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Tender

## **Provision of Insolvency Services**

Accountant in Bankruptcy

F02: Contract notice

Notice identifier: 2021/S 000-031767

Procurement identifier (OCID): ocds-h6vhtk-02c044

Published 20 December 2021, 1:15pm

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

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

Accountant in Bankruptcy

1 Pennyburn Road

Kilwinning

KA13 6SA

#### **Email**

[amanda.dowse@aib.gov.uk](mailto:amanda.dowse@aib.gov.uk)

#### **Telephone**

+44 3002002600

#### **Fax**

+44 3002002601

## **Country**

United Kingdom

## **NUTS code**

UKM93 - East Ayrshire and North Ayrshire mainland

## **Internet address(es)**

Main address

<http://www.aib.gov.uk>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00233](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00233)

## **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

[www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

[www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)

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

[www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)

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

Body governed by public law

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

General public services

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## **Section II: Object**

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

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

Provision of Insolvency Services

Reference number

AiB/2021/7

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

- 79211000 - Accounting services

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

Services

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

Provision of Insolvency Services to Accountant in Bankruptcy

(Note: The 'Estimated total value' stated 11.1.5 is the total value for the initial 2 year period of the contract plus the options to extend to maximum of an additional 2 years (2+1+1).

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

Value excluding VAT: £5,200,000

#### **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**

Lot 1 - North Eastern Scotland & Highlands & Islands and Parts of Eastern Scotland

Lot No

1

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

- 79211000 - Accounting services

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

NUTS codes

- UKM50 - Aberdeen City and Aberdeenshire
- UKM76 - Falkirk
- UKM61 - Caithness & Sutherland and Ross & Cromarty
- UKM62 - Inverness & Nairn and Moray, Badenoch & Strathspey
- UKM63 - Lochaber, Skye & Lochalsh, Arran & Cumbrae and Argyll & Bute
- UKM64 - Na h-Eileanan Siar (Western Isles)
- UKM65 - Orkney Islands
- UKM71 - Angus and Dundee City
- UKM72 - Clackmannanshire and Fife
- UKM77 - Perth & Kinross and Stirling
- UKM66 - Shetland Islands

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

This contract will be a framework contract consisting of three geographic lots. The Authority intends to appoint two Contractors for each Lot.

Accountant in Bankruptcy (AiB) has a requirement for the provision of insolvency services for the administration of allocated sequestration cases where The Accountant is appointed trustee. The services will be required across the whole of Scotland. The requirement will be split into three geographic Lots. The Authority intends to appoint two Contractors for each Lot. The contract shall be for two years with two separate options to extend for a further year.

Cases will be allocated automatically by the case management system (BASYS) to a specific provider in each of the regional Lots dependent on the ranking of the provider in each region.

Accountant in Bankruptcy is an Agency of the Scottish Government in terms of the Scotland Act 1998. The Chief Executive is also The Accountant in Bankruptcy (The Accountant), who is an independent statutory officer appointed under Section 199 of the Bankruptcy (Scotland) Act 2016.

AiB requires the services of providers to administer bankruptcy cases where The Accountant has been appointed Trustee. The providers will be expected to carry out the functions of the Trustee in accordance with the terms of the Bankruptcy (Scotland) Act 2016. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

An Operating Manual guidance detailing the bankruptcy administration process will be provided.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 2018. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

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

Quality criterion - Name: Quality / Weighting: 55

Price - Weighting: 45

### **II.2.6) Estimated value**

Value excluding VAT: £2,107,940

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

2 x 12 month extension periods available at discretion of AiB.

### **II.2.10) Information about variants**

Variants will be accepted: No

### **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 competition if they are in any of the situations referred to in Regulation 58 of the Public

Contracts (Scotland) 2015.

## **II.2) Description**

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

Lot 3 Title - Parts of South Western Scotland and Parts of Eastern Scotland

Lot No

3

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

- 79211000 - Accounting services

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

NUTS codes

- UKM73 - East Lothian and Midlothian
- UKM91 - Scottish Borders
- UKM75 - Edinburgh, City of
- UKM78 - West Lothian
- UKM92 - Dumfries & Galloway
- UKM93 - East Ayrshire and North Ayrshire mainland
- UKM94 - South Ayrshire
- UKM63 - Lochaber, Skye & Lochalsh, Arran & Cumbrae and Argyll & Bute

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

This contract will be a framework contract consisting of three geographic lots. The Authority intends to appoint two Contractors for each Lot.

