

The Department of the Environment

**Jersey Shoreline Climate Resilience Management
Plan (Rev: C)**

Pre-Qualification Questionnaire Information Document

V1.0 12th Feb 2018

About this Document

This document provides the full information about the opportunity to which the Procurement refers. If you are considering responding to this PQQ you should read all the sections of this document.

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1. GENERAL INFORMATION

The Opportunity

The pre-qualification process is being conducted using the new States of Jersey E-PQQ. Details of how to use this system can be found at Appendix A.

The Contracting Authority

The Contracting Authority is the government of the Island of Jersey and the States of Jersey are responsible for the management of the Island's finances and operation of its public services. Jersey does not sit within the European Union but as the States of Jersey are a public sector body it applies the principle of transparent procurement practices in accordance within the boundaries of their own laws and financial regulations.

The Government employs in the region of 6,500 staff and is currently organised into the following Ministerial Departments:

- Chief Ministers (CMD)
- Economic Development, Tourism, Sport and Culture (EDTSC)
- Education Department(ED)
- Home Affairs (HA)
- Health & Social Services (HSSD)
- Non-Ministerial
- Planning & Environment (P&E)
- Social Security (SSD)
- Department for Infrastructure (Dfi)
- Treasury & Resources (T&R)

The functions of the Ministerial Departments follow similar roles to the UK Government but on a smaller scale, often resulting in more diverse requirements.

In addition to the Ministerial Departments, there are several trading bodies (established either as stand-alone, incorporated organisations 100% owned by the Contracting Authority, or established as private-sector organisations with a substantial shareholding held by the Contracting Authority).

The States of Jersey is self-governing with its own Laws, taxation, license to work and housing regulations. It is strongly advised that all Applicants gain a full understanding of the requirements of living and doing business in Jersey before applying for this opportunity.

Legal Requirements for working within Jersey

The successful Tenderer will be required to apply for and obtain a 'Business Licence' from the Population Office of the States of Jersey and to register for GST with the Treasury of the States of Jersey.

The Tenderer shall consider the implications of the Control of Housing and Work (Jersey) Law 2012 prior to the submission of the proposal (see link below).

<http://www.jerseylaw.je/Law/display.aspx?url=lawsinforce%2fhtm%2fLawFiles%2f2012%2fL-31-2012.htm>

Further information on Business Licence can be obtained from the Population Office on 01534 448905.

Further information on GST can be obtained from the GST helpdesk on 01534 440555 to seek advice on specific circumstances.

For more information regarding the Contracting Authority, Applicants are directed to the following websites:

- www.gov.je
- www.statesassembly.gov.je

Stakeholders

The Contracting Authority has identified a wide range of stakeholders in the Shoreline Climate Resilience Management Plan Project. These are summarised but not limited to the following;

- Jersey government departments
- Parishes
- Major coastal landowners
- Residential interest groups
- Commercial interest groups
- Conservation bodies e.g. National Trust, RSPB
- Recreational groups e.g. Jersey Surfboard Club
- Cultural and historic interest groups e.g. Jersey Heritage
- NGOs e.g. Jersey Climate Action Network (JCAN), Save our Shoreline (SOS), Jersey in Transition & Citizens advice bureau etc
- Association of Jersey Charities
- Finance sector e.g. Jersey finance, Jersey Business
- Energy providers/organisations e.g. Jersey Gas, Oil co's, JEC & Jersey Energy
- Construction industry reps e.g. Jersey Construction Council (JCC), Association of Jersey Architects, Jersey Development Corporation (JDC)
- Jersey voluntary & community sector groups e.g. surfers against sewage
- Service providers e.g. Jersey Water, JT, Andium Homes
- Coastal businesses e.g. Yacht clubs

Contracting Authority Commitment to Procurement 'Best Practice'

The Contracting Authority understands the level of commitment required to pursue an opportunity such as this. The structure of this procurement process has been designed to ensure an efficient process, which is fair, open, non-discriminatory and an auditable, competitive process.

Compliance with Policy and Strategy

The Contracting Authority requires all applicants to take into account the objectives of the Contracting Authority as set out in this document.

