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**INVITATION TO TENDER VOLUME 2 – RESPONSE DOCUMENT**

**for the Provision of an Employee Assistance programme**

**Supplying the South West reference number: DN722877**

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**STANDARD SELECTION QUESTIONNAIRE**

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| **Part 1: Your information and the bidding model.** |
| You must answer all questions in parts 1 and 2, and you must answer all questions in part 3 as well. \*Please refer to Section 3 of the ITT document for further guidance. |
| Bidders must ensure that every organisation on which they will rely to meet the selection criteria completes and submits their own answers and declaration for part 1 and 2. |

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| **Section 1** | **Your information** | |
| **Question number** | **Question** | **Response** |
| 1.1(a) | Name (if registered, please give the registered name) |  |
| 1.1(b) – (i) | Registered address (if applicable) or head office address |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status  a) - public limited company  b) - private limited company  c) - limited liability partnership  d) - other partnership  e) - sole trader  f) - third sector  g) - other (please specify your trading status) |  |
| 1.1(d) | Date of registration (if applicable) or date of formation. |  |
| 1.1(e) | Registration number (company, partnership, charity, etc if applicable). |  |
| 1.1(f) | Registered VAT number. |  |
| 1.1(g) - (i) | Are you registered with the appropriate professional or trade register(s) specified for this procurement in the country where your organisation is established? | Yes **▢**  No **▢**  N/A **▢** |
| 1.1(g) - (ii) | If you responded yes to 1.1(g) - (i), please provide the relevant details, including the name of the register and registration number(s), and if evidence of registration is available electronically, please provide  - the website address,  - issuing body  - reference number. |  |
| 1.1(h) - (i) | For procurements for services only, is it a legal requirement in the country where you are established for you to:  a) possess a particular authorisation, or  b) be a member of a particular organisation,  to provide the requirements specified in this procurement? | Yes **▢**  No **▢** |
| 1.1(h) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number. |  |
| 1.1(i) | Relevant classifications (state whether you fall within one of these, and if so which one)  a) Voluntary Community Social Enterprise (VCSE).  b) Sheltered Workshop.  c) Public service mutual. | (a) **▢**  (b) **▢**  (c) **▢** |
| 1.1(j) | Are you a Small, Medium or Micro Enterprise (SME)[[1]](#footnote-2)? | Yes **▢**  No **▢** |
| 1.1 (k) | Details of Persons with Significant Control (PSC)[[2]](#footnote-3), where appropriate[[3]](#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 ;  - 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  (Please enter N/A if not applicable) |  |
| 1.1(l) | Details of your immediate parent company:  - Full name of immediate parent company,  - Registered or head office address,  - Registration number (if applicable),  - VAT number (if applicable),  (Please enter N/A if not applicable) |  |
| 1.1(m) | Details of ultimate parent company:  - Full name of ultimate parent company,  - Registered or head office address,  - Registration number (if applicable),  - 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 supplier and all relevant persons and entities (as described above). | | |

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| **Please provide the following information about your approach to this procurement:** | | |
| **Section 1 (cont.)** | **Bidding model** |  |
| **Question number** | **Question** | **Response** |
| 1.2 | Please indicate if you are bidding as a single supplier or as part of a group or consortium?  *If you are bidding as a single supplier please go to Q 1.3.*  If you are bidding as part of a group or consortium (including where you intend to establish a legal entity to deliver the contract, or you are a subcontractor), please tell us:   1. The name of the group/consortium. 2. The proposed structure of the group/consortium, including the legal structure where applicable. 3. The name of the lead member in the group/consortium. 4. Your role in the group/consortium (e.g. lead member, consortium member, subcontractor). 5. If you are the lead member in the group/consortium, whether you are relying on other consortium members to meet the selection criteria (i.e. are you relying on other consortium members for economic and technical standing and/or technical and professional ability?) and, if so, which criteria you are relying on them for | Single Supplier **▢**  Part of a group or consortium **▢**    (Please provide details of the  Group or Consortium below a-e) |
| 1.3 | Are you proposing to use subcontractors? If yes, please provide the details for each one[[4]](#footnote-5).  - Name  - Registration number  - Registered or head office address,  - Trading status   1. Public limited company 2. Private limited company 3. Limited liability partnership 4. Other partnership 5. Sole trader 6. Third sector 7. Other (please specify your trading status)   - Registered VAT number  - SME (Yes/No)  - The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known  - The approximate % of contractual obligations assigned to each subcontractor, if known  - Is the subcontractor being relied upon to meet the selection criteria (i.e. are you relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are you relying on them for?  . | Yes **▢**  No **▢**    If yes, please provide details below.  Yes **▢**  No **▢** |

