

Tender Specification

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About UK Anti-Doping

UK Anti-Doping is the Non-Departmental Public Body (NDPB) responsible for tackling doping in sport and prosecuting violations of the World Anti-Doping (WAD) Code. It was launched in 2009 ahead of the London 2012 Olympic and Paralympic Games and is located at Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8AE. UK Anti-Doping is responsible for the implementation and management of the UK's Anti-Doping Policy, as well as ensuring the UK is compliant with the UNESCO convention, and the World Anti-Doping Code, educating and informing athletes and sports bodies and carrying out tests to determine anti-doping violations.

Organisational Status of Legal Services

The provider(s) of Legal Services report to the Legal and Regulatory Affairs Directorate and will help to promote and ensure:

- UK Anti-Doping has sufficient legal expertise and capacity to handle all matters
- Relevant legal matters are handled efficiently and effectively regardless of the volume of work
- UK Anti-Doping can demonstrate best value in the sourcing and provision of Legal Services

Request

UK Anti-Doping seeks to appoint providers of Legal Services covering the following three areas:

1. Anti-doping and sports regulatory work
2. Contract work
3. Data protection/GDPR and Freedom of Information

The provider(s) need to have appropriate qualifications and experience in the area(s) for which they tender.

UK Anti-Doping seeks to appoint providers of Legal Services for a period of three years (from November 2018), with the possibility of early termination at the end of the first year or extension for an additional year at the end of the initial contract term.

Description and extent of work

Anti-doping and sports regulatory work

UK Anti-Doping has an in-house Legal team which has extensive knowledge of the World Anti-Doping Code (the Code), UK Anti-Doping Rules and the National Anti-Doping Policy (NADP). Nevertheless, there are certain complex anti-doping rule violation cases or issues where UK Anti-Doping seeks expert advice. From time-to-

time there are also capacity constraints within the in-house Legal team and UK Anti-Doping seeks to use outside counsel to ensure that matters are handled within appropriate timescales. UK Anti-Doping is therefore seeking a provider of Legal Services which can support these requirements.

Increasingly UK Anti-Doping is perceived and acts as a regulator. This includes a current project to establish an assurance framework through which all relevant sports bodies will have to self-assess annually their compliance with the NADP. UK Anti-Doping seeks to appoint a provider of Legal Services with extensive experience of sports regulation to help ensure that the assurance framework is implemented in the most effective way, integrating with the other governance obligations of relevant sports bodies.

Contract work

Typically, UKAD enters contracts with suppliers for goods and services or with customers for the provision of testing, education, consultancy or intellectual property. UK Anti-Doping is seeking to appoint a provider of Legal Services which can advise on, comment on, draft and amend these documents as necessary.

Data protection/GDPR and Freedom of Information

UK Anti-Doping has taken the necessary steps to achieve GDPR compliance and has processes which are compliant with ISO27001. However, in fulfilling its remit it is necessary for UK Anti-Doping to share personal data with relevant bodies and it is essential that appropriate data sharing arrangements are in place. From time-to-time UK Anti-Doping needs advice on data protection including in relation to subject access requests to ensure that it continues to comply with its legal requirements and best practice. As a public body UK Anti-Doping is subject to the requirements of the Freedom of Information Act, responding to requests for information. Advice on this area is also required.

Scope of Legal Services

The successful tenderer(s) will be required to provide their services in accordance with relevant professional standards.

Content of Tender

Respondents should address the following areas, and provide instances wherever possible:

Details of your organisation

- The structure and size of your firm
- Your strengths and how your firm differs from your competitors
- Details of your relevant experience and competency to provide legal services to a public-sector body
- The location of the offices involved in your service delivery
- The benefits of appointing your firm

Details of your proposed team

- CVs of the key members of the proposed team including details of their relevant experience and their proposed role for our organisation
- The roles and CVs of other key specialist staff who might support the proposed team
- Details of your plans to ensure staff continuity
- The time commitments for each member of the team

Proposed approach to the work

- Outline your approach and methodology to the provision of Legal Services
- Outline the benefits of this approach
- Details of your proposed use of technology to deliver the service
- How you will address matters of scope and materiality
- How you will deal with critical issues
- Outline your thoughts on issues currently facing our organisation and how you will help us address them
- Details of your reporting arrangements
- Your anticipated relationship with our senior management team
- Details of how you maintain service levels and any KPIs you would instigate

Proposed fees

- Fees for the next three years, including any assumptions made
- Costs for additional services
- Proposals for agreeing future fees

References

- Details of three clients we can contact

Independence

- Details of potential conflicts of interest
- Details of how you will maintain independence

Economics

- UK Anti-Doping recognises that the volume of work is uncertain and could vary significantly over the contract term. Tenderers should therefore provide a comprehensive budget for the **proposed contract term**, showing the service activities proposed including any value-added considerations. Tenderers may choose to propose a fixed annual amount or set out charge-out rates and budgeted hours, together with any discounts and price breaks. Preference may be given to fixed pricing over the duration of the contract term and will be given to tenders which show ingenuity in conducting the work

Additional information

- What is your analysis of the major legal risks facing UK Anti-Doping?
- Do you have policies covering Anti-Bribery, Information Security and Equality & Diversity?

- Details of equal opportunities
- Health and safety
- Environmental policy
- Corporate social responsibility initiatives

Quality assurance reviews of the work

- The Successful Bidder shall ensure that all work conforms to relevant legislation and professional standards
- Proposals should set out the arrangements in place for quality assurance and how relevant reports would be shared with UK Anti-Doping

Liaison with incumbent providers

- Any new appointee, if necessary, will be required to co-operate with the incumbent service providers to ensure a smooth and cost-effective transition, and run-down of existing work, where appropriate. Proposed arrangements for this transition should be set out in the tender submission
- During the final year of the contract, it is expected that notice will be served about inviting tenders for a new contract. If a then current provider does not retain their appointment, the incumbent will be expected to co-operate fully with any new contractor and to maintain relevant services for a reasonable period on the basis of charges applied during the final year of the then current contract