

**United Kingdom-Birmingham: Legal advisory and representation services**  
**OJ S 78/2016 21/04/2016**  
**Contract notice**  
**Services**

**Directive 2004/18/EC**

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: West Midlands Passenger Transport Executive (Centro)

Postal address: Centro House, 16 Summer Lane

Town: Birmingham

Postal code: B19 3SD

Country: United Kingdom

For the attention of: Rachael Jenkins

E-mail: [procurementteam@centro.org.uk](mailto:procurementteam@centro.org.uk)

Telephone: +44 3453036760

**Internet address(es):**

General address of the contracting authority: <http://centro.org.uk/>

Address of the buyer profile: <https://centro.bravosolution.co.uk>

Electronic access to information: <https://centro.bravosolution.co.uk>

Electronic submission of tenders and requests to participate: <https://centro.bravosolution.co.uk>

**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**

Other: integrated transport authority

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

The contracting authority is purchasing on behalf of other contracting authorities: yes

Official name: See details set out in II.1.5)

**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 Framework.

**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: Centro supported area of the West Midlands, United Kingdom for any Centro procurements and the rest of the UK for other organisations having access to the framework.

NUTS code UK United Kingdom

### **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 several operators

Maximum number Envisaged maximum number of participants to the framework agreement  
: 12

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

Duration in years: 4

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

Estimated value excluding VAT:

Range: between 0 and 5 000 000 GBP

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

Centro is seeking to establish a framework of legal service suppliers ('Suppliers') across 3 Lots covering the full range of legal services required to assist Centro in meeting its objectives. Suppliers will be required to demonstrate expertise in all areas in respect of which they are successfully appointed and to keep Centro and its in-house legal, procurement and governance professionals up to date regarding all developments within relevant areas of law. In addition, Centro seeks 'value added' propositions from Suppliers covering areas such as training, staff development, secondments and access to research resources.

The award of this framework seeks to replace Centro's existing Legal Panel Framework that is due to expire in July 2016.

This framework opportunity consists of 3 lots:

Lot 1 — Full service provision;

Lot 2 — Regulatory advice;

Lot 3 — Parliamentary agents.

Please note that requirements within this Framework do not cover Metro Legal Support, as this is provided under a separately awarded 'Metro Legal Support Framework' — Reference Number A2014145.

Bidders can submit tenders for any or all of the Lot(s) above.

Tenders are due back by the closing date of 17:00 on Friday, 6.5.2016 and the deadline for clarification questions, via BravoSolution, is 17:00 on Tuesday, 3.5.2016.

It is Centro's intention to make the framework available to other local authorities in the UK.

This will consist of the following: — all county councils, borough and district councils and unitary authorities throughout England, Northern Ireland, Scotland and Wales.

Access to these contracts will be available to the following:

- West Midlands Integrated Transport Authority;
- West Midlands Passenger Transport Executive;
- Merseyside Integrated Transport Authority;
- West Yorkshire Integrated Transport Authority;
- West Yorkshire Passenger Transport Executive;
- South Yorkshire Integrated Transport Authority;
- South Yorkshire Passenger Transport Executive;
- Tyne and Wear Integrated Transport Authority;
- Tyne and Wear Passenger Transport Executive;

- Greater Manchester Integrated Transport Authority;
- Transport for Greater Manchester;
- Transport for London;
- Strathclyde Partnership for Transport;
- All those bodies listed in Statutory Instrument 2014/2234;
  - The Whole of Government Accounts (Designation of Bodies) Order 2014: <http://www.legislation.gov.uk/ukxi/2014/2234/schedule/made> including future bodies as well as bodies being established as a result of re-organisations, and any subsequent order(s) should the 2014 Orders be collectively or individually repealed. For the avoidance of doubt, this shall include, but not be limited to, all local authorities and all Integrated Transport Authorities including those not listed in the 2014 Orders but who are members of the Urban Transport Group (as currently listed under <http://www.urbantransportgroup.org/about-us/our-members> and any updated lists);
- Public transport providers in England, Wales, Scotland, Northern Ireland and other parts of the UK registered with Vehicle and Operator Service Agency.

