

**United Kingdom-Kilwinning: Accounting services**

OJ S 10/2017 14/01/2017

**Contract notice****Services****Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Accountant in Bankruptcy

Postal address: 1 Pennyburn Road

Town: Kilwinning

NUTS code: UKM33 East Ayrshire and North Ayrshire mainland

Postal code: KA13 6SA

Country: United Kingdom

Contact person: Laura Robertson

E-mail: [laura.robertson@aib.gsi.gov.uk](mailto:laura.robertson@aib.gsi.gov.uk)

Telephone: +44 3002002600

Fax: +44 3002002601

**Internet address(es):**Main address: <http://www.aib.gov.uk>Address of the buyer profile: [http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA00233](http://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: <http://publiccontractsscotland.gov.uk>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via:

<http://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: <http://publiccontractsscotland.gov.uk>**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

Other activity: general public services or sequestration

**Section II: Object**

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**II.1. Scope of the procurement****II.1.1. Title**

**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)

A Community Benefits (CB) clause has not been included within the Invitation to Tender (ITT) documentation as a clause is considered not to be relative and/or proportionate to the nature of the financial management service to be provided. However the technical question set contained within the ITT does included a CB at question 10 which is not scored.).

**II.1.5. Estimated total value**

Value excluding VAT: 13 200 000,00 GBP

**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**

(North Eastern Scotland, Highlands and Islands of Scotland, Parts of Eastern Scotland — more detail is contained with the Framework Agreement's Schedule 1 'Specification')

Lot No: 1

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

79211000 Accounting services

**II.2.3. Place of performance**

NUTS code: UKM27 Perth & Kinross and Stirling

NUTS code: UKM50 Aberdeen City and Aberdeenshire

NUTS code: UKM22 Clackmannanshire and Fife

NUTS code: UKM26 Falkirk

NUTS code: UKM5 North Eastern Scotland

NUTS code: UKM6 Highlands and Islands

NUTS code: UKM21 Angus and Dundee City

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

This contract will be a framework contract consisting of 3 geographic lots. The Authority intends to appoint 2 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 3 geographic Lots. The Authority intends to appoint 2 Contractors for each Lot.. The contract shall be for 2 years with 2 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 1 of the Bankruptcy (Scotland) Act 1985 as amended.

The Accountant has responsibility for certain statutory functions in Scotland, including the following:

- To act as trustee in all sequestrations where the debtor has not nominated a trustee (by virtue of Section 2(1B) of the Act).
- To act as Trustee in all sequestrations awarded by the sheriff courts, where a sheriff does not appoint a person to be trustee (by virtue of Section 2(2C) of the Act).
- To act as interim trustee before the award of sequestration, if appointed by the sheriff, except those where an alternative interim trustee is appointed when nominated by the petitioning creditor (by virtue of Section 2(6)(b) of the Act).
- To act as trustee on the resignation, death or replacement of the original trustee where no new trustee is elected or appointed (by virtue of Sections 28 and 28A of the Act).

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.

An Operating Manual guidance detailing the bankruptcy administration process will be provided. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 1988. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

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

Criteria below

Quality criterion - Name: Quality Criterion: To be included in ITT / Weighting: 45 %

Price - Weighting: 55 %

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

Value excluding VAT: 4 700 000,00 GBP

#### **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 separate options to extend for 12 months (24 months in total).

#### **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**

(Parts of South Western Scotland and Parts of Eastern Scotland — more detail is contained with the Framework Agreement's Schedule 1 'Specification')

Lot No: 3

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

79211000 Accounting services

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

NUTS code: UKM23 East Lothian and Midlothian

NUTS code: UKM24 Scottish Borders

NUTS code: UKM25 Edinburgh

NUTS code: UKM28 West Lothian

NUTS code: UKM32 Dumfries & Galloway

NUTS code: UKM33 East Ayrshire and North Ayrshire mainland

NUTS code: UKM3 South Western Scotland

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

This contract will be a framework contract consisting of 3 geographic lots. The Authority intends to appoint 2 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 3 geographic Lots. The Authority intends to appoint 2 Contractors for each Lot. The contract shall be for 2 years with 2 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 1 of the Bankruptcy (Scotland) Act 1985 as amended.

The Accountant has responsibility for certain statutory functions in Scotland, including the following:

— To act as trustee in all sequestrations where the debtor has not nominated a trustee (by virtue of Section 2(1B) of the Act).

— To act as Trustee in all sequestrations awarded by the sheriff courts, where a sheriff does not appoint a person to be trustee (by virtue of Section 2(2C) of the Act).

— To act as interim trustee before the award of sequestration, if appointed by the sheriff, except those where an alternative interim trustee is appointed when nominated by the petitioning creditor (by virtue of Section 2(6)(b) of the Act).

— To act as trustee on the resignation, death or replacement of the original trustee where no new trustee is elected or appointed (by virtue of Sections 28 and 28A of the Act).

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.

An Operating Manual guidance detailing the bankruptcy administration process will be provided. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 1988. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

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

Criteria below

Quality criterion - Name: Quality Criterion: To be included in ITT / Weighting: 45 %

Price - Weighting: 55 %

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

Value excluding VAT: 3 300 000,00 GBP

#### **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 separate options to extend for 12 months.(24 months in total).