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| **Part 2: Exclusion Grounds** | | |
| Please answer the following questions in full. Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to part 1 and the declarations in part 2. | | |
| **Section 2** | **Grounds for mandatory exclusion** | |
| **Question number** | **Question** | **Declaration** |
| 2.1 (a) | Within the past five years, anywhere in the world, have you or any person who:   * is a member of the supplier’s administrative, management or supervisory body or * has powers of representation, decision, or control in the supplier[[5]](#footnote-6),   been convicted of any of the offences within the summary below and listed in full in Annex D? | |
|  | Participation in a criminal organisation. | Yes **▢**  No **▢** |
|  | Corruption. | Yes **▢**  No **▢** |
|  | Terrorist offences or offences linked to terrorist activities. | Yes **▢**  No **▢** |
|  | Money laundering or terrorist financing. | Yes **▢**  No **▢** |
|  | Child labour and other forms of trafficking in human beings. | Yes **▢**  No **▢** |
|  | Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland. | Yes **▢**  No **▢** |
|  | Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland. | Yes **▢**  No **▢** |
| 2.1(b) | **If you have answered yes to any part of question 2.1(a), please provide further details,** including:   * date of conviction and the jurisdiction, * which of the grounds listed the conviction was for, * the reasons for conviction, * the 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. |  |
| 2.1(c) | If you have answered yes to any part of the question above please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion. (Self cleaning). |  |

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| **Section 3** | **Mandatory and discretionary grounds relating to the payment of taxes and social security contributions** | |
| The detailed grounds for mandatory and discretionary exclusion of a supplier for non-payment of taxes and social security contributions, are set out in Annex D and should be referred to before completing these questions. | | |
| **Question number** | **Question** | **Declaration** |
| 3.1(a) | Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.  If documentation is available electronically please provide:   * the web address, * issuing authority, * precise reference of the documents | Yes **▢**  No **▢** |
| 3.1(b) | If you have answered no to 3.1(a) please provide further details including the following:   * Country concerned, * what is the amount concerned * how the breach was established, i.e. through a judicial or administrative decision or by other means. * if the breach has been established through a judicial or administrative decision please provide the date of the decision, * if the breach has been established by other means please specify the means. |  |
| 3.2 | Please also confirm whether 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. | Yes **▢**  No **▢** |
| Please Note: We reserve our right to use our discretion to exclude your bid where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions | | |

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| **Section 4** | **Grounds for Discretionary Exclusion** | |
| The detailed grounds for discretionary exclusion of an organisation are set out in Annex D and should be referred to before completing these questions. | | |
| **Question number** | **Question** | **Declaration** |
| 4.1 | Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full in Annex D applied to you? | |
| 4.1(a) | Breach of environmental obligations?  To note that environmental law obligations include Health and Safety obligations. See Annex D. | Yes **▢**  No **▢** |
| 4.1(b) | Breach of social law obligations? | Yes **▢**  No **▢** |
| 4.1(c) | Breach of labour law obligations? | Yes **▢**  No **▢** |
| 4.1(d) | Bankruptcy or subject of insolvency? | Yes **▢**  No **▢** |
| 4.1(e) | Guilty of grave professional misconduct? | Yes **▢**  No **▢** |
| 4.1(f) | Distortion of competition? | Yes **▢**  No **▢** |
| 4.1(g) | Conflict of interest? | Yes **▢**  No **▢** |
| 4.1(h) | Been involved in the preparation of the procurement procedure? | Yes **▢**  No **▢** |
| 4.1(i) | Prior performance issues? | Yes **▢**  No **▢** |
| 4.1(j)  4.1(j) - (i)  4.1(j) - (ii)  4.1(j) –(iii)  4.1(j)-(iv) | Do any of the following statements apply to you ?  You have been 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.  You have withheld such information.  You are not able, without delay, to submit documents if/when required under Regulation 59.  You have undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer upon you 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. | Yes **▢**  No **▢**  Yes **▢**  No **▢**  Yes **▢**  No **▢**  Yes **▢**  No **▢** |
| 4.2 | You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.  If you are a relevant commercial organisation please -   * confirm that you have published a statement as required by Section 54 of the Modern Slavery Act. * confirm that the statement complies with the requirements of Section 54. | Yes **▢**  No **▢**  Yes **▢**  No **▢** |
| 4.3 | If you have answered YES to any of the questions in 4.1, or NO to question 4.2, please explain what measures have been taken to demonstrate your reliability despite the existence of a relevant ground for exclusion. (Self cleaning) |  |

