**REQUEST FOR QUOTATION – RESPONSE DOCUMENT**

**SERVICE CONCESSION FOR THE PROVISION OF**

**PARKS CAFES CATERING SERVICES – WEST PARK**

**SERVICE CONCESSION DETAILS:**

**West Park**

**CHEST REF: DN176352**

**April 2017 to April 2020**

**(With 2 x 12 month options to extend to Apr. 2021 & Apr. 2022)**

**Internal Ref: 16/168**

|  |  |
| --- | --- |
| Name of Tenderer: |  |

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**of the Council**

**CHECKLIST FOR TENDERERS**

Failure to provide all of the items in the checklist may cause your Tender to be non-compliant and not considered.

|  |  |  |
| --- | --- | --- |
| **No** | **Item** | **Included in Tender?** |
|  | Form of Tender & Certificate of non-collusion and non-canvassing |  |
|  | Supplier Questionnaire (SQ) |  |
|  | Agreement to Mandatory – Pass/Fail Criteria |  |
|  | Financial / Pricing Schedule |  |
|  | Response to Qualitative Questions |  |
|  | EHO report |  |

**SCHEDULE 1**

**Cheshire East Borough Council**

**SERVICE CONCESSION FOR THE PROVISION OF**

**West Park Cafe Catering Services**

**Apr. 2017 to Apr. 2020**

**(With 2 x 12 month options to extend to Apr. 2021 & Apr. 2022)**

**FORM OF TENDER**

To: Cheshire East Borough Council

(Via ‘The Chest’)

For the Attention of **George Broughton**

Date:

Dear Sir/Madam,

TENDER FOR Catering Services for Cheshire East Council Public Parks

I/We the undersigned, hereby tender and offer to perform the Contract as described below and more particularly referred to in the Invitation to Tender (supplied to me/us for the purpose of tendering for the provision of the Contract) upon the terms thereof.

Attached to this Form of Tender are the following:

1. My/our response to the requirements ofthe Request for Quotation.
2. The completed Financial / Pricing schedule.
3. A signed Certificate of Non Collusive Tendering and non-Canvassing.
4. Latest Food Hygiene certification

I/We confirm that I/we can supply the Contract and Lease as specified in the Invitation to Tender and is in line with the financial / pricing schedule submitted within the Request for Quotation, rental offer for initial 3 years will be \_£\_\_\_\_\_\_ (excluding VAT) herein.

I/We confirm that we accept the Contract and Lease as issued with the Invitation to Tender documentation.

I/We undertake in the event of acceptance of our Tender to execute the Contract and lease within the timescales stipulated.

I/We understand that the Council reserves the right to accept or refuse this Tender whether it is lower, the same, or higher than any other Tender.

I/We confirm that the information supplied to the Council and forming part of this Tender including (for the avoidance of doubt) any information supplied as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

I/We confirm that this Tender will remain valid for 90 days from the date of this Form of Tender.

I/We confirm and undertake that if any of such information becomes untrue or misleading that I/we shall notify you immediately and update such information as required.

I/We confirm that the undersigned are authorised to commit the Tenderer to the contractual obligations contained in the Tender, Lease and the Contract documentation.

Signed by

Name(s)

Position

for and on behalf of [ Insert Company Name ]

Full registered business / name and registered company address of the Tenderer

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**CERTIFICATE OF NON-COLLUSION AND NON-CANVASSING**

**SERVICE CONCESSION FOR THE PROVISION OF**

**PARKS CAFES CATERING SERVICES – WEST PARK**

**Apr. 2017 to Apr. 2020**

**(With 2 x 12 month options to extend to Apr. 2021 & Apr. 2022)**

To:

Cheshire East Borough Council

(Via ‘The Chest’)

Date:

For the Attention of: **George Broughton**

Statement of non-canvassing

I/we hereby certify that I/we have not canvassed any member, Director, employee, representative or adviser of the Council in connection with the proposed award of the Contract by the Council, and that no person employed by me/us or acting on my/our behalf, or advising me/us, has done any such act.

I/we further hereby undertake that I/we will not canvass any member, Director, employee, representative or adviser of the Council in connection with the award of the Contract and that no person employed by me/us or acting on my/our behalf, or advising me/us, will do any such act.

**Statement of non-collusion**

The essence of selective tendering for the Contract is that the Council shall receive bona fide competitive Tenders from all Tenderers.

