

**United Kingdom-Kilwinning: Accounting services**

OJ S 135/2016 15/07/2016

**Contract notice****Services****Legal Basis:**

Directive 2014/24/EU

**Section I: Contracting authority**

---

**I.1. Name and addresses**

Official name: Accountant in Bankruptcy

Postal address: 1 Pennyburn Road

Town: Kilwinning

NUTS code: UKM Scotland

Postal code: KA13 6SA

Country: United Kingdom

Contact person: Stephen Phillips

E-mail: [stephen.phillips@gov.scot](mailto:stephen.phillips@gov.scot)

Telephone: +44 1412420131

**Internet address(es):**Main address: <http://www.scotland.gov.uk>Address of the buyer profile: [http://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA10482](http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA10482)**I.2. Information about joint procurement**

The contract is awarded by a central purchasing body

**I.3. Communication**The procurement documents are available for unrestricted and full direct access, free of charge, at: <http://www.publiccontractsscotland.gov.uk/>

Additional information can be obtained from the abovementioned address

Tenders or requests to participate must be submitted electronically via:

<http://publiccontractsscotland.gov.uk/>Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at: <http://publiccontractsscotland.gov.uk/>**I.4. Type of the contracting authority**

Body governed by public law

**I.5. Main activity**

General public services

**Section II: Object**

---

**II.1. Scope of the procurement****II.1.1. Title**

Provision of Insolvency Services.

**II.1.2. Main CPV code**

79211000 Accounting services

**II.1.3. Type of contract**

Services

**II.1.4. Short description**

Provision of Insolvency Services to Accountant in Bankruptcy.

**II.1.5. Estimated total value**

Value excluding VAT: 6 600 000,00 GBP

**II.1.6. Information about lots**

This contract is divided into lots: yes

Tenders may be submitted for all lots

The contracting authority reserves the right to award contracts combining the following lots or groups of lots:

All lots.

**II.2. Description****II.2.1. Title**

Provision of Insolvency Services to Accountant in Bankruptcy

Lot No: 1

**II.2.2. Additional CPV code(s)**

79211000 Accounting services

**II.2.3. Place of performance**

NUTS code: UKM50 Aberdeen City and Aberdeenshire

NUTS code: UKM27 Perth & Kinross and Stirling

NUTS code: UKM22 Clackmannanshire and Fife

NUTS code: UKM26 Falkirk

NUTS code: UKM5 North Eastern Scotland

NUTS code: UKM6 Highlands and Islands

NUTS code: UKM21 Angus and Dundee City

**II.2.4. Description of the procurement**

This contract will be a framework contract consisting of 3 geographic lots, with a minimum of 2 companies appointed to each lot. Accountant in Bankruptcy (AiB) has a requirement for the provision of insolvency services for the administration of allocated sequestration cases where The Accountant is appointed trustee. The services will be required across the whole of Scotland. The requirement will be split into 3 geographic Lots, with a minimum of 2 providers in each Lot. The contract shall be for 2 years with 2 separate options to extend for a further year. Cases will be allocated automatically by the case management system (BASYS) to a specific provider in each of the regional Lots dependant on the ranking of the provider in each region.

Accountant in Bankruptcy is an Agency of the Scottish Government in terms of the Scotland Act 1998. The Chief Executive is also The Accountant in Bankruptcy (The Accountant), who is an independent statutory officer appointed under Section 1 of the Bankruptcy (Scotland) Act 1985 as amended.

The Accountant has responsibility for certain statutory functions in Scotland, including the following:

- Act as trustee in all sequestrations where the debtor has not nominated a trustee (by virtue of Section 2(1B) of the Act);
- Act as Trustee in all sequestrations awarded by the Sheriff Courts, where a Sheriff does not appoint a person to be trustee (by virtue of Section 2(2C) of the Act);
- Act as interim trustee before the award of sequestration, if appointed by the sheriff, except those where an alternative interim trustee is appointed when nominated by the petitioning creditor (by virtue of Section 2(6)(b) of the Act);
- Act as trustee on the resignation, death or replacement of the original trustee where no new trustee is elected or appointed (by virtue of Sections 28 and 28A of the Act).

