

**Ireland-Blanchardstown: Legal services**  
**OJ S 51/2014 13/03/2014**  
**Contract notice**  
**Services**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Irish Sports Council  
Postal address: Top Floor, Block A, Westend Office Park  
Town: Blanchardstown  
Country: Ireland  
For the attention of: Gillian O'Keeffe  
E-mail: [gokeeffe@irishsportsCouncil.ie](mailto:gokeeffe@irishsportsCouncil.ie)

**Additional information can be obtained from:**

the abovementioned address

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

the abovementioned address

**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**

Recreation, culture and religion

**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**

Establishment of Two Single Party Framework Agreements for Legal Services Providers.

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

Services  
Service category No 21: Legal services  
NUTS code IE Éire / Ireland

**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: 7

In the case of framework agreements, provide justification for any duration exceeding 4 years: As the subject matter of the framework agreement is a non-priority service and is therefore not subject to the full requirements of Directive 2004/18/EC, the Council reserves the right to award a longer term framework agreements.

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

Estimated value excluding VAT: 400 000 EUR

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

The Irish Sports Council wishes to establish two single party frameworks for the provision of Legal Services. The areas of advise required have been split into two Lots, Lot 1 Corporate & Employment Law & Lot 2 Anti-Doping Law. The appointment in respect of each Lot will be for a period of up to 7 years, an initial appointment for 4 years with the option to extend for 3 further year.

Full details available on [www.etenders.gov.ie](http://www.etenders.gov.ie)

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

79100000 Legal services, 79110000 Legal advisory and representation services, 79111000 Legal advisory services

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

The procurement is covered by the Government Procurement Agreement: yes

**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**

The estimated value of both frameworks is 400,000 EUR.

Estimated value excluding VAT: 4 000 000 EUR

**II.2.2. Information about options**

Options: no

**II.2.3. Information about renewals**

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

Duration in months: 84 (from the award of the contract)

Information about lots

Lot No: 1

Lot title: Corporate & Employment Law

**1) Short description**

ISC wishes to appoint legal advisors to advise the Council, its executives and Board in exercising their statutory functions, responsibilities and powers in carrying out their functions. The appointment in respect of each Lot will be for a period of up to 7 years, an initial appointment for 4 years with the option to extend for 3 further years.

This lot comprises the provision of legal advice and services relating to:

Corporate law, including but not limited to:

— Contracts (e.g. reviewing contracts with suppliers for the purchase of goods/services);

- Code of conduct (specifically in relation to a semi state organisation);
- Code of ethics (The Irish Sports Council and the Sports Council for Northern Ireland published a joint Code of Ethics and Good Practice for Children's Sport in 2000. This publication recognised the commitment of both Councils to ensure young people are safeguarded in their participation in sport);
- FOI requests received;
- Corporate compliance issues (e.g. ethics legislation, Corporate Governance legislation /requirements);
- General advice to Council;
- Insurances;
- Procurement advise;
- Advise re Local Sports Partnerships / National Governing Bodies set up as companies Limited by guarantee / part of County Councils;
- Representation at court / tribunals arising from the relevant legal areas.

**2) CPV code(s)**

79100000 Legal services, 79110000 Legal advisory and representation services, 79111000 Legal advisory services

**3) Quantity or scope**

Estimated value excluding VAT: 200 000 EUR

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

Duration in months: 48 (from the award of the contract)

**5) Additional information about lots**

Lot No: 2

Lot title: Anti-Doping Law

**1) Short description**

**2) CPV code(s)**

79100000 Legal services, 79110000 Legal advisory and representation services, 79111000 Legal advisory services

**3) Quantity or scope**

wishes to appoint legal advisors to advise the Council, its executives and Board in exercising their statutory functions, responsibilities and powers in carrying out their functions. The appointment in respect of each Lot will be for a period of up to 7 years.

Under the Irish Sports Council Act 1999 the Irish Sports Council was given the task of combating doping in sport. Immediately the Council established the Irish Sport Anti-Doping Programme, which was launched in the autumn of 1999. It comprises three main elements: testing, education and research. The Council is proud to have put in place a Programme that is recognised nationally and internationally as of the highest quality. It makes a contribution to the development of Irish sport through guarding the ethical standards of sport and ensuring that competitors, mentors and spectators are involved with drug free sport.

The Irish Sports Council wishes to appoint legal advisors to advise the Council, its executives and Board in exercising their statutory functions, responsibilities and powers in carrying out their functions.