Fraud, Corruption & Whistle-blowing

The Contracting Authority is committed to maintaining the highest standards of professionalism and integrity, and in ensuring that all of our Contractors undertake to provide their services with honesty, probity and political impartiality. The Contracting Authority treats malpractice or impropriety very seriously. The Contracting Authority expects Applicants to implement their own robust procedures to ensure ethical standards throughout their workforce.

Quality Assurance

Quality in the provision of works and services is paramount to the Contracting Authority. The Contracting Authority will require the Contractor to have in place appropriate quality assurance processes and procedures.

Applicant and Relevant Companies

The Contracting Authority anticipates that prospective Applicants may be:

- sole legal entities; or
- groups of legal entities e.g. consortium, joint ventures, unincorporated associations or partnerships; who are able to offer the full range of skills, experience, technical, legal and financial capability and economic strength to meet the requirements of the Project.

This section defines the terms 'Applicant' and 'Relevant Company' as used in this PQQ.

Definition: Applicant

Within this PQQ, the party submitting a response to the PQQ is referred to as an 'Applicant' regardless of whether it is a single bidding organisation or the lead organisation for a consortium or joint venture bid.

The Applicant is required to answer all the questions and provide all the additional information requested within this PQQ in accordance with the specific instructions set out in this PQQ.

The Contracting Authority wishes to establish the best possible understanding of the technical, legal and financial standing of the parties responding to this PQQ and therefore the Contracting Authority is seeking information from both the Applicant and its Relevant Companies, if any.

Definition: Relevant Company

In the case of a consortium or joint venture response to this PQQ, the term 'Relevant Company' is used to refer to each party of the consortium or joint venture in addition to the Applicant. A Relevant Company, in this context, may mean a sole proprietor, partnership, limited liability partnership, company, co-operative, trust or any other legal entity.

Within the Pre-Qualification Questionnaire section of this PQQ, space is provided for the Applicant to list all the organisations it proposes to include in its structure in addition to the Relevant Company (or Relevant Companies as appropriate) for the Project. Each organisation should be listed and its role identified in the legal structure required from Applicants when responding to the PQQ.

Legal Structure

The Contracting Authority requires Applicants as part of their response to the PQQ to submit a structure diagram identifying the roles and relationships between the Applicant, all Relevant Companies, their respective parent or ultimate holding companies providing guarantees in relation to the Project, subcontractors, consultants and/or members of the professional team. The structure should ensure that as a minimum the following requirements are met:

- there is a single lead organisation responsible for all communication with the Contracting Authority and for ensuring obligations under the Contract are performed;

- the legal obligations and liabilities of the Contractor will be borne by an entity or entities which satisfy the financial and economic requirements set out within the PQQ, having regard to any parent or ultimate holding company;
- where the Applicant is or will be a joint venture, the obligations and liabilities of each party to the Contract (other than the Contracting Authority) will be joint and several, and any parent company or performance guarantees will apply to all such joint and several obligations and liabilities regardless of how (as between parties) such obligations or liabilities arose; and
- in the event of an insolvency or exit from the Contract of a Relevant Company, the Contractor will be capable of continuing to perform their obligations under the Contract.

The Contracting Authority will consider all compliant PQQ Applications.

2. PROCUREMENT ROUTE

Procurement Overview

The Project is being procured as a 'restricted' tender. This approach is consistent with the requirements imposed on the Contracting Authority by the Law and the Financial Directions. This section of the PQQ explains how the Contracting Authority intends to run the Procurement. Applicants should ensure that they understand the requirements and restrictions applicable to the Procurement, and understand the procedure described in this section of the PQQ.

The Procurement will be undertaken in the following phases:

PQQ

All Applicants must complete the E-PQQ using the instructions supplied. The purpose of the PQQ is to identify a shortlist of Applicants that will be issued with the ITT. The Selection Criteria will consider:

- an Applicant's compliance with mandatory and statutory requirements (where relevant to the Applicant's trading activities); and
- an Applicant's economic and financial standing; and
- an Applicant's technical and professional ability (to be demonstrated by the Applicant's responding to the questions set-down within the Pre-Qualification Questionnaire (PQQ)).

