

United Kingdom-Cardiff: Legal advisory services

OJ S 226/2014 22/11/2014

Contract notice

Services

Directive 2004/18/EC

Section I: Contracting authority

I.1. Name and addresses

Official name: Wales Audit Office
Postal address: 24 Cathedral Road
Town: Cardiff
Postal code: CF11 9LJ
Country: United Kingdom
Contact person: Compliance
For the attention of: Henry Bright
E-mail: henry.bright@wao.gov.uk
Telephone: +44 2920320552

Internet address(es):

General address of the contracting authority: www.wao.gov.uk
Address of the buyer profile: http://www.sell2wales.gov.uk/search/Search_AuthProfile.aspx?ID=AA0519

Electronic access to information: www.sell2wales.gov.uk

Electronic submission of tenders and requests to participate: www.sell2wales.gov.uk

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

Other: Audit

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**

Provision of Legal Advice and Related 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: UK — United Kingdom.

NUTS code UK United Kingdom

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 several operators

Maximum number Envisaged maximum number of participants to the framework agreement
: 8

Duration of the framework agreement

Duration in years: 4

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

Estimated value excluding VAT:

Range: between 250 000 and 500 000 GBP

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

The Wales Audit Office (WAO) is seeking to establish a framework agreement for the provision of legal advice and related services to both the Auditor General for Wales, the statutory auditor of most public bodies in Wales, and the WAO, the public body responsible for providing resources to the Auditor General for the exercise of his functions.

For further details please see the attached pre-qualification questionnaire document.

Note: To register your interest in this notice and obtain any additional information please visit the Sell2Wales Web Site at http://www.sell2wales.gov.uk/Search/Search_Switch.aspx?ID=17989

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.sell2wales.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.

II.1.6. CPV code(s)

79111000 Legal advisory services, 79112000 Legal representation services, 79130000 Legal documentation and certification 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 or more lots

II.1.9. Information about variants

Variants will be accepted: no

II.2. Scope of the procurement

II.2.1. Total quantity or scope

Estimated value excluding VAT:

Range: between 250 000 and 500 000 GBP

II.2.2. Information about options

Options: no

II.2.3. Information about renewals

This contract is subject to renewal: no

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

Start 25.5.2015. Completion 25.5.2019

Information about lots

Lot No: 1

Lot title: Audit law

1) Short description

Advice on the statutory powers and duties of the AGW, such as those that relate to:

- the audit of accounts or financial statements of public bodies;
- value for money studies and examinations of public bodies;
- certification of grants and returns;
- determining the legality of actions taken by public authorities audited by the AGW; and
- the access rights of the AGW to documents and information.

2) CPV code(s)

79111000 Legal advisory services, 79112000 Legal representation services

3) Quantity or scope

Provision of advice and possibly representation on an ad hoc basis as required by the AGW or WAO.

4) Indication about different time frame or duration

5) Additional information about lots

Lot No: 2

Lot title: General business administration

1) Short description

Advice on business matters and the position of the organisation in the public sector, specifically in relation to:

- the UK constitution, in particular devolution in relation to Wales;
- the statutory powers and duties of the WAO;
- administrative law;
- data protection and freedom of information legislation;
- money laundering;
- procurement law;
- property and estates, e.g. lease renewal;
- intellectual property; and
- tax law and other financial matters.

2) CPV code(s)

79111000 Legal advisory services, 79112000 Legal representation services

3) Quantity or scope

Advice and possibly representation on an ad hoc basis as required by the WAO.

4) Indication about different time frame or duration

5) Additional information about lots

Lot No: 3

Lot title: Employment law

1) Short description

Advice on all aspects of employment law, and in particular on:

- HR policies;
- terms and conditions of employment;
- equality and diversity legislation;
- pensions;
- health and safety law;
- the 'TUPE' regulations;
- redundancies and severance;
- staff grievances and disciplinary cases;
- organisational change; and
- legal representation at employment tribunals or in other employment related legal proceedings.

2) CPV code(s)

79111000 Legal advisory services, 79112000 Legal representation services

3) Quantity or scope

Advice and possibly representation on an ad hoc basis as required by the WAO.

4) Indication about different time frame or duration

5) Additional information about lots

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

Delivery payment.

III.1.3. Legal form to be taken by the group of economic operators to whom the contract is to be awarded

In the event of a consortium bid the WAO requires each consortium member to be jointly and severally liable for the actions of all members of the consortium.

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

(5) 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.

(6) 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.

(7) 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

(8) 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.

Please see the pre-qualification questionnaire for more information.

III.2.2. Economic and financial ability

List and brief description of conditions: Please see the pre-qualification questionnaire for the information required to be submitted in relation to economic and financial capacity.

III.2.3. Technical and professional ability

List and brief description of conditions:

Please see the pre-qualification questionnaire for the information required to be submitted in relation to technical capacity.

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: Prospective suppliers must be entitled under the Legal Services Act 2007 to provided reserved legal services as defined by that Act.

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: yes

Section IV: Procedure

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: and Maximum number 10

Objective criteria for choosing the limited number of candidates: A maximum of 10 candidates that demonstrate minimum requirements and score most highly against the evaluation criteria set out in the pre-qualification questionnaire document will be invited to tender.

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 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

Nov 14

IV.3.2. Previous publication concerning this procedure

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

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

5.1.2015 - 17:00

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

4.2.2015

IV.3.6. Languages in which tenders or requests to participate may be submitted

English.

Other: Welsh.

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: yes

Estimated timing for further notices to be published: 2018-19.

VI.2. Information about European Union funds

VI.3. Additional information

Please see the pre-qualification questionnaire document attached for further information. (WA Ref: 17989).

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

20.11.2014