



Department for Transport

InterCity East Coast (ICEC) 2013 franchise

Applicants' clarification questions: Bulletin 1 – 13 November 2013

Questions received from parties seeking to pre-qualify to receive an Invitation to Tender

Item no	Subject	Applicant question	DfT response
01	Franchise Letting Process Agreement	We are in the process of arranging to execute the Franchise Letting Process Agreement (“FLPA”), and request your permission to amend the execution block so that, where permitted by the U.K. Companies Act 2006, it can be signed by a single director in the presence of an attesting witness.	Where permitted by the U.K. Companies Act 2006, the Department gives permission for Applicants to execute the FLPA by having a single director sign the document in the presence of an attesting witness.
02	Franchise Letting Process Agreement	Presently, we are still finalising the identity of our “Applicants” (within the meaning of the Franchise Letting Process Agreement (“FLPA”)). May we execute and submit the FLPA, and access the franchising e-sourcing portal, on the basis of our currently proposed Applicants – on the understanding that, if we identify an alternative or additional Applicant, we may submit an additional FLPA for that Applicant?	The Department will permit access to the franchise e-sourcing portal on the basis suggested. Applicants should be aware of Clause 8 of the FLPA, which requires that an Applicant must communicate any changes to its bid structure to the Department as soon as practicable. Accordingly, the Department expects that, where an alternative or additional Applicant is identified, an additional FLPA for that Applicant will be executed and submitted as soon as practicable.