



Invitation to Tender to deliver face-to-face Actions Against the Police etc, Clinical Negligence and Public Law Services in England and Wales from 1 November 2015

Information for Applicants

The Legal Aid Agency (LAA) is inviting Applicant Organisations to respond to an Invitation to Tender (ITT) as part of a single stage procurement process for contracts to deliver the following face-to-face Services from 1 November 2015:

- Actions Against the Police etc; and/or
- Clinical Negligence; and/or
- Public Law (the “Services”).

This Information for Applicants (IFA) document provides essential information about the ITT, including how Applicant Organisations are required to submit a Tender and the rules (including the Rules of this Procurement Process) governing the procurement process.

Applicant Organisations are strongly advised to read this IFA document in its entirety before submitting their Tender.

For each Applicant Organisation, a Tender for a 2015 Standard Civil Contract consists of:

- A response to the Civil 2015 Qualification ITT
and,
- A response to one or more of the Category Specific ITTs (including, if applicable, the Additional Information Form for Clinical Negligence Tenders).

The deadline for the submission of Tenders is **12 noon on 23 January 2015**.

Capitalised terms in this IFA are defined in the glossary at Annex F.

Outline Timetable

Below is a list of indicative dates for key activities in this procurement process. Where there are changes to the dates set out below, the LAA will notify Applicant Organisations through the tender pages of the Gov.uk website <https://www.gov.uk/government/publications/civil-tenders> as soon as possible.

Activity	Timescale
Tender for Actions Against the Police etc, Clinical Negligence and Public Law Services is opened and available via the LAA's eTendering portal	1 December 2014
Final date to submit questions about the instructions contained in this IFA	12 noon on 16 December 2014
Final response to 'Frequently Asked Questions' to be published	23 December 2014
Deadline for submission of Tenders	12 noon on 23 January 2015
Applicant Organisations notified of the outcome of Tenders and verification requests sent	June 2015

Deadline for submission of appeals from unsuccessful Applicant Organisations	June 2015
Final deadline for verification of Tenders	1 October 2015 (one month before contract start date)
Contract documentation including Schedules issued to successful Applicant Organisations	October 2015
Contract Start Date	1 November 2015

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1. About the LAA and this procurement process

- 1.1 The LAA, on behalf of the Lord Chancellor, is responsible for administering and commissioning legal aid (publicly funded advice and representation) across England and Wales in accordance with the Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO) and associated legislation. All Contract documentation will be issued and entered into by the LAA on behalf of the Lord Chancellor.
- 1.2 In accordance with this IFA, the LAA is inviting Applicant Organisations to tender for a 2015 Standard Civil Contract (the "Contract") to deliver Actions Against the Police etc and/or Clinical Negligence and/or Public Law from 1 November 2015.
- 1.3 The available work for these Services is detailed in section 4. In Actions Against the Police etc. and Public Law, Applicant Organisations will need to bid for the amount of Controlled Work cases they wish to undertake.
- 1.4 The Deadline for submitting a Tender is 12 noon on 23 January 2015. All Tenders must be submitted using the LAA's eTendering system. Late submissions will not be considered under any circumstances (see paragraph 10.4 below). It is the absolute responsibility of individual Applicant Organisations to ensure that it's completed Tender is validly submitted before the Deadline.

2. Who can tender

- 2.1. This is an open procurement process and Applicant Organisations do not need to be current LAA contract holders to tender.
- 2.2. The LAA will not accept subcontracting or consortia arrangements for the delivery of these Services. Therefore, Applicant Organisations must be single legal entities able to directly provide all of the Services tendered for.
- 2.3. Tenders will be submitted at organisation level but within their Tender, Applicant Organisations will need to make one or more Individual Bids detailing what they are bidding for in each Procurement Area/from each Office they wish to deliver the Services from.
- 2.4. Applicant Organisations must be fully constituted and hold all necessary authorisations (e.g. authorisation by the Solicitors Regulatory Authority (SRA)) in order to operate and deliver the Services by the Contract Start Date.

3. Operation of the Contract

- 3.1. Successful Applicant Organisations will be awarded a Contract to provide the applicable Services subject to meeting verification requirements (see paragraphs 9.21 to 9.28). The Contract will start on 1 November 2015 (the "Contract Start Date") and will run for three years i.e. until 31 October 2018 (subject to the LAA's rights of early termination and our right to extend the Contract for up to a further 2 years i.e. until 31 October 2020).
- 3.2. The Contract is split into the following parts:
 - Contract for Signature;
 - Standard Terms (applicable to all contracts irrespective of the specific services to be provided);

- Specification (governs how work must be delivered and includes the key performance indicators that Providers must meet. There are two parts to the Specification – the General Specification which applies to all Services under the Contract and the Category Specific Specifications which only apply to individual Categories); and
- Schedules (sets out the Categories of Law work a Provider is authorised to undertake work in, the volume of work and any bespoke terms relevant to the delivery of Services at a particular Office location).

3.3. To aid the understanding of Applicant Organisations in relation to what the Services entail, Contract documentation, is available on the Gov.uk website: www.gov.uk/government/publications/standard-civil-contract-2015. Applicant Organisations should note that this new Contract contains new provisions (previously consulted on with the representative bodies) including:

- The introduction of the following KPIs for Actions Against the Police etc. and Clinical Negligence:

Indicator	Actions Against the Police etc	Clinical Negligence
KPI 6 - Legal Representation Outcomes	Substantive Benefit in 30% of Licensed Work cases	Substantive Benefit in 30% of Licensed Work cases
KPI 7 - Post-investigation Success	Substantive Benefit in 50% of Licensed Work cases	Substantive Benefit in 60% of Licensed Work cases

For the full detail in relation to the wording and application of these KPIs see paragraphs 2.63 to 2.65 of the 2015 Standard Civil Contract General Specification.

- For Clinical Negligence, the requirement to be able to perform Contract Work for clients located across the whole of the Procurement Area, see paragraph 2.38B of the 2015 Standard Civil Contract General Specification for the full wording.

3.4. The Services are divided into two broad areas of work:

- Controlled Work: generally basic levels of advice and assistance prior to issue of proceedings; and
- Licensed Work: generally representation – issue and conduct of proceedings

3.5. Controlled Work cases are known as ‘Matters’ or ‘Matter Starts’. Controlled Work permits Providers with available Matter Starts to assist clients directly without prior authority from the LAA. Except in relation to the provision of Clinical Negligence Services, a certain number of Matter Starts will be allocated to Providers through this procurement process (see paragraph 9.13) and then set out in the applicable Contract Schedule. In Clinical Negligence, while no Matters will be awarded, successful Applicant Organisations will be given authorisation in their Schedule(s) to open Matters.

3.6. There is no limit to the volume of Licensed Work that a Provider may undertake. However, funding applications need to be submitted to the LAA for each Licensed Work case and it is the LAA that decides whether the relevant criteria are met.

- 3.7. Whilst the LAA may allocate a certain volume of Matter Starts to Providers, no guarantee is provided in relation to the volume or value of work which individual Providers will receive/be paid for under this Contract, as Services are provided under open market conditions and clients are free to choose from those Providers holding a Contract.

4. What are Applicant Organisations tendering for?

Actions Against the Police etc and Public Law

- 4.1. In these Categories, Applicant Organisations will be required to Tender for the volume of Matter Starts they intend to open in a full Contract Schedule year (i.e. 12 months) in specific geographic areas known as 'Procurement Areas'. A breakdown of Procurement Areas for each of the Services for which the LAA is inviting tenders is detailed at Annex E.

- 4.2. The total indicative volume of Matter Starts advertised is:

- Actions Against the Police etc.: 2,226
- Public Law: 1,096

The LAA will allocate more Matter Starts if required to meet the guaranteed allocations, see section 6 for further details.

- 4.3. Applicant Organisations may only Tender once per Procurement Area per Category of Law. In Actions Against the Police etc and Public Law an Individual Bid is a tender for Services in a particular Procurement Area.

Clinical Negligence

- 4.4. For the Clinical Negligence Category Applicant Organisations will not be required to Tender for Matter Starts. Instead they will be required to Tender for a license to undertake the work from one or more of their Offices.

- 4.5. Applicant Organisations may bid from each of their Offices that they intend to deliver Services from. In Clinical Negligence an Individual Bid is a tender to deliver Services from a particular Office.

- 4.6. Further detail on how to complete an Individual Bid for each Category of Law is contained in section 7 below.

5. What requirements do Applicant Organisations need to meet to be awarded a Contract?

- 5.1 All Applicant Organisations must pass the questions relating to the grounds for mandatory and discretionary rejection which test an Applicant Organisation's suitability to contract with the LAA. These questions are set out in the Civil 2015 Qualification ITT for this procurement process in the eTendering system and are replicated at Annex A to this IFA.

- 5.2 An Applicant Organisation must also confirm it meets the Criteria for the Category(s) of Law it is tendering for which are set out in the Category Specific ITTs for this procurement process in the eTendering system and replicated at Annexes B, C and

D to this IFA. The Criteria relate to an Applicant Organisation's ability to deliver Services under the Contract.

5.3 The following Criteria will apply in Actions Against the Police etc:

- By the Contract Start Date, an Applicant Organisation must Employ at least one Full Time Equivalent (FTE) Supervisor who meets one of the Actions Against the Police etc Supervisor Standards¹ and will actively supervise the Services tendered for.
- By the Contract Start Date, an Applicant Organisation must Employ at least one Full Time Equivalent (FTE) Supervisor (who meets the Supervisor Standard in the Actions Against the Police etc Category of Law and will actively supervise the Services) for every four FTE caseworkers in each Procurement Area in which it is tendering to deliver Actions Against the Police etc Services.
- By the Contract Start Date, an Applicant Organisation must have an Office that is at least a Part Time Presence in each Procurement Area in which it is tendering to deliver Actions Against the Police etc Services.
- By the Contract Start Date, an Applicant Organisation must Employ, for at least 17.5 hours per week, an Authorised Litigator with experience of undertaking cases within the Actions Against the Police etc Category and who will be available to each of its Offices to deliver Licensed Work.

5.4 The following Criteria will apply in Clinical Negligence:

- By the Contract Start Date, an Applicant Organisation must Employ at least one Full Time Equivalent (FTE) Supervisor who meets the Clinical Negligence Supervisor Standard and will actively supervise the Services tendered for.
- By the Contract Start Date, an Applicant Organisation must Employ at least one Full Time Equivalent (FTE) Supervisor (who meets the Supervisor Standard in the Clinical Negligence Category of Law and will actively supervise the Services) for every four FTE caseworkers at each Office from which it is tendering to deliver Clinical Negligence Services.
- By the Contract Start Date each of an Applicant Organisation's Offices must be at least a Part Time Presence in the Procurement Area in which it is tendering to deliver Clinical Negligence Services.
- By the Contract Start Date, an Applicant Organisation must Employ, for at least 17.5 hours per week, an Authorised Litigator with experience of undertaking cases within the Clinical Negligence Category and who will be available to each of its Offices to deliver Licensed Work.

5.5 The following Criteria will apply in Public Law:

¹ Either the General Standard or the Abuse in Care Standard (see 7.6 to 7.16 of the 2015 Standard Civil Contract Category Specific Specification available on the Gov.uk website – www.gov.uk/government/publications/standard-civil-contract-2015)

- By the Contract Start Date, an Applicant Organisation must Employ at least one Full Time Equivalent (FTE) Supervisor who meets the Public Law Supervisor Standard and will actively supervise the Services tendered for.
 - By the Contract Start Date, an Applicant Organisation must Employ at least one Full Time Equivalent (FTE) Supervisor (who meets the Supervisor Standard in the Public Law Category of Law and will actively supervise the Services) for every four FTE caseworkers in each Procurement Area in which it is tendering to deliver Public Law Services.
 - By the Contract Start Date an Applicant Organisation must have an Office that is at least a Part Time Presence in each Procurement Area in which it is tendering to deliver Public Law Services.
 - By the Contract Start Date, an Applicant Organisation must Employ, for at least 17.5 hours per week, an Authorised Litigator with experience of undertaking cases within the Public Law Category and who will be available to each of its Offices to deliver Licensed Work.
- 5.6 Where an Applicant Organisation needs to put any of these requirements in place by the Contract Start Date (i.e. they are not in a position to meet the applicable requirements as at the date they submit their Tender) they must have provided satisfactory evidence that such requirements have been met at least 1 month before the Contract Start Date. Further detail on the verification process including the evidence the LAA will seek can be found in paragraphs 9.21 to 9.28.
- 5.7 A 'postcode tool' is available in the 'Buyer Attachments' section on the left hand side of the ITT screen within the relevant ITTs in the eTendering system and on the Gov.uk website (<https://www.gov.uk/government/publications/civil-tenders>.) Applicant Organisations must check that each of their Offices is in the Procurement Area in which they are bidding. If an Office is not in the Procurement Area in which an Applicant Organisation is bidding that Individual Bid will be assessed as unsuccessful.
- 5.8 One FTE is based on a 35 hour working week. Applicant Organisations are not permitted to claim an individual member of staff as more than one FTE even if they work more than 35 hours per week.
- 5.9 The LAA will seek evidence of Employment where the same individual is named by different Applicant Organisations across their Tenders for a greater amount of time than one individual can work. For example, should an individual be named as the Authorised Litigator by more than two Applicant Organisations, the LAA will seek evidence of Employment of that individual for at least 17.5 hours a week by the Applicant Organisations.
- 5.10 Evidence of Employment will be sought at the verification stage. The LAA define 'Employment' as an individual engaged by you who:
- (a) is a director, sole principal, member or partner of your organisation; or
 - (b) holds a contract of employment with you;
- and has employment rights including but not limited to the right to claim unfair dismissal and statutory redundancy payments and who is fully integrated into your organisation, is under the control of your organisation and mutuality of obligation is present. For the avoidance of doubt, individuals who are self-employed, independent

contractors or hold a contract for services do not meet this definition. "Employ" and "Employed" shall be construed accordingly.

