

Construction of Flood Defence Structures at Alverstoke and Forton

Supplier Requirements Questionnaire

Gosport Borough Council

October 2020

# Introduction

The purpose of this questionnaire is to assist the council in establishing that tenderers are able to meet minimum requirements before their tender can be accepted and subsequently scored. The minimum requirements relating to this procurement are included within the table on the following page.

This questionnaire must be completed in line with the guidance given within this document. Completed questionnaires must be submitted via Proactis the GBC e-Procurement Portal, using the document return system, and following the instructions within the Supplier Guidance document. We strongly recommend you read each of these documents prior to starting your submission.

Tenderers must not submit or refer to any accompanying documents such as company brochures etc unless explicitly asked for. If you fail to comply with this instruction the scoring methods referred to in the SRQ and ITT will only be applied to the completed questionnaire and all other documentation will be ignored.

All documents should be uploaded to Proactis for submission.

## Minimum requirements assessment criteria

| PART 1 - SUPPLIER INFORMATION |
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| Section 1 - Supplier information | No score. For information only |
| PART 2 - EXCLUSION GROUNDS |
| Section 2 - Grounds for mandatory exclusion | Pass/fail |
| Section 3 - Grounds for discretionary exclusion | Pass/fail |
| PART 3 - SELECTION QUESTIONS |
| Section 4 - Economic and financial standing | Pass/fail |
| Section 5 - Bidding model | No score. For information only |
| Section 6 - Technical and professional ability | Pass/fail(for criteria please see section 6 of this document) |
| Section 7 - Requirements under the Modern Slavery Act 2015 | Pass/fail(for criteria please see section 7 of this document) |
| Section 8 - Additional questions | 8.1 Insurance | Pass/fail(for criteria please see section 8.1 of this document) |
| 8.2 Equality | Pass/fail(for criteria please see section 8.2 of this document) |
| 8.3 Environmental management | Pass/fail(for criteria please see section 8.3 of this document). |
| 8.4 Health and safety | Pass/fail(for criteria please see d section 8.4 of this document) |
| Section 9 – Declaration | Pass/fail |

# PART 1 - SUPPLIER INFORMATION

## Section 1 - Supplier information

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| **Contact details** |
| 1.0.a | Contact name*[the person completing this questionnaire]* |  |
| 1.0.b | Name of organisation (if different from the supplier name below) |  |
| 1.0.d | Phone number |  |
| 1.0.e | Email address |  |
| 1.0.f | Postal address |  |

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| **Supplier details** |
| 1.1.a | Full name of the supplier |  |
| 1.1.b.i | Registered office address |  |
| 1.1.b.i | Registered website (if applicable) |  |
| 1.1.c | Trading status*[please mark 'x' in the relevant box to indicate your trading status* | a. Public limited company (plc) |  |
| b. Limited company (Ltd) |  |
| c. Limited liability partnership (LLP) |  |
| d. Other partnership |  |
| e. Sole trader |  |
| f. Third sector |  |
| g. Other (please specify) |  |
| 1.1.d | Date of company registration |  |
| 1.1.e | Company registration number |  |
| 1.1.f | Charity registration number (if applicable) |  |
| 1.1.g | Head office DUNS number (if known) |  |
| 1.1.h | Registered VAT number |  |
| 1.1.j | Trading name(s) that will be used if successful in this procurement |  |
| 1.1.k | Name of immediate parent company (if applicable) |  |
| 1.1.l | Name of ultimate parent company (if applicable) |  |
| 1.1m | State the nature of the legal relationship with parent company/companies (as applicable) |  |
| 1.1.n | Relevant classifications*[please mark 'x' in the relevant box to indicate whether you fall within one of these* | a. Voluntary community social enterprise (VCSE) |  |
| b. Sheltered workshop |  |
| c. Public service mutual |  |
| 1.1.o | Are you a small, medium or micro enterprise (SME)?*[please state yes/no]* |  |

1.1.p - Please note that we may require you to provide details of persons of significant control (PSC) in accordance with the Small Business, Enterprise, and Employment Act 2015. A PSC is someone who owns or controls your company.

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| **Licensing and registration** |
| 1.1.i.i/ii | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?*[please state yes/no]* | *[If yes please provide the relevant details, including the registration number(s) below]* |
| 1.1.j.i/ii | 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?*[please state yes/no]* | *[If yes please provide additional details of what is required and confirmation that you have complied with this below]* |

# PART 2 - EXCLUSION GROUNDS

## Section 2 - Grounds for mandatory exclusion

You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

The council reserves the right to use its discretion to exclude a tenderer where it can demonstrate by any appropriate means that the tenderer is in breach of its obligations relating to the non-payment of taxes or social security contributions

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| **Grounds for mandatory exclusion** |
| 2.1.a | **Regulations 57(1) and (2)**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 below.*[please state yes/no]* |
| Participation in a criminal organisation |  |
| Corruption |  |
| Fraud |  |
| Terrorist offences or offences linked to terrorist offences |  |
| Money laundering or terrorist financing |  |
| Child labour and other forms of trafficking in human beings |  |
| 2.1.b | If you have answered yes to any of the elements of 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)? | *[If yes please provide details]* |
| 2.3.a/b | **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?*[please state yes/no]* | *[If yes, please provide further details or in a separate appendix (if necessary). 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.]* |

## Section 3 - Grounds for discretionary exclusion

You may be excluded from the procurement process if you fail any of the questions in this section.

