

# **Selection Questionnaire Bidder Instructions for a Restricted Procurement Contract for the Provision of the Standard and Complex Fire Risk Assessments**

Feb 2020 – Feb 2023

**Date:** 08/11/2019

**Version:** FINAL

**Tender Reference:** DN442354

# Contents

1. Introduction	3
1. 1 Scope of the Project	3
1.2 Value of the Contract	3
1. 3 Contract Term	4
1.4 Clarifications about the Service or SQ	4
1. 5 Clarifications about the Contents of the Tenders	4
2. Tender Timetable	4
2.1 Deadline for Receipt of Tenders	5
2.2 References	5
2.3 Short Listing	5
3. Selection Questionnaire Complete Information	6
3.1 Formalities	6
4. Service terms	7
4.1 Documents Forming the Service Agreement	7
4.2 Consortia and Subcontractors	7
4.3 Warnings and Disclaimers	8
4.4 Confidentiality and Freedom of Information	8
4.5 Publicity	9
4.6 Tenderer Conduct and Conflicts of Interest	9
4.7 Authority's Rights	10
4.8 Bid Costs	10
4.9 Insurance	10
5. Tender Evaluation Model	11
5.1 Selection Criteria Evaluation	11
5.2 Scoring of Technical or Quality Criteria	11
The quality evaluation will be scored in accordance with the table below.	11
6.Restricted Procurement Procedure	12
7. Additional Questions	24

## 1. INTRODUCTION

The Authority is conducting the procurement using the restricted procedure in accordance with the requirements of the Public Contracts Regulations 2015 (SI 2015/102) (PCR 2015). The Council reserves the right to cancel this procurement process at any point and may decide not to award part or parts of the contract or not award a contract upon completion of the process.

This guidance document contains information about the procurement process, the Selection Questionnaire (SQ) questions for Tenderers to complete. Each Tenderer's response to the SQ should be detailed enough to allow the Authority to make an informed decision on the most suitable suppliers to short list to be invited to tender.

### 1. 1 Scope of the Project

Sutton Housing Partnership, on behalf of the London Borough of Sutton (Sutton Council) is seeking expressions of interest from suitably qualified organisations for the delivery of a contract for the Standard and Complex Fire Risk Assessments as follows:

Type 1 - inspection of Common parts only (non-destructive) to satisfy the Regulatory Reform (Fire Safety) Order 2005 (FSO) and complete fire risk assessment action plans.

Type 2 destructive to Common parts only, generally similar to type 1, except that there is a degree of destructive inspection.

Type 3 fire risk assessment includes the work involved in a Type 1 fire risk assessment but goes beyond the scope of the FSO, but not the scope of the Housing Act.

Type 4 fire risk assessment which is similar to Type 3 fire risk assessment scope of work, except that there is a degree of destructive inspection, in both the common parts and the flats, carried out on a sampling basis.

A selection questionnaire is available on this portal which Sutton Housing Partnership (SHP) shall evaluate to identify the shortlisted supplies to be invited to tender.

The Council shall not be bound to accept the *lowest* cost or any tender.

The award of contract shall be based on the most economically advantageous tender submitted.

## 1.2 Value of the Contract

It is not London Borough of Sutton's policy to publish contract values. Bidders should price their bids according to the requirements of the specification. *If* clarification is required on elements of the specification, bidders should use clarification questions to see if further details can be made available.

## 1.3 Contract Term

The Authority proposes to enter into a contract with each of the successful Tenderers ('Potential Supplier') for:

**36 Months** with the option to extend by a further **24 Months in 12-monthly** intervals, subject to supplier performance and solely at the discretion of the Council.

The anticipated contract commencement date is **25/02/2020**

## 1.4 Clarifications about the Service or SQ

Any clarifications relating to this tender must be submitted through the e-tendering portal available at [www.londontenders.org](http://www.londontenders.org).

The Authority will respond to all *reasonable* clarifications as soon as possible generally within **3-4 days**. All questions and the Authority's response will need to be published to all bidders on the e-tendering portal. Please note all references to a company or any confidential information will be redacted before publishing online.

The deadline for clarifications will be **7 days** before the submission deadline.