Supervisor Standards

- 5.11 Supervisor Standards are set out at sections 2.10-2.27 of the General Specification of the Contract and the Legal Competence Standards set out in detail in the individual Category of Law Specifications (section 7 of the Specification).
- 5.12 For the purposes of obtaining and retaining a Contract, use of external (or non-employed) Supervisors is not permitted. To evidence that an Applicant Organisation Employs an individual who (1) meets the Supervisor Standard and (2) works at the Office or, in Actions Against the Police etc. or Public Law, in the Procurement Area from which it has bid, a compliant Supervisor Declaration Form must be provided at least 1 month before the Contract Start Date (see paragraphs 7.53 – 7.58 for further details) but the LAA would encourage this to be submitted with the Applicant Organisation’s Tender where possible.
- 5.13 To meet the Supervisor Standard in Clinical Negligence you must be a current member of one of the following:
 - The Law Society’s Clinical Negligence Accreditation Scheme; or
 - The Actions Against Victims of Medical Accidents (AVMA) Clinical Negligence Panel; or
 - The Association of Personal Injury Lawyers (APIL) Clinical Negligence Accredited Specialist Panel.

If your accreditation will expire prior to the Contract Start Date the LAA strongly recommend that you start the re-accreditation process in good time to allow your application to be processed and to achieve re-accreditation by the Contract Start Date.

Relevant Quality Standard:

- 5.14 It will be a condition of any Contract award that all Providers hold either the Specialist Quality Mark (SQM) (as audited by the SQM Delivery Partnership) or Lexcel by the Contract Start Date (1 November 2015). Applicant Organisations wishing to tender for Contracts that do not hold a Relevant Quality Standard are advised to apply for this early as the applicable requirements must be met by the Contract Start Date. Where the SQM was awarded previously by the Legal Services Commission (and not by the SQM Delivery Partnership) it will not be valid for the purpose of this procurement exercise.
- 5.15 In April 2010, the SQM Delivery Partnership was appointed to undertake SQM audit work, charging organisations for the service. All Applicant Organisations intending to hold a Relevant Quality Standard through obtaining the SQM will be required to be audited by the SQM Delivery Partnership in some capacity. Where an Applicant Organisation has already been awarded the SQM from the SQM Delivery Partnership or is in the process of being audited by them, it need not re-apply for the SQM provided their standard status is still valid. Requirements that must be met by the Contract Start Date according to the Relevant Quality Standard an Applicant Organisation chooses to hold are detailed below.

<i>Applicant Organisation type (by organisation)</i>	<i>Requirement</i>
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New entrant to legal aid or existing Provider already holding Lexcel	No further audit required
New entrant to legal aid or existing Provider that has already passed the Post SQM audit undertaken by the SQM Delivery Partnership	No further audit required provided their standard status is still valid.
New entrant to legal aid that intends to obtain SQM	Fully pass the desktop audit by 1 November 2015 and fully pass the Post SQM audit from the SQM Delivery Partnership within 6 months of the Contract Start Date.
New entrant to legal aid or existing Provider that intends to obtain Lexcel	Achieve Lexcel by 1 November 2015
Existing Provider that holds SQM through the LAA that intends to obtain the SQM from the SQM Delivery Partnership	Fully pass the Post SQM audit from the SQM Delivery Partnership by 1 November 2015

5.16 Further information about the SQM and how to register with the SQM Delivery Partnership can be found at <http://www.sqm.uk.com>.

5.17 Further information on Lexcel can be found on The Law Society's website: <http://www.lawsociety.org.uk/productsandservices/lexcel.page>.

6. Lots - Actions Against the Police etc and Public Law Only

- 6.1. In Actions Against the Police etc. and Public Law Applicant Organisations will be required to bid for a volume of Matter Starts. Applicant Organisations are not required to bid for Matter Starts in Clinical Negligence.
- 6.2. An Applicant Organisation should ensure it is bidding for a volume of Matter Starts it considers it can realistically deliver.
- 6.3. In its Tender, for each Individual Bid it is making, an Applicant Organisation must stipulate both the number of Matter Starts required and the Lot it falls into. The different Lots for each Category of Law are set out below.
- 6.4. Where an Applicant Organisation submits multiple Individual Bids they do not need to be for the same volume of Matter Starts or in the same Lot. For example, an Applicant Organisation may have one Individual Bid for Actions Against the Police etc in the Wales Procurement Area for 50 Matter Starts (Lot 1) and one Individual Bid for Actions Against the Police etc in the Midlands and East of England Procurement Area for 100 Matter Starts (Lot 2).

Actions Against the Police etc

	Actions Against the Police etc	Allocation rules
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Lot 1	Individual Bids for between 1 and 60 Matter Starts (inclusive)	<ul style="list-style-type: none"> - The allocation of Matter Starts requested in an Individual Bid is assured where all Criteria and conditions are met - Provider will be able to self-grant up to an additional 50% of Matter Starts originally allocated in a Contract year
Lot 2	Individual Bids for between 91 and 175 Matter Starts (inclusive)	<ul style="list-style-type: none"> - Allocation of Matter Starts requested in an Individual Bid is assured where all Criteria and conditions are met (including the requirement set out in paragraph 6.13 of the IFA)

- 6.5. Those successful Individual Bids in Lot 1 will be assured the Matter Starts bid for. Applicant Organisations who bid in Lot 1 will be able to self grant up to an additional 50% of their original Matter Start allocation at that Office during a Schedule year of the Contract if they run out of Matter Starts. For example, a successful Individual Bid for 20 Matter Starts will be able to self grant up to an additional 10 Matter Starts (50% of 20) in the first year of the Contract, resulting in a total of 30 Matter Starts for the Contract year.
- 6.6. Individual Bids must be for at least the minimum volume of 1 Matter Start. Individual Bids for 0 Matter Starts will be assessed as unsuccessful.
- 6.7. The provision to self-grant additional Matter Starts will be included in the Contract Schedule of those Applicant Organisations awarded Matter Starts in Lot 1.
- 6.8. Those successful Individual Bids in Lot 2 will be assured the Matter Starts bid for providing they can meet the requirement outlined in 6.13 below.
- 6.9. The self grant rule does not apply to successful Lot 2 bids, however, the provision for applying for 'Supplementary Matter Starts' are set out in paragraphs 1.20 to 1.23 of the 2015 Standard Civil Contract Specification. In principle, Providers will be able to apply to their Contract Manager for up to an additional 50% of their original Matter Start allocation at that Office during a Schedule year of the Contract if they run out of Matter Starts.

Public Law

	Public Law	Allocation rules
Lot 1	Individual Bids for 20 Matter Starts	<ul style="list-style-type: none"> - The allocation of 20 Matter Starts is assured where all Criteria and conditions are met - Provider will be able to self-grant up to an additional 50% of Matter Starts originally allocated in a Contract year

Lot 2	Individual Bids for between 31 and 160 Matter Starts (inclusive)	- Allocation of Matter Starts requested in an Individual Bid is assured where all Criteria and conditions are met (including the requirement set out in paragraph 6.13 of the IFA)
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- 6.10. Those successful Individual Bids in Lot 1 will be assured the Matter Starts bid for. As per 6.5 above those Applicant Organisations awarded Matter Starts in Lot 1 will also be able to self grant up to an additional 50% of their Matter Start allocation during a Schedule year of the Contract.
- 6.11. Individual Bids must be for at least the minimum volume of 20 Matter Starts. Individual Bids for less than 20 Matter Starts will be assessed as unsuccessful.
- 6.12. Again, those successful Individual Bids in Lot 2 will be assured the Matter Starts bid for providing they can meet the requirement outlined in 6.13 below (and as set out in paragraph 6.9 will be able to apply for Supplementary Matter Starts through their Contract Manager).

Additional requirement for Applicant Organisations bidding in Lot 2

- 6.13. Where an Applicant Organisation wishes to deliver a higher volume of Controlled Work an additional requirement must be met to give the LAA confidence that this higher volume can be delivered. Therefore, an Applicant Organisation submitting an Individual Bid in Actions Against the Police etc for 91 Matter Starts or above or in Public Law for 31 Matter Starts or above (i.e. in Lot 2) must be able to either:
- provide evidence of having delivered in the last year at least the same volume of Controlled Work cases as Matter Starts bid for in its Individual Bid. These cases must have been opened and worked on from the Applicant Organisation's Office(s) located in the applicable Procurement Area between 1 December 2013 and 30 November 2014;
- or
- submit as part of its Tender answers to the additional questions (its Delivery Plan) outlining how it will deliver the amount of work bid for, which will need to pass an assessment.
- 6.14. The questions an Applicant Organisation will need to answer as its Delivery Plan are contained in Annex B for Actions Against the Police etc. and Annex D for Public Law. Further information on how the LAA will assess these additional requirements for Lot 2 is contained in paragraphs 9.7 to 9.10.
- 6.15. If an Individual Bid in Lot 2 does not pass the assessment of the Delivery Plan the LAA will reduce the number of Matter Starts allocated to it in line with paragraph 9.10.

7. How to submit a Tender

What is a Tender?

- 7.1. For a Tender to be complete it must contain:

- A response to the Civil 2015 Qualification ITT
- and,**
- A response to one or more of the Category Specific ITTs (including, if applicable, the Additional Information Form for Clinical Negligence Tenders).

7.2. In addition, a Tender may contain one or more completed Supervisor Declaration Forms. This is a non-mandatory form but the LAA would encourage this to be included where an Applicant Organisation has a qualified Supervisor in post at the time of tendering.

How to access the tender opportunity

7.3. All tenders must be completed and submitted using our eTendering system. The eTendering system can either be accessed through the eTendering portal links on the tender pages of the Gov.uk website or directly at www.legalaid.bravosolution.co.uk.

7.4. Applicant Organisations must familiarise themselves with the eTendering system guides available through the 'Technical Support and Guidance' link on the eTendering system home page, which provides more detailed guidance on how to use the system and complete their Tender.

7.5. In order to access the tender, Applicant Organisations must register on the eTendering system.

7.6. Some Applicant Organisations may have already registered on the system as part of previous tender exercises. If this is the case and the details of your organisation remain up to date, there is no need to register again. If Applicant Organisations have forgotten their password they must click on the 'Forgotten your password?' link on the eTendering homepage to get their password reset.

7.7. As communication with an Applicant Organisation from the LAA about the tender process will be undertaken through the secure online eTendering system message board for this tender it is highly recommended that multiple additional users are set up under an Applicant Organisation's registration (see 'Technical Support and Guidance' link on the eTendering system for guidance on how to do this) so urgent messages that may affect an Applicant Organisation's Tender can be actioned as necessary.

7.8. Once registered and logged in to the eTendering system Applicant Organisations will be able to access the ITTs:

- ITT 403 – Civil 2015 Qualification ITT
- ITT 405 – Actions Against the Police etc (Civil Contracts 2015)
- ITT 404 – Clinical Negligence (Civil Contracts 2015)
- ITT 406 – Public Law (Civil Contracts 2015)

All relevant ITTs for this tender opportunity are contained within Project_60.

7.9. These are available via the 'Project' or 'ITT Open to all Suppliers' link on the front page of the eTendering System. Alternatively, if an Applicant Organisation is already in one of the ITTs in the eTendering system they can access the other ITTs by clicking on 'multi lot view' on the left hand side of the screen.

- 7.10. Applicant Organisations must ensure that they access and submit the correct ITTs for these Services. Applicant Organisations must respond to the Civil 2015 Qualification ITT and at least one of the Category Specific ITTs. However, they are not obliged to respond to all three Category Specific ITTs. They only need to submit a response to the Category Specific ITT(s) for the Category(s) they are interested in.
- 7.11. Having selected the ITT they wish to respond to, Applicant Organisations must click 'Edit response' to be able to complete their responses to the questions asked. Applicant Organisations must click the 'Save Changes' or 'Save and Exit Response' buttons to ensure information inputted is saved.
- 7.12. Questions marked with a red asterisk are mandatory and the eTendering system will not permit an Applicant Organisation to submit its response unless answers to these questions are provided.
- 7.13. There is a button in the eTendering system called 'check mandatory questions'. By clicking on this the eTendering system will check that an Applicant Organisation has provided a response to all mandatory questions and will flag where a response to a mandatory question has not been given. For the avoidance of doubt, it does not provide an assessment of the responses to those questions or confirmation that they have been answered correctly.
- 7.14. It is the Applicant Organisation's sole responsibility to ensure that it correctly accesses, completes and submits their Tender.

Responses to the questions in the Civil 2015 Qualification ITT

- 7.15. The Civil 2015 Qualification ITT contains a series of questions covering the following areas:
- Applicant Organisation and contact details (Section A) (non-assessed)
 - Grounds for mandatory rejection (Section B)
 - Grounds for discretionary rejection (Section C)
 - Declaration (Section D)
- 7.16. A full breakdown of each of the questions and what would constitute a pass or a fail is set out in Annex A.
- 7.17. If an Applicant Organisation is assessed as failing any question its whole Tender will fail.
- 7.18. For each question ascertaining whether a requirement is met, the Applicant Organisation is presented with a series of drop down options from which to select a response.

Grounds for mandatory rejection

- 7.19. All answers to the questions at Section B are absolute and there is no opportunity for the Applicant Organisation to present any exceptional circumstances where a requirement is not met.

Grounds for discretionary rejection

- 7.20. For questions in Section C, where an Applicant Organisation indicates that it does not meet a requirement outright a series of 'free text' boxes will open up in the eTendering system. This gives Applicant Organisations an opportunity to give further details (known as 'exceptional circumstances') for the LAA to consider.
- 7.21. Where the opportunity to provide exceptional circumstances is given, specific details in response to supplemental questions are requested. This must not be used as an opportunity to provide other supplementary information to an Applicant Organisation's Tender. Any information provided that is not relevant to the particular requirement and explanation of exceptional circumstances will not be considered.
- 7.22. An Applicant Organisation that indicates it does not meet a requirement outright and fails to provide any further information by way of exceptional circumstances will have its Tender assessed as unsuccessful.