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| **Part 3: Selection Questions** | | |
| **Section 5** | **Economic and Financial Standing** | |
| **Question number** | **Question** | **Response** |
| 5.1 | If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide:   * the web address * issuing authority * precise reference of the documents |  |
| 5.2 | If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your detailed accounts for the last two years (audited if required by law).  Also, for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing, please provide a copy of their detailed accounts for the last two years (audited if required by law). |  |
| 5.3  5.3(a)  5.3(b) | If you are not able to provide a response to questions 5.1 or 5.2, please provide any of the following alternatives.  A statement of your annual turnover, Profit and Loss Account/Income statement, Balance Sheet/statement of Financial Position and Statement of Cash Flow for the most recent year(s) of trading and a bank letter outlining the current cash and credit facility position.  Alternative information to evidence economic and financial standing (e.g. forecast financial statements and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |
| 5.4 | 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 **▢** |
| 5.5 | Where you are relying on another member of your bidding group/consortium or any subcontractors or other security in order to meet the selection criteria relating to economic and financial standing, please confirm that the relevant person or entity is willing to provide a guarantee or other security if required |  |

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| **Section 6** | **Technical and Professional Ability** |
| **Question number** | **Question** |
| **Relevant experience and contract examples**  Please provide details of up to three contracts, where a bidder can demonstrate experience of delivering an Employee Assistance Programme for organisations of at least a comparable size and with a similar make up of employees, to meet the technical and professional ability criteria set out in the procurement documents in any combination from either the public or private sectors; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Where this procurement is for supplies or services, the examples must be from the past three years. Where this procurement is for works, the examples 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.  For consortium bids, or where you have indicated that you are relying on a subcontractor in order to meet the technical and professional ability, you should provide relevant examples of where the consortium/particular member/subcontractors have delivered and can demonstrate experience of delivering an Employee Assistance Programme for organisations of at least a comparable size with a similar make up of employees. 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 members of the Special Purpose Vehicle or subcontractors (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 subcontractor(s) who will deliver the contract.  **For each contract, please provide the following information**  If you cannot provide examples, see question 6.2 |
| 6.1 |

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

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| 6.2 | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this and how you meet the selection criteria relating to technical and professional ability e.g. your organisation is a new start-up, or you have provided services in the past but not under a contract. |  |
| 6.3 | Where you intend to subcontract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your subcontractor(s). The description 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 and whether you are a signatory of the UK Prompt Payment Code (or have given commitments under other equivalent schemes). |  |

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| **Section 7** | **Additional Questions including Project Specific Questions** | |
| **Question number** | **Question** | **Response** |
| 7.1 | **Insurance**  Please confirm 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 = £5 Million  Public Liability Insurance = £5 Million  \*There is a legal requirement for certain employers to hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information:  http://www.hse.gov.uk/pubns/hse39.pdf | Yes **▢**  No **▢**  Yes **▢**  No **▢** |
| 7.2 | **Data protection** | |
| 7.2(a). | Please confirm that you have in place, or that you will have in place by contract award, the human and technical resources to perform the contract to ensure compliance with the UK General Data Protection Regulations and to ensure the protection of the rights of data subjects. | Yes **▢**  No **▢** |
| 7.2(b). | Please provide details of the technical facilities and measures (including systems and processes) you have in place, or will have in place by contract award, to ensure compliance with the UK General Data Protection Regulations and to ensure the protection of the rights of data subjects. You are required to complete Appendix 4 Data Protection Screening Questionnaire, to answer this question. | |
| **PAYMENT TERMS – Requirement under the Public Contracts Regulations 2015 (Regulation 113)** | | |
| 7.3 | Please confirm that for public sector contracts awarded under the Public Contract Regulations 2015 you have systems in place to include (as a minimum) 30-day payment terms in all of your supply chain contracts and require that such terms are passed down through your supply chain. | Yes **▢**  No **▢** |
| 7.4 | **Carbon Reduction In Contracts Above £5m per annum – NOT APPLICABLE** |  |
| 7.5 | [**Tackling Modern Slavery in Supply Chains**](https://www.gov.uk/government/publications/ppn-0223-tackling-modern-slavery-in-government-supply-chains) **- NOT APPLICABLE** |  |

