UK-Birmingham: Collection agency services
OJ S 124/2013 28/06/2013
Contract award notice
Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: The Insolvency Service
Postal address: Cannon House, 18 Priory Queensway
Town: Birmingham
Postal code: B4 6FD
Country: United Kingdom
For the attention of: Tim Batkin
E-mail: tenders.insolvency@insolvency.gsi.gov.uk
Telephone: +44 1216984495 / 7866671690
Internet address(es):
General address of the contracting authority: http://www.bis.gov.uk/insolvency

I.2. Type of the contracting authority

Ministry or any other national or federal authority, including their regional or local subdivisions

I.3. Main activity

Economic and financial affairs

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

Income Payments, Book Debts and Recovery Service.

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

Services
Service category No 27: Other services
Main site or place of performance: The Insolvency Service through its Official Receiver Offices, as descibed and detailed within the PQQ and ITT Documents.
NUTS code UK United Kingdom

II.1.3. Information about a framework agreement or a dynamic purchasing system (DPS)

II.1.4. Short description of the contract or purchase(s)

Income Payments, Book Debts and Recovery Service.
The Insolvency Service currently has a contract for Income Payments, Book Debts and Recovery Service which provides for the collection of income payment agreements/income payment orders (IPA/Os) from bankrupts and for the recovery of book debts, antecedent transactions, payment protection insurance compensation refunds and recoveries from

company directors.
The current contract expires in September 2013 and this service needs to be re-tendered to enable minimum interruption to the collection services provided to the Official Receiver.
IPO/A and Book Debt collections represent approximately 95 % of all case instructions, and Antecedent Transaction collections, represent 5 %, (based on 2012 data).
Antecedent Transaction collections require the economic operator to have specific experience in the Insolvency Acts, 1986 and 2000, as amended by the Enterprise Act, 2005, Company Director Disqualification Act, 1986, Companies Acts, 1985 and 2006, and Employment Rights Act, 1996, and should therefore be qualified Legal Practitioners and members of the Law Society.
IPO/A and Book Debt collections do not require the economic operator to have specific professional legal standing, and therefore, technical capacity and relevant experience in debt collection would apply.
It is the intention of the Insolvency Service to let one service contract for the IPBDR Service, and therefore, economic operators should ensure their bid is capable of both Antecedent Transactions, as well as IPO/A and Book Debt collections, which can take the form of a single economic operator bid, or a consortia bid, with a prime contractor and sub contractor agreements.

II.1.5. CPV code(s)
79940000 Collection agency services, 79100000 Legal services, 79111000 Legal advisory services, 79112000 Legal representation services, 79140000 Legal advisory and information services, 79130000 Legal documentation and certification services

II.1.6. Information about the Government Procurement Agreement (GPA)
The procurement is covered by the Government Procurement Agreement: yes

II.2. Total value of the contract/lot

II.2.1. Total value of the contract/lot
Lowest offer 4 650 000 and Highest offer 10 850 000 GBP
excluding VAT

Section IV: Procedure

IV.1. Type of procedure

IV.1.1. Type of procedure
Restricted

IV.2. Award criteria

IV.2.1. Award criteria
The most economically advantageous tender in terms of
1. Statement of Requirements - specification. Weighting 70
2. Pricing Model. Weighting 30

IV.2.2. Information about electronic auction
An electronic auction has been used: no

IV.3. Administrative information

IV.3.1.

File reference number attributed by the contracting authority
Income Payments, Book Debts and Recovery Service.

IV.3.2. Previous publication concerning this procedure
Contract notice
Notice number in the OJ S: 2012/S 215-355086 of 8.11.2012

Section V: Award of contract

V.1. Date of conclusion of the contract
7.6.2013

V.2. Information about tenders
Number of tenders received: 5
Number of tenders received by electronic means: 5

V.3. Name and address of the contractor
Official name: Clarke Willmott LLP
Postal address: Blackbrook Gate Blackbrook Park Avenue TAUNTON
Town: Taunton
Postal code: TA1 2PG
Country: United Kingdom
E-mail: jane.dunlop@clarkewillmott.com
Telephone: +44 8452091689
Fax: +44 8452092583
Internet address: www.clarkewillmott.com