For further information on the evaluation criteria, please see section 6 of this document.

Competitive Tender

The tenders received will be evaluated against the Evaluation Criteria, and (if and where required) may be subject to clarification with the Tenderer, noting that such clarification process may involve attendance at a clarification interview.

Interview of the Tenderers

Following the evaluation of the written ITT responses an interview will be held with at least the 2 highest scoring tenderers.

The Interview will be scored and will contribute to the overall evaluation score. The interview will be used to review their tender and clarify any outstanding details as well as to meet the key people in the proposed project delivery team.

The Contracting Authority's interview team will comprise senior representatives from the Contracting Authority's project team. Each Tenderer selected for interview will be required to attend with relevant people specified by the Contracting Authority.

Award

Following the conclusion of the interview, the Tenderers will be advised of the outcome of the Procurement, and of the intention of the Contracting Authority to make an award.

The successful Tenderer may be then invited to enter into the Contract with the Contracting Authority. The unsuccessful Tenderers will be offered a debrief on their Tender.

Procurement Timetable

The **Indicative** Timetable for the procurement is set out in Section 5 of this PQQ Information Document.

Clarifications

The following procedure will be used for the management of clarifications.

- All clarifications raised by an Applicant must be raised in writing via the Portal only. Direct email or contact with any representative of the Contracting Authority will not be treated as a clarification, and may not be responded to by the Contracting Authority.
- Clarifications may only be raised in connection with the PQQ and the documents contained or referred to therein or the Procurement. No general clarifications can be raised in respect of other procurement opportunities that the Contracting Authority may or may not be engaged in.
- Clarifications must be raised by the Clarifications Deadline, as stated in Section 5 of this document. Only those clarifications raised by the Applicant prior to the Clarifications Deadline will be responded to by the Contracting Authority.
- As a general rule, the Contracting Authority will share the clarification and the responses provided to any clarifications raised with all Applicants. Should an Applicant wish to raise what the Applicant believes to be a commercially-sensitive clarification, the following process should be followed:
 - a. Applicants are requested to mark their clarification 'COMMERCIAL IN CONFIDENCE' clearly at the commencement of the message that contains the clarification. The Contracting Authority will then review the clarification;
 - b. Where the Contracting Authority feels that, in order to respond to the clarification, further information will have to be issued to the Applicant, the Contracting Authority will respond to the Applicant advising of the need to do so, and that such a clarification is therefore not commercially-sensitive. The Contracting Authority will also invite the Applicant to withdraw such a clarification, or re-present the clarification for response;
 - c. The decision of the Contracting Authority in respect of whether a clarification is or is not commercially-sensitive is final.

3. EVALUATION OF APPLICANTS AND RELEVANT COMPANIES

Criteria for Prequalification

Financial and Economic Standing

Applicants and Relevant Companies interested in being selected to participate in tendering for the Project must demonstrate the Financial and Economic Standing as defined in the Questionnaire.

The Contracting Authority reserves the right to reject responses from Applicants and Relevant Companies who are unable to meet the criteria for Financial and Economic Standing.

Insurance Requirements

Applicants will be required to advise the Contracting Authority of the insurance cover currently held within the Questionnaire.

Minimum requirements have been set as follows;

Insurance Type	Minimum Requirement	Comments
Employers Liability	£10,000,000	This insurance should include an Indemnity to Principal clause and Waiver of Subrogation in favour of the Employer
Public Liability	£5,000,000	This insurance should include an Indemnity to Principal clause and Waiver of Subrogation in favour of the Employer
Professional Indemnity	£5,000,000	for each and every claim arising from this engagement

Applicants should be aware that the Contracting Authority reserves the right to require the Contractor to obtain insurance indemnity of a sum greater than currently held at ITT stage of the process.

The Contracting Authority reserves the right to reject responses from Applicants who are unable to meet the criteria for Insurance Cover.