In recognition of this principle, I/we certify that this is a bona fide offer, intended to be competitive and that I/we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person (except any sub-contractor identified in this offer).

I/we also certify that I/we have not done, and undertake that I/we will not do, at any time any of the following acts:

* + - * 1. communicate to a person other than the Council, the amount or approximate amount of my/our proposed offer except where the disclosure in confidence of the approximate value of the Tender was essential to obtain insurance premium quotations required for the preparation of the Tender; or
        2. enter into any agreement or agreements with any other person that they shall refrain from tendering or as to the amount of any offer submitted by them; or
        3. offer or agree to pay or give or actually pay or give any sum of money, inducement or valuable consideration, directly or indirectly, to any person for doing or having done or having caused to be done in relation to any other offer or proposed offer, any act or omission.
        4. committing any offence under the Bribery Act 2010 or any subordinate legislation made under that Act from time to time.

I/we agree that the Council may, in its consideration of the offer and in any subsequent actions, rely upon the statements made in this Certificate.

Signed

Name:

Position

For and on behalf of **[Tenderer]**

**Cheshire East Borough Council**

**Provision of [Title of Contract]**

**Period: Apr. 2017 – Apr. 2020 with 2 x 12 month options to extend**

**SCHEDULE 2: STANDARD SELECTION QUESTIONNAIRE (SQ)**

This Standard Selection Questionnaire (“SQ”) has been issued by the Authority in connection with a tender under Part 4 of the Public Contracts Regulations 2015 (“the Regulations”). Your response to the SQ will be used by the Authority to understand the nature of the bidding organisation and to undertake a financial assessment of bidders.

**Notes for completion**

Please ensure that you complete this SQ fully, as requested as part of the tender submission. Failure to do so may result in your tender being disqualified. If the question does not apply to you please write N/A; if you do not know the answer please write N/K.

* “Authority” means the purchasing organisation that is seeking to award a contract and lease, in this case Cheshire East Borough Council
* “You”/ “Your” or “Supplier” means the business or company which is completing this SQ.

**Verification of Information Provided**

Please do not send any supporting documents with your tender.

**However, the Authority may ask to see these documents at a later stage, so it is advisable you ensure they can be made available upon request.**

You may also be asked to clarify your answers or provide more details about certain issues.

**For further assistance, please refer to the RFQ Guidance Document.**

|  |
| --- |
| **NOTE TO ORGANISATION:**   * *Schedule 2 Selection Questionnaire will be marked based on pass and fail basis* * *Applicants will fail on incomplete responses Tenders that fail Schedule 2 will not be evaluated any further.* * *Questions marked ‘for information only’ will not be assessed however they must still be answered in full.* * *Where you are asked to mark an* ***‘X’*** *to indicate your answer, please double click the grey box and select ‘checked’. Try it here* * *Failure to answer a question which is* ***scored*** *will result in a score of zero for that question.* * *Failure to provide an* ***acceptable explanation*** *with any* ***Fail*** *Questions answered will fail on Schedule 2 as a result.* * *Tenderers are therefore strongly advised to ensure they answer all questions within each section or clarify any aspects that are unclear.* |

**Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.**

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion**[[1]](#footnote-1)**. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

**Supplier Selection Questions: Part 3**

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

**Consequences of misrepresentation**

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

**CHESHIRE EAST BOROUGH COUNCIL**

**RFQ OPEN PROCEDURE**

**Notes for completion**

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. **Note for Contracting Authorities: The following paragraph is optional for inclusion if a decision has been made to request a self-declaration of the exclusion grounds from sub-contractors.** *All sub-contractors are required to complete Part 1 and Part 2[[2]](#footnote-2).*
7. For answers to Part 3 -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

**Part 1: Potential supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

|  |  |  |
| --- | --- | --- |
| Section 1 | Potential supplier information | |
| Question number | Question | Response |
| 1.1(a) | Full name of the potential supplier submitting the information |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status   1. public limited company 2. limited company 3. limited liability partnership 4. other partnership 5. sole trader 6. third sector 7. other (please specify your trading status) |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes ☐  No ☐  N/A ☐ |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  |
| 1.1(j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes ☐  No ☐ |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | Relevant classifications (state whether you fall within one of these, and if so which one)   1. Voluntary Community Social Enterprise (VCSE) 2. Sheltered Workshop 3. Public service mutual |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)[[3]](#footnote-3)? | Yes ☐  No ☐ |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[4]](#footnote-4)  - Name;  - Date of birth;  - Nationality;  - Country, state or part of the UK where the PSC usually lives;  - Service address;  - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used);  - Which conditions for being a PSC are met;  - Over 25% up to (and including) 50%,  - More than 50% and less than 75%,  - 75% or more. [[5]](#footnote-5)  (Please enter N/A if not applicable) |  |
| 1.1(o) | Details of immediate parent company:    - Full name of the immediate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |
| 1.1(p) | Details of ultimate parent company:  - Full name of the ultimate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