AiB requires the services of providers to administer bankruptcy cases where The Accountant has been appointed Trustee. The providers will be expected to carry out the functions of the Trustee in accordance with the terms of the Bankruptcy (Scotland) Act 1985 as amended. An Operating Manual guidance detailing the bankruptcy administration process will be provided. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 1988. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

#### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: To be included in tender document / Weighting: 45 %

Price - Weighting: 55 %

#### **II.2.6. Estimated value**

Value excluding VAT: 2 200 000,00 GBP

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 24

This contract is subject to renewal: yes

Description of renewals:

2 separate options to extend for 12 months.

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 5 Maximum number: 10 Objective criteria for choosing the limited number of candidates:

This Procurement will be conducted through the use of the Restricted Procedure. All queries about this procurement must be made via the Public Contracts Scotland messaging system.

The process we will apply will be:

- Statements including the specific requirements which can be found within Section III.1.2) and III.1.3) of the Contract Notice;

- Bidders must pass the minimum standards sections of the ESPD (Scotland).

Part III and Section B of Part IV will be scored on a pass/fail basis, and Section C of Part IV of the ESPD (Scotland) will be scored in the following way:

0 — Unacceptable. Nil or inadequate response. Fails to demonstrate previous experience /capacity/capability relevant to this criterion;

1 — Poor. Response is partially relevant but generally poor. The response shows some elements of relevance to the criterion but contains insufficient/limited detail or explanation to demonstrate previous relevant experience/ capacity/capability;

2 — Acceptable. Response is relevant and acceptable. The response demonstrates broad previous experience, knowledge and skills/capacity/capability but may lack in some aspects of similarity e.g. previous experience, knowledge or skills may not be of a similar nature;

3 — Good. Response is relevant and good. The response is sufficiently detailed to demonstrate a good amount of experience, knowledge or skills/capacity/capability relevant to providing similar services to similar clients;

4 — Excellent. Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates thorough experience, knowledge or skills /capacity/capability relevant to providing similar services to similar clients;

— The responses to the questions of Section III.1.3) of the Contract Notice will be weighted the following way: Please see ESPD (Scotland) Question 4C.1.2: 60 %, 4C.6.1: 40 %.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

#### **II.2.14. Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) 2015.

### **II.2. Description**

#### **II.2.1. Title**

Provision of Insolvency Services to Accountant in Bankruptcy  
Lot No: 2

#### **II.2.2. Additional CPV code(s)**

79211000 Accounting services

#### **II.2.3. Place of performance**

NUTS code: UKM34 Glasgow City  
NUTS code: UKM38 South Lanarkshire  
NUTS code: UKM36 North Lanarkshire  
NUTS code: UKM35 Inverclyde  
NUTS code: UKM31 East Dunbartonshire

#### **II.2.4. Description of the procurement**

This contract will be a framework contract consisting of 3 geographic lots, with a minimum of 2 companies appointed to each lot.

Accountant in Bankruptcy (AiB) has a requirement for the provision of insolvency services for the administration of allocated sequestration cases where The Accountant is appointed trustee. The services will be required across the whole of Scotland. The requirement will be split into 3 geographic Lots, with a minimum of 2 providers in each Lot. The contract shall be for 2 years with 2 separate options to extend for a further year.

Cases will be allocated automatically by the case management system (BASYS) to a specific provider in each of the regional Lots dependant on the ranking of the provider in each region.

Accountant in Bankruptcy is an Agency of the Scottish Government in terms of the Scotland Act 1998. The Chief Executive is also The Accountant in Bankruptcy (The Accountant), who is an independent statutory officer appointed under Section 1 of the Bankruptcy (Scotland) Act 1985 as amended.

The Accountant has responsibility for certain statutory functions in Scotland, including the following:

- Act as trustee in all sequestrations where the debtor has not nominated a trustee (by virtue of Section 2(1B) of the Act);
- Act as Trustee in all sequestrations awarded by the Sheriff Courts, where a Sheriff does not appoint a person to be trustee (by virtue of Section 2(2C) of the Act);
- Act as interim trustee before the award of sequestration, if appointed by the Sheriff, except those where an alternative interim trustee is appointed when nominated by the petitioning creditor (by virtue of Section 2(6)(b) of the Act);
- Act as trustee on the resignation, death or replacement of the original trustee where no new trustee is elected or appointed (by virtue of Sections 28 and 28A of the Act).

