**Cheshire East Borough Council and**

**Cheshire West and Chester Council**

### SELECTION QUESTIONNAIRE (SQ)

### RESPONSE DOCUMENT

**The Provision of an Enterprise Resource Planning (ERP) Software Solution**

**CHEST REF: DN175327**

**Internal Ref: 16 023**

|  |  |
| --- | --- |
| Name of Applicant |  |

**SQ Responses to be submitted by: 12:00** **hours on 11 November 2016**

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**of the Council**

**Version 1**

**CHECKLIST**

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

|  |  |  |
| --- | --- | --- |
| **Schedule** | **Item** | **Included in response?** |
|  | Selection Questionnaire |  |
|  | Certificate of non-collusion and non-canvassing |  |
|  | Commitment To Comply With The Employment Relations Act 1999 (Blacklist) Regulations 2010 |  |

**Cheshire East Borough Council and Cheshire West and Chester Council**

**The Provision of an Enterprise Resource Planning (ERP) Software Solution**

**SCHEDULE 1 – SELECTION QUESTIONNAIRE (SQ)**

# Selection Questionnaire

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

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

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

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

**Supplier Selection Questions: Part 3**

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

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

**Consequences of misrepresentation**

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

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

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

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

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

**Contact details and declaration**

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

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

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

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

I am aware of the consequences of serious misrepresentation.

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

**Part 2: Exclusion Grounds**

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

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

***Please Note: The authorities reserve the right to use their discretion to exclude a potential supplier where they 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.***

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| **Section 3** | **Grounds for discretionary exclusion** | |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
| 3.1(a) | Breach of environmental obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? | Yes  No  If yes please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes  No  If yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes  No  If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes  No  If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes  No  If yes please provide details at 3.2 |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? | Yes  No  If yes please provide details at 3.2 |
| 3.1(j)  3.1(j) - (i)  3.1(j) - (ii)  3.1(j) –(iii)  3.1(j)-(iv) | Please answer the following statements  The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.  The organisation has withheld such information.  The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  The organisation has influenced the decision-making process of the contracting authorities to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2 |

|  |  |  |
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| 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**

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

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

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

**6. Technical and Professional Ability**

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 the authorities’ key requirements (as described below). 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 customer contact provided should be prepared to provide written evidence to the authorities 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 will 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 you are 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 principal intended provider(s) or sub-contractor(s) who will deliver the contract.

If you cannot provide examples see question 6.3

The authorities’ key requirements are as follows:

1. An integrated, statutorily compliant solution which supports the authorities’ finance, procurement, income, HR and payroll services, delivered through industry best practice, facilitated through self-service and which recognises the evolving nature of these services.
2. A solution which provides a consistent and intuitive look and feel across all areas of functionality and which supports the authorities’ strategies around flexible and mobile working.
3. A comprehensive, flexible and accessible reporting suite which enables users to meet their changing information needs quickly and easily.
4. A solution which will support simplified and shared business processes, deliverable on a shared services basis.
5. A solution and associated licencing / ownership and contractual model which positively supports flexible provision to multiple associated organisations with differing legal structures and ownership models, which protects each organisations’ data integrity and which allows the flexible on-boarding and off-boarding of teams, services and organisations.
6. An externally hosted, managed service model, which offers the optimum balance between cost, flexibility, availability and scalability and
7. A solution which supports flexible integration into the authorities’ existing systems, reflecting the evolving nature of the technical landscape and drive towards the principle of cloud first.
8. An implementation approach which ensures appropriate legacy transactional and standing data is migrated from our existing solution set, in support of future transactions and reporting needs.
9. An implementation approach which delivers an optimum balance between speed of implementation and risk and which will deliver no later than October 2018, working with Council-led business change methods.
10. A significant reduction in total cost of ownership in comparison with our existing product set and support package.