#### **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) Regulations 2015.

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

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

(Parts of South Western Scotland — more detail is contained with the Framework Agreement's Schedule 1 'Specification')

Lot No: 2

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

79211000 Accounting services

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

NUTS code: UKM34 Glasgow City

NUTS code: UKM38 South Lanarkshire

NUTS code: UKM36 North Lanarkshire

NUTS code: UKM35 Inverclyde

NUTS code: UKM31 East Dunbartonshire

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

This contract will be a framework contract consisting of 3 geographic lots. The Authority intends to appoint 2 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 3 geographic Lots. The Authority intends to appoint 2 Contractors for each Lot. The contract shall be for 2 years with 2 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 1 of the Bankruptcy (Scotland) Act 1985 as amended.

The Accountant has responsibility for certain statutory functions in Scotland, including the following:

- To act as trustee in all sequestrations where the debtor has not nominated a trustee (by virtue of Section 2(1B) of the Act).
- To act as Trustee in all sequestrations awarded by the sheriff courts, where a sheriff does not appoint a person to be trustee (by virtue of Section 2(2C) of the Act).
- To act as interim trustee before the award of sequestration, if appointed by the sheriff, except those where an alternative interim trustee is appointed when nominated by the petitioning creditor (by virtue of Section 2(6)(b) of the Act).
- To act as trustee on the resignation, death or replacement of the original trustee where no new trustee is elected or appointed (by virtue of Sections 28 and 28A of the Act).

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.

An Operating Manual guidance detailing the bankruptcy administration process will be provided. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 1988. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

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

Criteria below

Quality criterion - Name: Quality Criterion: To be included in ITT / Weighting: 45 %

Price - Weighting: 55 %

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

Value excluding VAT: 5 200 000,00 GBP

#### **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:

Two separate options to extend for 12 months.(24 months in total).

#### **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) Regulations 2015.

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

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### **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**

Minimum level(s) of standards possibly required:

It is a requirement of this contract that bidders hold, or can commit to obtain prior to the commencement of any subsequently awarded contract, the types and levels of insurance indicated below:

Question 4B.5.1

Employer's (Compulsory) Liability Insurance — minimum 5 000 000 GBP.

Question 4B.5.2

Public Liability Insurance — 5 000 000 GBP.

Question 4B.5.3

Professional Indemnity Insurance — 5 000 000 GBP.

<http://www.hse.gov.uk/pubns/hse40.pdf>

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

Minimum level(s) of standards possibly required:

4C.1.2 — The bidder will be required to provide relevant examples to demonstrate their experience and knowledge to deliver the services as described in the OJEU Contract Notice II.2.4.

4C.6.1 — Bidders will be required to confirm that their managerial staff have the following relevant educational and professional qualifications: In order to manage the administration of the case-load, there must be a minimum of 1 Joint Insolvency Examination Board qualified insolvency practitioner, plus 1 additional staff member with a Certificate of Proficiency and Personal Insolvency qualification allocated to the contract.

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

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

Office work.

## **Section IV: Procedure**

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### **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 in the OJ S: [2016/S 135-242626](#)

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

Date: 13/02/2017 Local time: 12:00

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

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

English

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

Date: 13/02/2017 Local time: 12:00

### **Section VI: Complementary information**

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

This is a recurrent procurement: yes

Estimated timing for further notices to be published:

2 years.

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

Electronic ordering will be used

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

ESPD Selection Criteria

Part IV: 'Selection Criteria' of the ESPD shall be scored on a pass/fail basis with the exception of Question references 4C.1.2 which shall be scored within the 'Evaluation Criteria for Selection Stage' shown further below:

The questions within this ESPD are not weighted.

Should any question subject to 'pass/fail' scoring be scored 'fail' the entire bid may be set aside and may take no further part in the competition.

Should a response to Question reference 4C.1.2, which shall be subject to the 'Evaluation Criteria for Selection Stage' as shown below, be marked below '2 — Acceptable' the bid may be set aside and may take no further part in the competition.

Evaluation Criteria for Selection Criteria Question reference 4C.1.2:

0 — Unacceptable — Nil or inadequate response. Fails to demonstrate previous experience /capacity/capability relevant to this criterion.

1 — Poor — Response is partially relevant but generally poor. The response shows some elements of relevance to the criterion but contains Insufficient / limited detail or explanation to demonstrate previous relevant experience / capacity / capability.

2 — Acceptable — Response is relevant and acceptable. The response demonstrates broad previous experience, knowledge and skills/capacity/capability but may lack in some aspects of similarity e.g. previous experience, knowledge or skills may not be of a similar nature.

3 — Good — Response is relevant and good. The response is sufficiently detailed to demonstrate a good amount of experience, knowledge or skills/capacity/capability relevant to providing similar services to similar clients.

4 — Excellent — Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates thorough experience, knowledge or skills /capacity/capability relevant to providing similar services to similar clients.

Bidder responses to ESPD Question References 2D.1 and 2D.1.1 are required.

ITT Award Criteria:

Award Criteria is summarised below and can be found in the ITT together with weightings:

0 Unacceptable Nil or inadequate response. Fails to demonstrate an ability to meet the requirement.

1 Poor Response is partially relevant and poor. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.

2 Acceptable Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas.

3 Good Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled.

4 Excellent Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

Note: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at [http://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=477571](http://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=477571).

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at [http://www.publiccontractsscotland.gov.uk/sitehelp/help\\_guides.aspx](http://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>

The Contracting Authority does not intend to include any community benefit requirements in this contract for the following reason:

see II.1.4.

(SC Ref:477571)

Download the ESPD document here: [http://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=477571](http://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=477571)

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

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

Official name: Accountant in Bankruptcy

Postal address: 1 Pennyburn Road

Town: Kilwinning

Postal code: KA13 6SA

Country: United Kingdom

Telephone: +44 3002002600  
Fax: +44 3002002601  
Internet address: <http://www.aib.gov.uk>

**VI.5. Date of dispatch of this notice**

12/01/2017