



# **Pre-Qualification Questionnaire for**

## **Joint Venture Strategic Services Partnership (JV-SSP)**

**Ref No: T028/07/DSW**

**Return date: 31 August 2007**

**Return to: [www.devontenders.gov.uk](http://www.devontenders.gov.uk)**

**Applicant to insert their company name:**

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## SECTION ONE: INSTRUCTIONS TO APPLICANTS

### 1.1 INSTRUCTIONS TO APPLICANTS for contracts with Torbay Council [hereinafter referred to as The Authority]

1.1.1	<b>Pre-Qualification Questionnaire document</b>	Please read this entire document before completing your return.
1.1.1a		The information disclosed in this form will be used for evaluation purposes, except where indicated otherwise.
1.1.2	<b>Completion of Pre-Qualification Questionnaire document</b>	Please answer all appropriate questions and sign (if possible) where specified. You may continue on a separate sheet where necessary. Please clearly reference your replies and any supporting documentation.
1.1.2a		This questionnaire must be fully completed even if you have previously submitted information. It is not sufficient to cross refer to previous responses.
1.1.3	<b>Entries on Pre-Qualification Questionnaire document</b>	All entries or endorsements entered on the Pre-Qualification Questionnaire document must be typewritten.
1.1.4	<b>Clarification questions</b>	If you have any questions relating to any part of this questionnaire or to the Tendering process as a whole, please contact the Procurement Representative detailed.
1.1.4a		All clarification questions should be submitted via the Devon Tenders portal and should be received before twelve (12) noon on <b>27 July 2007</b> . The answers will be posted via the same before <b>01 August 2007</b> .
1.1.4b		Please be advised that unless your question is innovation based, responses will be provided to all Applicants. The identity of Applicants raising any questions will remain confidential.
1.1.5	<b>Return of Pre-Qualification Questionnaire document</b>	Offers must be returned electronically via the Devon Tenders e-Tendering portal. Should you experience any problems with this request, please contact the Procurement Representative detailed.
1.1.5a		Pre-Qualification Questionnaires delivered after the date and time specified on the documents or to a different address will not be considered under any circumstances.
1.1.6	<b>Closing date</b>	The <b>closing date</b> for receipt of the completed questionnaire is <b>31 August 2007</b> .
1.1.7	<b>Contract duration</b>	The contract is anticipated to run for a period of between ten (10) and fifteen (15) years with possible successive extension periods of five (5) years.

## **1.2 CONTACT DETAILS**

### **1.2.1 Council Authorised Representative contact details:**

**GARETH BOURTON**

Assistant Director  
Direct Services and Waste  
Aspen Way  
Yalberton Industrial Estate  
Paignton  
TQ4 7QR.

Torbay Council website  
[www.torbay.gov.uk](http://www.torbay.gov.uk)

### **1.2.2 Procurement Representative contact details:**

**CARLY WEDDERBURN**

Procurement Officer  
Corporate Property and Procurement  
1<sup>st</sup> Floor, Tor Hill House  
Torquay  
TQ2 5QW

Torbay Council website  
[www.torbay.gov.uk](http://www.torbay.gov.uk)

Torbay Council  
procurement website:  
[www.torbay.gov.uk/procurement](http://www.torbay.gov.uk/procurement)

### **1.2.3 Location of Torbay:**

Please refer to Torbay Council's website:

Torbay Council website  
[www.torbay.gov.uk/index/leisure/location.htm](http://www.torbay.gov.uk/index/leisure/location.htm).

**1.3 GENERIC DEFINITIONS (Applicable to the whole document)**

<b>Applicant</b>	Shall mean the organisation responding to any Request for Quotation (RFQ), Pre-Qualification Questionnaire (PQQ) and Invitation to Tender (ITT) and any other further documentation that may be issued throughout this procurement process
<b>Authority</b>	Shall mean Torbay Council
<b>Call-Off</b>	Shall mean the ability to order goods as and when required through the period of the Contract at the agreed Tender pricing
<b>Carrier</b>	Shall mean the person, firm or company that delivers the goods
<b>Chief Executive</b>	Shall mean the Chief Executive of Torbay Council
<b>Commercially Sensitive Information</b>	As defined with the Freedom of Information Act 2000
<b>Consortium</b>	Shall mean Torbay Council acting on behalf of the any local, regional and/or national Authorities/Organisations identified in this document and any other future participating Authorities/Organisations
<b>Contract</b>	Shall mean the Agreement between the Authority and Contractor for the execution of the goods, works and/or services, including all documents to which reference may properly be made in order to ascertain the rights and obligations of all the parties involved
<b>Contract Manager</b>	Shall mean the person for the time being appointed by the Contractor as being authorised to administer this Contract on behalf of the Authority or such person as may be nominated by the Contract Manager to act on its behalf
<b>Contract Period</b>	Shall mean the period for which this Contract shall be performed as stated within this documentation
<b>Contracting Authority</b>	Shall mean Torbay Council and any other Authority on whose behalf Torbay Council may be working
<b>Contractor</b>	Shall mean the Applicant awarded the Contract culminating from an offer to supply accepted by this Authority
<b>Council</b>	Shall mean Torbay Council
<b>Council Authorised Representative</b>	Shall mean the person for the time being or from time to time duly appointed by the Authority and notified in writing to the Contractor to act as the Authority's representative for this Contract
<b>Devon Tenders</b>	Shall mean the <a href="http://www.devontenders.gov.uk">www.devontenders.gov.uk</a> local authority e-Tendering portal.
<b>Equipment</b>	Shall mean Equipment and associated items to be supplied as part of this Contract and covered by the Official Purchase Order
<b>Framework Agreement</b>	Shall provide the terms of Contract that may be let over the period of the agreement against which Call-Offs can be made
<b>Goods</b>	Shall mean all Goods to be supplied as part of this Contract and covered by the Official Purchase Order
<b>ITN</b>	Shall mean Invitation to Negotiate
<b>ITT</b>	Shall mean Invitation to Tender
<b>KPI</b>	Shall mean Key Performance Indicator
<b>MEAT</b>	Shall mean Most Economically Advantageous Tender
<b>Offer to Supply</b>	Shall mean any/all documentation fully completed by the Applicant and returned to Torbay Council by the means indicated within this documentation