Declarations

- 7.23. All Applicant Organisations must confirm in the 'Declarations' section the accuracy of the information submitted in their Tender. This confirmation must be provided by a member of the Applicant Organisation's Key Personnel. Annex A sets out the detailed wording of the declaration.

Responses to questions in the Category Specific ITTs (Criteria and Individual Bid Information)

- 7.24. Each Category of Law has its own ITT and an Applicant Organisation must respond to the ITT for each Category it is bidding for. Applicant Organisations are not obliged to respond to all three Category Specific ITTs.
- 7.25. The Criteria and Individual Bid Information questions for each Category of Law are contained within the relevant Category Specific ITT. Applicant Organisations will only be presented with questions that are relevant to them, based on their answers to earlier questions.
- 7.26. A full list of the questions relating to the Criteria for each Category of Law and how the response will be assessed is set out at Annexes B, C and D.

Actions Against the Police etc and Public Law

- 7.27. For each of these Categories the ITT consists of the following:
- Section A: Criteria
 - Section B: Bid Information

Section A: Criteria

- 7.28. Details of the Criteria questions are set out at Annex B for Actions Against the Police etc. and Annex D for Public Law.
- 7.29. Where a question refers to the Procurement Area and an Applicant Organisation responds 'Yes' it is warranting that it will meet the requirements in each Procurement Area for which it is submitting an Individual Bid.
- 7.30. Where an Applicant Organisation selects 'currently Employ' in response to question A.2.i they will have the option to upload a Supervisor Declaration Form at A.2.ii. This

is a non-mandatory form but the LAA would encourage Applicant Organisations to upload this with their Tender (see paragraphs 7.53 to 7.58).

- 7.31. Similarly, where an Applicant Organisation selects 'currently Employ' in response to question A.3.i they will be asked to provide the name and Roll Number of their Authorised Litigator at questions A.3.ii and A.3.iii.

Section B: Bid Information

- 7.32. Applicant Organisations will need to indicate which Procurement Area(s) they are bidding in by ticking the corresponding box(es) in the eTendering system. For each Procurement Area ticked a separate Individual Bid Information section will open.
- 7.33. Applicant Organisations must enter into the eTendering system the information requested about each Individual Bid. Further details can be found in Annex B for Actions Against the Police etc. and Annex D for Public Law.
- 7.34. Where an Applicant Organisation does not have an Office in the Procurement Area it should enter 'new office' and this information will be required as part of the verification process.
- 7.35. Applicants Organisations will need to select the Lot that they are making the Individual Bid in (question B.6) and then enter the number of Matter Starts they are bidding for (question B.7).
- 7.36. Please note the eTendering system will not prevent a Tender being submitted where the number of Matter Starts entered is outside the Lot boundaries. In this scenario, where the number of Matter Starts entered is between the boundary of Lot 1 and Lot 2 or above the boundary for Lot 2 the LAA will reduce the number of Matter Starts allocated to the Individual Bid to the maximum available in the Lot below. Minimum bid sizes are detailed in section 6.
- 7.37. The eTendering system will also not flag if the number of Matter Starts entered does not correspond with the Lot selected. In this scenario the LAA will take the least favourable response – i.e. classify the Individual Bid into the lower Lot. For example if an Applicant Organisation states it is bidding for 100 Matter Starts but selects Lot 1 the LAA will classify the Individual Bid as Lot 1 and award it the highest guaranteed volume (60 in Actions Against the Police and/or 20 in Public Law).
- 7.38. Where 'Lot 1' is selected no further information is required for that Individual Bid.
- 7.39. Applicant Organisations selecting 'Lot 2' will need to respond to question B.8. By answering 'yes' an Applicant Organisation is confirming that it has delivered this number of Controlled Work cases and that where LAA records do not support this response it can provide evidence of having done so on request.
- 7.40. By answering 'no' an Applicant Organisation is confirming that it has not delivered this number of cases and will be required to submit responses to further questions (its Delivery Plan). Delivery Plan questions can be found at Annex B for Actions Against the Police etc. and Annex D for Public Law.
- 7.41. Answers to the Delivery Plan questions are entered directly into the eTendering system through free text boxes, each with a limit of 2,000 characters.

Clinical Negligence

7.42. The Clinical Negligence ITT consists of a Technical Envelope containing the following:

- Section A: Criteria
- Section B: Bid Information

Section A: Criteria

7.43. Details of the Criteria questions are set out at Annex C.

7.44. Where a question refers to an Applicant Organisation's Offices and an Applicant Organisation responds 'Yes', it is warranting that each of its Offices from which it is tendering to deliver the Services meets the requirement.

7.45. Where an Applicant Organisation selects 'currently Employ' in response to question A.2.i they will have the option to upload a Supervisor Declaration Form at A.2.ii. This is a non-mandatory form but the LAA would encourage Applicant Organisations to upload this with their Tender (see paragraphs 7.53 to 7.58).

7.46. Similarly, where an Applicant Organisation selects 'currently Employ' in response to question A.3.i they will be asked to provide the name and Roll Number of their Authorised Litigator at A.3.ii and A.3.iii.

Section B: Bid Information

7.47. Applicant Organisations must enter into the eTendering system information requested about each Individual Bid. Individual Bid Information is entered directly into the Technical Envelope screen through drop down options and free text boxes. The information required is set out in Annex C.

7.48. Where an Applicant Organisation does not currently have an Office in the Procurement Area it should enter 'new office' and this information will be required as part of the verification process.

7.49. At the end of each Individual Bid section the Applicant Organisation will be asked if they are making an Individual Bid from a further Office. If the Applicant Organisation answers 'yes' then a further Individual Bid information section will open. There is capacity within the eTendering system to record up to 10 Offices. If an Applicant Organisation is bidding from more than this, it will need to upload an Additional Office Form to provide Individual Bid Information for the additional Offices (see 7.50 to 7.52 below).

Additional Office Form

7.50. The Additional Office Form contains a further 10 opportunities to complete the Individual Bid Information questions. Applicant Organisations must download the Additional Office Form by clicking on the paperclip sign to the left of the question. This form must be completed, saved on the Applicant Organisation's local system and uploaded by using the "Click to attach file" button to the right of the question.

7.51. Please note, because the Additional Office Form is completed outside of the eTendering system and uploaded with the response, it is not possible for the eTendering system to prevent an incorrect, incomplete or blank Additional Office

Form being submitted and it is an Applicant Organisation's responsibility to ensure a fully completed form is attached where it is tendering from 11 or more Offices.

- 7.52. The Additional Office Form must be uploaded by Applicant Organisations bidding from 11 or more Offices and in these circumstances, the eTendering System will not allow a Tender to be submitted without the form uploaded. However, if the form is uploaded blank, incorrect, or incomplete an Applicant Organisation's Tender will not fail but the LAA may not be able to take forward any Individual Bids that are reliant on this form.

Supervisor Declaration Form – all categories

- 7.53. Where an Applicant Organisation already Employs a Supervisor at the time of tendering, a Supervisor Declaration Form evidencing that they meet the Supervisor Standard should be provided with the Applicant Organisation's Tender.
- 7.54. The Supervisor Declaration Form can be accessed in the 'buyer attachments' section on the left-hand side of the relevant Category Specific ITT screen. Applicant Organisations should note that they will not be able to access the "Buyer Attachments" section once they have clicked on the "Edit Response" button. To do so they will need to return to the main ITT screen. This can be done by selecting 'Save and Exit Response'. Applicant Organisations will then be able to select the 'Buyer Attachments' tab on the left of the page.
- 7.55. The Supervisor Declaration Form should be downloaded, completed and saved on the Applicant Organisation's local system and uploaded as part of the response to the Criteria. In the event that an Applicant Organisation has multiple Supervisors in a Category of Law, the form allows for details of up to five Supervisors to be provided.
- 7.56. A link to guidance on completing the form is included within the form but this can also be accessed on the Gov.uk website.
- 7.57. Any details entered in the Supervisor Declaration Form will only be saved if the Applicant Organisation saves the form on its own system. Once an Applicant Organisation has completed the Supervisor Declaration Form, it should save the changes on its system and upload it into the relevant Category ITT by clicking on the 'Click to attach file' button in the Supervisor Declaration Form section of the Technical Envelope (there is one section in each of the Category Specific ITTs).
- 7.58. The Supervisor Declaration Form is a non-mandatory form i.e. a Tender will still be compliant where this is not provided. Therefore, if an Applicant Organisation does not have a Supervisor in post at the time of tendering, it will not need to submit a Supervisor Declaration Form with its Tender but will be required to provide a fully compliant Supervisor Declaration Form as part of the verification process.

Submission of Tender

- 7.59. Once Applicant Organisations have completed their responses to the Civil 2015 Qualification ITT and each of the Category Specific ITTs they wish to respond to, they must submit their Tender by clicking on the "Submit Response" button within each of the ITTs. Please note that the Civil 2015 Qualification ITT must be submitted first as it is not possible to submit a response to a Category Specific ITT until a response to the Civil 2015 Qualification ITT has been submitted. The eTendering System, however, will not prevent an Applicant Organisation from submitting a

response to the Civil 2015 Qualification ITT without a response to one of the Category Specific ITTs.

- 7.60. Before submitting its Tender an Applicant Organisation must check that it has answered all questions. If an Tender or Individual Bid is incomplete it may be assessed as unsuccessful.
- 7.61. Tenders will not be opened by the LAA until after the Deadline and therefore if an Applicant Organisation's Tender is incomplete, this will only be identified on assessment and this will be too late for an Applicant Organisation to submit any further information.
- 7.62. Applicant Organisations can check their ITT responses by going back to the response to the ITT with the eTendering system (within the ITT the response to this can be found under 'My Response' in the 'Actions' menu on the left hand side) and clicking on 'View Response Details' in the blue bar above the response. Where a form has been uploaded, Applicant Organisations can check their contents by going to the question in the ITT against which the form is uploaded. The uploaded document(s) will be visible on the right hand side of the screen and can be downloaded by clicking on the document name. This will open the version of the form uploaded as part of the Tender.
- 7.63. Only once an Applicant Organisation is satisfied that its Tender is accurate and complete should it submit it by pressing the 'submit' button in each of the ITTs it is responding to.
- 7.64. When an Applicant Organisation submits a Tender for the first time it will receive an automated message that its response has been successfully submitted (a message will be received for each ITT response submitted). This only provides an indication of whether the response has been transmitted to the LAA and **not** whether the response is fully completed and/or will be assessed as being successful.
- 7.65. After submitting an ITT response, Applicant Organisations can edit their responses and resubmit them up to the Deadline. When Applicant Organisations do this they must ensure that they have still submitted a valid Tender (i.e. a response to the Civil 2015 Qualification ITT and at least one Category Specific ITT), as the system will not flag where this has not been done. When Applicant Organisations resubmit a Tender they will not receive the automated message confirming submission again. An Applicant Organisation can check that it has successfully submitted its response by going to the 'My ITTs' screen, which will show the new 'Response status' as 'Response to Buyer'.
- 7.66. The Deadline for submitting completed Tenders is **12 noon on 23 January 2015**. Tenders submitted after the Deadline will not be accepted. It is the Applicant Organisation's absolute responsibility to ensure that it submits its complete Tender before the Deadline.

8. Questions about the procurement process

- 8.1 If an Applicant Organisation has a question to which it cannot find a response in this document or guidance provided in the eTendering system about how to submit a Tender, it will be able to direct questions through two different channels depending on the nature of the query. The two different question types are:
 - Questions about the instructions contained in this IFA; and
 - Questions about how to technically use the eTendering system.

Questions about this IFA

- 8.2 If an Applicant Organisation has any questions about the instructions contained in this IFA, it may submit them up until **12pm on 16 December 2014** (note this is referred to in the eTendering system as the 'End date for supplier clarification messages') through the eTendering system.
- 8.3 All questions must be submitted using the online secure eTendering system message board in the relevant ITT.
- 8.4 Questions that the LAA considers to be of wider interest will be collated and answered centrally in writing to ensure that all interested parties have equal access to information.
- 8.5 Questions and answers will be published on the tender pages of the Gov.uk website (<https://www.gov.uk/government/publications/civil-tenders>) in an 'Actions Against the Police etc, Clinical Negligence and Public Law Services from 2015 Frequently Asked Questions (FAQ)' document on 23 December 2014.
- 8.6 General alerts about the procurement process (e.g. deadline reminders) will be included in the LAA Bulletin. Applicant Organisations can subscribe to these email alerts by clicking on the 'Get updates to this list - email' link on the front page of our website.

Questions about how to use the eTendering system

- 8.7 There is a helpdesk to provide technical support to Applicant Organisations using the eTendering System. However, the helpdesk is **unable** to assist with problems with Applicant Organisations' own computer hardware or systems - for these types of issues Applicant Organisations should contact their usual IT support.
- 8.8 Questions should be emailed to the following email address: help@bravosolution.co.uk. Alternatively, the telephone number for the helpdesk is 0800 368 4850 (lines are open from 9am to 6pm Monday to Friday).
- 8.9 The LAA recommends that Applicant Organisations start to complete their Tender early so that they identify any areas where they need help as soon as possible, as the helpdesk is likely to be very busy in the days leading up to the Tender submission Deadline and the LAA cannot guarantee that queries received close to the Deadline will be dealt with in time.

9. What happens after a Tender is submitted?

Assessment of Criteria

- 9.1. The LAA will assess Tenders on the basis of information submitted. Responses will be assessed on a pass or fail basis. For each Individual Bid the LAA will check that the Office address is in the Procurement Area bid for. If an Office is not in the Procurement Area in which an Applicant Organisation is bidding that Individual Bid will be assessed as unsuccessful.
- 9.2. The LAA will also check that an Applicant Organisation's Tender is compliant. Where a condition of tender or Contract requirement is not met, the whole Tender will fail.

