TORBAY COUNCIL

Part 4 Selection Questionnaire

Contract Reference **TCES4921**
Contract Title **Leadership and Management Training**
Procurement Procedure **Open**
Maximum Period of Contract **4 years (2-year initial period with an option to extend for 12 months + 12 months)**
Return Date **10 January 2022**
Return Time **12:00 Noon**
Return To **www.supplyingthesouthwest.org.uk**
Applicant Name

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Stage One – Standardised Selection Questionnaire

A. Information for Potential Suppliers

Potential Supplier Information and Exclusion Grounds: Part 1 & Part 2

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion[1]. 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.

Alternatively you can submit the completed Exclusion Grounds of the EU ESPD (Part III) as a downloaded XML file to the buyer contact point along with the selection information requested in the procurement documentation.

Supplier Selection Questions: Part 3

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

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

[1] For the list of exclusion please see: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

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.

B. 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 criteria must complete and submit the self-declaration.
6. For answers to Part 3 - If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the

Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

c. Questionnaire

Part 1. Potential Supplier Information

Section 1. Potential Supplier Information

Question Number	Question	Response	
1.1(a)	Full name of the potential supplier submitting the information		
1.1(b) – (i)	Registered office address (if applicable)		
1.1(b) – (ii)	Registered website address (if applicable)		
1.1(c)	Trading status:		
	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		
1.1(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	Yes	
		No	

	professional or trade register(s) in the member state where it is established?	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):		
	a) Voluntary Community Social Enterprise (VCSE)		
	b) Sheltered Workshop		
	c) Public Service Mutual		
1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) [2]?	Yes	
		No	
1.1(n)	Details of Persons of Significant Control (PSC) where appropriate[3]:		
	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):		

[2] See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/

[3] UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. See PSC guidance.

	– Which conditions for being a PSC are met (Please enter N/A if not applicable):	
	– Over 25% up to (and including) 50%	
	– More than 50% and less than 75%	
	– 75% or more[4]	
1.1(o)	Details of immediate parent company (please enter N/A if not applicable):	
	– 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)	
1.1(p)	Details of ultimate parent company (please enter N/A if not applicable):	
	– 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 note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significance in control of them.		

[4] Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award.

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

Section 1. Bidding Model			
Question Number	**Question**	**Response**	
1.2(a) – (i)	Are you bidding as the lead contact for a group of economic operators?	Yes	
		No	
		If yes please provide details listed in questions 1.2(a) – (ii), (a) – (iii) and to 1.2(b) – (i), (b) – (ii), 1.3, Section 2 and 3. If no, and you are a supporting bidder please provide the name of your group at 1.2(a) – (ii) for reference purposes and complete 1.3, Section 2 and 3	
1.2(a) – (ii)	Name of group of economic operators (if applicable).		
1.2(a) – (iii)	Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.		
1.2(b) – (i)	Are you, or if applicable, the group of economic operators proposing to use sub-contractors?	Yes	
		No	

1.2(b) – (ii)	If you responded yes to 1.2(b) – (i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.			
Name:				
Registered Address				
Trading Status:				
Company Registration Number				
Head Office DUNS Number (if applicable)				
Registered VAT Number				
Type of organisation				
SME (Yes/No)				
The role each sub-contractor will take in providing the works and / or supplies e.g. key deliverables				
The approximate % of contractual obligations assigned to each sub-contractor				

Contact Details and Declaration

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

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

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

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

I am aware of the consequences of serious misrepresentation.

Section 1. Contact Details and Declaration		
Question Number	**Question**	**Response**
1.3(a)	Contact Name:	
1.3(b)	Name of Organisation:	
1.3(c)	Role in Organisation:	
1.3(d)	Phone number:	
1.3(e)	E-mail Address:	
1.3(f)	Postal Address:	
1.3(g)	Signature (electronic is acceptable):	
1.3(h)	Date:	

Part 2. Exclusion Grounds

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

Section 2. Grounds for Mandatory Exclusion

Question Number	Question	Response	
2.1(a)	**Regulation 57(1) and (2)** The detailed grounds for mandatory exclusion of an organisation are set out on this web page, 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 the powers of representation, decision or control in the organisation who has been convicted anywhere in the world of any of the offences within the summary below and listed on the web page.		
	Participation in a criminal organisation: If yes please provide details at 2.1(b)	Yes	
		No	
	Corruption: If yes please provide details at 2.1(b)	Yes	
		No	
	Fraud: If yes please provide details at 2.1(b)	Yes	
		No	
	Terrorist offences, or offences linked to terrorist activities: If yes please provide details at 2.1(b)	Yes	
		No	
	Money laundering or terrorist financing: If yes please provide details at 2.1(b)	Yes	
		No	
	Child labour and other forms of trafficking in human beings: If yes please provide details at 2.1(b)	Yes	
		No	
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 and 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 the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions?	Yes	
		No	
2.3(b)	If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines:		