*(See Timetable for details)*

## 1.5 Clarifications about the Contents of the Tenders

The Authority reserves the right (*but is not obliged*) to seek clarification of any aspect of a Tenderer's Tender during the evaluation phase where necessary for the purposes of carrying out a fair evaluation. Tenderers are asked to respond to such requests promptly. Vague or ambiguous answers are likely to score poorly or render the Tender non-compliant.

## 2. TENDER TIMETABLE

### 2.1 Key Dates

This procurement will follow a clear, structured and transparent process to ensure a fair and open process is maintained at all times, and that all Tenderers are treated equally.

The key dates for this procurement (Timetable) are currently anticipated to be as follows:

TABLE 1: Key Dates	
Event	Date
Issue of SQ Tender (call for competition)	08/11/2019
Selection Questionnaire Published	08/11/2019
Call for competition clarification period ends	02/12/2019
Deadline for request to participate (via SQ submissions)	09/12/2019

Any changes to the procurement Timetable shall be notified to all Tenderers as soon as practicable.

### 2.1 Deadline for Receipt of Tenders

Responses to this call for competition must be uploaded to the e-tendering portal and in the manner prescribed under paragraph 3.1 no later than the Deadline.

The Deadline for requests to participate via the completion of a Selection Questionnaire is **09/12 2019**.

Any Selection Questionnaires received after the Deadline shall not be opened or considered. The Authority may, however, in its own absolute discretion extend the Deadline and in such circumstances the Authority will notify all Tenderers of any change.

### 2.2 References

The Authority reserves the right to seek references from any of the Tenderer's customers, including the Authority, whether or not the Tenderer has listed such customers as referees.

## **2.3 Short Listing**

The Authority will short list candidates to be invited to tender on the basis of a Selection Questionnaire submitted in accordance with the instructions set out in this Call for Competition Guidance.

Confirmation of short listing for Invitation to Tenderer as a Potential Supplier is subject to the formal approval process of the Authority.

The Authority intends to invite between 5 - 10 candidates to tender. The Authority reserves the right to invite less than 5 candidates to tender where the number of candidates meeting the selection criteria and the minimum levels of ability is less than 5.

Once the Authority has reached a decision in respect of the candidates to be invited to tender, it will notify all Selection Questionnaire respondents in writing of that decision.

*No standstill period* is required at the shortlisting stage of this procedure.

## **3. SELECTION QUESTIONNAIRE COMPLETION INFORMATION**

### **3.1 Formalities**

All documents comprising the Selection Questionnaire must be completed and uploaded to the e-tendering portal by the Deadline.

The request to participate in response to the call for competition shall be completed and submitted electronically using the Selection Questionnaire provided online.

Please ensure you answer and upload documents/data in the designated area and required format. The Council cannot be held responsible for not viewing documents/data that are not uploaded in the correct area and format.

All Selection Questionnaire documents must be completed in plain English.

Selection Questionnaires shall not be considered that are either received after the time stated for submission and/or not compliant with the Council's instructions

Selection Questionnaires must be treated as private and confidential and organisations must not disclose the fact that they have submitted a Selection Questionnaire.

The Response in the Selection Questionnaire must be clear, concise and complete. The Authority reserves the right to mark a Selection Questionnaire down or exclude them from the procurement if its response contains any ambiguities, caveats or lacks clarity. Tenderers should submit only such information as is necessary to respond effectively to this Call for

Competition. Candidates will be evaluated on the basis of information submitted by the Deadline.

Organisations wishing to respond to the Call for Competition should carefully read the whole of the annexed conditions of contract and no bids will be considered at the Invitation to Tender stage which in any way attaches modifications to these conditions and/or to the quotation documentation. In the case of the sole trader, they should sign and give their name in full together with the name under which they are trading.

If changes subsequently occur in relation to the statements set out in the Selection Questionnaire, the relevant Tenderer must promptly notify the Authority of them. The Authority reserves the right to disqualify any Tenderer that fails to duly notify the Authority. Candidates are also reminded of the eligibility requirements that apply to the procurement process at all times. In particular, these include the provisions set out in regulation 57 of the PCR 2015 and the minimum standards set out in the Selection Questionnaire. Any change in the eligibility of a Tenderer must be notified immediately to the Authority in writing and may result in that Tenderer being disqualified from any further participation in the procurement process.

