

SSS Re-tender April 2008 Question and Answer

1. We recently submitted a tender to provide a specialist support line for England and Wales. Having noted that the LSC elected not to award any contracts, we are concerned that there may have been systemic weaknesses in our application. Whilst we understand that you are probably unable or unwilling to provide detailed feedback on previous tenders, we would welcome some general guidance on the issues that led to the failure of the tender(s) to meet the LSC's requirements on the last occasion.

As we must ensure that all potential tenderers are treated equally, it would be inappropriate at this stage for the LSC to provide any bidder with any feedback regarding the reasons why individual tenders failed to meet our requirements on the last occasion, even a bidder's own.

2. Given that neither consortia bids nor sub contracting arrangements are eligible for tendering, would the Legal Services Commission consider a tender from a Not for Profit Network of providers tendering as a single legal entity, with the service being centrally managed and operated via one telephone number, paying an experienced qualified team of Immigration and Asylum practitioners distributed throughout the country, as being eligible?

While such a structure might technically allow the LSC to contract with a "single legal entity", any arrangement whereby constituent Not-for-Providers remain, and continue to operate, as distinct legal entities, regardless of the creation of a legal vehicle intended to deliver a service, would not be regarded as ideal. Formal legal arrangements between the single legal entity and its constituent parts would also presumably be governed by further contracts sub-ordinate to the main contract, which would render the structure a sub-contracting one.

3. In what format are you expecting the quarterly reports to be i.e newsletter or magazine? How large are you expecting the quarterly reports to be, i.e a single A4 page or more? Is the report limited to updates on only new and developing areas of law or cases which have an impact on established areas also?

We will publish the Quarterly reports using current, email-based, LSC Updates to providers, as well as in such format as yet to be decided, such as our internet pages. The report will have no prescribed form or format but providers will be required to record details of cases featuring any new or developing areas of law where these have arisen, that have impacted established areas. Also required will be cases that identify any problems arising with particular types, or specific, bodies, so the LSC can attempt to address any difficulties at source. The monthly report will consist of a simple form, largely comprising a simple, box-filling data-gathering exercises of

logistical information. The biannual report will be another simple form seeking details of individual queries and advice provided.