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***EKC Group – Tender for Legal Advice and Services***

***Tender Clarifications and Guidance 8,***

***12 September 2025***

**ONE**

1. ***Employment and HR advice***
   1. ***Is employment and HR work required as part of the tender – we note it is not mentioned in the ITT.***

***Should Employment and HR work be included:***

* 1. ***Could you confirm whether Employment Tribunal Insurance is required?***
  2. ***Could you confirm whether any Employment Tribunal work is to be expected, and thus factored into the quote?***

There is no foreseeable requirement for such legal coverage under this tender.

As the tender stands, per ITT Document, Section 3. Tender Requirements, paragraph 1(a) – (i) sets out the priority areas of legal advice and services being sought currently, with the scope to expand to include others in future as the need arises.

EKC Group can confirm that Employment Law and HR Advice is ***outside*** the purview of this tender, and not included.

**TWO**

1. ***Litigation*** 
   1. ***It would be usual to exclude complex litigation matters from retainers given the unknown likelihood, nature and scale of such matters (if any) occurring across a year.  Please could you confirm that these can be listed as an exclusion to a fixed retainer?***

Complex litigations is excluded from the scope of this current tender for the fixed retainer. The retainer covers contract and document review, as well as advice enabling EKC Group to operate in a legally compliant manner across at least all nine areas set out in the ITT.

However, should the Group require additional legal support for complex litigation matters a tender will be launched with regard to this matter separately from the retained legal advice service. The retained legal services provider is permitted to enter the bid for this by presenting a proposed scheme of work with relevant additional service fees commensurate with the scale of the specific matter at that juncture. At all time, the Group reserves the right to negotiate the terms and conditions of any such work with the successful bidder of this separate tender should the need arise.

**THREE**

1. ***(3. Appendix) (Tab 2) Customer Requirements***
   1. ***(3. Appendix) You mention five specific members of the team as part of question 4 Service Delivery Requirements (Tab 2). In our response to question 5 (Tab 2), Quality and relevance of the experience of the proposed legal team, are we limited to those 5 members, or are we permitted to provide CV details of our wider Education Sector specialists which we may call upon for advice where relevant?***

In Appendix, Tab 2, Customer Requirements, Row 3 the mention of ‘Provided access and communicate with up to five specific members of the team, to be specified in the agreement as necessary’ – refers to five EKC Group staff members to be detailed in the final negotiated contract document with successful bidder.

You are permitted to provide the CV details of the wider Education Sector specialists in your organisation. A maximum of four of your team members full CV’s need be provided at this stage, and any other members can be represented by a brief overview of relevant experience.

* 1. ***You have stated that “This information can be provided in the grey boxes below, in a separate customer requirements document of no more than 5 A4 pages.” Please could you clarify what size font the text should be within the 5 A4 page limit. We assume that you are referring to a draft word document which will then paste into the Excel Spreadsheet, not a separate document which we are required to submit.***

Row 5 of the Customer Requirements tab sets out a 5x A4 page limit for the general details organisations may seek to provide demonstrating how the tender requirements will be met, this is supplementary/additional to the responses being provided in the grey boxes. Size 12 font should be used in both the spreadsheet and any word documents submitted.

Bidders are permitted to input information in both areas but must make clear that this is the case to avoid any evidence being overlooked.

Any word documents holding the details of the tender can be either attached:

-alongside the other Tender Pack documents in an emailed zip file,

-or attached within the checklist in the ITT.

Please ensure that directions to locate the substantive information/evidence to be reviewed by the EKC tender panel is provided.

***c.    In relation to the question above, please could you also clarify whether 5 A4 pages should cover the whole response, or is it the limit per question? Any further clarification on word count or format would also be appreciated.***

The 5x A4 page limit is for bidding organisations to demonstrate how it meets the tender requirements across the whole response generally. The 5x A4 page limit is available as supplementary/additional to any responses being provided in the grey boxes.

But if inputting information in both spreadsheet and word documents please provide clarity to the EKC Tender panel as to where evidence is located in your response pack.

Size 12 font should be used in both the spreadsheet and any word documents submitted.

