**INVITATION TO TENDER**

**For the Provision of the**

**Youth Activities Offer in South Gloucestershire**

**Under the Competitive with Negotiation Procedure**

**Supplier Selection Questionnaire**

**Tender reference: DN667207**

**Deadline for response to this document is 12 noon on Friday 7th July 2023**

**Supplier Selection Questionnaire – Notes to Bidders**

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

The SQ template includes a self-declaration, made by you (the potential supplier), that none of the grounds for exclusion apply[[1]](#footnote-1). If any of the grounds for exclusion do apply, there is an opportunity to explain any measures you have taken to demonstrate your reliability notwithstanding the existence of a ground for exclusion (we call this self-cleaning).

We require all the organisations that form part of your bidding group/consortium and each subcontractor that you are relying on to meet the selection criteria to provide a completed part 1 and part 2. This means that where you are joining a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Subcontractors that you rely on to meet the selection criteria, must also complete a self-declaration (although subcontractors 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 procurement documents 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 subcontractors, you should complete all of the selection questions on behalf of the group/consortium and/or any subcontractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to exclude you from the procurement process, including where an award decision has already been notified, and award to another supplier.

**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.

**Evaluation and Scoring**

The Council intends to score supplier responses to the standard Supplier Selection Questionnaire using the following criteria:

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| **Section** | **Heading** | **Scoring criteria/weighting** |
| **Part 1 - Your information and the bidding model** | | |
| 1 | Your information and the bidding model | Info only (not scored) |
| **Part 2 – Exclusion Grounds** | | |
| 2 | Grounds for mandatory exclusion | Pass or Fail |
| 3 | Mandatory and discretionary grounds relating to the payment of taxes and social security contributions | Pass or Fail |
| 4 | Grounds for Discretionary Exclusion | Pass or Fail |
| **Part 3 – Selection Questions** | | |
| 5 | Economic and Financial standing | Pass or Fail |
| 6 | Technical & Professional Ability | Pass or Fail |
| **7** | **Additional Questions including Project Specific Questions** | |
| 7.1 | Insurance | Pass or Fail |
| 7.2 | Data Protection | Pass or Fail |
| 7.3 | Health & Safety | Info only (not scored) |
| 7.4 | Not used | N/A |
| 7.5 | Requirements under the PCR2015 (Reg 113) – Public Sector Contracts | Pass or Fail |
| 7.6 | Requirements under the PCR2015 (Reg 113) – Public AND Private Sector Contracts | Pass or Fail |
| 7.7 | Not used | N/A |
| 7.8 | Not used | N/A |
| 7.9 | Not used | N/A |
| 7.10 | Equalities | Pass or Fail |
| 7.11 | Climate Emergency | Info only (not scored) |

The Council reserves the right to exclude a supplier where they do not meet the requirements of a Pass/Fail section.

**Youth Activities Offer**

**DN 667207**

**COMPETITIVE WITH NEGOTIATON 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 subcontractors, 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 member of your bidding group/consortium, and any subcontractor that is being relied on to meet the selection criteria, must complete and submit the self-declaration.
6. For the mandatory exclusion grounds only (Q2.1(a)), you must complete the declaration for all relevant persons and entities. There are two categories of persons and entities:

* members of your administrative, management or supervisory board; secondly, entities and persons who have powers of representation, decision or control. You must decide, depending on the nature and structure of the entity or person who is bidding, which entities and persons this applies to in your particular circumstances. Clearly, members of your administrative, management or supervisory board should be easily identifiable and will cover company directors (or equivalent for other types of corporate entities) and members of an executive board.
* the second category of those with powers of representation, decision or control, is likely to be more complicated. As an illustration, entities or persons with 25% or more shareholding (or equivalent for other types of corporate entities) are likely to have powers or representation, decision or control, although those with a lower shareholding may still have the relevant powers depending on their particular rights. Similarly, your ultimate parent company (or equivalent for other types of corporate entities) is likely to have powers of representation, decision or control. Depending on your particular structure, intermediate parent companies who do not have a direct shareholding, directors or members of an executive board of your immediate parent company (for example in the case of an SPV set up specifically to bid for a particular contract), and holders of mortgages or liens may be covered. It isn’t necessary to identify which entities and persons you think are covered but you must be satisfied that your declaration is made in respect of all of those that are covered.

