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Tender

## **Framework for Court Reporting & Transcription (CRT) Services**

Ministry of Justice

F02: Contract notice

Notice identifier: 2022/S 000-032864

Procurement identifier (OCID): ocds-h6vhtk-0386ba

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

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

Ministry of Justice

102 Petty France

London

SW1H 9AJ

#### **Contact**

Sarah Burton

#### **Email**

[sarah.burton2@justice.gov.uk](mailto:sarah.burton2@justice.gov.uk)

#### **Telephone**

+44 02033343555

#### **Country**

United Kingdom

**Region code**

UK - United Kingdom

**Internet address(es)**

Main address

<https://www.justice.gov.uk/>

Buyer's address

<https://ministryofjusticecommercial.bravosolution.co.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

<https://ministryofjusticecommercial.bravosolution.co.uk>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://ministryofjusticecommercial.bravosolution.co.uk>

Tenders or requests to participate must be submitted to the above-mentioned address

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

Ministry or any other national or federal authority

**I.5) Main activity**

Other activity

Judicial Services

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## **Section II: Object**

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

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

Framework for Court Reporting & Transcription (CRT) Services

Reference number

ITT\_6329

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

- 75231000 - Judicial services

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

Services

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

The Ministry of Justice (hereafter the Authority) intends to run a competition for the procurement of Court Reporting and Transcription Services (CRT) on behalf of HM Courts & Tribunals Service (HMCTS).

The Authority is legally required to record Court proceedings across England and Wales and where requested, produce official transcripts from these hearings. The transcripts are used as evidence in appeals, legal publishing for public interest and form part of case law.

It is the intention that the following transcription services will be procured under a framework agreement:

- a. Off-site Transcription Services (OTS) which involves the Court recordings being sent to the relevant supplier where they produce the transcription services based on the contracted service level timeframe.
- b. Attendance-based Transcription Services (ATS) comprises stenographers or loggers attending the Court proceeding and then later producing the transcript to the contracted timescales.
- c. Real-time Transcription Services (RTS) involves temporarily supplying equipment and production of near-instantaneous transcriptions of proceedings on site.

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

Value excluding VAT: £21,522,874

### **II.1.6) Information about lots**

This contract is divided into lots: Yes

Tenders may be submitted for all lots

Maximum number of lots that may be awarded to one tenderer: 2

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

For the initial Call-Off Contracts the intention is for:

- Bidders to be limited to one Lot 1 Call-Off Contract
- Lot 2 and 3 Call-Off Contracts to be awarded to different Bidders for supplier contingency; and
- A maximum of two Call-Off Contracts to be awarded any individual Bidder.

However, this is subject to a sufficient number of Bidders being successfully awarded to the individual Lots.

## **II.2) Description**

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

Off-site Transcription Services (OTS)

Lot No

1

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

- 75130000 - Supporting services for the government
- 75231000 - Judicial services

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

NUTS codes

- UK - United Kingdom

Main site or place of performance

Supplier premises

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

OTS involves the production of high volumes of low-value transcripts away from the court, hearing centre or venue, using a recording provided by the court. The supplier is responsible for producing the transcripts in line with HMCTS' rules, including the application of reporting restrictions (anonymisation) and the collection of relevant approvals and permissions. Services are provided based on agreed service bandings and capped units referred to as folios (72 words). OTS is split into two distinct areas, Crown Court transcription and HMCTS Approved Transcription Panel (ATP):

a. Crown Courts contracts under OTS are contracted via Regional lots. Audio is recorded using a dedicated Digital Audio Recording, Transfer and Storage system (DARTS) and stored on the DARTS online portal for supplier access. Requestors are limited to one specific supplier based on the location of the hearing.

b. ATP covers Civil & Family Courts and Tribunals. The ATP works on a panel basis where requestors can choose from any of the four suppliers. Audio is recorded using various Digital Audio Recording (DAR) formats after which audio is either downloaded onto physical media and posted to the relevant supplier or uploaded onto the relevant supplier's portal.

For Lot 1 four Call-Off contracts are planned to be awarded on a Regional basis based on the highest tender scores. However the Authority reserves the right to amend the methodology for awarding future Call-off Contracts under the Framework.

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

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

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

Value excluding VAT: £17,903,695

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

Duration in months

48

This contract is subject to renewal

Yes

Description of renewals

If the Authority proceeds with the Framework and contract awards:

- the Framework duration will be 4 years

- the initial Call-Off contracts under the Framework will be for an initial period of 2 years from the contract commencement date and thereafter, at the discretion of the Authority, for up to a further 2 years.

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

Variants will be accepted: No

#### **II.2.11) Information about options**

Options: Yes

Description of options

If the Authority proceeds with the Framework and contract awards, the initial Call-Off contracts under the Framework will be for an initial period of 2 years from the contract commencement date and thereafter, at the discretion of the Authority, for up to a further 2 years.

#### **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**

Further detail about the requirement, competition stages, evaluation and award process is provided in the Invitation to Tender Pack.

### **II.2) Description**

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

Attendance-based transcription services (ATS) Crime and Real-time transcription services (RTS)

Lot No

2

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

- 75231000 - Judicial services

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

NUTS codes

- UK - United Kingdom

Main site or place of performance

ATS Crime - primarily within the Royal Courts of Justice; RTS - Various

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

ATS Crime

- Services comprise of stenographers (skilled professionals utilising stenotype machines) attending hearings to make a record of proceedings to supplement court recording in order to produce a transcript within the stipulated timescales. These services are primarily required in the Court of Appeal Crime Division located within the Royal Courts of Justice (RCJ).