**CONTACT DETAILS AND DECLARATION.**

I declare that to the best of my knowledge the answers submitted, and information contained in this complete document are correct and accurate, including parts 1, 2 and part 3.

I declare that, upon request and without delay I will provide the certificates and/or documentary evidence referred to in this document except where this documentation can be accessed by the contracting authority via a national database free of charge or the contracting authority already possesses the documentation.

I understand that the information will be used in the selection process to assess my suitability 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.

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| Signature (electronic is acceptable) |  |
| Date |  |

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| **Contact details of those making the declaration** | |
|  | Response |
| Contact name |  |
| Name of organisation |  |
| Role in organisation |  |
| Phone number |  |
| E-mail address |  |
| Postal address |  |

**Annex D - Exclusion Grounds: Public Procurement**

**Mandatory Exclusion Grounds**

Listed in Public Contract Regulations 2015 (as amended) R57(1), (2) and (3) and the Public Contract Directives 2014/24/EU Article 57(1).

**Participation in a criminal organisation**

* Participation offence as defined by section 45 of the Serious Crime Act 2015
* Conspiracy within the meaning of:
* section 1 or 1A of the Criminal Law Act 1977; or
* article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983,

where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime.

**Corruption**

* Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;
* The common law offence of bribery;
* Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983.

**Terrorist offences or offences linked to terrorist activities**

* Any offence:
* listed in section 41 of the Counter Terrorism Act 2008;
* listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
* under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points.

**Money laundering or terrorist financing**

* Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002
* An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996.

**Child labour and other forms of trafficking human beings**

* An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;
* An offence under section 59A of the Sexual Offences Act 2003
* An offence under section 71 of the Coroners and Justice Act 2009;
* An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994
* An offence under section 1, 2 or section 4 of the Modern Slavery Act 2015.

**Non-payment of tax and social security contributions**

* Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.
* Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:
* HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
* a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle;
* a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established.

**Other offences**

* Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland.
* Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.

**Discretionary Exclusions Grounds**

Listed in Public Contract Regulations 2015 (as amended) R57(8) and the Public Contract Directives 2014/24/EU Article 57(4).

**Obligations in the field of environment, social and labour law.**

* Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including, but not limited to, the following:-
* In the last 3 years, where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body).
* In the last three years, where the organisation has 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 of alleged unlawful discrimination.
* In the last three years where the organisation has been convicted of a breach of the Health and Safety legislation.
* In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).
* Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
* Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
* Where the organisation has been in breach of the National Minimum Wage Act 1998.

**Bankruptcy, insolvency**

* 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.

**Grave professional misconduct**

* Guilty of grave professional misconduct

**Distortion of competition**

* Entered into agreements with other economic operators aimed at distorting competition.

**Conflict of interest**

* Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

**Been involved in the preparation of the procurement procedure.**

* Advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure.

**Prior performance issues**

* 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.

**Misrepresentation and undue influence**

* 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 negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award, or withheld such information or is not able to submit supporting documents required under regulation 59.

**Breach of obligations relating to the payment of taxes or social security contributions.**

* The contracting 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.

**Additional grounds**

ANNEX X Extract from Public Procurement Directive 2014/24/EU

LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —

* ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
* ILO Convention 98 on the Right to Organise and Collective Bargaining;
* ILO Convention 29 on Forced Labour;
* ILO Convention 105 on the Abolition of Forced Labour;
* ILO Convention 138 on Minimum Age;
* ILO Convention 111 on Discrimination (Employment and Occupation);
* ILO Convention 100 on Equal Remuneration;
* ILO Convention 182 on Worst Forms of Child Labour;
* Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
* Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
* Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
* Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

**Consequences of misrepresentation**

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

* The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015;
* The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
* If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
* If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR (subject to self-cleaning).

