

**REF SDDCFIN20240731**

**31/7/2024**

**Invitation to Tender for the provision of a**

**Procurement Support Service**

**for**

**South Derbyshire District Council and North West Leicestershire District Council**

**Deadline for Tenders to be received: 12:00 noon on 30th August 2024**

|  |  |
| --- | --- |
| **Company Name** |  |
| **Main Contact** |  |
| **Company Registration Number** |  |

**SECTION B: TENDER SCHEDULES**

**TO BE COMPLETED AND RETURNED BY BIDDERS**

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ANNEX B1
ELIGIBILITY QUESTIONS AND RESPONSES

**Notes for completion**

1. “Authority” means the public sector contracting authority, or anyone acting on behalf of the
 contracting authority, that is seeking to invite suitable suppliers to participate in this procurement
 process.

2. “You”/ “Your” or “Supplier” means the body completing these questions **i.e. the legal entity
 seeking to be invited to the next stage of the procurement process and responsible for the
 information provided.** The ‘Supplier’ is intended to cover any economic operator as defined by
 the Public Contract Regulations 2015 and could be a registered company; charitable organisation;
 Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of
 entity.

3. The Eligibility Questions in this Annex B1 have been designed to assess the suitability of a
 Supplier to deliver the Authority’s contract requirement(s). If you pass all Eligibility Questions, the
 Authority will mark Annex B3 (Tender Response Document).

4. Please ensure that all questions are completed in full, and in the format requested. Failure to do
 so may result in your submission being disqualified. If the question does not apply to you, please
 state clearly ‘N/A’.

5. Should you need to provide additional Appendices in response to the questions, these should be
 numbered clearly and listed as part of your declaration. A template for providing additional
 information is provided at Annex B1 – Template for Appendices.

6. Please return a completed version of this document to the Authority in accordance with the
 Instructions to Bidders in Section A of this ITT.

**Verification of Information Provided**

7. Whilst reserving the right to request information at any time throughout the procurement process,
 the Authority may enable the Supplier to self-certify that there are no mandatory/ discretionary
 grounds for excluding their organisation. When requesting evidence that the Supplier can meet the
 specified requirements, the Authority may only obtain such evidence after the final tender
 evaluation decision i.e. from the winning Supplier only.

**Sub-contracting arrangements**

8. Where the Supplier proposes to use one or more sub-contractors to deliver some or all of the
 contract requirements, a separate Appendix should be used to provide details of the proposed
 bidding model that includes members of the supply chain, the percentage of work being delivered
 by each sub-contractor and the key contract deliverables each sub-contractor will be responsible
 for.

9. The Authority recognises that arrangements in relation to sub-contracting may be subject to future
 change and may not be finalised until a later date. However, suppliers should be aware that
 where information provided to the Authority indicates that sub-contractors are to play a significant
 role in delivering key contract requirements, any changes to those sub-contracting arrangements
 may affect the ability of the Supplier to proceed with the procurement process or to provide the
 supplies and/or services required. Suppliers should therefore notify the Authority immediately of
 any change in the proposed sub-contractor arrangements. The Authority reserves the right to
 deselect the Supplier prior to any award of contract, based on an assessment of the updated
 information.

**Consortia arrangements**

**[](#consortiaarrangements" \o "Link to CCS statutory guidance on approach to consortia)**

**[](#consortiaarrangements" \o "Link to CCS statutory guidance on approach to consortia)**

**[](#consortiaarrangements" \o "Link to CCS statutory guidance on approach to consortia)**

10. If the Supplier completing this Annex B1 is doing so as part of a proposed consortium, the following
 information must be provided;

Names of all consortium members;

The lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and

If the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix.

11. Please note that the Authority may require the consortium to assume a specific legal form if awarded
 the contract, to the extent that a specific legal form is deemed by the Authority as being necessary for
 the satisfactory performance of the contract.

12. All members of the consortium will be required to provide the information required in all sections of
 this Annex B1 as part of a single composite response to the Authority i.e. each member of the
 consortium is required to complete the form.

13. Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV),
 you should provide details of the actual or proposed percentage shareholding of the constituent
 members within the new legal entity in a separate Appendix.

14. The Authority recognises that arrangements in relation to a consortium bid may be subject to future
 change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged.
 Suppliers are reminded that the Authority must be immediately notified of any changes, or proposed
 changes, in relation to the bidding model so that a further assessment can be carried out by applying
 the selection criteria to the new information provided. The Authority reserves the right to deselect the
 Supplier prior to any award of contract, based on an assessment of the updated information.

**Confidentiality**

15. When providing details of contracts in answering section 6 of this Annex B1 (Technical and
 Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights
 and obligations associated with these contracts.

16. The Authority reserves the right to contact the named customer contact in section 6 regarding the
 contracts included in section 6. The named customer contact does not owe the Authority any duty
 of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

17. 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 Public Contract Regulations 2015.

