

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

***Tender Clarifications and Guidance 6,***

 ***11 September 2025***

**ONE**

Please may we raise the following clarification questions in relation of this tender opportunity?

***Pricing Schedule tab***

1. **Row 17** of the Pricing Schedule tab - we note that EKC Group have asked bidders to provide fixed monthly or annual fees to cover the 9 key areas listed within the ITT document and pricing schedule. Some of these areas are very disparate, and some difficult to estimate a fixed cost for (e.g. disputes, general advice). This makes it difficult to provide a fixed cost that accurately incorporates all potential work for all of these areas.

With this in mind, please can the Group confirm if Bidders are permitted to provide a fixed cost for our response to this requirement, based on timed parameters (as opposed to the unlimited advice sought at Row 18).

The principal goal is to procure an on-demand legal retainer which ensures accessible and legally sound advice which enable EKC Group to operate with surety across the areas.

Fair and reasonable use of the services being set out in a Time Constraint clause or policy is acceptable. Furthermore, the Group can confirm that bidders are permitted to provide a fixed cost based on timed parameters in response to the ‘unlimited’ advice sought at Row 18 of the Pricing Schedule tab.

**TWO**

1. **Row 18** of the Pricing Schedule tab – we note that this requirement relates to unlimited telephone and email advice. Please can the Group confirm if bidders are permitted to provide hourly rates (or any alternative fee structures) for such unlimited advice, as opposed to the fixed cost sought at Row 17?

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

As such, bidder are permitted to provide hourly rates and/or any alternative fee structures in the format that most accurately represents the bidder’s approach to service valuation and delivery in **Row 18**.

**THREE**

1. **Row 18** of the Pricing Schedule tab – we note this requirement refers to ‘a range of areas as detailed in the ITT Document (including those listed above)’. Please can the Group confirm that the telephone and email advice relate only to the 9 areas listed in the ITT and Pricing Schedule? We are unsure what other range of areas you are referring to and want to ensure there are no missing documents.

As the tender stands currently, per ITT Document, Section 3 - Tender Requirements, paragraph 1(a) – (i) sets out the priority areas of legal advice and services being sought, with the scope to expand to include others in future as the need arises. But bidders should be reassured that submitting a bid with a focus on these nine areas listed in the ITT and Pricing Schedule will be sufficient to the purposes of this tender.

EKC Group also seeks to confirm that HR and employment law is ***outside*** the purview of this tender, and not included.

**FOUR**

 ***Budget and duration***

1. We note that on the published tender notice that the contract value is £90k. Please can the Group confirm if this is the estimated spend over 1 year, or over the duration of the contract?

The contract value is £90K (plus VAT) and this represents the anticipated spend on retained legal services over a three-year period i.e. the duration of the contract between 2026 and 2029.

**FIVE**

1. Following on from the above question, please can the Group confirm what the duration of the contract will be?

 The contract is planned to run from January 2026 to January 2029, under a three-year retained legal advice and service agreement.

**SIX**

***ITT document and Customer Requirements tab***

1. We note in the ITT document that you require bidders to submit a letter of engagement and terms of conditions. Please can you confirm the following:
2. When you refer to terms of conditions, you mean our own Terms of Business?; and

***Letter of Engagement (LoE) – exemplar***

Yes, applicants are advised to create their own LoE which contains the bidder own Terms of Business. EKC Group do not have a template for this.

The document can be prepared in your organisation’s usual format, with indicative terms meeting EKC Group requirements.

You may find the following structure helpful:-

1. About your Organisation: a brief overview of your organisation’s culture, and sector-relevant expertise applicable to EKC Group.
2. About your Team: How your team is structured, skills, experience and values which underpin service delivery.
3. Service Delivery: meeting EKC Group requirements as set out in the ITT.

-client management and operation/working practices,

-time constraints,

-scope of coverage,

-and subsequent periods

1. Two professional/client references.

**Please Note:**

As stated this structure and particulars are optional and merely suggested for the LoE.

A **minimum** of TWO professional/client references should be detailed in Row 19 of the Customer Requirements tab of the Appendix spreadsheet.

1. If successful, our Terms of Business would form the contractual basis as to our appointment?

The Terms of Business in the exemplar Letter of Engagement represent indicative terms and conditions but will not directly form the contractual basis of the appointment.

If your organisation’s bid is successful, the operative terms and conditions in the final contract will be informed by those in the exemplar LoE, but will ultimately be negotiated between EKC and appointed bidder, and eventually published on the Central Digital Platform (with some redactions permitted for commercial sensitivity under the S.94(1)(b) and (2)(b) Procurement Act 2023).

**SEVEN**

1. We note that the Group has a school trust and nursery provisions. Please can the Group confirm that this tender and the associated pricing relates only to cover services for the 6x Community Colleges within the Group, as outlined in the ITT Document?

EKC Group consists of the six community colleges, EKC Training and the nursery provisions within its purview, but EKC Group is one legal entity. The retainer will **not** extend to or relate to EKC Schools Trust.

**EIGHT**

1. Please can the Group confirm our understanding that, within the Customer Requirements tab and within the ‘Supplier Response’ tab, bidders need to detail and evidence how they will meet each requirement? We ask as there are no formal questions listed on the tab.

In the Customer Requirements tab of the Appendix spreadsheet, the ‘Supplier Response’ box should be populated with an overview and directions as to the evidence of how each requirement will be met by the bidder.

The Supplier Response box and the Additional Information Box can provide a reference to attached supporting relevant documents which bidders would like EKC Group to consider in relation to the suitability of the bid.

**NINE**

1. **Row 19** of the Customer Requirements tab – the Group have requested “Details of references that might be used by the Group”. Can you clarify the number of references required? We assume this to be a maximum of 2 separate references, as is typically standard. Can you confirm our understanding is correct?

 At Row 19 of the Customer Requirement tab, TWO separate references are sufficient in number for EKC Group.

**TEN**

1. **Row 5** of the Customer Requirements tab – the Group have asked bidders to input their responses into the relevant spreadsheet columns or “in a separate customer requirements document of no more than 5 A4 pages.” Please can you confirm the format in which you require responses back?

 We ask as there would be discrepancies between the level of detail bidders can include depending on the format chosen. For example, CVs would quickly exceed the 5x page A4 limit if included in Word, leaving no room to respond to the other requirements within the page limit.

Row 5 of the Customer Requirements tab sets out a 5x A4 page limit for the general details that organisations may seek to provide demonstrating how the tender requirements will be met, this is supplementary to the response being provided in the grey boxes.

Bidders are permitted to input information in both areas but must make clear that this is the case.

For clarity, full CVs for a maximum of four 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 are preferrable.

**\_END\_**