AiB requires the services of providers to administer bankruptcy cases where The Accountant has been appointed Trustee. The providers will be expected to carry out the functions of the Trustee in accordance with the terms of the Bankruptcy (Scotland) Act 1985 as amended.

An Operating Manual guidance detailing the bankruptcy administration process will be provided. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 1988. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

#### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: To be included in tender documentation / Weighting: 45 %

Price - Weighting: 55 %

#### **II.2.6. Estimated value**

Value excluding VAT: 2 200 000,00 GBP

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 24

This contract is subject to renewal: yes

Description of renewals:

2 separate options to extend for 12 months.

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 5 Maximum number: 10 Objective criteria for choosing the limited number of candidates:

This Procurement will be conducted through the use of the Restricted Procedure. All queries about this procurement must be made via the Public Contracts Scotland messaging system.

The process we will apply will be:

— Statements including the specific requirements which can be found within Section III.1.2) and III.1.3) of the Contract Notice;

— Bidders must pass the minimum standards sections of the ESPD (Scotland).

Part III and Section B of Part IV will be scored on a pass/fail basis, and Section C of Part IV of the ESPD (Scotland) will be scored in the following way:

0 — Unacceptable. Nil or inadequate response. Fails to demonstrate previous experience /capacity/capability relevant to this criterion;

1 — Poor. Response is partially relevant but generally poor. The response shows some elements of relevance to the criterion but contains insufficient/limited detail or explanation to demonstrate previous relevant experience/ capacity/capability;

2 — Acceptable. Response is relevant and acceptable. The response demonstrates broad previous experience, knowledge and skills/capacity/capability but may lack in some aspects of similarity e.g. previous experience, knowledge or skills may not be of a similar nature;

3 — Good. Response is relevant and good. The response is sufficiently detailed to demonstrate a good amount of experience, knowledge or skills/capacity/capability relevant to providing similar services to similar clients;

4 — Excellent. Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates thorough experience, knowledge or skills /capacity/capability relevant to providing similar services to similar clients.

— The responses to the questions of Section III.1.3) of the Contract Notice will be weighted the following way: Please see ESPD (Scotland) Question 4C.1.2: 60 %, 4C.6.1: 40 %.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

#### **II.2.14. Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

### **II.2. Description**

#### **II.2.1. Title**

Provision of Insolvency Services  
Lot No: 3

#### **II.2.2. Additional CPV code(s)**

79211000 Accounting services

#### **II.2.3. Place of performance**

NUTS code: UKM23 East Lothian and Midlothian  
NUTS code: UKM24 Scottish Borders  
NUTS code: UKM25 Edinburgh  
NUTS code: UKM28 West Lothian  
NUTS code: UKM32 Dumfries & Galloway  
NUTS code: UKM33 East Ayrshire and North Ayrshire mainland  
NUTS code: UKM3 South Western Scotland

#### **II.2.4. Description of the procurement**

This contract will be a framework contract consisting of 3 geographic lots, with a minimum of 2 companies appointed to each lot. Accountant in Bankruptcy (AiB) has a requirement for the provision of insolvency services for the administration of allocated sequestration cases where

The Accountant is appointed trustee. The services will be required across the whole of Scotland. The requirement will be split into 3 geographic Lots, with a minimum of 2 providers in each Lot. The contract shall be for 2 years with 2 separate options to extend for a further year. Cases will be allocated automatically by the case management system (BASYS) to a specific provider in each of the regional Lots dependant on the ranking of the provider in each region. Accountant in Bankruptcy is an Agency of the Scottish Government in terms of the Scotland Act 1998. The Chief Executive is also The Accountant in Bankruptcy (The Accountant), who is an independent statutory officer appointed under Section 1 of the Bankruptcy (Scotland) Act 1985 as amended.