Each of these organisations will contract directly with the successful supplier.

There is, however, no obligation on any other Contracting Authorities to utilise this framework agreement. As this is a Framework Agreement it is not known at this stage what the aggregate value of spend will be across the various Lots over the duration of the framework in terms of Centro spend or spend incurred by the various organisations that can access and call-off from it. The figure given above is an estimate of Centro spend over 4 years for tendering purposes only, please note that Centro cannot be held to this figure.

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

79110000 Legal advisory and representation 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 all lots

#### **II.1.9. Information about variants**

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

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

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

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

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

Information about lots

Lot No: 1

Lot title: Full Service Provision

#### **1) Short description**

The Service Provider will be required to provide legal services in all areas of property and law relevant to Centro. This is likely to include but not be limited to:

- A — Property and land;
- B — Public procurement, contracts and general commercial;
- C — Public law;

- D — Employment;
- E — Dispute resolution;
- F — Construction;
- G — Major projects.

With the introduction of the West Midland Combined Authority (WMCA), the scope of this Lot may increase but the full extent of the WMCA's proposed devolved powers (and how those will alter following the introduction of a Mayoral Authority) is not yet finalised. As a result, proposed Service Providers will be assessed in relation to points A-G above only.

**2) CPV code(s)**

79111000 Legal advisory services

**3) Quantity or scope**

It is Centro's intention to qualify to each lot up to 4 legal Service Providers (although Centro reserves the right to qualify a higher or lower number dependent upon the quality of responses).

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

**5) Additional information about lots**

Suppliers Instructions on Expressing Interest in this tender provision:

1. Register your company details on <https://centro.bravosolution.co.uk>. Click the link marked "to register" — Accept the terms and conditions and click 'continue'. Enter your correct business and user details. We highly recommend completing both the basic and extended profiles (the extended profile can be completed when you have logged into the portal). Please ensure you note the username and click 'Save' when complete. You will shortly receive an email with your unique password (please keep this secure).
2. Login to the portal with your unique username/password. Click the 'PQQs / ITTs Open To All Suppliers' link. (These are Pre-Qualification Questionnaires or Invitations to Tender open to any registered supplier).
3. Expressing Interest: Click on the relevant PQQ/ ITT to access the content and click 'Express Interest' button at the top of the page. As a result, you will now move the PQQ /ITT into your 'My PQQs/ My ITTs' page. (This is a secure area reserved for your projects only. You can now access the information related to the tender provision; click on 'Buyer Attachments' in the 'PQQ/ ITT Details' box to access any/all attachments).
4. Responding to a Tender: Click 'My Response' under 'PQQ/ ITT Details', you can choose to 'Create Response' or to 'Decline to Respond' (please ensure you provide a reason if declining). You can now use the 'Messages' function to communicate with the buyer and seek any clarification. Note the deadline for completion, then follow the on-screen instructions to complete the PQQ/ ITT. You must then submit your reply using the 'Submit Response' button at the top of the page. If you require any further assistance please consult the online help or contact the eTendering help desk.

Lot No: 2

Lot title: Regulatory Advice

**1) Short description**

The Service Provider will be required to provide at a minimum the services listed below.

The Service Provider will be required to assist and advise Centro on all regulatory matters relevant to Transport and Centro's role as a local government body. This is likely to include:

- Heavy rail related regulatory matters and advice (including Station Change, Network Rail and other related regulatory processes).
- Bus franchising powers, health and safety regulatory advice and representation.

With the introduction of the West Midlands Combined Authority (WMCA), the scope of this Lot may increase however the full extent of the WMCA's proposed devolved powers (and how those will alter following the introduction of a Mayoral Authority) is not yet finalised. As a result, proposed Service Providers will be assessed in relation to the above only but will be expected to develop any relevant legal expertise as require to assist Centro.