Please provide the following information about your approach to this procurement:

|  |  |  |
| --- | --- | --- |
| Section 1 | Bidding model | |
| Question number | Question | Response |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators? | Yes ☐  No ☐  If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes ☐  No ☐ |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Name |  |  |  |  |  | | Registered address |  |  |  |  |  | | Trading status |  |  |  |  |  | | Company registration number |  |  |  |  |  | | Head Office DUNS number (if applicable) |  |  |  |  |  | | Registered VAT number |  |  |  |  |  | | Type of organisation |  |  |  |  |  | | SME (Yes/No) |  |  |  |  |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  |  |  |  |  | | The approximate % of contractual obligations assigned to each sub-contractor |  |  |  |  |  | | |

**Contact details and declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

|  |  |  |
| --- | --- | --- |
| Section 1 | Contact details and declaration | |
| Question number | Question | Response |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

|  |  |  |
| --- | --- | --- |
| Section 2 | Grounds for mandatory exclusion | |
| Question number | Question | Response |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | |
|  | Participation in a criminal organisation. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Corruption. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Fraud. | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Terrorist offences or offences linked to terrorist activities | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Money laundering or terrorist financing | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
|  | Child labour and other forms of trafficking in human beings | Yes ☐  No ☐  If Yes please provide details at 2.1(b) |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,  Identity of who has been convicted  If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion ? (Self Cleaning) | Yes ☐  No ☐ |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | Yes ☐  No ☐ |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  |

Please Note: The authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

|  |  |  |
| --- | --- | --- |
| Section 3 | Grounds for discretionary exclusion | |
|  | Question | Response |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
| 3.1(a) | Breach of environmental obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s 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 ☐  If yes please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes ☐  No ☐  If yes please provide details at 3.2 |
| 3.1(i) | Shown 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 ☐  If yes please provide details at 3.2 |
| 3.1(j)  3.1(j) - (i)  3.1(j) - (ii)  3.1(j) –(iii)  3.1(j)-(iv) | Please answer the following statements  The organisation is 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.  The organisation has withheld such information.  The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2  Yes ☐  No ☐  If Yes please provide details at 3.2 |

|  |  |  |
| --- | --- | --- |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  |

**Part 3: Selection Questions**[[6]](#footnote-6)

|  |  |  |  |
| --- | --- | --- | --- |
| **Section 4** | **Economic and Financial Standing** – for information only | | |
|  | Question | Response | |
| **4.1** | Are you able to provide a copy of your audited accounts for the last two years, if requested?  If no, can you provide **one** of the following a, b, or c: answer with Y/N in the relevant box below. | | Yes ☐  No ☐ |
| (a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. | | Yes ☐  No ☐ |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | | Yes ☐  No ☐ |
|  | (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | | Yes ☐  No ☐ |
| **4.2** | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | | Yes ☐  No ☐ |

|  |  |  |
| --- | --- | --- |
| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:** | |
| **Name of organisation** | |  |
| **Relationship to the Supplier completing these questions** | |  |

|  |  |  |
| --- | --- | --- |
| **5.1** | Are you able to provide parent company accounts if requested to at a later stage? | Yes ☐  No ☐ |
| **5.2** | If yes, would the parent company be willing to provide a guarantee if necessary? | Yes ☐  No ☐ |
| **5.3** | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Yes ☐  No ☐ |

|  |  |
| --- | --- |
| **Section 6** | **Technical and Professional Ability** |
| **6.1** | **Relevant experience and contract examples**  Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years. .  The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.  Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).  Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.  If you cannot provide examples see question 6.3 |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer organisation** |  |  |  |
| **Point of contact in the organisation** |  |  |  |
| **Position in the organisation** |  |  |  |
| **E-mail address** |  |  |  |
| **Description of contract** |  |  |  |
| **Contract Start date** |  |  |  |
| **Contract completion date** |  |  |  |
| **Estimated contract value** |  |  |  |