## **4. SERVICE TERMS**

The draft Contract that the Authority proposes to use is available as part of the tender pack. It can be downloaded from attachments section for this project, which in turn can be found on the London Tender Portal [www.londontenders.org](http://www.londontenders.org). By submitting a Tender, Tenderers are agreeing to be bound by the terms of this ITT and the draft contract without further negotiation or amendment.

If the terms of the draft contract render the proposals in the Tenderer's Tender unworkable, the Tenderer should submit a clarification in accordance with paragraph 1.9 and the Authority will consider whether any amendment to the draft contract is required. Any amendments shall be published and shall apply to all candidates. Where both the amendment and the original drafting are acceptable and workable to the Authority, the Authority shall publish the amendment as an alternative to the original drafting. Tenderers should indicate if they prefer the amendment; otherwise the original drafting shall apply. Any amendments which are proposed, but not approved by the Authority through this process, will not be acceptable and may be construed as a rejection of the terms leading to the disqualification of the Tender.

### **4.1 Documents Forming the Service Agreement**

The following documents shall form part of the Contract between the Authority and the Service Provider(s):

- Contract
- Specification (and attachments).

- A Pricing Schedule (as completed by the Service Providers if Invited to Tender)
- Responses to method statement questions (as completed by the Service Provider(s) if Invited to Tender)

## 4.2 Consortia and Subcontractors

The Authority requires all Tenderers to identify whether and which subcontracting or consortium arrangements apply in the case of their Tender, and in particular specify the share of the Contract it intends to sub-contract, any proposed subcontractors, and precisely which entity they propose to be the Service Provider.

For the purposes of the Selection Questionnaire, the following terms apply:

- **Consortium arrangement.** Groups of companies come together specifically for the purpose of bidding for appointment as the Service Provider and envisage that they will establish a special purpose vehicle as the prime contracting party with the Authority.
- **Subcontracting arrangement.** Groups of companies come together specifically for the purpose of bidding for appointment as the Service Provider, but envisage that one of their number will be the Service Provider, the remaining members of that group will be subcontractors to the Service Provider.
- **Please note:** Should you wish to submit a consortium bid, it is only necessary for the lead organisation to fill out the application on behalf of their members and only **ONE** application is required. You shall be asked within the quotation to identify members including the percentage of work you envisage each member completing.

## 4.3 Warnings and Disclaimers

While the information contained in this Guidance is believed to be correct at the time of issue, neither the Authority, its advisors, nor any other awarding authorities will accept any liability for its accuracy, adequacy or completeness, nor will any express or implied warranty be given. This exclusion extends to liability in relation to any statement, opinion or conclusion contained in or any omission from, this Guidance (including its appendices) and in respect of any other written or oral communication transmitted (or otherwise made available) to any Tenderer. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the Authority.

If a Tenderer proposes to enter into a Contract with the Authority, it must rely on its own enquiries and on the terms and conditions set out in the Contract(s) (as and when finally executed), subject to the limitations and restrictions specified in it (Terms & Conditions of the



framework agreement and the call of contract are available in the attachment area of the e-procurement system for this project).

Neither the issue of this Guidance, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Authority (or any other person) to enter into a contractual arrangement.

#### **4.4 Confidentiality and Freedom of Information**

This Guidance and the documents included in this procurement are made available on the condition that their contents (including the fact that the Tenderer has received the documents) is kept confidential by the Tenderer and is not copied, reproduced, distributed or passed to any other person at any time, except for the purpose of enabling the Tenderer to submit a Tender.

As a public body, the Authority is subject to the provisions of the Freedom of Information Act 2000 (FOIA) in respect of information it holds (including third-party information). Any member of the public or other interested party may make a request for information.

The Authority shall treat all Tenderers' responses as confidential during the procurement process. Requests for information received following the procurement process shall be considered on a case-by-case basis, applying the principles of FOIA.

