**Appendix B**

**Envelope 1: Qualification Envelope - Supplier Selection Questionnaire (SSQ)**

**GENERAL INFORMATION**

The purpose of these questions is to collect background information and contact details to establish the entity with which the Authority may contract. All questions within this section must be completed. As the information requested in this section is for information only, it is not scored.

## Company Details:

|  |  |
| --- | --- |
| Name of Organisation: |  |
| Address: |  |
| Town/City: |  |
| Post Code: |  |
| Country: |  |
| Website: |  |
| Registration No:  Date of Registration: |  |

## Details for the main contact for this Quotation:

|  |  |
| --- | --- |
| Name: |  |
| Position: |  |
| Telephone Number: |  |
| Email: |  |

**Organisation Type/Classification:**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Please tick box |  | Please tick box |
| Limited Company |  | Sole Trader |  |
| Public Limited Company |  | Other Partnership |  |
| Limited Liability Partnership |  | Other (please state) |  |
| Voluntary, Community and Social Enterprise (VCSE) |  | Small or Medium Enterprise (SME) |  |
| Public Service Mutual |  | Sheltered Workshop |  |

**PASS/ FAIL QUESTIONS**

**Professional & Business Standing**

Please provide confirmation as to whether any of the circumstances as set out below apply. This relates to the professional and business standing of your organisation and represents the minimum standards required by the Authority. If you answered “Yes” to any of these questions, this will result in a Fail.

|  |  |  |
| --- | --- | --- |
| **PROFESSIONAL AND BUSINESS STANDING** | | |
| **Mandatory Exclusions** | | |
| Do any of the following apply to your organisation, or to (any of) the director(s) / partners / proprietor(s)? | | |
| 1.1 | A conviction (or convictions) for a criminal offence related to business or professional conduct or bribery, corruption, fraud, theft, conspiracy to defraud, conspiracy relating to participation in a criminal organisation, an offence in connection with proceeds of drug trafficking or money laundering | Yes / No |
| 1.2 | destroying, defacing or concealing of documents | Yes / No |
| 1.3 | any offence listed—  (i) in section 41 of the Counter Terrorism Act 2008; or  (ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection | Yes / No |
| 1.4 | any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f) | Yes / No |
| 1.5 | an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004 | Yes / No |
| 1.6 | an offence under section 59A of the Sexual Offences Act 2003 | Yes / No |
| 1.7 | an offence under section 71 of the Coroners and Justice Act 2009 | Yes / No |
| 1.8 | an offence under section 2 or section 4 of the Modern Slavery Act 2015 | Yes / No |
| 1.9 | Failure to fulfil obligations related to payment of social security contributions | Yes / No |
| 2.0 | Failure to fulfil obligations related to the payment of taxes | Yes / No |

Please provide confirmation as to whether any of the circumstances as set out below apply. If you answered “Yes” to any of these questions, please provide the following information:

1. The date of occurrence
2. What has occurred or is occurring (including details of any legal action, fines or convictions and any further guidance (e.g. subsequent advice from the investigating body)
3. Actions which your organisation has taken to mitigate against the risk of re-occurrence.

The Authority will consider the information provided in order to assess whether or not your organisation should be excluded. Failure to provide this information will result in a Fail and your quotation response will not be evaluated further.

