



Legal Aid
Agency

**Frequently Asked Questions document related to the Invitation to Tender to deliver
Prison Law and/or Appeals & Reviews Services in England and Wales from 11
January 2016**

Many questions will be answered by the information given in the Information for Applicants document (IFA), which is available on the Tenders pages of our website:

<https://www.gov.uk/government/publications/legal-aid-crime-tender-2015>

The IFA is also available within the Procurement of Criminal Legal Aid Services – Prison Law and/or Appeals & Reviews Qualification ITT in the eTendering system.

The deadline for questions about the IFA or the tender was **12 noon on 3 July 2015** (note this is referred to as the “End date for supplier clarification messages”) on the eTendering system.

Questions that we consider to be of wider interest have been collated and answered centrally within this document to ensure that all interested parties have equal access to the information contained in the answers provided.

In addition, at the end of this document is an Annex setting out answers to more general questions, most of which refer back to information available in the IFA document.

Technical Questions on how to use the eTendering system

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 your own computer hardware or systems - for these types of issues, you should contact your usual IT support.

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).

We recommend that you start to complete your tender early so that you identify any areas where you need help as soon as possible, as the Helpdesk is likely to be very busy in the days leading up to the tender deadline and cannot guarantee that queries received close to the tender deadline will be dealt with in time.

The deadline for submission of Tenders is 12 noon on 21 July 2015.

**2015 Own Client Crime Contract - Prison Law and/or Appeals & Reviews
Qualification ITT**

1. Is it possible for an organisation who has applied for and been granted a 2015 Own Client Contract to apply at this stage for authorisation to undertake Prison Law Work?

We have been awarded an Own Client Contract but did not indicate that we also wanted to undertake Prison Law Work. Can we apply under this procurement process?

We have been awarded an Own Client Contract and indicated that we also wanted to undertake Prison Law Work. Do we need to apply under this procurement process?

No. Applicant Organisations that have previously tendered for the 2015 Own Client Crime Contract (whether successful or not) may not apply through this procurement process. Any Tender submitted by such an Applicant Organisation will not be accepted.

For the avoidance of doubt, where an organisation did tender for and has been successful in being awarded a 2015 Own Client Crime Contract with an authorisation to undertake Prison Law Contract Work, that authorisation will already be in place for the period from 11 January 2016 (the service commencement date).

2. Can existing Prison Law and/or Appeals & Reviews Contract Work Providers continue to undertake their current Contract Work? Is that affected by this new tender process?

If your organisation currently has authorisation to undertake Prison Law Contract Work under the 2010 Standard Crime Contract, it will be unaffected by this procurement process. Subject to your organisation having signed the relevant extension offer as required by the LAA, your organisation (and the other Providers whose contracts have been extended) may continue to deliver Contract Work under the 2010 Standard Crime Contract until 10 January 2016.

From 11 January organisations must hold a 2015 Own Client Crime Contract with authorisation to undertake Prison Law and/or Appeals and Reviews Contract Work.

3. Question A.4 requires confirmation of a company or registered charity number, or where this is not relevant to answer N/A. I cannot enter 'N/A' in response to Question A.4. How should I respond?

Please enter "0" in response to this question if you are not a company or charity.

4. We are a registered charity, company limited by guarantee and authorised legal practice with the SRA. Question A.4 only allows for either the charity or company number to be submitted. What is your recommendation on which we should use?

Question A.4 requires confirmation of a company or registered charity number. The box does not allow you to specify whether you are a charity or company. How should I respond?

The question does not require you to specify whether the number provided applies to a company or registered charity. However, the number provided should relate to the type of entity identified in your response to Question A.8.i

5. Question A.8.i requires Applicant Organisations to select the Type of Entity their organisation is at Service Commencement Date from the Options list. My organisation will be both a registered charity and company limited by guarantee. What should I select from the options?

It is acceptable to select either. However, Applicant Organisations that will be charities are advised to identify themselves as such.

This information will be used to help identify whether the Applicant Organisation will be required to submit an indemnity form. Registered charities are not required to provide any indemnity. Please see paragraph 6 of the IFA for a summary of the position on the requirement for and the process for the giving of indemnities. If you are required to submit an indemnity form, we will ask for this at the verification stage.

