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Tender

Homes England Legal Services Framework 2022-2026

Homes England (the name adopted by the Homes and Communities Agency)

F02: Contract notice

Notice identifier: 2022/S 000-004396

Procurement identifier (OCID): ocds-h6vhtk-0302c7

Published 16 February 2022, 12:52pm

Section I: Contracting authority

I.1) Name and addresses

Homes England (the name adopted by the Homes and Communities Agency)

One Friargate

Coventry

CV1 2GN

Email

legalservicestender@homesengland.gov.uk

Country

United Kingdom

NUTS code

UKG - West Midlands (England)

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/homes-england>

Buyer's address

<https://www.gov.uk/government/organisations/homes-england>

I.3) Communication

The procurement documents are available for unrestricted and full direct access, free of charge, at

<https://procontract.due-north.com/Advert?advertId=66ef4d0f-1d8b-ec11-8110-005056b64545&fromRfxSummary=True&rfxId=30024321-1d8b-ec11-8110-005056b64545>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://procontract.due-north.com/Advert?advertId=66ef4d0f-1d8b-ec11-8110-005056b64545&fromRfxSummary=True&rfxId=30024321-1d8b-ec11-8110-005056b64545>

I.4) Type of the contracting authority

National or federal Agency/Office

I.5) Main activity

Housing and community amenities

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Homes England Legal Services Framework 2022-2026

Reference number

DN584298

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

Homes England is seeking to appoint a £47m (ex VAT) national framework agreement for four years, to replace the existing Legal Services Framework. The proposed framework will comprise of four lots to provide a range of property and investment related legal services.

The range of legal services are as follows:

Lot 1 Services – Routine real estate and investment

Lot 2 Services – Specialist real estate and corporate

Lot 3 Services – Bespoke and Complex Projects

Lot 4 Services – Affordable Housing and Homes Ownership

Individual commissions and appointments from the framework will either be via direct award or further competition.

A full suite of documents can be found on ProContract.

II.1.5) Estimated total value

Value excluding VAT: £47,000,000

II.1.6) Information about lots

This contract is divided into lots: Yes

Tenders may be submitted for maximum number of lots

3

Maximum number of lots that may be awarded to one tenderer: 2

II.2) Description

II.2.1) Title

Routine Real Estate & Investment

Lot No

1

II.2.2) Additional CPV code(s)

- 79100000 - Legal services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Lot 1 - Routine Real Estate & Investment

- Property: including Landlord and Tenant, plot sales, estate management, release of restrictions and consents;

- Commercial law;

- Banking (short term development finance to SMEs) and Restructuring (in the event of default e.g. reservation of rights letters);

- Agricultural law;

Additional Services for Lot 1

- Real Estate: including Acquisitions, Disposals and Building Leases;

- Procurement and public subsidy;
- Grant Agreements;
- Planning: including CPO;
- Development and Construction;
- Real Estate Litigation including mortgage enforcement and possession claims;
- Contracts (goods, works and services);
- Environmental Law including biodiversity & net gain;
- Intellectual Property.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 60

Price - Weighting: 40

II.2.6) Estimated value

Value excluding VAT: £15,000,000

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.2.13) Information about European Union Funds

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

II.2) Description

II.2.1) Title

Specialist Real Estate & Corporate

Lot No

2

II.2.2) Additional CPV code(s)

- 79100000 - Legal services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Lot 2 - Specialist Real Estate & Corporate

- Commercial Property: Property Finance, Infrastructure and Regeneration;
- Commercial law including Banking –Loan and Equity Finance (this will include fund structures, joint ventures, infrastructure finance, lending alliances and MMC), Restructuring (including in the event of distress) and Insolvency;
- Building Safety regime
- Company law: including SPVs and Joint Ventures – contractual and company structures to deliver land and investment transactions;
- Financial Regulation and Taxation;
- Public/Administrative Law;
- Employment Law;

Additional Services for Lot 2

- Real Estate: including Acquisitions, Disposals and Building Leases;
- Procurement and public subsidy;
- Grant Agreements;
- Planning: including CPO;
- Development and Construction;
- Real Estate Litigation including mortgage enforcement and possession claims;
- Contracts (goods, works and services);
- Environmental Law including biodiversity & net gain;
- Intellectual Property.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 80

Price - Weighting: 20

II.2.6) Estimated value

Value excluding VAT: £15,000,000

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.2.13) Information about European Union Funds

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

II.2) Description

II.2.1) Title

Bespoke & Complex Projects

Lot No

3

II.2.2) Additional CPV code(s)

- 79100000 - Legal services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Lot 3 - Bespoke & Complex Projects