Assessment of additional requirement for Lot 2

- 9.3. For Individual Bids in Actions Against the Police etc and Public Law which are classified into Lot 2 (and where the Applicant Organisation answered 'yes' to question B.8), the LAA will initially check its own records for evidence that an Applicant Organisation has opened and worked on the requisite number of Controlled Work cases in the Procurement Area between 1 December 2013 and 30 November 2014. Where the LAA records do not show that an Applicant Organisation has reported the requisite number of Controlled Work cases in the Procurement Area in the 12 month period the LAA will send out evidence requests. Applicant Organisations will be given 10 working days to respond to the evidence request.
- 9.4. Individual Bids will be assessed as not meeting this requirement where:
- the deadline for evidence requested is not met; and/or
 - the evidence provided does not demonstrate that the organisation has undertaken the requisite number of cases.
- 9.5. In these circumstances the LAA will reduce the maximum number of Matter Starts that can be awarded to that Individual Bid to either:
- the number of cases the Applicant Organisation can provide evidence that it has undertaken (and remain in Lot 2); or
 - the highest Matter Start allocation available in Lot 1.

For example, if an Applicant Organisation makes an Individual Bid for 100 Matter Starts but only provides evidence of having opened and worked on 95 Actions Against the Police etc cases between 1 December 2014 and 30 November 2014 their Individual Bid will remain in Lot 2 but be allocated 95 Matter Starts.

- 9.6. Individual Bids assessed as meeting this requirement will move forward to the allocation process unchanged (see paragraphs 9.12 – 9.16).

Delivery Plans

- 9.7. Where an Applicant Organisation has provided responses to the Delivery Plan questions as part of its Individual Bid for Lot 2, the LAA will assess the information provided in accordance with the following process.
- 9.8. For each question the LAA will assess the response as either Pass or Fail, using the scoring methodology set out below.

Assessment	Scoring
Fail	<p>The following is indicative of factors that would lead to an assessment of Fail:</p> <ul style="list-style-type: none">• Little or no detail provided or a generic or vague response is provided that does not specifically address all issues/areas listed in the question• The response provided requires the reviewer to make assumptions• The response provides confused and/or contradictory information in relation to other responses.

Pass	<p>The following is indicative of factors that would lead to an assessment of Pass:</p> <ul style="list-style-type: none"> • The response addresses all issues/areas listed in the question • The Applicant Organisation provides satisfactory evidence/information in response to the question • The response provides consistent information in relation to other responses
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9.9. Individual Bids that receive a Pass assessment for each and all Delivery Plan questions will move on to the allocation stage below unchanged.

9.10. For Individual Bids where one or more of the Delivery Plan questions are assessed as a Fail the LAA will either:

- Allocate Matter Starts based on the number that the Applicant Organisation has undertaken between 1 December 2013 and 30 November 2014 according to LAA records (if this volume means the Individual Bid still qualifies for Lot 2); or
- Allocate the highest Matter Start allocation available in Lot 1.

Allocation of Matter Starts

Clinical Negligence

9.11. In Clinical Negligence, while no Matters will be awarded, successful Applicant Organisations will be given authorisation in their Schedule to open Matters at that Office. Authorisation will be indicated by the word ‘unrestricted’ rather than a nominal allocation of Matter Starts.

Actions Against the Police etc and Public Law

9.12. Subject to 6.6 and 6.11, in the event that an Individual Bid is received outside of the Lot boundaries the LAA will reduce the number of Matter Starts allocated to it to the maximum available in the Lot below. For Individual Bids received above the Lot 2 upper boundary the LAA will reduce to the maximum available in Lot 2. For example, if an Individual Bid in Public Law for 30 Matter Starts was received in Lot 2, the LAA would allocate that Individual Bid 20 Matter Starts (Lot 1). If an Individual Bid in Actions Against the Police was received in Lot 2 for 200 Matter Starts the LAA would allocate that Individual Bid 175 Matter Starts.

9.13. Subject to any amendments made to Individual Bids in Lot 2 as set out above in paragraphs 9.3 to 9.10, all successful Individual Bids will be allocated the Applicant Organisation’s requested amount of Matter Starts.

9.14. While Matters will be awarded on a full schedule year (i.e. 12 month) basis the LAA will initially issue 5 month Schedules (1 November 2015 to 31 March 2016) so as to align this Contract with other civil contracts. 12 month Schedules will be issued from April 2016.

9.15. Applicant Organisations will not be permitted to hand back Matter Starts awarded to them but may withdraw their Tender or Individual Bid entirely prior to execution of the Contract.

9.16. There will be no right of appeal where the volume of Matter Starts offered is lower than those bid for.

Notification

9.17. All Applicant Organisations will be notified of the outcome of their Tender through the eTendering message board in June 2015. Notifications to Applicant Organisations whose Tender or Individual Bid is unsuccessful will include details of why their Tender or Individual Bid has been unsuccessful.

Appeal

9.18. The sole right of appeal is set out at paragraph 10.34 below (Rules of this Procurement Process).

9.19. Where appeals are successful, Individual Bids will be allocated the volume of Matter Starts that they would have received if assessed as being successful initially. Additional Matter Starts allocated as a result of appeals will not affect offers to other successful Applicants, and will be offered at the LAA's own risk of over allocation against the available Matter Starts.

9.20. Where appeals are successful, the LAA will aim to run the verification and Contract issuing process to the same indicative timetable set out below.

Verification

9.21. All successful Applicant Organisations will be requested to verify their Tender at least one month prior to the Contract Start Date. Requests for verification will be sent to Applicant Organisations at the same time they are notified of the outcome of their Tender in June 2015.

9.22. Responses to verification will be requested by 1 October 2015 (one month before the Contract Start Date). Where responses to verification are received later than 1 October the LAA cannot guarantee to issue contract documentation by the Contract Start Date.

9.23. Verification requests will be tailored according to the information outstanding from an Applicant Organisation (for example, if the Applicant Organisation did not provide a compliant Supervisor Declaration Form with their Tender response, the LAA would request this). Set out below is a breakdown of the information the LAA will request.

What will the LAA verify	What evidence will require from the Applicant Organisation	In what circumstances the evidence would be requested
Applicant Organisation Employs a Supervisor that meets the Supervisor Standard in the relevant Category of Law	Compliant Supervisor Declaration Form	Where a compliant Supervisor Declaration Form has not been provided by the Applicant Organisation as part of its Tender The number of compliant Supervisor Declaration Forms required will depend on each Applicant

		Organisation's Tender.
Applicant Organisation has a Permanent Presence or a Part Time Presence in Procurement Area	Office address	Where the Applicant Organisation stated in its Individual Bid that its Office in the Procurement Area was not yet operational
Applicant Organisation Employs an Authorised Litigator	Name and Roll number	Where the name and roll number has not been provided by the Applicant Organisation as part of its Tender
Applicant Organisations with limited liabilities have provided appropriate indemnities	Compliant Indemnity Form	Where the Applicant Organisation has limited liability (unless a registered charity)
Evidence of Employment	Copy of employment contract	Where an individual has been named by different organisations in their Tenders for a greater amount of time than one individual can work.

- 9.24. The LAA will seek evidence of Employment where the same individual is named by different organisations for a greater amount of time than one individual can work and on what basis to determine that the conditions of tender have been met. For example, if two organisations were reliant on the same FTE Supervisor to meet the Tender requirements the LAA would seek evidence of which organisation Employed this individual. As this may not become apparent until after 1 October 2015, requests for evidence of Employment may be requested at a later date to other verification information.
- 9.25. It will be a condition of any Contract award that Applicant Organisations with limited liability (unless a registered charity) supply the LAA with a relevant indemnity form signed by the ultimate owners of the Applicant Organisation and/or such persons as the LAA might reasonably regard as being controllers and/or senior managers of the Applicant Organisation and/or where the Applicant Organisation is a limited company, from any company which is its holding company. At our discretion, a guarantee from an Applicant Organisation with limited liability may be accepted as an alternative to an indemnity.
- 9.26. If the requisite information has not been provided to evidence that the requirements are met by the Contract Start Date, and the LAA has been unable to satisfactorily verify an Applicant Organisation's Tender or any Individual Bid, then the LAA will not enter into the Contract and the Contract offer will be withdrawn.
- 9.27. Where an Applicant Organisation is opening a new Office to deliver the Services tendered for, in addition to confirming the Office address as part of verification, it will need to complete an AC1 form so the new Office can be allocated an account

number and set up on the LAA systems. Applicant Organisations cannot be issued with or execute Contract documentation (and therefore be able to start or be paid for work under the Contract) until a completed AC1 form has been received and processed. The AC1 form and supporting documentation should be returned as soon as possible and in any event by the Contract Start Date

- 9.28. In order for an AC1 form to be accepted and an account set up, it must be fully and accurately completed and an Organisation must have received the appropriate authorisation to practice (e.g. by the SRA) and have Professional Indemnity Insurance (PII) in place to start no later than the Contract Start Date. Evidence of PII will be required as part of the AC1 process.

Issuing of Contract documentation

- 9.29. Where Applicant Organisations are able to satisfactorily verify each of their Individual Bids through the above process, they will be notified that their Contract documentation is available to view and execute online.
- 9.30. Contract documentation will be issued and executed electronically in the LAA's Controlled Work and Administration ("CWA") system. Successful Applicant Organisations will need to access this system to execute their 2015 Standard Civil Contract by clicking the "Accept Contract" button within the system. By doing this, a successful Applicant Organisation agrees to be bound by the terms of the Contract for Signature and corresponding Schedule(s), the Standard Terms and the other documents which are attached to the Actions Against the Police etc, Clinical Negligence and Public Law Services Contract.
- 9.31. In order to execute their Contract an Applicant Organisation must have been set up on the LAA systems and issued with an account number for each new Office (see paragraphs 9.27 and 9.28). In addition, an Applicant Organisation must have set up the requisite number of Designated Signatories on CWA before they can execute their Contract. Guidance on how to do this will be provided with the verification request.
- 9.32. Contracts that have not been executed 10 working days after the Contract Start Date will be withdrawn.

SECTION 10: RULES OF THIS PROCUREMENT PROCESS

- 10.1 'Legal services' are classified as 'Part B' services to which the Public Contracts Regulations 2006 (the "Regulations") only apply in part. The LAA is not bound by any of the Regulations except those which specifically apply to Part B services. Accordingly the following rules apply.
- 10.2 The 2015 Standard Civil Contract procurement process is governed by this IFA which represents a complete statement of the rules of the 2015 Standard Civil Contract procurement process. This IFA supersedes all prior negotiations, representations or undertakings, whether written or oral. References to 'Tender' include as applicable all or any Individual Bid submitted as part of a Tender.
- 10.3 The Applicant Organisation agrees to the rules of the 2015 Standard Civil Contract procurement process (contained in this Section 10 and elsewhere in this IFA), the terms of the user agreement governing the use of the LAA eTendering system and any contract awarded to them by the LAA (including any conditions of contract award). If the Applicant Organisation fails to meet the rules of the 2015 Standard Civil Contract procurement process and/or the terms of the user agreement, the LAA will assess the Applicant Organisation's Tender as unsuccessful.
- 10.4 The Applicant Organisation must submit a complete Tender (in accordance with paragraph 10.7) by **12 noon on 23 January 2015** ("the Deadline"). For the purposes of the Deadline, the time specified on the eTendering system shall be the definitive time. A Tender will be unsuccessful if it is submitted by the Applicant Organisation after the Deadline. The LAA will not consider (1) any requests by the Applicant Organisation to amend or submit the Tender after the Deadline or (2) any requests by the Applicant Organisation for an extension of the time or date fixed for the submission of the Tender. The Applicant Organisation accepts all responsibility for ensuring all parts of its Tender are submitted through the eTendering system by the Deadline.
- 10.5 The Applicant Organisation must fill in and submit its complete Tender (see paragraph 10.7) using the eTendering system at www.legalaid.bravosolution.co.uk. The LAA will not consider any Tender submitted by the Applicant Organisation in any other form, or by any other method.
- 10.6 A Tender must be authorised by a member of the Applicant Organisation's Key Personnel.
- 10.7 For a Tender to be complete, the Applicant Organisation must, prior to the Deadline, submit a Tender complying with paragraph 7.1. To constitute a complete Tender the Applicant Organisation must reply to all the questions in the Tender, even if it has previously provided this information or if it is otherwise of the view that the LAA is already aware of such information.
- 10.8 The Applicant Organisation may amend and re-submit its Tender at any time up to the Deadline. If so amended and re-submitted by the Applicant Organisation, only the latest Tender submitted by an Applicant Organisation prior to the Deadline will be visible to the LAA.
- 10.9 It is the Applicant Organisation's responsibility to ensure that its Tender is fully and accurately completed. The Applicant Organisation must ensure that

information provided as part of its response is of sufficient quality and detail that an informed assessment of it can be made by the LAA.

- 10.10 The Applicant Organisation is not permitted to amend or alter the Tender after the Deadline except in circumstances expressly permitted by the LAA.
- 10.11 In the event of any conflict between the information, answers or responses submitted as part of a Tender, without prejudice to the other rules of the procurement process, the conflict will be resolved by accepting the information, answer or document least favourable to the Applicant Organisation. For the avoidance of doubt, in these circumstances, the LAA will not contact the Applicant Organisation.
- 10.12 The LAA reserves the right to amend the procurement process (including the IFA and ITTs) at any time. Any notices of amendments will be notified to individual Application Organisations through a message on the eTendering system.
- 10.13 A Tender submitted by an Applicant Organisation, which does not comply with any amendments made in accordance with 10.12 before the Deadline will be rejected.
- 10.14 It is the Applicant Organisation's responsibility to monitor messages received through the eTendering system throughout the process and the LAA accepts no liability where this is not done. All communication with Applicant Organisations through the eTendering system, including that outlined in 10.12 will be deemed to have been received by the Applicant Organisation at the time of transmission in the eTendering system. The time specified in the eTendering system shall be the definitive time.
- 10.15 Any Frequently Asked Questions published on the LAA website in accordance with section 8 of this IFA will form part of the tender documentation. Applicant Organisations should ensure that prior to submitting a Tender they consider the relevant Frequently Asked Questions documents published.
- 10.16 The LAA may at its sole discretion seek to clarify or verify the Applicant Organisation's Tender. In these circumstances, the LAA will not take into account any information provided that would result in an improvement to the Applicant Organisation's Tender.
- 10.17 Where the LAA contacts the Applicant Organisation in circumstances outlined in 10.16, the Applicant Organisation must provide the information requested by the date specified by the LAA. Any information provided by the Applicant Organisation after the specified date will not be taken into account by the LAA when evaluating the Applicant Organisation's Tender.
- 10.18 If more than one response is received from the same Applicant Organisation by the LAA, the latest response submitted by the Applicant Organisation prior to the Deadline shall be the response that is assessed by the LAA. For the avoidance of doubt, the LAA will not consider any earlier responses submitted by the Applicant Organisation in this regard.
- 10.19 In the Actions Against the Police etc. and Public Law Categories of Law the Applicant Organisation must only submit one Individual Bid per Procurement Area. If more than one Individual Bid is submitted for the same Procurement Area, the LAA will only assess the Individual Bid for the lowest volume of Matter Starts. In Clinical Negligence, the Applicant Organisation must submit one Individual Bid per Office.

