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Contract

Legal Services Framework (P21-0018)

Scottish Enterprise

Highlands and Islands Enterprise

South of Scotland Enterprise Agency

F03: Contract award notice

Notice identifier: 2021/S 000-000644

Procurement identifier (OCID): ocids-h6vhtk-0289d8

Published 13 January 2021, 12:24pm

Section I: Contracting authority

I.1) Name and addresses

Scottish Enterprise

Atrium Court, 50 Waterloo Street

Glasgow

G2 6HQ

Contact

Adam Cunnningham

Email

adam.cunningham@scotent.co.uk

Telephone

+44 1414686024

Country

United Kingdom

NUTS code

UKM82 - Glasgow City

Internet address(es)

Main address

<http://www.scottish-enterprise.com/>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00398

I.1) Name and addresses

Highlands and Islands Enterprise

An Lòchran, 10 Inverness Campus

Inverness

IV2 5NA

Email

hieprocurement@hient.co.uk

Telephone

+44 1463245245

Country

United Kingdom

NUTS code

UKM6 - Highlands and Islands

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00313

I.1) Name and addresses

South of Scotland Enterprise Agency

Carmont House, The Crichton, Bankend Road

Dumfries

DG1 4TA

Email

stuart.paterson@sose.scot

Telephone

+44 1750535901

Country

United Kingdom

NUTS code

UK - UNITED KINGDOM

Internet address(es)

Main address

<https://www.southofscotlandenterprise.com>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30448

I.2) Information about joint procurement

The contract involves joint procurement

I.4) Type of the contracting authority

Regional or local Agency/Office

I.5) Main activity

Economic and financial affairs

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Legal Services Framework (P21-0018)

Reference number

P21-0018

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

Legal Services framework agreement for Scottish Enterprise (SE), Highlands & Islands Enterprise (HIE), South of Scotland Enterprise Agency (SOSE), and their respective subsidiary and associated companies and undertakings, and public bodies sharing complementary economic development and/or training objectives. This framework is anticipated to commence in December 2020 and will have a duration of 4 years (48 months).

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £8,700,000

II.2) Description

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79111000 - Legal advisory services
- 79140000 - Legal advisory and information services

II.2.3) Place of performance

NUTS codes

- UKM - SCOTLAND

II.2.4) Description of the procurement

The purpose of this procurement is to appoint a number of suitably qualified suppliers, operating under a framework agreement, to provide comprehensive legal services to Scottish Enterprise ("SE"), Highlands & Islands Enterprise ("HIE"), South of Scotland Enterprise Agency ("SOSE"), and their respective subsidiary and associated companies and undertakings, and public bodies sharing complementary economic development and/or training objectives (together, the "Purchasers"). Each supplier so appointed will be eligible to perform or bid for individual contracts awarded under this framework.

The number of suppliers to be appointed will be 3 or 4. A final decision will depend on the quality of tenders received and the extent to which the suppliers selected are capable of covering the range of services that may be required.

II.2.5) Award criteria

Quality criterion - Name: Application of experience, skills and knowledge required to deliver the framework / Weighting: 41

Quality criterion - Name: Understanding the Purchasers' operations, values, objectives and risks / Weighting: 31

Quality criterion - Name: Service delivery including contract management and continuous improve / Weighting: 10

Quality criterion - Name: Added value and partnership working / Weighting: 8

Quality criterion - Name: Fair Work Practices / Weighting: 2

Quality criterion - Name: Business Continuity and Disaster Recovery / Weighting: 3

Quality criterion - Name: Information Security Requirements / Weighting: 5

Price - Weighting: 30

II.2.11) Information about options

Options: No

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

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

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

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: [2020/S 200-486739](#)

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

21 December 2020

V.2.2) Information about tenders

Number of tenders received: 11

Number of tenders received from SMEs: 4

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 11

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Brodies

15 Atholl Crescent

Edinburgh

EH3 8HA

Country

United Kingdom

NUTS code

- UKM - SCOTLAND

The contractor is an SME

No

V.2.3) Name and address of the contractor

Burness Paull LLP

50 Lothian Road, Festival Square

Edinburgh

EH3 9WJ

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

The contractor is an SME

No

V.2.3) Name and address of the contractor

CMS Cameron McKenna Nabarro Olswang LLP

Cannon Place, 78 Cannon Street

London

EC4N6AF

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

The contractor is an SME

No

V.2.3) Name and address of the contractor

Addleshaw Goddard LLP

Sovereign House, Sovereign Street

Leeds

LS1 1HQ

Country

United Kingdom

NUTS code

- UK - UNITED KINGDOM

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £8,700,000

Section VI. Complementary information

VI.3) Additional information

Statement for 2A.17 – Form of Participation (Notably as part of a group, consortium, joint venture or similar). Any contract will be entered into with the nominated lead organisation and all members of the consortium, who will in these circumstances each be required to execute said contract together with all ancillary documentation, evidencing their joint and several liability in respect of the obligations and liabilities of the contract. It will be for members of the consortium to sort out their respective duties and liabilities amongst each other. For administrative purposes, any associated documentation will be sent to the nominated lead organisation.

Statement for 2D.1.2 – If the bidder proposes to subcontract any part(s) of the service, they should arrange for a separate ESPD response from each potential subcontractor (only Part II, Sections A and B, and Part III need to be completed for potential subcontractors however).

Dates and other information contained in this notice are communicated as being indicative only and may be subject to change. The contracting authority does not bind itself to accept the lowest or any offer. The contracting authority reserves the right to accept part of one or more offers. The contracting authority will not be liable for any costs incurred by those expressing an interest in or tendering for this contract. Compliance with all relevant legislation is required during the tendering process and the terms of any resulting contract. Bidders may be required to attend for interview. Any contract awarded will be subject to the law of Scotland. The contracting authority reserves the right to source the services through existing framework agreements. The contracting authority reserves the right to assign all or part of any contracts resulting from the process. Tenders shall remain open for acceptance for ninety (90) days from the date for return of tenders, or any subsequent date notified to you by the contracting authority. A tender may be accepted by the contracting authority at any time during this period.

(SC Ref:640986)

VI.4) Procedures for review

VI.4.1) Review body

Glasgow Sheriff Court

Sheriff Clerk's Office, PO Box 23, 1 Carlton Place

Glasgow

G5 9DA

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/glasgow-sheriff-court-and-justice-of-the-peace-court>

VI.4.2) Body responsible for mediation procedures

Scottish Government Single Point of Enquiry

Procurement and Commercial Division, 5 Atlantic Quay, Broomielaw

Glasgow

G2 8LU

Email

SPOEprocurement@gov.scot

Country

United Kingdom

Internet address

<https://www.gov.scot/publications/single-point-of-enquiry/>

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

In the first instance, suppliers with any concerns are asked to contact the Head of Procurement and Facilities Management - Philip Martin - enquiries@scotent.co.uk

VI.4.4) Service from which information about the review procedure may be obtained

Scottish Government Single Point of Enquiry

Procurement and Commercial Division, 5 Atlantic Quay, Broomielaw

Glasgow

G2 8LU

Email

SPOEprocurement@gov.scot

Country

United Kingdom

Internet address

<https://www.gov.scot/publications/single-point-of-enquiry/>