RTS:

The provision of near instantaneous transcription services which usually involves a stenographer attending the court proceeding and inputs a real-time record of the hearing. Editors, either based remotely or on site, will assist in the production of a 'stream', which would appear on screens in the courtroom, laptops and media feeds. RTS also includes the supplier providing the specialised equipment required for the necessary timescales.

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

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

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

Value excluding VAT: £2,666,826

### **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: Yes

Description of options

If the Authority proceeds with the Framework and contract awards, the initial Call-Off contracts under the Framework will be for an initial period of 2 years from the contract commencement date and thereafter, at the discretion of the Authority, for up to a further 2 years.

### **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**

Further detail about the requirement, competition stages, evaluation and award process is provided in the Invitation to Tender Pack.

## **II.2) Description**

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

Attendance-based Transcription Services (ATS) – Civil, Family and Tribunals

Lot No

3

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

- 75231000 - Judicial services

**II.2.3) Place of performance**

NUTS codes

- UK - United Kingdom

Main site or place of performance

Various

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

1. Services comprise of loggers attending hearings to make a note of proceedings to supplement court recording in order to produce a transcript within the stipulated timescales. These services are primarily required in the Civil Appeals Court and Administrative Courts located within the RCJ and The Rolls Building.
2. The Lot also include the provision of limited on-site transcription, in the form of a “sensitive case service”, where supplier personnel with appropriate level of security clearance attend the secure hub located at either the Field House (Central London) or the RCJ to produce a transcript on site.
3. In addition to Civil jurisdictions, the ATS service also includes specialist jurisdictions such as the Special Immigration Appeals Commission (SIAC), the Proscribed Organisations Appeals Commission (POAC) and PAAC (Pathogens Access Appeals Commission).

**II.2.5) Award criteria**

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

**II.2.6) Estimated value**

Value excluding VAT: £952,353

**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: Yes

Description of options

If the Authority proceeds with the Framework and contract awards, the initial Call-Off contracts under the Framework will be for an initial period of 2 years from the contract commencement date and thereafter, at the discretion of the Authority, for up to a further 2 years.

#### **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**

Further detail about the requirement, competition stages, evaluation and award process is provided in the Invitation to Tender Pack.

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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

As detailed in the Invitation to Tender.

#### **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

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

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

Information Assurance and Security requirements include:

- Compliance against Cabinet Office standards for providing ICT services to Her Majesty's Government (HMG) or equivalent
- All Her Majesty's Courts and Tribunals Service (HMCTS) data accessed, obtained or processed will not be processed or accessed from outside of the UK.

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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

In the case of framework agreements, provide justification for any duration exceeding 4 years:

The Authority is managing this procurement in accordance with its general obligations under the Laws of England and Wales and utilising the “Light Touch Regime” broadly in accordance with the open procedure set out in the “Regulations”.

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

Date

23 December 2022

Local time

11:00am

##### **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: 10 (from the date stated for receipt of tender)

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

Date

23 December 2022

Local time

11:01am

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## **Section VI. Complementary information**

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

This is a recurrent procurement: No

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

Electronic invoicing will be accepted

Electronic payment will be used

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

The tender response deadline has been extended to 23rd December 2022 at 11:00 (GMT).

The Authority is managing this procurement in accordance with its general obligations under the Laws of England and Wales and utilising the Light Touch Regime broadly in accordance with the Open Procedure set out in the Regulations.

As detailed in the Invitation to Tender, following award of the Framework Agreements to successful suppliers, the Authority will follow the process methodology stated to award the Initial Call-off Contracts.

The Authority will apply the following overall weighting to award the initial Call-Off contract scores:

Technical 63%

Commercial Price 27%

Social Value 10%

Based on the Authority's assessment of the Bidders' economic and financial security, some Bidders may be required to provide a signed Parent Company Guarantee within 15 working days of the Call-Off Contract Decision Letter. If a Parent Company Guarantee, signed by a Parent or Ultimate Parent Company with suitable economic and financial standing is not provided to sufficiently assure the Authority within the requested timescale, the Call-Off Contract(s) will not be placed with the Bidder.

However the Authority reserves the right to amend the methodology for awarding Future Call-off Contracts under the Framework. As detailed in the Framework Agreement, if the

Authority or an alternative Potential Contracting Party decides to source the Services through the CRT Framework Agreement then it shall award the Call-Off Contract either through Standard Services (awards without re-opening competition) or Competed Services (awards following mini-competitions). The Authority or Contracting Party reserves the right to amend the Schedules and Annexes as required. For example the OTS Regional Lots may be amended/amalgamated in some cases or the number of Contract Lots awarded to a supplier may change. The Authority also reserves the right to allow suppliers to reduce their prices for future competitions however suppliers must not assume this will be allowed.

The Bidder will need to Register on the MOJ Sourcing Portal (at <https://ministryofjusticecommercial.bravosolution.co.uk/web/login.html>) if they do not already have an account which directly relates to the part of their organisation that is submitting the Tender.

Once logged in, navigate to 'ITTs Open to All Suppliers' and then select 'ITT\_6329' which relates to the Procurement for the Court Reporting and Transcription (CRT) Services Framework. The ITT documents are within the Attachments Tab.

Further detail on the competition process is provided in the Invitation to Tender documents within the Attachments drop down menu.

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

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

The Ministry of Justice

London

Country

United Kingdom