The Accountant has responsibility for certain statutory functions in Scotland, including the following:

- Act as trustee in all sequestrations where the debtor has not nominated a trustee (by virtue of Section 2(1B) of the Act);
- Act as Trustee in all sequestrations awarded by the Sheriff Courts, where a Sheriff does not appoint a person to be trustee (by virtue of Section 2(2C) of the Act);
- Act as interim trustee before the award of sequestration, if appointed by the sheriff, except those where an alternative interim trustee is appointed when nominated by the petitioning creditor (by virtue of Section 2(6)(b) of the Act);
- Act as trustee on the resignation, death or replacement of the original trustee where no new trustee is elected or appointed (by virtue of Sections 28 and 28A of the Act).

AiB requires the services of providers to administer bankruptcy cases where The Accountant has been appointed Trustee. The providers will be expected to carry out the functions of the Trustee in accordance with the terms of the Bankruptcy (Scotland) Act 1985 as amended.

An Operating Manual guidance detailing the bankruptcy administration process will be provided. They will be appointed to act on behalf of The Accountant. The Accountant will remain the Trustee throughout.

AiB requires all sensitive data to be handled and stored in accordance with the provisions of the Data Protection Act 1988. AiB requires evidence of technical facilities in place to enable receipt and administration of all cases.

#### **II.2.5. Award criteria**

Criteria below

Quality criterion - Name: To be included in tender documentation / Weighting: 45 %

Price - Weighting: 55 %

#### **II.2.6. Estimated value**

Value excluding VAT: 2 200 000,00 GBP

#### **II.2.7. Duration of the contract, framework agreement or dynamic purchasing system**

Duration in months: 24

This contract is subject to renewal: yes

Description of renewals:

2 separate options to extend for 12 months.

#### **II.2.9. Information about the limits on the number of candidates to be invited**

Envisaged minimum number: 5 Maximum number: 10 Objective criteria for choosing the limited number of candidates:

This Procurement will be conducted through the use of the Restricted Procedure. All queries about this procurement must be made via the Public Contracts Scotland messaging system.

The process we will apply will be:

— Statements including the specific requirements which can be found within Section III.1.2) and III.1.3) of the Contract Notice;

— Bidders must pass the minimum standards sections of the ESPD (Scotland). Part III and Section B of Part IV will be scored on a pass/fail basis, and Section C of Part IV of the ESPD (Scotland) will be scored in the following way:

0 — Unacceptable. Nil or inadequate response. Fails to demonstrate previous experience /capacity/capability relevant to this criterion.

1 — Poor. Response is partially relevant but generally poor. The response shows some elements of relevance to the criterion but contains insufficient/limited detail or explanation to demonstrate previous relevant experience/ capacity/capability.

2 — Acceptable. Response is relevant and acceptable. The response demonstrates broad previous experience, knowledge and skills/capacity/capability but may lack in some aspects of similarity, e.g. previous experience, knowledge or skills may not be of a similar nature.

3 — Good. Response is relevant and good. The response is sufficiently detailed to demonstrate a good amount of experience, knowledge or skills/capacity/capability relevant to providing similar services to similar clients.

4 — Excellent. Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates thorough experience, knowledge or skills /capacity/capability relevant to providing similar services to similar clients.

The responses to the questions of Section III.1.3) of the Contract Notice will be weighted the following way: Please see ESPD (Scotland) Question 4C.1.2: 60 %, 4C.6.1: 40 %.

#### **II.2.10. Information about variants**

Variants will be accepted: no

#### **II.2.11. Information about options**

Options: no

#### **II.2.13. Information about European Union funds**

The procurement is related to a project and/or programme financed by European Union funds:  
no

#### **II.2.14. Additional information**

Economic operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

### **Section III: Legal, economic, financial and technical information**

---

#### **III.1. Conditions for participation**

##### **III.1.1. Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions:

Not applicable.

##### **III.1.2. Economic and financial standing**

Minimum level(s) of standards possibly required:

Question 4B.2.2: Minimum requirement is average yearly turnover for last 3 years under each lot is 500 000 GBP.