|  |  |
| --- | --- |
| **6.2** | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)  Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) |
|  |  |

|  |  |
| --- | --- |
| **6.3** | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. |
|  |  |

|  |  |  |
| --- | --- | --- |
| **Section 7** | **Modern Slavery Act 2015:** **Requirements under Modern Slavery Act 2015[[7]](#footnote-7)** | |
| **7.1** | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes ☐  N/A ☐ |
| **7.2** | If you have answered yes to question 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes ☐  Please provide relevant the url  No ☐  Please provide an explanation |

**8 Additional SQ modules**

**8) - Project specific questions to assess Technical and Professional Ability**

*Section 8 will be marked on* ***both pass/fail and scoring*** *basis please refer to the guidance document for further information.*

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

**Introduction**

These are further project specific questions relating to the technical and professional ability of the supplier. Please ensure you responses are in line with the questions page limit and 12pt Arial. Anything beyond the page limit will not be taken into consideration by the Council.

Cross Referencing is not deemed a valid response by the Council.

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage.

Please indicate your answer by marking ‘X’ in the relevant boxes where necessary and enter responses to questions in the fields provided.

|  |  |  |
| --- | --- | --- |
| **Section 8** | **Additional Questions** | |
| **8.1** | **Insurance**  ***(This question is to be scored on a pass/fail basis.)*** | |
| **8.1.A** | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:  Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:   1. **Employer’s Liability Insurance\*** = £10million.  Is required in respect of each and every claim. 2. **Public Liability Insurance** = £5million. Is required in respect of each and every claim with no abuse exclusion/inner limit. 3. **Products Liability Insurance** = £5million.   *\* It is a legal requirement that all companies hold Employer’s Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders* | **Yes**  **No** |
| If you do not currently have the required insurances in place, but have confirmed that you will obtain these please confirm that quotes have been sought: **Yes**  **No**  Please detail any insurances that you currently have in place and if applicable attach copies of the relevant certificates detailed below:  Employer’s (Compulsory) Liability Insurance = £  Public Liability Insurance = £  Product Liability Insurance = £  \*It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | | |

|  |  |  |
| --- | --- | --- |
| **Section 8** | **Additional Questions** | |
| **8.2** | **Environmental Management**  ***(This question is to be scored on a pass/fail basis.)*** | |
| **8.2.A** | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?  If your answer to the this question is “**YES**”, please provide details in the field below to confirm the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.  The Authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | Yes  No |
| **8.2.B** | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | Yes  No |

|  |
| --- |
| *Enter details here if necessary…* |

|  |  |  |
| --- | --- | --- |
| **Section 8** | **Additional Questions** | |
| **8.3** | **Health and Safety**  ***(This question is to be scored on a pass/fail basis.)*** | |
| **8.3.A** | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | Yes  No |
| **8.3.B** | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?  If your answer to this question was “**YES**”, please provide details in the field below, of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. The Authority will exclude bidder(s) that have been in receipt of Enforcement/remedial action orders unless the bidder(s) can demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | Yes  No |
| **8.3.C** | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?  *You may be excluded if you are unable to demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring, in relation to this section.* | Yes  No |

|  |
| --- |
| *Enter details here if necessary…* |

|  |  |  |
| --- | --- | --- |
| **Section 8** | **Additional Questions** | |
| **8.3** | **Health and Safety**  ***(These questions will be scored on a pass/fail basis.)*** | |
| **8.3.D** | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?  If your answer to this question was “**YES**”, please provide details in the field below, of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. The Authority will exclude bidder(s) that have been in receipt of Enforcement/remedial action orders unless the bidder(s) can demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | Yes  No |

|  |
| --- |
| *Enter details here if necessary…* |

|  |
| --- |
| ***NOTE TO ORGANISATION: This section will be evaluated on a pass/fail basis.*** |

1. **RESPONSIBILITY & STRUCTURE**

* Example: Please state the name and position of the person with overall responsibility for health and safety in your organisation together with details of experience and any relevant qualifications.

|  |  |
| --- | --- |
| Name |  |
| Position in Organisation |  |
| Experience |  |
| Qualifications |  |

* Example: Please state the name and position of the person (if different to above) appointed to provide health and safety advice as required by Regulation 7 of the Management of Health & Safety Work Regulations 1999, together with details of experience and any relevant qualifications.

