

**United Kingdom-Birmingham: Legal services**

OJ S 44/2015 04/03/2015

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Castle Vale Community Housing Association

Postal address: 11 High Street, Castle Vale

Town: Birmingham

Postal code: B35 7PR

Country: United Kingdom

Contact person: Service Matters part of Orbit Group

For the attention of: Peter Mottershead

E-mail: [procurementadminteam@orbit.org.uk](mailto:procurementadminteam@orbit.org.uk)

Telephone: +44 2476437053

**Internet address(es):**General address of the contracting authority: <http://www.cvcha.org.uk>Address of the buyer profile: [www.housingprocurement.com](http://www.housingprocurement.com)**Additional information can be obtained from:**

Official name: Castle Vale Community Housing Association

Postal address: All information is available by registering on [www.housingprocurement.com](http://www.housingprocurement.com)

Town: N/A

Postal code: N/A

Country: United Kingdom

Contact person: [www.housingprocurement.com](http://www.housingprocurement.com)E-mail: [procurementadminteam@orbit.org.uk](mailto:procurementadminteam@orbit.org.uk)

Telephone: +44 2476437053

**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

Official name: Castle Vale Community Housing Association

Postal address: All information is available by registering on [www.housingprocurement.com](http://www.housingprocurement.com)

Town: N/A

Postal code: N/A

Country: United Kingdom

Contact person: [www.housingprocurement.com](http://www.housingprocurement.com)E-mail: [procurementadminteam@orbit.org.uk](mailto:procurementadminteam@orbit.org.uk)

Telephone: +44 2476437053

**Tenders or requests to participate must be submitted:** Official name: Castle Vale Community Housing AssociationPostal address: All information is available by registering on [www.housingprocurement.com](http://www.housingprocurement.com)

Town: N/A

Postal code: N/A

Country: United Kingdom

Contact person: [www.housingprocurement.com](http://www.housingprocurement.com)

E-mail: [procurementadminteam@orbit.org.uk](mailto:procurementadminteam@orbit.org.uk)

Telephone: +44 2476437053

**I.2. Type of the contracting authority**

Body governed by public law

**I.3. Main activity**

Housing and community amenities

**I.4. Contract award on behalf of other contracting authorities**

The contracting authority is purchasing on behalf of other contracting authorities: no

**Section II: Object of the contract**

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**II.1. Description**

**II.1.1. Title attributed to the contract by the contracting authority**

CVCHA — Legal Services PP493.

**II.1.2. Type of contract and place of performance or delivery**

Services

Service category No 21: Legal services

NUTS code UKG West Midlands (England)

**II.1.3. Information about a framework agreement or a dynamic purchasing system**

The notice involves a public contract

**II.1.4. Information about framework agreement**

**II.1.5. Short description of the contract or purchase(s)**

Provision of legal services covering all aspects of Corporate Governance (Lot 1) and Housing Management (Lot 2) associated related issues

As a part B service the full regulatory requirement on numbers does not apply.

See documentation on tender website [www.housingprocurement.com](http://www.housingprocurement.com) for further information.

**II.1.6. CPV code(s)**

79100000 Legal services

**II.1.7. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: no

**II.1.8. Lots**

This contract is divided into lots: yes

Tenders may be submitted for one or more lots

**II.1.9. Information about variants**

Variants will be accepted: no

**II.2. Scope of the procurement**

**II.2.1. Total quantity or scope**

See specification for full details of scope. The contract(s) is envisaged to last for 3 years with the option to extend for up to a further 2 years at Castle Vale Community Housing

Association's discretion.

Tender is split into 2 Lots overview as follows.

Lot 1: Governance, Corporate, Human Resources and Regulation, Finance and Securitisation, Development and Home Ownership. Spend per annum circa 49 350 GBP pa.

Lot 2: Housing, Property Management and Asset Management. Spend per annum circa 56 600 GBP pa.

Specification of the services required can be downloaded by expressing an interest in the project via website [www.housingprocurement.com](http://www.housingprocurement.com)

Estimated value excluding VAT:

Range: between 520 000 and 540 000 GBP

## **II.2.2. Information about options**

Options: yes

Description of options: The contract will include a unilateral and discretionary option for the Client to extend the initial term of the contract (being for a period of 36 months) by an option to extend annually thereafter for a maximum up to a 24 further months.