- Major infrastructure projects – including creation, acquisition, sponsor or debt capital, to portfolio management, restructuring, asset sales and exits;
- Major place based regeneration – including acquisition, planning, structuring, funding;
- Bespoke and complex financing including capital markets;
- Bespoke Joint ventures (e.g. outside of Homes England's existing protocol and standards);
- For private equity and venture capital activity - including related fund formation, capital deployment, acquisitions, debt and equity financing, complex restructurings, portfolio management and exits);
- Innovative/complex financing/investments to fund R&D and early stage product development e.g. MMC.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 80

Price - Weighting: 20

II.2.6) Estimated value

Value excluding VAT: £15,000,000

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.2.13) Information about European Union Funds

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

II.2) Description

II.2.1) Title

Affordable Housing & Home Ownership

Lot No

4

II.2.2) Additional CPV code(s)

- 79100000 - Legal services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Lot 4 - Affordable Housing & Home Ownership

- Affordable Housing;
- Residential mortgage regulatory advice and residential mortgage repossession;
- Public procurement of works and services and public subsidy in relation to housing;
- Housing regulatory and funding;
- Special administration regime;
- Home Ownership Initiatives and shared ownership.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 60

Price - Weighting: 40

II.2.6) Estimated value

Value excluding VAT: £2,000,000

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.2.13) Information about European Union Funds

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

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

Please see documents available on ProContract.

III.1.2) Economic and financial standing

Selection criteria as stated in the procurement documents

III.1.3) Technical and professional ability

Selection criteria as stated in the procurement documents

III.2) Conditions related to the contract

III.2.2) Contract performance conditions

Please see the Framework Agreement available on ProContract.

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: 23

In the case of framework agreements, provide justification for any duration exceeding 4 years:

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: [2021/S 000-031568](#)

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

Date

21 March 2022

Local time

5:00pm

IV.2.4) Languages in which tenders or requests to participate may be submitted

English

IV.2.7) Conditions for opening of tenders

Date

21 March 2022

Local time

5:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: Procurement expected to reoccur in 2026

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 opportunity can be accessed via Home England's e-Tendering system. Tenderers wishing to be considered for this contract must register their expression of interest and submit a tender through our e-Tendering system. If not already registered, candidates should register at <https://procontract.due-north.com/Login>

All discussions, meetings, and communications will be conducted in English.

The contract will be subject to English law. Tenders and all supporting documents must be priced in GBP and all payments under the contract will be made in GBP.

This procurement and award are subject to the transparency arrangements being adopted by the UK Government. These arrangements include the publication of tender documentation issued by Homes England and our contract with the supplier.

Bidders should highlight any areas they consider commercially sensitive in order for Homes England to be able to honour our transparency obligations without undermining the bidder's commercial interests.

Candidates are advised that Homes England is subject to the freedom of information Act 2000 ('The Act'). If a candidate considers that any of the information supplied as part of this procurement procedure should not be disclosed because of its commercial sensitivity, confidential or otherwise, they must, when providing this information, clearly identify the specific information they do not wish to be disclosed and clearly specify the reasons for its sensitivity. Homes England shall take such statements into consideration in the event that

it receives a request pursuant to the act which relates to the information provided by the interested party. Please note, it is insufficient to include a statement of confidentiality encompassing all the information provided in the response.

Homes England takes a zero-tolerance approach to bribery and corruption and sets high standards of impartiality, integrity and objectivity in relation to the stewardship of public funds and the management of its activities. The principles contained within this policy apply to both internal and external audiences, including anyone wishing to undertake business or engage with Homes England.

Please refer to our anti-bribery and corruption policy by visiting <https://www.gov.uk/government/publications/anti-bribery-and-corruption-policy> for further information.

Homes England (the trading name adopted by the Homes and Communities Agency) is committed to protecting the privacy and security of your personal data. Details can be found at <https://www.gov.uk/government/organisations/homes-england/about/personal-information-charter>

IV.1.3. Information about a framework agreement or a dynamic purchasing system -
Envisaged number of participants in the framework agreement is below:

Lot 1 - Minimum of 5, maximum of 7 suppliers

Lot 2 - Minimum of 4, maximum of 6 suppliers

Lot 3 - Minimum of 3, maximum of 6 suppliers

Lot 4 - Minimum of 1, maximum of 4 suppliers

Further details on the number of participants are contained within the procurement documents.

All dates in this notice are indicative and may be amended.

The NUTS code included in this notice is 'UK'. However, the services will only be procured in England.

VI.4) Procedures for review

VI.4.1) Review body

Royal Courts of Justice

The Strand

London

WC2A 2LL

Country

United Kingdom