

UK-London: Legal services  
OJ S 48/2013 08/03/2013  
Contract notice  
Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Genesis Housing Association Ltd  
Postal address: Capital House, 25 Chapel Street  
Town: London  
Postal code: NW1 5DT  
Country: United Kingdom  
Contact person: Procurement Department  
For the attention of: John Carey  
Telephone: +44 3330003000

**Internet address(es):**

General address of the contracting authority: <http://www.genesisha.org.uk>  
Address of the buyer profile: [http://www.mytenders.org/search/Search\\_AuthProfile.aspx?ID=AA4662](http://www.mytenders.org/search/Search_AuthProfile.aspx?ID=AA4662)

**Additional information can be obtained from:**

Official name: Genesis Housing Association  
Postal address: Capital House, 25 Chapel Street  
Town: London  
Postal code: NW1 5DT  
Country: United Kingdom  
Contact person: Procurement Department  
For the attention of: John Carey  
Telephone: +44 3330003000  
Internet address: <http://gha.mytenders.org>

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

Official name: Genesis Housing Association  
Postal address: Capital House , 25 Chapel Street  
Town: London  
Postal code: NW1 5DT  
Country: United Kingdom  
Contact person: Procurement Department  
For the attention of: John Carey  
Telephone: +44 3330003000  
Internet address: <http://gha.mytenders.org>

**Tenders or requests to participate must be submitted:** the abovementioned address

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

Body governed by public law

**I.3. Main activity**

Other: Social Housing

#### **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**

Legal Services (PS1).

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

Services

Service category No 21: Legal services

Main site or place of performance: London.

NUTS code UKI1 Inner London

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

The procurement involves the establishment of a framework agreement

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

Framework agreement with a single operator

##### **Duration of the framework agreement**

Duration in years: 5

In the case of framework agreements, provide justification for any duration exceeding 4 years: The services that are to be provided under the framework agreement come within the service categories within the meaning of Article 21 and Annex IIB of Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 and as such are not subject to the full tendering requirements of Directive 2004/18/EC.

##### **Estimated total value of purchases for the entire duration of the framework agreement**

Estimated value excluding VAT: 9 437 500 GBP

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

Agreement for Legal Services divided into two Lots, Conveyancing & Corporate, with one provider appointed to each.

The same provider may be appointed to both Lots.

The scope of each of these lots is as follows;

Corporate:

Development, Construction & Procurement

Housing & Asset Management

Finance

Employment, Pensions & Governance

Related dispute resolution

Conveyancing:

Shared ownership sales

Staircasing

Sales (freehold & leasehold)

Commercial property

Related dispute resolution

NOTE: To register your interest in this notice and obtain any additional information please visit the myTenders Web Site at [http://www.myTenders.org/Search/Search\\_Switch.aspx?ID=97538](http://www.myTenders.org/Search/Search_Switch.aspx?ID=97538).

The awarding authority has indicated that it will accept electronic responses to this notice via a 'Tender Submission Postbox' facility. Further details of this facility are available at [http://www.myTenders.org/PostBox/Postbox\\_Explain.aspx?ID=97538](http://www.myTenders.org/PostBox/Postbox_Explain.aspx?ID=97538).

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. The postbox closes precisely at the time stated.

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

79100000 Legal services, 79110000 Legal advisory and representation services, 79111000 Legal advisory services, 79112000 Legal representation services, 79140000 Legal advisory and information services

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

**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**

Conveyancing: GBP 300,000(Annual Value exc VAT & Disbursements).  
Corporate: GBP 1,587,500 (Annual Value exc VAT & Disbursements).  
Estimated value excluding VAT: 9 437 500 GBP

**II.2.2. Information about options**

Options: yes  
Description of options: Option to extend for a further year.  
Provisional timetable for recourse to these options:  
in months: 48 (from the award of the contract)

**II.2.3. Information about renewals**

This contract is subject to renewal: yes  
Number of possible renewals: 1

**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: 2

Lot title: Corporate

**1) Short description**

Subject matter which might typically rise under this category is:  
Development, Construction & Procurement  
Housing & Asset Management  
Finance  
Employment, Pensions & Governance

Also covered would be legal services in relation to matters arising out of or related to the matter in question including litigation and other forms of dispute resolution.

**2) CPV code(s)**

79100000 Legal services, 79110000 Legal advisory and representation services, 79111000 Legal advisory services, 79112000 Legal representation services, 79140000 Legal advisory and information services

**3) Quantity or scope**

Details of the range of legal services required have been specified in the two descriptions of lots. Participants must be able to provide a comprehensive service specific to each of the lots for which they apply. The estimated cost below excludes VAT and disbursements over the term of the contract should the agreement be extended by one year.