Question 4B.4:

Current Ratio: Minimum of 1,0;

Gross Profit Ratio: Minimum of 0,2;

Return on Assets: Minimum of 0,0;

Debt Ratio: Maximum of 1,0.

Question 4B.5.1:

Employer's (Compulsory) Liability Insurance — minimum 5 000 000 GBP;

Public Liability Insurance — 5 000 000 GBP;

Professional Indemnity Insurance — 5 000 000 GBP.

### **III.1.3. Technical and professional ability**

Minimum level(s) of standards possibly required:

4C.1.2 (60 %) — The bidder will be required to provide relevant examples to demonstrate their experience and knowledge to deliver the services as described in the OJEU Contract Notice II. 2.4)

4C.6.1 (40 %) — In order to manage the administration of the case-load, there must be a minimum of 1 JIEB qualified insolvency practitioner, plus 1 additional staff member with a CPPI qualification allocated to the contract.

### **III.2. Conditions related to the contract**

#### **III.2.2. Contract performance conditions**

Office work.

#### **III.2.3. 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

## **Section IV: Procedure**

---

### **IV.1. Description**

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

Restricted procedure

#### **IV.1.3. Information about a framework agreement or a dynamic purchasing system**

The procurement involves the establishment of a framework agreement

Framework agreement with several operators Envisaged maximum number of participants to the framework agreement: 6

#### **IV.1.8. Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: yes

### **IV.2. Administrative information**

#### **IV.2.1. Previous publication concerning this procedure**

Notice number in the OJ S: [2016/S 111-197019](#)

#### **IV.2.2. Time limit for receipt of tenders or requests to participate**

Date: 11/08/2016 Local time: 12:00

#### **IV.2.3. Estimated date of dispatch of invitations to tender or to participate to selected candidates**

Date: 23/08/2016

#### **IV.2.4. Languages in which tenders or requests to participate may be submitted**

English

#### **IV.2.6. Minimum time frame during which the tenderer must maintain the tender**

Tender must be valid until: 31/01/2017

### **Section VI: Complementary information**

---

#### **VI.1. Information about recurrence**

This is a recurrent procurement: no

#### **VI.2. Information about electronic workflows**

Electronic ordering will be used

Electronic invoicing will be accepted

Electronic payment will be used

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

Award Criteria:

The scoring system used to evaluate the award criteria in the ITT will be as follows:

0 — Unacceptable Nil or inadequate response. Fails to demonstrate an ability to meet the requirement;

1 — Poor Response is partially relevant and poor. The response addresses some elements of the requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled;

2 — Acceptable Response is relevant and acceptable. The response addresses a broad understanding of the requirement but may lack details on how the requirement will be fulfilled in certain areas;

3 — Good Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the requirements will be fulfilled;

4 — Excellent Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the requirement and provides details of how the requirement will be met in full.

Note: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland web site at: [http://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=453364](http://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=453364)

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at: [http://www.publiccontractsscotland.gov.uk/sitehelp/help\\_guides.aspx](http://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx)

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems. The Contractor shall ensure that all contracts with Subcontractors and Suppliers which the Contractor intends to procure following the Commencement Date, and which the Contractor has not, before the date of this Contract, already planned to award to a particular Subcontractor or Supplier, are advertised through the Public Contracts Scotland procurement portal ([www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)) and awarded following a fair, open, transparent and competitive process proportionate to the nature and value of the contract.

Under the terms of this contract the successful supplier(s) will be required to deliver Community Benefits in support of the authority's economic and social objectives. Accordingly, contract performance conditions may relate in particular to social and environmental considerations. The Community Benefits included in this contract are:

The supplier(s) will be required to embrace the concept of sustainable development and community benefits and will be required to work with its partners to deliver employment /training opportunities and other community benefits.  
(SC Ref:453364).

**VI.4. Procedures for review**

**VI.4.1. Review body**

Official name: Accountant in Bankruptcy

Postal address: 1 Pennyburn Road

Town: Kilwinning

Postal code: KA13 6SA

Country: United Kingdom

Telephone: +44 1412420131

Internet address: <http://www.scotland.gov.uk>

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

11/07/2016