Accountant in Bankruptcy (AiB) has a requirement for the provision of insolvency services for the administration of allocated sequestration cases where The Accountant is appointed trustee. The services will be required across the whole of Scotland. The requirement will be split into three geographic Lots. The Authority intends to appoint two Contractors for each Lot. The contract shall be for two years with two separate options to extend for a further year.

Cases will be allocated automatically by the case management system (BASYS) to a specific provider in each of the regional Lots dependent on the ranking of the provider in each region.

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AiB requires the services of providers to administer bankruptcy cases where The Accountant

has been appointed Trustee. The providers will be expected to carry out the functions of the Trustee in accordance with the terms of the Bankruptcy (Scotland) Act 2016. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

An Operating Manual guidance detailing the bankruptcy administration process will be provided.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 2018. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

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

Quality criterion - Name: Quality / Weighting: 55

Price - Weighting: 45

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

2 x 12 month extensions.

### **II.2.10) Information about variants**

Variants will be accepted: No

### **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 competition if they are in any of the situations referred to in Regulation 58 of the Public

Contracts (Scotland) 2015.

## **II.2) Description**

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

Lot 2 - Parts of South Western Scotland

Lot No

2

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

- 79211000 - Accounting services

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

NUTS codes

- UKM82 - Glasgow City
- UKM95 - South Lanarkshire
- UKM83 - Inverclyde, East Renfrewshire and Renfrewshire
- UKM81 - East Dunbartonshire, West Dunbartonshire and Helensburgh & Lomond
- UKM84 - North Lanarkshire
- UKM63 - Lochaber, Skye & Lochalsh, Arran & Cumbrae and Argyll & Bute

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

This contract will be a framework contract consisting of three geographic lots. The Authority

intends to appoint two Contractors for each Lot.

Accountant in Bankruptcy (AiB) has a requirement for the provision of insolvency services for the administration of allocated sequestration cases where The Accountant is appointed trustee. The services will be required across the whole of Scotland. The requirement will be split into three geographic Lots. The Authority intends to appoint two Contractors for each Lot. The contract shall be for two years with two separate options to extend for a further year.

Cases will be allocated automatically by the case management system (BASYS) to a specific provider in each of the regional Lots dependent on the ranking of the provider in each region.

Accountant in Bankruptcy is an Agency of the Scottish Government in terms of the Scotland Act 1998. The Chief Executive is also The Accountant in Bankruptcy (The Accountant), who is an independent statutory officer appointed under Section 199 of the Bankruptcy (Scotland) Act 2016.

AiB requires the services of providers to administer bankruptcy cases where The Accountant has been appointed Trustee. The providers will be expected to carry out the functions of the Trustee in accordance with the terms of the Bankruptcy (Scotland) Act 2016. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

An Operating Manual guidance detailing the bankruptcy administration process will be provided.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 2018. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

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

Quality criterion - Name: Quality / Weighting: 55

Price - Weighting: 45

### **II.2.6) Estimated value**

Value excluding VAT: £1,765,080

### **II.2.7) Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months

24

This contract is subject to renewal

Yes

Description of renewals

2 x 12 month extension periods available.

### **II.2.10) Information about variants**

Variants will be accepted: No

### **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 competition if they are in any of the situations referred to in Regulation 58 of the Public

Contracts (Scotland) 2015.

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

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

#### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions

Not applicable

#### **III.1.2) Economic and financial standing**

List and brief description of selection criteria

Current Ratio requirement

Required Levels of Insurance

Minimum level(s) of standards possibly required

Q.4B.4, and 4B.4.1 – Tenderers must demonstrate a Current Ratio of 1.0 or above, based on their most recently published accounts. The Current Ratio shall be calculated as follows: net current assets divided by net current liabilities. The Tenderer must submit with their SPD response a copy of, or a link to, their most recently published annual accounts or equivalent to demonstrate they can evidence a Current Ratio of 1.0 or above. If the Tenderer does not meet this requirement then their bid may be set aside and take no further part in the competition, unless the Tenderer can provide further relevant information which The Purchaser considers appropriate to demonstrate that the Tenderer does not/would not represent an unmanageable risk should it be appointed to the framework. This information may include, but is not limited to, audited financial accounts for the last three financial years, or forms of assurance such as a Performance Bond and/or a Parent Company Guarantee if applicable.

