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Tender

Legal Services Framework

The Minister for the Cabinet Office acting through Crown Commercial Service

F02: Contract notice

Notice identifier: 2021/S 000-011020

Procurement identifier (OCID): ocds-h6vhtk-02b27d

Published 18 May 2021, 10:55pm

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

Email

supplier@crowncommercial.gov.uk

Telephone

+44 3150103503

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/ccs>

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.gov.uk/ccs>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.gov.uk/ccs>

Tenders or requests to participate must be submitted to the above-mentioned address

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

General public services

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Legal Services Framework

Reference number

RM6179

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

Crown Commercial Service (CCS) as the Authority intends to put in place an agreement for the provision of legal advice services to be utilised by UK Central Government Departments, and other public sector bodies to be identified at VI.3.

It is intended that this agreement will be the recommended vehicle for all legal services in respect of a number of general specialisms, finance specialisms and complex projects, required by UK Central Government Departments.

The Framework Agreement will have 2 lots

Lot 1: General Legal Services

Lot 2: Financial and Complex Legal Services

This procurement is being conducted under the Light Touch Regime ('LTR') and is therefore subject to limited regulation. It will be conducted in accordance with regulations 74 to 76 of PCR 2015, and relates to the legal services which are listed in Schedule 3 of the Public Contracts Regulations 2015 (PCR) 2015 as a specific service.

The Framework Agreement will be established for 36 months, with the option to extend for a further 12 months at the discretion of CCS.

II.1.5) Estimated total value

Value excluding VAT: £430,000,000

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

General Legal Services

Lot No

1

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services
- 79111000 - Legal advisory services
- 79112000 - Legal representation services
- 79130000 - Legal documentation and certification services
- 79140000 - Legal advisory and information services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Lot 1 is for General Legal Advice and Services.

Suppliers will deliver all the mandatory requirements that specifically relate to lot 1, as detailed in Framework Schedule 1 (Specification). Which includes the following mandatory specialisms:

Public law;

Contracts;

Competition law;

Construction law;

Corporate law;

Dispute Litigation and Resolution ;

Employment law;

Environmental law;

EU Law;

Information law including data protection law;

Information technology law;

Intellectual property law;

Non complex finance and investment;

Outsourcing;

Partnership law;

Pensions law;

Planning law;

Projects/PFI/PPP;

Public procurement law;

Real estate and real estate finance;

Restructuring/Insolvency; and

Tax law.

There are also 18 optional specialisms detailed in Framework Schedule 1 (Specification) which Suppliers will provide if qualified to do so.

A framework contract will be awarded to 12 bidders for this lot 1. The maximum number of bidders may increase where 2 or more bidders have tied scores in last position. We also reserve the right to award to any bidder whose final score is within 1% of the last position of this lot.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 70

Price - Weighting: 30

II.2.6) Estimated value

Value excluding VAT: £330,000,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The contract will run for 36 months with an option to extend for a further 12 months

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

The procurement will be conducted in two stages which will be run consecutively. Full

details are available in the ITT.

II.2.7 - is the maximum duration of the Framework Agreement. The Framework Agreement will be established for 36 months, with the option to extend for a further 12 months at the discretion of CCS.

II.2) Description

II.2.1) Title

Finance and Complex Legal Services

Lot No

2

II.2.2) Additional CPV code(s)

- 79100000 - Legal services
- 79110000 - Legal advisory and representation services
- 79111000 - Legal advisory services
- 79112000 - Legal representation services
- 79130000 - Legal documentation and certification services
- 79140000 - Legal advisory and information services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Lot 2 is for Finance and Complex Legal Advice and Services and covers external legal advice and full project support required by Central Government and its associated arm's length bodies, for transactions which are principally financial in nature and highly complex transactions including complex finance, capital markets, regulatory and high-risk complex work, as well as the most innovative and/or strategically important projects for Central Government.

Suppliers will deliver all the mandatory requirements that specifically relate to lot 2, as detailed in Framework Schedule 1 (Specification). Which includes the following mandatory

specialisms:

Corporate Finance;

Rescue, restructuring and insolvency;

Financial services, market and competition regulation;

Investment and Commercial Banking;

Insurance and Reinsurance;

Investment and Asset management;

Equity Capital Markets;

Debt Capital Markets;

Project and Asset Finance;

High value or complex transactions and disputes; and

High value or complex merger and acquisition activity;

Projects of exceptional innovation and complexity.

There are also 9 optional specialisms detailed in Framework Schedule 1 (Specification) which Suppliers will provide if qualified to do so.

