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Tender

Legal Services for Health

NHS Shared Business Services Limited

F02: Contract notice

Notice identifier: 2022/S 000-020064

Procurement identifier (OCID): ocds-h6vhtk-035508

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

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) is a joint venture between the Department of Health and Social Care (DHSC) and Sopra Steria Ltd

I.5) Main activity

Health

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

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

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

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