<b>Official Purchase Order</b>	Shall mean the Authority's Official Purchase Order, to which these conditions apply
<b>Packages</b>	Shall mean bags, cases, carboys, cylinders, drums, pallets, tank wagons and any other containers or receptacles used during this Contract
<b>Premises</b>	Shall mean the place/s at which the Contractor will deliver the Goods and/or execute the Services, subject of this Contract
<b>Procurement Representative</b>	Shall mean the person for the time being or from time to time duly appointed by the Authority and notified in writing to the Contractor to act as the Authority's Procurement Representative associated with this document and any subsequent Contract
<b>PQQ</b>	Shall mean Pre-Qualification Questionnaire
<b>RFQ</b>	Request for Quotation
<b>Service/s</b>	Shall mean any action/s by the Contractor required by the Contract
<b>SLA</b>	Shall mean Service Level Agreement
<b>Specification</b>	Shall mean the detailed description of the Authority's requirements
<b>Tender</b>	Shall mean Invitation to Tender
	Shall mean your written offer to contract Goods or Services at the cost/s or rate/s specified in any subsequent documentation
<b>Tenderer</b>	Shall mean the Applicant completing the Tender document with the offer to supply

#### 1.4 SPECIFIC DEFINITIONS

Specific to the content of this procurement

<b>Competitive Dialogue</b>	Shall mean the Public Contracts procurement procedure being used to conduct this process. Further information can be found at <a href="http://www.europa.eu">www.europa.eu</a>
<b>Descriptive Document</b>	Shall mean the PQQ and Prospectus any other pertinent Tender and/or Contractual information that is created as to be informative, and provide details about the project and wider Authority
<b>DPP</b>	<p>Shall mean Devon Procurement Partnership, which comprises collectively and/or individually of:</p> <p>Devon and Cornwall Police Authority  Devon County Council  Devon and Somerset Fire and Rescue Service  Dartmoor National Park  East Devon District Council  Exeter City Council  Exeter University  Land Registry  Met Office  Mid Devon District Council  North Devon District Council  Plymouth City Council  South Hams District Council</p>

	Teignbridge District Council Torbay Care Trust Torbay Council Torridge District Council West Devon Borough Council And future and Associate members
<b>DS&amp;W</b>	Shall mean Direct Services and Waste
<b>DSO</b>	Direct Services Organisation
<b>JV</b>	Shall mean Joint Venture
<b>JVC</b>	Shall mean Joint Venture Contract
<b>Prospectus</b>	Shall mean the document accompanying this PQQ, which gives the background to and outlines the Council's aims and objectives for this JV
<b>SSP</b>	Strategic Services Partnership
<b>Sub-region</b>	Shall mean the Authorities included within the DPP.
<b>TUPE</b>	Shall mean Transfer of Undertakings (Protection of Employment) Regulations



## **SECTION TWO: EXPLANATORY NOTES**

### **2.1 EXPLANATORY NOTES**

The purpose of this questionnaire is to assist the Authority in deciding which Applicants to shortlist to invite to the next stage of this procurement. Applicants are required to complete the Evaluation PQQ in full. The PQQ will provide the Authority with information relating to the Applicant's general economic and financial standing, experience and technical capacity. This information will be used for evaluation purposes only. Shortlisting for invitation to Tender or award of contract does not imply any representation by the Authority as to the Applicant's financial stability, technical competence or ability to carry out the services. The right to return to these matters as part of the formal Tender evaluation process is reserved.

Applicants should append their responses to the technical section of the PQQ and return as instructed. Responses should be typewritten and clearly marked with the name of your organisation and each question to which you respond.

In order to simplify the process, you do not need to provide supporting documents, for example accounts, certificates, statements or policies with this questionnaire. However, the Authority may request to see these documents at a later stage in the process. You may also be asked to clarify your answers and provide more detail. Any further information which you **may** wish to submit, however, should also be appended on separate sheets and headed "Supporting Information".

The information you provide on the PQQ will be relied upon and taken to be true and accurate. If it is subsequently determined that any information supplied was inaccurate and was relied upon for evaluation purposes, the Authority reserves the right to exclude your offer to supply (if still under evaluation) or if the contract has been awarded to you and the information inaccurately supplied had a significant bearing on the award then the Authority shall be at liberty to terminate the contract.

All clarification questions must be submitted via the Devon Tenders portal and responses will be distributed to all Applicants via the same, in order to ensure all Applicants receive the identical information.

The information contained in this questionnaire will be held in confidence by the Council and used for the purpose of determining your suitability for meeting our general requirements for the provision of Services. Further assessment and selection may be required before any indication can be given on the success of your application in progressing to the next stage of the process.

### **2.2 THE PQQ**

All sections of the PQQ must be completed. Failure to do so may result in your submission being excluded from further evaluation. If the question does not apply to you please write N/A, non applicable; if you do not know the answer please write N/K, not known.

Where the answer is a statement of fact, it must be accurate and supporting documentary evidence may be requested by the Authority at a later stage in the process as appropriate. It is the Tenderer's responsibility to ensure the Authority is not misled.

It will be the responsibility of the Applicant to keep the Authority informed of any matter that may affect the Applicant's continued qualification.

The content of this application and its form shall remain confidential.

Neither the Applicant nor the Authority will disclose the nature of this document to any third party.

Information supplied by the Contractor within this Pre Qualification Questionnaire shall form part of the wider Descriptive Document and shall form part of the resultant Contract upon close of this project.

## **2.3 FRAMEWORK AGREEMENT (if applicable)**

For the avoidance of doubt the Authority does not bind itself to secure the purchase whether in-house or by the Customers of specific quantities of any products.

Framework agreements represent the Tenders submitted by the Applicant(s) to the Authority. The Applicant stands ready to accept orders from the Authority for the provision of Goods and Services in accordance with all descriptions, Specifications and Terms and Conditions contained in the Framework Agreement itself.

## **2.4 COMPLETION OF DOCUMENTATION**

Torbay Council now request that Pre-Qualification Questionnaires, Invitation to Tenders and Quotations are received via the Devon Tenders e-Tendering portal. Devon Tenders is a collaborative initiative between local authorities where Tender and Quotation opportunities will be displayed for the participating authorities.

You can find out more information about registering your company details and any forthcoming Tender opportunities by visiting the Devon Tenders portal:

[www.devontenders.gov.uk](http://www.devontenders.gov.uk)

## **2.5 BIDDERS' CONFERENCE**

Torbay Council intends to hold a Bidders' Conference for Suppliers, which will allow for the organisation to provide further information to potential bidders about the project, and enable potential bidders to clarify any issues in respect of both the Contract itself and the procurement process.

The Bidders' Conference is likely to take the following format:

- Short presentation from the Chief Executive and/or Project Executive
- Short presentation from the Council Authorised Representative and/or other members of the Project Team
- Question and Answer session
- Short tour of the DSO base

You are invited to attend a short tour of the Direct Services and Waste facilities on the morning of 19 July 2007. There are three (3) available time-slots for the tour, commencing at 09:00, 10:00 and 11:00. Suppliers are asked to contact Rebecca Knee on 01803 402909 to book a slot, giving the names and numbers of those that will be attending on the day.