For clarity, full CVs for relevant key members of the bidding organisation can be considered outside of the 5x A4 page limit. However, condensed overviews of other relevant experts’ experience in the organisation is preferrable.

The 5x A4 page word document overview document can be embedded in the Checklist of the ITT or attached via email as part of the tender when the bid is submitted.

**FOUR**

1. ***Legal Spend*** 
   1. ***Could you provide details of your previous three years’ legal spend, broken down across the nine areas outlined in the ITT? This would help us better understand your requirements and ensure our proposal and pricing are aligned with your actual needs.***

Pricing/Cost is one of the key scoring criteria, and as such it is expected that bidders calculate their own estimates of providing this service to meet EKC Group’s requirements and tender evaluation parameters.

Therefore, in the interests of maintaining fairness throughout the tender process, any previous year’s spend in this area has been deemed not relevant to this year’s current tender.

The retainer last year was a general spend covering all priorities areas set out in ITT Section 3, Tender Requirements, paragraph 1 (a) to (i) and as such it is not possible to itemise or separate each element of advice and services individually.

* 1. ***If possible, to give us a better idea for our response - would you be able to provide an idea of the types of litigation or disputes which you have been involved with (if any)?***

The details of specific litigation is not communicable for the purposes of this tender.

However, particular areas of interest for the Group relate to leases in commercial property, health and safety compliance, and commercial contract review.

**FIVE**

1. ***(3. Appendix) (Tab 1) Pricing Schedule***
2. ***Could you further clarify the difference between the first 3 pricing items on the specification (Cells A17,A18,A19), for example, in what way does ad-hoc access (A17) differ from unlimited advice (A18), could you clarify if there is a differentiation in the way you expect these services to be delivered?***

The principal goal is to procure an on-demand legal retainer which ensures accessible and legally sound advice.

(3. Appendix) (Tab 1) Pricing Schedule A17, A18, and A19 are all aspects of the overall service and it is for bidders to propose their respective value propositions on each in this context.

1. ***Given the above, could you also provide further detail on what is meant by “access and communication” (A19) with up to five specific members of the team? We note that this may overlap with “unlimited telephone and email advice” (A18) which could in effect be covering the same service.***

A19 refers to five EKC Group staff having access to the retained legal advisers.

The ‘unlimited telephone and email advice’ A18 is envisaged as a part of the same service as A19, all being included within the fixed fee under the retainer, and being subject to a proposed Time Constraint clause or policy requiring fair and reasonable use.

1. ***Could you confirm you are looking for one single, fixed, price for each of the 5 items in the specification? (Cells A17,A18,A19,A20,A21).***

Pricing can be presented as a single fixed price, or as an hourly/unit rate, provided that that any formulation used is clear and easily understandable. Any applicable VAT must also be communicated.

1. ***Could you confirm what you mean by the specification item “Provide an appropriate contract for services” (Cell A21), is this different to Total Price (Cell C24)?***

Cell A21 sets out the requirement for a successful bidder to provide a contract for services, and willingness to do so at the relevant juncture.

The Letter of Engagement as required in the ITT Document Checklist bears a request for indicative terms and conditions.

Cell C24 the total price should ideally be presented as an **amount in GBP** and making clear whether or not VAT is included.

**SIX**

1. ***(3. Appendix) (Tab 1) Pricing Schedule) and (Tab 2) Customer Requirements***
2. ***Could you confirm that within the tab “Supplier Response” in relation to specification items, in Tab 1, Pricing Schedule, you are expecting to see details only in relation to pricing, e.g. description of what the price includes, assumptions and exclusions. And, in Tab 2, you are expecting to see details of that item overall, e.g. our expertise in specified areas.***

(3. Appendix) (Tab 2) Customer Requirements, Column C - Supplier Response boxes should ideally elaborate on, and mirror, any brief details in Column B - Supplier Offering, (Tab 1).

(Tab 1), Column C - Supplier Pricing Offering should contain the pricing structure/formula or specific GBP amount – making clear where VAT is applicable.

Cell C24 the total price should ideally be presented as an **amount in GBP** and making clear whether or not VAT is included.

**\_END\_**