1. All subcontractors are required to complete their own part 1 and part 2[[2]](#footnote-2).

*For answers to part 3 – If you are bidding on behalf of a group, for example, a consortium, or you intend to use subcontractors, 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.

1. The Public Procurement Review Service allows government suppliers and potential government suppliers to raise concerns anonymously about unfair public sector procurement practice. The government can then investigate and resolve these concerns for contracting authorities as listed in [Schedule 1](http://www.legislation.gov.uk/uksi/2015/102/schedule/1/made) of the Public Contracts Regulations 2015. To use the Public Procurement Review Service, [read the terms](https://www.gov.uk/government/publications/mystery-shopper-scope-and-remit) and email [publicprocurementreview@cabinetoffice.gov.uk](mailto:publicprocurementreview@cabinetoffice.gov.uk) or phone 0345 010 3503.

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| **Part 1: Your information and the bidding model.** |
| You must answer all questions in parts 1 and 2. If you are the supplier, you must answer all questions in part 3 as well. |
| Bidders must ensure that every organisation on which they will rely to meet the selection criteria completes and submits their own answers and declaration for part 1 and 2. |

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| **Section 1** | **Your information** | |
| **Question number** | **Question** | **Response** |
| 1.1(a) | Name (if registered, please give the registered name) |  |
| 1.1(b) – (i) | Registered address (if applicable) or head office address |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status  a) - public limited company  b) - private limited company  c) - limited liability partnership  d) - other partnership  e) - sole trader  f) - third sector  g) - other (please specify your trading status) |  |
| 1.1(d) | Date of registration (if applicable) or date of formation. |  |
| 1.1(e) | Registration number (company, partnership, charity, etc if applicable). |  |
| 1.1(f) | Registered VAT number. |  |
| 1.1(g) - (i) | Are you registered with the appropriate professional or trade register(s) specified for this procurement in the Member State where your organisation is established? | Yes **▢**  No **▢**  N/A **▢** |
| 1.1(g) - (ii) | If you responded yes to 1.1(h) - (i), please provide the relevant details, including the name of the register and registration number(s), and if evidence of registration is available electronically, please provide  - the website address,  - issuing body  - reference number. |  |
| 1.1(h) - (i) | For procurements for services only, is it a legal requirement in the country where you are established for you to:  a) possess a particular authorisation, or  b) be a member of a particular organisation,  to provide the requirements specified in this procurement? | Yes **▢**  No **▢** |
| 1.1(h) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number. |  |
| 1.1(i) | Relevant classifications (state whether you fall within one of these, and if so which one)  a) Voluntary Community Social Enterprise (VCSE).  b) Sheltered Workshop.  c) Public service mutual. |  |
| 1.1(j) | Are you a Small, Medium or Micro Enterprise (SME)[[3]](#footnote-3)? | Yes **▢**  No **▢** |
| 1.1 (k) | Details of Persons with Significant Control (PSC)[[4]](#footnote-4), where appropriate[[5]](#footnote-5):   * Name * Date of birth * Nationality * Country, state or part of the UK where the PSC usually lives * Service address * The date he or she became a PSC in relation to the company ; * Which conditions for being a PSC are met: * Over 25% up to (and including) 50% * More than 50% and less than 75% * 75% or more   (Please enter N/A if not applicable) |  |
| 1.1(l) | Details of your immediate parent company:   * Full name of immediate parent company, * Registered or head office address, * Registration number (if applicable), * VAT number (if applicable),   Please enter N/A if not applicable) |  |
| 1.1(m) | Details of ultimate parent company:  - Full name of ultimate parent company,  - Registered or head office address,  - Registration number (if applicable),  - VAT number (if applicable),  (Please enter N/A if not applicable) |  |
| Please note: A criminal record check for relevant convictions may be undertaken for the preferred supplier and all relevant persons and entities (as described above). | | |