The conference will commence at 13:00 – 16:00 that afternoon at the South Devon College, location details of which can be found on their website: [www.southdevon.ac.uk](http://www.southdevon.ac.uk).

## 2.6 SUPPLIER PRESENTATIONS

It may be a requirement for those that receive the highest scores as a result of this Pre-Qualification process to attend a presentation at which stage it will be a requirement to reinforce your position by presenting your proposals to the key stakeholders involved. The anticipated timing for this will be in the week commencing 20 August 2007, post submission of the PQQ documentation (date and time to be confirmed with each Supplier closer to the time). This will be for the purpose of ensuring that all Suppliers have full comprehension of all that is required under this Contract and clarifying any unclear components of your proposal, and may be used to inform the PQQ evaluation scoring in order to be able to shortlist Suppliers to move to the next stage in the procurement process.

## 2.7 KEY DATES

Please see below key dates, which have been provided for your information and to enable planning throughout the entire process. Please be aware that these dates are provisional and are subject to change, and as such, should be referred to as a general guide.

Date of dispatch of PQQ/Prospectus	16/07/07
Bidders Conference	19/07/07
Closing date for clarification questions	27/07/07
Closing date for response to clarification questions	01/08/07
Return of PQQ/Prospectus	31/08/07
Supplier Presentations (if applicable)	w/c 17 September 2007
Submit Outline Solutions (ISOS) issued	w/c 15/10/07
Outline Solutions submitted	w/e 12/11/07
Evaluation, clarification and dialogue on Outline Solutions	w/c 03/12/07
Send out Invitation to Submit Detailed Solutions (ISDS)	w/c 28/01/08
Detailed Solutions Submitted	22/02/08
Evaluation, clarification, dialogue and negotiate on Detailed Solutions	25/02/08-17/03/08
Further dialogue and refinement of solutions	17/03/08-28/04/08
Call for Final Tenders (CFT)	28/04/08-12/05/08
Final Tenders Completed	12/05/08-09/06/08
Select preferred bidder	09/06/08-23/06/08
Final clarification, due diligence, Financial Close and award	23/06/08-06/10/08
Start Date	October 2008

## 2.8 FREEDOM OF INFORMATION

The Authority would like to draw Applicant's attention to the Freedom of Information Act, which came into effect on 01 January 2005. From that date all individuals have the right to any recorded information held by public authorities unless covered by one of the twenty-three (23) exemptions, which protect certain information. This right is retrospective regardless of the date the information was generated and must be provided within twenty (20) working days. Information held by the Applicant relating to any Contract with DCPA will be subject to the Act in the same way as information held by the DCPA.

Further details will be enclosed within the Authority's Terms and Conditions, which are contained within the Tender documentation.

## **SECTION THREE: CONTRACT INFORMATION AND BACKGROUND**

### **3.1 BACKGROUND INFORMATION: TORBAY COUNCIL**

Torbay Council is a unitary authority, which means it delivers all council services for the area, including:

- schools and services for children and young people
- social care and housing
- recycling and waste disposal
- museums, leisure, libraries, arts and theatre
- consumer protection and licensing
- transport, roads, clean streets and town planning
- tourism, harbours and economic regeneration

Thirty-six councillors are elected by the residents of Torbay. Councillors are democratically accountable to the residents of their wards. Councillors have to agree to follow a code of conduct to ensure high standards in the way they undertake their duties.

The residents of Torbay also elect a Mayor. The Mayor chooses between two (2) and nine (9) Councillors to form the Cabinet. The Mayor and the Cabinet is the part of the Council which is responsible for most of the day-to-day decisions.

The Mayor is also the first citizen of Torbay and can represent Torbay at civic and ceremonial events. His recent campaign and vision for a 'clean, safe and prosperous bay' is one of the key drivers for the change that is the subject of this procurement exercise.

The Mayor and Councillors are supported by council officers, who are not elected. They are led by a Chief Executive and three (3) strategic directors.

The council is accountable to its council tax payers and all its services are independently inspected. Torbay Council is officially a two (2) star council according to its latest Comprehensive Performance Assessment.

Provided for your information, and to inform you further of the current structure in operation within Torbay Council is the Self Assessment Two Thousand and Six (2006) document, which appears as Appendix One (1) to this Tender. A structure chart for the Council is also attached at Appendix Two (2). Also provided for your information and to give you insight into the Council's vision for change, which is referred to within this PQQ, Appendix Three (3) draft Change Agenda is attached as an appendix to this document. Your attention is drawn to the drivers for as well as the various strands of change, this will be further informed by Appendix Four (4) Community Plan Wheel.

### **3.2 BACKGROUND INFORMATION – SPECIFIC**

- 3.2.1 Torbay Council is currently out to tender under the competitive dialogue procedure to engage a strategic services partner (SSP), single bidder or consortium, to enter into a Joint Venture (JV) to provide a range of services presently provided by the in-house Direct Services Organisation (DSO).

- 3.2.2 The object of the JV is to grow the business and deliver efficiency gains, whilst providing higher quality services. The JV partner shall be expected to invest in, develop and deliver the services. Development activities shall include business process re-engineering and/or development of service interfaces and demonstrate Value for Money and other benefits. The model should result in higher quality services primarily for the citizens of Torbay and optimise the value-for-money and efficiency for the Council but also for a number of other public authorities in the Torbay sub-region that form the wider customer base of the Direct Services and Waste organisation.
- 3.2.3 The JV-SSP delivery vehicle is expected to extend the range and depth of co-operative working. Bids should also give consideration to the beneficial affects that the proposed model will have on the economy, community and regeneration of Torbay and its sub-region. The core requirements will comprise those operational and support functions provided by Torbay Council's Direct Services and Waste Organisation.
- 3.2.4 In addition Torbay Council would welcome bids which include other operational and technical support services within the Direct Services and Waste Organisation if bidders can demonstrate benefits by the inclusion. In this context bidders should note that the Direct Services Organisation also undertakes some building surveying and electrical and mechanical consultancy services for the Council and other public bodies.
- 3.2.5 The Council will want to explore with bidders the appropriateness or otherwise of including these services as part of the JV-SSP. Bidders may wish to consider the current client/contractor boundaries and interfaces as Torbay Council may wish to move to a strategic or 'intelligent' commissioning style organisation. Key areas for consideration are likely to be: Waste management activities. Torbay Council is currently compiling its future waste management strategy and envisages it will be advantageous for some or all waste services to be delivered by the JV-SSP as the waste strategy is developed and implemented.
- 3.2.6 The JV-SSP will be responsible for the development, implementation and operation of enhanced services. The initial interest is to establish a centre of excellence of service provision to Torbay Council. However, once established the service provision vehicle could be of interest to other public authorities within the South West of England. It is the intention that these other public authorities should be able to rely on this procurement to purchase services without the need for any further procurement process. The Direct Services and Waste organisation already provides a range of services to a wider public sector customer base. In the event of re-structuring within local government this procurement will pass to successor authorities.
- 3.2.7 This project is the result of an options appraisal, the detail of which can be found at the following address: [www.torbay.gov.uk/strategicreview-directservices](http://www.torbay.gov.uk/strategicreview-directservices).

