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Tender

The Provision of Legal Services

APUC Limited

F02: Contract notice

Notice identifier: 2021/S 000-014975

Procurement identifier (OCID): ocds-h6vhtk-02c1f3

Published 30 June 2021, 4:05pm

The closing date and time has been changed to:

6 August 2021, 12:00pm

See the [change notice](#).

Section I: Contracting authority

I.1) Name and addresses

APUC Limited

Unit 27, Stirling Business Centre, Wellgreen

Stirling

FK8 2DZ

Contact

David Benstead

Email

DBENSTEAD@APUC-SCOT.AC.UK

Telephone

+44 1314428930

Country

United Kingdom

NUTS code

UKM - Scotland

Internet address(es)

Main address

<http://www.apuc-scot.ac.uk>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10402

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

Other type

Education

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

The Provision of Legal Services

Reference number

PFB 1039 AP

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

The Authority are seeking Contractor(s) for the provision of specialist Legal Services for the further and higher education sector in Scotland.

The Authority are seeking to obtain, through this tendering process, price normalisation for all institutions regardless of size and demand.

A maximum of seven Contractors will be appointed to the framework contract.

II.1.5) Estimated total value

Value excluding VAT: £3,400,000

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

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

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

The scope of this agreement is the provision of legal services to the further and higher education sector in Scotland including all of the following specialisms

*Commercial-Business incorporating but not limited to the following:

Procurement & other contract law

Debt collection

Commercial corporate governance

Joint ventures

Banking, finance, insurance and taxation

Company formation

Corporate finance

Bond Issuance, mergers and acquisitions

Academic research (including grants) & research originated knowledge transfer

Competition law

Freedom of Information

General Data Protection Regulation (GDPR)

Intellectual Property

Technology Law including Software Licensing Agreements

Alternative Dispute Resolution (ADR)

Software Licensing Agreements

*Property & Estates incorporating but not limited to the following:

Conveyancing

Landlord and tenant law

General estate management issues

Planning law

Major building projects

Student accommodation

Construction and Engineering

Environmental law

Property litigation and dispute resolution

*People / HR Matters incorporating but not limited to the following:

Employment dispute resolution including tribunals

Employment relations

Employment contracts and policies

UK Visas & Immigration matters

Equality and diversity

Organisational change

Health and safety

TUPE

Pension law and advice

Student support and regulatory matters

Data protection

Freedom of Information

Fair Working Practices

*Charity incorporating but not limited to the following:

Charity law

Fundraising and sponsorship

Constitutional and parliamentary issues (including bills, charters and statutes)

*Charity corporate governance

International incorporating but not limited to the following:

Public International Law

Law of the Sea

International Criminal Law

International ventures

International Humanitarian Law

International Human Rights Law

Refugee Law

Private International Law

Supranational Law

Institutions shall be entitled to appoint a single firm to advise and/or represent on all matters of law, which may include some or all of the specialist areas in technical expertise described above. This may involve the provision of a full legal advice service to an Institution or may involve working in partnership with an in-house legal resource, providing supplementary legal resource or expertise from time to time as caseload requires across more than one of the specialisms.

Contractors must be able to provide a service which encompasses all of the above specialisms as a minimum.

II.2.5) Award criteria

Quality criterion - Name: Technical / Weighting: 70

Price - Weighting: 30

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

The Authority reserves the right to extend the Framework Agreement for a period of up to 24 months in multiple extensions subject to satisfactory performance and continued Institutions' requirements

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: Yes

Identification of the project

Individual call-off contracts under this Framework Agreement may be financed by European Union Funds.

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 in 2015

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

Providers must be accredited by the professional body relevant to the delivery of these services (Law Society of Scotland)

III.1.2) Economic and financial standing

Minimum level(s) of standards possibly required

Please refer to Question 4B.5 of the SPD and Economic and Financial Standing section of the Contract Notice. Tenderers must confirm that they can provide the following supporting evidence prior to award:

Employer's (Compulsory) Liability Insurance = 5 Million GBP

Public Liability Insurance = 5 Million GBP

Professional Liability Insurance = 2 Million GBP

To demonstrate and evidence suitable economic standing, successful Contractors will be required to provide 2 years audited accounts, or equivalent if awarded to the Framework Agreement.

Alternatively, if the Contractor is unable to provide the required accounting information, e.g. due to being a new business, then they will be required to provide a banker's letter demonstrating their willingness to support the Contractor's organisation over the term of the framework agreement.

Please refer to 4B.6 of the SPD.

III.1.3) Technical and professional ability

List and brief description of selection criteria

Not Applicable

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

Bidders must be a member of the Law Society of Scotland

Please see SPD Question 4A.1a

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

Envisaged maximum number of participants to the framework agreement: 7

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

Originally published as:

Date

2 August 2021

Local time

12:00pm

Changed to:

Date

6 August 2021

Local time

12:00pm

See the [change notice](#).

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

2 August 2021

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: 48 months

VI.2) Information about electronic workflows

Electronic invoicing will be accepted

Electronic payment will be used

VI.3) Additional information

Suppliers should confirm they will be in a position to complete (at point of award) the following:

Appendix A Form of Tender

Appendix B Freedom of Information

Appendix D APUC Sustain Supply Chain Code of Conduct

Appendix G GDPR Assessment

Appendix H Sustain Tool Section 1

The buyer is using PCS-Tender to conduct this ITT exercise. The Project code is 18627. For more information see:

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

The Contracting Authority does not intend to include a sub-contract clause as part of community benefits (as per Section 25 of the Procurement Reform (Scotland) Act 2014) in this contract for the following reason:

Sub-Contracting is not a significant part of the overall anticipated contract spend.

Community benefits are included in this requirement. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

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

The Contractor will work with the Authority to deliver Community Benefits or social value where they are identifiable throughout the term of the Framework Agreement. Examples of Community Benefits or social value are providing training opportunities to staff and students, apprenticeships and investment in the local community.

(SC Ref:653326)

VI.4) Procedures for review

VI.4.1) Review body

Sheriff Court House

Viewfield Place

Stirling

FK8 1NH

Country

United Kingdom