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Contract

Corporate Legal Services (Outsourced Legal Support)

Scottish National Investment Bank

F03: Contract award notice

Notice identifier: 2021/S 000-017445

Procurement identifier (OCID): ocds-h6vhtk-02a6bb

Published 23 July 2021, 9:35am

Section I: Contracting authority

I.1) Name and addresses

Scottish National Investment Bank

1-North, Waverley Gate, 2-4 Waterloo Place

Edinburgh

EH1 3EG

Contact

Martin Bowden

Email

procurement@thebank.scot

Country

United Kingdom

NUTS code

UKM75 - Edinburgh, City of

Internet address(es)

Main address

<http://www.thebank.scot>

Buyer's address

https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA30487

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Other activity

Development Investment Bank

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Corporate Legal Services (Outsourced Legal Support)

Reference number

SNIB0022

II.1.2) Main CPV code

- 79100000 - Legal services

II.1.3) Type of contract

Services

II.1.4) Short description

The Scottish National Investment Bank intends to select and appoint a law firm to provide Corporate Legal Services to the Bank for the next 2 – 3 years.

The Bank wishes to appoint a firm to operate as 'an extension of our in-house Legal team', providing additional capacity, access to specialist expertise and added value support to the Bank.

The scope includes legal advice and services to support the Bank and our General Counsel with/on; Employment Law, Corporate Governance, Commercial & Contract law, FCA regulations, GDPR, State Aid & Subsidy Control, Freedom on Information as well as General Legal matters and projects.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £200,000

II.2) Description

II.2.2) Additional CPV code(s)

- 79100000 - Legal services

II.2.3) Place of performance

NUTS codes

- UKM - Scotland

II.2.4) Description of the procurement

Scope of Services Required by the Bank

The Bank intends to select and appoint a law firm to provide Corporate Legal Services to the Bank for the next 2 – 3 years.

The Bank wishes to appoint a firm that will operate as ‘an extension of our in-house Legal team’, providing additional capacity, access to specialist expertise and added value support to the Bank.

We anticipate that we will require around 100 days of outsourced legal support per annum (estimated).

The scope includes legal advice and services to support the Bank and our General Counsel with/on:

- General legal matters.
- Employment law.
- Corporate Governance.
- Commercial matters and Contracts.
- Interpretation and application of FCA regulations (but not the project for the Bank to seek/obtain FCA Authorisation)
- State Aid and Subsidy Control.
- GDPR
- Freedom of Information.
- Most other ‘one-off, project-type’ requirements (e.g. property related to Bank offices).

Exclusions to the scope noted above. The Bank will retain the right to appoint other firms

for specific matters where:

- It wishes to use an alternative firm to provide particular specialist expertise.
- Client conflicts may prevent the appointed firm from acting for the Bank.
- By exception, it wishes to use an alternative firm(s) to provide services for a 'one-off project-type' requirement.

Exclusions - more broadly, the scope of services does not include the provision of the legal services required by the Bank to support its specific investments or potential investments (except to the extent included in the scope above).

II.2.5) Award criteria

Quality criterion - Name: Expertise, Experience & Capability / Weighting: 45

Quality criterion - Name: Proposed Approach / Weighting: 25

Quality criterion - Name: Mission Impact / Weighting: 10

Quality criterion - Name: Supplier Presentation / Weighting: 20

Price - Weighting: 30

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

Economic operators may be excluded from this tender if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Restricted procedure

Accelerated procedure

Justification:

The Bank was formally established in late November 2020 and does not yet have in place the in-house legal capacity that it requires.

Access to consistent Corporate Legal Services and support is important in this early stage of the Bank's development (as well as to support its growth and delivery of its Business Plan going forward). Use of accelerated procedure is to ensure that a suitable arrangement for the provision of this corporate legal support is put in place as early as possible.

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: [2021/S 000-008010](#)

Section V. Award of contract

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

23 July 2021

V.2.2) Information about tenders

Number of tenders received: 6

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 6

Number of tenders received by electronic means: 6

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

Shepherd and Wedderburn LLP

1 Exchange Crescent, Conference Square

Edinburgh

EH3 8UL

Country

United Kingdom

NUTS code

- UKM - Scotland

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £200,000

Section VI. Complementary information

VI.3) Additional information

1) IMPORTANT INFORMATION: Reduction of the number of qualified candidates (SPD, Part V)

Bidders will be required to provide examples that demonstrate that they have the relevant experience and a track record of providing the legal advice and services specified in the Contract Notice.

Bidders are required to provide a short submission to evidence and demonstrate that they have the capability, capacity and experience to carry out the services required by the Bank, including examples of previous work (undertaken in the last 3 years).

This can be submitted as a separate document but should not exceed 3 sides of A4 paper.

The Bank will use the following criteria to shortlist firms to participate in the tender:

- Demonstrable track record of advising private sector and public sector organisations on the matters and services in scope (weighting: 30%)
- Evidence of ability to provide and demonstrate expertise on each/all of the matters and services included in scope. (weighting: 40%)
- Evidence of providing outsourced legal services and of working collaboratively with clients to provide additional 'value add' support (weighting: 30%)

The Bank will apply the weightings shown above and a scoring methodology (described in more detail in the procurement document published with the Contract Notice) to assess responses and reduce the number of qualified candidates.

2) Further Information and Submission of Responses:

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

<https://www.publiccontractsscotland.gov.uk/authority/noticecreate/Question21.aspx?ID=650767>

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx.

Bidders are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

3) Other 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 2015.

(SC Ref:661473)

VI.4) Procedures for review

VI.4.1) Review body

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

Edinburgh

EH1 1LB

Country

United Kingdom

Internet address

www.scotcourts.gov.uk/the-courts/court-locations/edinburgh-sheriff-court-and-justice-of-the-peace-court