**1 - Supplier information**

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| **Part 1 – Potential supplier information**  |
| Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. |
| **Section 1** | **Potential Supplier Information** |
| **Question no.** | **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:public limited companylimited company limited liability partnership other partnership sole trader third sectorother (please specify your trading status) |       |
| **1.1 (d)** | Date of registration in country of origin |       |
| **1.1 (e)** | Company registration number (if applicable) |       |
| **1.1 (f)** | Charity registration number (if applicable) |       |
| **1.1 (g)** | Head office DUNS number (if applicable) |       |
| **1.1 (h)** | Registered VAT number  |       |
| **1.1 (i) - (i)** | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | **[ ]** Yes**[ ]** No**[ ]** N/A |
| **1.1 (i) - (ii)** | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |       |
| **1.1 (j) - (i)** | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | **[ ]** Yes**[ ]** No**[ ]** N/A |
| **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)Voluntary Community Social Enterprise (VCSE)Sheltered WorkshopPublic service mutual |       |
| **1.1 (m)** | Are you a Small, Medium or Micro Enterprise (SME)? | **[ ]** Yes**[ ]** No |
| **1.1 (n)** | Details of Persons of Significant Control (PSC), where appropriate: Name;Date of birth;Nationality;Country, state or part of the UK where the PSC usually lives;Service address;The date he or she became a PSC in relation to the company (for existing companies 6 April 2016 should be used);Which conditions for being a PSC are met;Over 25% up to (and including) 50%,More than 50% and less than 75%,75% or more.(Please enter N/A if not applicable) |       |
| **1.1 (o)** | Details of immediate parent company:Full name of the immediate parent companyRegistered office address (if applicable)Registration number (if applicable)Head office DUNS number (if applicable)Head office VAT number (if applicable)(Please enter N/A if not applicable) |       |
| **1.1 (p)** | Details of ultimate parent company:Full name of the ultimate parent companyRegistered office address (if applicable)Registration number (if applicable)Head office DUNS number (if applicable)Head office VAT number (if applicable)(Please enter N/A if not applicable) |       |
| Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.  |

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| Please provide the following information about your approach to this procurement: |
| **Section 1** | **Bidding model** |
| **Question no.** | **Question** | **Response** |
| **1.2 (a) - (i)** | Are you bidding as the lead contact for a group of economic operators? | **[ ]** Yes**[ ]** NoIf 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.

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| 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 |       |       |       |       |       |

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| **1.3** | **Lots**Where applicable, please tell us which lot(s) you wish to bid for? |       |

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| **Part 2: Exclusion Grounds** |
| Please answer the following questions in full. Note: 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 no.** | **Question** | **Response** |
| **2.1(a)** | **Regulations 57(1) and (2)**The detailed grounds for mandatory 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), which should be referred to before completing these questions.Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation have been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). |
|  | Participation in a criminal organisation.  | **[ ]** Yes**[ ]** NoIf Yes please provide details at 2.1(b) |
| Corruption.  | **[ ]** Yes**[ ]** NoIf Yes please provide details at 2.1(b) |
| Fraud. | **[ ]** Yes**[ ]** NoIf Yes please provide details at 2.1(b |
| Terrorist offences or offences linked to terrorist activities | **[ ]** Yes**[ ]** NoIf Yes please provide details at 2.1(b |
| Money laundering or terrorist financing | **[ ]** Yes**[ ]** NoIf Yes please provide details at 2.1(b |
| Child labour and other forms of trafficking in human beings | **[ ]** Yes**[ ]** NoIf Yes please provide details at 2.1(b |
|  | 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. |  |
|  | Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland. |  |
| **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 convictedIf the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |       |
| **2.2** | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) | **[ ]** Yes**[ ]** No |
| **2.3(a)** | **Regulation 57(3)**Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | **[ ]** Yes**[ ]** No |
| **2.3(b)** | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |       |
| Please Note: The 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

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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 in [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), and should be referred to before completing these questions. |
| **Question number** | **Question** | **Declaration** |
| 3.1(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 |
| 3.1(b) | If you have answered no to 3.1(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
 |  |
| 3.2 | 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**  |
| **Question no.** | **Question** | **Response** |
| **4.1** | **Regulation 57 (8)**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), 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. |
| **4.1(a)** | Breach of environmental obligations? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1 (b)** | Breach of social obligations?  | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1 (c)** | Breach of labour law obligations? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(d)** | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(e)** | Guilty of grave professional misconduct? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(f)** | Entered into agreements with other economic operators aimed at distorting competition? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(g)** | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(h)** | Been involved in the preparation of the procurement procedure? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(i)** | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(j)****4.1(j) - (i)** | Please answer the following statementsThe 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. | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(j) - (ii)** | The organisation has withheld such information. | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(j) –(iii)** | The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.1(j)-(iv)** | The organisation has influenced the decision-making process of the Council to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to have negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | [ ]  Yes[ ]  NoIf Yes please provide details at 3.2 |
| **4.2** | If you have answered Yes to any of the above, explain what measures have been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |       |

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| **Part 3: Selection Questions** |

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| **Section 5** | **Economic and Financial Standing** |
| **Question no.** | **Question** | **Response** |
| 5.1  | Please confirm which of the following, as applicable to your organisation, you would be able to provide if requested?1. Organisations Trading for 3 Years Or More

Full copies of the two or three most recent sets of audited accounts that cover the last three years of trading, including:* A balance sheet
* A detailed profit and loss or income & expenditure account
* All other reports and notes to the accounts.
1. Organisations Trading for Between 2 and 3 Years

A full copies of the two most recent sets of audited accounts, including:* A balance sheet
* A detailed profit and loss or income & expenditure account
* All other reports and notes to the accounts.
1. Organisations Trading for Between 1 and 2 Years

A full copy of the audited accounts for the first year of trading including:* A balance sheet
* Detailed profit and loss or income & expenditure account
* All other reports and notes to the accounts.
* A current balance sheet (no less than 3 months old)
* A detailed profit & loss projection or income & expenditure projection for the current year, to include actuals to date, together with any relevant documentation to support the projection.
1. Organisations Trading for Less Than 1 Year
* A current balance sheet (no more than 3 months old)
* A detailed profit & loss projection or income & expenditure projection for the current year, to include actuals to date, together with any relevant documentation to support the projection.
1. Organisations who cannot supply option (a) – (d)
* Provide details of 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 etc.). Please also clarify why options (a) – (d) are not applicable.

