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Tender

TfL Legal Panel Framework

Transport for London

F02: Contract notice

Notice identifier: 2024/S 000-016875

Procurement identifier (OCID): ocds-h6vhtk-046c5d

Published 30 May 2024, 12:36pm

Section I: Contracting authority

I.1) Name and addresses

Transport for London

5 ENDEAVOUR SQUARE

LONDON

E201JN

Contact

Ilva Cunka

Email

ilvacunka@tfl.gov.uk

Country

United Kingdom

Region code

UKI - London

Justification for not providing organisation identifier

Not on any register

Internet address(es)

Main address

www.tfl.gov.uk

I.3) Communication

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

<https://service.ariba.com/Supplier.aw>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://service.ariba.com/Supplier.aw>

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

TfL Legal Panel Framework

Reference number

TfL 96455

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

Transport for London (TfL) as the Contracting Authority is putting in place a Framework Agreement for Legal Services to include a number of law firms with the requisite resources, expertise and experience to advise Transport for London, the Greater London Authority and its other functional bodies (the 'GLA Group'). This will be in place for four years with an option to extend for two further years at the sole discretion of TfL.

This procurement relates to legal services which are listed in Schedule 3 of the Public Contracts Regulations 2015 (PCR) as a specific service. This procurement is being conducted under the Light Touch Regime ("LTR") in accordance with regulations 74 to 77 PCR using a negotiated procedure.

The estimated total and lot values set out in this notice are variable, what is listed is our currently anticipated upper bounds.

The procurement process is being conducted electronically on the e-Tendering portal SAP Ariba. The portal can be accessed via the following link:

<https://service.ariba.com/Supplier.aw>

Suppliers interested in this tender opportunity, please email ilvacunka@tfl.gov.uk confirming your TfL SAP Ariba account name - your organisation will be added manually to

the suppliers list in SAP Ariba and you will have unrestricted and full access to the tender documents.

To register or to check if you are already registered in TfL SAP Ariba, please use the following link:

<https://service.ariba.com/Supplier.aw>

For help registering or uploading your responses, please refer to https://support.ariba.com/Adapt/Ariba_Network_Supplier_Training. If the problem persists please contact Ariba_Supplier_Enablement@tfl.gov.uk.

II.1.5) Estimated total value

Value excluding VAT: £120,000,000

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

Employment Law

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

Legal support on contentious and non-contentious employment matters including tribunal cases (from the point of outsourcing to conclusion of the case), EAT appeals and specialist advice on industrial relations matters (including strategy, disputes and change programmes) and immigration.

This Lot will be awarded to one supplier because consistency of treatment of all employment related matters is imperative to ensure that any policy work undertaken and advice given fits seamlessly with the operational requirements of the business.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £10,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 2

Maximum number: 4

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by up to 2 years

II.2.14) Additional information

It is envisaged a maximum of 1 provider will be awarded to this lot

II.2) Description

II.2.1) Title

Major commercial matters

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

Legal support on contentious and non-contentious aspects of significant infrastructure projects and other large scale and/or complex contracts.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £24,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 6

Maximum number: 10

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by up to 2 years

II.2.14) Additional information

It is envisaged a minimum of 6 and a maximum of 9 providers will be awarded on to this lot

II.2) Description

II.2.1) Title

Rail industry specialists

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

Legal support on matters specific to the rail industry including industry specific agreements and regulatory issues covering commercial and real estate matters whether contentious or non-contentious.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £6,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 3

Maximum number: 6

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by up to 2 years

II.2.14) Additional information

It is envisaged a minimum of 3 and a maximum of 5 providers will be awarded on to this lot

II.2) Description

II.2.1) Title

Routine commercial and real estate matters (contentious and non-contentious)

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

Legal support for routine and high volume commercial and real estate matters (contentious and non-contentious matters) including compulsory purchase compensation and implementation matters, falling outside lots 3, 6, 7 and 8.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £30,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 3

Maximum number: 6

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by up to 2 years

II.2.14) Additional information

It is envisaged a minimum of 3 and a maximum of 5 providers will be awarded on to this lot

II.2) Description

II.2.1) Title

Housing

Lot No

5

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

Legal support for housing matters (including legal support in relation to the Mayor's major funding programmes for housing and regeneration and building safety, negotiating grant and loan agreements and advising on wider housing policy issues).

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £10,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 6

Maximum number: 8

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by up to 2 years

II.2.14) Additional information

It is envisaged a minimum of 4 and a maximum of 6 providers will be awarded on to this lot

II.2) Description

II.2.1) Title

Complex property and commercial development matters

Lot No

6

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

Legal support for large scale commercial developments and projects, operational and commercial property matters and regeneration.

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £20,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 6

Maximum number: 10

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by up to 2 years

II.2.14) Additional information

It is envisaged a minimum of 6 and a maximum of 8 providers will be awarded on to this lot

II.2) Description

II.2.1) Title

Major consents matters

Lot No

7

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

Legal support for major consents matters (including compulsory purchase compensation and implementation matters).