Further information can be found in the accompanying Prospectus.

### **3.3 METHOD OF PROCUREMENT**

This procurement will be conducted via the Competitive Dialogue procedure, further information on which can be found at Appendix Four to this document. Please note: the process and timescale given within the Appendix has been created by 4ps as guidance and is not to be taken as the timescale to be used for this project. Details of this can be found at 2.7.

### **3.4 SCOPE OF THE CONTRACT**

The contract is anticipated to run for a period of between ten (10) and fifteen (15) years with possible successive extension periods of five (5) years.

### **3.5 AIMS AND OBJECTIVES**

The objective of this Pre-Qualification Questionnaire is to identify a group of qualified Applicants with which to progress through the process. The ultimate award decision will be based upon assessment of the ‘Most Economically Advantageous Tender’ (MEAT). This will be evaluated against responses to questions detailed in this document and in the later stages of the process.

### **3.6 THE APPLICANT**

The successful Applicant will demonstrate commercial advantage, stability and innovation, technical capacity and the ability to deliver requisite quality of service(s) competitively, and will demonstrate an ability and willingness to:

- be commercially pro-active on the Authority’s behalf
- be flexible and co-operative in implementing business change
- work collaboratively with the Authority to continuously improve and eliminate waste and non-value adding activity

The successful Applicant will demonstrate an understanding of Best Value legislation as it affects government and public sector organisations. The contractor will accept that certain service areas may be added or removed from the contract in the light of a Best Value review.

### **3.7 TRANSFER OF UNDERTAKINGS (PROTECTION OF EMPLOYMENT) REGULATIONS (TUPE)**

It is important to note that the Council is currently considering a number of models for the transfer and protection of its staff, but that the Authority is obliged to contain information within the specification and contract conditions relating to workforce matters. This information will be available as we progress through this procurement process. See Appendix Six (6) – Code of Practice on Workforce Matters in Public Sector Service Contracts for further detail.

These obligations require the Service Provider to protect terms and conditions (including pensions) of transferring staff and to employ new-joiners on “terms and conditions which are, overall no less favourable than those of transferred employees” and to give them reasonable pension arrangements. Service Providers will be required to take account of these obligations in preparing their responses and negotiating the Contract. Therefore, it is suggested that Applicants seek their own legal advice on this matter and ensure that resources are in place to deal with this issue further into this process, if necessary.

### **3.8 ABOUT THE SPECIFICATION**

The Specification will be performance based, as Torbay Council is interested in the outcomes to be delivered rather than the method of delivery.

### **3.9 METHOD OF EVALUATION**

Applicants' responses to the questions detailed in this document will be used to determine a shortlist of Applicants to be invited to participate further in the procurement process. Please ensure you read the explanatory notes in full prior to responding as the information you provide will be relied upon as being true and accurate. It will form part of the contract for the successful Tenderer. If any of the information given by your organisation within the PQQ is subsequently identified as being inaccurate, this may exclude your organisation from further consideration.

The following criteria and weightings will be applied in the evaluation of the Pre-Qualification Questionnaire responses:

Commercial	60%
Technical (including references)	40%

The following criteria and weightings will be applied to the Competitive Dialogue phase (Invitation to Submit Outline Solutions and Invitation to Submit Detailed Solutions):

Technical	100%
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This will be broken down further to cover different technical criteria such as governance arrangements, risk and reward, flexibility to change and so on (these criteria are indicative only and will not form part of the evaluation for this PQQ). These criteria will be indicated and confirmed in the documentation that will form the Competitive Dialogue procedure.

The following criteria and weightings will be applied in the evaluation of the Call for Final Tenders:

Technical	40%
Pricing	60%

The Authority also reserves the right to impose pass/fail criteria and/or thresholds as part of the evaluation process, provided that any conditions are disclosed prior to the submission of the relevant documentation.

The method of evaluation given above and the way in which it has been broken down is reflective of the Competitive Dialogue process, further details of which can be found at Appendix Five (5) – Competitive Dialogue Procedure.

### **3.10 BIDDING FOR LOTS**

The Authority reserves the right to award the business in whole to one Applicant, in part to more than one Applicant or to make no award at all. The Authority is prepared to consider part bids as appropriate.

### **3.11 INTENTION TO BID**

Tenderers must state their intention to bid via Devon Tenders, the Authority's e-Tendering portal.

### **3.12 CLOSING DATE FOR RECEIPT OF PRE-QUALIFICATION QUESTIONNAIRES**

Pre-Qualification Questionnaires, completed in full, must be received via the Devon Tenders portal by the date and time listed at 1.1.6 of this document, “Instructions to Applicants”. Documentation not returned to the correct location and by the specified due date and time will be excluded from evaluation.

### **3.13 CONTACT DETAILS**

Please address all enquiries regarding the tender process, in writing, to the contact listed on page three of this document, “Instructions to Applicants”. Should you require clarification on any issues within this Tender please direct them to the Devon Tenders e-Tendering portal: [www.devontenders.gov.uk](http://www.devontenders.gov.uk)

### **3.14 CONTRACT DURATION**

The contract duration is detailed at 1.1.7 of this document, entitled “Instructions to Applicants”.



## SECTION FOUR: COMMERCIAL EVALUATION

### For ALL Applicants to answer

Applicants must complete ALL sections. The information required in the following pages, along with relevant appendices and enclosures shall be deemed to form part of the Tender return and shall be used in the assessment of Tenders.

Failure to provide any of the required details or if the details are later found to be incorrect may lead to you being exempted from this Tender process or any future Tendering process lead by the Authority and could cause the Termination of the Contract.

#### 4.1 ORGANISATION IDENTITY

4.1.1	Please state the name of the organisation (prime or single contractor) in whose name the Contract would be awarded to.
4.1.2	Insert a contact name for enquiries about this bid.
4.1.3	Please state their job title.
4.1.4	Please provide address details.
	Postcode Tel. No. Fax. No. Email address.
4.1.5	Please state the Company Registration number (if applicable).
4.1.6	Please state the Charities or Housing or other Registration number (if applicable). Please specify the registering body.
4.1.7	Please state the date of registration.
4.1.8	Please provide registered address details if different from above.
	Postcode Tel. No. Fax. No.