Please note: On request the preferred bidder / shortlisted bidders will be required to provide, the documents/information detailed above (as applicable to their organisation). | 1. [ ]
2. [ ]
3. [ ]
4. [ ]
5. [ ]

 Provide details  |
| **5.2** | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out.  | [ ]  Yes[ ]  No |
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| **Section 6** | **Economic and Financial Standing (Parent Companies and Guarantees)** |
| 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 |    |
| **Question no.** | **Question** | **Response** |
| **6.1** | Are you able to provide parent company accounts if requested to at a later stage? | [ ]  Yes[ ]  No |
| **6.2** | If yes, would the parent company be willing to provide a guarantee if necessary? | [ ]  Yes[ ]  No |
| **6.3** | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?  | [ ]  Yes[ ]  No |

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| **Section 7** | **Technical and Professional Ability** |
| **7.1** | Relevant experience and contract examplesPlease 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 contract references provided should not include the current tendering Authoritys.\*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** |
| Name of customer organisation |       |
| Point of contact in the organisation |       |
| Position in the organisation |       |
| E-mail address |       |
| Description of contract  |       |
| Contract start date |       |
| Contract completion date |       |
| Estimated contract value |       |
| **Contract 2** |
| Name of customer organisation |       |
| Point of contact in the organisation |       |
| Position in the organisation |       |
| E-mail address |       |
| Description of contract  |       |
| Contract start date |       |
| Contract completion date |       |
| Estimated contract value |       |
| **Contract 3** |
| Name of customer organisation |       |
| Point of contact in the organisation |       |
| Position in the organisation |       |
| E-mail address |       |
| Description of contract  |       |
| Contract start date |       |
| Contract completion date |       |
| Estimated contract value |       |
| **7.2** | 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) |
|       |
| **7.3** | If you cannot provide at least one example for question 7.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. |
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| **Section 8** | **Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015** |
| **Question no.** | **Question** | **Response** |
| **8.1** | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | [ ]  Yes[ ]  N/A |
| **8.2** | If you have answered yes to question 8.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | [ ]  YesPlease provide relevant the url     [ ]  NoPlease provide an explanation      |

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| **Section 9: Additional Questions****Suppliers who self-certify that they meet the requirements to the additional questions will be required to provide evidence of this if they are successful at contract award stage.****\* Project Specific Questions [Delete if not Required]** |
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| **9.1** | **Insurance** |
| **Question no.** | **Question** | **Response** |
| **a.** | 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:Employer’s (Compulsory) Liability Insurance = £10 million Public Liability Insurance = £10 million Professional Indemnity Insurance = £5 million Please note the insurance cover values shall not be less than the amounts detailed above for each and every claim.\* 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. | [ ]  Yes[ ]  No |

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| **9.2** | **Skills and Apprentices - Do Not Complete** |
| **Question no.** | **Question** | **Response** |
| **a.** | Use only in procurements with a value over £10 million Public procurement of contracts with a full life value of £10 million and above and duration of 12 months and above should be used to support skills development and delivery of the apprenticeship commitment. This policy is set out in detail in Procurement Policy Note 14/15.Please confirm if you will be supporting apprenticeships and skills development through this contract. | [ ]  Yes[ ]  No |
| **b.** | If yes, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills, development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation? | [ ]  Yes[ ]  No |
| **c.** | Do you have a process in place to ensure that your supply chain supports skills, development and apprenticeships in line with PPN 14/15 (see guidance) and can provide evidence if requested? | [ ]  Yes[ ]  No |

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| **9.3** | **Steel - Do Not Complete** |
| **a.** | Use only in infrastructure, construction and major procurement projects over £10 million, with a significant steel component Please describe the supply chain management systems, policies, standards and procedures you currently have in place to ensure robust supply chain management |
|       |
| **b.** | Please provide details of previous similar projects where you have demonstrated a high level of competency and effectiveness in managing of all supply chain members involved in steel supply or production so that there was a sustainable and safe supply of steel. |
|       |
| **c.** | Please provide all the relevant details of previous breaches of health and safety legislation in the last 5 years, applicable to the country in which you operate, on comparable projects, for both: |
| (i) Your company |
|       |
| (ii) All your supply chain members involved in the production or supply of steel. |
|       |

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| **9.4** | **Suppliers’ Past Performance – Do Not Complete**  |
| **Question no.** | **Question** | **Response** |
| **a.** | The guidance on this section states it is for use in Central Government procurements with a value over £20 million. The questions have therefore been included only as a guide to developing appropriate and proportionate questions for similar Local Government procurements. Can you supply a list of your relevant principal contracts for goods and/or services provided in the last three years? | [ ]  Yes[ ]  No |
| **b.** | On request can you provide a certificate of performance from those customers on the list?  | [ ]  Yes[ ]  No |
| **c.** | If you cannot obtain a certificate of performance from a customer can you explain the reasons why? | [ ]  Yes[ ]  No |
| **d.** | If the certificate of performance states that goods and/or services supplied were not satisfactory are you able to supply information which shows why this will not recur in this contract if you are awarded it?  | [ ]  Yes[ ]  No |
| **e.** | Can you supply the information in questions a. to d. above for any sub-contractors [or consortium members] who you are relying upon to perform this contract?  | [ ]  Yes[ ]  No |

