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Opportunity

## **Legal Services for Health**

NHS Shared Business Services Limited

F02: Contract notice

Notice reference: 2022/S 000-020064

Published: 22 July 2022, 5:28pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

NHS Shared Business Services Limited

Three Cherry Tree Lane

Hemel Hempstead

HP2 7AH

#### **Contact**

Paula Jarvis

#### **Email**

[nsbs.categorymanagementsourcing@nhs.net](mailto:nsbs.categorymanagementsourcing@nhs.net)

#### **Country**

United Kingdom

#### **NUTS code**

UK - United Kingdom

## **Internet address(es)**

Main address

<https://www.sbs.nhs.uk/>

## **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

<http://discovery.ariba.com/rfx/13641414>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<http://discovery.ariba.com/rfx/13641414>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<http://discovery.ariba.com/rfx/13641414>

## **I.4) Type of the contracting authority**

Other type

NHS Shared Business Services Ltd (NHS SBS) if a joint venture between the Department of Health and Social Care (DHSC) and Sopra Steria Ltd

## **I.5) Main activity**

Health

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Legal Services for Health

Reference number

SBS10196

#### **II.1.2) Main CPV code**

- 79100000 - Legal services

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

NHS Shared Business Services Limited (NHS SBS) are creating a National Framework Agreement for the Provision of Legal Services, this will be available for the Healthcare Sector and all other Public Sector Bodies (NHS SBS Approved Organisations) to use for a period of 4 years. Private Sector will also be able to utilise this Framework

NHS Shared Business Services act in an Agency capacity for and on behalf of its customers (Approved Organisations) - existing and new. These comprise of NHS and Social Care organisations (whether acting individually, or on behalf of, or together as members of any consortia) along with any other public or private sector bodies which NHS SBS authorises to use the resulting Framework

The Framework will be structured using the following Lots;

Lot 1 - Governance, Structure, Transformation & Public Law

Lot 2 - Healthcare & Mental Health

Lot 3 - Employment

Lot 4 - Procurement, Commercial & Contract

Lot 5 - Property & Construction

Lot 6 - Technology & E-Commerce inc IP & Media Law

Lot 7 - Corporate Finance, Audit & Insurance

Lot 8 - Criminal

Lot 9 - Legal Recovery & Collection

Lot 10 - Counsel

Lot 11 - Multi-Disciplinary Support

Our Approved Organisation list can be found at:

<https://sbs.nhs.uk/proc-framework-agreements-support>

The Procurement Portal and Tender Documents can be accessed at the following link:

<http://discovery.ariba.com/rfx/13641414>

## **II.1.5) Estimated total value**

Value excluding VAT: £200,000,000

## **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**

Governance, Structure, Transformation & Public Law

Lot No

1

### **II.2.2) Additional CPV code(s)**

- 79110000 - Legal advisory and representation services

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

### **II.2.4) Description of the procurement**

Lot 1 - Governance Structure, Transformation & Public Law

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Structure, Power, Statutes, & guidance

Transformation

Corporate, Clinical, Information & Research Governance

Constitution

Consultation

Judicial review

Human Rights Act

FOI & DPA

Policies, Procedures & Reports to Board

Health & Safety Legislation

Primary Care Practitioners

Prison Health

Primary Care Fraud

Commissioning

Continuing Care & Funding

Care Homes

Community provision

GP Federations

Dentists

Trusts

CCG's

Foundation Trust (Authority)

Social Care

Charitable Trusts

Integrated Care Systems (ICS)

### **II.2.5) Award criteria**

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

### **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) Description**

### **II.2.1) Title**

Healthcare & Mental Health

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**

Lot 2 - Healthcare & Mental Health

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Consent to treatment cases

Inquests & Inquiries

Capacity

Children Act issues

Social Care

Risk management

Claims management and clinical negligence

Coroner enquiries and reports

Complaints advice

Witness Statements

Retention of Organs

Confidentiality

Asylum Seekers

Patient mobility

Health & Safety legislation

Immigration

Human Rights

Withdrawal of Treatment

Discharge of Patients

Patients' Property

Safeguarding

Public Consultation

Mental Health Legislation

Mental Health Review Tribunals

Homicide/ suicide inquiries and inquests

Coroner enquiries and reports

## **II.2.5) Award criteria**

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



## **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) Description**

### **II.2.1) Title**

Employment

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**

Lot 3 - Employment

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Employment Tribunals

HR policies & procedures

Pensions

Redundancies

Employment Agencies & bank staff

Restructuring

Training / qualifications

Disciplinary and Appeal

Fit and Proper Person Test (FPPT)