Tenderers should be aware that, in compliance with its transparency obligations, the Authority routinely publishes details of its contract(s), including the contract values and the identities of its suppliers on its website.

#### **4.5 Publicity**

No publicity regarding the contract/framework arrangement or the services to be called off under the Framework Agreement / Agreement will be permitted unless and until the Authority has given express written consent to the relevant communication. For example, no statements may be made to the media regarding the nature of any Tender, its contents or any proposals relating to it without the prior written consent of the Authority.

#### **4.6 Tenderer Conduct and Conflicts of Interest**

Any attempt by Tenderers or their advisors to influence the contract award process in any way may result in the Tenderer being disqualified. Specifically, Tenderers shall not directly or indirectly at any time:

- Devise or amend the content of their Tender in accordance with any agreement or arrangement with any other person, other than in good faith with a person who is a proposed partner, supplier, consortium member or provider of finance.
- Enter into any agreement or arrangement with any other person as to the form or content of any other Tender, or offer to pay any sum of money or valuable consideration to any person to effect changes to the form or content of any other Tender.
- Enter into any agreement or arrangement with any other person that has the effect of prohibiting or excluding that person from submitting a Tender.
- Canvass the Authority or any employees or agents of the Authority in relation to this procurement.
- Attempt to obtain information from any of the employees or agents of the Authority or their advisors concerning another Tenderer or Tender.

Tenderers are responsible for ensuring that no conflicts of interest exist between the Tenderer and its advisors, and the Authority and its advisors. Any Tenderer who fails to comply with this requirement may be disqualified from the procurement at the discretion of the Authority.

#### **4.7 Authority's Rights**

The Authority reserves the right to:

- Waive or change the requirements of this Guidance or accompanying tender documents from time to time without prior (or any) notice being given by the Authority.
- Seek clarification or documents in respect of a candidate's selection questionnaire submission.
- Disqualify any Tenderer that does not submit a compliant selection questionnaire in accordance with the instructions in this Guidance or in the supplier guidance included in the electronic Selection Questionnaire.
- Disqualify any Tenderer that is guilty of serious misrepresentation in relation to its Tender, expression of interest, or the tender process.
- Disqualify any Tenderer that is unable to provide the required documents that are subject to award.
- Withdraw this Call for Competition or related ITT at any time, or to re-invite Tenders on the same or any alternative basis.
- Choose not to award any Contract as a result of the current procurement process.

- Make whatever changes it sees fit to the Timetable, structure or content of the procurement process, depending on approvals processes or for any other reason.

#### 4.8 Bid Costs

The Authority will not be liable for any bid costs, expenditure, work or effort incurred by a Tenderer in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the Authority.

#### 4.9 Insurance

The Authority will require the successful Tenderer to have in place as a minimum the following insurances in place.

- a) **Employer's Liability Insurance Policy of not less than £5 million** for each and every claim, act or occurrence or series of claims, acts or occurrences; and
- b) **Public Liability Insurance Policy of not less than £10 million** for each and every claim, act or occurrence or series of claims, acts or occurrences.
- c) **Professional Indemnity Insurance Policy of not less than £5 million** for each and every claim, act or occurrence or series of claims, acts or occurrences.

### 5. TENDER EVALUATION MODEL

#### 5.1 Selection Criteria Evaluation

The Selection Criteria which are included as pass/fail questions (*see table 2 below*) will be evaluated first. If a "Fail" score is obtained on any of the questions designated "Pass/Fail", this will result in the Tender being rejected and questions which carry a 'weighting' will not be evaluated.

The following table (table 2) provides the summary scoring mechanism which will be applied. Please note that the online questionnaire includes the individual weightings for sub category and weightings for individual questions within a sub category. Some questions will also include additional instructions in the 'Supplier Help' window. Please make sure you read the supplier help notes before responding to the question.

Quality questions that are not pass/fail will be scored on a scale of 1-5 in accordance with the Table 3 below.

#### .2 Scoring of Technical or Quality Criteria

The quality evaluation will be scored in accordance with the table below.