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| **9.5** | **Quality Management** |
| **Question no.** | **Question** | **Response** |
| a. | Does your organisation have a recognised quality management certification e.g. BS/EN/ISO 9001 or equivalent?If yes, please provide details: | [ ]  Yes[ ]  No |
|       |
| b. | Does your organisation have a written Quality policy?If yes, please:a) Confirm that a copy of your organisation’s Quality policy will be provided on request.b) Provide details of how does your organisation communicate its quality policy to:* Those concerned with recruitment, training and promotion
* Employees, recognised trade unions or other representative groups of employees
* Prospective employees

(Maximum 250 words)If no, please provide details of the quality management processes and procedures your organisation uses to ensure that it is managed properly and that legal requirements are met (or explain why such processes and procedures are not in place):(Maximum 250 words) | [ ]  Yes[ ]  No[ ]  Confirmed      |
|  |
| c. | Please provide details of how your organisation manages, monitors and ensures compliance with:\*Please see the example detailed below which should be deleted, amended or added to as appropriate to the contact* Health and Safety Requirements.
* Document control and record keeping.

(Maximum 250 words) |
|       |
| d. | Do you have an Officer or Third Party responsible for your organisation’s quality?If yes, please provide details including name, qualifications & experience relevant to Quality: (Maximum 250 words) | [ ]  Yes[ ]  No |
|  |

|  |  |
| --- | --- |
| **9.6** | **Disclosure and Barring Service (DBS) Checks Complete selected only** |
| **Question no.** | **Question** | **Response** |
| **a.** | Use where individual working on the contract will perform work/services which are defined as regulated activity (involving close and unsupervised contract with vulnerable groups)Please confirm that you operate and manage a process for DBS checks on personnel, including employees and sub-contractors, who may in the course of their duties, come into contact with vulnerable groups e.g. the elderly, young people and people with a physical or mental disability? | [ ]  Yes[ ]  No |
| **b.** | Please confirm that you are you willing to supply details relating to relevant personnel upon request? | [ ]  Yes[ ]  No |

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| --- | --- |
| **9.7** | **Construction Industry Scheme (CIS)** |
| **Question no.** | **Question** | **Response** |
| **a.** | Is your organisation registered with the [HM Revenue & Customs Construction Industry Scheme](http://www.hmrc.gov.uk/cis/) (CIS): | [ ]  Yes[ ]  No |
| **b.** | Please confirm that a copy of your (CIS) Registration Card or Sub-contractors tax certificate will be provided on request. | [ ]  Yes[ ]  No |

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| --- | --- |
| **9.8** | **Safeguarding and Security** |
| **Question no.** | **Question** | **Response** |
| **a.** | Please confirm that you either have a Safeguarding of Vulnerable Adults policy that has been reviewed in the last year or are willing to put one in place by the commencement of the contract? | [ ]  Yes[ ]  No |
| **b.** | Please confirm that you either have a Child Protection policy that has been reviewed in the last year and complies with the Safeguarding Children Board’s policy and procedure or are willing to put one in place by the commencement of the contract? | [ ]  Yes[ ]  No |
| **c.** | Please confirm that you either have a Lone Working policy that has been reviewed in the last year or are willing to put one in place by the commencement of the contract? | [ ]  Yes[ ]  No |
| **d.** | Please confirm that you either have a Staff Code of Conduct that covers such areas as professional boundaries and the acceptance of gifts or are willing to put one in place by the commencement of the contract? | [ ]  Yes[ ]  No |
| **e.** | Please confirm that you either have a Whistleblowing policy that has been reviewed in line with current law or are willing to put one in place by the commencement of the contract? | [ ]  Yes[ ]  No |
| **f.** | Please confirm that you either have a Complaints/Comments policy for service users that has been reviewed in the last year or are willing to put one in place by the commencement of the contract? | [ ]  Yes[ ]  No |
| **g.** | If you have not confirmed all of the requirements above, please provide details of your safeguarding and security arrangements below: |
|       |

|  |  |
| --- | --- |
| **9.9** | **Business Continuity / Disaster Recovery** |
| **Question no.** | **Question** | **Response** |
| **a.** | Does your organisation have a written Business Continuity / Disaster Recovery policy? | [ ]  Yes[ ]  No |
| If **yes**, please:1. Confirm that a copy of your organisation’s Business Continuity / Disaster Recovery policy and evidence of its implementation and any non-compliance procedures will be provided on request.

If **no**, please provide details of the Business Continuity / Disaster Recovery provisions, processes and procedures your organisation would use to identify and mitigate adverse conditions, both internal and external, to ensure the continuation of operations (or explain why such processes and procedures are not in place):(Maximum 500 words) | [ ]  Yes[ ]  No |

|  |  |
| --- | --- |
| **9.10** | **Audit and Information Security** |

Use this version for contracts where a high level of information security is required.

Where the level of detailed below is too complex for the specific provider market (e.g. individual owner operator taxi drivers, micro business / community enterprises) please see the alternate information security questions in the section below which will include a checklist based on a basic level of standards.

Audit Testing: Where there is a requirement for the processing of personal and/or sensitive personal data**,** the Council will award the contract subject to satisfactory audit testing.