Discrimination

Inclusivity

Equality & Diversity

Employee Payments

Employment Relationship Advice

Immigration

TUPE

Insourcing / Outsourcing

Health & Safety

Organisational Change / Change Management

Consultation

Public Liability Claims

### **II.2.5) Award criteria**

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

### **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) Description**

### **II.2.1) Title**

Procurement, Commercial & Contract

Lot No

4

### **II.2.2) Additional CPV code(s)**

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

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

## **II.2.4) Description of the procurement**

Lot 4 - Procurement, Commercial & Contract

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Service Level Agreements

Public to Public Contracts

Contracts with private sector bodies

Working with VCSEs

Public procurement Law

Terms and Conditions write / review

Standard Form Contracts

New Procurement Rules & Regulations

Competition Law

Income generation and / or Private Patients

S106 funding & other funding opportunities

Challenges, Disputes, Dispute Resolution & Litigation

Warranties, liabilities, defects, etc

Confidentiality

Projects

Commercial transactions & joint ventures

Outsourcing / Insourcing

Franchising

Grant funding

Partnership law

Drafting, negotiating & agreeing legal documentation

Mergers & Acquisitions

### **II.2.5) Award criteria**

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

### **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) Description**

### **II.2.1) Title**

Property & Construction

Lot No

5

## **II.2.2) Additional CPV code(s)**

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

## **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

## **II.2.4) Description of the procurement**

Lot 5 - Property & Construction

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Acquisitions & disposal of property or land

Landlord & Tenant related matters

Leases & licences to use land, inc "green lease"

LeasePlus & Underlease Plus Resolution Agreements

Rent Reimbursement Provisions and Directions

Premises Act rent & rates reimbursement schemes for GP Practices

Reports on Title

Site developments

BREEAM

Property aspects of commercial transactions and joint ventures

Town & Country Planning Advice/ Planning Rules

Environmental law

Estate code & general estate management

Surplus land requirements

Restrictive covenants / boundary issues

Crichel Down Rules

Capital Charges insurance & compliance with relevant protocols by the DOH

PPPs / PFI projects including LIFT

Health & Safety

Infrastructure Projects

Planning law

### **II.2.5) Award criteria**

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

### **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) Description**

### **II.2.1) Title**

Technology & E-Commerce inc IP & Media Law

Lot No

6

### **II.2.2) Additional CPV code(s)**

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

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

### **II.2.4) Description of the procurement**

Lot 6 - Technology & Ecommerce Inc IP & Media Law

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Technology solutions, inc (but not limited to) apps, AI, data, online tools, fintech

E-commerce

Medical devices & machines

Research & Development

Confidentiality

Contracts & Licences

IT/ Telecoms procurement

Convergent technologies & the internet

Competition Law

Intellectual Property (IP)



Media Law

### **II.2.5) Award criteria**

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

### **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) Description**

### **II.2.1) Title**

Corporate Finance, Audit & Insurance

Lot No

7

### **II.2.2) Additional CPV code(s)**

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

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

## **II.2.4) Description of the procurement**

Lot 7 - Corporate Finance, Audit & Insurance

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Borrowing & investing

Financial Services

Project Finance

Establishing corporate vehicles

Banking and Finance

Debt & Restructuring

Capital

Revenue

Fintech

Internal Audit

External Audit

Insurance

Grant funding

Vehicle Lease / Hire Agreements

Collateral warranties, bank & surety bonds

## **II.2.5) Award criteria**

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

### **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) Description**

### **II.2.1) Title**

Criminal

Lot No

8

### **II.2.2) Additional CPV code(s)**

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

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

## **II.2.4) Description of the procurement**

Lot 8 - Criminal Law

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Personal Injury

Medical Negligence

Police interviews

Prosecutions

Advice & Guidance

## **II.2.5) Award criteria**

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

## **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) Description**

### **II.2.1) Title**

Legal Recovery & Collection

Lot No

9

### **II.2.2) Additional CPV code(s)**

- 79940000 - Collection agency services

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

### **II.2.4) Description of the procurement**

Lot 9 - Legal Recovery & Collection

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Healthcare (NHS)

Healthcare (Private)

Commercial

Utilities

Non-UK Nationals

Prescriptions

Inter NHS / Local Government

Insurance

Invoicing / Payments

Debt collection

### **II.2.5) Award criteria**

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

### **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) Description**

### **II.2.1) Title**

Counsel

Lot No

10

### **II.2.2) Additional CPV code(s)**

- 79110000 - Legal advisory and representation services

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

## **II.2.4) Description of the procurement**

Lot 10 - Counsel

The areas of law or types of activities that advice / guidance / representation etc may be required (but are not limited to) under this Lot are as follows:

Barristers

Chambers

Representation at Court

Preparation of documentation

## **II.2.5) Award criteria**

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

## **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) Description**

### **II.2.1) Title**

Multi-Disciplinary Support

Lot No

11

### **II.2.2) Additional CPV code(s)**

- 79110000 - Legal advisory and representation services

### **II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

### **II.2.4) Description of the procurement**

Lot 11 - Multi-Disciplinary Support

Suppliers on this Lot are required to provide all of the services outlined within Lots above. Call offs may be for any combination or range of requirements

### **II.2.5) Award criteria**

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

### **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

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **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

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## **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

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: No

### **IV.2) Administrative information**

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

Date

22 August 2022

Local time

12:00pm

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

English

**IV.2.7) Conditions for opening of tenders**

Date

22 August 2022

Local time

1:00pm

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## **Section VI. Complementary information**

### **VI.1) Information about recurrence**

This is a recurrent procurement: No

### **VI.3) Additional information**

Due to a change in E-Procurement System we are unable to link this Contract Notice to the PIN issued. The PIN Number is FTS 2022/S 000-000197.

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

NHS Shared Business Services Limited

Three Cherry Tree Lane

Hemel Hempstead

HP2 7AH

Country

United Kingdom