**2) CPV code(s)**

79111000 Legal advisory services

**3) Quantity or scope**

It is Centro's intention to qualify to each lot up to 4 legal Service Providers (although Centro reserves the right to qualify a higher or lower number dependent upon the quality of responses).

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

**5) Additional information about lots**

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Lot No: 3

Lot title: Parliamentary Agents

**1) Short description**

At a minimum, the Service Provider will be required to provide the services listed below.

The Service Provider will be required to assist and advise Centro in relation to the following:

- Drafting, promotion and opposition of private bills in the UK Parliament, including but not limited to Transport and Works Act Orders, and any legislation that may be required for the promotion of public transport and Centro's statutory purpose;
- Representing Centro at relevant inquiries where appropriate.

With the introduction of the West Midlands Combined Authority (WMCA), the scope of this Lot may increase however the full extent of the WMCA's proposed devolved powers (and how those will alter following the introduction of a Mayoral Authority) is not yet finalised. As a result,

proposed Service Providers will be assessed in relation to the above only but will be expected to develop any relevant legal expertise as require to assist Centro.

**2) CPV code(s)**

79112000 Legal representation services, 79111000 Legal advisory services

**3) Quantity or scope**

It is Centro's intention to qualify to each lot up to 4 legal Service Providers (although Centro reserves the right to qualify a higher or lower number dependent upon the quality of responses).

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

**5) Additional information about lots**

Suppliers Instructions on Expressing Interest in this tender provision:

1. Register your company details on <https://centro.bravosolution.co.uk> Click the link marked "to register" — Accept the terms and conditions and click 'continue'. Enter your correct business and user details. We highly recommend completing both the basic and extended profiles (the extended profile can be completed when you have logged into the portal). Please ensure you note the username and click 'Save' when complete. You will shortly receive an email with your unique password (please keep this secure).
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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 Passenger Transport Executive (PTE) may be calling off from this contract if in the form of a Framework in its capacity as Executive to the Integrated Transport Authority (ITA). Instruction and payment will be via the PTE. However, the ultimate beneficiary of the advice will be the ITA and its Strategy and Policy Unit. Consequently bidders will be expected to enter into an appropriate Collateral Warranty direct with the ITA in this instance.

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

Please refer to invitation to tender and suite of documents.

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

### **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: Suppliers Instructions on Expressing Interest in this tender provision:

1. Register your company details on <https://centro.bravosolution.co.uk> Click the link marked "to register" — Accept the terms and conditions and click 'continue'. Enter your correct business and user details. We highly recommend completing both the basic and extended profiles (the extended profile can be completed when you have logged into the portal). Please ensure you note the username and click 'Save' when complete. You will shortly receive an email with your unique password (please keep this secure).
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### **III.2.2. Economic and financial ability**

List and brief description of conditions: Please refer to invitation to tender and suite of documents.

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

List and brief description of conditions:

Please refer to invitation to tender and suite of documents.

### **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**

## **Section IV: Procedure**

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

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

Open

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

##### **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**

A2016365

##### **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**

6.5.2016 - 17:00

##### **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.

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

Duration in days: 180 (from the date stated for receipt of 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: no

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

The procurement is related to a project and/or programme financed by European Union funds: yes

Identification of the project: Some call-offs undertaken from this Framework Agreement, by Centro or other public bodies in the UK accessing it, may be subject to EU Involve / ERDF or other associated or relevant funding.

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

Suppliers Instructions on Expressing Interest in this tender provision:

1. Register your company details on <https://centro.bravosolution.co.uk>. Click the link marked "to register" — Accept the terms and conditions and click 'continue'. Enter your correct business and user details. We highly recommend completing both the basic and extended profiles (the extended profile can be completed when you have logged into the portal). Please ensure you note the username and click 'Save' when complete. You will shortly receive an email with your unique password (please keep this secure).
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### **VI.4. Procedures for review**

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

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

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

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

15.4.2016