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Tender

Provision of Legal Services for East Renfrewshire Council & Renfrewshire Council

East Renfrewshire Council

F02: Contract notice

Notice identifier: 2025/S 000-002016

Procurement identifier (OCID): ocids-h6vhtk-04d500

Published 21 January 2025, 12:57pm

Section I: Contracting authority

I.1) Name and addresses

East Renfrewshire Council

Eastwood HQ, Eastwood Park,

Giffnock

G46 6UG

Contact

May Harvey-Welsh

Email

may.harvey-welsh@eastrenfrewshire.gov.uk

Telephone

+44 1415773669

Country

United Kingdom

NUTS code

UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

Internet address(es)

Main address

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

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00183

I.2) Information about 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

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.publictendersscotland.publiccontractsscotland.gov.uk/>

I.4) Type of the contracting authority

Regional or local authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Provision of Legal Services for East Renfrewshire Council & Renfrewshire Council

Reference number

ERC000397

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

East Renfrewshire Council is inviting tenders, from suitably qualified companies to advise and assist both East Renfrewshire and Renfrewshire Council for the provision of Legal Services

II.1.5) Estimated total value

Value excluding VAT: £2,000,000

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for all lots

II.2) Description

II.2.1) Title

Subsidy Control, Completion, Vires & Judicial Review

Lot No

2

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

II.2.4) Description of the procurement

Advising and assisting East Renfrewshire or Renfrewshire Council on all aspects of Subsidy Control, competition law, vires and judicial review

II.2.5) Award criteria

Quality criterion - Name: Experience Case Study / Weighting: 10

Quality criterion - Name: Key Personnel Project Team / Weighting: 40

Quality criterion - Name: Service Delivery / Weighting: 10

Quality criterion - Name: Added Value / Weighting: 2.5

Quality criterion - Name: Project Management Quality Control / Weighting: 15

Quality criterion - Name: Community Benefits / Weighting: 10

Quality criterion - Name: Fair Working Practices / Weighting: 5

Quality criterion - Name: Carbon Footprint / Weighting: 2.5

Quality criterion - Name: Exit Plan / Weighting: 5

Price - Weighting: 40

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

options to extend for 2 x 12 month extension

II.2.10) Information about variants

Variants will be accepted: No

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 8 and 9 of the Procurement (Scotland) Regulations 2016

II.2) Description

II.2.1) Title

Infrastructure & Projects

Lot No

3

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

II.2.4) Description of the procurement

Advising and assisting East Renfrewshire or Renfrewshire Council on all aspects of non contentious construction, including EU Procurement advice, contentious construction issues and general legal advice relating to City Deal, Regeneration, Development and / or other Council projects

II.2.5) Award criteria

Quality criterion - Name: Experience Case Study / Weighting: 10

Quality criterion - Name: Key Personnel Project Team / Weighting: 40

Quality criterion - Name: Service Delivery / Weighting: 10

Quality criterion - Name: Added Value / Weighting: 2.5

Quality criterion - Name: Project Management Quality Control / Weighting: 15

Quality criterion - Name: Community Benefits / Weighting: 10

Quality criterion - Name: Fair Working Practices / Weighting: 5

Quality criterion - Name: Carbon Footprint / Weighting: 2.5

Quality criterion - Name: Exit Plan / Weighting: 5

Price - Weighting: 40

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

2 x 12 months options to extend

II.2.10) Information about variants

Variants will be accepted: No

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 8 and 9 of the Procurement (Scotland) Regulations 2016.

II.2) Description

II.2.1) Title

Contentious Construction

Lot No

4

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

II.2.4) Description of the procurement

Advising and assisting East Renfrewshire or Renfrewshire Council on contentious construction issues relating to City Deal, Regeneration, Development and / or other council projects

II.2.5) Award criteria

Quality criterion - Name: Experience Case Study / Weighting: 10

Quality criterion - Name: Key Personnel Projcet Team / Weighting: 40

Quality criterion - Name: Economic Conditions/Covid / Weighting: 5

Quality criterion - Name: Service Delivery / Weighting: 10

Quality criterion - Name: Added Value / Weighting: 2.5

Quality criterion - Name: Project Management Quality Control / Weighting: 10

Quality criterion - Name: Community Benifits / Weighting: 10

Quality criterion - Name: Fair Working Practices / Weighting: 5

Quality criterion - Name: Carbon Footprint / Weighting: 2.5

Quality criterion - Name: Exit Plan / Weighting: 5

Price - Weighting: 40

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

Option to extend 2 x 12 month extensions

II.2.10) Information about variants

Variants will be accepted: No

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 8 and 9 of the Procurement (Scotland) Regulations 2016.

II.2) Description

II.2.1) Title

Rail Related Infrastructure Projects

Lot No

5

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

II.2.4) Description of the procurement

Advising and assisting East Renfrewshire or Renfrewshire Council as defined in all other lots, specifically for projects which include rail industry requirements. Individual requirements for this project may also be called off under any

other relevant lot.