4.1.9	Please state the VAT registration number.				
4.1.10	Please provide your website address (if any).				
4.1.11	Is your organisation: (Please select <b>one</b> )	(a) a public limited company?	Y/N	(b) a sole trader?	Y/N
		(c) a limited company?	Y/N	(d) a partnership?	Y/N
4.1.12	Please confirm that an organisation structure chart is enclosed with this completed questionnaire?				Y/N
4.1.13	Is your organisation a subsidiary of another organisation?				Y/N
4.1.14	Please detail the holding or parent company (if applicable).				
4.1.15	Please detail the ultimate parent company (if applicable).				
4.1.16	Please provide the Companies House registration number of the parent company (if applicable).				
4.1.17	Please provide full name(s) and details of Executive Directors/Partners.				
	Name		Responsibility		
4.1.18	Please detail the number and locations of premises from which your organisation provide Services similar to those required by the Council.				
4.1.19	Please provide a brief history (not more than 400 words) of your organisation.				

**4.2 PRIME CONTRACTOR**

4.2.1	Please tick the box below that applies:		
	(a) Your organisation is Tendering to provide the Services required.		
	(b) Your organisation is Tendering in the role of Prime Contractor and intends to use third parties to provide some of the Services.		
4.2.2	If your answer to 6.2.2 is (b), please identify intended subcontractors/partners (if currently known) below:		
	Organisation name	Organisation address and contact details	Applicant
4.2.3	Please give a brief outline on your policy regarding the use of sub-contractors, the extent to which you might envisage using them for this requirement and where your organisation has optimised value for money through the effective use of the supply chain.		
4.2.4	Please state the nature and proportion of work normally undertaken by in-house labour.		
4.2.5	Please state the nature and proportion of work normally undertaken by subcontractors.		

**4.3 COMPLIANCE WITH EU/UK PROCUREMENT LEGISLATION**

4.3.1	Do any of the circumstances as set out in: The Public Services Contracts regulations 1993 (SI 1993 No: 3228) Part IV, Regulation 14 apply to your organisation? (See section 6.16 for further information).	Yes/No
	If yes, please provide details:	
	The Council may seek evidence at a later date, in confirmation of your answer. (A summary of the circumstances of Regulation 14 is provided at the end of this questionnaire)	

**4.4 FINANCIAL INFORMATION**

4.4.1	Please declare your turnover in the last two years (if this applies).	
	£.....for year ended --/--/----	£.....for year ended --/--/----
4.4.2	Please state the current proportion of annual turnover sold to Local Authorities.	
4.4.3	Please provide details of your overall turnover for Contracts similar in scope to this Joint Venture for the previous three financial years.	
4.4.4	Please provide details of the turnover for each Contract similar in scope to this Joint Venture for the previous three financial years.	
	Contact name: Client organisation: Services included: Start date: Contract duration: Gross annual value: 2002 / 2003 2003 / 2004 2004 / 2005	
	Contact name: Client organisation: Services included: Start date: Contract duration: Gross annual value: 2002 / 2003 2003 / 2004 2004 / 2005	
	Contact name: Client organisation: Services included: Start date: Contract duration: Gross annual value: 2002 / 2003 2003 / 2004 2004 / 2005	
4.4.5	Has your organisation met the terms of its banking facilities and loan agreements (if any) during the past year?	
	<b>YES/NO</b>	
4.4.6	If 'No' what were the reasons, and what has been done to put things right?	

4.4.7	Has your organisation met all its obligations to pay its creditors and staff during the past year?	
	<b>YES/NO</b>	
4.4.8	If 'No' please explain why not.	
4.4.9	What is the name and branch of your bankers (who could provide a reference)?	
	Name:	
	Branch:	
	Contact details:	
4.4.10	If asked, would you be able to provide at least <b>one</b> of the following:	
(a)	A copy of your most recent audited accounts for the last two years.	Yes/No
(b)	A statement of your turnover, profit and loss account and cash flow for the most recent year of trading.	Yes/No
(c)	A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position.	Yes/No
(d)	A separate statement of the organisation's turnover that relates directly to the supply of this service for the last two years. This should only be provided if (a), (b) or (c) cannot be provided.	Yes/No
(e)	A Parent Company Guarantee and/or other guarantees of performance and financial standing may be required of considered appropriate. Please confirm your organisation's willingness to provide such a guarantee or performance bond if required.	Yes/No
4.4.11	The Authority has access to a facility called ICC Juniper, which is an online portfolio that enables access to a wide range of daily updated, UK & Irish and European company and financial information, which can be utilised across a wide range of key business functions. Please state whether your organisation gives permission for a check of this nature.	Yes/No

## 4.5 INSURANCE

4.5.1	Please provide details of your organisation's insurance protection in respect of the following:		
	<b>Policy</b>	<b>Indemnity Value (£)</b>	<b>Expiry Date</b>
	Employer's Liability		
	Public Liability		
	Professional/Design Indemnity		
	Product Liability		
4.5.2	Please provide details of any exclusions and/or limitations on your organisation's insurance policy.		
4.5.3	Has your organisation ever been refused and/or had your insurance revoked for any reason? If so, please provide details.		

**4.6 QUALITY ASSURANCE**

4.6.1	Please provide details of any quality assurance certification that your organisation holds, e.g. ISO 9000 or equivalent.	
4.6.2	Please confirm that you are able to provide copy certification should the Authority deem it necessary at the next stage.	Yes/No
4.6.3	If no accreditation is held, please state whether your organisation holds an internal quality assurance policy.	Yes/No
4.6.4	Please confirm that you are able to provide a copy of your organisation's policy should the Authority deem it necessary at the next stage.	Yes/No
4.6.5	If your organisation is in the process of applying for quality assurance certification, please provide details.	
4.6.6	If your organisation holds none of the above and/or is not in the process of applying for quality assurance certification, please explain why.	