V.4. Information on value of the contract/lot
Initial estimated total value of the contract/lot:
Value: 6 200 000 GBP
excluding VAT
Total value of the procurement:
Lowest offer 4 650 000 and Highest offer 10 850 000 GBP
excluding VAT

V.5. Information about subcontracting
The contract is likely to be subcontracted: no

Section VI: Complementary information

VI.1. Information about European Union funds
The procurement is related to a project and/or programme financed by European Union funds: no

VI.2. Additional information
THIS COMPLETES A PROCUREMENT EXERCISE IT DOES NOT REPRESENT A NEW OPPORTUNITY.
All suppliers who wish to respond to this OJEU notice and indicate their interest in the tender, should request a Pre-Qualification Questionnaire (PQQ) document, which provides further detail relating to this procurement. The PQQ AND ALL communication should be via:-.
tenders.insolvency@insolvency.gsi.gov.uk

The services relating to Antecedent Transactions necessitate the economic operator to be a qualified Legal Practioner and member of the Law Society, experienced in the Insolvency Acts, 1986 and 2000, as amended by the Enterprise Act, 2005, the Companies Acts, 1985 and 2006, the Company Director Disqualification Act, 1986 and Employment Rights Act, 1996.
The services relating to IPO/A and Book Debt collections do not require the economic operator to have specific professional legal standing and therefore, technical capacity and relevant experience in debt collection services would apply.
It is the intention of the Insolvency Service to let one service contract for the IPBDR Service, and therefore, economic operators should ensure their bid is capable of both Antecedent Transactions as well as IPO/A and Book Debt Collections, which can take the form of a single economic operator bid, or a consortia bid, with prime contractor and sub contractor agreements.
We estimate the contract value to be between £3,5 m and £6 m over the life of the contract, which represents a genuine pre -estimate of the service over the duration of the contract.
Managing Supplier Poor Performance cross-Government.
Government has not always managed its strategic suppliers on a cross-Government basis as effectively as it might. This has resulted in suppliers continuing to win new work with Government even when there are substantial performance concerns with existing contracts.
As a result, Government has developed a new approach to ensuring previous poor performance by suppliers can be taken into account and robustly assessed prior to new contracts being entered into.
Contracting Authorities will now ensure that consideration of poor performance on existing or previous contracts is made at the Selection stage, in the assessment of technical and professional ability (Reg. 25). This will include where there are examples of serious and persistent breach in the delivery of both current and previous contracts.
Where a supplier has been found to have committed "Grave Misconduct" in the course of their business or profession, the Contracting Authority will have the right to exercise "Discretionary Exclusion" of that supplier under the Public Contracts Regulations 2006.
In addition, Contracting Authorities will reassess economic and financial standing, and technical and professional ability, and any discretionary or mandatory grounds for exclusion, before key points in the procurement process (i.e. short listing, preferred bidder status, award of contract etc). This will be done by asking the bidder whether anything has changed since the original assessment; and by checking with other departments/contracting authorities.

VI.3. Procedures for review

VI.3.1. Review body

Official name: The Insolvency Service
Postal address: The Insolvency Service Cannon House, 18 Priory Queensway Birmingham UNITED KINGDOM E-mail: tim.batkin@insolvency.gsi.gov.uk Telephone: +44 1216984495
Internet address: http://www.bis.gov/insolvency
Town: Birmingham
Postal code: B4 6FD
Country: United Kingdom
E-mail: tim.batkin@insolvency.gsi.gov.uk
Telephone: +44 1216984273
Internet address: http://www.bis.gov.uk/insolvency

VI.3.2. Review procedure

Precise information on deadline(s) for review procedures: The Insolvency Service will incorporate a minimum 10 calendar day standstill period at the point information on the award

of the contract is communicated to tenderers. This period allows unsuccessful tenderers to seek further debriefing from the contracting authority before the contract is entered into. Such additional information should be requested from the address in section 1.1 If an appeal regarding the award of a contract has not been successfully resolved the Public Contracts Regulations 2006 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). Where a contract has not been entered into the court may order the settling aside of the award decision or order the authority to amend any document and may award damages.

VI.3.3. Service from which information about the review procedure may be obtained

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Internet address: http://www.bis.gov.uk/insolvency

VI.4. Date of dispatch of this notice

26.6.2013