Audit testing may include a site visit to the successful tenderer’s premises and data hosting site to seek assurances that effective security and information governance procedures are in place. Any non-conformities will be shared with the Successful Tenderer who will be required to agree a correction plan to rectify the audit findings.

|  |  |
| --- | --- |
| a. | Information Security Policies and StandardsThe Council has ISO27001 accreditation and has established an Information Security Management System (ISMS) in accordance with the requirements of ISO27001 and ISO27002 code of practice for information security controls. The Provider will be required to provide a level of information security assurance for both Council Information and personal data/sensitive personal data which is compliant with current data protection legislation and information security best practice.Please explainHow incidents, which may affect the security of Council Information and personal data/sensitive data are identified, reported and managed.Does your organisation hold any security related certifications and/or accreditations e.g. ISO27001 Response: |
|       |
| b. | PasswordsTo enable the Council to be satisfied that appropriate levels of Data Security are in place, please answer the following questions with regard to logons to systems or accounts that can be used to access personal data/sensitive personal data.Password Complexity Do passwords comply with the following:

|  |  |
| --- | --- |
| A minimum password length of 12 characters. | [ ]  Yes[ ]  No |
| A minimum of 4 of the 5 components detailed below (please tick to identify):[ ]  Numeric – (0-9)[ ]  Uppercase – (A-Z)[ ]  Lowercase – (a-z)[ ]  Special Characters (? @, #, %, etc.…)[ ]  Spaces | [ ]  Yes[ ]  No |
| If No to the above, please confirm if you would commit to implementing these requirements prior to the start of the contract. | [ ]  Yes[ ]  No |

Password Change/Refresh

|  |  |
| --- | --- |
| Are users forced to change/refresh passwords? | [ ]  Yes[ ]  No |
| If yes, how often are passwords refreshed? |       |
| If No to the above, please confirm if you would commit to implementing these requirements prior to the start of the contract. | [ ]  Yes[ ]  No |

Password Creation, Storage and Transmission to Users In regard to system administrators please describe:How passwords are created:

|  |
| --- |
|  Response  |

How passwords are sent/transmitted to users:

|  |
| --- |
|  Response  |

How password data is stored:

|  |
| --- |
|  Response  |

Password recoveryPlease describe how passwords are recovered/reset, e.g in the event of a forgotten password:

|  |
| --- |
|  Response  |

 |
| c. | Security of dataTo aid compliance with the Data Protection Act 2018, the UK’s implementation of the General Data Protection Regulation (GDPR), the Council requires your organisation to protect personal information.Please provide details about how your organisation protects data, including in your response;Encryption of electronic devicesEncryption of data stored on hard drives and other physical media where there is a requirement to process personal data/sensitive personal data.Encryption of backups where there is a requirement to process personal data/sensitive personal data.Protection and storage of paper recordsAccess to your buildingsResponse: |
|       |
| d. | Privacy Electronic Communications Regulations 2015 (PECR)The PECR sit alongside the Data Protection Act and give people specific privacy rights in regard to communications, and include specific rules in regard to:marketing calls, emails, texts and faxes;cookies (and similar technologies);keeping communications services secure; andcustomer privacy as regards traffic and location data, itemised billing, line identification, and directory listings.For additional information: <https://ico.org.uk/for-organisations/direct-marketing-and-privacy-and-electronic-communications/guide-to-pecr/what-are-pecr/> |
| Do the Privacy Electronic Communications Regulations 2015 (PECR) apply to your organisation?  | [ ]  Yes[ ]  No |
| If Yes, please confirm that your organisation complies with the PECR requirements. | [ ]  Yes[ ]  No |
| e. | User AccountsPlease describe how user accounts of IT systems are created and maintained, including in your response;How requests for new user accounts are verified and authorised;How disabled, suspended and in-active user accounts are managed.Response: |
|       |
| f. | Audit TrailThe Council requires the Provider to maintain an audit trail in relation to personal data that is recorded, processed or analysed electronically.Please confirm that the following data would be captured in an audit trail of any IT systems used to process personal data under this contract:Date and time of transaction;User ID and name of the individual undertaking the transaction;Details of the data before and after the transaction;Details of the user’s MAC or IP Address (subject to whether the connection is internal or external) of the IT equipment for the user making the connection;Details of which activities undertaken by the System Administrator(s) will appear in the audit trail;Data exported from within the system.Response: |
|       |
| g. | Audit Trail ExtractionsThe Council’s Audit Services Unit may require the ability to extract the IT system(s) audit trail information (as detailed in the previous requirement) for a user over a defined period. e.g. 3 months.The Council’s Audit Services Unit may require the ability to extract the IT system(s) audit trail information (as detailed in the previous requirement) for a user over a defined period. e.g. 3 months.Please confirm whether the audit trail information can be extracted into an electronic format e.g. CSV.Response: |
|       |
| h. | User AwarenessThe Council requires that any IT system used by the Provider to record or process personal data must have a facility to remind authorised users of their obligations when accessing the IT system e.g. use of a logo banner or welcome screen. Please confirm that your organisation is able to meet this requirement. Response: |
|       |
| i. | Third Party organisationWhere you intend to use a 3rd party e.g. subcontractors, partner organisations etc. to deliver services under this contract, please confirm how you will ensure that they will comply with these Information Security requirements. Response: |
|       |
| j. | Government-backed Cyber Essentials PlusPlease confirm you have the Government-backed Cyber Essentials Plus or equivalent.If no please confirm you are willing to put in place the Government-backed Cyber Essentials Plus or equivalent before the contract commences.Further information is available on the Government-backed scheme: https://www.gov.uk/government/publications/cyber-essentials-scheme-overview | [ ]  Yes[ ]  No[ ]  Yes |

