

United Kingdom-London: Legal services
OJ S 188/2018 29/09/2018
Contract award notice
Services

Legal Basis:

Directive 2014/24/EU

Section I: Contracting authority

I.1. Name and addresses

Official name: Newlon Housing Trust
Postal address: 4 Daneland Walk, Hale Village
Town: London
NUTS code: UKI London
Postal code: N17 9FE
Country: United Kingdom
Contact person: Tim Morel and Elena Secara
E-mail: halatender@kennedycater.com
Telephone: +44 2071134020
Internet address(es):
Main address: <http://www.newlon.org.uk>
Address of the buyer profile: <http://www.newlon.org.uk>

I.4. Type of the contracting authority

Other type: Registered Provider of Social Housing

I.5. Main activity

Housing and community amenities

Section II: Object

II.1. Scope of the procurement

II.1.1. Title

HALA Legal Services Framework

II.1.2. Main CPV code

79100000 Legal services

II.1.3. Type of contract

Services

II.1.4. Short description

The Housing Associations' Legal Alliance includes Advance, BME London, Hexagon, Islington and Shoreditch Housing Association, Newlon Housing Trust, Octavia Housing, Optivo, Origin Housing, Phoenix Community Housing Association, Saxon Weald, Shepherds Bush Housing Association, Wandle, Wellingborough Homes. Between them, there is a spend of approximately 1 600 000 GBP per annum on external solicitors' services. The Members have

come together in a shared procurement exercise and wish to appoint a panel of solicitors upon whose advisory services the individual members can call. The Members will follow the open style procedure.

II.1.6. Information about lots

This contract is divided into lots: yes

II.1.7. Total value of the procurement

Lowest offer: 6 400 000,00 GBP / Highest offer: 6 400 000,00 GBP taken into consideration

II.2. Description

II.2.1. Title

Corporate, Governance and Finance
Lot No: 1

II.2.2. Additional CPV code(s)

79100000 Legal services

II.2.3. Place of performance

NUTS code: UKH East of England

NUTS code: UKF East Midlands (England)

NUTS code: UKG West Midlands (England)

NUTS code: UKJ South East (England)

NUTS code: UKK South West (England)

NUTS code: UKD North West (England)

NUTS code: UKC North East (England)

Main site or place of performance: East of England, East Midlands (England), West Midlands (England), South East (England), South West (England), North West (England), North East (England).

II.2.4. Description of the procurement

- banking and finance including the raising of bank funding, capital markets issuance and hedging arrangements,
- charging and security work,
- development draw down funding (including contracts with the HCA/GLA),
- corporate governance,
- new business opportunities,
- acquisitions and disposals,
- joint ventures and subsidiaries,
- amalgamations and restructuring,
- stock transfers,
- employment advice (including TUPE),
- taxation advice,
- pensions,
- charity law,
- industrial and provident society law,
- constitutional reviews,
- board member powers and responsibilities,
- corporate policies and procedures,
- commercial contracts (including Supporting People contracts),
- debt recovery,

- procurement law,
- commercial disputes,
- grant applications e.g. big lottery funding,
- IT and information law including system maintenance and support agreements, defamation and the internet, and intellectual property,
- data protection,
- code of Governance,
- regulations,
- company law,
- miscellaneous advice such as occasional advice on such matters as financial inclusion /general advice to tenants, consumer credit licence issues, health and safety, defamation, fraud, insolvency judicial reviews and public law issues including Human Rights Act.

II.2.5. Award criteria

Quality criterion - Name: Service delivery / Weighting: 65 %

Price - Weighting: 35 %

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

II.2. Description

II.2.1. Title

Housing and Asset Management

Lot No: 2

II.2.2. Additional CPV code(s)

79100000 Legal services

II.2.3. Place of performance

NUTS code: UKH East of England

NUTS code: UKF East Midlands (England)

NUTS code: UKG West Midlands (England)

NUTS code: UKJ South East (England)

NUTS code: UKK South West (England)

NUTS code: UKD North West (England)

NUTS code: UKC North East (England)

Main site or place of performance: East of England, East Midlands (England), West Midlands (England), South East (England), South West (England), North West (England), North East (England).

II.2.4. Description of the procurement

Housing litigation such as:

- disrepair claims,
- anti-social behaviour proceedings,
- possession proceedings (all types),
- trespassers,

- possession succession,
- evictions,
- gas servicing and other access injunctions,
- supported housing disputes,
- terminating licence agreements and obtaining possession,
- service charge disputes,
- tenancy fraud,
- mediation,
- first tier tribunal advice and advocacy,
- leaseholder disputes,
- deceased leaseholders where executors not meeting their obligations or where no monies in estate,
- unlawful assignments,
- enforcement/forfeiture,
- leasehold and shared ownership sub-letting,
- managing Agent issues including those arising from Tri-Partite agreements i.e. RP, Leaseholder and Managing Agent.

General housing advice such as:

- tenancy agreement advice,
- anti-social behaviour advice,
- housing benefit advice,
- service charge advice,
- estate management board advice,
- managing agents contracts and service level agreements,
- supported and sheltered housing advice,
- advice on complaints,
- dilapidations,
- dealing with lack of mental capacity,
- judicial Review,
- welfare reform updates,
- data protection,
- energy supply agreements with residents.

