

GRAVESHAM BOROUGH COUNCIL

SELECTION QUESTIONNAIRE (SQ)

FOR

FLEET LEISURE DEVELOPMENT

INSTRUCTIONS TO INTERESTED ORGANISATIONS

Deadline for Return:

30 October 2017

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INSTRUCTIONS TO INTERESTED ORGANISATIONS

1 INTRODUCTION

1.1 If you intend to return the Selection Questionnaire (SQ) for Fleet Leisure Development project please read the following instructions carefully and prepare your SQ accordingly.

1.2 The Council will not be responsible for any costs or expenses you incur in preparing, delivering or in the evaluation of the SQ, or for any costs or expenses incurred during subsequent stages of the procurement should you be invited to tender.

1.3 **PLEASE NOTE:** If you have accessed this SQ via the Kent Business portal, please ensure you have registered interest against the advert.

In order for the Council to keep organisations updated with any clarifications or changes to documents, Organisations must register their interest on the Kent Business Portal against this advert. The Council will not be held responsible for not communicating important information to any organisation who has not officially registered their interest.

2 BACKGROUND

2.1 Gravesham Borough Council is seeking to enter into a long term lease for the development of the Fleet Leisure site for a period of 50 plus 50 years. Please refer to the Prospectus attached to these instructions for further background information.

2.2 If awarded, the lease/contract are intended to start in April 2018.

3 GUIDANCE

3.1 This guidance pack has been produced to enable the Council to evaluate the economic and financial standing and professional and technical ability of the Suppliers that have expressed an interest in the Contract as set out in the Notice.

3.2 This SQ pack consists of 2 main sections:

- This Section 1;
- Section 2 - the Questionnaire containing all the questions that are to be answered and submitted. All responses are to be inserted into the questionnaire and returned.

4 THE PROCUREMENT

4.1 The Council's intention is to invite to tender between three and six Suppliers attaining the highest scores at SQ in each Lot. Only those Suppliers that are short-listed through this selection process will be issued with an invitation to tender (ITT).

4.2 Suppliers will be given an opportunity to clarify the Council's requirements during the tender period and the Council intends to conduct an enhanced clarification period as described in more detail in the ITT. This process will be conducted fairly, transparently and equally and information given to each Supplier will be shared with other Suppliers if of general application and not commercially sensitive. Following evaluation of the Tenders, the Council will award a lease/contract to the successful Supplier or Suppliers.

4.3 In the event that one or more of the short listed Suppliers drops out of the procurement process soon after this selection process, the Council reserves the right to go to the next placed Supplier(s) to ensure sufficient competition is retained.

- 4.4 The Suppliers are referred to paragraph 12 onwards in this document which sets out in detail the Selection Methodology to be used by the Council to assess the Suppliers' responses to this selection process.

5 **SQ RESPONSE**

- 5.1 The Council intends to use the standard Selection Questionnaire that is used under the Public Contracts Regulations 2015 (PAS 91 for works contracts) as this will be familiar to Suppliers.

- 5.2 Suppliers must obtain for themselves at their own responsibility and expense all information necessary for the preparation of the SQ response. Suppliers are solely responsible for the costs and expenses incurred in connection with the preparation and submission of their SQ response and all other stages of the selection and evaluation process. Under no circumstances will the Council or any of their advisers, be liable for any costs or expenses borne by the Suppliers, sub-contractors, suppliers or advisers in this process.

- 5.3 Please be aware that the Council can only make its assessment from the information you supply. It is therefore essential that you answer all questions and that all information requested is submitted.

- 5.4 Where questions cannot be answered fully, please provide relevant explanation and details. If a question is not applicable it should be stated in the relevant box and an explanation included as to why it is not applicable.

5.5 **Format**

- The SQ document is designed to be self explanatory and uses plain English.
- Please use the format set out in the SQ document itself. Answers to questions should be entered into the spaces provided. All additional pages and all supporting information must be submitted and referenced in the relevant response box. Please put your organisation's name on each additional document and provide a summary list of all attachments accompanying the completed questionnaire. The Council may not evaluate information that is not clearly referenced.
- Please answer all questions where relevant to your organisation.
- Please check to make sure you have completed the declaration and dated the completed questionnaire before returning it.

5.6 **Return Arrangements**

- You should submit your completed SQ via the Kent Business Portal.

5.7 **Return Deadline**

- Your SQ must be returned by no later than **16:00 on 30th October 2017**.
- The Council will not consider any SQ responses that are submitted after this time.
- Responses will be received any time up to the deadline stated above. The Council does not accept responsibility for the premature opening or mishandling of responses that are not submitted in accordance with these instructions.

5.8 **External Reference Material**

- If you use any external reference material, such as brochures, specifications and system descriptions, to support your SQ, we will disregard any statements within the reference material which may allow change to

obligations or reduce liability, such as "specifications subject to change without notice", or other disclaimers.

- Documents that have not been specifically requested will not be considered.

