



Legal Aid  
Agency

## **Frequently Asked Questions related to the Invitation to Tender to deliver Criminal Legal Aid Services in Devon & Cornwall 1 Procurement Area 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:

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

The IFA is also available within each of the ITTs for this procurement exercise in the eTendering system.

The deadline for questions about the IFA or the tender was **12 noon on 25 August 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 will be collated and answered centrally in writing to ensure that all interested parties have equal access to information in the answers. These questions and answers will be published in this FAQ 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](mailto:help@bravosolution.co.uk) Alternatively, the telephone number for the Helpdesk is 03330 037060 (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 receipt of Tenders is 12 noon on 9 September 2015.**

**1. Please can you confirm that if we complete the Devon and Cornwall 1 ITT in the multi lot project ITT, that we are bidding for all 4 access points at once and that we do not have to make 4 separate bids?**

As set out in paragraphs 3.2, 3.18 and 3.21 of the IFA Applicant Organisations must first complete the Devon & Cornwall 1 ITT (ITT\_410). Once an Applicant Organisation has completed its response to the Devon & Cornwall 1 ITT, it must complete an Access Point ITT for each Access Point in which it wishes to deliver Contract Work. For a New Bidder, a compliant Tender will consist of a response to:-

- The Devon & Cornwall 1 ITT;

**AND**

- Either one or all of the Access Point ITTs (Access Point Bids)

This means that an organisation bidding in all four Access Points must complete the Devon & Cornwall 1 ITT and all four individual Access Point ITTs.

**2. Please can you confirm if we complete the Devon and Cornwall 1 ITT in the multi lot project ITT we will either be awarded all, one or none of the access points?**

Applicant Organisations may either tender in a single Access Point or in all four Access Points.

Whilst there is a competition at the Access Point level it is the tender as a whole that will either be successful or not. This is because the LAA intends to award contracts in single Access Points or across the entire Procurement Area. There is no scope to either tender or be awarded contracts in 2 or 3 Access Points.

This means that an Applicant Organisation that tenders in all four Access Points and is unsuccessful in one Access Point will have its entire tender rejected.

In keeping with the underlying principle set out above the LAA may, however, offer a contract in a single Access Point to an Applicant Organisation that tendered in all four Access Points but is unsuccessful in one or more; if there are insufficient compliant bids than contracts to be awarded in a Procurement Area.

As set out in paragraph 3.6 of the IFA, where a contract award is made, Applicant Organisations may only accept the entire contract as offered.

**3. Can you confirm that there is a tie breaker section for these access points? I understand that it is in section H but I am unable to locate this section. Please can you let me know the section this can be found in or whether it has been removed?**

There are no tie break questions for Access Point Bids in the Devon & Cornwall 1 Procurement Area. The process that will be applied in the event of Applicant Organisations being tied following the assessment of the Award Criteria Responses is set out in paragraphs 5.19 and 5.20 of the IFA.

- 4. To put in a viable tender, it is essential we know whether we have been successful with our adjoining Avon & Somerset 1 and 2 tenders. Will the MoJ be able to publish the results of the Avon & Somerset 1 and 2 tenders before the Devon & Cornwall 1 tender closes?**

The LAA is not able to publish the outcome of the 2015 Duty Provider Contract procurement exercise before the deadline for submission of Devon & Cornwall 1 tenders of 12 noon on 9 September 2015. The indicative date for publication of the outcome of the 2015 Duty Provider Contract procurement exercise is September 2015, as set out in the IFA for that procurement exercise.

Applicant Organisations are reminded that where a contract award is made, they may only accept the entire contract as offered. If a Previous Bidder is successful in the Mainstream Exercise it must take up the offer of all Contract Work (Mainstream Exercise and Devon & Cornwall 1 Supplemental Tender Exercise) or decline both entirely.

If a Previous Bidder is unsuccessful in the Mainstream Exercise but successful in the Devon & Cornwall 1 Supplemental Tender Exercise only, the offer of Contract Work can be accepted or declined.