Q.4B.5.1a/b, 4B.5.2 and 4B.5.3 - It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commence of any subsequently awarded contract, the types and levels of insurance indicated below:

Question 4B.5.1 Employer's (Compulsory) Liability Insurance - minimum GBP 5,000,000

Question 4B.5.2 Public Liability Insurance – GBP 5,000,000

Question 4B.5.3 Professional Indemnity Insurance – GBP 5,000,000

### **III.1.3) Technical and professional ability**

List and brief description of selection criteria

Technical and Professional Qualifications

Relevant Experience

Minimum level(s) of standards possibly required

Q4C3 and Q4C3.1 Tenderers will be required to confirm educational and professional qualifications held by staff- In order to manage the administration of the caseload there must be a minimum of one Joint Insolvency Examination Board qualified insolvency practitioner, plus one additional staff member with a Certificate of Proficiency and Personal Insolvency qualification allocated to the contract. There is a requirement in the ITT to provide a short CV for each team member detailing their specific qualifications and experience.

Q.4C.1.2 – The Tenderer is required to provide relevant examples to demonstrate that they have held contracts of a similar nature to those described in the Contract Notice and Invitation to Tender, including any examples of Public Sector Experience within the last 3 years. A minimum of 1 and maximum of 3 examples should be provided.

## **III.2) Conditions related to the contract**

### **III.2.1) Information about a particular profession**

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

not applicable

### **III.2.2) Contract performance conditions**

As set out in the specification and the operating manual

### **III.2.3) Information about staff responsible for the performance of the contract**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the contract

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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

Envisaged maximum number of participants to the framework agreement: 6

#### **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 000-014545](#)

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

Date

28 January 2022

Local time

12:00pm

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

English

#### **IV.2.6) Minimum time frame during which the tenderer must maintain the**

**tender**

Duration in months: 12 (from the date stated for receipt of tender)

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

Date

28 January 2022

Local time

12:00pm

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## **Section VI. Complementary information**

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

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: 2 to 4 years.

### **VI.2) Information about electronic workflows**

Electronic ordering will be used

Electronic payment will be used

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

SPD Selection Criteria

Should a Tenderer fail on any selection criteria at SPD stage then their bid may be set aside and may not be taken forward to be evaluated in the Technical Criteria Evaluation stage.

Part II Sections A - D - Information only

Part III Sections A-D - Pass/Fail

Part IV - Part IV – Selection Criteria

Q.4B.4, and 4B.4.1 – Pass/Fail

Q.4B.5.1a/b, 4B.5.2 and 4B.5.3 - Pass/Fail

Q.4C.1.2 – Pass/Fail

The response to Q4C.1.2 shall be evaluated as a whole as per the 'Evaluation Criteria for Selection Stage' detailed below. Should the response to Q4C.1.2 result in a moderated mean average score below '2 – Acceptable' then the bid may be set aside and may take no further part in the competition.

Evaluation Criteria for Selection Stage is included within the Instructions for Tenderers document.

Q4C.4 Tenderers must provide details of the environmental management measures they will use when performing the contract. A scored question on Climate Emergency is included in



the ITT.

Q4C.6 Tenderers must provide details of the proportion of the contract they intend to subcontract.

Part IV D - Information on quality assurance schemes and/or environmental standards – Information only

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/Search/Search\\_Switch.aspx?ID=670862](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=670862).

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](https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx).

Suppliers 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.

A sub-contract clause has been included in this contract. For more information see:

<http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

There is a technical question included within the ITT - Q.11 Community Benefits

The Purchaser as an Executive Agency of the Scottish Government supports the commitment of Scottish Ministers to contribute to the social, economic & environmental well-being of the people of Scotland. The SG has five objectives that underpin its core purpose of creating a more successful country, with opportunities for all of Scotland to flourish through increasing sustainable economic growth;

- Wealthier and Fairer: enabling businesses and people to increase their wealth and more people to share fairly in that wealth,
- Healthier: Helping people to sustain and improve their health, especially in disadvantaged communities, ensuring better, local and faster access to healthcare,
- Safer and Stronger: Helping local communities to flourish, becoming stronger, safer places to live, offering improved opportunities and a better quality of life,

- Smarter: Expanding opportunities for people in Scotland to success from nurture through to life-long learning, ensuring higher and more widely-shared achievements and
- Greener: Improving Scotland's natural and built environment and the sustainable use and enjoyment of it.

Tenderers should present a Community Benefit proposal detailing how, in the event that you should be successful in being appointed to the Framework, you will address the following Community Benefit themes:

- Targeted recruitment and training for “disadvantaged” persons unemployed for over 6 months;
- Work placement and employment opportunities for young people, including apprenticeships, and graduate schemes;

The proposed plan for community benefits will become part of the Framework Agreement.

(SC Ref:670862)

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

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

Kilmarnock Sheriff Court

Kilmarnock

Country

United Kingdom