**TABLE 3:**

Scoring of Technical or Quality Criteria	
1	<b>Unacceptable Response.</b> No response, response not relevant or question not answered.
2	<b>Poor.</b> The response is partially compliant, but with serious deficiencies in meeting service requirements (any supporting evidence is minimal).
3	<b>Fair.</b> The response is compliant (some evidence may be provided which supports compliant elements) with shortfalls in meeting service requirements. Any concerns are of a minor nature.
4	<b>Good.</b> The response is compliant and offers relevant evidence to support their claims, clearly indicating that service requirements would be met.
5	<b>Excellent.</b> The response is compliant and offers relevant detailed evidence to support their claims, clearly demonstrating a comprehensive understanding of the service requirements.

## 6. RESTRICTED PROCUREMENT 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.
7. *All sub-contractors are required to complete Part 1 and Part 2*
8. 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 subcontractors, 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	Full name of the potential supplier submitting the information	
1.2	Registered office address (if applicable)	
1.3	Registered website address (if applicable)	
1.4	Trading status a) public limited company b) limited company c) limited liability partnership	

	d) other partnership e) sole trader f) third sector g) other (please specify your trading status)	
1.5	Date of registration in country of origin	
1.6	Company registration number (if applicable)	
1.7	Charity registration number (if applicable)	
1.8	Head office DUNS number (if applicable)	
1.9	Registered VAT number	
1.10	If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.11	<p>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?</p> <p><b>If you have responded yes, please provide additional details of what is required and confirmation that you have complied with this.</b></p>	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.12	Trading name(s) that will be used if successful in this procurement.	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.13	Relevant classifications (state whether you fall within one of these, and if so which)	

	<p>Relevant classifications (state whether you fall within one of these, and if so which one)</p> <ul style="list-style-type: none"> <li>a) Voluntary Community Social Enterprise (VCSE)</li> <li>b) Sheltered Workshop</li> <li>c) Public service mutual</li> </ul>	
1.14	<p>Are you a Small, Medium or Micro Enterprise (SME)?</p> <p>See the EU definition of SME here:  <a href="https://ec.europa.eu/growth/smes/business-friendly-environments/sme-definition_en">https://ec.europa.eu/growth/smes/business-friendly-environments/sme-definition_en</a></p>	<p>Yes <input type="checkbox"/></p> <p>No</p>
1.15	<p>Details of Persons of Significant Control (PSC), where appropriate: <sup>1</sup></p> <ul style="list-style-type: none"> <li>- Name;</li> <li>- Date of birth;</li> <li>- Nationality;</li> <li>- Country, state or part of the UK where the PSC usually lives;</li> <li>- Service address;</li> <li>- The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used);</li> <li>- Which conditions for being a PSC are met; <ul style="list-style-type: none"> <li>- Over 25% up to (and including) 50%,</li> <li>- More than 50% and less than 75%,</li> <li>- 75% or more. <sup>2</sup></li> </ul> </li> </ul> <p>(Please enter N/A if not applicable)</p> <p><b><i>Details of Persons of Significant Control (PSC), where appropriate (UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be</i></b></p>	

<sup>1</sup>

<sup>2</sup>

	<p><b><i>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)</i></b></p>	
1.16	<p>Details of immediate parent company:</p> <ul style="list-style-type: none"> <li>- Full name of the immediate parent company</li> <li>- Registered office address (if applicable)</li> <li>- Registration number (if applicable)</li> <li>- Head office DUNS number (if applicable)</li> <li>- Head office VAT number (if applicable)</li> </ul> <p>(Please enter N/A if not applicable)</p> <p><b><i>Required information:</i></b></p> <ul style="list-style-type: none"> <li>- <b><i>Full name of the immediate parent company</i></b></li> <li>- <b><i>Registered office address (if applicable)</i></b></li> <li>- <b><i>Registration number (if applicable)</i></b></li> <li>- <b><i>Head office DUNS number (if applicable)</i></b></li> <li>- <b><i>Head office VAT number (if applicable)</i></b></li> </ul>	
1.7	<p>Details of ultimate parent company: When answering this question, please provide:</p> <ul style="list-style-type: none"> <li>- Full name of the ultimate parent company</li> <li>- Registered office address (if applicable)</li> <li>- Registration number (if applicable)</li> <li>- Head office DUNS number (if applicable)</li> <li>- Head office VAT number (if applicable)</li> </ul> <p>(Please enter N/A if not applicable)</p> <p>(Please enter N/A if not applicable)</p>	