Requirements of Relevant Companies

In the case of Relevant Companies, the Contracting Authority reserves the right to reject Applicants where one or more of their Relevant Companies fail the criteria specified in this PQQ.

Conflicts of Interest

Each Applicant and each Relevant Company must notify the Contracting Authority in their response to this PQQ if they are aware of any actual or potential conflict of interest concerning the commercial, financial or other

interests of the States of Jersey and the Applicant and/or the Relevant Company, which may be perceived by the public to compromise the conduct of the Procurement and/or the performance of the Contract.

If the Applicant and each Relevant Company believe there are no such conflicts of interest they must contain a statement to this effect in their response to the PQQ. The Contracting Authority reserves the right to reject responses from Applicants where a conflict of interest is viewed as affecting either or both the conduct of this procurement competition or the performance of the Contract. Applicants and Relevant Companies are under a continuing obligation to notify the Contracting Authority if circumstances change during this procurement exercise and any statements given to the Contracting Authority during this procurement exercise become untrue.

Ranking based on Experience and Capability

Applicants and Relevant Companies meeting all of the above criteria will be ranked according to the outcome of their scores across their response to the PQQ, which may include technical capability, capacity, experience and governance issues. In the event that scores are not sufficiently differentiated so as to make a clear choice of the required number of Tenderers, the Contracting Authority reserves the right to extend the PQQ phase of the Procurement by whichever means it determines is appropriate to meet its requirements and to discharge its duties under the Law and the Financial Directions.

PQQ Evaluation

Responses to this PQQ submitted on the Portal will be evaluated after the Deadline. The Contracting Authority will not consider responses submitted by any other means, and reserves the right to reject those responses that are received after the Deadline.

Selection of Evaluators

Evaluation will be carried out by specially selected personnel from and appointed by the Contracting Authority. Evaluators will be guided by objective evaluation criteria.

Responses Required For Information Only

Certain elements of the PQQ request contact and general information about the Applicant and its Relevant Companies. This is intended to be background information only. Although some of this information may provide context for evaluators, the information submitted in response to such questions will not be evaluated.

Scoring Method

In respect of the scored elements of the Selection Criteria, scoring will be undertaken by evaluators in submissions made by the Applicant against each of the Selection Criteria. Tenderers submissions will then be awarded a score of either 'Fail', '0', '1', '2', '3' or '4' . 4 being 100% of the available score. The Contracting Authority reserves the right to eliminate any Applicant achieving a score of 2 or below against any of the Selection Criteria.

Weighting of Scores

See Section 6 of this document for further information on the weightings of each question.

Confidentiality

Throughout the above process, confidentiality over the content of all Applicants' responses will be maintained.

Debriefing

The Contracting Authority will provide a reasonable de-brief to unsuccessful Applicants commensurate with the extent of information sought by the Contracting Authority.

Evaluation Process

Step 1: Completeness and Compliance check

- The Contracting Authority will establish whether all required information has been submitted by the Deadline.
- The Contracting Authority will then establish whether the Applicant or a Relevant Company shall be disqualified from this Procurement on the mandatory or discretionary grounds, following the Deadline.
- The Contracting Authority will establish whether the minimum standards specified in this PQQ in respect of economic and financial standing and technical and professional ability have been satisfied.

Only responses which have not failed, on one or more of the grounds set out above will proceed to steps 2 and 3 below.

Step 2: Financial Due Diligence

- Analysis of the financial information provided by Applicants and their Relevant Companies in their response.
- Financial due diligence will be conducted on the solvency and financial strength of the Applicant, its Relevant Companies and/or parent or ultimate holding companies if relevant.

Step 3: Assessment of Relevant Experience

- Evaluation of the technical capability and relevant experience of an Applicant and its Relevant Companies.

4. THE PROJECT – IN BRIEF

The States of Jersey (SoJ) wish to procure professional services to complete a Jersey Shoreline Climate Resilience Management Plan (SCRMP) and electronic flood risk maps.

