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Tender

## **HR and Employment Legal services and advice**

OFCOM

F02: Contract notice

Notice identifier: 2022/S 000-034499

Procurement identifier (OCID): ocds-h6vhtk-038b10

Published 6 December 2022, 2:25pm

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

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

OFCOM

Riverside House, 2a Southwark Bridge Road

London

SE1 9HA

#### **Contact**

Mark Lundy, senior procurement manager

#### **Email**

[mark.lundy@ofcom.org.uk](mailto:mark.lundy@ofcom.org.uk)

#### **Telephone**

+44 2079813000

#### **Country**

United Kingdom

**Region code**

UKI - London

**Internet address(es)**

Main address

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

Buyer's address

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

**I.3) Communication**

The procurement documents are available for unrestricted and full direct access, free of charge, at

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

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

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

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

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

Body governed by public law

**I.5) Main activity**

Other activity

UK Independent Communications Regulator

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## **Section II: Object**

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

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

HR and Employment Legal services and advice

Reference number

C20221266

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

- 79100000 - Legal services

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

Services

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

Ofcom is tendering for UK Employment Law advice and legal services for up to the next five years. The duration of the contract is 3 years, subject to the right of Ofcom (at its sole discretion) to exercise its right to extend the Contract by up to 2 periods of twelve months each. The maximum length of the contract is therefore 5 years.

It is expected that the contract will commence around April / May 2023.

The requirement is for a framework agreement for legal services to support Ofcom's People & Transformation team with a variety of activities, which will require specialist employment and immigration law knowledge and advice. We intend to enter a framework agreement with up to three providers.

The requirements are likely to cover the following services:

A. Simple to complex ER cases, including possible tribunal and/or settlement agreement support. This is likely to cover legal advice, on an on-call and adhoc basis to support with employment law issues, sensitive, complex and, on occasion, rapidly escalating ER cases, up to possible Employment Tribunal and Employment Appeal Tribunal.

B. Strategic advice to Ofcom People and Transformation Director and senior HR team.

C. Policy development, ad hoc basis, employment law advice on policy review and development, including possibly on occasion the drafting from scratch, or reviewing prior

drafts of policies covering an array of employee relations topics.

D. General sharing of legal updates, best practice and opportunity for development of Ofcom's P&T department.

E. Support for our ESG / Diversity & Inclusion work. Ofcom will, from time to time, require advice

on best practice for a range of activities.

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

Value excluding VAT: £40,000

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

This contract is divided into lots: No

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

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

- 79110000 - Legal advisory and representation services
- 79111000 - Legal advisory services
- 79112000 - Legal representation services
- 79130000 - Legal documentation and certification services
- 79140000 - Legal advisory and information services

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

NUTS codes

- UKI - London

Main site or place of performance

London, also Birmingham, Baldock (Herts), Cardiff, Warrington, Belfast, Edinburgh.

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

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agreement with up to three providers.

The requirements are likely to cover the following services:

A. Simple to complex ER cases, including possible tribunal and/or settlement agreement support. This is likely to cover legal advice, on an on-call and adhoc basis to support with employment law issues, sensitive, complex and, on occasion, rapidly escalating ER cases, up to possible Employment Tribunal and Employment Appeal Tribunal.

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D. General sharing of legal updates, best practice and opportunity for development of Ofcom's P&T department.

E. Support for our ESG / Diversity & Inclusion work. Ofcom will, from time to time, require advice on best practice for a range of activities.

#### **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: £400,000

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

Duration in months

36

This contract is subject to renewal

Yes

Description of renewals

Ofcom has the sole discretion to extend the Contract by up to 2 periods of twelve months each. The maximum length of the contract is therefore 5 years.

### **II.2.9) Information about the limits on the number of candidates to be invited**

Envisaged number of candidates: 10

Objective criteria for choosing the limited number of candidates:

Around 10 candidates will be invited to tender using the selection criteria detailed in the procurement documents.

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

Variants will be accepted: No

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

Options: Yes

Description of options

The contract will include options to extend the contract period for up to two additional periods of 12 months each, up to a maximum contract period of five 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

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## **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

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

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

Agreement will contain service levels and key performance indicators, as stated in the procurement documents.

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Restricted 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: 3

#### **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

24 January 2023

Local time

12:00pm

#### **IV.2.3) Estimated date of dispatch of invitations to tender or to participate to selected candidates**

13 February 2023

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



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## **Section VI. Complementary information**

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

This is a recurrent procurement: No

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

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

Court of Appeal of England and Wales

London

Country

United Kingdom