|  |  |
| --- | --- |
| **9.10** | **Audit and Information Security BASIC – Do Not Complete** |
| Individuals, organisations and the voluntary sector are integral in assisting the Council to deliver a variety of essential services across South Derbyshire. To provide a number of these services access to personal data in respect of the individuals to whom services will be provided may be required. As a responsible organisation, the Council is required by law, to take all reasonable steps to ensure that personal data covered by the Data Protection Act 1998 is protected against unauthorised access or loss. With this in mind, the Council has produced a checklist of the basic information security standards that are required where the storing, handling, processing and/ or retention of personal data are incidental to the service being provided. **The following questions should be answered with regard to any personal data or sensitive personal data held in respect of this contract.** |
| **Question no.** | **Question** | **Response** |
| **a.** | Paper records and IT equipment containing confidential or personal data must not be left unattended and shall be kept securely and locked away at the end of each working day. | [ ]  Yes[ ]  No |
| **b.** | The confidential or personal data must be shredded when no longer required. | [ ]  Yes[ ]  No |
| **c.** | When transporting confidential or personal data by vehicle all records must be held securely when left unattended.  | [ ]  Yes[ ]  No |
| **d.** | Confidential or personal data sent electronically including spreadsheets, letters and schedules shall be protected with a minimum of an 12 character password. | [ ]  Yes[ ]  No |
| **e.** | Confidential or personal data shall not be sent via SMS, text or instant messaging services.  | [ ]  Yes[ ]  No |
| **f.** | In the event that the confidential or personal data is lost or stolen, the Council must be notified as soon as possible. | [ ]  Yes[ ]  No |
| **g.** | Anti-virus software shall be installed on IT equipment holding confidential or personal data with the automatic update activated. | [ ]  Yes[ ]  No |
| **h.** | Mobile devices including phones and iPads confidential or personal data must be secured by the use of a ‘PIN’. | [ ]  Yes[ ]  No |
| **i.** | Where possible, PCs and laptops holding confidential or personal data shall be encrypted. | [ ]  Yes[ ]  No |
| **j.** | Obsolete PCs, laptops, USB devices, iPads, smartphones etc. used to hold confidential or personal data shall be disposed of securely to ensure that the data on the hard drives is destroyed.  | [ ]  Yes[ ]  No |
| **k.** | Please confirm you have the Government-backed (Refer to Supplier Information Security Policy to establish which accreditation is required it will depend on how sensitive the personal data is and volumes processed Cyber Essentials Cyber Essential Plus or equivalent accreditation.If no please confirm you are willing put in place the Government-backed Cyber Essentials Cyber Essentails Plus or equivalent before the contract commences. Further information is available on the Government-backed scheme: <https://www.gov.uk/government/publications/cyber-essentials-scheme-overview> | [ ]  Yes[ ]  No[ ]  Yes |

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| --- | --- |
| **9.11** | **General Data Protection Regulations** |
| **Question no.** | **Question** | **Response** |
| **a.** | The General Data Protection Regulations which strengthen and unify data protection for individuals came into force on 25 May 2018.Please confirm that you are compliant with the obligations that apply to your organisation. | [ ]  Yes[ ]  No |

|  |  |
| --- | --- |
| **.12** | **Compliance with equality legislation** |
| **Question no.** | **Question** | **Response** |
| **a.** | Does your organisation comply with the requirements of the Equality Act 2010 (or equivalent legislation in the country in which you are located)? | [ ]  Yes[ ]  No |
| **b.** | In the last three years * Have any finding of unlawful discrimination, victimisation, harassment or failure to make reasonable adjustments, been made against your organisation by any court or employment tribunal (or in comparable proceedings in any other jurisdiction)?
* Has your organisation been the subject of a formal investigation by the Equality and Human Rights Commission?

If **yes**, please provide details including what steps your organisation took in consequence of this  | [ ]  Yes[ ]  No |
|       |
| **c.** | 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 |

|  |  |
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| **9.13** | **Environmental Management** |
| **Question no.** | **Question** | **Response** |
| **a.** | Does your organisation comply with the environmental legislation and/or regulations that apply to your organisation and its activities? | [ ]  Yes[ ]  No |
| **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)? If **yes**, please provide details including any remedial action or changes you have made as a result of conviction or notices served. | [ ]  Yes[ ]  No |
|       |
| **c.** | 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 |

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| **9.14** | **Health and Safety** |
| **Question no.** | **Question** | **Response** |
| **a.** | Does your organisation comply with the requirements of the Health and Safety legislation that apply to your organisation and its activities? | [ ]  Yes[ ]  No |
| **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? If **yes**, please provide details of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. | [ ]  Yes[ ]  No |
|       |
| **c.** | 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 |

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| **9.15** | **Regulatory Bodies – Financial Services - Do Not Complete** |
| **Question no.** | **Question** | **Response** |
| **a.** | Is your organisation authorised by [Regulatory body details] to carry out [Regulatory body details] regulated activities.Please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | [ ]  Yes[ ]  No |
| If **Yes**, please confirm that evidence will be provided upon request. | [ ]  Yes[ ]  N/A   |

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| --- | --- |
| **9.16** | **Credit Rating**  |
| **Question no.** | **Question** | **Response** |
| **a.** | A minimum Credit Safe credit rating of 30 or a Dunn & Bradstreet score of 45 is required for this contract.Please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | [ ]  Yes[ ]  No |
| If **Yes**, please confirm that evidence will be provided upon request. | [ ]  Yes[ ]  N/A |

|  |
| --- |
| **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 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. |
|  |
| **Section 1** | **Contact details and declaration** |
| **Question no.** | **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 |       |

**Annex B1 – Template for Appendices**

|  |
| --- |
| **Appendix Number -** |
| **Annex B1 section -** |
| **Question number -** |
|  |

ANNEX B2
SPECIFICATION

SEE SEPARATE document

ANNEX B2 sPECIFICATION

This Specification forms part of the Specification and Tender Response Document. It will form part of the Contract between the Authority and the Supplier.