Provisional timetable for recourse to these options:

Duration in days: 0 (from the award of the contract)

## **II.2.3. Information about renewals**

This contract is subject to renewal: no

## **II.3. Duration of the contract or time limit for completion**

Duration in months: 60 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Governance, Corporate, HR and Regulation, Finance and Securitisation, Development and Home Ownership

### **1) Short description**

Governance, — Group Structures, Mergers and Takeovers, — Board Members Liability, — Data Protection. Corporate — Corporate Protection, — Corporate Governance, — HCA Compliance, — Regulatory and Statutory advice and guidance, — HCA existing and emerging requirements, — RP sector structures, — EU Procurement, — Contracts, Partnering and Service Level agreements. Human Resources and Regulation — Advice on employment matters relating to contracts of employment, employee relations, TUPE, redundancy and tribunals. — Any other general employment advice as required.— Access to HR law updates. Finance and Securitisation— Facility Negotiation, — Treasury, — Portfolio of Charges and VAT — Loan Documentation and Financing Development and Home Ownership — Site acquisitions, — Site Disposals, — Section 106 Agreements, — Section 38 and 104 Agreements, — Land and Property Conveyance, — Building Licenses, — Individual Property disposals, — General Lease, — Commercial Property, — Serving s25 Notices, — Licenses to assign and sublet, — Enactment, — Dispute Resolution, — RTB Sales, — Outright plot sales. General advice — For the areas within this lot. Access to seminars, webinars, briefings, updates, training events, forums. For the areas within this lot.

### **2) CPV code(s)**

79100000 Legal services

### **3) Quantity or scope**

Spend per annum circa 49 350 GBP excluding VAT (246 750 GBP over full contract period including extensions).

Estimated value excluding VAT:  
Range: between 240 000 and 250 000 GBP

**4) Indication about different time frame or duration**

Duration in months: 60 (from the award of the contract)

**5) Additional information about lots**

See specification.

Lot No: 2

Lot title: Housing, Property Management and Asset Management.

**1) Short description**

Housing, — ASB (injunctions demotions and possessions), — Litigations, Disrepair (Part 11), — Criminal Prosecution (s82), — Party Wall legislation and Gas servicing. Property Management — Landlord and Tenant Act, — Tenancy Agreement advice, — Tenancy possession proceedings, — Rent arrear proceedings, — Supported Housing. Asset Management— Safeguarding, — Ombudsman complaints, — Trespasser actions, — Management and service charge queries, — Dispute resolution, Other areas — Equalities Act and Human Rights Act. — CCTV and Surveillance legislation and compliance. General advice — For the areas within this lot. Access to seminars, webinars, briefings, updates, training events, forums. For the areas within this lot.

**2) CPV code(s)**

79100000 Legal services

**3) Quantity or scope**

Spend per annum circa 56 600 GBP excluding VAT (283 300 GBP over full contract period including extensions).

Estimated value excluding VAT:

Range: between 280 000 and 290 000 GBP

**4) Indication about different time frame or duration**

Duration in months: 60 (from the award of the contract)

**5) Additional information about lots**

See specification.

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

**III.1. Conditions related to the contract**

**III.1.1. Deposits and guarantees required**

The deposits, guarantees or bonds required by Castle Vale Community Housing Association will be set out in the contract documents.

**III.1.2. Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them**

The terms concerning finance and payment will be set out in the contract documents.

**III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded**

Joint and several liability.

**III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: no

### **III.2. Conditions for participation**

#### **III.2.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions: Any supplier may be disqualified who:

- (a) is bankrupt or is being wound up, where his affairs are being administered by the court, where he has entered into an arrangement with creditors, where he has suspended business activities or is in any analogous situation arising from a similar procedure under national laws and regulations;
- (b) is the subject of proceedings for a declaration of bankruptcy, for an order compulsory winding up the administration by the court or of an arrangement with creditors or of any other similar proceedings under national laws and regulations;
- (c) has been convicted by a judgment which has the force of res judicata in accordance with the legal provisions of the country of any offence concerning his professional conduct;
- (d) has been guilty of grave professional misconduct proven by any means which the contract authorities can demonstrate;
- (e) has not fulfilled obligations relating to the payment of social security contributions in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (f) has not fulfilled obligations relating to the payment of taxes in accordance with the legal provisions of the country in which he is established or with those of the country of the contracting authority;
- (g) is guilty of serious misrepresentation in supplying the information required under this Section or has not supplied such information;
- (h) has been the subject of a conviction for participation in a criminal organization, as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (i) has been the subject of a conviction for corruption, as defined in Article 3 of the Council Act of 26.5.1972 and Article 3(1) of Council Joint Action 98/742/JHA3 respectively;
- (j) has been the subject of a conviction for fraud within the meaning of Article 1 of the Convention relating to the protection of the financial interests of the European Communities;
- (k) has been the subject of a conviction for money laundering, as defined in Article 1 of Council Directive 91/308/EEC of 10.6.1991 on prevention of the use of the financial system for the purpose of money laundering.

