

**United Kingdom-Ross-shire: Legal services**  
**OJ S 154/2018 11/08/2018**  
**Contract notice**  
**Services**

**Legal Basis:**

Directive 2014/24/EU

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**Section I: Contracting authority**

**I.1. Name and addresses**

Official name: Albyn Housing Society Limited  
Postal address: 98-104 High Street, Invergordon  
Town: Ross-shire  
NUTS code: UKM6 Highlands and Islands  
Postal code: IV18 0DL  
Country: United Kingdom  
Contact person: Graeme Hamilton  
E-mail: [graeme.hamilton@albyn-enterprises.co.uk](mailto:graeme.hamilton@albyn-enterprises.co.uk)  
Telephone: +44 1349852978

**Internet address(es):**

Main address: [www.albynhousing.org.uk](http://www.albynhousing.org.uk)  
Address of the buyer profile: [https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA18062](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA18062)

**I.3. Communication**

Access to the procurement documents is restricted. Further information can be obtained at: [www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)  
Additional information can be obtained from the abovementioned address  
Tenders or requests to participate must be submitted electronically via: [www.publiccontractsscotland.gov.uk](http://www.publiccontractsscotland.gov.uk)

**I.4. Type of the contracting authority**

Other type: Housing Association

**I.5. Main activity**

Housing and community amenities

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**Section II: Object**

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

**II.1.1. Title**

Provision of Legal Services — Tenancy Management  
Reference number: AHS/INN/000388

**II.1.2. Main CPV code**

79100000 Legal services

**II.1.3. Type of contract**

Services

#### **II.1.4. Short description**

Albyn would like to procure a legal services provider to provide expert advice and support to its customer services teams in relation to all aspects of tenancy management and enforcement action. In particular, this provider will support Albyn in the recovery of rent, service charge and factoring arrears and in responding to anti-social behaviour. The anticipated length of contract is 4 years with the option for a 1-year extension.

#### **II.1.5. Estimated total value**

#### **II.1.6. Information about lots**

This contract is divided into lots: no

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

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

79100000 Legal services, 79110000 Legal advisory and representation services, 79112000 Legal representation services, 79130000 Legal documentation and certification services, 79140000 Legal advisory and information services

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

NUTS code: UKM6 Highlands and Islands  
Main site or place of performance: Highland

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

Services will include, but are not limited to:

- working in partnership with, and on the instruction of, Albyn's customer services teams to represent Albyn's interests in situations where tenancy enforcement action is required,
- debt recovery action on behalf of Highland Residential's factoring service,
- issuing legal action warning letters,
- raising court proceedings,
- representation in court,
- management and monitoring of cases in the court system,
- providing specialist advice on all areas of housing law, including social and private housing,
- providing briefings as required to Albyn's board, senior management and staff on relevant case law and changes in legislation.

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

Criteria below

Quality criterion - Name: Sector knowledge and experience / Weighting: 25

Quality criterion - Name: Proposed team / Weighting: 20

Quality criterion - Name: Client focus / Weighting: 25

Quality criterion - Name: Delivery of results / Weighting: 20

Quality criterion - Name: Sustainability and community benefit / Weighting: 10

Cost criterion - Name: Price / Weighting: 30

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

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

Duration in months: 48

This contract is subject to renewal: yes

Description of renewals:

Potential extension of 1 year at discretion of Albyn Housing Society.

#### **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**

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

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#### **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:

ESPD 4A.2: Bidders must be a member of the Law Society of Scotland.

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

List and brief description of selection criteria:

ESPD 4B.1.1: Please provide turnover for the last 3 years.

ESPD 4B5/4B5.1: The following levels of insurance are required:

- Employers Liability Insurance: 5 000 000 GBP.
- Public Liability Insurance: 5 000 000 GBP.
- Professional Indemnity Insurance: 10 000 000 GBP.

Minimum level(s) of standards possibly required:

All bidders must pass the minimum requirements as detailed in this contract notice and associated documents.

