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Contract

RM3786 Call-off Insolvency

Department for Education

F03: Contract award notice

Notice identifier: 2021/S 000-024263

Procurement identifier (OCID): ocds-h6vhtk-02e636

Published 29 September 2021, 10:45pm

Section I: Contracting authority

I.1) Name and addresses

Department for Education

Sanctuary Buildings, 20, Great Smith Street

London

SW1P 3BT

Email

stevinder.binning@education.gov.uk

Country

United Kingdom

NUTS code

UK - United Kingdom

Internet address(es)

Main address

<https://www.gov.uk/government/organisations/department-for-education>

I.4) Type of the contracting authority

Ministry or any other national or federal authority

I.5) Main activity

Education

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

RM3786 Call-off Insolvency

II.1.2) Main CPV code

- 80000000 - Education and training services

II.1.3) Type of contract

Services

II.1.4) Short description

In order to support PMO's broad range of work and particularly in the assessment of a broad range of financially distressed Education Providers , we are procuring the following services:

Legal services and advice for restructuring and insolvency, such as the appointment of an Education Administrator and advice in the run up to and during an Education Administration (or normal insolvency procedure defined in the IA). There also may be a requirement for legal advice during an IBR and any other supplementary activity, whilst the options for intervention or insolvency are recommended to the Appropriate National Authority, defined as the Secretary of State or Welsh Ministers by s5 of TEFA 2017, hereafter referred to as ANA. Linked to the above or separately, debt advice for restructuring existing loans and/or grants may also be required.

Legal services and advice for CF&I, such as urgent legal advice during ongoing investigations and enforcement action. This will include advice in the event of legal challenge, assessment of relevant potential contractual action and strategic options depending on individual case factors. This will also include provision of advice on enforcement actions requiring specific specialism such as insolvency litigation and may include consideration of civil recovery options.

Audit and Assurance Legal services and advice for Audit and Assurance activity, such as urgent legal advice during ongoing audits and provision of advice on funding error recovery action. This will include a legal assessment on likelihood of legal challenge and advice in the event of legal challenge. This could include advice on Freedom of Information and GDPR provision.

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: £3,342,000

II.2) Description

II.2.3) Place of performance

NUTS codes

- UK - United Kingdom

II.2.4) Description of the procurement

In order to support PMO's broad range of work and particularly in the assessment of a broad range of financially distressed Education Providers , we are procuring the following services:

Legal services and advice for restructuring and insolvency, such as the appointment of an

Education Administrator and advice in the run up to and during an Education Administration (or normal insolvency procedure defined in the IA). There also may be a requirement for legal advice during an IBR and any other supplementary activity, whilst the options for intervention or insolvency are recommended to the Appropriate National Authority, defined as the Secretary of State or Welsh Ministers by s5 of TEFA 2017, hereafter referred to as ANA. Linked to the above or separately, debt advice for restructuring existing loans and/or grants may also be required.

Legal services and advice for CF&I, such as urgent legal advice during ongoing investigations and enforcement action. This will include advice in the event of legal challenge, assessment of relevant potential contractual action and strategic options depending on individual case factors. This will also include provision of advice on enforcement actions requiring specific specialism such as insolvency litigation and may include consideration of civil recovery options.

Audit and Assurance Legal services and advice for Audit and Assurance activity, such as urgent legal advice during ongoing audits and provision of advice on funding error recovery action. This will include a legal assessment on likelihood of legal challenge and advice in the event of legal challenge. This could include advice on Freedom of Information and GDPR provision.

II.2.5) Award criteria

Cost criterion - Name: Price is not the only award criterion and all criteria are stated only in the procurement documents / Weighting: 0

II.2.11) Information about options

Options: Yes

Description of options

Contract is for 1 year with an option to extend for a further year

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

Call-Off from RM3786 CCS Framework

IV.1.3) Information about a framework agreement or a dynamic purchasing system

The procurement involves the establishment of a framework agreement

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

The procurement is covered by the Government Procurement Agreement: No

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

1 September 2021

V.2.2) Information about tenders

Number of tenders received: 7

The contract has been awarded to a group of economic operators: Yes

V.2.3) Name and address of the contractor

Burges Salmon LLP

London

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Dentons UKME LLP

London

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

DLA Piper

London

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Mills and Reeve LLP

london

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Pinsent Masons LLP

london

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

TLT LLP

bristol

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.3) Name and address of the contractor

Womble Bond Dickinson LLP

Leeds

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

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

Total value of the contract/lot: £3,342,000

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Department of Education

London

Country

United Kingdom