability

List and brief description of selection criteria:

Potential Providers are required at Stage 1 to submit four (4) certificates of past performance from customers to whom services (Mandatory Specialisms) were provided.

Potential Providers will be assessed on the basis of information provided in response to the Invitation. The Invitation can be accessed at:

<https://gpsesourcing.cabinetoffice.gov.uk> using the instructions detailed in III.1.1.

### III.1.5) Information about reserved contracts

#### III.2) Conditions related to the contract

### III.2.1) Information about a particular profession

### III.2.2) Contract performance conditions:

### III.2.3) Information about staff responsible for the performance of the contract

## Section IV: Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Open procedure

#### IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

Framework agreement with several operators

Envisaged maximum number of participants to the framework agreement: 9

#### IV.1.4) Information about reduction of the number of solutions or tenders during negotiation or dialogue

#### IV.1.6) Information about electronic auction

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: yes

### IV.2) Administrative information

#### IV.2.1) Previous publication concerning this procedure

Notice number in the OJ S: 2017/S 063-118186

- IV.2.2) **Time limit for receipt of tenders or requests to participate**  
Date: 12/06/2017  
Local time: 15:00
- IV.2.3) **Estimated date of dispatch of invitations to tender or to participate to selected candidates**
- IV.2.4) **Languages in which tenders or requests to participate may be submitted:**  
English
- IV.2.6) **Minimum time frame during which the tenderer must maintain the tender**  
Duration in months: 5 (from the date stated for receipt of tender)
- IV.2.7) **Conditions for opening of tenders**  
Date: 12/06/2017  
Local time: 15:01  
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 electronic workflows**  
Electronic ordering will be used  
Electronic invoicing will be accepted  
Electronic payment will be used
- VI.3) **Additional information:**  
The value provided in Section II 1.5) is only an estimate. We cannot guarantee to the Suppliers any business through this Panel Agreement. 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 (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 Potential Providers. As part of this Contract Notice the following documents can be accessed at <https://www.contractsfinder.service.gov.uk/Notice/cff50c6-f1ac-4636-847c-3a885b4f8f23>  
1) Procurement Stages — Attachment 1  
2) Contract Notice — Authorised Panel Customer List  
3) Contract Notice Transparency Information for the CCS Framework Agreement.  
4) Contract Notice — Mandatory and Optional Specialisms.
- VI.4) **Procedures for review**
- VI.4.1) **Review body**  
N/A  
N/A  
United Kingdom
- VI.4.2) **Body responsible for mediation procedures**  
N/A  
N/A  
United Kingdom
- VI.4.3) **Review procedure**
- VI.4.4) **Service from which information about the review procedure may be obtained**  
N/A  
N/A  
United Kingdom
- VI.5) **Date of dispatch of this notice:**  
17/05/2017