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

List and brief description of selection criteria:

ESPD 4C.1.2:

In addition to the information required in the ESPD, please include the names of 3 people who are willing to act as references. Bidders who are unable to provide 3 satisfactory references may be excluded from the process.

ESPD 4D.1:

The bidder must hold a UKAS (or equivalent) accredited independent third party certificate of compliance in accordance with BS EN ISO 9001 (or equivalent) OR a documented policy regarding quality management. The policy must set out responsibilities for quality management demonstrating that the bidder has, and continues to implement, a quality management policy that is authorised by their Chief executive, or equivalent, which is periodically reviewed at a senior management level. The policy must be relevant to the nature and scale of the work to be undertaken and set out responsibilities for quality management throughout the organisation.

The bidder must also have a regularly reviewed and documented policy for health and safety (H&S) management, endorsed by the Chief executive officer, or equivalent. The policy must be relevant to the nature and scale of the work and set out responsibilities for H&S

management at all levels within the organisation. The policy must be relevant to the nature and scale of your operations and set out your company's responsibilities of health and safety management and compliance with legislation.

ESPD 4.2:

The Bidder must hold a UKAS (or equivalent) accredited independent third party certificate of compliance with BS EN ISO 14001 (or equivalent) OR a valid EMAS (or equivalent) certificate OR have a regularly reviewed documented policy regarding environmental management authorised by the Chief executive, or equivalent. This policy must include and describe the bidder's environmental emergency response procedures, including the preparedness and response procedures for potential accidents and emergency response situations that give rise to significant environmental impacts (for example hazardous substances spill control).

Minimum level(s) of standards possibly required:

All bidders must pass the minimum requirements as detailed in this contract notice and associated documents.

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

#### **III.2.1. Information about a particular profession**

Execution of the service is reserved to a particular profession Reference to the relevant law, regulation or administrative provision:

Bidders must be a member of the Law Society of Scotland.

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

As detailed in the Invitation to tender.

#### **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**

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

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

Open procedure

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

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

Date: 14/09/2018 Local time: 12:00

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

#### **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**

Duration in months: 4 (from the date stated for receipt of tender)

#### **IV.2.7. Conditions for opening of tenders**

Date: 17/09/2018 Local time: 12:00

Place:

Albyn Housing Society Head Office, Invergordon

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

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

This is a recurrent procurement: no

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

The contractor appointed will be an organisation that has demonstrated experience, resources and competencies in delivering services of this nature. Albyn Housing Society must be satisfied that a firm so appointed will not pose an unacceptable risk. Further information may be required from bidders to determine the extent of any potential risks posed.

Bidders may be excluded from this procurement process if they are in any of the situations referred to in regulations 8 and 9 of the Procurement (Scotland) regulations 2016.

Bidders may be excluded from the procurement procedure in cases of:

- serious misrepresentation in filling in the ESPD,
- serious misrepresentation of, or withholding, the information required for the verifications of the absence of grounds for exclusion,
- serious misrepresentation of the fulfilment of the selection criteria,
- where the bidder is unable to submit relevant supporting documents.

Bidders responses to the ESPD will be assessed on the basis of:

2A.1 — 2D1.1 Information only

3A — 4C.8.2 Pass/Fail

4C.10 Information only

4D.1 — 4D2.2 Pass/Fail

Note: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at [https://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=552502](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=552502)

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

A sub-contract clause has been included in this contract. For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2363>

Community benefits are included in this requirement. For more information see: <http://www.publiccontractsscotland.gov.uk/info/InfoCentre.aspx?ID=2361>

A summary of the expected community benefits has been provided as follows:

Bidders are asked to describe how, in conjunction with this contract, they would improve the social, environmental and economic wellbeing of the area in which Albyn operates.

(SC Ref:552502)

#### **VI.4. Procedures for review**

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

Official name: Albyn Housing Society Limited

Postal address: 98-104 High Street, Invergordon

Town: Ross-shire

Postal code: IV18 0DL  
Country: United Kingdom  
Telephone: +44 1349852978  
Internet address: [www.albynhousing.org.uk](http://www.albynhousing.org.uk)

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

08/08/2018