

**Invitation to Tender**

**Tender for THE PROVISION OF repairs TO**

**jackson’s lANE CAR PARK, WELLINGBOROUGH**

PROJECT REF: DN589509

**Response Document: To be Completed and Returned**

This document must be completed by the bidder and submitted [electronically](https://www.eastmidstenders.org) in PDF format before the closing date (reference DN589509).

Appendices 1 and 2 must be completed. Potential suppliers who do not complete these Appendices in full may be eliminated from this procurement process.

Please submit your completed tender in accordance with the instructions provided, ensuring the file size of each document you submit does not exceed 10mb. Please upload all response documents separately and do not embed into this response document.

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| **Closing date for the submission of Tenders is** **12:00noon on Friday 28th January 2022.****Late submissions may be disregarded.** |

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**Standard Selection Questionnaire (SQ)**

This questionnaire is designed to allow the Council to gather information and make assessments on a bidders credentials. In completing and submitting this response document, you are confirming that you:

* Have read and understood the relevant ProContract user guides, including 'Tips For Bidders - ProContract'
* Understand that you must answer these questions in complete honesty
* Understand that any serious misrepresentation of factual information may lead to 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 terminated. 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 shall be excluded from further procurements for five years
* Understand that the questions used are taken from a template. If certain questions from the template are not used, there may be gaps in question numbering
* Shall not make (direct or indirect) contact with any employees, agents or consultants of the Council who are in any way connected with this procurement exercise, unless instructed otherwise by the Council via the ProContract messaging facility
* Understand that instructions on the questions you need to respond to and how to submit those responses are detailed on each question/section. 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
* Understand that only those organisations which pass the Selection Questions will have their Tender submissions evaluated

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.

**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.

**For Part 3** – if you are bidding on behalf of a group (consortium), or you intend to use sub-contractors, you should complete all the questions on behalf of the consortium and/or any sub-contractors, to provide a single composite response and declaration to the Council.

All questions are mandatory – failure to respond sufficiently to the requirements of a question may result in your organisation being eliminated from this procurement process.