**4.7 HEALTH AND SAFETY**

4.7.1	Does your organisation have a written Health and Safety Policy (please see the notes at the end of this section)?	Yes/No
4.7.2	Please confirm that you are able to provide a signed and dated copy of your organisation's policy should the Authority deem it necessary at the next stage.	Yes/No
4.7.3	Please provide the name of the person(s) responsible for implementing and maintaining your organisation's Health and Safety at Work Policy.	
4.7.4	Please give the details of the <i>statutory body</i> to which your organisation is required to report accidents.	
	Postcode Tel. No. Fax. No.	
4.7.5	Please give the details of any Health and Safety related professional bodies, such as Construction Skills Certification Scheme (CSCS), to which your organisation belongs.	
4.7.6	Please give the details of any professional bodies to which your organisation ever been refused entry.	
4.7.7	In the last three years has your organisation or proposed partners been:	

	Prosecuted for contravention of the Health and Safety at Work Act 1974, or equivalent national legislation	Yes/No
	The subject of an enforcement action by the Health and Safety Executive or similar body charged with improving H&S standards	Yes/No
	If yes to either, please provide details.	
4.7.8	Please give details of the number and type of accidents over the last three years involving your own or subcontracted employees that occurred whilst providing services related to the subject matter of this contract.	
4.7.9	Please provide details regarding the level and content of the Health and Safety training provided to your employees.	
4.7.10	Please provide details of how your Health and Safety at Work policies are communicated to your employees and administered within your organisation.	
4.7.11	Please provide details of any strategies your organisation has introduced to improve safety.	
4.7.12	Does your organisation undertake Health and Safety Audits? Please provide details below.	Yes/No

#### 4.8 EQUAL OPPORTUNITIES

Public Sector bodies have a duty to positively promote the Race Relations (Amendment) Act 2002 and as such it is possible to fail at this stage if any cases of unlawful discrimination have been upheld against your organisation within the last three (3) years. This will mean that you will be automatically excluded from the remainder of this process.

4.8.1	Does your organisation have an Equal Opportunities Policy to avoid discrimination?	Yes/No
4.8.2	Please confirm that you are able to provide a copy of your organisation's policy should the Authority deem it necessary at the next stage.	Yes/No
	Please confirm that you are able to provide monitoring information regarding your organisation's performance in relation to compliance with the following:	
	Sex Discrimination Act 1975 and Equal Pay Act 1970	Yes/No
	Race Relations Act 1976 and Race Relations (Amendment) Act 2002	Yes/No
	The Employment Equality (Religion or Belief) Regulations 2003	Yes/No
	Disability Discrimination Act (as amended 2005)	Yes/No
	Employment Equality (Age) Regulations 2006	Yes/No
	The Equality Act (Sexual Orientation) Regulations 2007	Yes/No

4.8.3	Please provide details including how the policy is promoted and implemented.	
4.8.4	In the last three years, has any finding of unlawful discrimination been made against your organisation by any court of law or industrial tribunal (covering the above legislation: gender/equal pay/racial/disabilities/age/religion or belief/sexual orientation)?	Yes/No
	If yes please provide details.	
4.8.5	In the last three years has your organisation been the subject of formal investigations by any official body, such as the Commission for Racial Equality or the Equal Opportunities Commission on grounds of alleged unlawful discrimination, again, covering all topics mentioned above.	Yes/No
	If yes please provide details.	
4.8.6	If you are not currently subject to UK legislation, please supply details of your experience in working under equivalent legislation, which in your country is designed to eliminate discrimination, and to promote equality of opportunity.	
4.8.7	Please provide details of your organisation's Employment/Training Policy.	

#### 4.9 ENVIRONMENTAL MANAGEMENT

4.9.1	Torbay Council encourages the environmental performance of its Applicants. Does your organisation have an environmental management policy and/or hold relevant certification (ISO 14001, for example).	Yes/No
4.9.2	Please confirm that you are able to provide a copy of your organisation's policy should the Authority deem it necessary at the next stage.	Yes/No
4.9.3	Please confirm that you are able to provide monitoring information regarding your organisation's performance in relation to compliance with the above policy.	Yes/No
4.9.4	Does your organisation have a carbon management policy and/or hold a carbon reduction label.	Yes/No
4.9.5	Please confirm that you are able to provide a copy of your organisation's policy should the Authority deem it necessary at the next stage.	Yes/No
4.9.6	Please confirm that you are able to provide monitoring information regarding your organisation's performance in relation to compliance with the above policy.	Yes/No
4.9.7	Please briefly explain your carbon management and monitoring procedures.	



**4.10 PROFESSIONAL AND BUSINESS STANDING**

4.10.1	Do any of the following apply to your organisation, or to (any of) the director(s)/partner(s)/proprietor(s)?	
(a)	Is in a state of bankruptcy, insolvency, compulsory winding up, receivership, composition with creditors, or subject to relevant proceedings	Yes/No
(b)	Has been convicted of a criminal offence related to business or professional conduct	Yes/No
(c)	Has committed an act of grave misconduct in the course of business	Yes/No
(d)	Has not fulfilled obligations related to payment of social security contributions	Yes/No
(e)	Has not fulfilled obligations related to payment of taxes	Yes/No
(f)	Is guilty of serious misrepresentation in supplying information	Yes/No
(g)	Is not in possession of relevant licenses or membership of an appropriate organisation where required by law	Yes/No
(h)	If the answer to any of these is 'Yes' please give brief details below, including what has been done to put things right.	

**4.11 BUSINESS CAPABILITY**

4.11.1	Please detail the principal areas of your business activity.					
4.11.2	To which professional or trade bodies does your organisation belong?					
4.11.3	Please state the number of staff currently involved directly in the provision of Services similar to those required by the Council:					
	Permanent Members	Staff		Third Party Members	Staff	
4.11.4	In each of the past three (3) years, what has been the average number of people employed in your organisation specifically engaged in the type of work covered by the proposed Joint Venture? State whether the figures are national or related to the region of the company or consortium that will form the venture. <b>Please note, we would not expect the shortlisted companies to undertake or have experience of all the services listed below:</b>					
		2004	2005	2006/07	Tick if you do not undertake this services in your organisation but use other companies to undertake the service	Tick if you do not undertake this services in your organisation, nor do you use other companies to undertake the service
	Street cleansing					
	Building					

	cleaning					
	Building maintenance					
	Highway maintenance					
	Vehicle maintenance					
	Warehousing and purchasing					
	Landscape maintenance					
	Control room operation					
	Co-ordination of operational activities					
	Building surveying					
	Waste collection					
	Waste transfer					
	Waste processing					
	Financial management					
	Personnel management					
	Fleet management					
	Supply chain and contractor management					
	Training and development					
	Client management					
	Customer management					
4.11.5	State the number of employees in your Company engaged in the specific type of work for which you are applying. State whether the figures are national or related to the region of the company who will carry out the project, and break the figures down by specific discipline/skill.					
	Administration Distribution Labour Finance Production Labour Quality Assurance Sales/Marketing Technical Support Training					

	Other (please specify) Total
4.11.6	Please detail staff turnover as a percentage of your workforce for the last three years.
4.11.7	Please give details of the number of unions and Working Rule Agreements that exist within your organisation.
4.11.8	Please describe (maximum 400 words) your previous experience of providing Services similar to those required by the Council.
4.11.9	Please describe the proposed business continuity procedures that would apply to the established JVC.

