

**United Kingdom-Sutton: Legal services**

OJ S 80/2014 24/04/2014

Contract notice

Services

Directive 2004/18/EC

**Section I: Contracting authority**

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**I.1. Name and addresses**

Official name: Sutton Housing Partnership

Postal address: Sutton Gate

Town: Sutton

Postal code: SM1 4LE

Country: United Kingdom

Contact person: Neighbourhoods

For the attention of: Susan Holbrook

E-mail: [shplegal@thehousingconnection.co.uk](mailto:shplegal@thehousingconnection.co.uk)

Telephone: +44 2089152000

**Internet address(es):**General address of the contracting authority: [www.suttonhousingpartnership.org.uk](http://www.suttonhousingpartnership.org.uk)Address of the buyer profile: [http://www.mytenders.org/search/Search\\_AuthProfile.aspx?ID=AA18821](http://www.mytenders.org/search/Search_AuthProfile.aspx?ID=AA18821)**Additional information can be obtained from:**

Official name: The Housing Connection

Country: United Kingdom

For the attention of: Nick Melling

E-mail: [shplegal@thehousingconnection.co.uk](mailto:shplegal@thehousingconnection.co.uk)Internet address: [www.thehousingconnection.co.uk](http://www.thehousingconnection.co.uk)**Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from:**

Official name: The Housing Connection

Country: United Kingdom

For the attention of: Nick Melling

E-mail: [shplegal@thehousingconnection.co.uk](mailto:shplegal@thehousingconnection.co.uk)Internet address: [www.thehousingconnection.co.uk](http://www.thehousingconnection.co.uk)**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**

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**

Provision of Legal Services.

**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 Borough of Sutton.

NUTS code UKJ2 Surrey, East and West Sussex

**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 to cover the following:

- Income recovery
- Housing management
- Asset management
- Leasehold management and service charges
- Gas safety and other access
- Disrepair
- Estates, commercial property, boundaries, party wall etc.
- Governance
- Procurement

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=115060](http://www.myTenders.org/Search/Search_Switch.aspx?ID=115060)

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

79100000 Legal services, 79110000 Legal advisory and representation 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 lot only

**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 intention is to let a contract, or contracts, for a period of 3 1/2 years commencing on 3.11.2014, with an option to extend for a further 3 years to 31.3.2021 and an option for a further extension of 1 year to 31.3.2022. At an approximate annual value of GBP 200 k per annum the contracts have potential value of GBP 700 k (excluding all contract extensions). Estimated value excluding VAT:

Range: between 530 000 and 860 000 GBP

**II.2.2. Information about options**

Options: yes

Description of options: Option to extend for a further 3 years to 31.3.2021 and an option for a further extension of 1 year to 31.3.2022.

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

This contract is subject to renewal: yes

Number of possible renewals: 2

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

Start 3.11.2014. Completion 31.3.2018

Information about lots

Lot No: 1

Lot title: Legal Services Group 1

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

- Governance
- Procurement and contract
- Asset Management
- Estates and Commercial

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

79110000 Legal advisory and representation services, 79100000 Legal services

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

As described elsewhere in this Notice.

Estimated value excluding VAT:

Range: between 30 000 and 60 000 GBP

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

#### **5) Additional information about lots**

Values exclude all of the Contract Extensions.

Lot No: 2

Lot title: Legal Services Group 2

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

- Income recovery
- Housing management including injunctions, fraud, ASB etc.
- Leasehold management and service charges
- Gas safety and other access
- Disrepair
- Boundaries, party wall etc.

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

79100000 Legal services, 79110000 Legal advisory and representation services

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

Legal Services as described elsewhere in this Notice.

Estimated value excluding VAT:

Range: between 500 000 and 800 000 GBP

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

#### **5) Additional information about lots**

Values exclude all of the Contract Extensions.

Lot No: 3

Lot title: Legal Services Group 2 and 3

**1) Short description**

Group 1

- Governance
- Procurement & contract
- Asset Management
- Estates and Commercial

Group 2

- Income recovery
- Housing management including injunctions, fraud, ASB etc.
- Leasehold management and service charges
- Gas safety and other access
- Disrepair
- Boundaries, party wall etc.

**2) CPV code(s)**

79100000 Legal services, 79110000 Legal advisory and representation services

**3) Quantity or scope**

Legal Services as described elsewhere in this Notice.

Estimated value excluding VAT:

Range: between 530 000 and 860 000 GBP

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

**5) Additional information about lots**

Values exclude all of the Contract Extensions.