**QUALITY QUESTIONNAIRE**

PLEASE RESPOND TO EACH QUESTION IN ISOLATION. ONLY THE DETAILS PROVIDED IN RESPONSE TO THE QUESTION WILL BE USED IN EVALUATION OF THAT QUESTION. EVALUATORS WILL NOT CROSS REFER TO THE RESPONSES TO OTHER QUESTIONS OR SUBMITTED ATTACHMENTS UNLES SPECIFICALLY REQUESTED. \*Please refer to Section 4 of the ITT Document for further guidance.

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| --- | --- | --- |
| **1** | **Service Approach**  Please answer this question in no more than 2000 words within the response section below. Attachments will not be evaluated.  **Provide detail around your Service Approach and how this will be aligned specifically with this contract** | **25%** |
|  | Your response will be evaluated against the following sub-criteria:   * Detailed added value to the health, safety, and wellbeing of our employees in line with Bath and North East Somerset Council corporate priorities (20%) * Demonstrated detailed knowledge of mental health issues affecting staff and the availability of mental health campaigns that will be accessible by Council Employees (30%) * Clear and measurable processes ensuring service is accessible for all users with barriers to inclusion appropriately identified and contingencies in place. (30%) * Defined key points of a Wellbeing Strategy that would be appropriate specifically for Local Authority employees, demonstrating good internal knowledge (20%) |  |
|  | **RESPONSE** |  |
| **2** | **Meeting Contract requirements**  Please answer this question in no more than 1500 words within the response section below. Attachments will not be evaluated.  **Please provide detail around your processes demonstrating your ability to meet the contract requirements** | **20%** |
|  | Your response will be evaluated against the following sub-criteria:   * Detailed processes around telephone access and intake system, including how you handle calls out of hours and at weekends and provide details of the role and qualifications of the typical person who answers the initial call (60%) * Detailed processes around selection and verification of EAP clinicians, to be included in this contract, including how credentials are verified (40%) |  |
|  | **RESPONSE** |  |
| **3** | **Quality of Call handling**  Please answer this question in no more than 1200 words within the response section below. Attachments will not be evaluated.  **Provide an example of a response to a member of staff who has experienced/witnessed a deeply distressing incident** | **15%** |
|  | Your response will be evaluated against the following sub-criteria:   * Provide a detailed example of a response to a member of staff who has experienced/witnessed a deeply distressing incident demonstrating consideration to any appropriate circumstances and influences in and outside the workplace and how this was handled with resolutions (50%) * Provide a detailed example of a response to a member of staff who has experienced discrimination in relation to their protected characteristic, with particular emphasis on Racism and examples of the advice that was given. (50%) |  |
|  | **RESPONSE** |  |
| **4** | **Quality of Personnel and Service**  Please answer this question in no more than 1000 words within the response section below. We will allow an attachment for the Organisational structure however any other attachments will not be evaluated.  **How will you ensure the staff delivering this contract remain professionally competent?** | **10%** |
|  | Your response will be evaluated against the following sub-criteria:   * Detailed organisational chart for key staff/roles in the delivery of this contract – This can be submitted as a separate Attachment (40%) * Clear evidence of a robust programme and record keeping focussing upon Continual Professional Development of staff and able to evidence high levels of experience (60%) |  |
|  | **RESPONSE** |  |
| **5** | **Service Delivery**  Please answer this question in no more than 2000 words within the response section below. Attachments will not be evaluated.  **How will you ensure that your service will be fully operational and maintain a high level of continuity of service delivery in line with the specification.** | **25%** |
|  | Your response will be evaluated against the following sub-criteria:   * Provided clear and detailed mobilisation plan demonstrating fully operational service by 01.11.24 (40%) * Detailed clear processes of complaints procedure for both minor and major complaints and effective collaborative working with the council (15%) * Detailed company standing and training on the enforcement of correct customer relations to the site’s visitors and customers i.e. not expressing any political or other detrimental opinion (20%) * Provided detail around types of management information and standard utilisation reports that will be applicable to this contract (25%) |  |
|  | **RESPONSE** |  |
| **6** | **Social value (Refer to ITT Volume 1; Section 2.17 Social Value for definition)**  Please answer this question in no more than 500 words within the response section below. Attachments will not be evaluated.  **Provide details of the Social Value you would commit to delivering through this contract, to benefit the B&NES community** | **5%** |
|  | Your response will be evaluated against the following sub-criteria:   * Response outlines proposals to deliver social value, over and above the core contract, to the B&NES community, through for example the employment of local people, care leavers and/or young people (this could include as paid workers and or as volunteers) (100%) |  |
|  | **RESPONSE** |  |

Expand as required.