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| **Please provide the following information about your approach to this procurement:** | | |
| **Section 1 (cont.)** | **Bidding model** |  |
| **Question number** | **Question** | **Response** |
| 1.2 | Please indicate if you are bidding as a single supplier or as part of a group or consortium?  *If you are bidding as a single supplier please go to Q 1.3.*  If you are bidding as part of a group or consortium (including where you intend to establish a legal entity to deliver the contract, or you are a subcontractor), please tell us:   1. The name of the group/consortium. 2. The proposed structure of the group/consortium, including the legal structure where applicable. 3. The name of the lead member in the group/consortium. 4. Your role in the group/consortium (e.g. lead member, consortium member, subcontractor). 5. If you are the lead member in the group/consortium, whether you are relying on other consortium members to meet the selection criteria (i.e. are you relying on other consortium members for economic and technical standing and/or technical and professional ability?) and, if so, which criteria you are relying on them for |  |
| 1.3 | If you are proposing to use subcontractors please provide the details for each subcontractor[[6]](#footnote-6).  - Name  - Registration number  - Registered or head office address,  - Trading status   1. Public limited company 2. Private limited company 3. Limited liability partnership 4. Other partnership 5. Sole trader 6. Third sector 7. Other (please specify your trading status)   - Registered VAT number  - SME (Yes/No)  - The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known  - The approximate % of contractual obligations assigned to each subcontractor, if known  - Is the subcontractor being relied upon to meet the selection criteria (i.e. are you relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are you relying on them for? |  |
| 1.4 | **Lots**  Where applicable, please tell us which lot(s) you wish to bid for?  Geographical Lots – 1,2 & 3  Lot 4 – LGBTQ+ area wide provision | **Answer** |

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| **Part 2: Exclusion Grounds** | | |
| Please answer the following questions in full. Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to part 1 and the declarations in part 2. | | |
| **Section 2** | **Grounds for mandatory exclusion** | |
| **Question number** | **Question** | **Declaration** |
| 2.1 (a) | Within the past five years, anywhere in the world, have you or any person who:   * is a member of the supplier’s administrative, management or supervisory body or * has powers of representation, decision or control in the supplier[[7]](#footnote-7), * been convicted of any of the offences within the summary below and listed in full 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 **▢** |
|  | Corruption. | Yes **▢**  No **▢** |
|  | Terrorist offences or offences linked to terrorist activities. | Yes **▢**  No **▢** |
|  | Money laundering or terrorist financing. | Yes **▢**  No **▢** |
|  | Child labour and other forms of trafficking in human beings. | Yes **▢**  No **▢** |
|  | Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland. | Yes **▢**  No **▢** |
|  | Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland. | Yes **▢**  No **▢** |
| 2.1(b) | **If you have answered yes to any part of question 2.1(a), please provide further details,** including:   * date of conviction and the jurisdiction, * which of the grounds listed the conviction was for, * the reasons for conviction, * the identity of who has been convicted.   If the relevant documentation is available electronically please provide:   * the web address, * issuing authority, * precise reference of the documents. |  |
| 2.1(c) | If you have answered yes to any part of the question above please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion. (Self cleaning). |  |

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| **Section 3** | **Mandatory and discretionary grounds relating to the payment of taxes and social security contributions** | |
| The detailed grounds for mandatory and discretionary exclusion of a supplier for non-payment of taxes and social security contributions, are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf),[[8]](#footnote-8) and should be referred to before completing these questions. | | |
| **Question number** | **Question** | **Declaration** |
| 3.2(a) | Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.  If documentation is available electronically please provide:   * the web address, * issuing authority, * precise reference of the documents | Yes **▢**  No **▢** |
| 3.2(b) | If you have answered no to 3.2(a) please provide further details including the following:   * Country concerned, * what is the amount concerned * how the breach was established, i.e. through a judicial or administrative decision or by other means. * if the breach has been established through a judicial or administrative decision please provide the date of the decision, * if the breach has been established by other means please specify the means. |  |
| 3.3 | Please also confirm whether you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including, where applicable, any accrued interest and/or fines. | Yes **▢**  No **▢** |
| Please Note: We reserve our right to use our discretion to exclude your bid where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions | | |

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| **Section 4** | **Grounds for Discretionary Exclusion** | |
| The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf),[[9]](#footnote-9) and should be referred to before completing these questions. | | |
| **Question number** | **Question** | **Declaration** |
| 4.1 | Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf) applied to you? |  |
| 4.1(a) | Breach of environmental obligations?  To note that environmental law obligations include Health and Safety obligations. See [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | Yes **▢**  No **▢** |
| 4.1(b) | Breach of social law obligations? | Yes **▢**  No **▢** |
| 4.1(c) | Breach of labour law obligations? | Yes **▢**  No **▢** |
| 4.1(d) | Bankruptcy or subject of insolvency? | Yes **▢**  No **▢** |
| 4.1(e) | Guilty of grave professional misconduct? | Yes **▢**  No **▢** |
| 4.1(f) | Distortion of competition? | Yes **▢**  No **▢** |
| 4.1(g) | Conflict of interest? | Yes **▢**  No **▢** |
| 4.1(h) | Been involved in the preparation of the procurement procedure? | Yes **▢**  No **▢** |
| 4.1(i) | Prior performance issues? | Yes **▢**  No **▢** |
| 4.1(j)  4.1(j) - (i)  4.1(j) - (ii)  4.1(j) –(iii)  4.1(j)-(iv) | Do any of the following statements apply to you ?  You have been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.  You have withheld such information.  You are not able, without delay, to submit documents if/when required.  You have undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer upon you undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes **▢**  No **▢**  Yes **▢**  No **▢**  Yes **▢**  No **▢**  Yes **▢**  No **▢** |
| 4.2 | You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.  If you are a relevant commercial organisation please -   * confirm that you have published a statement as required by Section 54 of the Modern Slavery Act. * confirm that the statement complies with the requirements of Section 54 and any guidance issued under Section 54. | Yes **▢**  No **▢**  Yes **▢**  No **▢** |
| 4.3 | If your latest published statement is available electronically please provide:   * the web address, * precise reference of the documents. |  |
| 4.4 | If you have answered YES to any of the questions in 4.1, or NO to question 4.2, please explain what measures have been taken to demonstrate your reliability despite the existence of a relevant ground for exclusion. (Self cleaning) |  |

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| **Part 3: Selection Questions** | | |
| **Section 5** | **Economic and Financial Standing** | |
| **Question number** | **Question** | **Response** |
| 5.1 | If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide:   * the web address * issuing authority * precise reference of the documents |  |
| 5.2 | If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your detailed accounts for the last two years (audited if required by law).  Also, for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing, please provide a copy of their detailed accounts for the last two years (audited if required by law). |  |
| 5.3  5.3(a)  5.3(b) | If you are not able to provide a response to questions 5.1 or 5.2, please provide any of the following alternatives.  A statement of your annual turnover, Profit and Loss Account/Income statement, Balance Sheet/statement of Financial Position and Statement of Cash Flow for the most recent year(s) of trading and a bank letter outlining the current cash and credit facility position.  Alternative information to evidence economic and financial standing (e.g. forecast financial statements and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |
| 5.4 | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | Yes **▢**  No **▢** |

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| **Section 6** | **Technical and Professional Ability** |
| **Question number** | **Question** |
| **Relevant experience and contract examples**  Please provide details of up to three contracts, to meet the technical and professional ability criteria set out in the procurement documents in any combination from either the public or private sectors; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Where this procurement is for supplies or services, the examples must be from the past three years. **At least 1 reference should relate to the direct experience of providing positive activities to young people.**   The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.  For consortium bids, or where you have indicated that you are relying on a subcontractor in order to meet the technical and professional ability, you should provide relevant examples of where the consortium/subcontractors have 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 members of the Special Purpose Vehicle or subcontractors (three examples are not required from each member).  Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or subcontractor(s) who will deliver the contract.  **For each contract please provide the following information**  If you cannot provide examples see question 6.2 |
| 6.1 |