The specification is included as a separate document (ANNEX B2 Specification, statement of requirements) with annexes See Tender document list.

**Note to Bidders:**

**The Bidder must respond to each row of the Specification table below.**

**Write "Confirmed" to confirm acceptance of the row.**

**If not accepted, the Bidder must state why not and propose its alternative drafting. This must be full form drafting capable of being inserted into the contract.**

**Note: the Bidder will not be permitted to add to this list or amend proposals to the Authority's detriment after the deadline for Tender submission.**

**Specification –** **Part 1: General**

|  |  |
| --- | --- |
| Specification | Bidder's response |
| 1 GeneralThe Supplier shall provide the services as follows: See Annex B2 Specification and associated annexes |  |
| 2 Commencement Date: 1/10 2024 |  |
| 3 Term: 36 months with the option to extend for 24 months |  |
| 4 Contract Manager for the Authority:  | TBC: Kathy Mardon, Procurement and Contracts Lead |
| 5 Contract Manager for the Bidder:  | Name:  |
| 6 Notices shall be served in writing on the Bidder by delivering them to the following person: | Name:Address:Role:  |
| 7 Notices shall be served in writing on the  Authority by delivering them to the following  person: | Name: Tracy BinghamAddress: South Derbyshire District Council, Civic Offices, Civic Way Swadlincote Derbyshire. DE11 0ANRole: Executive Director of Resources and Transformation |

**Specification –** **Part 2: Services only**

| **Specification** | **Bidder's Response** |  |
| --- | --- | --- |
|  **Key performance indicators** The Supplier will comply with the following key performance indicators: See Annex S8 Performance Measurement |  |
| **Authority's premises and locations direct** The Supplier will provide Services at the following Authority premises and locations:See Annex B2 Specification |  |
| **Equipment** The Authority will provide equipment for use by the Supplier in accordance with the following: E- Procurement System |  |
| **Staff** Supplier Staff who will be treated as key staff are:TBC |  |
| **Review meetings** The following applies in relation to review meetings: See Annex B2 Specification |  |
| **Service credits** The Supplier will pay service credits in the circumstances and amounts set out below:See Annex S8 Performance Measurement |  |
| **Electronic Trading System** The Supplier and the Authority will use the following Electronic Trading System:E procurement System provided by the supplier  |  |
| **Supply to the Authority of information, data and other records and documents** The Supplier will provide information, data and other records and documents to the Authority as follows:See Annex B2 Specification and Annex S6 Management Information. |  |
| **Information security management** The Supplier will put in and maintain an information security management plan:See Annex B1 Audit and information Security |  |
| **Cyber essentials scheme** The Supplier will comply with the Government's Cyber Essentials Scheme controls as follows:* Firewalls.
* Secure Configuration.
* User Access Control.
* Malware Protection.
* Patch Management.
 |  |

Specification – Part 3: Goods only

NOT USED

ANNEX B3
TENDER RESPONSE DOCUMENT

see SEPARATE ANNEX B3 Tender Response Document

**Note to Bidders: Your response to Annex B3 will form part of the Specification and Tender Response Document as defined in the contract. As such, it will form part of your contractual obligations to the Authority if you are awarded a contract.**

TECHNICAL AND QUALITY QUESTIONS AND METHOD STATEMENTS

1. Method statement questions

The following is to be completed by the Tenderer and returned as part of the Tender Submission. Please use the space provided below each question to give your response (boxes will expand).

Alternatively you may choose to attach your responses as appendices on separate sheets of paper; if choosing this option please ensure that reference to the relevant appendix number is given in the space provided below each question and that the appendices themselves are clearly marked e.g. Appendix 1 – Response to B3 2.1.

Overview

Please provide a concise summary highlighting the key aspects of the proposal. (This response is not evaluated and should be used to contextualise your detailed responses).

|  |
| --- |
| Response ([maximum 500 words]) |
|  |

**2. Sub-contractors**

 Please specify any areas or elements for which you wish to use a subcontractor and provide the following details:

 2.1.1 Which subcontractor you wish to use and for what elements;

 2.1.2 What reasons you have for such subcontracting;

 2.1.3 Why particular third parties would be chosen;

 2.1.4 Any existing relationship with each such subcontractor; and

 2.1.5 How you would ensure that appropriate management controls would be put in
 place.

Please explain what contractual arrangements you have (if any) with subcontractor(s) to ensure that your obligations to the Authority will adequately flow down to the subcontractor(s).

|  |
| --- |
| **Response**  |
|  |

ANNEX B4
cOMMERCIAL SCHEDULE

See Separate Document Annex B4 Commercial ScHedule

1. GENERAL INSTRUCTIONS
	1. All pricing should be in pound sterling (£GBP). If applicable please convert you currency into UK sterling using the rate published by the European Central Bank on the date you submit your Tender.
	2. Costs should be quoted exclusive of VAT. Please confirm this in your Commercial Schedule, and indicate if the project will attract VAT and at what rate.
	3. If your proposal includes costs for sub-contractors, these costs must be identified and shown inclusive of any VAT they will charge you.
2. PRICING MODEL AND CONNECTED QUESTIONS (Please send the Commercial Schedule as a separate Excel spreadsheet)

Please [complete the Annex B4 Commercial schedule for each LOT you are bidding for

* 1. Please give information on your overall approach to the following:
		1. How charges will be calculated for each element of the goods/services/works; and
		2. The proposed payment profile over time.