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| **Part 1: Potential Supplier Information** |
| **Section 1 - Potential supplier information** | **Response** |
| 1.1(a) Full name of the potential supplier submitting the information |  |
| 1.1(b) - (i) Registered office address (if applicable) | If not applicable, please state N/A. |
| 1.1(b) - (ii) Registered website address (if applicable) | If not applicable, please state N/A. |
| 1.1(c) Trading status: | [ ] Public limited company[ ] Limited company[ ] Limited liability partnership[ ] Other partnership[ ] Sole trader[ ] Third sector[ ] Other (please specify your trading status) |
| 1.1(d) Date of registration in country of origin |  |
| 1.1(e) Company registration number (if applicable) | If not applicable, please state N/A. |
| 1.1(f) Charity registration number (if applicable) | If not applicable, please state N/A. |
| 1.1(g) Head office DUNS number (if applicable) | If not applicable, please state N/A. |
| 1.1(h) Registered VAT number | If not applicable, please state N/A.  |
| 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[ ] Not applicable |
| 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: | [ ] Voluntary Community Social Enterprise (VSCE) [ ] Sheltered Workshop [ ] Public services mutual [ ] N/A - None of the above |
| 1.1(m) Are you a Small, Medium or Micro Enterprise (SME)?See EU definition of SME: <https://ec.europa.eu/growth/content/revised-user-guide-sme-definition-0_en>  | [ ] Yes[ ] No |
| 1.1(n) Details of Persons of Significant Control (PSC), where appropriate: | Please provide the following information: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 6th 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 moreIf not applicable, please state N/A. |
| 1.1(o) Details of immediate parent company: | Please provide the following:- 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)If not applicable, please state N/A. |
| 1.1(p) Details of ultimate parent company: | Please provide the following:- 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)If not applicable, please state N/A. |
| **Section 1 - Bidding model (information about your approach to this procurement)** | **Response** |
| 1.2(a) - (i) Are you bidding as the lead contact for a group of economic operators? | [ ] Yes[ ] No |
| 1.2(a) - (ii) Name of group of economic operators: | If not applicable, please state N/A. |
| 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. | If not applicable, please state N/A. |
| 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) - (1), please provide additional details for each sub-contractor (please note we may ask them to complete this form (Selection Questionnaire) as well) | Please provide the following information:NameRegistered addressTrading statusCompany registration numberHead Office DUNS number (if applicable)Registered VAT numberType of organisationSME (Yes/No)The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverablesThe approximate % of contractual obligations assigned to each sub-contractor |
| **Section 1 - Contact details and declaration** | **Response** |
| 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 Council 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. |
| 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** |
| **Section 2 - Grounds for mandatory exclusion** | **Response** |
| 2.1(a) 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 has been convicted anywhere in the world of any of the offences listed (full details can be found at the below webpage).Regulations 57(1) and (2) - The detailed grounds for mandatory exclusion of an organisation are set out at <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> | [ ] Participation in a criminal organisation[ ] Corruption[ ] Fraud[ ] Terrorist offences or offences linked to terrorist activities[ ] Money laundering or terrorist financing[ ] Child labour and other forms of trafficking in human beings[ ] Other offences listed on the webpage - please list these[ ] None of the above applyPotential suppliers who answer 'None of the above' will pass this question. Any other option that is selected may result in elimination from this procurement process. |
| 2.1(b) If you have selected any of the options apart from 'None of the above apply' to question 2.1(a), please provide further details. | Please provide the following information:Date of convictionSpecify which of the grounds listed the conviction was for, and the reasons for convictionIdentity of who has been convictedIf the relevant documentation is available electronically, please provide the web address, issuing authority, precise reference of other 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 [ ] Not applicable - I responded 'None of the above apply' to question 2.1(a) |
| 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? Please Note: The Council 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. | [ ] Yes[ ] No Potential suppliers who answer 'Yes' may be eliminated from this procurement process if sufficient evidence is not provided against question 2.3(b). |
| 2.3(b) If you have answered 'Yes' to question 2.3(a), please provide further details. Please also confirm that you have paid, or have entered into a binding agreement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. | Please provide further information here.[ ] Yes - we have paid / entered into a binding agreement with a view to paying[ ] No - we have not paid / entered into a binding agreement with a view to paying[ ] Not applicable - I responded 'No' to question 2.3(a) |
| **Section 3 - Grounds for discretionary exclusion** | **Response** |
| 3.1(a - j-iv) 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.Regulation 57 (8) - The detailed grounds for discretionary exclusion of an organisation are set out at <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf>  | [ ] Breach of environmental obligations[ ] Breach of social obligations[ ] Breach of labour law obligations[ ] 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[ ] Guilty of grave professional misconduct[ ] Entered into agreements with any other economic operators aimed at distorting competition [ ] Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure[ ] Been involved in the preparation of the procurement procedure[ ] 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[ ] The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria[ ] The organisation has withheld such information[ ] The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015[ ] The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award[ ] None of the above applyPotential suppliers who answer 'None of the above' will pass this question. Any other option that is selected may result in elimination from this procurement process if sufficient evidence is not provided against question 3.2. |