|  |  |
| --- | --- |
| Name |  |
| Position in Organisation |  |
| Experience |  |
| Qualifications |  |

* Example: How many persons does your organisation normally employ?

|  |
| --- |
|  |

* Example: Does your organisation (not individuals within it) have current

membership of any trade associations, safety organisations, registration with

or accreditation by any accrediting bodies?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’** please provide details in the field below, using full names of associations, bodies and any applicable registration number. Please do not use abbreviations.

|  |
| --- |
|  |

|  |
| --- |
| ***NOTE TO ORGANISATION: relating to question above.***  ***Organisations are informed that the Council operates a policy that an organisation should achieve accreditation to the Contractor Health and Safety Assessment Scheme (CHAS) or equivalent as a minimum requirement.*** |

1. **Policies and Procedures**

* Does your organisation have a written Health and Safety Policy (covering General Policy, Organisation and Arrangement) issuing codes of safe working practices to workforce, as required by Regulation 37 Section 2(3) of the Health and Safety at Work Act 1974 etc. <http://www.legislation.gov.uk/ukpga/1974/37/section/2>?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’** please provide a copy of your Policy **and** confirm a copy of the policy is enclosed, using the field below:

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘NO’** and your organisation does not have a written Health and Safety Policy please give the reason why, using the field below:

|  |
| --- |
|  |

* Please state how health and safety policies and procedures are communicated to your workforce and administered within your organisation?

|  |
| --- |
|  |

* Does your organisation have a procedure for the reporting and recording of accidents and dangerous occurrences in accordance with RIDDOR?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’**, provide a copy of your procedure for accident reporting, recording and investigation **and** confirm a copy of the procedure is enclosed, by using field below:

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

* Please complete the following table in respect of accidents and dangerous occurrences as set out below:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Year | Fatal | **Major Injury or “Over 3-Day”** | **Non-Reportable** | **Dangerous Occurrences** | **Reportable ill-health** | **Near Misses** |
| **This year** |  |  |  |  |  |  |
| **Last year** |  |  |  |  |  |  |
| **Year before last** |  |  |  |  |  |  |

* During the last five years, has the organisation been subject to formal enforcement (e.g. Prosecution, Prohibition Notice or Improvement Notice) for contravention of the Health and Safety at Work Act 1974, or equivalent legislation arising from your conduct of activities similar to those covered by this contract? <http://www.legislation.gov.uk/ukpga/1974/37/section/2>

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’**, please provide full details and explain corrective action taken to prevent re-occurrence using the field below:

|  |
| --- |
|  |

* Does your organisation have Risk Assessment Procedures in place for all work activities as required by the Management of Health and Safety at Work Regulations 1999 and associated legislation?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’**, please supply 2 examples of risk assessments and safety method statements for work activity undertaken within the last 12 months. This should include manual handling, COSHH or others that are relevant to your work activities and confirm a copy of any examples are enclosed, by using the field below:

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

* Does your organisation have a health and safety training programme for your workforce to ensure that they are competent for their duties?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’**, please enclose brief details of training courses or programmes undertaken by managers and workforce, using the field below:

|  |
| --- |
|  |

* Does your organisation have arrangements in place for consultation with workforce on health and safety matters?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

* Where appropriate, does your organisation undertake health monitoring of workforce?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’**, please provide details using the field below:

|  |
| --- |
|  |

* If your organisation uses sub-contractors, do you have a system in place for assessing their competence and the ongoing monitoring and review of their Health and Safety performance?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’**, please provide details using the field below:

|  |
| --- |
|  |

* Do you have a system in place for monitoring your Health and Safety arrangements including auditing them at periodic intervals and for reviewing them on an ongoing basis?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

If the answer is **‘YES’**, please provide details using the field below, including examples.

|  |
| --- |
|  |

|  |  |
| --- | --- |
| Name of Person completing this form |  |
| Position in Organisation |  |
| Contact Tel No |  |
| Email Address |  |
| Date |  |
| Signature |  |

|  |
| --- |
| **NOTE TO ORGANISATION:**  *This section is to be scored on a pass/fail basis. Bidders should respond ‘Yes’ in order to pass this section* |

**8.4 Level 2 Food Safety and Hygiene for Catering certificate – scored on a pass/fail basis**

Please note that a response of ‘No’ to the Food Safety Hygiene question below will be classed as a ‘Fail’, as stated in the Guidance document this will lead to your submission not being evaluated further.