The council reserves the right to use its discretion to exclude a tenderer where it can demonstrate by any appropriate means that the tenderer is in breach of the items raised in this section.

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| **Grounds for discretionary exclusion** |
| 3.1 | **Regulation 57 (8)**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.*[please state yes/no]* |
| 3.1.a | Breach of environmental obligations |  |
| 3.1.b | Breach of social obligations |  |
| 3.1.c | Breach of labour law obligations |  |
| 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. |  |
| 3.1.e | Guilty of grave professional misconduct |  |
| 3.1.f | Entered into agreements with other economic operators aimed at distorting competition? |  |
| 3.1.g | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure. |  |
| 3.1.h | Been involved in the preparation of the procurement procedure? |  |
| 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. |  |
| 3.1.j.i | 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. |  |
| 3.1.j.ii | The organisation has withheld such information. |  |
| 3.1.j.iii | The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. |  |
| 3.1.j.iv | 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 provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. |  |
| 3.2 | If you have answered yes to any of the elements of question 3.1 above, please 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

## Section 4 - Economic and financial standing

Any company that fails to provide evidence of financial standing, stability or guarantee to the satisfaction of the council we be excluded from the procurement process. Evidence provided in this section will be reviewed holistically by the council in their assessment of a suppliers financial standing. The councils position will be final.

The council will review both financial standing and stability in making their assessment but as a guide will generally require a minimum annual turnover of twice the contract value to be demonstrated for the past three years. Guarantees from Parent Companies may be considered where appropriate.

The council reserves the right to use its discretion to exclude a tenderer where it can demonstrate by any appropriate means that the tenderer is in breach of the items raised in this section.

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| **Grounds for discretionary exclusion** |
| 4.1 | Please provide (preferably by uploading to your Proactis company record) one of the following to demonstrate your economic and financial standing;*[please indicate with 'x' which option you have chosen]* |
| a. A copy of your audited accounts for the last two years. |  |
| b. A statement of the turnover, profit and loss account, balance sheet and statement of cash flow for the most recent year of trading |  |
| c. A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position |  |
| d. Alternative means of demonstrating financial status through independent verification (e.g. Dun & Bradstreet) if any of the above are not available (eg 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) |  |
| Where the council 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 that you meet the requirements set out.*[please state yes/no]* |  |

## Section 5 - Bidding model

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| **Bidding model** |
| 5.a.i/ii/iii | Are you bidding as the lead contact for a group of economic operators?*[please state yes/no]* | *[If yes please provide the group's name and proposed legal structure]* |
| 5.b.i/ii | Are you or, if applicable, the group of economic operators proposing to use sub-contractors?*[please state yes/no]* | *[If yes, please provide details of each sub-contractor, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for below (or in a separate appendix]* |

Please note that we may require you to provide parent company accounts at a later stage. We may require a parent company guarantee or other guarantee (e.g. from a bank).

## Section 6 - Technical and professional ability

Technical and professional ability will be scored using the criteria below.

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| **0** | **Fail** | The contract examples and accompanying company references indicate significant shortcomings and/or fail to provide sufficient confidence in the ability of the supplier to deliver the council's requirements. |
| **1** | **Pass** | The contract examples and accompanying company references sufficiently provide confidence in the ability of the supplier to deliver the council's requirements. This will be based on their previous construction experience and proven track record, in delivering works of appropriate value, complexity and construction methods. |

If the contractor does not provide evidence covering all the areas outlined below, it will lead to a score of 0 being applied to this section of the return and the tender will not be assessed any further.

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| **Relevant experience and contract examples** |
| 6.1 | Please provide a minimum of 4 and a maximum of 6 relevant Project Data Sheets providing relevant project experience, 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. The Project Data Sheets must cover:* At least 4 flood defence construction works, min. 2 in the coastal environment.
* At least one project must have had a construction contract value of **at least £500,000** in cost and have been completed in the **past 5 years**
* At least one project must involve reinforced concrete construction as a significant component of the flood defence works.
* At least one of the flood defence projects must have been completed in the **past five years** with a construction contract **value of at least £300,000.**
* At least one project must demonstrate experience working within environmentally designated sites similar to the designations present on this project.

At least one project must demonstrate experience of working on privately owned land and demonstrate proactive collaboration with the landowner for efficient project delivery. Each Project Data Sheet, shall be 1 side of A4 maximum (minimum size 10 font) and provide details on:* Project title
* Location
* Construction project value
* Proportion carried out by legal entity (%)
* Name of client
* Dates (start/end)
* Form of contract used
* Description of project and construction works (including photographs if relevant), highlighting key risk areas.
* Description of services provided
* Performance statement. Were the supplies/services/works completed in accordance with your client's specification and to the agreed price and programme.