| 3.2 If you have answered 'Yes' to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  |
| **Part 3: Selection Questions** |
| **Section 4 - Economic and Financial Standing** | **Response** |
| 4.1 (a-c) If requested, would you be able to provide a copy of one of the following: | [ ] A copy of your audited accounts for the last two years[ ] A statement of turnover, Profit and Loss Account / Income Statement, Balance Sheet / Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation [ ] A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position [ ] An 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) [ ] None of the abovePotential suppliers who answer 'None of the above' will be eliminated from the procurement process. |
| 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 that you meet the requirements set out. | [ ] Yes - I meet / can meet the requirements set out [ ] No - I cannot meet the requirements set out [ ] Not applicable - No minimum level setPotential suppliers who answer 'No - I cannot meet the requirements set out' will be eliminated from this procurement process. |
| 4.3 If applicable, the Council may expect the Potential supplier to provide a Parent Guarantee, Bond or other sureties. Please confirm that you will provide a Parent Guarantee, Bond or any other sureties if requested by the Council. | [ ] Yes[ ] NoPotential suppliers who answer 'No' will be eliminated from this procurement process. |
| **Section 5 - Wider Group** | **Response** |
| 5.1 - 5.3 If you have indicated as part of question 1.2 (Bidding Model) that you are part of a wider group, please provide further details including name of organisation and relationship to the supplier completing these questions. In addition, please confirm if you would be able to obtain any of the following: | Please provide further information here.[ ] Parent company accounts [ ] Parent company guarantee[ ] Obtain guarantee elsewhere (e.g. from a bank) [ ] I will not be able to obtain any of the above[ ] Not applicable - I am not part of a wider group If you are not part of a wider group, please select 'N/A - I am not part of a wider group'. Potential suppliers who answer 'I will not be able to obtain any of the above' will be eliminated from this procurement process. |
| **Section 6 - Technical and Professional Ability** | **Response** |
| Please provide details of three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to this 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. All contract examples provided must have been delivered by the organisation submitting this bid/tender, and will deliver the contract.**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. |
| 6.1(a) Contract Example 1 - please provide: | Name of customer organisationPoint of contact in the organisationPosition in the organisationE-mail addressDescription of contractContract Start dateContract completion dateEstimated contract value |
| 6.1(b) Contract Example 2 - please provide: | Name of customer organisationPoint of contact in the organisationPosition in the organisationE-mail addressDescription of contractContract Start dateContract completion dateEstimated contract value |
| 6.1(c) Contract Example 3 - please provide: | Name of customer organisationPoint of contact in the organisationPosition in the organisationE-mail addressDescription of contractContract Start dateContract completion dateEstimated contract value |
| 6.2(a) Where you intend to sub-contract a proportion of the contract (as per 1.2(b)-(i)), 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 schemas in other countries). | If not applicable, please state N/A. |
| 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 your have provided services in the past, but not under a contract | Please provide further information here.Potential suppliers who are not able to provide three separate contract details may be eliminated from this procurement process if a sufficient explanation is not provided. |
| **Section 7 - Modern Slavery Act 2015** | **Response** |
| 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 7.1, are you compliant with the annual reporting requirements contained within section 54 of the Act 2015? | [ ] Yes - please provide the relevant URL[ ] No - please provide an explanation[ ] Not applicable - I responded 'No' to question 7.1Potential suppliers who answer ‘No' may be eliminated from this procurement process. |
| 7.3 Please confirm if you have adopted or are willing to adopt a whistle-blowing policy which enables your staff to blow the whistle on any suspected examples of modern slavery? | [ ] Yes - I already have the policy in place[ ] I will put a policy in place[ ] I will NOT put a policy in placePotential suppliers who answer 'I will NOT put a policy in place’ will be eliminated from this procurement process. |
| **Section 8.1 - Insurances** | **Response** |
| 8.1 Please self-certify whether you already have or can commit to obtain, prior to the commencement of the contract the levels of insurance cover indicated below?* Employers (Compulsory) Liability Insurance = £5,000,000
* Public Liability Insurance = £1,000,000
* Professional Indemnity Insurance = £1,000,000
* Product Liability Insurance = £1,000,000
 | [ ] Yes - I already have the insurance levels required[ ] I will obtain the insurance levels required[ ] I will NOT obtain the insurance levels requiredIt 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. Potential suppliers who answer 'I will NOT obtain the insurance levels required' will be eliminated from this procurement process. Suppliers will be required to provide evidence of insurance cover if they are successful at contract award stage. |
| **Section 8.4 - Health and Safety Project Specific Questions** | **Response** |
| 8.4(a) Does your organisation comply with the Health and Safety at Work Act 1974? | [ ] Yes[ ] NoPotential suppliers who answer 'No' will be eliminated from this procurement process. |
| 8.4(b) Does your organisation train its staff in Health and Safety? | [ ] Yes[ ] NoPotential suppliers who answer 'No' will be eliminated from this procurement process. |
