



European Union

Publication of Supplement to the Official Journal of the European Union

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Contract notice
(Directive 2004/18/EC)

Section I : Contracting authority

I.1) Name, addresses and contact point(s) :

Official name: [Partnerships for Schools \(PfS\) and the Education Funding Agency \(EFA\) which will be an executive agency of the Department for Education \(DfE\) and which will assume the functions of PfS on 1 April 2012](#) National ID: *(if known)*

Postal address: [33 Greycoat Street](#)

Town: [London](#)

Postal code: [SW1P 2QF](#)

Country: [United Kingdom \(UK\)](#)

Contact point(s): [Partnerships for Schools](#)

Telephone:

For the attention of: [Niala Anderson, Commercial Manager](#)

E-mail:

FinancialAdvisersPSBP@partnershipsforschools.org.uk

Internet address(es): *(if applicable)*

General address of the contracting authority/entity: *(URL)* <http://www.partnershipsforschools.org.uk>

Address of the buyer profile: *(URL)*

Electronic access to information: *(URL)* <http://www.partnershipsforschools.org.uk/programmes/PSBP/FAProcurement.html>

Electronic submission of tenders and requests to participate: *(URL)*

Further information can be obtained from

The above mentioned contact point(s) Other (please complete Annex A.I)

Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system) can be obtained from

The above mentioned contact point(s) Other (please complete Annex A.II)

Tenders or requests to participate must be sent to

The above mentioned contact point(s) Other (please complete Annex A.III)

I.2) Type of the contracting authority

- Ministry or any other national or federal authority, including their regional or local sub-divisions
- National or federal agency/office
- Regional or local authority
- Regional or local agency/office
- Body governed by public law
- European institution/agency or international organisation

Other: (please specify)

I.3) Main activity

- General public services
- Defence
- Public order and safety
- Environment
- Economic and financial affairs
- Health
- Housing and community amenities
- Social protection
- Recreation, culture and religion
- Education
- Other: (please specify)

I.4) Contract award on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities :

yes no

information on those contracting authorities can be provided in Annex A

Section II : Object of the contract

II.1) Description :

II.1.1) Title attributed to the contract by the contracting authority :

Procurement of Financial Advisory Services in connection with the Priority School Building Programme (PSBP)

II.1.2) Type of contract and location of works, place of delivery or of performance :

choose one category only – works, supplies or services – which corresponds most to the specific object of your contract or purchase(s)

- | | | |
|---|---|--|
| <input type="radio"/> Works | <input type="radio"/> Supplies | <input checked="" type="radio"/> Services |
| <input type="checkbox"/> Execution | <input type="checkbox"/> Purchase | Service category No: 6 |
| <input type="checkbox"/> Design and execution | <input type="checkbox"/> Lease | Please see Annex C1 for service categories |
| <input type="checkbox"/> Realisation, by whatever means of work, corresponding to the requirements specified by the contracting authorities | <input type="checkbox"/> Rental | |
| | <input type="checkbox"/> Hire purchase | |
| | <input type="checkbox"/> A combination of these | |

Main site or location of works, place of delivery or of performance :

Various locations in England

NUTS code: UK

II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS):

- The notice involves a public contract
- The notice involves the establishment of a framework agreement
- The notice involves the setting up of a dynamic purchasing system (DPS)

II.1.4) Information on framework agreement : (if applicable)

Framework agreement with several operators Framework agreement with a single operator

Number :

or

(if applicable) maximum number : of participants to the framework agreement envisaged

Duration of the framework agreement

Duration in years : or in months :

Justification for a framework agreement, the duration of which exceeds four years :

Estimated total value of purchases for the entire duration of the framework agreement (if applicable, give figures only)

Estimated value excluding VAT : Currency :

or

Range: between : : and : : Currency :

Frequency and value of the contracts to be awarded : (if known)