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

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

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| **Section 7** | **Additional Questions including Project Specific Questions** | |
| **Question number** | **Question** | **Response** |
| **7.1** | **Insurance**  Please confirm whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:  Employer’s (Compulsory) Liability Insurance = £10 Million  Public Liability Insurance = £5 million  \*There is a legal requirement for certain employers to hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information:  http://www.hse.gov.uk/pubns/hse39.pdf | Yes **▢**  No **▢**  Yes **▢**  No **▢** |
| **7.2** | **Data protection** | |
| **7.2(a).** | Please confirm that you have in place, or that you will have in place by contract award, the human and technical resources to perform the contract to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects. | Yes **▢**  No **▢** |
| **7.2(b).** | Please provide details of the technical facilities and measures (including systems and processes) you have in place, or will have in place by contract award, to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects. Your response should include, but should not be limited to facilities and measures:   * to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services; * to comply with the rights of data subjects in respect of receiving privacy information, and access, rectification, deletion and portability of personal data; * to ensure that any consent based processing meets standards of active, informed consent, and that such consents are recorded and auditable; * to ensure legal safeguards are in place to legitimise transfers of personal data outside the EU (if such transfers will take place); * to maintain records of personal data processing activities; and * to regularly test, assess and evaluate the effectiveness of the above measures. | |
| **7.3**  7.3 (a)  7.3 (b) | **Health and Safety**  Please describe the arrangements you have in place to manage health and safety effectively and control significant risks relevant to the requirement (including risks from the use of contractors, where relevant). Please use no more than 500 words.  NOT USED | |
| **7.4** | **Payment in Contracts Above £5m per annum (Central Government Contracts)**  NOT USED | |
| **PUBLIC SECTOR CONTRACTS ONLY – Requirement under the Public Contracts Regulations 2015 (Regulation 113)** | | |
| **7.5** | Please confirm that for public sector contracts awarded under the Public Contract Regulations 2015 you have systems in place to include (as a minimum) 30 day payment terms in all of your supply chain contracts and require that such terms are passed down through your supply chain. | Yes **▢**  No **▢**  PASS/FAIL |
| **PUBLIC AND PRIVATE SECTOR CONTRACTS** | | |
| **7.6 (a)**  **7.6 (b)**  **7.6 (c)** | (a) Please provide the percentage of invoices[[10]](#footnote-10) paid by you to those in your immediate supply chain on all contracts for each of the two previous six month reporting periods[[11]](#footnote-11) . This should include the percentage of invoices paid within each of the following categories:  1. within 30 days  2. in 31 to 60 days  3. in 61 days or more  4. due but not paid by the last date for payment under agreed contractual terms.  It is acceptable to cross refer to information that has previously been submitted to Government or other bodies or is publicly available (provided it covers the required reporting periods), including data published in accordance with the Reporting on Payment Practices and Performance Regulations 2017.  If you do wish to cross refer, please provide details and/or insert link(s).  (b) If you are unable to demonstrate that all invoices have been paid within the agreed contractual terms, please explain why.  (c) If you are unable to demonstrate that ≥95% of invoices payable to your supply chain on all contracts have been paid within 60 days of the receipt of the invoice in at least one of the last two six months reporting periods please provide an action plan for improvement which includes (as a minimum) the following:   * Identification of the primary causes of failure to pay:   + 95% of all supply chain invoices within 60 days; and   + if relevant under question 7.4(b), all invoices within agreed terms. * Actions to address each of these causes. * A mechanism for and commitment to regular reporting on progress to the bidder’s audit committee (or equivalent). * A plan signed off by your director * Plan published on its website (this can be a shorter, summary plan).   If you have an existing action plan prepared for a different purpose, it is acceptable to attach this but it should contain the above features  **Note**: if you are required to submit an action plan under question 7.4(c), this action plan must also set out steps to address your payment within agreed terms, in order to achieve a pass for question 7.4 (c). | |
| **7.7** | **Carbon Reduction In Contracts Above £5m per annum (Central Government Contracts)**  NOT USED |  |
| **7.8** | **Skills and Apprentices In Contracts Above £10m per annum (Central Government Contracts)**  NOT USED |  |
| **7.9** | **Steel in Major Projects (Central Government Contracts)**  NOT USED | |