| 8.4(c) Potential suppliers that employ 5 or more staff are legally required to have a written Health and Safety Policy Statement. Please confirm if you have a policy statement, or less than 5 employees. | [ ] Yes, I have a Health and Safety Policy Statement[ ] No, I have no policy statement AND 5 or more staff[ ] No, I have no policy statement BUT have less than 5 staffPotential suppliers who answer 'No, I have no policy statement AND 5 or more staff' will be eliminated from this procurement process. |
| 8.4(d) Has your organisation, over the past 5 years, been or is in the process of being investigated/ prosecuted for any health and safety offence (including any civil action)? | [ ] Yes - please provide a summary of the nature of the investigation/prosecution, and any remedial actions that have been taken[ ] NoPotential suppliers will be eliminated from this procurement process unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences. |
| 8.4(e) Has your organisation been served with any prohibition/ improvement notices for breaches of health and safety legislation in the past 3 years? | [ ] Yes - please provide a summary of the nature of the prohibition/improvement notices for breaches, and any remedial actions that have been taken[ ] NoPotential suppliers will be eliminated from this procurement process unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences. |
| 8.4(f) If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | [ ] Yes[ ] No[ ] Not applicable - I do not intend to sub-contractPotential suppliers who answer 'No' will be eliminated from this procurement process. |
| **Section 8.5 - Environment Project Specific Questions** | **Response** |
| 8.5(a) Does your organisation have an environmental policy? | [ ] Yes[ ] No |
| 8.5(b) 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)? | [ ] Yes – please provide details of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served[ ] NoPotential suppliers will be eliminated from this procurement process unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. |
| 8.5(c) 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 [ ] Not applicable - I do not intend to sub-contract Potential suppliers who answer 'No' will be eliminated from this procurement process. |
| **Section 8.6 - Equality Project Specific Questions** | **Response** |
| 8.6(a) As an employer, do you meet the requirements of the positive equality duties in relation to the Equalities Act 2010? | [ ] Yes[ ] NoPotential suppliers who answer 'No' will be eliminated from this procurement process. |
| 8.6(b) In the last three years, has any finding of unlawful discrimination been made against your organisation by any court or industrial or employment tribunal (or equivalent body)? | [ ] Yes - please provide summary of the nature of the findings and an explanation of the outcome[ ] NoPotential suppliers will be eliminated from this procurement process unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences |
| 8.6(c) In the last three years, has your organisation been subject to a compliance action by the Equality and Human Rights Commission or an equivalent body on grounds of alleged unlawful discrimination? | [ ] Yes - please provide summary of the nature of the investigation(s) and an explanation of the outcome to date[ ] NoPotential suppliers will be eliminated from this procurement process unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences. |
| 8.6(d) In the last three years, has your organisation been found in breach of:* section 15 of the Immigration, Asylum and Nationality Act 2006
* section 21 of the Immigration, Asylum and Nationality Act 2006
* the National Minimum Wage Act 1998
 | [ ] Yes - please provide summary of the nature of the breaches, and any remedial actions that have been taken[ ] NoPotential suppliers will be eliminated from this procurement process unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences. |
| 8.6(e) Does your organisation have a written Equality Statement? Please confirm if you have a statement and that it is communicated within your organisation. | [ ] Yes[ ] No |
| 8.6(f) Does your organisation train its staff in Equality and Diversity issues? | [ ] Yes[ ] No Potential suppliers who answer 'No' will be eliminated from this procurement process. |
| 8.6(g) Do you have mechanisms in place in order to regularly gather data on the Protected Characteristics under the Equality Act 2010? | [ ] Yes[ ] No Potential suppliers who answer 'No' will be eliminated from this procurement process. |
| 8.6(h) If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | [ ] Yes[ ] No [ ] Not applicable - I do not intend to sub-contractPotential suppliers who answer 'No' will be eliminated from this procurement process. |
| **Section 8.7 - Other Project Specific Questions** | **Response** |
| 8.7(a) Please confirm if your organisation attended a site visit? | [ ] Yes[ ] No Potential suppliers who answer 'No' may be eliminated from this procurement process. |
| 8.7 (b) If you replied ‘yes’ to 8.7(a), please state the date and time of the visit | Date………..Time………..[ ] Not applicable – we did not attend a site visitPotential suppliers who answer 'N/A' may be eliminated from this procurement process. |
| **Section 8.8 - Data Protection and General Data Protection Regulation Questions** | **Response** |
| 8.8(a) Please confirm that you adhere to all the elements of the Data Protection Act (DPA) and General Data Protection Regulations (GDPR), and 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. | [ ] We currently have the process and procedures detailed in place[ ] We WILL have the process and procedures detailed in place by the contract start date [ ] We WILL NOT have the process and procedures detailed in place by the contract start date Potential suppliers who answer 'We will not have the process and procedures detailed in place by the contract start date' will be eliminated from this procurement process. Please note that the Council will seek confirmation and assurance of those policies and processes prior to any commencement of the contract. |
| 8.8(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 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.Where the Council considers the response to be unsatisfactory, Potential suppliers may be eliminated from the procurement process. |
| 8.8(c) Have you had any data protection or information security breaches in the last 3 years? | [ ] Yes - please provide details and limit this to two sides of A4, Arial Font 11[ ] No Where the Council considers the response to be unsatisfactory, Potential suppliers will be eliminated from the procurement process. |