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

The PSBP is a schools PPP programme. Its purpose is to procure between one hundred and three hundred (depending on the size and nature) new schools over a five year period with a capital value of circa £2.69 billion. The first schools to be addressed by the programme are expected to be arranged in approximately five or six batches and procured during financial year 2012/2013 (collectively referred to as "Group 1"). It is anticipated that there will be a new group each year comprising a similar number of batches per year for the subsequent four years. Each batch will range in approximate capital value from circa thirty to ninety million pounds depending on the size and nature of the schools and is likely to include at least four schools (both primary and secondary) that will probably span a multitude of authorities, diocese and academies. The key deliverable of this procurement is to appoint two (2) financial advisers that will each be likely to be allocated between one and three batches of schools. Section II.2.1 (Total quantity or scope) - This is scoped on the basis that each of the advisers may be allocated a maximum possible five batches (in order to cater for any eventual expansion of Group 1, or the early progression of any batches/schools to be included in subsequent groups) but the expectation at this stage, is that each adviser will be likely to be allocated between one and three batches. Each successful adviser will enter into a separate Contract with PfS/the EFA for the provision of financial advisory services in respect of their allocated batches. To illustrate, if adviser A is allocated three batches of schools, it will enter into one Contract with PfS/the EFA which will cover the provision of services in respect of all three of those allocated batches. To ensure the successful advisers do not have a conflict of interest, they will be precluded from advising the private sector on any of the PSBP batches/schools which form part of the same group(s) as those allocated to them under their respective Contracts. This requirement will be a term of the Contracts with the appointed advisers. Further information is set out in the Memorandum of Information (MOI) available from the contact at I.I.

II.1.6) Common procurement vocabulary (CPV) :

	Main vocabulary	Supplementary vocabulary (if applicable)
Main object	79412000	
Additional object(s)	66170000	
	66171000	
	66000000	

II.1.7) Information about Government Procurement Agreement (GPA) :

The contract is covered by the Government Procurement Agreement (GPA) : yes no

II.1.8) Lots: (for information about lots, use Annex B as many times as there are lots)

This contract is divided into lots: yes no

(if yes) Tenders may be submitted for

one lot only

one or more lots

all lots

II.1.9) Information about variants:

Variants will be accepted : yes no

II.2) Quantity or scope of the contract :

II.2.1) Total quantity or scope : (including all lots, renewals and options, if applicable)

It is envisaged that the value of services required for each batch of schools will be between £50,000 and £350,000. Each adviser is likely to be allocated between one and three batches of schools. The estimated value in this contract notice has been based on the possibility of each adviser being allocated a maximum possible five batches (in order to cater for any eventual expansion of Group 1, or the early progression of any batches/schools to be included in subsequent groups) but the expectation at this stage is that each adviser will be likely to be allocated between one and three batches. Therefore the value indicating the maximum range in this contract notice is the total for each adviser being allocated the maximum possible 5 batches (£350,000 x 10).

(if applicable, give figures only)

Estimated value excluding VAT : Currency :

or

Range: between : 50000.00 : and : 3500000.00 : Currency : GBP

II.2.2) Information about options : *(if applicable)*

Options : yes no

(if yes) Description of these options :

PfS/EFA will have the option to extend the Contracts for two further periods of 12 months each. Therefore the maximum duration of the Contracts will be for four years (an initial period of two years with two optional extensions of up to 12 months each).

(if known) Provisional timetable for recourse to these options :

in months : 24 or in days : (from the award of the contract)

II.2.3) Information about renewals : *(if applicable)*

This contract is subject to renewal : yes no

Number of possible renewals : *(if known)* 2 or Range: between : and :

(if known) In the case of renewable supplies or service contracts, estimated timeframe for subsequent contracts :

in months : or in days : (from the award of the contract)

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

Duration in months : 24 or in days : (from the award of the contract)

or

Starting: (dd/mm/yyyy)

Completion: (dd/mm/yyyy)

Section III : Legal, economic, financial and technical information

III.1) Conditions relating to the contract:

III.1.1) Deposits and guarantees required:(if applicable)

Whilst is is not envisaged, PfS/the EFA reserves the right to require deposits, guarantees or other forms of appropriate security. Further details will be set out in the contract documents if relevant.

III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:

To be set out in the tender documents if relevant.

III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded:(if applicable)

PfS/the EFA reserves the right to require groupings of advisers to take a particular legal form or to require a single adviser to take primary liability or to require each party to undertake joint or several liability. If relevant, further details will be set out in the tender documents.

III.1.4) Other particular conditions:(if applicable)

The performance of the contract is subject to particular conditions : yes no
(if yes) Description of particular conditions:

III.2) Conditions for participation:

III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers:

Information and formalities necessary for evaluating if the requirements are met:

In accordance with Articles 45 to 50 of Directive 2004/18/EC and Regulations 23 to 29 of the Public Contracts Regulations 2006 (as amended) and as set out in the pre-qualification questionnaire which is available from the address set out in section I.1.

III.2.2) Economic and financial ability:

Information and formalities necessary for evaluating if the requirements are met:

In accordance with Article 47 of the Directive 2004/18/EC and Regulation 24 of the Public Contracts Regulations 2006 (as amended) and as set out in the pre-qualification questionnaire which is available from the address set out in section I.1.