II.2.5) Award criteria

Quality criterion - Name: Experience Case Study / Weighting: 10

Quality criterion - Name: Key Personnel Project Team / Weighting: 40

Quality criterion - Name: Service Delivery / Weighting: 10

Quality criterion - Name: Added Value / Weighting: 2.5

Quality criterion - Name: Project Management / Weighting: 15

Quality criterion - Name: Community Benefits / Weighting: 10

Quality criterion - Name: Fair Working Practices / Weighting: 5

Quality criterion - Name: Carbon Footprint / Weighting: 2.5

Quality criterion - Name: Exit Plan / Weighting: 5

Price - Weighting: 40

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

option to extend 2 x 12 months extension period

II.2.10) Information about variants

Variants will be accepted: No

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 8 and 9 of the Procurement (Scotland) Regulations 2016.

II.2) Description

II.2.1) Title

Employment

Lot No

6

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

II.2.4) Description of the procurement

Advising, assisting and representation to East Renfrewshire or Renfrewshire Council on all aspects of employment law including, but not limited to, the matters listed in the scope of requirements below. Advice and representation on equal pay and related discrimination claims arising from the Council's pay and grading structure are excluded from this lot.

II.2.5) Award criteria

Quality criterion - Name: Experience Case Study / Weighting: 10

Quality criterion - Name: Key Personnel Project Team / Weighting: 40

Quality criterion - Name: Service Delivery / Weighting: 10

Quality criterion - Name: Changes in the Law / Weighting: 5

Quality criterion - Name: Added Value / Weighting: 2.5

Quality criterion - Name: Project Management Quality Control / Weighting: 10

Quality criterion - Name: Community Benefits / Weighting: 10

Quality criterion - Name: Fair Working Practices / Weighting: 5

Quality criterion - Name: Carbon Footprint / Weighting: 2.5

Quality criterion - Name: Exit Plan / Weighting: 5

Price - Weighting: 40

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

Option to extend for 2 x 12 month periods

II.2.10) Information about variants

Variants will be accepted: No

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 8 and 9 of the Procurement (Scotland) Regulations 2016.

II.2) Description

II.2.1) Title

General Litigation

Lot No

7

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

II.2.4) Description of the procurement

Advising and assisting East Renfrewshire or Renfrewshire Council on all aspects of civil litigation, including representation at courts and tribunals as required.

II.2.5) Award criteria

Quality criterion - Name: Experience Case Study / Weighting: 10

Quality criterion - Name: Key Personnel Project Team / Weighting: 40

Quality criterion - Name: Scottish Civil Courts Reforms / Weighting: 5

Quality criterion - Name: Service Delivery / Weighting: 10

Quality criterion - Name: Added Value / Weighting: 2.5

Quality criterion - Name: Project Management Quality Control / Weighting: 10

Quality criterion - Name: Community Benefits / Weighting: 10

Quality criterion - Name: Fair Working Practices / Weighting: 5

Quality criterion - Name: Carbon Footprint / Weighting: 2.5

Quality criterion - Name: Exit Plan / Weighting: 5

Price - Weighting: 40

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

option to extend for 2 x 12 month extension periods

II.2.10) Information about variants

Variants will be accepted: No

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 8 and 9 of the Procurement (Scotland) Regulations 2016.

II.2) Description

II.2.1) Title

Land & Property

Lot No

1

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services

II.2.3) Place of performance

NUTS codes

- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire

II.2.4) Description of the procurement

To advise on all aspects of land and property, including Compulsory Purchase Orders, Acquisitions & Disposals, Statutory Planning Processes and Conveyancing

II.2.5) Award criteria

Quality criterion - Name: Experience/Case Study / Weighting: 10

Quality criterion - Name: Key Personnel Project Team / Weighting: 40

Quality criterion - Name: Service Delivery / Weighting: 10

Quality criterion - Name: Added Value / Weighting: 2.5

Quality criterion - Name: Project Management Quality Control / Weighting: 15

Quality criterion - Name: Community Benefits / Weighting: 10

Quality criterion - Name: Fair Working Practices / Weighting: 5

Quality criterion - Name: Carbon Footprint / Weighting: 2.5

Quality criterion - Name: Exit Plan / Weighting: 5

Price - Weighting: 40

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

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

options to extend 2 x 12 months periods

II.2.10) Information about variants

Variants will be accepted: No

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 8 and 9 of the Procurement (Scotland) Regulations 2016.

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

Due to the nature of the services it is mandatory that all of the successful contractor's staff or staffs of a sub-contractor(s) hold:

LLB in Scots Law , Bachelors of Law

Diploma in Legal Practice.

III.1.2) Economic and financial standing

List and brief description of selection criteria

The Council reserves the right at its own discretion to seek information from the applicant in accordance with Regulation 61(7) or Regulation 61(8) of the Public Contracts (Scotland) Regulations 2015 to determine the Applicant's economic and financial standing. East Renfrewshire Council requires to ensure that the economic operator has the necessary economic and financial capacity to perform and complete the contract. In the current difficult economic environment, the Council seeks to ensure that the contractor who undertakes the works has suitable financial strength and capacity to complete these goods, works or services.