|  |  |  |
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| **PROFESSIONAL AND BUSINESS STANDING** | | |
| **Discretionary Exclusions – Part 1** | | |
| Do any of the following apply to your organisation, or to (any of) the director(s) / partners / proprietor(s)? | | |
| 1.1 | Bankruptcy or is the subject of insolvency or winding-up proceedings, where your assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State | Yes / No |
| 1.2 | Legal or administrative finding of commission of an act of grave professional misconduct in the course of business | Yes / No |
| 1.3 | Guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria or withheld such information or is not able to submit supporting documents required | Yes / No |
| 1.4 | Unduly influenced the decision-making process of the contracting authority, or obtained confidential information that may confer upon the organisation undue advantages in the procurement procedure | Yes / No |
| 1.5 | Entered into agreements with other economic operators aimed at distorting competition | Yes / No |
| 1.6 | The prior involvement of an organisation in the preparation of the procurement procedure has resulted in a distortion of competition that cannot be remedied by other, less intrusive, measures | Yes / No |
| 1.7 | Significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions | Yes / No |
| 1.8 | Negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes / No |
| 1.9 | Breach of section 15 of the Immigration, Asylum, and Nationality Act 2006 or a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006 | Yes / No |
| 2.0 | Breach of the National Minimum Wage Act 1998 | Yes / No |
| 2.1 | If you have answered 'Yes' to any of the Part 1 discretionary exclusions, you are required to provide evidence of ‘self-cleaning’ (see regulation 57 (13) to (17) of the regulations) against the relevant conviction. The answer should also name the organisation or member being referred to.  *If such explanation and evidence is considered by the Authority (whose decision will be final) as sufficient, the supplier will be allowed to continue in the procurement process.* | Yes / No |
| Supplier Response: | | |
| **Discretionary Exclusions – Part 2** | | |
| For your organisation (or any consortium member) have any of the organisation’s tax returns submitted anywhere in the world on or after 1 October 2012; | | |
| 1.1 | Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion | Yes / No |
| 1.2 | Been found to be incorrect as a result of:  (i) HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the “Halifax” abuse principle; or  (ii) A Tax Authority in a jurisdiction in which the legal entity is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the “Halifax” abuse principle; or  (iii) the failure of an avoidance scheme which the Supplier was involved in and which was, or should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the Supplier is established | Yes / No |
|  | If you have answered “Yes” to either of the questions above, please provide details of any mitigating factors that you consider relevant and that you wish the Authority to take into consideration. This could include, for example:   ● Corrective action undertaken by the supplier to date;  ● Planned corrective action to be taken;  ● Changes in personnel or ownership since the Occasion of Non-Compliance (OONC);  ● Changes in financial, accounting, audit or management procedures since the OONC.  *In order that the authority can consider any factors raised by the potential supplier, the following information should be provided:   • A brief description of the occasion, the tax to which it applied, and the type of “non-compliance” e.g. whether HMRC or the foreign Tax Authority has challenged pursuant to the GAAR, the “Halifax” abuse principle etc.  • Where the OONC relates to a DOTAS, the number of the relevant scheme.  • The date of the original “non-compliance” and the date of any judgement against the potential supplier, or date when the return was amended.  • The level of any penalty or criminal conviction applied.* |  |
| Supplier Response: | | |

**Economic and Financial Standing – Financial Information**

Please confirm your commitment to provide a suitable parent company guarantee or performance bond if/when it is deemed appropriate.

|  |
| --- |
| Yes/No |

**Economic and Financial Standing – Insurance**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Insurance Requirements (1) | I/We confirm required limits are currently held (2) | If NO, please state current limits held (3) | Certificates/ Documents confirming current insurances are enclosed (4) | I/We are willing to increase if required limits are not held (5) |
| Public Liability £5m per occurrence or series of occurrences arising out of the same event | YES/NO | £ | YES/NO | YES/NO |

Please note that Eastleigh Borough Council may seek copies of insurance certificates, both upon appointment and during the life of the contract, as confirmation of your response.

**Financial Risk**

As part of the evaluation of quotations received, and in accordance with its responsibilities to safeguard the expenditure of public money, it is Eastleigh Borough Council’s policy to consider the economic and financial standing of the suppliers concerned.

For all suppliers that submit tenders, a financial risk analysis will be carried out using Creditsafe. The evaluation methodology will include a verification of company identity, credit limits, contract limits, accounts, turnover, risk rating, borrowing limits, contract sums and whether there are any payment disputes. The financial assessment will be carried out by an Eastleigh Borough Council CIPFA Qualified Accountant and will be assessed on a pass/fail basis.