- 10.20 The ITTs request some non-assessed information that the LAA requires to be able to manage the existing Provider base and progress the issuing of Contract documentation. This consists of the 'organisation name and the 'LAA Account Number'. Where any of this non-assessed information is not provided or is inaccurate in the Tender, the LAA may contact the Applicant Organisation for these details. If the Applicant Organisation fails to provide the accurate information requested this will not result in an Individual Bid being unsuccessful. However, this may delay the issuing of the LAA Contract documentation to an Applicant Organisation who has been successful, which may prevent the Applicant Organisation from commencing and being paid for Services carried out under the Contract.
- 10.21 Applicant Organisations must check that the Office that they are bidding from is in the Procurement Area they specify in their Tender by using the postcode tool provided on the Gov.uk website tender pages (<https://www.gov.uk/government/publications/civil-tenders>) and in the 'buyer attachments' in the relevant ITT in the eTendering system. If upon assessment, the LAA discovers that the Applicant Organisation has bid in an incorrect Procurement Area, the LAA will assess the Applicant Organisation's Individual Bid as unsuccessful.
- 10.22 Applicant Organisations must be able and willing to provide Services at all applicable levels (i.e. Legal Help, and Legal Representation) from each of the Offices or Procurement Areas which they are bidding to deliver Services from.
- 10.23 Any Applicant Organisation bidding to deliver publicly funded Actions Against the Police etc Services must tender to deliver at least 1 Matter Start for each Individual Bid. Any Individual Bid received for 0 Matter Starts will be unsuccessful.
- 10.24 Any Applicant Organisation bidding to deliver publicly funded Public Law Services must tender to deliver at least 20 Matter Start for each Individual Bid. Any Individual Bid received for less than 20 Matter Starts will be unsuccessful.
- 10.25 Applicant Organisations submitting an Individual Bid for 91 or more Actions Against the Police etc Matter Starts or 31 or more Public Law Matter Starts must ensure, in the Procurement Area it is submitting the Individual Bid for, it complies with the additional requirement set out at 6.13 of this IFA.
- 10.26 Any Individual Bid in Actions Against the Police etc. for between 61 and 90 Matter Starts (i.e. between the boundaries for Lot 1 and Lot 2) will be allocated the highest volume of Matter Starts available in Lot 1 (60). Any Individual Bid for more than 175 Matter Starts (i.e. above the Lot 2 boundary) will be allocated the highest volume of Matter Starts available in Lot 2 (175).
- 10.27 Any Individual Bid in Public Law for between 21 and 30 Matter Starts (i.e. between the boundaries for Lot 1 and Lot 2) will be allocated the highest volume of Matter Starts available in Lot 1 (20). Any Individual Bid for more than 160 Matter Starts (i.e. above the Lot 2 boundary) will be allocated the highest volume of Matter Starts available in Lot 2 (160).
- 10.28 The LAA reserves the right at its absolute discretion to disqualify from the procurement process any Applicant Organisation for submitting (regardless of whether done intentionally or not):
- (i) false information; and/or

- (ii) information which misrepresents the Applicant Organisation's actual position; and/or
- (iii) misleading information.

10.29 The Applicant Organisation, by submitting a Tender, warrants to the LAA that:

- (i) it has complied with all the rules and instructions in this IFA and the eTendering system in all respects;
- (ii) all information, representations and other matters of fact communicated (whether in writing or otherwise) to the LAA by the Applicant Organisation are true, complete and accurate in all respects; and
- (iii) it has capacity to concurrently deliver all of the Services under each Category of Law it has submitted a Tender for.

10.30 If the LAA receives information to suggest that any aspect of the Applicant's Tender is false, misleading or incorrect in any material way it will undertake such enquiries as it considers necessary in relation to the Applicant Organisation or its Tender to determine the accuracy of the Tender responses. The Applicant Organisation is obliged to assist with any enquiries. Should the LAA find any part of the Tender to be incorrect the LAA reserves the right to disqualify the Applicant Organisation from the procurement process.

10.31 After assessment of a Tender is complete, the LAA will retain copies of the Tender for such time as it considers reasonable to satisfy the LAA's audit obligations and for any associated contract management purposes.

10.32 The LAA has the right to suspend or cancel the procurement process in its entirety or in part, and not to proceed to award contracts at any time at its absolute discretion.

10.33 The Applicant Organisation agrees to keep any Tender valid and capable of acceptance by LAA up to the Contract Start Date.

10.34 The Applicant Organisation's sole right of appeal is limited to circumstances where it reasonably on the information contained in the Tender (subject to paragraph 10.17), considered that the LAA has made an error in its assessment of the Applicant's Tender. There is no other right of appeal, including, for example, in respect of any mistakes, inaccuracies or errors made by the Applicant Organisation in its Tender. For the avoidance of doubt there is no right of appeal based on a purported failure of the LAA to clarify Tender information.

10.35 Appeals must relate to the specific grounds of failure set out in the notification letter received from the LAA.

10.36 Appeals must be submitted on the appeals pro forma via the designated email address. Applicant Organisations will be directed to both of these in the letter notifying them that their Tender was unsuccessful. Appeals received after the stated deadline in the letter will not be considered.

10.37 The LAA's Principal Legal Advisor (or the Principal Legal Advisor appointed representative) will review all appeals on the papers only and make a determination

on the outcome of the appeal. For the avoidance of doubt, there is no further right of appeal.

- 10.38 The Applicant Organisation is solely responsible for the costs and expenses incurred in connection with the preparation and submission of a Tender or associated with any cancellation or suspension of this procurement process by the LAA. Under no circumstances will the LAA, or any of its employees, be liable for any costs.
- 10.39 By submitting a Tender Applicant Organisations agree to enter into the 2015 Standard Civil Contract without further negotiation or amendment should they be successful in this procurement process.
- 10.40 While the LAA has taken all reasonable steps to ensure, as at the date of the issue of the IFA, that the facts which are contained both within it and associated documents are true and accurate in all material respects, it does not make any representation or warranty as to the accuracy or completeness or otherwise of these documents, or the reasonableness of any assumptions on which these documents may be based.
- 10.41 All information supplied by the LAA to the Applicant Organisation, including that within the IFA, is subject to that Applicant Organisation's own due diligence. The LAA accepts no liability to the Applicant Organisation whatsoever resulting from the use of the IFA and any associated documents, or any omissions from or deficiencies in them.
- 10.42 Without prejudice to any warranties given, these Rules of the Procurement Process do not form a separate collateral contract between the Applicant Organisation and the LAA. The relevant parts of the Applicant Organisation's Tender may form part of any Contract subsequently awarded.
- 10.43 If there is a change in circumstances that results in a material change to the Applicant Organisation's submitted Tender, the Applicant Organisation must inform the LAA through the eTendering system. In such circumstances, the LAA will conduct a re-assessment to ensure the bid is not adversely impacted. If upon re-assessment, the Applicant Organisation's Tender is deemed to be unsuccessful or any conditions of contract award are not met, the LAA will not proceed with any decision made to award the 2015 Standard Civil Contract. Failure to notify the LAA of a material change may result in disqualification from the procurement process.
- 10.44 The LAA reserves the right, prior to any execution of a 2015 Standard Civil Contract, to carry out further due diligence checks. Where, as part of any due diligence, an Applicant Organisation is found not to comply with any material elements of its Tender, the LAA will not proceed with any decision made to award a Standard Civil Contract.
- 10.45 The LAA reserves the right to place additional contractual conditions on the award of a 2015 Standard Civil Contract to an individual Applicant Organisation.
- 10.46 The Applicant Organisation (including its employees, Key Personnel and agents) must not;
- (a) canvass any officers, employees, agents or advisers of the LAA in connection with this procurement process; or

(b) offer or agree to pay or give any sum of money, inducement or valuable consideration (directly or indirectly) to any person for doing or having done or causing or having caused to be done in relation to this IFA, any act or omission.

- 10.47 The Applicant Organisation must not collude with any other person or organisation in any way, in this procurement process.
- 10.48 The award of a 2015 Standard Civil Contract does not guarantee any minimum amount of work.
- 10.49 In submitting its Tender, the Applicant Organisation further acknowledges that the procurement process is entirely independent of any other procurement processes that have been run by the LAA or any predecessor organisation. Accordingly, no previous conduct of the LAA for example, but not limited to, its treatment of Applicant Organisations, assessment of Tenders or related processes can be relied upon by the Applicant Organisation as setting any precedent for the LAA's conduct in respect of this procurement process.
- 10.50 In the event that an action brought under the Public Contracts Regulations 2006 is successful, the LAA would offer as a remedy a re-assessment of the original Tender in accordance with the rules of this IFA. Where the original Tender is re-assessed as successful, the Applicant Organisation will be awarded a Contract for the applicable Services. For the avoidance of doubt, the prior award of a Contract to any other Applicant Organisation(s) under this procurement process will not affect the availability of this remedy.
- 10.51 All intellectual property rights in the IFA, the 2015 Standard Civil Contract and any associated documents are and shall remain the LAA's property.

Confidentiality and Freedom of Information Act 2000

- 10.52 The LAA may share any information contained in an Applicant Organisation's Tender with the provider of the eTendering system for the purposes of administering the procurement process.
- 10.53 The Applicant Organisation should note that under the Freedom of Information Act 2000 (the "FOIA") the LAA may be required to disclose details of its Tender in response to a request from third parties, either during or after the procurement process. The LAA can only withhold information where it is covered by a valid exemption as set out in the FOIA.
- 10.54 If an Applicant Organisation is concerned about possible disclosure it should contact the LAA and clearly identify the specific parts of the Tender that it considers commercially sensitive or confidential (within the meaning of the FOIA), the harm that disclosure may cause and an estimated timescale for that sensitivity. The Applicant Organisation must familiarise itself with the Information Commissioner's current position on the disclosure and non disclosure of commercially sensitive information and accordingly should not notify the LAA of a blanket labelling of its entire Tender as confidential.
- 10.55 The Applicant Organisation must be aware that the receipt by the LAA of information marked 'confidential' does not mean that the LAA accepts any duty of confidence in relation to that marking. Neither does the LAA guarantee that information identified

by the Applicant Organisation as confidential will not be disclosed where the public interest favours disclosure pursuant to our obligations under FOIA.

- 10.56 The LAA will publish details of all contract awards in accordance with government transparency standards.
- 10.57 The LAA, will collect, hold and use personal data obtained from and about the Applicant Organisation and its Key Personnel during the course of the procurement process ("Personal Data").
- 10.58 By submitting a Tender Applicant Organisations consent and confirm they have obtained all necessary consents to such Personal Data being collected, held and used in accordance with and for the purposes of administering the procurement process as contemplated by the IFA and for contract management of any Contract subsequently awarded.
- 10.59 The Applicant Organisation warrants, on a continuing basis, that it has:
- (a) all requisite authority and has obtained and will maintain all necessary consents required under the Data Protection Regulations (which means the Data Protection Act 1998, the Privacy and Electronic Communications (EC Directive) Regulations 2003 and all relevant regulations together with any codes of conduct and guidance issued by the Information Commissioner);and
 - (b) otherwise fully complied with all of its obligations under the Data Protection Regulations, in order to disclose to the LAA the Personal Data, and allow the LAA to carry out the procurement process. The Applicant Organisation shall immediately notify the LAA if any of the consents is revoked or changed in any way which impacts on the LAA's rights or obligations in relation to such Personal Data.
- 10.60 Applicant Organisations wishing to provide Contract Work within Wales must ensure it is accessible to, and understandable by, Clients whose language of choice is Welsh, in accordance with the Welsh Language Act 1993 and Welsh Language (Wales) Measure 2011 and any other statutory instruments which come into force from time to time under the Welsh Language Act 1993.
- 10.61 This IFA and any supplementary documents issued as part of this procurement process (including the ITTs) are governed and construed in accordance with English Law.

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Information Sharing

- 10.65 All Central Government Departments and their Executive Agencies and Non Departmental Public Bodies are subject to control and reporting within Government. In particular, they report to the Cabinet Office and HM Treasury for all expenditure. Further, the Cabinet Office has a cross-Government role delivering overall Government policy on public procurement - including ensuring value for money and related aspects of good procurement practice. For these purposes, the LAA may disclose within Government any of the Applicant Organisation's documentation/information (including any that the Applicant Organisation considers to be confidential and/or commercially sensitive such as specific bid information) submitted by the Applicant Organisation to the LAA during this Procurement. The information will not be disclosed outside Government pursuant to this clause. Applicant Organisations taking part in this procurement consent to these terms as part of the procurement process.