**Award Questionnaire**

This questionnaire has been designed to allow bidders to explain how they will deliver the contract in terms of quality and price. Please note that only those organisations which pass the Selection Questions will have their award questionnaire submissions evaluated.

Please see the Invitation to Tender for details on how responses will be evaluated and the Quality Questionnaire annexed to that document.

In completing this questionnaire, please ensure that:

* when uploading attachments as part of your response, you should include the question number only (in the document title), as lengthy file names will prevent the Council from accessing the file content
* when uploading attachments as part of your response, you detail the document title within the “Bidder’s Response” field
* each question is answered in full and in accordance with any specific requests as detailed in the question i.e. maximum word/page limits, information to be included etc.
* you only submit information that has been requested; additional information which has not been asked for as part of the question will not be taken into account during the evaluation and award of this Contract
* all words in any format (including but not limited to words in diagrams, pictures, maps, tables and charts) are counted towards the word count; any words over the stated maximum will not be taken into account during the evaluation and award of this Contract

Quality

Page/Word Limit: There is no word limit; tenderers are asked to provide the level of information they feel is necessary to provide a suitable response to the questions asked. Responses should also contain diagrams, pictures and the like.

As part of their tender submission, the tenderer is to provide a response to each of the questions below. The statement must set out how the tenderer will deal with / address the scenarios and issues described if they are awarded the Contract. This should be of sufficient detail to demonstrate their approach to managing the site and delivering the works in a safe, competent, and professional manner. This is of particular importance given the nature of the site, the public access (vehicular and pedestrian) which will remain throughout the works, and the current restrictions that the country is under nationally at present which impacts how we all live and work.

The information provided in the tenderers’ responses will be taken into consideration when assessing the tender returns and awarding the Contract. The full details of how responses to these questions are scored are contained within the Invitation to Tender document.

The appointed Contractor will be required to undertake the works in accordance with the processes and measures set out in their response to the below.