6. Question A.9.ii only allows Applicant Organisations to input the authorisation number and does not allow us to specify who the Regulator is. Does this matter?

No. We only require your authorisation number, where applicable, in response to this question.

7. Our organisation came into existence in 2014, having novated with another firm. How should we respond to the question on predecessor bodies?

If your Applicant Organisation been subject to any change to its status in the three years preceding the date of your Tender submission you must provide confirmation of this in response to Question A.6.i and provide further details in response to Question A.6.ii.

A status change may include (but is not limited to) merger, novation, de-merger or change in legal status such as becoming a limited liability partnership.

8. We have recently novated to create a new firm. How do we deal with the supervisor requirements on case involvement on the Supervisor Declaration Form? Can the proposed supervisor provide hours completed at the predecessor firm?

The Applicant Organisation must meet with the Supervisor Standard requirements for Prison Law and/or Appeals & Reviews which are set out at 2.1 – 2.13 and 2.16 – 2.18 of the 2015 Own Client Contract Specification which can be found at:
<https://www.gov.uk/government/publications/own-client-crime-contract-2015>

The proposed Supervisor must provide confirmation on the Supervisor Declaration Form that they have undertaken the minimum number of hours required but this work does not need to have been undertaken at the Applicant Organisation.

ANNEX A

Set out below are answers to general questions, most of which refer back to information available in the IFA document.

SECTION 1: Questions about using the Bravo eTendering System

Q - Do we need to register in Bravo again?

If you have already registered on the system as part of a previous LAA tender exercise you do not need to register again unless your organisation name or status has changed. If your organisation has changed its name or status since you last tendered, you will need to register again to participate in this tender.

If you have forgotten your password you can click on the 'Forgotten your password?' link on the eTendering homepage to have your password reset. If you are having technical difficulties you can also contact our technical helpdesk by phone on 0800 368 4850 or by sending an email to help@bravosolution.co.uk

Q - My organisation's status has changed (e.g. merged, novated with another organisation). Can I use the Bravo registration I created for my old organisation?

If your organisation has changed its name or status since you last tendered, you will need to register again as a new organisation within the eTendering system to participate in this tender.

Q - How do I use the e-tender system/I don't understand a specific part of the e-tender system

Technical guidance on how to use the e-tender system can be accessed through the 'Technical Support and Guidance' link on the eTendering system home page <https://legalaid.bravosolution.co.uk>

If you are having technical difficulties you can also contact our technical helpdesk by phone on 0800 368 4850 or by sending an email to help@bravosolution.co.uk

Q - The ITT is saying that I have un-read buyer attachments, but I've read them all

This facility informs you when you have not opened documents within the ITT, for example the IFA document. The red text at the top of the ITT will confirm the number of unread attachments you have.

Attachments can be found by clicking on the 'Buyer Attachments' button on the left-hand side of the page.

Q – Why can't I see X question?

Conditional formatting is being used in this tender, Applicant Organisations will only be presented with questions that are relevant to them, based on their answers to earlier questions.

Section 7 of the Information for Applicants sets out how Applicant Organisations complete and submit a Tender.

Technical guidance on how to use the e-tender system can be accessed through the 'Technical Support and Guidance' link on the eTendering system home page <https://legalaid.bravosolution.co.uk>. This has been updated to include an explanation of conditional sections (page 31 of the user guide).

Q – Have you received my Tender? / Can you confirm I have submitted everything?

Tenders are sealed. This means that the LAA is unable to access information about submitted Tenders prior to the expiry of the deadline on 21 July 2015. LAA cannot confirm receipt of a Tender or if a Tender has been completed correctly.

To check you have successfully submitted your Tender go to the 'My ITTs' screen, which will show the new 'Response status' as 'Response submitted to Buyer'. The registered email address will also receive confirmation when you submit your response to this tender for the first time. You will receive one confirmation for each ITT response you submit.

