

HMLR External Legal Services Procurement - Consolidated Q&A – Summary



Ref	Questions	Response
1.	<p>We wish to find out further information relating to the attached prior information notice.</p>	<p>Please use the link to contracts finder for further information relating to this requirement; The Contract Notice and Selection Questionnaire are now available at: https://www.contractsfinder.service.gov.uk/Notice/f8d24320-a96d-4cb3-858a-81dda21cc89b</p>
2.	<p>After reviewing the HM Land registry documentation, there was no clear instruction as to how to send our clarification questions therefore I include them below.</p> <p>Can you please confirm how you would like our response to be submitted (electronically, hard copies posted or both)?</p> <ul style="list-style-type: none"> • If you would like our response to be submitted electronically, can you please confirm that this is the email address: LRlegalservices@landregistry.gov.uk? • If you would like our response to be posted, can you please confirm the number of copies you require and that this is the address: HM Land Registry, Croydon, CR0 2AQ, United Kingdom? <p>In Section I. Essential technical and professional capabilities table’, question B – H, can you please provide:</p> <ul style="list-style-type: none"> • the percentage breakdown of volume of work allocated for each capability criterion? • the anticipated breakdown of spend for each capability criterion from the proposed contract value? 	<p>Responses should be submitted electronically</p> <p>Yes this is correct</p> <p>N/A</p> <ul style="list-style-type: none"> • The demand for HMLR external legal services will be dependent upon business needs and so therefore difficult to anticipate in advance • Further formation will be made available to those suppliers that qualify the selection questionnaire stage. This breakdown will be based on historic spend in each of the respective areas.
3.	<p>Would you like us to provide our response in your ‘Selection Questionnaire’ template or are we able to use our branded template?</p> <p>Please can you confirm whether II.2.9 in the Contract Notice, refers to the number of firms you will invite to the ITT stage of this process</p>	<p>Please use the ‘Selection Questionnaire’ template</p> <p>Yes this refers to the number of suppliers who will be invited</p>

4.	Can you please provide the sub-categories of business for each of the capability criteria?	<p>Areas of Specialism:</p> <p>Requirements covered would be legal services in relation to matters arising out of or related to the matter in question including litigation and other forms of dispute resolution. The types of legal services required are not prescribed but will include, and not limited to advice and representation (including litigation), matters relating to:</p> <p>Property:</p> <ul style="list-style-type: none"> a. Acquisitions and disposals (including relevant tax advice) b. The disposal and acquisition of freehold and leasehold property c. Leases, licences and conveyancing d. Landlord and tenant matters e. Site re-developments/ property development f. Environmental and planning (including planning inquiries) g. Compulsory purchases h. General property advice such as, report on title, and dispute resolution <p>Employment and Health & Safety:</p> <ul style="list-style-type: none"> a. Employment law - including advising on policies; advice on day to day employee management; delivery of bespoke training/upskilling events for HR and senior managers; distribution of email publications to help share knowledge b. Employment litigation - including drafting and advising on defence; representation; liaison with Counsel; drafting and advising on settlement agreements c. Equal opportunities d. Civil or criminal proceedings issued against Land Registry employees arising from circumstances occurring during the exercise of their official duties on behalf of Land Registry, whether in the United Kingdom or abroad e. Transfer of Undertakings Protection of Employment Regulations and Pensions f. Health and safety g. Personal injury matters, whether relating to employees, customers, contractors or visitors to Land Registry property holdings h. Organisational change/change management i. Outsourcing/contracting out <p>General Contract and Commercial:</p> <ul style="list-style-type: none"> a. Public procurement b. Advice on relevant law
----	--	---

		<ul style="list-style-type: none"> c. Drafting, negotiating and review of legal and commercial documents d. Advice and assistance with structuring of commercial transactions e. Advice and assistance on funding issues f. Compliance with relevant government policy and guidance g. Construction of contracts, licenses and other legal documents h. Legal risk management i. Litigation and other forms of dispute resolution j. Participation in project and programme teams k. Intellectual Property Rights l. Competition law issues m. State aid n. Data protection law o. Cyber security law p. Freedom of information law q. Internet and social media law r. Joint ventures and partnerships law s. Corporate law and corporate governance
5.	We have downloaded both the documents stated above but we just wanted to check if there is any further procurement documentation available at the moment as the contract notice refers to an Invitation To Tender document?	<p>We can confirm that at this stage only the following two documents available; The Contract Notice and the Selection Questionnaire.</p> <p>The Invitation to Tender (ITT) document will be made available to suppliers who are selected to proceed to the next stage</p> <p>The Contract Notice and Selection Questionnaire are now available at: https://www.contractsfinder.service.gov.uk/Notice/f8d24320-a96d-4cb3-858a-81dda21cc89b</p>
6.	To help us with our bid/no bid decision we have noted that you are one of the bodies that are eligible to use the new CCS Legal framework RM 3786 to procure these services and we are keen to understand why you have not chosen to use this framework to procure these services?	HM Land Registry is choosing to procure for its own external legal supplier for its own commercial reasons.
7.	<p>Can you please clarify the following:</p> <ul style="list-style-type: none"> - that at this stage, only the Selection Questionnaire needs to be completed - whether the contract value stated in the notice (£632k) is per year or whether this covers the 48 month contract period 	<p>Correct</p> <p>This covers the 48 month contract</p>