ANNEX A: Questions in the Civil 2015 Qualification ITT and assessment

Section A – organisation and contact details (Non-Assessed Information)

No.	Question	Response options and assessment
A.1.	Full name of Applicant Organisation	Free Text
A.2.	Registered office address	Free Text
A.3.	Company or charity registration number	Free Text
A.4.	VAT registration number	Free Text
A.5.i	Predecessor bodies – has your Applicant Organisation been subject to any change to its status in the three years preceding the date of your Tender? This may include (but is not limited to) merger, novation, de-merger or change in legal status such as becoming a limited liability partnership.	Yes No
A.5.ii	If you answered “Yes” to question A.5.i, please provide details of all status changes in this time period. If you answered “No” to question A.5.i, please answer “N/a”.	Free Text
A.6	Parent companies – please list any organisation which owns more than 50 percent of the voting shares of the Applicant Organisation or has an overriding material influence over its operations (the largest individual shareholder or if they are placed in control of the running of the operation by non-operational shareholders)	Free Text
A.7	Type of entity at Contract Start Date NOTE – The LAA will expect to contract with an entity of this type.	Options list: i) a public limited company ii) a limited company

	This information will be used to determine whether your Applicant Organisation has limited liability and will be required to submit an indemnity form. If you are required to submit an indemnity form, the LAA will ask for this at verification stage.	<ul style="list-style-type: none"> iii) a limited liability partnership iv) partnership v) sole trader vi) registered charity vii) Alternative Business Structure (ABS)
A.8.i	Does your Applicant Organisation currently hold authorisation from a relevant Regulatory Body?	Options list: <ul style="list-style-type: none"> i) Yes, currently authorised ii) No, not currently authorised
A.8.ii	If you have answered Yes to A.8.i please provide the name of the Regulatory Body by whom you are authorised.	Free Text
A.9	Contact details for the purposes of this Tender - Contact Name	Free Text
A.10	Contact address and postcode	Free Text
A.11	Contact email address	Free Text
A.12	Contact telephone number	Free Text

Section B – grounds for mandatory rejection

The LAA will exclude you from participating further in this procurement if you answer “Yes” to any of the following questions.

No.	Question	Response type
B.1.i(a)	Has your Applicant Organisation, your Key Personnel or any person who has powers of representation, decision or control of your Applicant Organisation (for example, but not limited to, your directors or partners)	Yes (Fail) No (Pass)

	<p>been convicted of any of the following offences?</p> <p>a) conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA;</p> <p>b) corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906; where the offence relates to active corruption;</p> <p>c) the offence of bribery, where the offence relates to active corruption;</p> <p>d) bribery within the meaning of section 1 or 6 of the Bribery Act 2010;</p> <p>e) money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;</p> <p>f) an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996; or</p> <p>g) an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994.</p>	
B.1.i(b)	<p>Has your Applicant Organisation, your Key Personnel or any person who has powers of representation, decision or control of your Applicant Organisation (for example, but not limited to, your directors or partners) been convicted of any of the following offences?</p> <p>Fraud, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities, within the meaning of:</p> <p>i) the offence of cheating the Revenue;</p> <p>ii) the offence of conspiracy to defraud;</p> <p>iii) fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;</p> <p>iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the</p>	<p>Yes (Fail)</p> <p>No (Pass)</p>

	<p>Companies (Northern Ireland) Order 1986 or Section 993 of the Companies Act 2006;</p> <p>v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;</p> <p>vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;</p> <p>vii) destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;</p> <p>viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or</p> <p>ix) making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006.</p>	
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The LAA will exclude you from participating further in this procurement if you cannot name an individual who meets the following requirement.

No.	Question	Response Type
B.2.a	Please provide the name of the member of Key Personnel who is able to meet the requirement of at least one year's experience at a managerial level in the five-year period preceding the date of your Tender submission?	Free Text Name of individual provided (Pass) Response is unclear or no name provided (Fail)
B.2.b	Please provide the name of the member of Key Personnel who is able to meet the requirement of at least three years' post-qualification experience of delivering Specialist Legal Advice to the public in the five-year period	Free Text Name of individual

	preceding the date of your Tender submission?	provided (Pass) Response is unclear or no name provided (Fail)
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Section C – grounds for discretionary rejection

The LAA may exclude you if you answer “Yes” to any one of the following questions but will consider the exceptional circumstances you submit. If you cannot answer “No” to every question it is possible that you will be excluded.

In the event that you answer “Yes” to any of the following questions, please answer all related exceptional circumstances questions in the boxes provided underneath the question section. If there is more than one incident, please give the information about each incident. If you fail to provide the required information, you will be excluded. You must be explicit and comprehensive in responding to these questions as, this will be the single source of information which decides whether or not you will be able to proceed any further.

	Question	Response type
C.1.i(a)	<p>Is any of the following true of your Key Personnel?</p> <p>Being an individual, is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or a debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of his creditors or has made any conveyance or assignment for the benefit of his creditors or appears unable to pay, or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other state</p>	<p>Yes (Fail subject to the assessment of any exceptional circumstances provided)</p> <p>No (Pass)</p>
<p>Exceptional circumstances – if you have answered “Yes” to question C.1.i (a) above, you must give details by answering questions C.1.ii (a) to v (a) below.</p>		

Please note that the LAA would ordinarily exclude those Applicant Organisations with outstanding IVA or PVA or Applicant Organisations who are subject to Winding Up procedures or Orders at the Contract Start Date.		
C.1.ii (a)	Please give the name and position of the person(s) involved.	Free Text
C.1.iii (a)	Please give the date when the event(s) occurred	Free Text
C.1.iv (a)	Please give details about the situation, including the amount of money involved	Free Text
C.1.v (a)	Please give details about any measures you have taken to ensure that the situation is resolved and confirm the current position on repayments	Free Text
C.1.i(b)	<p>Is any of the following true of your Applicant Organisation?</p> <p>Being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is the subject of similar procedures under the law of any other state?</p>	<p>Yes (Fail subject to the assessment of any exceptional circumstances provided)</p> <p>No (Pass)</p>
<p>Exceptional circumstances – if you have answered “Yes” to the question at C.1.i (b) above, you must give details by answering questions C.1.ii (b) to iv (b) below.</p> <p>Please note that the LAA would ordinarily exclude those Applicant Organisations with outstanding IVA or PVA or Applicant Organisations who are subject to Winding Up procedures or Orders at the Contract Start Date.</p>		
C.1.ii (b)	Please give the date when the event(s) occurred	Free Text
C.1.iii (b)	Please give details about the situation, including the amount of money involved	Free Text

C.1.iv (b)	Please give details about any measures you have taken to ensure that the situation is resolved and confirm the current position on repayments	Free Text
C.2.i	<p>Has your Applicant Organisation or any of your Key Personnel failed to fulfil obligation(s) relating to the payment of taxes or social security contributions under the law of any part of the United Kingdom or of the relevant State in which you are established in one or more of the last three years?</p> <p>Please note that if your Applicant Organisation is a new organisation which does not yet have obligations relating to payment of social security and taxes, you should still answer the question above in relation to your Key Personnel.</p>	<p>Yes (Fail subject to the assessment of any exceptional circumstances provided)</p> <p>No (Pass)</p>
	<p>Exceptional circumstances – if you have answered “Yes” to question C.2.i, you must give details by answering questions C.2.ii to vi below.</p> <p>Please note that the LAA would ordinarily exclude those Applicant Organisations with outstanding unmet obligations at the Contract Start Date.</p>	
C.2.ii	If you have answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved. If the response relates to your Applicant Organisation please enter “Relates to Applicant Organisation”	Free Text
C.2.iii	Please explain what the obligation(s) was which your Applicant Organisation or any of your Key Personnel has failed to meet, including the name of the social security contribution or tax	Free Text
C.2.iv	Please give the value of unmet obligation(s)	Free Text
C.2.v	Please confirm the percentage the value of the unmet obligation(s) of your annual turnover	Free Text
C.2.vi	Please give details of any written agreement or plan to fulfil the obligation(s) in the future (e.g. an agreed repayment plan). If no agreement is in place, please write “No agreement”	Free Text
C.3.i	Has your Applicant Organisation or any of your Key Personnel been issued with a County Court Judgment (“CCJ”) under which liabilities will not be discharged by the Contract Start Date?	Yes (Fail subject to the assessment of any exceptional circumstances provided)

		No (Pass)
	Exceptional circumstances – if you have answered “Yes” to question C.3.i, you must give details by answering questions C.3.ii to vi below.	
C.3.ii	If you have answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved. If the response relates to your Applicant Organisation please enter “Relates to Applicant Organisation”	Free Text
C.3.iii	Please give the date(s) when the incident(s) occurred leading to the CCJ(s), and the date when the CCJ(s) was/were issued	Free Text
C.3.iv	Please give details of the situation, including the amount owed, resulting in the CCJ(s) being issued	Free Text
C.3.v	Please give details of any written plan in place to discharge these liabilities	Free Text
C.3.vi	Please give details about any measures you have taken to ensure that similar situations will not arise in the future	Free Text
C.4.i	<p>The supplier must state whether, from 1 April 2013 onwards, any of its tax returns submitted on or after 1 October 2012:</p> <p>a) has given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion and/or</p> <p>b) has been found to be incorrect as a result of:</p> <p style="padding-left: 40px;">i) HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the “Halifax” abuse principle; or</p> <p style="padding-left: 40px;">ii) a tax authority in a jurisdiction in which the supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the “Halifax” abuse principle; or</p> <p style="padding-left: 40px;">iii) the failure of an avoidance scheme which the supplier was involved in and which was, or</p>	<p>Yes (Fail subject to the assessment of any exceptional circumstances provided)</p> <p>No (Pass)</p>

	should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established.	
	Exceptional circumstances – if you have answered “Yes” to question C.4.i, you must give details by answering questions C.4.ii to vi below.	
C.4.ii	Please provide a brief description of the occasion, the tax to which it applied, and the type of “non-compliance” e.g. whether HMRC or the foreign tax authority has challenged pursuant to the GAAR, the “Halifax” abuse principle etc.	Free Text
C.4.iii	Where the Occasion Of Non-Compliance (OONC) relates to a DOTAS, the number of the relevant scheme.	Free Text
C.4.iv	Please provide the date of the original “non-compliance” and the date of any judgement against the supplier, or date when the return was amended.	Free Text
C.4.v	Please provide details of the level of any penalty or criminal conviction applied.	Free Text
C.4.vi	Please provide details of any mitigating factors, including but not limited to: <ul style="list-style-type: none"> o Corrective action undertaken by the supplier to date o Planned corrective action to be taken. o Changes in personnel or ownership since the occasion. o Changes in financial, accounting, audit or management procedures since the occasion. 	Free Text
C.5.i	Has your Applicant Organisation had a Contract with the LAA on behalf of the Lord Chancellor (or the Legal Services Commission) terminated in whole or in part within the last five years, or is it currently in receipt of a notice to terminate on this basis? You must also answer Yes to this question if any of your Key Personnel worked as Key Personnel at another organisation who has had a Contract with the LAA on behalf of the Lord Chancellor (or the Legal Services Commission) terminated in whole or in part within the last five years, or is currently in receipt of a notice to terminate. For the avoidance of doubt, do not answer ‘Yes’ if the termination was by the LAA in accordance	Yes (Fail subject to the assessment of any exceptional circumstances provided) No (Pass)

	<p>with its “no fault” termination rights.</p> <p>Subject to the assessment of any exceptional circumstances the LAA may fail your whole Tender or, where you tendered for multiple Categories, the LAA may fail your Tender for one (or more) of the Categories and pass the Tender for the other (s).</p> <p>*Please note, if, prior to the Contract Start Date, you have a Contract terminated in whole or in part, or you receive a notice to terminate, you must tell the LAA. The LAA will be entitled to reject your Tender, on this basis subject to the assessment of any exceptional circumstances provided.</p>	
	Exceptional circumstances – if you have answered “Yes” to question C.5.i, you must give details by answering questions C.5.ii to vii below.	
C.5.ii	Please indicate which Category(ies) of Law your termination or notice to terminate relates (if it was a termination of the whole contract please respond “Whole Contract”)	Free Text
C.5.iii	Please give the date when the termination took effect/notice to terminate was received	Free Text
C.5.iv	If you have answered “Yes” in relation to Key Personnel working at a previous organisation please confirm the name of the member of Key Personnel and the organisation to which the termination/notice to terminate relates. If the termination/notice to terminate relates to your current organisation please answer "Relates to Applicant Organisation"	Free Text
C.5.v	Please confirm the reason for the termination/notice to terminate	Free Text
C.5.vi	If you have received a notice to terminate, please confirm what has happened since the notice was received, and what stage you are at in any appeal process	Free Text
C.5.vii	Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the notice to terminate or termination	Free Text
C.6.i	Has the Applicant Organisation received either: a) two consecutive Peer Review ratings of 4; or b) a Peer Review rating of 5,	Yes (Fail subject to the assessment of any exceptional circumstances provided)

	in the Actions Against the Police etc and/ or Clinical Negligence and/or Public Law Category of Law following the outcome of any appeal in the last 5 years?	No (Pass)
	Exceptional circumstances – if you have answered “Yes” to question C.6.i, you must give details by answering questions C.6.ii to iv below. Subject to the assessment of any exceptional circumstances the LAA may fail the Tender for the Category or Categories of Law where you have received Peer Review ratings of 4 or 5.	
C.6.ii	Please confirm the Category(s) of Law and the Peer Review rating(s) received	Free Text
C.6.iii	Please give the dates when you were notified of the relevant Peer Review rating(s)	Free Text
C.6.iv	Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the Peer Review rating(s)	Free Text
C.7.i	Have any of your Key Personnel (irrespective of what organisation they were working for) received any conditions on their practising certificates imposed by a Regulatory Body, Relevant Professional Body or Complaints Body within the last five years?	Yes (Fail subject to the assessment of any exceptional circumstances provided) No (Pass)
	Exceptional circumstances – if you have answered “Yes” to question C.7.i, you must give details by answering questions C.7.ii – v below.	
C.7.ii	If you have answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved.	Free Text
C.7.iii	Please give details about the nature of the event(s) leading to the imposition of the condition(s), including the date when the event(s) occurred	Free Text
C.7. iv	Please give details of the nature of any current conditions on practising certificates	Free Text
C.7.v	Please confirm any steps taken to ensure there is no repeat of the circumstances leading to the	

	imposition of conditions	
C.8.i	Has your Applicant Organisation or any of your Key Personnel (or any organisation for whom any of the Applicant Organisation's Key Personnel are or were directors/partners/trustees or persons with power of representation, decisions or control) been the subject of findings of unlawful discrimination by an Employment Tribunal, the Employment Appeal Tribunal or any other court, or in comparable proceedings in any other jurisdiction within the last five years?	Yes (Fail subject to the assessment of any exceptional circumstances provided) No (Pass)
	Exceptional circumstances – if you have answered “Yes” to question C.8.i, you must give details by answering questions C.8.ii to vi below.	
C.8.ii	If you have answered “Yes” in relation to Key Personnel, please give the name and position of the person(s) involved. If the response relates to your Applicant Organisation please enter “Relates to Applicant Organisation”	Free Text
C.8.iii	Please give details about the nature of the event(s) leading to these findings	Free Text
C.8.iv	Please give details about the nature of the findings themselves	Free Text
C.8.v	Please give the date when the findings were made	Free Text
C.8.vi	Please give details of action taken in response to the findings	Free Text

Declaration

I give my undertaking that I am a member of the Key Personnel, that I am authorised to make this submission on behalf of the Applicant Organisation and that the answers submitted in this Tender are correct. I understand that the information will be used in the process to assess the Applicant Organisation's suitability to be offered a 2015 Standard Civil Contract from November 2015. I understand that the LAA may conduct verification checks and may reject this Tender if there is a failure to answer all relevant questions fully or if the information provided is inaccurate in any material way.