2.4 [Insert any further questions (and space for the Bidder's response) which may help to evaluate the cost/pricing proposition of each Bidder] [Delete if not required]

3. **ACHIEVING SAVINGS**

3.1 Would you commit to reducing your charges over the life of the contract? Please give details of how this would apply and how you would approach taking into account any initial investment by you to achieve particular savings.

|  |
| --- |
| **Response**  |
|  |

ANNEX B5
CONFIDENTIAL AND COMMERCIALLY SENSITIVE INFORMATION

1. INFORMATION SUPPLIED BY THE AUTHORITY
	1. All the information that the Authority supplies as part of this contract may be regarded as Confidential Information.
2. INFORMATION THAT THE BIDDER CONSIDERS TO BE EXEMPT FROM DISCLOSURE
	1. The Bidder considers that the type of information listed below is exempt from disclosure under the Freedom of Information Act 2000 ("**FOIA**") and/or the Environmental Information Regulations 2004 ("**EIR**") for the reasons given below.

|  |  |  |
| --- | --- | --- |
| **Information considered exempt from disclosure (include page/paragraph reference)** | **Reason for FOIA/EIR exemption**  | **Period exemption is sought**  |
|  |  |  |
|  |  |  |
|  |  |  |

ANNEX B6
ADMINISTRATIVE INSTRUCTIONS

1. CONTRACT MANAGERS
	1. For the Supplier, the Contract Manager at the commencement of the contract will be as follows:

|  |  |
| --- | --- |
| **Name** | [*Insert name*] |
| **Contact details** | [*Insert address, e-mail address*] |
| **Role** | [*Insert details]* |

1. NOTICES
	1. Any notices served on the Supplier under the contract are to be delivered to:

|  |  |
| --- | --- |
| **Name** | [*Insert name*] |
| **Address** | [*Insert address*] |
| **Role** | [*Insert details*] |

1. MANAGEMENT LEVELS FOR DISPUTE RESOLUTION
	1. The management levels at which a dispute will be dealt with are as follows:

|  |  |
| --- | --- |
| **Level** | **Supplier representative** |
| 1 | *Contract manager*] |
| 2 | [*Insert role*] |
| 3 |  |

ANNEX B7
FORM OF TENDER

**DECLARATIONS BY THE BIDDER (TO BE SIGNED AND RETURNED BY THE BIDDER)**

**FORM OF TENDER, NON-COLLUSION, CONFLICTS OF INTEREST AND ANTI-CANVASSING**

**DECLARATIONS**

**TO:**

PROPOSAL TO [PROVIDE a

Corporate Procurement Support Service

REFERENCE NUMBER: REF SDDCFIN20240731

**Form of Tender**

We have examined the invitation to tender ("**ITT**") dated *31 July 2024* and all accompanying annexes and schedules. This Tender is made subject to the terms of the ITT, including but not limited to the instructions to Bidders.

We declare that to the best of our knowledge the answers submitted in response to the Eligibility Questions (Annex B1 of the ITT) are correct.

We tender against the requirements, and offer to enter into a contract with the Authority comprising the following:

The South Derbyshire District Council Terms and Conditions (Annex A1(a) of the ITT);

The Specification (Annex B2 of the ITT) [including our response to the Specification]

Our responses to the Tender Response Document (Annex B3 of the ITT); and

Our response to the Commercial Schedule (Annex B4 of the ITT).

Accordingly, this Tender is a contractual offer capable of acceptance by the Authority.

If the Authority accepts this Tender, we will execute any agreement that the Authority produces to record in one place the offer and acceptance. We undertake to keep the Tender open for acceptance by the Authority for a period of ninety (90) days from the deadline for receipt of Tenders. We understand that you are not bound to accept the lowest priced, or any, Tender.

**Non-collusive tendering**

In recognition of the principle that the essence of tendering is that the Authority shall receive bona fide competitive Tenders from all those tendering, we certify that this Tender is a bona fide Tender that is intended to be competitive.

We have not fixed or adjusted the amount of this Tender under, or in accordance with, any agreement or arrangement with any other person.

We have not done, and we undertake that, we will not do at any time before the hour specified for the return of the Tender any of the following acts:

Communicate to a person other than the Authority the amount or approximate amount of the proposed Tender (except where the disclosure, in confidence, of the approximate amount of the Tender was essential to obtain insurance premium quotations required for the preparation of the Tender);

Agree with any person that they shall refrain from tendering or as to the amount of any Tender to be submitted; and

Offer to pay or give 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 to any other Tender any act or thing of the sort described above.

**Conflicts of interest**

We acknowledge that we are responsible for ensuring that no conflicts of interest exist between us (and our advisers) and the Authority.

So far as any possible conflict of interest has arisen, we have notified the Authority promptly in writing of that potential conflict of interest and have taken any steps agreed with the Authority to avoid the conflict.

We acknowledge that if we fail to comply with this requirement, we may be disqualified from the procurement at the discretion of the Authority.

**Anti-canvassing confirmation**

We have not canvassed or solicited any member, officer or employee of the Authority, in connection with the proposed contract award and to the best of our knowledge and belief nor has any person employed by us or acting on our behalf done any such act.

We further undertake that we will not in the future canvass or solicit any member, officer or employee of the Authority, in connection with the proposed contract and that no person employed by us or acting on our behalf will do any such act.

Name of person duly authorised to sign tenders:

Date: .............................................................................

Name: .............................................................................

In the capacity of: ................................................................

Duly authorised to sign tenders for and on behalf of:

............................................................................................

**By completing this Form of Tender and submitting your Tender you have agreed that the statements in this Form of Tender are correct and that you have complied, and will continue to comply, with the Authority's policies on non-collusion, conflicts of interest and anti-canvassing.**