Where an economic operator wishes to be considered for selection under this contract but cannot meet the turnover and/or Credit Safe score of 30 that economic operator must provide financial information which will satisfy the Council that they have an equivalent level of economic and financial standing; and must provide related guarantees or formal assurances to support their right to participate and be considered for any contract award (Regulation 61(8)). Please note that any financial information disclosed should evidence the financial strength of the economic operator tendering, therefore additional supporting information will need to be provided where joint or group accounts are provided in support of a bid to explain to the Council the relevance of that information.

Where the economic bidder relies upon or intends to rely upon any Key Subcontractors in performance of the contract, then the Council reserves the right to assess the financial strength and suitability the Key subcontractor as part of the qualification process; Where the economic operator relies upon a parent company to provide financial assurance in support of their bid, the Council will also reserve the right to seek financial information on the strength and suitability of the parent company; and

Where the economic operator relies upon the capacity of other parties in respect of selection and/or performance of the contract, then dependent on the nature of the arrangement the Council may require full disclosure of financial information in support of the bid. For example, where the bidder identifies as a consortium the Council will require that the consortium, as a group, can meet the financial selection requirements contained in the procurement documents. Where a bidder is part of a Consortium, it shall procure the execution and delivery to the Employer of a Consortium Guarantee (in the form provided by the council) executed by each member of the Consortium (acting as Consortium guarantor) in Self Proving Form.

The Council reserves the right to monitor that the economic operator continues to meet the financial selection requirements upon receipt of the invitation to tender or after evaluation has been completed and prior to any award being made. Economic operators must inform the Council of any changes to any submission made by them in respect of their financial and or economic situation. The Council will further reserve the right to remove any economic operator from the tendering process where they are no longer able to fulfil any of the selection requirements as directed within the procurement documents.

Minimum level(s) of standards possibly required

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:

Employer's (Compulsory) Liability Insurance = 10 million GBP

Public Liability Insurance 5 million GBP

Professional Indemnity Insurance 2 million GBP

III.1.3) Technical and professional ability

List and brief description of selection criteria

Selection criteria as stated in the procurement documents.

Bidders who intend to use a supply chain to deliver the requirements detailed in the Contract Notice, must confirm they have (or have access to) the relevant supply chain management and tracking systems to ensure a resilient and sustainable supply chain. Bidders must provide a response at SPD Q4.C.4 and this will include confirmation that they have the systems in place to pay subcontractors through the supply chain promptly and effectively, and provide evidence when requested of

a) their standard payment terms.

b) 95% of all supply chain invoices being paid on time (in accordance with the terms of contract) in the last financial year.

Bidders unable to confirm (b) must provide an improvement plan, signed by their Director, which improves payment performance. It should be noted that where a bidder is unable to confirm or provide a satisfactory improvement plan the Council reserves the right to remove you from the process.

Bidders are required to confirm whether they intend to subcontract and if so for what proportion of the contract.

Bidders who intend to subcontract more than 25% to any individual organisation must ensure the SPD (Scotland) Subcontractors Supplier Response is completed and uploaded at question 2C.1 of the qualification envelope.

Minimum level(s) of standards possibly required

Personnel performing this contract must hold the following qualifications

LLB in Scots Law

Bachelors of Law

Diploma in Legal Practice.

III.2) Conditions related to the contract

III.2.1) Information about a particular profession

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

Legal Services

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

Obligation to indicate the names and professional qualifications of the staff assigned to performing 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

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.2.2) Time limit for receipt of tenders or requests to participate

Date

24 February 2025

Local time

12:00pm

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: 6 (from the date stated for receipt of tender)

IV.2.7) Conditions for opening of tenders

Date

24 February 2025

Local time

12:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Once 24 months plus 2 x 12 month extension periods if used

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 buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 22716. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2343>

Community benefits are included in this requirement. For more information see: <https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

Community Benefits will apply where a supplier has been successfully awarded contracts that have an accumulated annual value of 50,000 GBP and over for each council participating. Each Council will be responsible for collecting their own community benefit points at the end of each financial year / Other review if required a review of the level of work commissioned to each supplier will be conducted. The number of community benefits points will be determined and the supplier contacted to agree the community benefit outcomes and delivery method. There is no limit to the Community Benefit that a tenderer may offer and the total Community Benefit Points may exceed the stated expectation.

Bidders should be aware that failure to agree outcomes and delivery method may impact on the work commissioned through the framework for the following years.

(SC Ref:783244)

VI.4) Procedures for review

VI.4.1) Review body

Paisley Sheriff Court and Justice of the Peace

St James Street

Paisley

PA3 2HW

Email

paisley@scotcourts.gov.uk

Country

United Kingdom

Internet address

www.scotcourts.gov.uk/the-courts/court-locations/paisley-sheriff-court-and-justice-of-the-peace-court