Failure to do so may lead to the achievement of a lesser score where like for like comparison is compromised.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 (SPV) is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or SPV (three examples are not required from each member).Where the supplier is an SPV, 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 are an existing supplier or have been a supplier to the council or Coastal Partners (formally Eastern Solent Coastal Partnership) within the last five years and the contract was of a similar scope/value the project must be included as a contract example.**A separate template must be completed for each contract case study. You may use multiple case studies that apply to the same client organisation as long as each example relates to a discreet package of works/ services.  |
| **Maximum 1000 words per contract example.** |

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| **References** |
| 6.2 | For each Contract Case Study, you must also forward a Client Reference Questionnaire to your Client referee for completion and submission direct to the Council using the following email address: **PurchasingAndProcurement@gosport.gov.uk** |

## Section 7 - Requirements under the Modern Slavery Act 2015

Failure to demonstrate compliance with the requirements of the Modern Slavery Act 2015’ will result in the supplier failing the minimum requirements for further consideration of this tender

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| **Requirements under the Modern Slavery Act 2015** |
| 7.1 | Are you a relevant commercial organisation as defined by section 54 (transparency in supply chains etc) of the Modern Slavery Act 2015?*[Commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more]* |  |
| 7.2 | If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within section 54 of the Act? | *[If yes please provide a link to your statement. If no, please provide an explanation]* |

## Section 8 - Additional questions

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| **Insurance** |
| 8.1 | 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:* Employer’s (compulsory) Liability Insurance = £5m in respect of each claim, without limit to the number of claims
* Public Liability Insurance = £10m in respect of each claim, without limit to the number of claims
* Professional Indemnity Insurance = £2m in the annual aggregate
* Product Liability Insurance = £5m in respect of each claim, without limit to the number of claims

*[It is a legal requirement that all companies hold Employer’s (compulsory) Liability Insurance of £5m as a minimum. Please note this requirement may not be applicable to sole traders or where you are the sole director of a limited company, own 50% or more of the shares, and have no employees]**[please state yes/no]* |  |

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| **Equality** |
| 8.2 | In the last three years, has any finding of unlawful discrimination been made against your organisation by an employment tribunal, an employment appeal tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)?*[please state yes/no]* |  |
| In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds or alleged unlawful discrimination?*[please state yes/no]* |  |
| *If you have answered yes to either of the questions above please provide, in a separate appendix, a summary of the investigation and an explanation of the outcome of the investigation.**If the investigation upheld the complaint against your organisation, please use the appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.**You may be excluded if you are unable to demonstrate to the council's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring* |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to them?*[please state yes/no]* |  |

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| **Environmental management** |
| 8.3 | 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 any local authority)? *[please state yes/no]* |  |
| *If your answer to this question is yes, please provide details in a separate appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.**The council will not select suppliers that have been successfully prosecuted or served notice under environmental legislation in the last three years, unless the council is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches.* |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to them?*[please state yes/no]* |  |

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| **Health and safety** |
| 8.4.1 | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. *If you have answered No this will be referred to a Health & Safety professional employed by the Authority who may seek further information.*  | Yes / No |
| 8.4.2 | Is your organisation registered as a SSIP Forum member scheme?If you have answered **No** to this question, please go to Question 8.5.3, otherwise please continue: | Yes / No |
|  | *Please provide details of the member schemes you are registered with, your scheme registration number and registration validity period.*  |
| 8.4.3 | If your organisation will register with a SSIP Forum member scheme should you be awarded the contract provide information below on:* The member scheme you will be registering with
* The date you intend to commence the application process
* The date you expect registration to be achieved

**Please note** that the successful contractor must be registered prior to the contract commencement date.  |  |
| 8.4.4 | Do you have a corporate accident reporting policy and / or system in place? *If you have answered No this will be referred to a Health & safety professional employed by the Authority who may seek further information.*  | Yes / No |
| 8.4.5 | How many accidents were reported to the Health and Safety executive (HSE) in accordance with the Reporting of Injuries, Diseases, Dangerous Occurrence Regulations 1995 (RIDDOR) in the last 5 years?If there have been reported accidents, please provide the category that each one falls into:

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| Death |  |
| Specified Injuries to workers |  |
| Over 7-day injuries to workers |  |
| Injuries to non-workers |  |

And provide details of each incident and what post-incident action was taken by your management team to eliminate or reduce the possibility of future similar occurrences below. *The number and type of RIDDOR accidents along with the robustness of the post incident action taken will be assessed on the basis of reasonableness. Any concerns will be relayed to a Health & Safety professional employed by the Authority who may seek further information.*  |  |
| 8.4.6 | 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 three years?*[please state yes/no]* |  |
| *If your answer to the this question is yes, please provide details in a separate appendix 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 not select suppliers that have been in receipt of enforcement/remedial action orders unless the supplier can demonstrate to the council's satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.* |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to them?*[please state yes/no]* |  |

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| **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 council 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. |
| 9a | Name |  |
| 9b | Role in organisation |  |
| 9c | Date |  |
| 9d | Signature (electronic is acceptable) |  |