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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) if 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