#### 4.12 DISPUTES

4.12.1	For the last three years, please detail any contracts where there has been a failure to complete the contract on time or at all, or where there have been claims for damages, or where damages have been deducted or recovered. Please also provide details of any contracts that have been terminated with you before their natural end.			
	Name and address	Contract reference and brief description of Services provided	Date of claim/contract termination	Reason for claim/contract termination
4.12.2	Are there any court actions and/or significant employment tribunal hearings outstanding against your organisation?			Yes/No
	If yes, please provide details:			
4.12.3	Has your organisation been involved in any court action and/or significant employment tribunal over the last three years?			Yes/No
	If yes, please provide details:			

#### 4.13 FORM COMPLETED BY:

Name:	
Position:	
Date:	
Telephone number:	
E-mail address:	

#### 4.14 HEALTH AND SAFETY POLICIES

Any business employing **five** or more people has, by law, to prepare and bring to the attention of employees a written Health and Safety Policy statement.

A Health and Safety Policy usually consists of three distinct sections, namely:

**General Policy Statement** – a short statement outlining the organisation’s commitment to Health and Safety, *signed and dated* by the senior organisation official, the Managing Director, for example.

**Organisation** – how the organisation addresses health and safety; lines of communication between managers and staff; and any specific duties/responsibilities assigned within the organisation –this should be relatively straightforward for smaller organisations.

**Arrangements** – the systems and procedures in place for ensuring employees’ health and safety at work.

#### 4.15 SUMMARY OF INELIGIBILITY CONDITIONS PROVIDED BY REGULATION 14 OF THE PUBLIC SERVICES CONTRACTS REGULATIONS 1993 (SI 1993 NO 3228)

This summary is offered only as an indication for the convenience of Applicants. Applicants should refer to the Regulations and satisfy themselves that they are not ineligible. Regulation 14 sets out the grounds on which a Applicant may be deemed ineligible to Tender for or be awarded a public contract. Rejection is permissible when a Applicant:

- is in a state of bankruptcy insolvency compulsory winding up, administration, receivership, composition with creditors or any analogous state, or subject to relevant proceedings;
  - has been convicted of a criminal offence related to business or professional conduct;
  - has committed an act of grave misconduct in the course of business;
  - has not fulfilled obligations relating to payment of social security contributions;
  - has not fulfilled obligations relating to payment of taxes;
  - is guilty of serious misrepresentations in supplying information required by the Council under the Regulations
  - is not in possession of a licence or not a member of the appropriate organisation where the law of that State requires it;
- or
- subject to paragraphs (5) and (6) of Regulation 14, is not registered on the professional or trade register of the relevant State in which established

## SECTION FIVE: MINORITY AND SMALL TO MEDIUM BUSINESS ENTERPRISES

- The information detailed under section three will NOT form part of the evaluation.
- Minority and small business enterprises are under represented in certain Applicant bases.
- For monitoring purposes only, please read the definitions below and indicate whether your business falls into any of the listed categories of minority or small businesses.
- You may tick more than one box.

<b>5.1</b>	<p>An SME Business Owner (SME) is a small or medium sized enterprise that has either:</p> <p>Less than 250 employees or with an annual turnover of less than €40 Million Euro, or both.</p> <p>Is your business an SME?</p> <p>If yes, please declare the category in which you best fit:</p> <p>Micro (&lt;10 employees)</p> <p>Small (&lt;50 employees)</p> <p>Medium-Sized (&lt;250 employees)</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<b>5.2</b>	<p>A Woman Business Owner (WBO) is an enterprise where women owners hold a majority ownership of the business.</p> <p>Is your business a WBO?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<b>5.3</b>	<p>A Disabled Business Owner (DBO) is an enterprise where disabled business owners hold a majority share ownership of the business.</p> <p>Is your business a DBO?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<b>5.4</b>	<p>A Black Minority and Ethnic (BME) business is one that is at least 51% owned, controlled and operated by one or more members of a minority group. Control in this context means exercising the power to make policy decisions. Operate in this context means being actively involved in daily management.</p> <p>Is your business a BME?      Yes <input type="checkbox"/>      No <input type="checkbox"/></p>	
<b>5.5</b>	<p>A third sector organisation. If yes, please declare the category in which you best fit:</p> <p>Voluntary sector organisation</p> <p>Social Enterprise</p> <p>Not-for-Profit organisation</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>

	Charity	<input type="checkbox"/>
<b>5.6</b>	Is your business none of the above?	Yes <input type="checkbox"/> No <input type="checkbox"/>

## SECTION SIX: TECHNICAL EVALUATION

### For ALL Applicants to answer

Applicants must complete ALL sections. The information required in the following pages, along with relevant appendices and enclosures shall be deemed to form part of the PQQ return and shall be used in the assessment of PQQs.

Please follow any instructions given and provide full answers that are both clear and concise.

### Questions

<b>Demonstration of Understanding</b>	
6.1	Applicants shall give their understanding of the Council's requirements below.
6.2	Service Providers shall demonstrate their understanding of Torbay Council and its sub-region's particular demographic/social/economic issues below.
6.3	You shall outline any preliminary issues/restrictions/limitations and/or risks that you perceive are both inherent to projects of this nature and particular to Torbay and its sub-region.
6.4	Please explain your key drivers for wishing to become a partner in the Joint Venture.
6.5	You must explain your expectations/vision for the Joint Venture.
6.6	Explain how your organisation would measure the success of the Joint Venture?
<b>Experience of Working on Similar Contracts</b>	
6.7	You should provide details as to whether your Organisation has previously worked or is currently working together on other similar Joint Venture Contracts, giving the date when your organisation's involvement began and what stage the Contract (or procurement process) has reached.
6.8	If, in the case of consortium bids, new relationships are being created for this Contract, please provide give as to how your organisations are drawing on your experiences of similar Contracts to form the new relationships to create a bidder.