Question	Response Type
Name of person completing Tender	Free Text

Position in the Applicant Organisation	Free Text
Name of Key Personnel making declaration on behalf of the Applicant Organisation	Free Text
Position in the Applicant Organisation	Free Text

Annex B – Questions in the Actions Against the Police etc ITT and assessment

No.	Question	Response options and assessment
A.1.	<p>By the Contract Start Date will the Applicant Organisation:</p> <p>i) Employ at least one Full Time Equivalent (FTE) Supervisor who meets one of the Actions Against the Police etc Supervisor Standards as set out in the Contract?</p> <p>ii) Employ at least one Full Time Equivalent (FTE) Supervisor (who meets the Supervisor Standard in one of the Actions Against the Police etc Category of Law and will actively supervise the Services) for every four FTE caseworkers at each Office from which it is tendering to deliver Actions Against the Police etc Services?</p> <p>iii) have an Office that is at least a Part Time Presence in each of the Procurement Areas in which it is making an Individual Bid?</p> <p>iv) Employ, for at least 17.5 hours per week, an Authorised Litigator with experience of undertaking cases within the Actions Against the Police etc Category and who will be available to each of its Offices to deliver Licensed Work?</p>	<p>Yes (Pass)</p> <p>No (Fail)</p>
A.2.i.	<p>Does the Applicant Organisation currently Employ a Supervisor who meets one of the Actions Against the Police etc Supervisor Standard as set out in the Contract?</p>	<p>Currently Employ (Where you confirm that you currently Employ a Supervisor you will have the opportunity upload a Supervisor Declaration Form as part of your response)</p> <p>Will Employ</p>
A.2.ii.	<p>Where you currently Employ a Supervisor, please attach the Supervisor Declaration Form here</p>	
A.3.i	<p>Does the Applicant Organisation currently Employ an Authorised Litigator?</p>	<p>Currently Employ (Where you confirm that you currently Employ a Authorised Litigator you will be required to provide their details as</p>

		part of your response) Will Employ
A.3.ii	Please give the name of your Authorised Litigator	Text
A.3.iii	Please give the roll number of your Authorised Litigator	Numeric

Note	Applicant Organisations will need to complete questions B.2. to B.7 (and B8 onwards as relevant for Lot 2 bids) for each Procurement Area they select in answer to B.1.	
B.1	<p>Please select which Procurement Area(s) your Applicant Organisation would like to bid for from the ones listed in this section.</p> <p>The Procurement Areas are set out in Annex E. Applicant Organisations should must check that the Office that they are bidding from is in the Procurement Area they specify by using the postcode tool provided on the Gov.uk website tender pages and in the 'buyer attachments' in the relevant ITT in the eTendering system.</p>	Midlands & East North East North West South East South West Wales London
B.2	Please confirm the type of presence that you will be delivering Services from in this Procurement Area.	Part Time Presence Permanent Presence
B.3	Please provide the full address of the Office which will be delivering this Service. If this is a new office and you do not have an address please enter 'new office'	Text
B.4	Please provide the postcode for this Office. If this is a new office and you do not have an address and postcode, please enter 'new office'.	Text
B.5	Please provide the LAA Account Number for this Office.	Text

	If this Office does not hold a current LAA Contract please enter N/A	
B.6	Please enter the Lot you are tendering in: i) Lot 1 (between 1 and 60 Matter Starts (inclusive)) ii) Lot 2 (between 91 and 175 Matter Starts (inclusive))	Lot 1 Lot 2

Additional question for Applicant Organisations bidding in Lot 1

B.7	Please enter the volume of Matter Starts tendering for	Numeric
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Additional questions for Applicant Organisations bidding in Lot 2

B.7	Please enter the volume of Matter Starts tendering for	Numeric
B.8.	Has your organisation previously delivered the volume of Actions Against the Police etc Controlled Work cases in this Procurement Area as the number of Matter Starts being bid for in this Individual Bid? Cases must have been opened and worked on at the Office(s) located in this Procurement Area between 1 December 2013 and 30 November 2014.	Yes (If LAA records do not provide evidence to support this response then Applicant Organisation will be asked to provide evidence as part of assessment process) No (Applicant Organisation will need to respond to the Delivery Plan questions)

Actions Against the Police etc Delivery Plan Questions (only answered by applicant Organisations answering ‘no’ to question B.8)

Applicant Organisations who are unable to demonstrate experience of delivering the volume of Actions Against the Police etc matters bid for in Lot 2 in the last 12 months will be required to complete and submit answers to the Delivery Plan questions for these Services.

Information in this form will be assessed on a pass/ fail basis against the scoring system outlined in 9.8 of the Information For Applicants.

Please enter your response to each question in the space provided. There is a **limit of 2000 characters** per response.

Staffing & Recruitment

Applicant Organisations must provide details of its staffing and recruitment plan which demonstrates it has sufficient resources to deliver the Services.

Applicant Organisations must be able to provide the LAA with confidence of delivery by demonstrating that they will have sufficient staff to deliver the volume of cases requested in Lot 2 for Actions Against the Police etc Services.

No.	Question	Response options and assessment
B.9	Do you need to recruit in order to deliver the volume of Matter Starts bid for in this Procurement Area?	Yes No (not assessed)
B.10	<p>Where there are currently vacancies in your staffing structure or you do not currently have the capacity you will require to deliver the volumes bid for in the Procurement Area please outline:</p> <ul style="list-style-type: none"> - your recruitment plan and how you intend to fill these positions and vacancies, including where staff training is required by the Contract Start Date; - how you intend to manage your caseload where vacancies are not filled by the Contract Start Date; - the milestones (with dates) for each part of the recruitment process (including induction and training); and - how suitable staff will be identified with regards to the required skill knowledge and experience. <p>If you currently have enough capacity to deliver the volumes bid for in the Procurement Area please outline how you have assessed this as sufficient.</p>	Pass/Fail
B.11	How will you manage your staff to deliver the requested volume of Matter Starts in the Procurement Area?	Pass/ Fail

Access to Services

Applicant Organisations must provide the LAA with confidence that they are able to build and develop their caseload by having a clear and well developed plan that ensures this volume of clients can receive appropriate access to Services.

No.	Question	Response options and assessment
B.12	Please provide details of how you intend to build your caseload from current levels undertaken in Actions Against the Police etc work in order to deliver the full volume of cases bid for. Please provide specific details as to: - Any signposting and referral arrangements with other LAA providers; and - how you will set and assess the key milestones (with dates) which will need to be met to ensure the delivery of the full volume of Matter Starts bid for.	Pass/Fail

Supervision and case management

Applicant Organisations must provide details of the supervision and case management processes to demonstrate it has systems in place at the appropriate level to deliver the Service.

Applicant Organisations must provide the LAA with confidence of delivery by demonstrating how they will effectively supervise and manage case allocation to deliver the volume of cases requested in Lot 2 for Actions Against etc the Police etc Services.

No.	Question	Scoring and assessment
B.13	Please describe the process for allocating cases based on the volume of Matter Starts bid for in this Procurement Area, taking account of existing caseloads and experience.	Pass/Fail

B.14	Please describe the arrangements in place for supervision, with specific reference to the increased volume of cases being conducted	Pass/Fail
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Annex C – Questions in the Clinical Negligence ITT and assessment

No.	Question	Response options and assessment
A.1.	<p>By the Contract Start Date will the Applicant Organisation:</p> <p>i) Employ at least one Full Time Equivalent (FTE) Supervisor who meets the Clinical Negligence Supervisor Standards as set out in the Contract?</p> <p>ii) Employ at least one Full Time Equivalent (FTE) Supervisor (who meets the Supervisor Standard in the Clinical Negligence Category of Law and will actively supervise the Services) for every four FTE caseworkers at each Office from which it is tendering to deliver Clinical Negligence Services?</p> <p>iii) ensure that each of its Offices is at least a Part Time Presence in the Procurement Areas in which it is making tendering to deliver Clinical Negligence Services?</p> <p>iv) Employ, for at least 17.5 hours per week, an Authorised Litigator with experience of undertaking cases within the Clinical Negligence Category and who will be available to each of its Offices to deliver Licensed Work?</p>	<p>Yes (Pass)</p> <p>No (Fail)</p>
A.2.i.	<p>Does the Applicant Organisation currently Employ a Supervisor who meets the Clinical Negligence Supervisor Standard as set out in the Contract?</p>	<p>Currently Employ (Where you confirm that you currently Employ a Supervisor you will have the opportunity upload a Supervisor Declaration Form as part of your response)</p> <p>Will Employ</p>
A.2.ii.	<p>Where you currently Employ a Supervisor, please attach the Supervisor Declaration Form here</p>	
A.3.i	<p>Does the Applicant Organisation currently Employ an Authorised Litigator?</p>	<p>Currently Employ (Where you confirm that you currently Employ an Authorised Litigator you will be required to provide their details as</p>

		part of your response) Will Employ
A.3.ii	Please give the name of your Authorised Litigator	Text
A.3.iii	Please give the roll number of your Authorised Litigator	Numeric

Note	In this section you will need to give details of all of the Offices from which you are making an Individual Bid.	
B.1.a	<p>Please select the Procurement Area in which your first Office is based.</p> <p>The Procurement Areas are set out in Annex E. Applicant Organisations should must check that the Office that they are bidding from is in the Procurement Area they specify by using the postcode tool provided on the Gov.uk website tender pages and in the 'buyer attachments' in the relevant ITT in the eTendering system.</p>	Options list: Midlands & East North East North West South East South West Wales London
B.1.b	Please provide the full address of this Office. If this is a new office and you do not have an address please enter 'new office'	Text
B.1.c	Please provide the postcode for this Office. If this is a new office and you do not have an address and postcode, please enter 'new office'.	Text
B.1.d	Please provide the LAA Account Number for this Office. If this Office does not hold a current LAA Contract please enter N/A	Text

B.1.e	Is there a second Office from which you are making an Individual Bid for Clinical Negligence Services? If you answer 'yes' you will be able to enter details below.	Yes/No
<p>Note – Where the Applicant Organisation indicates that they are making an Individual Bid from a second Office, they will then be asked to enter the details set out at B.1.a. to B.1.d for that second Office. They will then be asked to indicate whether they are making an Individual Bid from a third office and give details, and so on for up to 10 Offices. Where an Applicant Organisation indicates that they are making Individual Bids from more than 10 Offices, they will be able to download an Additional Office Form to give details of these additional Offices.</p>		

Annex D – Questions in the Public Law ITT and assessment

No.	Question	Response options and assessment
A.1.	<p>By the Contract Start Date will the Applicant Organisation:</p> <p>i) Employ at least one Full Time Equivalent (FTE) Supervisor who meets the Public Law Supervisor Standards as set out in the Contract?</p> <p>ii) Employ at least one Full Time Equivalent (FTE) Supervisor (who meets the Supervisor Standard in the Public Law Category of Law and will actively supervise the Services) for every four FTE caseworkers at each Office from which it is tendering to deliver Public Law Services?</p> <p>iii) have an Office that is at least a Part Time Presence in each of the Procurement Areas in which it is making an Individual Bid?</p> <p>iv) Employ, for at least 17.5 hours per week, an Authorised Litigator with experience of undertaking cases within the Public Law Category and who will be available to each of its Offices to deliver Licensed Work?</p>	<p>Yes (Pass)</p> <p>No (Fail)</p>
A.2.i.	<p>Does the Applicant Organisation currently Employ a Supervisor who meets the Public Law Supervisor Standards as set out in the Contract?</p>	<p>Currently Employ (Where you confirm that you currently Employ a Supervisor you will have the opportunity upload a Supervisor Declaration Form as part of your response)</p> <p>Will Employ</p>
A.2.ii.	<p>Where you currently Employ a Supervisor, please attach the Supervisor Declaration Form here</p>	
A.3.i	<p>Does the Applicant Organisation currently Employ an Authorised Litigator</p>	<p>Currently Employ (Where you confirm that you currently employ an Authorised Litigator you will be</p>

		required to provide their details as part of your response) Will Employ
A.3.ii	Please give the name of your Authorised Litigator	Text
A.3.iii	Please give the roll number of your Authorised Litigator	Numeric

Note	Applicant Organisations will need to complete questions B.2. to B.7 (and B8 onwards as relevant for Lot 2 bids) for each Procurement Area they select in answer to B.1.	
B.1	<p>Please select which Procurement Area(s) your Applicant Organisation would like to bid for from the ones listed in this section.</p> <p>The Procurement Areas are set out in Annex E. Applicant Organisations should must check that the Office that they are bidding from is in the Procurement Area they specify by using the postcode tool provided on the Gov.uk website tender pages and in the 'buyer attachments' in the relevant ITT in the eTendering system.</p>	Midlands & East North East North West South East South West Wales London
B.2	Please confirm the type of presence that you will be delivering Services from in this Procurement Area.	Part Time Presence Permanent Presence
B.3	Please provide the full address of the Office which will be delivering this Service. If this is a new office and you do not have an address please enter 'new office'	Text
B.4	Please provide the postcode for this Office. If this is a new office and you do not have an address and postcode, please enter 'new office'.	Text

B.5	Please provide the LAA Account Number for this Office. If this Office does not hold a current LAA Contract please enter N/A	Text
B.6	Please enter the Lot you are tendering in: i) Lot 1 (20 Matter Starts) ii) Lot 2 (between 31 and 160 Matter Starts)	Lot 1 Lot 2

Additional question for Applicant Organisations bidding in Lot 1

B.7	Please enter the volume of Matter Starts tendering for	Numeric
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Additional question for Applicant Organisations bidding in Lot 2

B.7	Please enter the volume of Matter Starts tendering for	Numeric
B.8.	Has your organisation previously delivered the volume of Public Law Controlled Work cases in this Procurement Area as the number of Matter Starts being bid for in this Individual Bid? Cases must have been open and worked on at Office(s) located in this Procurement Area between 1 December 2013 and 30 November 2014.	Yes (If LAA records do not provide evidence to support this response then Applicant Organisation will be asked to provide evidence as part of assessment process) No (Applicant Organisation will need to respond to the Delivery Plan questions))

Public Law Delivery Plan Questions (only answered by applicant Organisations answering ‘no’ to question B.8)

Applicant Organisations who are unable to demonstrate experience of delivering the volume of Public Law matters bid for in Lot 2 in the last 12 months will be required to complete and submit answers to the Delivery Plan questions for these Services.