Housing management policy advice such as:

- drafting and advising on new forms of tenancy and licence agreement,
- rent setting advice,
- policy drafting, approval and annual health checks,
- advice on procedures — this may include drafting all or part of a procedure.

II.2.5. Award criteria

Quality criterion - Name: Service delivery / Weighting: 50 %

Price - Weighting: 50 %

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

II.2. Description

II.2.1. Title

Property and Development
Lot No: 3

II.2.2. Additional CPV code(s)

79100000 Legal services

II.2.3. Place of performance

NUTS code: UKH East of England

NUTS code: UKF East Midlands (England)

NUTS code: UKG West Midlands (England)

NUTS code: UKJ South East (England)

NUTS code: UKK South West (England)

NUTS code: UKD North West (England)

NUTS code: UKC North East (England)

Main site or place of performance: East of England, East Midlands (England), West Midlands (England), South East (England), South West (England), North West (England), North East (England).

II.2.4. Description of the procurement

Development

- public private partnerships,
- site Assembly,
- options to purchase,
- acquisitions/disposals of land/buildings including new build plot sales,
- acquisitions/disposals of tenanted stock,
- stock swaps,
- statutory agreements e.g. s.38, 278, 104,
- planning agreements e.g. s.106 and s.111,
- development agreements,
- development funding (including HCA Help to Buy agreements),
- management agreements,
- establishing development-related management companies including joint ventures,
- construction agreements (including collateral warranties),
- bonds,
- parent company guarantees,
- contentious construction,
- novation agreements,
- wayleaves and other utility agreements,
- building licences,
- grant agreements,
- health and safety,
- overage,
- planning advice,
- property taxation advice,
- procurement advice,
- development disputes (including litigation),
- environmental issues,
- ESCo/MUSCo leases and concession agreements,
- energy supply agreements with residents,

- consultant appointment letters,
- contract amendments,
- frameworks for consultants and contractors,
- Fire safety, asbestos water and other H and S law.

Commercial Property

- property rationalisation including purchases, disposals, stock swaps, TUPE (employment issues),
- purchases/disposals of real estate (general),
- auction acquisitions and disposals,
- easements,
- title investigations,
- agreements for lease/licences,
- granting and taking leases,
- management agreements,
- lease management e.g. licences to assign, licences for alterations, deeds of variation, lease extensions, rent review memoranda etc.
- advice relating to existing leases and management agreements,
- commercial Lease renewals and surrenders,
- tenanted sales initiatives,
- tenanted transfers including overage agreements,
- dilapidations,
- adverse possession including traveller issues,
- establishing property joint ventures,
- plot sales (commercial),
- consent issues relating to restrictions on title, including lifting of restrictive covenants,
- ground rent issues,
- property litigation,
- construction contracts (including professional services contracts),
- serving section 25 and s26 notices and responding to the same when served,
- re-possession of premises.

Residential Property

- purchases and sales of individual residential units (freehold/leasehold),
- new build plot sales (freehold/leasehold),
- easements,
- lifting of restrictive covenants,
- auctions,
- sales under right to buy, right to acquire /social homebuy,
- mortgage rescue,
- independent supported living purchases,
- service charge issues (including sinking fund disputes),
- leasehold enfranchisement,
- absent landlords (overseas etc.).

Shared Ownership

- setting up shared ownership schemes including drafting lease incorporating requirements of planning agreements and attending site as required during construction phase,
- staircasing (not final and final),
- resale/assignment to new owner,
- easements,
- lifting of restrictive covenants,
- surrenders,

- repossessions,
- new build plot sales,
- managing agent issues including those arising from Tripartite Agreements i.e. RP, leaseholder and managing agent,
- lease management e.g. licences to assign, licences for alterations, deeds of variations, lease extensions.

II.2.5. Award criteria

Quality criterion - Name: Service Delivery / Weighting: 55 %

Price - Weighting: 45 %

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 IV: Procedure

IV.1. Description

IV.1.1. Type of procedure

Open procedure

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

The procurement involves the establishment of a framework agreement

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

The procurement is covered by the Government Procurement Agreement: no

IV.2. Administrative information

IV.2.1. Previous publication concerning this procedure

Notice number in the OJ S: [2018/S 054-119081](#)

IV.2.8. Information about termination of dynamic purchasing system

IV.2.9. Information about termination of call for competition in the form of a prior information notice

Section V: Award of contract

Lot No: 1

Title:

Corporate, Governance and Finance

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1.