Please confirm that staff involved in preparation or serving of food are trained to Level 2 on ‘Food Hygiene Certificate’ or equivalent

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

Further information if required:

|  |
| --- |
|  |

**8.5 DBS checking – asked for information purposes only**

Please confirm that you regularly DBS screen staff

|  |  |
| --- | --- |
| *(Delete as appropriate)* | YES/NO |

Please explain your *process* for monitoring DBS checks. Please do NOT supply or append copies of DBS certificates:

|  |
| --- |
|  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Section 8** | **Additional Questions** | | | | |
| ***8.6*** | ***References***  ***This question is asked for information purposes only.*** | | | | |
|  | ***References***  *Supporting references are required to validate information provided throughout the ITT Process**and to detail experience and ability to deliver a contract of this size and nature. Please note references will only be taken up to validate all submission information already provided by that of the economic operator.*  *Please list major Contracts currently and recently held in public and private sectors for services of a similar type provided in the last three years from whom references may be solicited to testify to your technical capacity, standards and quality of service. Where an economic operator has a mix of reference sites, please list in priority order the local authority and public sector sites. These must represent sites where the services performed are exactly aligned to those requested by this tender. The Council requires two (2) references to be obtained by your organisation.*  *It is the bidder’s responsibility to ensure that the reference form published on The Chest with this document is sent to your two referees, using template at Appendix 1. The references must be returned directly from the referees to* [*procurement@cheshireeast.gov.uk*](mailto:procurement@cheshireeast.gov.uk)***by 3rd Mar. 2017****. The reference form must state the name of the Tenderer exactly as stated on the ITT document to ensure that this can be matched to the correct Bidder.*  ***Note:*** *In addition to those referees listed the Council reserves the right to seek references from other organisations for whom, your firm undertakes work. Should your firm be invited to tender and subsequently submit a bid, further references may be obtained.* | | | | |
|  | ***Company Name*** | ***Contact Name*** | ***Email*** | ***Tel Number*** | ***Contract Duration&Value*** |
| ***1*** |  |  |  |  |  |
| ***2*** |  |  |  |  |  |

**9 Declaration**

|  |  |  |  |
| --- | --- | --- | --- |
| **9** | I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement, and I am signing on behalf of...................... **(Insert name of supplier).**  I understand that the Authority may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.  I also declare that there is no conflict of interest in relation to the Authority’s requirement.  The following appendices form part of our submission; | | Yes  No |
| **Section ref of SQ** | | **Supplier Appendix number** | |
| *Enter here if necessary…* | | *Enter here if necessary…* | |
|  | |  | |
| **SQ completed by:** | | | |
| **9.1** | Name |  | |
| **9.2** | Role in Organisation |  | |
| **9.3** | Date |  | |
| **9.4** | Signature |  | |

*(End of Schedule 2 SQ)*

**Cheshire East Borough Council**

**Please be advised that a fail on any of the following criteria within this schedule will lead to your submission not being evaluated any further**

**SCHEDULE 3 – Mandatory Pass/Fail Criteria**

1. **Environment Health Office (EHO) report:**

**Your submission will not fail is an adequate reason is provided regarding why an EHO is not available. If you are unable to provide this prior to the contract start date this must be provided within the initial 12 months of trading**

|  |  |
| --- | --- |
| Please confirm that a copy of your latest EHO report has been included in the submission | **YES/NO**  *(Delete as appropriate)* |
| If you are unable to provide an EHO report please detail the reason for this here: | |

File name of attached document: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **Agreement to Open on Core Days:**

Per point 7 of the specification and the guidance document 5.8 and as stated within the conditions of contract/lease.

The Core Days are defined as: Saturdays, Sundays, Bank Holidays, School Holidays and Special Events; excluding Christmas Day and New Years’ Day.

There is a minimum opening of 3 hours required on each of the Core Days, unless agreed with ANSA manager that weather is too inclement to warrant opening.

Please confirm by ticking the box(es) below that you agree to be open on the Core days.

Minimum Opening Core Days agreement:

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

Please note if you select **‘No’** your submission will be rejected and excluded from any further evaluation.

1. **Cleaning of Toilets: Pass/Fail**

As detailed within the Guidance document 5.10 please confirm your agreement to a daily toilet clean (on the days that the café is operational), in line with the concession agreement.