6.9	Please give details of your previous experience of both hosting/working with seconded staff and/or full TUPE transfer.
6.10	You shall identify your organisation's views of the principles of staff secondment verses TUPE from the Council to the Joint Venture.
6.11	Applicants shall identify any potential conflicts of interest that may arise in the light of other current, previous or future Contracts that your organisation holds or may bid for if you were selected.
6.12	Applicants shall give details of their organisation's experience within the following categories in the last five (5) years (please specify exact dates):
a.	Strategic Partnering with local authorities.
b.	Achieving business growth of strategic partnerships.
c.	Introducing new markets to public sector organisations.
d.	Introducing process improvements for organisations you have contracted or partnered with.
e.	Delivering efficiencies for organisations both public and private sector.
f.	<p>Liaising / working with particular groups, for example:</p> <ul style="list-style-type: none"> <li>• People with disabilities</li> <li>• People from ethnic minorities / with language difficulties</li> <li>• Public consultation with residents and residents groups</li> <li>• Local authorities and other public organizations</li> <li>• Councillors and local authority officers</li> <li>• Government agencies</li> <li>• Funding bodies</li> </ul>
g.	nec3 Term Service Contract or other similar service contracts (please specify).



h.	Change Management.
<b>Technical Expertise</b>	
6.13	Please specify if your company has a designated person who deals with partnerships with the Public sector? <b>YES/NO</b> If YES, please give full details of their name, designation, qualifications and experience.
6.14	Please outline the benefits that you feel that your company's contribution to the Joint Venture would bring to Torbay Council and its sub-region.
6.15	Please explain how you envisage your company's involvement in this opportunity would create opportunities for future business growth for the Joint Venture.
6.16	You should explain how your proposals will create new market opportunities for the services within the Joint Venture.
6.17	Service Providers will explain how their proposals will create additional capacity for the services within the Joint Venture.
<b>Partnering</b>	
6.18	Applicants shall set out their organisation's partnering ethos.
6.19	Please provide brief details of your proposed methods of partnership working with the Council, highlighting the following:
a.	How this would be different from the current method of working
b.	Your suggestions for Council Client/Joint Venture working arrangements
6.20	You should identify any benefits you believe would ensue from your partnership proposals.
6.21	Please give some indication of your initial thoughts in terms of what you would expect Torbay Council to deliver both throughout this procurement and the life of the resultant Contract, if successful.

<b>Project Management</b>	
6.22	Service Providers shall provide details of the key personnel likely to be involved in the management structure and/or running of both the project and procurement process, identifying and giving your distinction between the various roles and team/s, if applicable. You should attach curriculum vitae for the key people, including the nominated project manager.
6.23	You should give details of the ability of each key person, as set out in response to the question above, to allocate sufficient time to delivery of the project. Identify any existing or future potential time conflicts for each key person, particularly those prior to financial close.
6.24	Please provide details of any existing or likely legal, financial and technical advisors, giving an indication of the areas in which their expertise is likely to be taken.
6.25	From which office do you intend to contribute to the management of the Joint Venture?
6.26	If the office referred to above is not located within Torbay or its sub-region, how do you intend to contribute to the management of the Joint Venture for which you are expressing an interest in undertaking?
6.27	Applicants shall give details of what they have identified as strengths, weaknesses, opportunities and threats associated with this project.
<b>Ability and Approach to Raising Project and/or Corporate Finance</b>	
6.28	You should give details as to your organisation's prior experience in raising project and/or corporate finance, giving further information as to the form of that finance (amount, dates and project) and any other pertinent information, particularly if your organisation intends to submit a consortium bid.
6.29	Based on your previous experience, please provide details of the proposed approach to financing such projects and the general structure that funding might take. Details should also be given as to the process by which your organisation intends to secure the finance required, including where appropriate the proportion of debt and equity to be provided, and the likely sources of external funding and its form.

<b>References</b>					
6.30	Please provide details of three major recent private sector contracts you have been awarded for the provision of Services similar to those required by the Council.				
	Name and address	Contact name and telephone number	Date contract awarded and contract value (£)	Contract reference and brief description of service undertaken	Name and role of subcontractors and/or consortium members
	1.				
	2.				
	3.				
6.31	Please provide details of any major recent contracts you have been awarded by central government departments, agencies, local authorities or NHS trusts for the provision of Services similar to those required by the Council.				
	Name and address	Contact name and telephone number	Date contract awarded and contract value (£)	Contract reference and brief description of service undertaken	Name and role of subcontractors and/or consortium members
	1.				
	2.				
	3.				
The Council may elect to contact any of the given organisations for a reference. Your permission to do so will be assumed unless you explicitly state any objections. Any responses to requests for references will form part of this PQQ document and will be evaluated accordingly. Therefore, any objections to references may affect your evaluation score.					

## SECTION SEVEN: APPLICANT SIGNATURE AND DECLARATIONS

When you have completed this form you certify that the information provided in the application is complete, full, accurate and true.

I certify that the information is accurate to the best of my knowledge. I understand and accept that false information could result in exclusion from the Tender process. I also understand that it is a criminal offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement of reward to any servant of a Public Body. I also understand that any such action will empower the Authority to cancel any contract currently in force and could result in exclusion from all Torbay Council Tenders.

Signed*: .....		Date: .....	
Name ( <i>in block capitals</i> ): .....			
In the capacity of: .....		On behalf of: .....	
<i>(State official position, i.e. Director, Manager, etc.)</i>			
Name and postal address: .....			
.....			
Telephone No: .....		Fax No: .....	
* <i>(It must be clearly shown whether the Tenderer is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Tenderer, the capacity in which he/she signs or is employed).</i>			

This undertaking is to be signed by the Applicant, a Director or authorised representative in his/her own name on behalf of the business.

Before returning this questionnaire please ensure that you have:

- Answered all questions appropriate to your application
- Enclosed and clearly referenced all relevant documentation
- Signed the above undertaking

Please ensure that you return this questionnaire via Devon Tenders, for receipt by the deadline set out on page four (4) of this questionnaire.

## **SECTION EIGHT: CHECKLIST OF ENCLOSURES REQUIRED**

Please find below a checklist indicating the additional information or documentation that the Applicant must return with the completed Pre-Qualification Questionnaire.

### **1) Commercial**

The information alluded to as part of the Commercial Evaluation may be requested at a later stage within the procurement process, and as such is not required to be enclosed as part of this submission.

### **2) Technical**

Responses are required for the whole of the technical section relating to each element of your bid.

**APPENDIX ONE (1) – SELF ASSESSMENT TWO THOUSAND AND SIX (2006)**

**APPENDIX TWO (2) – STRUCTURE CHART**

**APPENDIX THREE (3) – DRAFT CHANGE AGENDA**

**APPENDIX FOUR (4) – COMMUNITY PLAN WHEEL**

**APPENDIX FIVE (5) – COMPETITIVE DIALOGUE PROCEDURE**

**APPENDIX SIX (6) – CODE OF PRACTICE ON WORKFORCE MATTERS IN PUBLIC  
SECTOR SERVICE CONTRACTS**

All of the above appendices can be found as attachments on the Devon Tenders e-Tendering portal alongside this PQQ document.