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| **Section 6** | | **6.1 Relevant experience and contract examples** | | | |
|  |  | | **Contract 1** | **Contract 2** | **Contract 3** |
|  | Name of customer organisation | |  |  |  |
|  | Point of contact in the customer organisation | |  |  |  |
|  | Position in the organisation | |  |  |  |
|  | Email address | |  |  |  |
|  | Description of Contract | |  |  |  |
|  | Contract Start Date | |  |  |  |
|  | Contract completion date | |  |  |  |
|  | Estimated Contract Value | |  |  |  |
|  | In no more than **1500** words per contract example, please provide a brief description for each of the contracts delivered including evidence as to your technical capability in this market and track record in meeting as many of the points listed in the key requirements above. In doing so please provide:   * a description of the work you carried out including information on your role, in providing and implementing the solutions for your customer; * details of how the work was delivered in partnership with your customer and how your team and the customer were structured to deliver the required change and benefits. Please provide details of any particular methodologies used, and demonstrate how successful these were in ensuring a successful transition and transformation; * an explanation of how you met and/or exceeded the customer's expectations from a financial, technical, business outcome and management information perspective; * quantify the delivered benefits and detail how targeted business benefits were realised; and * describe the tools and techniques you utilised to monitor, ensure and deliver the required benefits, quality, outcomes and improved performance against the contract. | | | | |
| *Enter here, referencing the question number (i.e. Question 5.4) and the example contract number (i.e. Contract 1, 2 or 3). A word limit of 1,500 words (for each contract example provided) shall be applied. Text within plans, diagrams and images are to be included in the specified word limits* | | | | |
| 6.2 | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s).  Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries).  *Enter your response here* | | | | |
| 6.3 | If you cannot provide at least one example for Question 6.1, in no more than **1,500** 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.  *Enter here, stating the word count in response.* | | | | |

**7. Modern Slavery Act 2015**

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| --- | --- | --- |
| **Section 7** | **Modern Slavery Act 2015:** **Requirements under Modern Slavery Act 2015** | |
| 7.1 | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes  N/A |
| 7. 2 | If you have answered yes to question 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes  Please provide relevant the url …  No  Please provide an explanation |

**8. Additional 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** | **Insurance** |  |
| 8.1.1 | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the minimum levels of insurance cover indicated below:   1. **Employer’s Liability Insurance\*** = £10 million.  Is required in respect of each and every claim. 2. **Public Liability Insurance** = £10 million. Is required in respect of each and every claim with no abuse exclusion/inner limit. 3. **Professional Indemnity Insurance** = £5 million.   *\* It is a legal requirement that all companies hold Employer’s Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.* | Yes  No |
| 8.1.2 | Please confirm that your Professional Indemnity Insurance covers data breach, data loss and reputational damage. | Yes  No |
| 8.1.3 | If your Professional Indemnity Insurance does not cover data breach, data loss and reputational damage, the authorities recommend that you obtain Cyber Insurance at £5 million. Please confirm you have Cyber Insurance of £5 million or can commit to obtain it prior to the commencement of the contract. | Yes  No |
| 8.1.4 | If you answered ‘**NO**’ to Questions 8.1.2 and 8.1.3, please state what your intentions and procedures would be in the event of any instance of data breach, data loss or reputational damage and how you would manage the potential impact on your company/organisation. | |
| *Enter details here if necessary* | | |

**9. Additional Technical and Professional Questions**

***(Questions 9.1, 9.2, 9.3, 9.4, 9.6 and 9.7 of this section will have a combined weighting of 45% of the total SQ scoring. Questions 9.5, 9.8 and 9.9 are to be scored on a pass/fail basis)***

Based on the contract examples provided in section 6, you should respond to Questions 9.1, 9.2, 9.3, 9.4, 9.6 and 9.7 and further demonstrate their experience of delivering to meet the authorities’ key requirements.

Where you are a consortia bid, the technical abilities stated in the below questions should be clearly attributed to the relevant member of the consortium