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £10,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 6

Maximum number: 8

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by 2 years

II.2.14) Additional information

It is envisaged a minimum of 4 and a maximum of 6 providers will be awarded on to this lot

II.2) Description

II.2.1) Title

Town and country planning and highways matters

Lot No

8

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

Legal support for town and country planning and highways matters (including compulsory purchase compensation and implementation matters).

II.2.5) Award criteria

Price is not the only award criterion and all criteria are stated only in the procurement documents

II.2.6) Estimated value

Value excluding VAT: £10,000,000

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

Framework Agreement will be re-tendered prior its expiry

II.2.9) Information about the limits on the number of candidates to be invited

Envisaged minimum number: 6

Maximum number: 8

II.2.10) Information about variants

Variants will be accepted: No

II.2.11) Information about options

Options: Yes

Description of options

Option to extend by up to 2 years

II.2.14) Additional information

It is envisaged a minimum of 4 and a maximum of 6 providers will be awarded on to this lot

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

Provision of the services is reserved to a particular profession. Registration with the Solicitors Regulation Authority is required.

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.2.1) Information about a particular profession

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

Execution of the service is reserved to a particular profession.

Reference to the relevant law, regulation or administrative provision:

Provision of the services is reserved to a particular profession. Registration with the Solicitors Regulation Authority is required.

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

Competitive procedure with negotiation

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:

This procurement concerns the establishment of a Framework Agreement with several suppliers. Due to the highly specialised and specific nature of the legal services, the Framework Agreement will be for a term of four years with an option to extend for up to a further two years at TfL's discretion.

IV.1.5) Information about negotiation

The contracting authority reserves the right to award the contract on the basis of the initial tenders without conducting negotiations

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

5 July 2024

Local time

12:00pm

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: Yes

VI.3) Additional information

Transport for London (TfL) is a complex organisation operating both as a functional body of the Greater London Authority (GLA) under the direction of the Mayor of London and as a provider of transport services. Further information on TfL may be found at www.tfl.gov.uk.

The contract or contracts (if any) resulting from this call for competition may be awarded by and may be for the benefit of TfL and/or any of its subsidiaries and/or the GLA and/or any of the GLA's functional bodies and any Mayoral Development Corporation from time to time including (without limitation) the London Legacy Development Corporation and Old Oak and Park Royal Development Corporation.

The Contracting Authority expressly reserves the right (i) not to award any contract as a result of the procurement process commenced by publication of this notice; and (ii) to make whatever changes it may see fit to the content and structure of the tendering competition; and in no circumstances will the Contracting Authority be liable for any costs incurred by the candidates.

If the Contracting Authority decides to enter into a Framework Agreement with the successful supplier(s), this does not mean that there is any guarantee of subsequent contracts being awarded. Any expenditure, work or effort undertaken prior to contract award is accordingly a matter solely for the commercial judgement of potential suppliers. Any orders placed under this Framework Agreement will form a separate contract under the scope of this Framework between the supplier and the specific requesting contracting body. The Contracting Authority and other contracting bodies utilising the Framework reserve the right to use any electronic portal during the life of the Framework Agreement.

Please note all Economic Operators are required to express their interest by emailing ilvacunka@tfl.gov.uk. Economic Operators interested in being considered for this opportunity must express interest by means of completing the Standard Selection Questionnaire detailing their capabilities.

Transport for London (TfL) reserve the right not to consider expressions of interest received after the closing date/time or received by means other than the portal.

TfL reserves the right at any stage to reject or disqualify or revise the pre-qualified status of any Tenderer who:

1. Provides information or confirmations which later prove to be untrue or incorrect; and/or
2. Does not submit a tender in accordance with the requirements set out in the procurement documents or as directed by TfL during the procurement process; and/or
3. Fulfils any one or more of the criteria detailed in Regulation 57 of the Public Contracts Regulations 2015.

The procurement process is being conducted electronically on the e-Tendering portal SAP Ariba. The portal can be accessed via the following link:

<https://service.ariba.com/Supplier.aw>

To register or to check if you are already registered in TfL SAP Ariba, please use the following link:

<https://service.ariba.com/Supplier.aw>

For help registering or uploading your responses, please refer to https://support.ariba.com/Adapt/Ariba_Network_Supplier_Training. If the problem persists please contact Ariba_Supplier_Enablement@tfl.gov.uk.

VI.4) Procedures for review

VI.4.1) Review body

Transport for London

5 Endeavour Square

London

E20 1JN

Country

United Kingdom

VI.4.3) Review procedure

Precise information on deadline(s) for review procedures

The Contracting Authority will observe a standstill period for a minimum of 10 calendar days from when the contract award notice is issued to bidders. That notice will provide full information on the award decision. The standstill period provides time for unsuccessful bidders to challenge the award decision before the contract is entered into. Any appeal or request for additional information should be sent to the (name and address as in Section I.1). The Public Contracts Regulations 2015 (SI 2015

No 102) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales and Northern Ireland).