The SoJ have been working with the National Oceanography Centre (NOC) to initiate the development of a SCRMP. The approach draws on the DEFRA Shoreline Management Plan guidance, tailored to meet the requirements of the Island. A coastal group consisting of representatives from across SoJ departments and key stakeholders has been established referred to as the SCRG (Shoreline Climate Resilience Group). This group are responsible for overseeing the development and delivery of the SCRMP.

The Key Objectives of the project are;

- Deliver the stakeholder engagement and communication plan in partnership with the SCRG.
- Develop models for island wide flood inundation combining hazards from coastal (waves and water level), fluvial and pluvial sources covering a range of storm event scenarios for a range of return periods. Summarised in modelling report.
- Prepare GIS layers and inundation maps suitable for publication and wider use within the SoJ.
- Develop coastal management policy options and impact assessments.
- Develop SCRMP action plans.
- Provide prioritised list of coastal sections requiring intervention, develop outline solutions including high level costs.
- Deliver a completed SCRMP

Variance to Scope

The Contracting Authority reserves the right to change the Scope of the Services as it may require, including the addition or omission of Services, and the sourcing of additional services relevant to the Services and the Project.

Applicants responding to the PQQ do not need to provide or evidence solutions or alternative solutions to the Scope in order to complete the PQQ. Any such proposals submitted by Applicants in response the PQQ will not be evaluated or considered by the Contracting Authority in the evaluation of Applicants responding to the PQQ.

5. IDENTIFIED TERMS

This document should be read in conjunction with the other parts of this PQQ all of which can be found on the Portal.

Deadline

The time and date by which you must submit your response to this PQQ on the Portal is **12.00 pm on 02/03/18**.

Clarification Deadline

The time and date by which the Contracting Authority must receive all requests for clarifications via the Portal to the PQQ is **12 pm on 23/02/18**.

The Indicative Timetable

The Procurement began with the publishing of a Notice on the Portal on the date of launch of the Procurement.

The Procurement will be run in accordance with the restricted procedure (and as described elsewhere in this PQQ).

The following **indicative** timetable specifies key dates in the process:

Activity	Date
PQQ Issue Date	12/02/18
PQQ Closing Date	02/03/18
Review and approve ITT contractors list	09/03/18
ITT Issue Date	12/03/18
Tender close time & date	20/04/18
Review & evaluate ITT response	27/04/18
Interview contractor/s	04/05/18
Preferred supplier notified	11/05/18
Contract signed	15/05/18
Commence Services	22/05/18

All Dates above are approximate, and based on the present intentions of the Contracting Authority.

The Contracting Authority reserves the right to amend these timescales and to introduce an additional stage or stages into the selection process.

6. SELECTION CRITERIA

The Selection Criteria are described below, along with the weightings allocated to those specific questions that are scored. Each PQQ question that is scored will be given a specific weighting as part of the evaluation process. Details of the exact questions that are scored can be found within the PQQ.

Section	Number	Question	Evaluation Method	Score
A	1 to 19	Company Information	NA*	-
B	1 to 21	Declarations and Conflicts of Interest	Pass / Fail	-
C	1	Insurances	Pass / Fail	-
C	2	Insurance Letter	Pass / Fail	-
D	1	Three Years' Trading	Pass / Fail	-
D	2	Audited Accounts		
D	3	Outstanding Claims		
D	4	Financial Investigation		
D	5	Post Balance Sheet Events		
D	6	Alternative Means		
D	7	Tax		
D	8	Social Security		
D	NA	Credit Check		
E	1	Case Studies	Scored	65
F	1	Quality Management	Scored	15
F	2	Environmental Management	Scored	10
F	3	Information Management	Scored	10

*The Contracting Authority reserves the right to review the responses received from the Applicant and reject the Application should the Applicant score 2 or less against any criterion and or if information provided not be acceptable to the Contracting Authority (such right being applied rigidly, though not vexatiously or without merit).

7. DISCLAIMERS

Any disclaimers or limitations in this PQQ (whether appearing under the heading of Disclaimer or otherwise) shall apply to and be for the benefit of the Contracting Authority, its advisers and / or representatives acting on behalf of the Contracting Authority and shall continue to apply to and be enforceable by the Contracting Authority.