|  |  |
| --- | --- |
| **Question 1 - Site Welfare and Compound** | **Weighting – 7.5%** |
| The Employer will permit the Contractor to make use of a part of the existing car park for their site welfare and compound. However, this needs to be kept to a reasonable size so as to ensure that as much of the car park can be retained for use by the public while the works take place.Please advise what welfare provision and site facilities you intend to use to aid delivery of the works and where you wish to site these (keeping the space needed for such items to a minimum). As well as describing your provision below, please provide a marked-up plan to show where these will be located on site. |
| **Bidder’s Response** |
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| --- | --- |
| **Question 2 - Storage and Parking** | **Weighting – 7.5%** |
| Please provide information on the storage and parking arrangements you propose to have in place, taking into consideration the limited space on site and the car park will remain open to the public for the duration of the works. |
| **Bidder’s Response** |
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| --- | --- |
| **Question 3 - Works Areas (Methodology and Security)** | **Weighting – 7.5%** |
| As the car park will remain open for public use, the repair works will need to be completed in stages, with each area being worked on being securely sectioned off to avoid trespass by unauthorised persons. Please outline how you will secure the works areas and how you propose to divide the works into areas to complete all the necessary repairs. |
| **Bidder’s Response** |
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| --- | --- |
| **Question 4 - Health & Safety Matters** | **Weighting – 7.5%** |
| Please outline how you will meet the Health & Safety requirements set out in the tender documentation for undertaking the works, as well as how you will manage the public use of the car park (and open nature of the site) from a Health & Safety perspective. |
| **Bidder’s Response** |
|  |

Price

Having regard to the Specification requirements of this Tender, bidders are required to complete the following Pricing Schedule, ensuring that they have provided figures against all stated criteria. All figures should be entered in pounds (£), exclusive of VAT and not rounded at all.

It is the Bidder's responsibility to include ALL CHARGES that they wish to recover from the contract that will be incurred in meeting the requirements of the specification. Additional costs which are not identified at this stage cannot be charged for during the Contract Term unless by the express agreement of the Council.

Reference to the term ‘Other’ in any section refers to any costs for other items bidders may wish to recover as part of this contract, please detail/explain any costs quoted within these fields.

If any element is not applicable, please enter "£0", and provide a detailed explanation in the "Bidder Comments" field. The response relating to Pricing will be evaluated using the methodology set out in the Invitation to Tender.

|  |  |  |
| --- | --- | --- |
| **Price Criteria / Element** | **Cost**  | **Bidder Comments** |
| 1. Site Set Up / Ancillary Matters
 | £ |  |
| 1. The Works
 | £ |  |
| 1. Prelims
 | £ |  |
| 1. OH&P
 | £ |  |
| **Total Costs (A-D)** – this is the figure that will be used for the Price Assessment, as detailed in the Invitation to Tender.  | **£** | Please note that even though this figure is representative of the core contract as well as any stated extension option(s), it does not guarantee that the extension option(s) will be taken, and bidders should submit pricing accordingly. |

**Appendix 1 – Collusive Tendering Certificate**

We certify that this is a bona fide tender, and that we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not done so and we undertake that we will not do so at any time before the hour and date specified for the return of this tender any of the following acts:

1. Communicating to a person other than the person calling for these tenders the amount or approximate amount of the proposed tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain insurance premium quotations required for the preparation of the tender;
2. Entering into agreement or arrangement with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted;
3. Offering or paying or giving or agreeing to any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation of any tender or proposed tender for that said work or thing of any sort described above.

In this certificate, the word ‘person’ includes any persons and any body or association, corporate or unincorporated; and ‘any agreement or arrangement’ includes any such transaction, formal or informal, whether legally binding or not.

Signed:

Name:

Position:

For and on behalf of:

Date:

The ‘Collusive Tendering Certificate must be signed by a director, partner or other senior authorised representative in the individuals own name, for and behalf of the organisation.

**Appendix 2 – Form of Tender**

Having examined all documentation issued by the Council in connection with this Tender (including any clarifications), and being fully satisfied in all respects of the tender requirements:

I/We the undersigned, hereby tender and offer to provide the Contract as listed above which is more particularly referred to in the Invitation to Tender supplied to me/us for the purpose of tendering for the provision of the Contract and upon the terms thereof.

I/We undertake in the event of acceptance of our Tender to execute the Contract within 15 business days of such acceptance and if required in the interim provide the Contract in accordance with the Contract if necessary.

I/We understand that the Council reserves the right to accept or refuse this Tender whether it is lower, the same, or higher than any other Tender.

