

Ireland-Dublin: Legal services

OJ S 117/2014 20/06/2014

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: National Concert Hall

Postal address: Earlsfort Terrace

Town: Dublin

Postal code: 2

Country: Ireland

For the attention of: Barry Walsh

E-mail: barry.walsh@nch.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

II.1. Description

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

Single Party Framework Agreement for Legal Services.

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

Services

Service category No 21: Legal services

NUTS code IE021 Dublin

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: 6

In the case of framework agreements, provide justification for any duration exceeding 4 years: As the subject matter of this framework agreement is a non-priority (Annex IIB) service, the establishment of the framework is not subject to the provisions of Directive 2004/18/EC with regard to procedures, timescales, selection criteria, award criteria, etc. The awarding authority will employ a negotiated procedure under its own terms and conditions.

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

Estimated value excluding VAT: 300 000 EUR

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

The National Concert Hall is establishing a single-party framework agreement for the provision of legal services to support the delivery of its activities. The framework will have a maximum potential duration of 6 years. In this regard, it is envisioned that a range of support may be required across a full range of staff (i.e., partner, associate, and solicitor). The National Concert Hall wishes to have access to legal expertise and representation as set out below:

- Contract Law
- Employment Law
- Intellectual Property/Copyright
- Dispute Resolution
- Commercial Law
- Licensing
- Landlord and Tenant Law
- Governance
- General Matters

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: no

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

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

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

To be agreed with the successful tenderer.

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, may be required to contract as a single entity having joint and severable liability but subject to the agreement of the contracting parties. If it is proposed to sub-contract the delivery of any portion of the initial contract or any subsequent contract under the framework, it may be a condition of award of contract that both the service provider and any proposed sub-contractor enter simultaneously into a collateral warranty with the contracting authority for the relevant portion of that contract.

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 available to download from www.etenders.gov.ie

III.2.2. Economic and financial ability

List and brief description of conditions: Please refer to the Qualification Questionnaire available to download from www.etenders.gov.ie

III.2.3. Technical and professional ability

List and brief description of conditions:

Please refer to the Qualification Questionnaire available to download from www.etenders.gov.ie

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 and relevant EU law.

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

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

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 yes

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

3.7.2014 - 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.

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

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

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/rw/entrance_s.asp?PID=77477&B=ETENDERS_SIMPLE

- The fact of this notice being published should under no circumstances be taken as implying that any provisions other than those expressly contained in Directive 2004/18/EC for Annex IIB Services will apply to this award procedure.
- As the subject matter of this framework agreement is a non-priority (Annex IIB) service, the establishment of the framework is not subject to the provisions of Directive 2004/18/EC with regard to the choice of procedure. Therefore, the awarding authority will employ a negotiated procedure under its own terms and conditions.
 - Interested parties must register their interest on the etenders website (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) only. Registration is free of charge.
- This is the sole call for competition for this service.
- The contracting authority will not be responsible for any costs, charges or expenses incurred by candidates or tenderers.
- The tender list will be limited to the top 5 candidates assessed under the rules of qualification.
- Contract award will be subject to the approval of the competent authorities. Following the establishment of the framework agreement, the framework operator will be awarded an initial contract for a period of 1 year only. Any further contract(s) awarded under the framework agreement will be at the absolute discretion of the contracting authority, which alternatively may opt to cancel the framework agreement after the initial contract or at any time thereafter.
- It will be a condition for admittance to the framework agreement that tenderers and their sub-contractors (if any) produce a valid tax clearance certificate from the Irish revenue commissioners and that they retain a fully valid certificate throughout the lifetime of the framework and of contracts awarded under the framework.
- Admittance to the framework will also be conditional upon formal written acceptance of the Framework Terms and Conditions.
- If for any reason it is not possible to admit the successful tenderer to the framework agreement following the conclusion of the competitive process, the contracting authority reserves the right to admit the next highest scoring tenderer to the framework agreement during the period of validity of tenders. This shall be without prejudice to the right of the contracting authority to cancel this competitive process and/or initiate a new contract award procedure at its sole discretion.
- If having entered into a framework agreement as a result of this competitive process, the Contracting Authority deems that the successful tenderer has failed to deliver the required services, the Contracting Authority reserves the right to award the framework agreement to the next highest scoring tenderer identified through the evaluation of tender submissions. This shall be without prejudice to the right of the Contracting Authority to terminate this competitive process at any time or to terminate any framework awarded as a result of this competition.
- Notwithstanding the existence of the framework, the contracting authority at its sole discretion reserves the right to engage in a separate procurement procedure outside of the framework for any contract arising for legal services.
- The contracting authority reserves the right to successively reduce the number of operators during this negotiated procedure. The contracting authority may gradually reduce the number of solutions to be discussed or tenders to be negotiated.
- Applicants should indicate whether any proportion of this contract is intended to be sub-contracted and if so, further information should be provided as per the instructions in the Qualification Questionnaire.

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

Precise information on deadline(s) for review procedures: Please see relevant Irish Statutory Instruments (SI 131 of 2010 and SI 420 of 2010) available at www.irishstatutebook.ie

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

Official name: The Courts Service
Postal address: 15/24 Phoenix Street, North Smithfield
Town: Dublin
Postal code: 7
Country: Ireland

VI.5. Date of dispatch of this notice

18.6.2014