Please indicate:

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

Please note if you indicate **‘No’** above your submission will be excluded from any further evaluation

1. **Ice Cream Provision: Pass/Fail**

As detailed within the Guidance document at 5.11 please confirm your agreement to supply Ice Creams (on the days that the café is operational).

Please indicate:

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

Please note if you indicate **‘No’** above your submission will be excluded from any further evaluation.

4.1 Please provide a sample menu for Ice Creams including approx. proposed pricing for the various products that you would intend to supply. **Cheshire East Borough Council**

**SCHEDULE 4**

# FINANCIAL / PRICING SCHEDULE

**Financial evaluation**

**Rental Offer / Income (maximum score 50*%)***

Please complete the grid below stating the amounts you agree to pay to the Council as annual rental income(s) for West Park. Please complete your offer of annual rent, for the initial period of the contract i.e. 3 years.

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Annual Rent 2017-18 (£’s)**  excl. VAT | **Annual Rent**  **2018-19 (£’s)**  excl. VAT | **Annual Rent 2019-20 (£’s)**  excl. VAT |
| **West Park Café Catering Services** |  |  |  |

\* Note: This figure is due to the Council whether or not you achieve your target turnover.

The highest total rent offered over the 3 years will receive the full 50% of the weighting available for this part of the evaluation. Other offers will be evaluated as a proportion of the highest offer as described in the associated guidance document please refer to Guidance section 5.6 for further detail.

If the contract is extended rent will remain at 2019-20 level.

**QUALITATIVE EVALUATION**

Responses will be evaluated in accordance with guidance document section 5.

**5. Menu Offerings and Value for Money**

**5.1.** Considering the demographic information provided in Appendix 1, Organisations are asked to submit proposed or ***sample*** Menus (these may differ in the Summer and Winter periods and over the concession period), including prices for each item. Menus will be evaluated considering suitability for the Local Park community. A good menu will contain healthy and sustainable choices and be priced to offer good value for money.

|  |
| --- |
| Response (Weighting 20%): |

**5.2.** **Supplier Base:** Considering the location of the park, please indicate the primary locations of your proposed suppliers and demonstrate any appropriate past arrangements for the supply of products, goods and services.

|  |
| --- |
| Response (for information only): |

**5.3** **Community Engagement:** Please submit your proposals for engaging with Parks communities. Consider the demographic information provided in appendix 1 and your appreciation of the role that parks play in the local community.

Credit will be given for suggestions of events that organisations would be willing to organise and proposals to engage with different community groups, such as Friends of the Parks, Schools etc.

|  |
| --- |
| Response (Weighting 10%): |

**5.4 Opening hours: Please outline your planned opening hours considering the recommended weekly opening hours for the 3 periods (as found in the Specification). (Submission weighting 10%)**

Please outline your plans for opening the concession considering the recommended weekly opening hours, refer to Guidance document 5.7 & 5.9 and the Specification of requirements, Schedule 1.

The café should be open for as long as possible, tenders will be evaluated, giving the highest score to an Organisation planning to open for the most weekly hours, when adding together a typical school holidays, Summer and Winter week. Please note the details provided in the table below will form part of this concession contract.

|  |  |  |
| --- | --- | --- |
|  | **No. of weekly hours** | **Detail (days of week etc.)** |
| School holidays |  |  |
| Summer |  |  |
| Winter |  |  |

|  |
| --- |
| Further Response detail of intended opening & closing times: |

**5.5 Café environment / facilities improvements:** Please advise any ideas or suggestions that you have for improving the café environment, considering seating décor, indoors and outdoors etc.

|  |
| --- |
| Response (weighting 10%): |

**5.6 Private Functions:** Please advise in the box below if you plan to arrange any private functions outside of normal café operations and the estimated number of attendees (per event) that you envisage you will be catering for, the frequency and any other relevant details.

|  |
| --- |
| Response (for information purposes only): |

1. For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf [↑](#footnote-ref-1)
2. See PCR 2015 regulations 71 (8)-(9) [↑](#footnote-ref-2)
3. See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/ [↑](#footnote-ref-3)
4. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). [↑](#footnote-ref-4)
5. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-5)
6. [See Action Note 8/16 Updated Standard Selection Questionnaire](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-6)
7. [Procurement Policy Note 9/16 Modern Slavery Act 2015](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-7)