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Tender

## **Provision of Legal Services to the Welsh Language Commissioner**

Comisiynydd y Gymraeg

F02: Contract notice

Notice identifier: 2024/S 000-037012

Procurement identifier (OCID): ocds-h6vhtk-04b6d2

Published 15 November 2024, 12:58pm

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

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

Comisiynydd y Gymraeg

Uned 2 Bloc C, Doc Fictoria

Caernarfon

LL55 1TH

#### **Contact**

Siân Elen McRobie

#### **Email**

[tendro@cyg-wlc.cymru](mailto:tendro@cyg-wlc.cymru)

#### **Telephone**

+44 3456033221

## **Country**

United Kingdom

## **NUTS code**

UKL12 - Gwynedd

## **Internet address(es)**

Main address

<https://www.comisiynyddygyymraeg.cymru>

Buyer's address

[https://www.sell2wales.gov.wales/search/Search\\_AuthProfile.aspx?ID=AA0480](https://www.sell2wales.gov.wales/search/Search_AuthProfile.aspx?ID=AA0480)

## **I.3) Communication**

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

<https://www.sell2wales.gov.wales>

Additional information can be obtained from the above-mentioned address

Tenders or requests to participate must be submitted electronically via

<https://www.sell2wales.gov.wales>

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

National or federal Agency/Office

## **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 Legal Services to the Welsh Language Commissioner

Reference number

CYG043

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

- 79100000 - Legal services

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

Services

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

The Commissioner requires a 4 year framework agreement for legal advice on a range of subjects and issues relevant to his statutory functions.

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

Value excluding VAT: £150,000

#### **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**

Representation in proceedings and barrister services

Lot No

2

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

- 79112000 - Legal representation services

**II.2.3) Place of performance**

NUTS codes

- UKL - Wales

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

Representing the Commissioner in proceedings before the Welsh Language Tribunal, County Court or High Court. Advising and representing the Commissioner with regard to judicial reviews, and intervening in legal proceedings (Sections 8 - 10 of the Measure) or in response to judicial reviews against the Commissioner.

Advising the Commissioner on a point of law and as such, the companies appointed to the framework agreement will need to have access to barrister services where appropriate and in proceedings where the services of a barrister are needed.

**II.2.5) Award criteria**

Quality criterion - Name: Capability in the Welsh language / Weighting: 100

Quality criterion - Name: Personnel and Capacity / Weighting: 50

Quality criterion - Name: Quality Management and Communication / Weighting: 20

Price - Weighting: 30

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

Start date

1 April 2025

End date

31 March 2029

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.2.13) 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**

Submissions for this FTS notice may be made in the Welsh language or bilingually, but only through this official FTS notice. The corresponding information in the Welsh language for this notice has been placed on the Gwerthwch i Gymru website

<https://www.gwerthwchigymru.llyw.cymru> .

## **II.2) Description**

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

General legal advice to the Commissioner

Lot No

1

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

- 79100000 - Legal services

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

NUTS codes

- UKL - Wales

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

Advice on any matter relating to the interpretation and implementation of the Welsh Language (Wales) Measure 2011. Advice on the Welsh Language Act 1993 or any other legislation, regulation or advice relevant to the Commissioner and the implementation of the Commissioner's powers, duties and functions.

Matters relating to the implementation of the Welsh Language (Wales) Measure 2011 and the Welsh Language Act 1993, the Commissioner's powers, functions and duties in relation to other British, European and International legislation.

The ability to access barrister services where appropriate.

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

Quality criterion - Name: Capability in The Welsh language / Weighting: 100

Quality criterion - Name: Personnel and Capacity / Weighting: 50

Quality criterion - Name: Quality Management and Communication / Weighting: 20

Price - Weighting: 30

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

Start date

1 April 2025

End date

31 March 2029

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.2.13) 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**

Submissions for this FTS notice may be made in the Welsh language or bilingually, but only through this official FTS notice. The corresponding information in the Welsh language for this notice has been placed on the Gwerthwch i Gymru website

<https://www.gwerthwchigymru.llyw.cymru> .

## **II.2) Description**

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

Employment, commercial and governance

Lot No

3

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

- 79100000 - Legal services

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

NUTS codes

- UKL - Wales

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

Employment matters common to public bodies.

Advice on building leases and other commercial matters relating to the Commissioner's resources.

Advice on data protection issues, freedom of information, environmental regulations and other matters relating to the Commissioner's Governance.

Any other legal advice as required by the Commissioner.

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

Quality criterion - Name: Capability in the Welsh Language / Weighting: 100

Quality criterion - Name: Personnel and Capacity / Weighting: 50

Quality criterion - Name: Quality Management and Communication / Weighting: 20

Price - Weighting: 30

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

Start date

1 April 2025

End date

31 March 2029

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.2.13) 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**

Submissions for this FTS notice may be made in the Welsh language or bilingually, but only

through this official FTS notice. The corresponding information in the Welsh language for this notice has been placed on the Gwerthwch i Gymru website

<https://www.gwerthwchigymru.llyw.cymru>

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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

Please refer to SPD

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

Execution of the service is reserved to a particular profession

Reference to the relevant law, regulation or administrative provision

Solicitors - practicing certificate - Solicitors Regulation Authority

Barristers - practicing certificate - Bar Standards Board

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

Criteria stated in the procurement documents

#### **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

#### **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

17 January 2025

Local time

12:00pm

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

English, Welsh

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

Duration in months: 2 (from the date stated for receipt of tender)

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

Date

17 January 2025

Local time

5:00pm

Place

Electronic

Information about authorised persons and opening procedure

Director of Governance & Corporate Services

Senior Finance & Resources Officer

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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: October 2028

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

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

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

The tender documents relating to this procurement have been published in the Welsh and English languages. The Welsh language version of the documents are published on <https://www.gwerthwchigymru.llyw.cymru>

NOTE: To register your interest in this notice and obtain any additional information please visit the Sell2Wales Web Site at [https://www.sell2wales.gov.wales/Search/Search\\_Switch.aspx?ID=145442](https://www.sell2wales.gov.wales/Search/Search_Switch.aspx?ID=145442).

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.sell2wales.gov.wales/sitehelp/help\\_guides.aspx](https://www.sell2wales.gov.wales/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.

(WA Ref:145442)

Download the ESPD document here:

[[[https://www.gwerthwchigymru.llyw.cymru/ESPD/ESPD\\_Download.aspx?id=145442](https://www.gwerthwchigymru.llyw.cymru/ESPD/ESPD_Download.aspx?id=145442)]]

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

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

High Court

Royal Courts of Justice, The Strand

London

WC2A 2LL

Telephone

+44 2079477501

Country

United Kingdom