Date of conclusion of the contract

09/07/2018

V.2.2. Information about tenders

Number of tenders received: 10

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 10

The contract has been awarded to a group of economic operators: yes

V.2.3. Name and address of the contractor

Official name: Clarke Willmott LLP

Postal address: 5 St Helen's Place

Town: London

NUTS code: UKI London

Postal code: EC3A 6AB

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Devonshires LLP

Postal address: 30 Finsbury Circus

Town: London

NUTS code: UKI London

Postal code: EC2M 7DT

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Penningtons Manches LLP

Postal address: 125 Wood Street

Town: London

NUTS code: UKI London

Postal code: EC2V 7AW

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Trowers and Hamblins LLP

Postal address: 3 Bunhill Row

Town: London

NUTS code: UKI London

Postal code: EC1Y 8YZ

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: TLT LLP

Postal address: 20 Gresham Street

Town: London

NUTS code: UKI London

Postal code: EC2V 7JE
Country: United Kingdom
The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 1 200 000,00 GBP
Total value of the contract/lot: 1 200 000,00 GBP

V.2.5. Information about subcontracting

Section V: Award of contract

Lot No: 2

Title:

Housing and Asset Management

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

09/07/2018

V.2.2. Information about tenders

Number of tenders received: 20

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 20

The contract has been awarded to a group of economic operators: yes

V.2.3. Name and address of the contractor

Official name: Batchelors Solicitors

Postal address: Warwick House, 65-66 Queen Street

Town: London

NUTS code: UKI London

Postal code: EC4R 1EB

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Bevan Brittan LLP

Postal address: Fleet Place House, 2 Fleet Place

Town: London

NUTS code: UKI London

Postal code: EC4M 7RF

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: BLM LLP

Postal address: Plantation Place, 30 Fenchurch Street

Town: London
NUTS code: UKI London
Postal code: EC3M 3BL
Country: United Kingdom
The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Capsticks LLP
Postal address: 1 St George's Road
Town: London
NUTS code: UKI London
Postal code: SW19 4DR
Country: United Kingdom
The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Clarke Willmott LLP
Postal address: 5 St Helen's Place
Town: London
NUTS code: UKI London
Postal code: EC3A 6AB
Country: United Kingdom
The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Devonshires LLP
Postal address: 30 Finsbury Circus
Town: London
NUTS code: UKI London
Postal code: EC2M 7DT
Country: United Kingdom
The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 2 000 000,00 GBP
Total value of the contract/lot: 2 000 000,00 GBP

V.2.5. Information about subcontracting

Section V: Award of contract

Lot No: 3

Title:

Property and Development

A contract/lot is awarded: yes

V.2. Award of contract

V.2.1. Date of conclusion of the contract

09/07/2018

V.2.2. Information about tenders

Number of tenders received: 17

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 17

The contract has been awarded to a group of economic operators: yes

V.2.3. Name and address of the contractor

Official name: Capsticks LLP

Postal address: 1 St George's Road

Town: London

NUTS code: UKI London

Postal code: SW19 4DR

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Clarke Willmott LLP

Postal address: 5 St Helen's Place

Town: London

NUTS code: UKI London

Postal code: EC3A 6AB

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Devonshires LLP

Postal address: 30 Finsbury Circus

Town: London

NUTS code: UKI London

Postal code: EC2M 7DT

Country: United Kingdom

The contractor is an SME: yes

V.2.3. Name and address of the contractor

Official name: Hugh James

Postal address: 99 Gresham Street

Town: London

NUTS code: UKI London

Postal code: EC2V 7NG

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Penningtons Manches LLP

Postal address: 125 Wood Street

Town: London

NUTS code: UKI London

Postal code: EC2V 7AW

Country: United Kingdom

The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Prince Evans Solicitors LLP
Postal address: Craven House, 40-44 Uxbridge Road
Town: London
NUTS code: UKI London
Postal code: W5 2BS
Country: United Kingdom
The contractor is an SME: yes

V.2.3. Name and address of the contractor

Official name: Trowers and Hamblins LLP
Postal address: 3 Bunhill Row
Town: London
NUTS code: UKI London
Postal code: EC1Y 8YZ
Country: United Kingdom
The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: Tozers Solicitors LLP
Postal address: Broadwalk House Southernhay
Town: Devon
NUTS code: UKK4 Devon
Postal code: EX1 1UA
Country: United Kingdom
The contractor is an SME: no

V.2.3. Name and address of the contractor

Official name: TLT LLP
Postal address: 20 Gresham Street
Town: London
NUTS code: UKI London
Postal code: EC2V 7JE
Country: United Kingdom
The contractor is an SME: no

V.2.4. Information on value of the contract/lot

Initial estimated total value of the contract/lot: 3 200 000,00 GBP
Total value of the contract/lot: 3 200 000,00 GBP

V.2.5. Information about subcontracting**Section VI: Complementary information**

VI.3. Additional information

The Contracting Authority considers that this contract may be suitable for economic operators that are Small or Medium Enterprises (SMEs). However, any selection of tenderers will be based solely on the criteria set out for the procurement.

To view this notice, please click here:

<https://www.delta-esourcing.com/delta/viewNotice.html?noticeId=344787673>

GO Reference: GO-2018927-PRO-13270123

VI.4. Procedures for review

VI.4.1. Review body

Official name: Newlon Housing Trust — c/o Kennedy Cater Ltd

Postal address: 3rd floor, St Clare House, 30-33 Minories

Town: London

Postal code: EC3N 1DD

Country: United Kingdom

E-mail: halatender@kennedycater.com

Telephone: +44 2071134020

VI.5. Date of dispatch of this notice

27/09/2018