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

Section 3. Grounds for Discretionary Exclusion			
Question Number	**Question**	**Response**	
3.1	**Regulation 57(8)** The detailed grounds for discretionary exclusion of an organisation are set out on this web page, 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? If yes please provide details at 3.2	Yes	
		No	
3.1(b)	Breach of social obligations? If yes please provide details at 3.2	Yes	
		No	
3.1(c)	Breach of labour law obligations? If yes please provide details at 3.2	Yes	
		No	
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? If yes please provide details at 3.2	Yes	
		No	
3.1(e)	Guilty of grave professional misconduct? If yes please provide details at 3.2	Yes	
		No	
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition? If yes please provide details at 3.2	Yes	
		No	

3.1(g)	Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? If yes please provide details at 3.2	Yes	
		No	
3.1(h)	Been involved in the preparation of the procurement procedure? If yes please provide details at 3.2	Yes	
		No	
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? If yes please provide details at 3.2	Yes	
		No	
3.1(j)	Please answer the following statements:		
3.1(j) – (i)	The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria. If yes please provide details at 3.2	Yes	
		No	
3.1(j) – (ii)	The organisation has withheld such information. If yes please provide details at 3.2	Yes	
		No	
3.1(j) – (iii)	The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. If yes please provide details at 3.2	Yes	
		No	
3.1(j) – (iv)	The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. If yes please provide details at 3.2	Yes	
		No	

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[5]

Section 4. Economic and Financial Standing

Question Number	Question	Response	
4.1	**Please Note:** Applicants are required to indicate below the financial information they are able to provide if requested to do so. To prevent delays to the due diligence process any Applicant may be asked, at any point during the evaluation period, to submit the supporting financial information indicated. Where information is requested it will only be assessed in respect of the successful Applicant(s).		
	Are you able to provide a copy of your audited accounts for the last 2 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(a)	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	
4.2(b)	If you are unable to provide any of the financial information set out in question 4.1 and/or have answered No to question 4.2(a) please provide		

[5] See Action Note 8/16 Updated Standard Selection Questionnaire

	an explanation for this, e.g. your organisation is a new start-up:

Section 5.	**If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:**		
Name of Organisation:			
Relationship to the Supplier completing these questions:			
5.1	Are you able to provide parent company accounts if requested to at a later stage?	Yes	
		No	
5.2	If yes, would the parent company be willing to provide a guarantee if necessary?	Yes	
		No	
5.3	If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?	Yes	
		No	

Section 6. Technical and Professional Ability

6.1 **Relevant Experience and Contract Examples**

Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.

The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.

Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).

Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.

If you cannot provide examples see question 6.3

	Contract 1	Contract 2	Contract 3
Name of Customer Organisation:			
Point of Contact in the Organisation:			
Position in the Organisation:			
E-mail Address:			

Brief Description of Contract:			
Contract Start Date:			
Contract Completion Date:			
Estimated Contract Value			
6.2	Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s). Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries).		
6.3	If you cannot provide at least one example for question 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under contract.		

Section 7.	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015[6]		
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	
		No	
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	
		No	
	If you have answered yes, please provide the relevant URL:		
	If you have answered no, please provide an explanation:		

Section 8.	Additional Questions		
Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide the evidence of this if they are successful at contract award stage.			
8.1	**Insurance**		
a)	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:	Yes	
		No	
	Employer's (Compulsory) Liability Insurance* =	£5,000,000	
	Public Liability Insurance =	£1,000,000	
	Professional Indemnity Insurance =	£500,000	
	*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.		
8.2	**Not Used**		

[6] Procurement Policy Note 9/16 Modern Slavery Act 2015

8.3	Project Specific Questions to Assess Technical and Professional Ability – Mandatory Pass / Fail Requirements		
Suppliers who self-certify that they meet the requirements for these questions will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by marking 'X' in the relevant boxes.			
Question Number	**Question**	**Response**	
a)	Has your organisation or any of your supply chain members been subject to any breaches of health and safety legislation in the last 5 years, applicable to the country in which you operate, on comparable projects?	Yes	
		No	
	If you have answered yes please provide details below:		
b)	Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?	Yes	
		No	
	If you have answered yes please provide details below:		
c)	Please confirm that you have the necessary policies, procedures, and systems in place to comply with your obligations under Data Protection legislation.	Yes	
		No	