Information and formalities necessary for evaluating if requirements are met:

Submission of completed pre-qualification questionnaire required.

#### **III.2.2. Economic and financial ability**

List and brief description of conditions: Applicants will be required to complete a pre-qualification questionnaire (PQQ) consistent with the provisions of Directive 2004/18/EEC. The PQQ is available to download by expressing an interest in the project on the website [www.housingprocurement.com](http://www.housingprocurement.com)

PQQ must be returned by the date stipulated in IV.3.4.

#### **III.2.3. Technical and professional ability**

List and brief description of conditions:

Applicants will be required to complete a pre-qualification questionnaire (PQQ) consistent with the provisions of Directive 2004/18/EEC. The PQQ is available to download by expressing an interest in the project on the website [www.housingprocurement.com](http://www.housingprocurement.com)

PQQ must be returned by the date stipulated in IV.3.4.

#### **III.2.4. Information about reserved contracts**

#### **III.3. Conditions specific to services contracts**

##### **III.3.1. Information about a particular profession**

Execution of the service is reserved to a particular profession: no

##### **III.3.2. 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: no

### **Section IV: Procedure**

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#### **IV.1. Type of procedure**

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

Restricted

##### **IV.1.2. Information about the limits on the number of candidates to be invited**

Envisaged minimum number 6: and Maximum number 10

Objective criteria for choosing the limited number of candidates: Envisaged minimum number 6 (3 per lot); and maximum number 10 (5 per lot). Objective criteria for choosing the limited number of candidates: It is envisaged that a maximum of 5 operators will be invited to tender for each lot, based on assessment of the information provided in response to the pre-qualification questionnaire.

##### **IV.1.3. Information about reduction of the number of solutions or tenders during negotiation or dialogue**

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated no

#### **IV.2. Award criteria**

##### **IV.2.1. Award criteria**

The most economically advantageous tender in terms of Price is not the only award criterion and all criteria are stated only in the procurement documents

##### **IV.2.2. Information about electronic auction**

An electronic auction will be used: no

#### **IV.3. Administrative information**

##### **IV.3.1. File reference number attributed by the contracting authority**

PP493

##### **IV.3.2. Previous publication concerning this procedure**

##### **IV.3.3. Conditions for obtaining specifications and additional documents or descriptive document**

Payable documents: no

##### **IV.3.4. Time limit for receipt of tenders or requests to participate**

31.3.2015 - 12:00

##### **IV.3.5.**

**Estimated date of dispatch of invitations to tender or to participate to selected candidates**

17.4.2015

**IV.3.6. Languages in which tenders or requests to participate may be submitted**  
English.

**IV.3.7. Minimum time frame during which the tenderer must maintain the tender**

**IV.3.8. Conditions for opening of tenders**

Persons authorised to be present at the opening of tenders: no

**Section VI: Complementary information**

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**VI.1. Information about recurrence**

This is a recurrent procurement: no

**VI.2. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

**VI.3. Additional information**

Castle Vale Community Housing Association reserves the right not to award any agreement or to award any individual services pursuant to an agreement. Applicants should therefore note submission to Castle Vale Community Housing Association does not guarantee any level /amount of work. Castle Vale Community Housing Association will not in any circumstances, reimburse any expense incurred by the applicants in preparing their pre-qualification or tender submission.

**VI.4. Procedures for review**

**VI.4.1. Review body**

**VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: In accordance with the Public Contracts Regulations 2006 (as amended 2009) available at <http://www.legislation.gov.uk/>

**VI.4.3. Service from which information about the review procedure may be obtained**

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

27.2.2015