<p>8.</p>	<p>We write in relation to the above procurement and wish to raise the following clarifications:</p> <p>1) Can you please clarify the type of matters that you instruct externally for Property? We would be grateful if you could clarify whether this relates to the management of the Land Registry's property portfolio or instead does it relate to assisting the Land Registry on Property matters in connection with its business as provider of a land registration service or both?</p> <p>2) With regard to the projected legal spend over the life of the contract, are you able to break that figure down into the particular specialisms you have asked us to provide?</p>	<p>1) The type of matters that we instruct externally for property are as follows:</p> <p>Property:</p> <ul style="list-style-type: none"> a. Acquisitions and disposals (including relevant tax advice) b. The disposal and acquisition of freehold and leasehold property c. Leases, licences and conveyancing d. Landlord and tenant matters e. Site re-developments/ property development f. Environmental and planning (including planning inquiries) g. Compulsory purchases h. General property advice such as, report on title, and dispute resolution <p>We require external solicitors to assist HM Land Registry on legal matters and not with managing HM Land Registry's property portfolio.</p> <p>2) The demand of HMLR external legal services is dependent upon its business needs and it is therefore difficult to anticipate the percentage breakdown of work and the breakdown of spend in advance. This information will be made available to bidders that have qualified the selection questionnaire stage, but will be based on historic spend in respective areas.</p>
<p>9.</p>	<p>We would like to register our interest in the recently published tender opportunity, which appeared on the Contracts_finder portal. Are you able to provide us with documents or a link to be able to access the tender documents please?</p>	<p>Please use the link to contracts finder for further information relating to this requirement; The Contract Notice and Selection Questionnaire are now available at: https://www.contractsfinder.service.gov.uk/Notice/f8d24320-a96d-4cb3-858a-81dda21cc89b</p>
<p>10.</p>	<p>At paragraph 4.5 you ask that every organisation that is being relied on to meet the selection criteria complete and submit the self-declaration.</p> <p>As we intend to sub-contract elements can you confirm if the declaration should be completed by us on behalf of the sub-contractor or whether the sub-contractor is required to complete a separate self-declaration?</p>	<p>The sub-contractor is required to complete a separate self-declaration as well.</p>

11.	<p>Please see the below clarification questions:</p> <p>In Section F, are you looking for 3 contracts per Lot or 3 contracts in total (to cover all lots i.e. one for Property, one for Employment etc)</p> <p>Is there a word count for Section F?</p>	<p>Section F of the SQ is requesting contract examples and relevant past experience that can demonstrate you have experience of delivering legal services contracts similar to the HMLR's Requirements) necessary to deliver the solution proposed. We are looking for 3 contracts in total.</p> <p>Word limits are outlined in section F of the SQ.</p>
12.	<p>Please can you also advise how to submit the tender and deadline for submission.</p>	<p>All tenders should be submitted electronically to LRlegalservices@landregistry.gov.uk by the 02/06/2017.</p>
13.	<p>With regards to Section F, under "description of contract", does that have a word count?</p>	<p>There isn't a specified word count for this section, but as it is tabulated, the expectation is that responses will be concise and a minimum of font size 10 will be used.</p>
14.	<p>Clarification on H3.a. – "Can you supply a list of your relevant principal contracts for goods and/or services provided in the last three years similar to the Services required by the Authority?" – Please clarify what is meant by "relevant principal contracts." As a law firm we provide bespoke legal work and on-going legal advice. The fact that we act for a client is confidential and we are unable to disclose our client lists</p> <p>Clarification on H3.b. Please clarify what a "certificate" is.</p>	<p>You could provide information for similar services delivered to an anonymised client without revealing confidential information or request a client to act as a referee for the type of work that is comparable to what we are seeking. Please note that we would seek confirmation from referees.</p> <p>This refers to certificates or documentary evidence from clients/customers which can verify your past performance in providing relevant services.</p>
15.	<p>We have reviewed the Selection Questionnaire and have a question of clarification in respect of the Evaluation Guidance for Part I – Technical and Professional Capabilities – If we are unable to confirm that we practice in all of the categories listed in the table will we fail the selection process?</p>	<p>Responses to the Selection Questionnaire will be evaluated using respective evaluation criteria's that are included in each section of the template. Please refer to the SQ template for further information on the evaluation.</p>
16.	<p>Please could you confirm if we have to provide the list of relevant principal contract at this stage? And if so, where we would provide it?</p> <p>Please could you also confirm if question H.3a is asking for only a list of the relevant contracts or if we also have to provide information on the work we have carried out for the client?</p>	<p>Please refer to section F of the SQ template for guidance.</p> <p>Please refer to section H of the SQ template for guidance.</p>

17.	4) In relation Question F.2, are we correct in our assumption that if we do not intend on sub-contracting a proportion of the contract then our response to this question should be 'Not Applicable'?	Correct
-----	---	---------