**PRICING SCHEDULE**

Bidders must complete the Pricing Schedule as below, with all the proposed charges/prices to provide the requirement(s) in accordance with the specification. This may include supplementary spreadsheets to provide transparency of the metrics used for calculating fixed, minimum, and variable charges.

|  |  |
| --- | --- |
| **ACTIVITY** | **ANNUAL PRICE (£)** |
| **Employee Assistance** |  |
|  |  |
| **TOTAL** |  |

**Text

Description automatically generated with medium confidence**

**CONFLICT OF INTEREST, CANVASSING & COLLUSIVE TENDERING**

**It is a mandatory requirement that the Supplier signs and complies with this certificate. FAILURE TO SUBMIT THIS DECLARATION WHEN RESPONDING TO THE TENDER WILL RESULT IN YOUR TENDER NOT BEING EVALUATED**

DECLARATIONS

|  |  |
| --- | --- |
| **Tender for Contract:** |  |
| **Supplier Name:** |  |

CONFLICT OF INTEREST, CANVASSING & COLLUSIVE TENDERING

1 In consideration of the Council accepting our tender we undertake and agree to advise the Council immediately upon becoming aware of any conflict of interest or potential conflict of interest, whether deliberate or otherwise, that may arise either during the term of the Contract or for a period of two years after its termination.

2 I/We further hereby undertake that I/We will not in the future canvass or solicit any Member Officer or Employee of the Council in connection with the award of this Tender or any other Tender or proposed Tender for the provision of the Service and that no person employed by me/us or acting on my/our behalf will do any such act.

3 I/We certify that

(a) this is a bona fide Tender, intended to be competitive, and that I/We have not fixed or adjusted the amount of the Tender (or the rates and prices quoted) by or under or in accordance with any agreement or arrangement with any other person.

(b) I/We have not canvassed or solicited any Member Officer or Employee of the Council in connection with the preparation or award of this Tender or any other Tender or proposed Tender for the provision of the Goods/Services and that no person employed by me/us or acting on my/our behalf has done any such act.

(c) that I/We have not done and undertake that I/We will not do at any time before the hour and date specified for the return of this Tender any of the following acts:

1. Offer or give or agree to give any officer or member of the Council any gift or consideration of any kind as an inducement or bribe to influence its decision in the tendering procedure.

(ii) Communicated to any person other than the Council the amount or approximate amount of the proposed Tender (other than in confidence in the circumstances and to the persons described in the Guidance & Instructions).

(iii) Enter into any agreement or arrangement with any person as to the amount of any proposed tender or that the person shall refrain from tendering.

**Person authorised to submit the Tender:**

|  |  |
| --- | --- |
| Signature |  |
| Contact name |  |
| Name of organisation |  |
| Role in organisation |  |
| Dated |  |

1. See definition of SME <https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en> [↑](#footnote-ref-2)
2. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required 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). Overseas bidders are required to provide equivalent information. [↑](#footnote-ref-3)
3. Only information that relates to the persons with powers of representation, decision or control within the meaning of regulation 57(2) can be considered in relation to the mandatory exclusion grounds and other details are requested for information only. [↑](#footnote-ref-4)
4. This applies to all supply chain members and/or subcontractors, where their identity is known at this stage, irrespective of whether you are relying on them to meet the selection criteria. Where a supply chain member and/or subcontractor has been identified in response to this question, any resulting subcontract entered into with that subcontractor for that part of the works, services or supplies identified in response to that question will not be subject to the requirement for contracts to advertise the subcontracting opportunity, as set out in PPN 01/18. [↑](#footnote-ref-5)
5. see Notes for Completion [↑](#footnote-ref-6)