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Tender

Framework Agreement for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases

Crown Prosecution Service

F02: Contract notice

Notice identifier: 2024/S 000-016899

Procurement identifier (OCID): ocds-h6vhtk-0415c5

Published 30 May 2024, 2:23pm

Section I: Contracting authority

I.1) Name and addresses

Crown Prosecution Service

102 Petty France

London

SW1H 9EA

Contact

Crown Prosecution Service Commercial Team

Email

commercialinbox@cps.gov.uk

Telephone

+44 0000000000

Country

United Kingdom

Region code

UKI32 - Westminster

Internet address(es)

Main address

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

I.3) Communication

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

<https://cps.bravosolution.co.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://cps.bravosolution.co.uk>

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

Public order and safety

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Framework Agreement for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases

Reference number

PR 2022 112

II.1.2) Main CPV code

- 75131000 - Government services

II.1.3) Type of contract

Services

II.1.4) Short description

Framework Agreement for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases

II.1.5) Estimated total value

Value excluding VAT: £12,070,615

II.1.6) Information about lots

This contract is divided into lots: No

II.2) Description

II.2.2) Additional CPV code(s)

- 66000000 - Financial and insurance services
- 66171000 - Financial consultancy services
- 75130000 - Supporting services for the government
- 79000000 - Business services: law, marketing, consulting, recruitment, printing and security

- 79100000 - Legal services
- 79412000 - Financial management consultancy services

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

Framework Agreement for the Appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases.

The Crown Prosecution Service (CPS) is seeking to procure a service for the appointment of an Office Holder in Criminal Confiscation and Civil Recovery Cases. The CPS (or other body as applicable) would apply to the court for the appointment of Receivers and Trustees under the Proceeds of Crime Act 2002 (for criminal confiscation and civil recovery casework) and the legislation that preceded the Proceeds of Crime Act 2002 (for criminal confiscation casework). The requirement is for a Framework Agreement to be put in place as the mechanism by which the CPS and other bodies will select an Office Holder to be put forward to the court for appointment.

The Office Holder will be appointed as a Receiver or Trustee either to manage assets or to take possession of and realise assets to pay a Confiscation Order in Criminal Confiscation Cases and to investigate the origins of assets, manage assets or to take possession of and realise assets subject to Civil Recovery Orders in Civil Recovery Cases.

The CPS has a specialist division dedicated to asset recovery – CPS Proceeds of Crime Division (CPS POCD). Proceeds of crime is the term given to money or assets gained by criminals during the course of their criminal activity. The authorities, including the CPS, have powers to seek to confiscate these assets so that crime doesn't pay. By taking out the profits that fund crime, we can help disrupt the cycle and prevent further offences. CPS POCD is a national service dedicated to asset recovery work. CPS POCD works with law enforcement agencies including the police, the National Crime Agency (NCA), His Majesty's Revenue & Customs and the Department for Work & Pensions (DWP), as well as Regional Asset Recovery Teams (multi-agency), Asset Confiscation Enforcement teams (police, DWP & NCA), HM Courts & Tribunal Service and the Home Office.

An existing Framework Agreement is in place for the current provision of this service, which is used by CPS, the NCA, the Public Prosecution Service Northern Ireland (PPSNI) and the Serious Fraud Office (SFO). The existing Framework Agreement is due to expire and CPS are looking to replace it under this procurement procedure.

This replacement Framework Agreement can be used by: an enforcement authority (as defined in section 316 (1) of the Proceeds of Crime Act 2002) or a prosecuting authority in England, Wales or Northern Ireland, or any government department, executive agency of a government department, Non-departmental Public Body, local authority or NHS Body.

The following types of Receiver/Trustee are in scope:

Criminal:

- i. Management Receivers
- ii. Enforcement Receivers
- iii. NCA Receivers

Civil:

- i. Interim Receivers
- ii. Receiver in Connection with an Interim Freezing Order
- iii. Receivers in Connection with Property Freezing Orders
- iv. Receivers in Connection with Prohibition Orders
- v. Trustees for Civil Recovery

The scope of work will include both domestic and incoming international asset recovery cases. It is desirable that Office Holders demonstrate digital capability, including the ability to manage and store digital assets, such as cryptocurrency, either in-house or via access to externally instructed capability due to the increase in cybercrime.

Receivers and Trustees are remunerated from the sums that they realise from the sale of the assets over which they are appointed. The CPS (and other bodies) do not offer indemnities and therefore if no assets are realised there is no scope for remuneration.

Please see procurement documents, specifically Schedule 1 to the Framework Agreement terms and conditions, for a detailed specification of each type of Office Holder.

To take part in this procurement please visit the CPS e-sourcing portal:

<https://cps.bravosolution.co.uk/>

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: £12,070,615

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.2.14) Additional information

The estimated value has been stated as £12,070,615 (ex VAT). This figure is based on a 'reasonable worst case scenario' of the value of work which could be placed as Call-Offs under the Framework Agreement. Please note that a 'most likely' value is £4,741,520 (ex VAT).

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

Each of the Office Holders who will be delivering under the framework is required to be registered as a licenced insolvency practitioner, either with the Insolvency Practitioners Association or the Institute of Chartered Accountants in England and Wales or equivalent body.

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

As stated in the procurement documents

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: 12

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: [2023/S 000-032653](#)

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

Date

11 July 2024

Local time

12:00pm

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

11 July 2024

Local time

12:00pm

Section VI. Complementary information

VI.1) Information about recurrence

This is a recurrent procurement: No

VI.2) Information about electronic workflows

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

VI.4) Procedures for review

VI.4.1) Review body

Crown Prosecution Service Commercial Team

102 Petty France

London

SW1H 9EA

Country

United Kingdom

VI.4.4) Service from which information about the review procedure may be obtained

Crown Prosecution Service Commercial Team

102 Petty France

London

SW1H 9EA

Country

United Kingdom