Estimated value excluding VAT: 7 937 500 GBP

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

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

**5) Additional information about lots**

The duration of the contract is 60 months from the award if the option to extend by one year is exercised.

Lot No: 1

Lot title: Conveyancing

**1) Short description**

Subject matter which might typically arise under this category is:

- Shared ownership sales
- Staircasing
- Sales (freehold and leasehold)
- Commercial property

Also covered would be legal services in relation to matters arising out of or related to the matter in question including litigation and other forms of dispute resolution

**2) CPV code(s)**

79100000 Legal services, 79110000 Legal advisory and representation services, 79111000 Legal advisory services, 79112000 Legal representation services, 79140000 Legal advisory and information services

**3) Quantity or scope**

Details of the range of legal services required have been specified in the two descriptions of lots. Participants must be able to provide a comprehensive service specific to each of the lots for which they apply. The estimated cost below excludes VAT and disbursements over the term of the contract should the agreement be extended by one year.

Estimated value excluding VAT: 1 500 000 GBP

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

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

**5) Additional information about lots**

The duration of the contract is 60 months from the award if the option to extend by one year is exercised.

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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**

Details of any deposits or guarantees that are required will be set out in the invitation to tender and contract documents.

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

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

Groupings of economic operators may be required to form a legal entity with which the Contracting Authority will contract.

#### **III.1.4. Contract performance conditions**

The performance of the contract is subject to particular conditions: yes

Description of particular conditions: Any condition as specified in the tender documentation.

### **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: Participants must express interest by submitting a completed pre-qualification questionnaires using Genesis' esourcing portal that can be accessed at <http://gha.mytenders.org/>

The prequalification criteria are set out in the prequalification questions.

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

List and brief description of conditions: The information and documentation required is set out in the PQQ which can be requested from <http://gha.mytenders.org/>

The contracting authority need not consider any request to participate unless it is accompanied by a completed PQQ.

Minimum level(s) of standards possibly required: These are set out in the PQQ.

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

Minimum level(s) of standards possibly required:

These are set out in the PQQ.

#### **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: yes

Reference to the relevant law, regulation or administrative provision: Legal Profession.

#### **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: yes

## **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 number of candidates: 5

Objective criteria for choosing the limited number of candidates: As stated in the PQQ documentation 5 (five) candidates will be invited per Lot but the same candidate may qualify to be invited to tender for both Lots. The Contracting Authority reserves the right to increase the number of candidates to be invited to tender by one or two candidates per Lot if their scores are closely placed around the cut-off point.

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

#### **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**

PS1

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

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

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

3.4.2013 - 12:00

##### **IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

3.5.2013

##### **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**

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

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

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

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

Participants are advised that, as legal services come within the service categories within the meaning of Article 21 and Annex IIB of Directive 2004/18/EC of the European Parliament and the Council of 31 March 2004, this is a voluntary OJEU notice and as such is not subject to the full tendering requirements of Directive 2004/18/.

The contract will be awarded for an initial 4 years with an option to extend for a further one year, this will be exercised at the discretion of the Contracting Authority.  
The Contracting Authority expressly reserves the right not to award any contract as a result of the procurement process commenced by publication of this notice or to award a contract for only one Lot or for part of the proposed procurement. Neither the contracting authority nor any person on whose behalf this procurement is undertaken is to be liable for any costs incurred by those expressing an interest or tendering for this agreement in any circumstances.  
Participants should note that there will be no guaranteed volumes under this contract and the spend figures of GBP 300k (Conveyancing) and GBP 1.5m (Corporate) is indicative of previous spend per annum.  
(MT Ref:97538)

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

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

Official name: See VI.4.2 (High Court)  
Postal address: Royal Courts of Justice. Strand, City of Westminster  
Town: London  
Postal code: WC2A 2LL  
Country: United Kingdom

##### **VI.4.2. Review procedure**

Precise information on deadline(s) for review procedures: The contracting authority will incorporate a minimum 10 calendar day standstill period at the point information on the award of the contract is communicated to tenderers. If an appeal regarding the award of a contract has not been successfully resolved, the Public Contracts Regulations 2006 (SI 2006 No 5) (as amended) provide for aggrieved parties who have been harmed or are at risk of harm by a breach of the rules to take action in the High Court (England, Wales, and Northern Ireland). Any such action must be brought within 30 days beginning with the date when the economic operator first knew or ought to have known that grounds for starting the proceedings had arisen. Where a contract has not been entered into, the Court may order the contracting authority to amend any document and may award damages. If the contract has been entered into the Court may only award damages or, where the contract award procedures have not been followed correctly, declare the contract to be "ineffective"

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

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

4.3.2013