|  |  |  |  |
| --- | --- | --- | --- |
| **Section 9** | **Additional Technical and Professional Ability** | | |
| 9.1 | Please describe your business activities directly relevant to this contract. To meet this requirement you must provide the following:   * Information on your business structure/organisation, including information on key roles and responsibilities for performance and quality * **Describe** how your organisation resources new contracts whilst ensuring you continue to meet your existing customer commitments. Please detail on average your use of associates/contractors as a percentage of your implementation capability and describe your processes for managing your supply chain effectively and ensuring continuity and consistency of delivery throughout this type of programme.   (Word limit 500 words. No attachments are permitted) | | |
| *Enter here, stating word count in response: weighting = 5%* | | |
| 9.2 | Please provide details and evidence of your organisation’s relevant experience relating to the scope of this contract including but not limited to:     * Solution design and adherence to design principles * Integrating and interfacing a replacement solution you were delivering with other Council key business systems * Migrating data from an existing ERP solution to a replacement solution you were delivering * Testing of the end to end solution for each of the core modules of Finance, HR, Payroll and Procurement including internal/external line of business systems through to client acceptance * Cutover approach from the existing ERP legacy solution to a replacement solution you were delivering * Post implementation support activities   (Word limit 1000 words. No attachments are permitted) | | |
| *Enter here, stating the word count in response: weighting = 14%* | | |
| 9.3 | Please provide details and evidence of your organisation’s relevant experience relating to the scope of this contract directly undertaking or project managing complex IT developments to include, but not limited to:   * Mobilising a programme team * Project and programme management * Managing multiple stakeholder groups * Adherence to contractual timescales * Working with a business change partner appointed by the client * Implementation approach and knowledge transfer   (Word limit 1000 words. No attachments are permitted) | | |
| *Enter here, stating the word count in response: weighting = 8%* | | |
| 9.4 | Please describe your organisation’s approach to, but not limited to such aspects (noting any associated risks and issues) as:   * Management of changes in scope * Management of design and development defects and delays * Management of the identification, development and implementation of interfaces with third party system providers with a hosted ERP solution * Cleansing and migration of data from existing legacy applications to a new solution you are delivering * Reconciling of payroll data from legacy payroll system to a new solution you were delivering   (Word limit 1000 words. No attachments are permitted) | | |
| *Enter here, stating the word count in response: weighting = 8%* | | |
| 9.5 | In order to pass this question, you must answer ‘YES’ to one of the following questions:   1. Has your company been awarded ISO 9001:2015?   If you answered NO:   1. If requested by the authorities, would your company be prepared to obtain ISO 9001:2015 certification, at no cost to the authorities, prior to contract award? | Yes No  Yes No | |
| *Enter details here if necessary* | | |
| 9.6 | Please describe your organisation’s approach to data security, noting any associated risks and issues and addressing (without limitation) aspects such as:   * Storage of personal/sensitive personal data (as defined by the Data Protection Act 1998 (“DPA”)) * Storage of financial information (including bank details, card details, commercial financial information) * Data segregation including retention and deletion controls * Data at rest and data in transits controls and security * User authentication methods and capabilities   (Word limit 1000 words. No attachments are permitted) | | |
| *Enter here, stating the word count in response: weighting = 5%* | | |
| 9.7 | Please describe your organisation’s relevant experience, from a data security perspective, in designing and architecting a solution for services of a similar nature to those within the scope of this contract, noting any associated risks and issues and addressing (without limitation) aspects such as:   * Security controls and safeguards * Independent review and assessment * Hosting environment and platform * User Identification, Authentication, Authorisation, Auditability   (Word limit 1000 words. including diagrams if applicable) | | |
| *Enter here, stating the word count in response: weighting = 5%* | | |
| 9.8 | In order to pass this question, you must answer ‘YES’ to one of the following questions:   1. Has your company been awarded ISO 27001:2013?   If you answered NO:   1. If requested by the authorities, would your company be prepared to obtain ISO 27001:2013 certification, at no cost to the authorities, prior to contract award? | | Yes No  Yes No |
| 9.9 | In order to pass this question, you must answer ‘YES’ to the following question:  Is all tenant data processed and transferred only within the European Economic Area? | | Yes No |

**10. Declaration**

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

*End of Schedule 1 SQ*

**Cheshire East Borough Council and Cheshire West and Chester Council**

**SCHEDULE 2 - CERTIFICATE OF NON-COLLUSION AND**

**NON-CANVASSING**

**(*This section is to be scored on a pass/fail basis)***

**The Provision of an Enterprise Resource Planning (ERP) Software Solution (the “Contract”)**

To: Cheshire East Borough Council and Cheshire West and Chester Council (“Authorities”)

(Via ‘The Chest’)

Date:

For the Attention of: Daniel Hart

Statement of non-canvassing

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

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

**Statement of non-collusion**

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

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

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

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

http://www.legislation.gov.uk/ukpga/2010/23/contents

I/we agree that there is a requirement to disclose and declare any direct or indirect financial or non financial interest in an organisation, company, or other body that is doing business with, or has dealings with, the Councils and where this may affect and/or could bring about a conflict with the Councils’ interest.