You can check the information you have submitted in your response and if necessary edit and re-submit your response prior to the deadline. You can do this by clicking on the ITT, clicking 'Edit Response', make the changes then click 'Keep Changes' and 'Submit Changes' to re-submit your response. However, you will only receive confirmation that your response has been submitted the first time you submit your Tender.

If you edit and resubmit an ITT response you must ensure you have still submitted a valid Tender (i.e. a response to PQQ 58 - 2015 Own Client Contract – Prison Law and/or Appeals & Reviews Contract) as the eTendering system will not flag where this is not done.

Q - What do I do if I have made a mistake and I have already submitted my Tender/ an individual ITT?

You can check the information you have submitted in your response and if necessary edit and re-submit your response prior to the deadline. You can do this by clicking on the ITT, clicking 'Edit Response', make the changes then click 'Keep Changes' and 'Submit Changes' to re-submit your response. However, you will only receive confirmation that your response has been submitted the first time you submit your Tender.

If you edit and resubmit an ITT response you must ensure you have still submitted a valid Tender (i.e. a response to PQQ 58 - 2015 Own Client Contract – Prison Law and/or Appeals & Reviews Contract) as the eTendering system will not flag where this is not done.

SECTION 2: Questions about the Tender

Q - Where can I find the IFA?

Further information about the Procurement of Criminal Legal Aid Services (Prison Law and/or Appeals & Reviews Contract Work) in England and Wales from 11 January 2016 including the IFA is available on the Gov.uk website at

<https://www.gov.uk/government/publications/legal-aid-crime-tender-2015>

Alternatively, the IFA can be found as an attachment to the PQQ 58 - 2015 Own Client Contract – Prison Law and/or Appeals & Reviews Contract in the eTendering system. Attachments can be found by clicking on the 'Buyer Attachments' button on the left-hand side of the page within the ITT.

Q - What is the deadline for questions?

The deadline for submitting questions about the IFA was 12 noon 3 July 2015.

Applicant Organisations that have questions about how to use the eTendering system may contact the technical support helpdesk. Questions on how to use the eTendering system 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).

Please refer to Section 9 of the IFA for 2015 Own Client Contract – Prison Law and/or Appeals & Reviews Contract Work from 11 January 2016 for further information on how to ask questions.

Q - What is the deadline for submitting a Tender?

The deadline for submitting a Tender is 12 noon 21 July 2015.

Q - Can I use a PQQ I have submitted for a previous tender?

No. Applicant Organisations must complete and submit a full response, including answering the questions relating to the grounds for mandatory and discretionary rejection contained in the 2015 Own Client Contract – Prison Law and/or Appeals & Reviews Contract Work Qualification ITT.

Q - If I do X will I pass?

We are unable to advise Applicant Organisations on how to structure their Tender. Each Applicant Organisation must decide how to structure their response. Please refer to the IFA for further information on how to complete and submit a Tender response and for detail on the Tender questions and how they will be assessed.

Q - When will I be informed of the outcome of my Tender?

Page 1 of the IFA includes an indicative timetable for the tender process. This indicative timetable confirms that Applicant Organisations will be notified of the outcome of the Tender in late August/early September 2015.

Q - How will we be informed of the outcome of our Tender?

All Applicant Organisations will be notified of the outcome of their Tender through the eTendering message board. Further information about what happens after a Tender is submitted is set out at Section 10 of the IFA.

Q – Where is the PQQ?/ Do I need to submit a separate PQQ for this Tender?

There is no separate PQQ to complete in the eTendering system. The questions relating to the grounds for mandatory and discretionary rejection are in the 2015 Own Client Contract – Prison Law and/or Appeals & Reviews Contract Work Qualification ITT. This ITT must be completed and submitted as part of an Applicant Organisation's Tender.

Q - Where can I find the Contract documents for 2015 Own Client Contract?

2015 Own Client Contract documents have been published on the Gov.uk website:

<https://www.gov.uk/government/publications/own-client-crime-contract-2015>

Q - If we're awarded a contract, how long will the contract last?

The Contract will start on 11 January 2016 and will run for four years i.e. until 10 January 2020 subject to the LAA's rights of early termination and right to extend the Contract for up to a further 1 year i.e. until 10 January 2021.