The information in this PQQ is intended for information only. This PQQ does not purport to be comprehensive, all-inclusive or to contain all of the information that an Applicant may require to complete their PQQ Application. Words such as "anticipate", "expects", "projects", "intends", "plans", "believes", "will", and terms with similar meaning, indicate the present expectation held by the Contracting Authority of future events, which are subject to a number of factors and uncertainties that could cause the Contracting Authority requirements to differ from those described in this PQQ. If the Contracting Authority requirements change at any time during this procurement process, Applicants will be notified as soon as is reasonably practicable.

Any Applicant considering responding to this PQQ shall conduct their own due diligence and shall seek their own professional, financial, legal and other advice as appropriate. Neither this PQQ, nor any of the Information (as defined below), shall be regarded as an investment recommendation made by the Contracting Authority or by any of its advisers or representatives acting on behalf of the Contracting Authority.

Neither the Contracting Authority, nor any of its advisers or representatives acting on the Contracting Authority:

- accept any liability for the information, any statement, opinion and/or conclusion contained in this PQQ (including all supporting documentation) or for any written, oral or other communication transmitted or otherwise made available to any Applicant in connection with this procurement process ("Information");
- give any representation or warranty, express or implied, in relation to any of the Information and/or concerning the fairness, accuracy, adequacy or completeness of any of the Information; or
- shall be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on the Information, and / or the management of or conduct of the Contracting Authority during the Procurement.

The Contracting Authority reserves the right to:

- waive any requirements of this Procurement;
- request additional information or clarification from Applicants in relation to any aspect of their response to the PQQ;
- disqualify any Applicant that:
 - a. does not meet the minimum requirements set out in this PQQ; or
 - b. submits a response to this PQQ which is not in accordance with the Contracting Authority's instructions (as set out in this PQQ) and any such instructions may be supplemented by the Contracting Authority from time to time;
- withdraw this PQQ or any part of or the whole of this procurement process at any time or to re-invite responses on the same or any alternative basis;
- not award the whole of or a part of the Contract as a result of this procurement process; or

- make whatever changes it sees fit to the timetable, structure and/or content of the procurement process for any reason.

The Contracting Authority reserves the right to reject or disqualify an Applicant where:

- the response to the PQQ is submitted late, is completed incorrectly, is incomplete or fails to meet the Contracting Authority's requirements which have been notified to Applicants;
- the Applicant is unable to satisfy the terms of Part 4 of the Regulations at any stage during the Procurement;
- the Applicant or a Relevant Company is guilty of serious misrepresentation or fraud in relation to any response made by the Applicant, and/or any aspect of this procurement process;
- there is a change in identity, control, financial standing or other materially adverse change affecting the Applicant or Relevant Company which in the reasonable opinion of the Contracting Authority would have an adverse impact on, the reputation of the Contracting Authority the procurement process or the ability of the Applicant or a Relevant Company to perform the Contract; and/or
- there is an actual or potential commercial, professional, financial or other conflict of interest arising including one between the interests of the Contracting Authority and the Applicant, a Relevant Company, any sub-contractor of the Applicant or a Relevant Company or any of their respective professional advisers.

All Applicants and Relevant Companies are solely responsible for all their costs and expenses incurred in connection with this procurement exercise at all stages of the Procurement. Under no circumstances will the Contracting Authority, or any of its advisers or representatives acting on its behalf, be liable for any costs or expenses borne by or on behalf of the Applicant a Relevant Company or any party associated with the Procurement.

The Contracting Authority is subject to the requirements of the Freedom of Information Law (Jersey) 2011. The Contracting Authority may therefore be obliged to disclose any information submitted by Applicants as part of their response to this PQQ

The submission of a response by an Applicant to this PQQ will be deemed as acceptance by the Applicant and all Relevant Companies (if any) of the terms and conditions (including the disclaimers) in this PQQ without qualification.

The Contracting Authority reserves the right to transfer any contract resulting from this procurement for the use by any other States of Jersey department.

(End of Document).

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