I/We understand that the Council will not pay any expenses incurred in connection with the preparation and submission of this Tender.

I/We confirm that if our Tender is accepted I/we will, if required, upon demand:

1. Produce evidence that all relevant insurances and compliance certificates with relevant legislation and policy are held and in force;
2. Sign a formal contract document if required.

I/We confirm that the information supplied to you and forming part of this Tender including (for the avoidance of doubt) any information supplied to you as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

I/We confirm and undertake that if any of such information becomes untrue or misleading that I/we shall notify you immediately and update such information as required.

I/We understand that the information we have provided will be used in the process to assess our organisation’s suitability for the Council’s requirement, and that the Council may reject this submission if there is a failure to answer all relevant questions fully, or I provide false/misleading information.

I/We confirm that this Tender will remain valid for the period of days as stated in the Response Document, from the date of this Form of Tender.

I/We confirm that the undersigned are authorised to commit the Bidder to the contractual obligations contained in the Invitation to Tender and the Contract.

Signed:

Name:

Position:

For and on behalf of:

Date:

The ‘Form of Tender’ must be signed by a director, partner or other senior authorised representative in the individuals own name, for and behalf of the organisation.

**Appendix 3 – Freedom of Information**

As we are a Local Authority, and therefore subject to scrutiny of transparency as a wholly taxpayer funded service, your tender submission may be subject to potential requests for disclosure under the Freedom of Information Act 2000 (FoI) or the Environmental Information Regulations 2004 (EIR).

Confidential material is as defined in Section 41 of the Freedom of Information Act, 2000 (FoI) where the disclosure of the information would constitute an actionable breach of confidence.

Commercially sensitive material is as defined in Section 43 of the FoI Act and relates to ‘information, the disclosure of which would be likely to prejudice the commercial interests of any person’.

Bidders should make themselves aware of the definition of each term as well as the circumstances in which FoI and EIR exemptions apply.

The Council may be obliged to disclose information in or relating to this bid following a request for information under FoI or EIR therefore please outline in the table below all items which you consider are genuinely confidential and which are not for disclosure in respect of your application.

|  |  |  |
| --- | --- | --- |
| **Information / Document / Question number** | **Reference / Page number** | **Reasons for non-disclosure and duration of confidentiality** |
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The applicant acknowledges that the confidential / commercially sensitive material detailed is of indicative value only and the Council may be obliged to disclose it following a request under FoI or EIR.

The Council shall act reasonably and use its discretion, ensuring that the latest guidance/case law is taken into account, when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information believed to be confidential / commercially sensitive the Council will consider those views however the Council will make the final decision to disclose information or not.

**Appendix 4 – Tender Completion Checklist**

Before submitting your tender response, please ensure that you have completed all questions and enclosed relevant document(s).

|  |  |
| --- | --- |
| **Information Required** | **Completed / Uploaded** |
| **Suitability Questionnaire** – fully completed/prepared in accordance with the instructions provided | Yes/No |
| **Quality Questions** – fully completed/prepared in accordance with the instructions provided | Yes/No |
| **Pricing Schedule** – fully completed/prepared in accordance with the instructions provided | Yes/No |
| **Collusive Tendering Certificate** – completed and signed | Yes/No |
| **Form of Tender** – completed and signed | Yes/No |
| **Freedom of Information** – completed if applicable | Yes/No |
| **Declaration** – completed and signed | Yes/No |
| **Support Information** – if consortia and sub-contractors arrangements apply, Part 1 and Part 2 of the Standard Selection Questionnaire (SQ) completed for each member | Yes/No |

**It is important that all sections are completed as failure to do so may result in your Tender being eliminated from this procurement process.**

|  |
| --- |
| **Please upload all response documents separately and do not embed into your tender response document. Your completed tender must be fully uploaded and submitted via the** [**www.eastmidstenders.org**](http://www.eastmidstenders.org) **procurement portal in PDF format, no later than 12:00 noon on Friday 28th January 2022.** **Late submissions may be disregarded.**  |