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| **7.10** | **Equalities** | |
| **7.10 (a)** | In the last year has any finding of unlawful discrimination, victimisation or harassment been made against your organisation by any court or industrial or employment tribunal? | Yes **▢**  No **▢** |
| **7.10 (b)** | In the last year has your organisation been subject of a formal investigation on grounds of alleged unlawful discrimination, victimisation or harassment by, for example, the Equality and Human Rights Commission (EHRC)? | Yes **▢**  No **▢** |
| **7.10 (c)** | If the outcome of either of the last two questions (above) was “**Yes**”, what actions were you required to take as a result of that finding or investigation? | |
| **7.10 (d)** | If you were required to take action, what action did you take? | |
| **7.10 (e)** | If you were required to take action and no action was taken, please explain why not. | |
| **7.10 (f)** | If you were required to take action, did the action satisfy the relevant organisation? | Yes **▢**  No **▢** |
| **7.10 (g)** | Please confirm the following declaration of intent to comply with all legislation, official guidance and codes of practice relating to equal opportunities, including but not limited to, the Equality Act 2010 which details the protected characteristics of:   1. Age 2. Disability 3. Gender Reassignment 4. Marriage and Civil Partnership 5. Pregnancy and Maternity 6. Race 7. Religion or Belief 8. Sex 9. Sexual Orientation   **Equal Opportunities Declaration**  I confirm that we practice and abide all legislation, official guidance and codes of practice relating to equal opportunities.  **Name**  **Position in Company**  **Date** |  |

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| --- | --- | --- |
| **7.11** | **Climate Emergency** | |
| **7.11 (a)** | Do you, or will you, by the commencement date of this contract, have a named individual in your organisation who is responsible for delivering your Climate Change/Environmental policy and contractual commitments? | Yes **▢**  No **▢** |
| **7.11 (b)** | South Gloucestershire Council has declared a Climate Emergency, with an ambitious aim to be carbon neutral by 2030 and has taken action to actively reduce its environmental impact, including creating working groups, environmental policy and a commitment to educating themselves about Climate Change. Any contractor who supplies the Council must work with us to support our policies and aims.  Has your organisation put into place a policy on climate management that identified how you will actively reduce your organisation’s carbon footprint?  *This may be requested from you to be evaluated at a later stage in the evaluation process* | Yes **▢**  No **▢** |
| **7.11 (c)** | If you have answered “No” to 7.11b, do you commit to putting a plan in place in line with the Council’s policy?  *Any contractor who supplies the Council must work with us to support our policies and aims. As stated in 7.11 (a), the Council would expect bidders to show the same commitment to educating themselves about Climate Change and taking steps to reduce/mitigate their impact. If needed, the Council will provide support in creating a policy.* | Yes **▢**  No **▢** |
| **7.11 (d)** | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?  If your answer is “Yes”, please give information in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.  The Council will not select supplier(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches | Yes **▢**  No **▢** |
| **7.11 (e)** | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | Yes **▢**  No **▢**  N/A **▢** |

**Contact details and declaration**

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

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

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

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

I am aware of the consequences of serious misrepresentation.

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

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

1. For the list of exclusions please see <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-1)
2. See [PCR 2015 regulations 71 (8)-(9)](http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf) (<http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf>) [↑](#footnote-ref-2)
3. See definition of SME <https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en> [↑](#footnote-ref-3)
4. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required to keep a PSC register, and must file the PSC information with the central public register at Companies House. See [PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). Overseas bidders are required to provide equivalent information. [↑](#footnote-ref-4)
5. Only information that relates to the persons with powers of representation, decision or control within the meaning of regulation 57(2) can be considered in relation to the mandatory exclusion grounds and other details are requested for information only. [↑](#footnote-ref-5)
6. This applies to all supply chain members and/or subcontractors, where their identity is known at this stage, irrespective of whether you are relying on them to meet the selection criteria. Where a supply chain member and/or subcontractor has been identified in response to this question, any resulting subcontract entered into with that subcontractor for that part of the works, services or supplies identified in response to that question will not be subject to the requirement for contracts to advertise the subcontracting opportunity, as set out in PPN 01/18. [↑](#footnote-ref-6)
7. see Notes for Completion [↑](#footnote-ref-7)
8. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-8)
9. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-9)
10. This should include all situations where payments are due; not all payments involve an invoice (see FAQs). You should explain this in the tender documents [↑](#footnote-ref-10)
11. You should explain in the tender documents what a reporting period is by referring to the BEIS Guidance: h[ttps://www.gov.uk/government/publications/business-payment-practices-and-performance-reporting-requirement](https://www.gov.uk/government/publications/business-payment-practices-and-performance-reporting-requirement)s [↑](#footnote-ref-11)