I/we should notify this to the Councils and that failure to disclose or declare such an interest could result in the contract being terminated.

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

Signed

Name:

Position

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

*(End of Schedule 2 of SQ)*

**Cheshire East Borough Council and Cheshire West and Chester Council**

**The Provision of an Enterprise Resource Planning (ERP) Software Solution**

**SCHEDULE 3 - COMMITMENT TO COMPLY WITH THE EMPLOYMENT RELATIONS ACT 1999 (BLACKLIST) REGULATIONS 2010**

**(*This section is to be scored on a pass/fail basis)***

**‘Self-cleaning’**

Any Applicant that answers **‘YES’** to below should provide sufficient evidence using the fields below that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self cleans” the situation referred to in that question. The Applicant has to demonstrate it has taken such remedial action, to the satisfaction of the Cheshire East Borough Council and Cheshire West and Chester Council (“Authorities”) in each case.

If such evidence is considered by the Councils (whose decision will be final) as sufficient, the Applicant concerned shall be allowed to continue in the procurement process.

You may be excluded if you are unable to demonstrate to the Councils’ satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring, in relation to this section.

The Employment Relations Act 1999 (Blacklists) Regulations 2010 (“the Blacklisting Regulations”) stipulate that it is illegal to discriminate in relation to the employment of an individual simply because of their current or prior membership of a trade union. In particular the Blacklisting Regulations:

* Make it unlawful for organisations to refuse employment to or to dismiss any individuals because they appear on a blacklist.
* Make it unlawful for employment agencies to refuse to provide a service on the basis that an individual appears on a blacklist.
* Make it unlawful to compile, use, sell, or supply blacklists containing details of people who are, or were, trade union members, or who are taking part, or have taken part, in trade union activities, where the blacklist may be used by employers to discriminate in relation to the recruitment or treatment of existing workers.

During 2008/09 the Information Commissioners Office (ICO) carried out an investigation into employment blacklisting in the construction industry. As part of that investigation, the ICO seized information from a company called The Consulting Association. Some of the information seized amounted to a 'blacklist' of individuals who were considered to pose a risk to their employers if employed within the construction industry. As a result the ICO issued enforcement notices against 14 construction companies based on the evidence recovered from The Consulting Association.

The Councils strongly disapprove of the practice of unlawful blacklisting carried out by some building and construction companies, which has denied employment to workers who were carrying out legitimate trade union activities such as health & safety representatives. The Councils endorse the Prime Minister’s comments that blacklisting is ‘a completely unacceptable practice, and the previous government were right to bring in legislation to make it unlawful’.

The Councils will not tolerate the unlawful blacklisting of workers and therefore require your commitment as a supplier to the Councils that you will comply with the Blacklisting Regulations.

In order to demonstrate your commitment, please can you:

Confirm whether or not <Insert Company Name>is subject to court proceedings in relation to blacklisting.

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

If the answer is **‘YES’**, please can you outline the allegations in the field below:

|  |
| --- |
|  |

Provide details of any policies and procedures that mitigate <Insert Company Name>against unlawful blacklisting.

|  |
| --- |
|  |

Confirm your position by signing the statement below:

I understand and agree to comply with the Employment Relations Act 1999 (Blacklists) Regulations 2010. I understand and agree that we will be expected to work with the Councils’ commitment to the prevention of unlawful blacklisting. <http://www.legislation.gov.uk/uksi/2010/493/contents/made>

**NB This undertaking is to be signed by a Partner, Director or authorised representative i.e. in their name on behalf of the Applicant.**

|  |  |
| --- | --- |
| Signed for and on behalf of the Applicant: |  |
| Signed: |  |
| Position/Status in the Applicant: |  |
| Applicant’s name: |  |
| Applicant’s address: |  |
| Date: |  |

*(End of Schedule 3 of SQ)*

***End of SQ Response Document***