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 1.18		Bidding model	
Question number	Question	Response	
1.18.1	Are you bidding as the lead contact for a group of economic operators?	Yes <input type="checkbox"/> No <input type="checkbox"/>  If yes, please provide details listed in questions 1.18.2, 1.18.3, 1.18.4, 1.18.5 and to Section 2 and 3. If no, and you are a supporting bidder please provide the name of your group at 1.18.2 for reference purposes, and complete 1.18.6 and Section 2 and 3.	
1.18.2	Name of group of economic operators (if applicable)		
1.18.3	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.	If you do not propose to form a single legal entity, please explain the legal structure	
1.18.4	Are you or, if applicable, the group of economic operators proposing to use sub-contractors?	Yes <input type="checkbox"/> No <input type="checkbox"/>	

**1.18.5**

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 subcontractor 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 the 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 relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

Please complete and upload the Declaration and Contact Details document attached.

Section 1.18.6	Contact details and declaration	
Question Number	Question	Response
1.18.6.(a)	Contact name	
1.18.6.(b)	Name of organisation	
1.18.6.(c)	Role in organisation	
1.18.6.(d)	Phone number	
1.18.6.(e)	E-mail address	
1.18.6.(f)	Postal address	

1.18.6.(g)	Signature (electronic is acceptable)	
1.18.6.(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 2.1	Grounds for mandatory exclusion	
Question number	Question	Response
2.1.1	<p><b>Regulations 57(1) and (2)</b></p> <p>The detailed grounds for mandatory exclusion of an organisation are set out on this <a href="#">webpage</a>, which should be referred to before completing these questions.</p> <p>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 <a href="#">webpage</a>.</p>	
	Participation in a criminal organisation.	Pass/Fail
	Corruption.	Pass/Fail
	Fraud.	Pass/Fail
	Terrorist offences or offences linked to terrorist activities	Pass/Fail
	Money laundering or terrorist financing	Pass/Fail
	Child labour and other forms of trafficking in human beings	Pass/Fail
2.1.2	If you have answered yes to question 2.1	

	Please provide further details as follows: 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.	
2.1.3	If you have answered Yes to any of the points above (2.1.1) have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? Self-Cleaning	Pass/Fail
2.1.4	<b>Regulation 57(3)</b> 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?	Pass/Fail
2.1.5	If you have answered yes to question 2.1.4, 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 2.2	Grounds for discretionary exclusion	
	Question	Response

3.	<p><b>Regulation 57 (8)</b></p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this <a href="#">webpage</a>, which should be referred to before completing these questions.</p> <p>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.</p>	
3.1	Breach of environmental obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> 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	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2          Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2          Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2          Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2

	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 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

Section 4	Economic and Financial Standing	
	Question	Response

3.1.1	Are you able to provide a copy of your audited accounts for the last two years, if requested?	Pass/Fail
3.1.2	If your answer to 3.1.1 was no, can you provide financial standing and/ or a minimum financial threshold as listed below:	
	(a) A statement of 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.	Pass/Fail
	(b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.	Pass/Fail
	(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	Pass/Fail



	alternative means of demonstrating financial status).	
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.	Pass/Fail

<b>Section 5</b>	<b>If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:</b>
------------------	--

<b>3.2.1 Name of organisation</b>	
<b>3.2.2 Relationship to the Supplier completing these questions</b>	

<b>3.2.3</b>	Are you able to provide parent company accounts if requested to at a later stage?	Yes Not Applicable
<b>3.2.4</b>	If yes, would the parent company be willing to provide a guarantee if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>3.2.5</b>	If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?	Not Applicable

<b>Section 6</b>	<b>Technical and Professional Ability</b>
------------------	---