This contract comprises the provision of legal advice and services relating to Anti-Doping Law, including but not limited to:

- Results management,

- Preparation for Anti-Doping hearings,
  - Administrative Review of paperwork and procedures in anti-doping cases,
  - Meeting with witnesses,
  - Meetings/Discussions with Laboratory experts,
  - Full review of Rules, World Anti-Doping Code, International Standards, as appropriate,
  - Advice/preparation of NGBs in advance of Anti-Doping hearings,
  - Review of results management process and disciplinary process,
  - Assistance/Advice with issues arising e.g. data protection,
  - Development and review of contracts for services,
  - Assistance with training of stakeholders and partners as appropriate,
  - Advice in relation to anti-doping policy matters,
  - Advice in relation to relevant legislation (Sport Ireland Act, Misuse of Drugs Act etc)
  - Advice and assistance in developing processes around non-analytical anti-doping rule violations (including blood profiles, steroid profiles and intelligence and investigation cases),
  - Prosecution of Anti-Doping Rule Violations,
  - Advice and interpretation of the Irish Ant-Doping Rules and International Standards.
- Estimated value excluding VAT: 200 000 EUR

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

Duration in months: 48 (from the award of the contract)

**5) Additional information about lots**

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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**

Not applicable.

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

To be agreed with the successful service provider.

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

A grouping if successful must be prepared to contract as a single entity having 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: Please refer to the qualification questionnaire to download from [www.etenders.gov.ie](http://www.etenders.gov.ie) using RFT ID 0573216.

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

List and brief description of conditions: Please refer to the qualification questionnaire to download from [www.etenders.gov.ie](http://www.etenders.gov.ie) using RFT ID 0573216.

Minimum level(s) of standards possibly required: Please refer to the qualification questionnaire to download from [www.etenders.gov.ie](http://www.etenders.gov.ie) using RFT ID 0573216.

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

List and brief description of conditions:

Please refer to the qualification questionnaire to download from [www.etenders.gov.ie](http://www.etenders.gov.ie) using RFT ID 0573216.

### **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: Candidates must confirm their eligibility to provide legal services in Ireland under the Solicitors Act 1954 as amended.

##### **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**

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures) no

#### **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: Based on responses to the qualification questionnaire it is envisaged that the top 5 scoring applicants for both Lots will be invited to participate in the next stage of the competition, subject to that number meeting the minimum qualification criteria.

#### **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**

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

no

**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**

7.4.2014 - 12:00

**IV.3.5. Estimated date of dispatch of invitations to tender or to participate to selected candidates****IV.3.6. Languages in which tenders or requests to participate may be submitted**

English.

Other: GA

**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**

This is a recurrent procurement: yes

Estimated timing for further notices to be published: 7 Years Time

**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**

- 1) Interested parties must register their interest on the eTenders web site ([www.etenders.gov.ie](http://www.etenders.gov.ie)) in order to be included on the mailing list for clarifications. All information relating to attachments, including clarifications and changes, will be published on the Irish Government Procurement Opportunities Portal ([www.etenders.gov.ie](http://www.etenders.gov.ie)) only. Registration is free of charge. The contracting authority will not accept responsibility for information relayed (or not relayed) via third parties.
- 2) This is the sole call for competition for this service.
- 3) The contracting authority will not be responsible for any costs, charges or expenses incurred by candidates or tenderers.
- 4) Award will be subject to the approval of all relevant competent authorities.
- 5) It will be a condition of award that candidates are tax compliant and are in a position to produce a valid tax clearance certificate from the Revenue Commissioners when requested.
- 6) If for any reason it is not possible to admit to the framework agreement the tenderer invited following the conclusion of this competitive process, the contracting authority reserves the right to invite the next highest scoring tenderer to join the framework agreement as appropriate.
- 7) At its absolute discretion, the contracting authority may elect to terminate this procurement process, the framework agreement or any contract awarded under the framework agreement at any time.
- 8) Without prejudice to the principle of equal treatment, the contracting authority is not obliged to engage in a clarification process in respect of questionnaires with missing or incomplete information. Therefore, candidates are advised to ensure that they return Fully Completed

questionnaires in order to avoid the risk of elimination from the competition.

9) This notice is being published on a voluntary basis in the OJEU as the framework agreement is for a service which is a non-priority service (Annex IIB) and therefore not subject to the full rigours of the public procurement directive (2004/18/EC).

To receive more information about this tender, including any amendments and/or clarifications and to request any clarifications and/or to respond to this tender, you must register your interest to this tender on the following site: [https://irl.eu-supply.com/app/rfq/rwlenrance\\_s.asp?PID=74533&B=ETENDERS\\_SIMPLE](https://irl.eu-supply.com/app/rfq/rwlenrance_s.asp?PID=74533&B=ETENDERS_SIMPLE)

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

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

Official name: The High Court  
Postal address: Four Courts Inns Quay  
Town: Dublin  
Postal code: 7  
Country: Ireland

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

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

Official name: Please consult a legal service provider  
Country: Ireland

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

10.3.2014