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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

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### **Section I: Contracting authority**

#### **I.1) Name and addresses**

Scottish Enterprise

Atrium Court, 50 Waterloo Street

Glasgow

G2 6HQ

**Contact**

Adam Cunningham

**Email**

[adam.cunningham@scotent.co.uk](mailto: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](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](mailto: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](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](mailto: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](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

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## **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 improvement / 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.

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## 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](#)

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## **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

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## **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](mailto: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](mailto: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](mailto:SPOEprocurement@gov.scot)

Country

United Kingdom

Internet address

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