**3.3.1****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.

	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			

<b>Contract completion date</b>			
<b>Estimated contract value</b>			

<b>3.3.2</b>	<p><b>Maintaining healthy supply chains when subcontracting</b></p> <p>Where you intend to subcontract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)</p> <p>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)</p>
<b>3.3.3</b>	<p>If you cannot provide at least one example for questions 3.3.1, 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.</p>
<b>3.3.4</b>	<p>Do all Fire Risk Assessors within your organisation have demonstrable competence to a UKAS accredited certification scheme? Do all Fire Risk Assessors within your organisation have demonstrable competence to a UKAS accredited certification scheme?</p> <p>Please provide evidence of the certified accreditation status held by the Organisation and the individuals that will be delivering fire risk assessment services on this contract.</p>

<b>Section 7</b>	<b>Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015</b>
------------------	--

<b>3.4.1</b>	<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")</p>	Yes/ No
--------------	--	---------

3.4.2	If you have answered yes to question 3.4.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?	Yes <input type="checkbox"/> Please provide the relevant url...  No <input type="checkbox"/> Please provide an explanation
-------	--	--

## 7. Additional Questions

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.

Section 8	Additional Questions
	Insurance Requirements

3.5.1	<p>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: Y/N</p> <p><b>Employer's (Compulsory) Liability Insurance = £5 million</b>  <b>Public Liability Insurance = £10 million</b>  <b>Professional Indemnity Insurance = £5 million</b></p> <p>*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.</p>
-------	---

8.2	Skills and Apprentices <sup>3</sup> – (please refer to supplier selection guidance)
-----	---

a.	Public procurement of contracts with a full life value of £10 million and above and duration of 12 months and above should be used to support skills development and delivery of the apprenticeship commitment. This policy is set out in detail in Procurement Policy Note	
----	---	--

	14/15.  Please confirm if you will be supporting apprenticeships and skills development through this contract.	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>b.</b>	If yes, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>c.</b>	Do you have a process in place to ensure that your supply chain supports skills development and apprenticeships in line with PPN 14/15 (see guidance) and can provide evidence if requested?	Yes <input type="checkbox"/> No <input type="checkbox"/>

<b>8.3</b>	<b>Steel<sup>4</sup> – (please refer to supplier selection guidance)</b>
------------	--

<b>a.</b>	Please describe the supply chain management systems, policies, standards and procedures you currently have in place to ensure robust supply chain management
<b>b.</b>	Please provide details of previous similar projects where you have demonstrated a high level of competency and effectiveness in managing of all supply chain members involved in steel supply or production so that there was a sustainable and safe supply of steel.
<b>c.</b>	<p>Please provide all the relevant details of previous breaches of health and safety legislation in the last 5 years, applicable to the country in which you operate, on comparable projects, for both:</p> <p>(i) Your company</p>

	(ii) All your supply chain members involved in the production or supply of steel.
--	---

<b>8.4</b>	<b>Suppliers' Past Performance<sup>5</sup> - (please refer to supplier selection guidance - this question should only be included by central government contracting authorities)</b>
------------	--

<b>a.</b>	Can you supply a list of your relevant principal contracts for goods and/or services provided in the last three years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>b.</b>	On request can you provide a certificate from those customers on the list?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>c.</b>	If you cannot obtain a certificate from a customer can you explain the reasons why?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>d.</b>	If the certificate states that goods and/or services supplied were not satisfactory are you able to supply information which shows why this will not recur in this contract if you are awarded it?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>e.</b>	Can you supply the information in question. to d. above for any subcontractors [or consortium members] who you are relying upon to perform this contract?	Yes <input type="checkbox"/> No <input type="checkbox"/>

## **Annex A**

### **Mandatory Exclusion Grounds**

1. Public Contract Regulations 2015 R57(1), (2) and (3)
2. Public Contract Directives 2014/24/EU Article 57(1)
3. 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;

## **Fraud**

- Any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the convention on the protection of the financial interests of the European Communities:
- the common law offence of cheating the Revenue;
- the common law offence of conspiracy to defraud;
- fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
- fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the **Value Added Tax Act 1994**;
- an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
- fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;
- the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;

## **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 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 26<sup>th</sup> February 2015 in England, Wales or Northern Ireland

### **Discretionary exclusions**

### **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 the following:-

- 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 3 years.
- 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 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.

### **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 to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.

### **Additional exclusion grounds**

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

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).