Minimum level(s) of standards possibly required: (if applicable)

As set out in the PQQ, Bidders will need to meet thresholds in relation to: a. providing specified financial information; and b. confirming that the terms of the Bidder's banking commitments and loan facilities have been met (or providing details of how this has been remedied). For further information see questions C1, C2 and C3 of the PQQ.

III.2.3) Technical capacity:

Information and formalities necessary for evaluating if the requirements are met:

Minimum level(s) of standards possibly required: (if applicable)

In accordance with Articles 48 to 50 of Directive 2004/19/EC and Regulation 25 of the Public Contracts Regulations 2006 (as amended) and as set out in the pre-qualification questionnaire which is available from the address set out in section I.I.

As set out in the PQQ, Bidders will need to meet thresholds in relation to providing minimum levels of insurance cover: a. employers liability insurance of at least £5 million (GBP); b. public liability insurance of at least £5 million (GBP) per event; and c. professional indemnity insurance of £10 million (GBP) for each and every claim). For further information see Section E of the PQQ.

III.2.4) Information about reserved contracts: *(if applicable)*

- The contract is restricted to sheltered workshops
- The execution of the contract is restricted to the framework of sheltered employment programmes

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 no
(if yes) Reference to the relevant law, regulation or administrative provision :

III.3.2) Staff responsible for the execution of the service:

Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service : yes no

Section IV : Procedure

IV.1) Type of procedure:

IV.1.1) Type of procedure:

Open

Restricted

Accelerated restricted

Justification for the choice of accelerated procedure:

Negotiated

Some candidates have already been selected (if appropriate under certain types of negotiated procedures) : yes no
(if yes, provide names and addresses of economic operators already selected under Section VI.3 Additional information)

Accelerated negotiated

Justification for the choice of accelerated procedure:

Competitive dialogue

IV.1.2) Limitations on the number of operators who will be invited to tender or to participate: (restricted and negotiated procedures, competitive dialogue)

Envisaged number of operators:

or

Envisaged minimum number: 4 and (if applicable) maximum number 5

Objective criteria for choosing the limited number of candidates:

In accordance with Articles 44 to 53 of the Directive 2004/18/EC and Regulations 23 to 29 of the Public Contracts Regulations 2006 and as set out in the pre qualification questionnaire available from the contact at I.1.

IV.1.3) Reduction of the number of operators during the negotiation or dialogue: (negotiated procedure, competitive dialogue)

Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated : yes no

IV.2) Award criteria

IV.2.1) Award criteria (please tick the relevant box(es))

Lowest price

or

The most economically advantageous tender in terms of

the criteria stated below (the award criteria should be given with their weighting or in descending order of importance where weighting is not possible for demonstrable reasons)

the criteria stated in the specifications, in the invitation to tender or to negotiate or in the descriptive document

Criteria	Weighting	Criteria	Weighting
1.		6.	
2.		7.	
3.		8.	
4.		9.	

Criteria	Weighting	Criteria	Weighting
5.		10.	

IV.2.2) Information about electronic auction

An electronic auction will be used yes no

(if yes, if appropriate) Additional information about electronic auction:

IV.3) Administrative information:

IV.3.1) File reference number attributed by the contracting authority:(if applicable)

None

IV.3.2) Previous publication(s) concerning the same contract:

yes no

(if yes)

Prior information notice Notice on a buyer profile

Notice number in the OJEU: of: (dd/mm/yyyy)

Other previous publications(if applicable)

IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document:(in the case of a competitive dialogue)

Time limit for receipt of requests for documents or for accessing documents

Date: Time:

Payable documents yes no

(if yes, give figures only) Price: Currency:

Terms and method of payment:

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

Date: 13/01/2012 Time:

IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates:(if known, in the case of restricted and negotiated procedures, and competitive dialogue)

Date:

IV.3.6) Language(s) in which tenders or requests to participate may be drawn up:

Any EU official language

Official EU language(s):

EN

Other:

IV.3.7) Minimum time frame during which the tenderer must maintain the tender:

until: :

or

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

IV.3.8) Conditions for opening tenders:

Date : (dd/mm/yyyy) Time

(if applicable) Place :

Persons authorised to be present at the opening of tenders *(if applicable)* :

yes no

(if yes) Additional information about authorised persons and opening procedure :

Section VI: Complementary information

VI.1) Information about recurrence: *(if applicable)*

This is a recurrent procurement : yes no

(if yes) Estimated timing for further notices to be published:

VI.2) Information about European Union funds:

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

(if yes) Estimated timing for further notices to be published:

VI.3) Additional information: *(if applicable)*

Further details about the PSBP are available from <http://www.partnershipsforschools.org.uk/programmes/PSBP.html> PfS is a delivery agent for capital investment programmes into schools, helping to ensure that taxpayers get the best value from every education pound spent. It is a non departmental public body, wholly owned and funded by the Department for Education ('DfE'). In June 2011, in a Written Statement to Parliament, the Secretary of State for Education ('SoS') announced that, following Sebastian James's proposals for a new system for managing capital expenditure and the wider reform of arms length bodies, he had decided to bring together, in a single agency, the allocation and management of revenue and capital funding, including the delivery of capital programmes. The announcement confirmed that PfS would also close, with its staff and functions moving to the EFA on 1 April 2012. The EFA will be an executive agency of the DfE and therefore will be part of the DfE. The EFA will be responsible for the allocation and distribution of approximately £50 billion of revenue and capital funding each year, as well as the delivery of capital investment in schools. It is intended that one of the functions of the EFA will be to fulfil the role of central procuring body for the PSBP, as the existing expertise in PfS will be transferred across to the EFA on 1 April 2012. PfS is currently procuring the financial advisory services on behalf of the SoS and DfE. PfS will enter into any resulting Contracts with the successful Advisers (to the extent that such Contracts are entered into prior to 1 April 2012). Upon closure of PfS, the Contracts will be novated to the EFA as successor body to PfS. The PSBP is a schools PPP programme. Its purpose is to procure between one hundred and three hundred (depending on the size and nature) new schools over a five year period with a capital value of circa £2.69 billion. The first schools to be addressed by the programme are expected to be arranged in approximately five or six batches and procured during financial year 2012/2013 (collectively referred to as "Group 1"). It is anticipated that there will be a new group each year comprising a similar number of batches per year for the subsequent four years. Each batch will range in approximate capital value from circa thirty to ninety million pounds depending on the size and nature of the schools and is likely to include at least four schools (both primary and secondary) that will probably span a multitude of authorities, diocese and academies. The interface between the school/local authority and the bidders/contractor will be managed by the EFA and there will be extensive back to back arrangements with each school and local authorities/diocese. It is expected that the first batches within Group 1 will commence procurement in quarter 2 of 2012. The key deliverable of this procurement is to appoint two (2) financial advisers that will each be likely to be allocated between one and three batches of schools. The information provided in section II.2.1 (Total Quantity of scope) of this contract notice is on the basis that each of the advisers may be allocated a maximum possible five batches (in order to cater for any eventual expansion of Group 1, or the early progression of any batches/schools to be included in subsequent groups) but the expectation at this stage, is that each adviser will be likely to be allocated between one and three batches. Each successful adviser will enter into a separate Contract with PfS/the EFA for the provision of financial advisory services in respect of their allocated batches. To illustrate, if adviser A is allocated three batches of schools, it will enter into one Contract with PfS/the EFA which will cover the provision of services in respect of all three of the allocated batches. To ensure the successful advisers do not have a conflict of interest, they will be precluded from advising the private sector on any of the PSBP batches/schools which form part of the same group(s) as those allocated to them under their respective Contracts. This requirement will be a term of the Contracts with the appointed advisers. PfS/EFA is not in a position currently to inform bidders which schools are in each batch. There is probably an expectation that schools will be batched on a geographical basis although this is not certain. PfS/the EFA will not be able to inform bidders about the actual allocation of batches or their content until the number and

content of batches is finalised (which is not expected to happen until after the appointment of the successful advisers). Therefore, in bidding for this requirement, each successful adviser will have accepted that it will be allocated any batch and any number of batches. As the schools will be spread across England, the successful advisers must have the ability to provide the services at a variety of locations nationwide (across England). The successful advisers will not be permitted to "choose" which batches they work on (for example, because of the level of fees to be generated from them or the geographical location of the schools). The PQQ and MOI are available from <http://www.partnershipsforschools.org.uk/programmes/PSBP/FAProcurement.html> Section IV.1.1 - the procurement process will be structured according to the Accelerated Restricted Procedure process as defined by the Public Contracts Regulations 2006 (as amended). The justification for this is: In accordance with European Commission press release IP/08/2040 and subsequent extension during 2011, this procurement will assist PFS/the EFA in the rapid execution of contracts thus meeting the Commission's fundamental aim of boosting the economy. The completed PQQ must be returned by 12 noon on 13 January 2012 - full instructions are set out in the PQQ. Section IV.3.4 - expressions of interest must be by way of completion and return of the PQQ as above.