Information in this form will be assessed on a pass/ fail basis against the scoring system outlined in 9.8 of the Information For Applicants.

Please enter your response to each question in the space provided. There is a **limit of 2000 characters** per response.

Staffing & Recruitment

Applicant Organisations must provide details of its staffing and recruitment plan which demonstrates it has sufficient resources to deliver the Services.

Applicant Organisations must be able to provide the LAA with confidence of delivery by demonstrating that they will have sufficient staff to deliver the volume of cases requested in Lot 2 for Public Law Services.

No.	Question	Response options and assessment
B.9	Do you need to recruit in order to deliver the volume of Matter Starts bid for in this Procurement Area?	Yes No (not assessed)
B.10	<p>Where there are currently vacancies in your staffing structure or you do not currently have the capacity you will require to deliver the volumes bid for in the Procurement Area please outline:</p> <ul style="list-style-type: none"> - your recruitment plan and how you intend to fill these positions and vacancies, including where staff training is required by the Contract Start Date; - how you intend to manage your caseload where vacancies are not filled by the Contract Start Date; - the milestones (with dates) for each part of the recruitment process (including induction and training); and - how suitable staff will be identified with regards to the required skill knowledge and experience. <p>If you currently have enough capacity to deliver the volumes bid for in the Procurement Area please outline how you have assessed this as sufficient.</p>	Pass/Fail
B.11	How will you manage your staff to deliver the requested volume of Matter Starts in the Procurement Area?	Pass/Fail

Access to Services

Applicant Organisations must provide the LAA with confidence that they are able to build and develop their caseload by having a clear and well developed plan that ensures this volume of clients can receive appropriate access to Services.

B.12	Please provide details of how you intend to build your caseload from current levels undertaken in Public Law work in order to deliver the full volume of cases bid for. Please provide specific details as to: - Any signposting and referral arrangements with other LAA providers; and - how you will set and assess the key milestones (with dates) which will need to be met to ensure the delivery of the full volume of Matter Starts bid for.	Pass/Fail
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Supervision and case management

Applicant Organisations must provide details of the supervision and case management processes to demonstrate it has systems in place at the appropriate level to deliver the Service.

Applicant Organisations must provide the LAA with confidence of delivery by demonstrating how they will effectively supervise and manage case allocation to deliver the volume of cases requested in Lot 2 for Public Law Services.

No.	Question	Scoring and assessment
B.13	Please describe the process for allocating cases based on the volume of Matter Starts bid for in this Procurement Area, taking account of existing caseloads and experience.	Pass/Fail
B.14	Please describe the arrangements in place for supervision, with specific reference to the increased volume of cases being conducted	Pass/Fail

ANNEX E: Revised 2015 Procurement Areas

The following Procurement Areas will be used for all three Categories.

2010 Procurement Areas	Revised 2015 Procurement Area
London	London
South	South East
South East	
South West	South West
Wales	Wales
West Midlands	Midlands and East
East England	
East Midlands	
Merseyside	North West
North West	
North East	North East
Yorkshire and the Humber	

ANNEX F: GLOSSARY OF DEFINED TERMS

Term	Description
Actions Against the Police etc Services	Publicly funded face-to-face advice and representation to clients in the Actions Against the Police etc Category of Law as defined in the Category Definitions 2015 document available at https://www.gov.uk/government/publications/standard-civil-contract-2015 .
Additional Office Form	A form that needs to be completed if an Applicant Organisation wishes to make 11 or more Individual Bids in Clinical Negligence
Applicant Organisation	A single legal entity tendering to deliver the advertised Services
Authorised Litigator	An individual who conducts litigation services as an authorised person in accordance with the Legal Services Act 2007
Category of Law or Categories of Law	The category or categories of law, which are publicly funded legal services being tendered for and listed on page 1 of this IFA
Category Specific ITTs	The three ITTs, one for each Category of Law on offer, which contain questions relating to the Criteria and Individual Bid information. Applicant Organisations need only respond to the ITTs for the Categories they are interested in delivering
Civil 2015 Qualification ITT	The ITT which must be responded to and which contains questions relating to Applicant Organisation information, the grounds for mandatory and discretionary rejection and the declaration
Clinical Negligence Services	Publicly funded face-to-face advice and representation to clients in the Clinical Negligence Category of Law as defined in the Category Definitions 2015 document available at https://www.gov.uk/government/publications/standard-civil-contract-2015 .
Complaints Body	A body or Applicant, which handles complaints in relation to your professional or service activities, including Ombudsmen
Confirmed Peer Review	Conclusion of the peer review process, i.e. following appeal and subsequent peer review
Contract	Unless otherwise stated, this refers to the 2015 Standard Civil Contract
Contract Start Date	1 November 2015
Controlled Work	As defined in Section 1 of the Contract Specification and regulation 2 of the Procedure Regulations

Criteria	The service specific quality requirements which are set out at Section 5 and against which Applicant Organisations' Tender responses will be assessed
Deadline	12 noon 23 January 2015
Delivery Plan	Additional responses an Applicant Organisation may be required to provide when making an Individual Bid for Actions Against the Police etc and/ Public Law Services in Lot 2
DOTAS	The Disclosure of Tax Avoidance Schemes rules which require a promoter of tax schemes to tell HM Revenue & Customs of any specified notifiable arrangements or proposals and to provide prescribed information on those arrangements or proposals within set time limits as contained in Part 7 of the Finance Act 2004 and in secondary legislation made under vires contained in Part 7 of the Finance Act 2004 and as extended to National Insurance Contributions by the National Insurance Contributions (Application of Part 7 of the Finance Act 2004) Regulations 2012, SI 2012/1868 made under s.132A Social Security Administration Act 1992
Employment/Employ/Employed	an individual engaged by you who: (a) is a director, sole principal, member or partner of your organisation; or (b) who holds a contract of employment with you; and has employment rights including but not limited to the right to claim unfair dismissal and statutory redundancy payments and who is fully integrated into your organisation, is under the control of your organisation and mutuality of obligation is present. For the avoidance of doubt, individuals who are self-employed, independent contractors or hold a contract for services do not meet this definition. "Employ" and "Employed" shall be construed accordingly
Full Time Equivalent (FTE)	The number of working hours that represents a notional full-time individual working 35 hours per week. For example the following working patten would represent on Full Time Equivalent: <ul style="list-style-type: none"> - Person A – 20 hours per week - Person B - 10 hours per week - Person C – 5 hours per week
General Anti-Abuse Rule	(a) the legislation in Part 5 of the Finance Act 2013; and (b) any future legislation introduced into parliament to counteract tax advantages arising from abusive arrangements to avoid national insurance contributions
Halifax Abuse Principle	The principle explained in the CJEU Case C-255/02 Halifax and others. (An ECJ case which ruled that arrangements entered into (for the supply of goods or services) with the essential aim of reducing a company's liability to VAT may be disregarded as an abuse of the rights conferred by the VAT rules

	themselves. In such cases, the VAT liability is to be recalculated on the basis of the arrangements that the national courts decide should have prevailed, absent the transactions constituting the abusive practice.)
Information for Applicants (IFA)	This Information for Applicants document (in its entirety)
Individual Bid	Actions Against the Police etc and Public Law: A bid for Services in a particular Category of Law from a particular Procurement Area. Clinical Negligence: A bid for Services from a particular Office
Individual Bid Information	The information required about each Individual Bid
Invitation to Tender (ITT)	The one stage procurement process for Actions Against the Police etc and/or Clinical Negligence and/or Public Law Services containing the mandatory and discretionary grounds for rejection, Service specific Criteria and Service specific Individual Bid Information
Key Personnel	Any person who has or is held out as having either expressly or impliedly, (or will have by the Contract Start Date) powers of representation, decision or control of an Applicant Organisation including partners, directors, trustees and other senior managers and who is Employed by the Applicant Organisation
LAA Account Number	The unique reference assigned to each Provider Office from which the Services bid for will be undertaken
Legal Aid Agency	The Executive Agency of the Ministry of Justice that from 1 April 2013 is responsible for the administration of legal aid (including this procurement process) and more specifically defined in the 2015 Standard Civil Contract
Licensed Work	As defined in Section 1 of the Contract Specification and in regulation 2 of the Procedure Regulations
Lot	A band into which an Applicant Organisation must categorise each of its Individual Bids for Actions Against the Police etc. or Public Law and which will inform the allocation of work
Matter	A Controlled Work case as defined at Section 1 of the Contract Specification
Matter Start	Authority for Providers to start a Controlled Work case on behalf of a client
Occasion of Tax Non-Compliance	(a) any tax return of the Supplier submitted to a Relevant Tax Authority on or after 1 October 2012 is found on or after 1 April 2013 to be incorrect as a result of: (i) a Relevant Tax Authority successfully challenging

	<p>the Supplier under the General Anti-Abuse Rule or the Halifax Abuse Principle or under any tax rules or legislation that have an effect equivalent or similar to the General Anti-Abuse Rule or the Halifax Abuse Principle;</p> <p>(ii) the failure of an avoidance scheme which the Supplier was involved in, and which was, or should have been, notified to a Relevant Tax Authority under the DOTAS or any equivalent or similar regime; and/or</p> <p>(b) any tax return of the Supplier submitted to a Relevant Tax Authority on or after 1 October 2012 gives rise, on or after 1 April 2013, to a criminal conviction in any jurisdiction for tax related offences which is not spent at the Effective Date or to a civil penalty for fraud or evasion</p>
Office	As defined at 2.32 of the 2015 Standard Civil Contract Specification
Part Time Presence	As defined at 2.34A - 2.34B of the 2015 Standard Civil Contract Specification
Permanent Presence	As defined at 2.33 - 2.34 of the 2015 Standard Civil Contract Specification
Procurement Area	A geographical area in which the LAA will procure Services. Holders of a 2015 Standard Civil Contract will be responsible for delivering Services across the whole of the Procurement Area.
Provider	A party to a contract with the Lord Chancellor in respect of the provision of legal aid
Public Law Services	Publicly funded face-to-face advice and representation to clients in the Public Law Category of Law as defined in the Category Definitions 2015 document available at https://www.gov.uk/government/publications/standard-civil-contract-2015 .
Relevant Professional Body	The body or organisation which regulate or exercises control over your profession or service activities or such activities of any of your personnel and/or any other body to whose rules you have elected to be subject to. For the avoidance of doubt this includes any relevant approved regulator for the purposes of the Legal Services Act 2007
Relevant Quality Standard	Either the LAA's Specialist Quality Mark (SQM) or the Law Society's Lexcel Practice Management Standard
Relevant Tax Authority	HM Revenue & Customs, or, if applicable, a tax authority in the jurisdiction in which the Supplier is established
Roll Number	The number or SRA ID given to all solicitors admitted by the Law Society of England and Wales
Schedule	A Contract document issued by the LAA as specified in the 2015 Standard Civil Contract
Services	The Actions Against the Police etc and/or Clinical

	Negligence and/or Public Law Services being tendered for
Specialist Legal Advice	Giving legal advice where you are taking action on behalf of the clients in order to move the case forward, with the advisor taking responsibility for further action. This includes negotiation and representing the client to third parties on the telephone, by letter or face to face. This also includes provision litigation and advocacy services. It does not include triage or initial general advice
Supervisor	Any person Employed by the Applicant Organisation who meets the Supervisor Standard set out in the LAA's Contract Specification in the relevant Category of Law, and who will be actively supervising the Services tendered for
Supervisor Declaration Form	A form setting out how the Supervisor(s) Employed by the Applicant Organisation meets the Supervisor Standard in the relevant Category of Law. Forms are available to download from https://www.gov.uk/government/publications/standard-civil-contract-2015 .
Supervisor Standard	The required supervision experience, category-specific case experience and category-specific case involvement that any Supervisor must meet and which is evidenced via the Supervisor Declaration Form.
Tender	A response to this procurement process consisting of a response to the Civil 2015 Qualification ITT and one or more the Category Specific ITTs, which may contain a number of Individual Bids