A framework contract will be awarded to 6 bidders for this lot 2. The maximum number of bidders may increase where 2 or more bidders have tied scores in last position. We also reserve the right to award to any bidder whose final score is within 1% of the last position of this lot.

II.2.5) Award criteria

Quality criterion - Name: Quality / Weighting: 80

Price - Weighting: 20

II.2.6) Estimated value

Value excluding VAT: £100,000,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

The contract will run for 36 months with the option to extend for a further 12 months.

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

The procurement will be conducted in two stages which will be run consecutively. Full details are available in the ITT.

II.2.7 - is the maximum duration of the Framework Agreement. The Framework Agreement will be established for 36 months, with the option to extend for a further 12 months at the discretion of CCS.

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

Candidates will be assessed in accordance with Section 5 of the 2015 Public Contract Regulations (implementing the directive) on the basis of information provided in response to an invitation to tender (ITT) registering for access.

Supplier Personnel hold a current Practising Certificate or are otherwise registered in compliance with the Solicitors Regulation Authority (SRA) Handbook or Bar Standards Board Handbook, or equivalent in the Supplier's jurisdiction as amended from time to time

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

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

21 June 2021

Local time

1:00pm

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 June 2021

Local time

1:01pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: Yes

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

As part of this contract notice the following documents can be accessed at:

<https://www.contractsfinder.service.gov.uk/Notice/9365011a-39bf-4d6e-8d15-8744de431b87>

- 1) Contract notice transparency information for the agreement;
- 2) Contract notice authorised customer list can be viewed within the Attachments section of Contracts Finder
- 3) Rights reserved for CCS framework.

The value provided in Section II.1.5 is only an estimate. We cannot guarantee to suppliers any business through this agreement.

Please be advised that CCS does not consider the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE') to be an issue in respect of this procurement as services are not provided at the framework level. At Call-Off contract stage, CCS takes the view that TUPE is unlikely to apply. It is the responsibility of bidders to take their own advice and consider whether TUPE is likely to apply at Call-Off Contract stage, and to act accordingly.

On 2.4.2014 Government introduced its Government Security Classifications (GSC) scheme which replaced Government Protective Marking Scheme (GPMS). A key aspect is the reduction in the number of security classifications used. All bidders should make themselves aware of the changes as it may impact this requirement. This link provides information on the GSC at:

<https://www.gov.uk/government/publications/government-security-classifications> Cyber Essentials is a mandatory requirement for Central Government contracts which involve handling personal information or provide certain ICT products/services. Government is taking steps to reduce the levels of cyber security risk in its supply chain through the Cyber Essentials scheme. The scheme defines a set of controls which, when implemented, will provide organisations with basic protection from the most prevalent forms of threat coming from the internet. To participate in this procurement, bidders must be able to demonstrate they comply with the technical requirements prescribed by Cyber Essentials Plus, CCS will accept ISO 27001 as an equivalent for services under and in connection with this Framework.

PLEASE NOTE:

All Cyber Essential certificates issued prior to 1 April 2020 or before 30 June 2020 on the existing scheme are valid until 30 June 2021. This includes those issued by Accreditation Bodies other than IASME. On 30 June 2021, any certificate issued under the old scheme will expire.

Refer to <https://www.ncsc.gov.uk/information/cyber-essentials-faqs> for more information.

Some purchases under this framework may have requirements that can be met under this framework but the purchase of which may be exempt from the Procurement Regulations (as defined in Attachment 1 – About the framework within the ITT documentation). In such cases, call-offs from this framework will be unregulated purchases for the purposes of the Procurement Regulations, and the buyers may, at their discretion, modify the terms of the framework and any call-off contracts to reflect that buyer's specific needs.

Registering for access:

This procurement will be managed electronically via the eSourcing suite. This will be the route for sharing all information and communicating with bidders. If you have recently registered on the eSourcing suite for another CCS procurement you can use the same account for this new procurement. If not, you will first need to register your organisation on the portal.

Use the following link for information on how register and use the eSourcing tool:
<https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers>

For assistance please contact the eSourcing Help desk

Email - enablement@crownccommercial.gov.uk

Phone - 0345 410 2222 choose option 2

VI.4) Procedures for review

VI.4.1) Review body

The Minister for the Cabinet Office acting through Crown Commercial Service

9th Floor, The Capital, Old Hall Street

Liverpool

L3 9PP

Email

supplier@crowncommercial.gov.uk

Telephone

+44 3150103503

Country

United Kingdom

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