VI.4) Procedures for appeal:

VI.4.1) Body responsible for appeal procedures:

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Internet address: (*URL*)

Body responsible for mediation procedures (*if applicable*)

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Internet address: (*URL*)

VI.4.2) Lodging of appeals: (*please fill in heading VI.4.2 or if need be, heading VI.4.3*)

PfS/the EFA will incorporate a standstill period at the point of which information on the award of the Contracts is communicated to tenderers. That notification will provide full information on the award decision. The standstill period, which will be for minimum of 10 calendar days, provides time for unsuccessful tenderers to challenge the award decision before the Contracts are entered into. The Public Contracts Regulations 2006 (SI 2006 No.5) (as amended) provide for aggrieved parties who have been harmed or are at risk of harm by breach of the rules to take action in the High Court (England Wales and Northern Ireland).

VI.4.3) Service from which information about the lodging of appeals may be obtained:

Official name:

Postal address:

Town:

Postal code:

Country:

Telephone:

E-mail:

Internet address: (*URL*)

VI.5) Date of dispatch of this notice:

[22/12/2011](#) (*dd/mm/yyyy*) - ID:2011-179203

Annex A
Additional addresses and contact points

I) Addresses and contact points from which further information can be obtained

Official name: National ID: *(if known)*
Postal address:
Town: Postal code: Country:
Contact point(s): Telephone:
For the attention of:
E-mail:
Internet address: *(URL)*

II) Addresses and contact points from which specifications and additional documents can be obtained

Official name: National ID: *(if known)*
Postal address:
Town: Postal code: Country:
Contact point(s): Telephone:
For the attention of:
E-mail:
Internet address: *(URL)*

III) Addresses and contact points to which tenders/requests to participate must be sent

Official name: National ID: *(if known)*
Postal address:
Town: Postal code: Country:
Contact point(s): Telephone:
For the attention of:
E-mail:
Internet address: *(URL)*

IV) Address of the other contracting authority on behalf of which the contracting authority is purchasing

Official name National ID (if known):
Postal address:
Town Postal code
Country

----- (Use Annex A Section IV as many times as needed) -----

Annex C1 – General procurement
Service categories referred to in Section II: Object of the contract
Directive 2004/18/EC

Category No [1]	Subject
1	Maintenance and repair services
2	Land transport services [2], including armoured car services, and courier services, except transport of mail
3	Air transport services of passengers and freight, except transport of mail
4	Transport of mail by land [3] and by air
5	Telecommunications services
6	Financial services: a) Insurances services b) Banking and investment services [4]
7	Computer and related services
8	Research and development services [5]
9	Accounting, auditing and bookkeeping services
10	Market research and public opinion polling services
11	Management consulting services [6] and related services
12	Architectural services; engineering services and integrated engineering services; urban planning and landscape engineering services; related scientific and technical consulting services; technical testing and analysis services
13	Advertising services
14	Building-cleaning services and property management services
15	Publishing and printing services on a fee or contract basis
16	Sewage and refuse disposal services; sanitation and similar services
Category No [7]	Subject
17	Hotel and restaurant services
18	Rail transport services
19	Water transport services
20	Supporting and auxiliary transport services
21	Legal services
22	Personnel placement and supply services [8]
23	Investigation and security services, except armoured car services
24	Education and vocational education services
25	Health and social services
26	Recreational, cultural and sporting services [9]
27	Other services

1 Service categories within the meaning of Article 20 and Annex IIA to Directive 2004/18/EC.

2 Except for rail transport services covered by category 18.

3 Except for rail transport services covered by category 18.

4 Except financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services. The following are also excluded: services involving the acquisition or rental, by whatever financial means, of land, existing buildings or other immovable property or concerning rights thereon. However, financial service contracts concluded at the same time as, before or after the contract of acquisition or rental, in whatever form, shall be subject to the Directive.

- 5 Except research and development services other than those where the benefits accrue exclusively to the contracting authority for its use in the conduct of its own affairs on condition that the service provided is wholly remunerated by the contracting authority.
- 6 Except arbitration and conciliation services.
- 7 Service categories within the meaning of Article 21 and Annex IIB of Directive 2004/18/EC.
- 8 Except employment contracts.
- 9 Except contracts for the acquisition, development, production or co-production of program material by broadcasters and contracts for broadcasting time.