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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**

**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**

**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: (1) All candidates will be required to produce a certificate or declaration demonstrating that they are not bankrupt or the subject of an administration order, are not being wound-up, have not granted a trust deed, are not the subject of a petition presented for sequestration of their estate, have not had a receiver, manager or administrator appointed and are not otherwise apparently insolvent.

(2) All candidates will be required to produce a certificate or declaration demonstrating that the candidate, their directors, or any other person who has powers of representation, decision or control of the candidate has not been convicted of conspiracy, corruption, bribery, or money laundering. Failure to provide such a declaration will result in the candidate being declared ineligible and they will not be selected to participate in this procurement process.

(3) All candidates will be required to produce a certificate or declaration demonstrating that they have not been convicted of a criminal offence relating to the conduct of their business or profession.

(4) All candidates will be required to produce a certificate or declaration demonstrating that they have not committed an act of grave misconduct in the course of their business or profession.

(5) All candidates must comply with the requirements of the State in which they are established, regarding registration on the professional or trade register.

(6) Any candidate found to be guilty of serious misrepresentation in providing any information required, may be declared ineligible and not selected to continue with this procurement process.

(7) All candidates will have to demonstrate that they are licensed, or a member of the relevant organisation, in the State where they are established, when the law of that State prohibits the provision of the services, described in this notice, by a person who is not so licensed or who is not a member of the relevant organisation.

(8) All candidates will be required to produce a certificate or declaration demonstrating that they have fulfilled obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which the candidate is established.

(9) All candidates will be required to produce a certificate or declaration demonstrating that they have fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established.

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

List and brief description of conditions: (1) All candidates will be required to provide evidence of relevant professional risk indemnity insurance.

(2) All candidates will be required to provide a statement, covering the 3 previous financial years including the overall turnover of the candidate and the turnover in respect of the activities which are of a similar type to the subject matter of this notice.

(3) All candidates will be required to provide statements of accounts or extracts from those accounts relating to their business.

These are set out in detail the Pre Qualification Questionnaire (PQQ).

Bidders must have a minimum turnover of GBP 750 k, (and GBP 500 k for services similar to those required under the contract), per annum, for the the last reported trading year, to be eligible to bid.

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

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

List and brief description of conditions:

These are set out in the Pre Qualification Questionnaire (PQQ).

Minimum level(s) of standards possibly required:

These are set out in the Pre Qualification Questionnaire (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: The Legal Profession.

#### **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**

Restricted

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

Envisaged minimum number 5  
Objective criteria for choosing the limited number of candidates: These are set out in the Pre Qualification Questionnaire (PQQ).

#### **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 Criteria below  
1. Price. Weighting 40  
2. Quality. Weighting 60

#### **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**

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

Time limit for receipt of requests for documents or for accessing documents: 2.5.2014

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

2.5.2014 - 12:00

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

20.6.2014

#### **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**

SHP is responsible for providing the day-to-day management of housing services to approximately 6 500 tenants and 1 500 leaseholders. SHP manages the stock owned by the London Borough of Sutton and all the properties are within the council boundaries. SHP currently use a variety of sources to obtain legal advice and guidance. We aim to procure a high quality, value for money service to meet the needs of all departments requiring legal advice and guidance within SHP. The main areas that have been identified as obtaining legal services are as follows.

- Income recovery
- Housing management
- Asset management
- Leasehold management and service charges
- Gas safety and other access
- Disrepair
- Estates, commercial property, boundaries, party wall etc.
- Governance
- Procurement

The basic service is to provide legal advice and guidance to SHP in relation to the areas set out above. We expect innovative proposals from organisations with a demonstrable track record and/or who can demonstrate an understanding of our needs together with the knowledge and experience to deliver our objectives.

Participants are advised that as legal services are a Part B service this is a voluntary OJEU notice and as such is not subject to the obligations of the Procurement Directive but are nonetheless subject to the general obligations of transparency, equal treatment and non-discrimination.

The Contracting Authority expressly reserves the right:

- (I) Not to award any contract as a result of the procurement process commenced by publication of this notice; and
- (II) To make whatever changes it may see fit to the content and structure of the tendering competition; and in no circumstances will the Contracting Authority be liable for any costs incurred by the candidates.

Participants should note that there will be no guaranteed volumes under any subsequent contract.

(MT Ref:115060).

### **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**

21.4.2014