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Tender

PROVISION OF PATENT ATTORNEY SERVICE ON BEHALF OF LOUGHBOROUGH UNIVERSITY AND UNIVERSITY OF BIRMINGHAM

UNIVERSITY OF BIRMINGHAM
Loughborough University

F02: Contract notice

Notice identifier: 2021/S 000-013232

Procurement identifier (OCID): ocds-h6vhtk-02bb23

Published 11 June 2021, 3:44pm

Section I: Contracting authority

I.1) Name and addresses

UNIVERSITY OF BIRMINGHAM

Chancellors Court,Edgbaston

BIRMINGHAM

B152TT

Contact

Paul Markham

Email

P.Markham@bham.ac.uk

Country

United Kingdom

NUTS code

UKG - West Midlands (England)

Internet address(es)

Main address

<https://www.birmingham.ac.uk/index.aspx>

I.1) Name and addresses

Loughborough University

Epinal Way

Loughborough

LE11 3TU

Contact

Debbie Tyler

Email

D.A.Tyler@lboro.ac.uk

Country

United Kingdom

NUTS code

UKF - East Midlands (England)

Internet address(es)

Main address

<https://www.lboro.ac.uk/>

I.2) Information about joint procurement

The contract involves joint procurement

I.3) Communication

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

<https://www.in-tendhost.com/universityofbirmingham.aspx/Home>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.in-tendhost.com/universityofbirmingham.aspx/Home>

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

PROVISION OF PATENT ATTORNEY SERVICE ON BEHALF OF LOUGHBOROUGH UNIVERSITY AND UNIVERSITY OF BIRMINGHAM

Reference number

FRAM232/21/LU00693 729

II.1.2) Main CPV code

- 79120000 - Patent and copyright consultancy services

II.1.3) Type of contract

Services

II.1.4) Short description

This procurement exercise is being conducted by the Universities via a Restricted Procedure as set out in The Public Contracts Regulations (PCR 2015) and as subsequently advertised in the UK Find A Tender Service. The University of Birmingham are acting as the lead University ('The University') during this tender process. Reference to the Universities in this document will mean University of Birmingham and Loughborough University.

On award of Contracts each University will be

responsible for the management of its own Contract, however Contract management reviews may be done as a collaborative process.

Tenderers should review the requirements contained within this ITT (Invitation to Tender) document and resulting tenders must be capable of acceptance in their own right. Tenderers should review the document at an early stage and make arrangements to respond to all the questions in the university's designated e sourcing platform (InTend).

Negotiation is not permitted.

Tenderers should review the document at an early stage and make arrangements to respond to all the questions in InTend and return any required completed attachments in

the prescribed form by the dates stated. Any uploaded documents must clearly state the question to which they relate.

II.1.5) Estimated total value

Value excluding VAT: £2,000,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKF - East Midlands (England)
- UKG - West Midlands (England)

II.2.4) Description of the procurement

SUMMARY OF THE REQUIREMENTS (MAIN DELIVERABLES)

Background to Tender Exercise

Loughborough University and the University of Birmingham have decided to review their present arrangements for the provision of Patent Attorney services based on criteria as detailed in this Invitation to Tender document. The purpose and primary objective of this Tender process is therefore to appoint providers of these Patent Attorney services for drafting, filing and prosecution of new patent applications. Existing patent cases will stay with those patent attorney firms currently handling the work.

The University of Birmingham are acting as the lead University ('The University') during this tender process. Reference to the Universities in this document will mean University of Birmingham and Loughborough University. On award of Contracts each University will be responsible for the management of its own Contract, however Contract management reviews may be done as a collaborative process. University of Birmingham Enterprise Ltd. is a wholly-owned subsidiary of the University

of Birmingham and undertakes all of the University's technology transfer activities.

University of Birmingham Enterprise Ltd will be the party issuing purchase orders and all instructions relating to University of Birmingham work placed under the tender and the

University of Birmingham is undertaking this tender process on behalf of University of Birmingham Enterprise Ltd.

Each University shall award separate Contracts under the Framework. However, the Universities do wish to benefit from economies of scale (discounts) therefore combined values of expenditure may be referred to in the final contracts.

Subject to the provisions of the Framework Agreements, the Universities will place an Agreement for an initial period of 4 years, with the option to extend for a further three x one-year periods. Extensions will be subject to annual reviews and performance monitoring of the service provided.

The universities reserve the right to evaluate the tender responses individually or together and to award separate scores if appropriate based on individual assessment

requirements. As a result of their assessment of the tender documents each of the universities reserves the right to appoint the same attorney firm(s) or different attorney

firm(s). Where scores diverge between the Universities, this will be made clear in the tender evaluation feedback at the award stage.

This project may be funded by the

- European Regional Development Fund (ERDF) or;
- European Structural and Investment Fund (ESIF) or;
- Research Councils UK (RCUK), the strategic partnership of the UK's seven Research Councils

II.2.5) Award criteria

Quality criterion - Name: Ability to Deliver the Services (ADS) / Weighting: 35

Quality criterion - Name: Quality Assurance and Monitoring Measures (QA) / Weighting: 20

Quality criterion - Name: Relevant Experience (RE) / Weighting: 20

Quality criterion - Name: quality of Patent Filings (PF) / Weighting: 5

Price - Weighting: 20

II.2.6) Estimated value

Value excluding VAT: £2,000,000

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

Start date

3 November 2021

End date

1 November 2025

This contract is subject to renewal

Yes

Description of renewals

Subject to the provisions of the Framework Agreements, the University of Birmingham on behalf of University of Birmingham Enterprise Ltd and Loughborough University will initially place an Agreement for a period of four years, with the option to extend for a further three x one-year periods. Extensions will be subject to annual reviews and performance monitoring of the service provided.

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Restricted 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

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

Subject to the provisions of the Framework Agreements, the University of Birmingham on behalf of University of Birmingham Enterprise Ltd and Loughborough University will

initially place an Agreement for a period of four years, with the option to extend for a further three x one-year periods. Extensions will be subject to annual reviews and performance monitoring of the service provided.

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

12 July 2021

Local time

12:00pm

IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates

14 August 2021

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

English

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.4) Procedures for review

VI.4.1) Review body

The University of Birmingham and Loughborough University

Loughborough/Birmingham

Country

United Kingdom