5.9

Cross References

- Where a particular section of the SQ response relates to information given in another section, or in external reference material, you must ensure that the response is clearly cross-referenced or it will not be considered. If the cross reference is too general you run the risk of that section not being considered. The Council will not be responsible for working out which section is referred to.

5.10

General Notes:

- Please do not:
 - 5.10..1 cross-reference to any web-based literature;
 - 5.10..2 provide any information other than that requested as the Council will not consider it as part of its assessment process;
 - 5.10..3 make any alterations to the form or the questions asked. For the avoidance of doubt returned questionnaires may not be evaluated if they are in a form other than that required;
 - 5.10..4 provide any information other than that required as a means to providing an answer since the Council may not consider it as part of its assessment of your response; and
- Please ensure:
 - 5.10..1 you read all parts of this questionnaire to ensure you are capable of fulfilling all of the requirements;
 - 5.10..2 you complete the SQ and supporting information in English;
 - 5.10..3 you provide a single point of contact in your organisation. The Council will not be responsible for contacting a Supplier through any route other than the nominated contact. Suppliers must therefore undertake to notify any changes relating to the contact promptly;
 - 5.10..4 a Director or other authorised representative of the Company/Organisation signs the SQ response on behalf of the Supplier; and
 - 5.10..5 any financial data provided is submitted in or converted into pounds sterling. Where official documents include financial data in a foreign currency, a sterling equivalent must be provided.
- The Council may require Suppliers to clarify answers in the SQ response or to supply additional information if the Council considers this appropriate.
- Suppliers should notify the Council promptly of any perceived ambiguity, inconsistency or omission in this guidance pack, any of its associated documents and/or any other information issued to them during the procurement process.

6 CONFIDENTIALITY

- 6.1 You should treat all information contained in the *Instructions to Interested Organisations* as confidential except where you find it necessary to use quotes for the purposes of preparing of your SQ.
- 6.2 You should not undertake any publicity activity within any section of the media.
- 6.3 The copyright in all the documents that constitute the guidance pack shall vest in the Council and all such documents and all copies thereof are and shall remain the property of the Council and must be returned to the Council upon demand.

7 EVALUATION OF SQS

- 7.1 SQs will be evaluated in accordance with the Selection Methodology set out in paragraphs below.
- 7.2 You may be asked to answer our queries on your SQ or to submit further evidence to support the information contained in the SQ.
- 7.3 We are under no obligation to invite any interested organisation to participate in a tender for these services

8 CANVASSING

- 8.1 Any Interested Organisation who directly or indirectly canvasses any member or official of the Council concerning the evaluation of the SQs, or who directly or indirectly obtains, or attempts to obtain, information from a member or official concerning any other SQ will be disqualified. If at any stage during the process we discover canvassing has taken place, we will be entitled to disqualify that organisation from the process.

9 RIGHT TO CANCEL, VARY, SUSPEND OR ABORT

- 9.1 The Council shall not be committed to any course of action as a result of:
- issuing this guidance pack; or an invitation to submit any response in respect of this procurement; or
 - communicating with a Supplier or a Supplier's representatives or agents in respect of this procurement; or
 - any other communication between the Council (whether directly or by their agents or representatives) and any other party.
- 9.2 The Council reserves the right to:
- cancel or withdraw from the procurement process at any stage (including this selection stage); and/or
 - require a Supplier to clarify its SQ response in writing and/or provide additional information (failure to respond adequately may result in the Supplier not being selected); and/or
 - amend or vary the terms, conditions and/or requirements of the tender process including the selection process and SQ; and/or
 - cancel, postpone, suspend or abort this procurement at any stage; and/or
 - ask Suppliers, at any time during the procurement process, to submit all or part of the required certificates and supporting documents where this is, in the Council's opinion, necessary to ensure the proper conduct of the procurement; and/or

- re-visit the selection decision at any point if the information provided by a Supplier materially changes. Suppliers must notify the Council if at any point during the procurement process there are any changes to the information supplied.
- 9.3 The Council will not reimburse any costs incurred by a Supplier in connection with the preparation and submission of responses including without limitation any cost in the event the Council exercises its right to alter or terminate this procurement.
- 10 DISCLAIMERS**
- 10.1 The information contained within and supplied with this guidance pack has been prepared by the Council in good faith but does not purport to be accurate complete and exhaustive or to have been independently verified nor to contain all of the information that a prospective Supplier may require.
- 10.2 Suppliers should not rely on the information supplied and should carry out their own due diligence checks and verify the accuracy of the information contained within this guidance pack. Nothing in this guidance pack is warranted by the Council or its advisors nor shall be deemed a promise or representation as to the future. Suppliers shall further be deemed to have carried out all necessary research, investigations and due diligence and all necessary enquiries in order to have satisfied themselves as to the nature, extent, volume and requirements of the Contract, the extent of the personnel, equipment and assets which may be required and any other matter which may affect their bids.
- 10.3 The Council does not and its directors, officers, members, partners, employees, staff, agents or advisors do not:
- accept any responsibility for the information contained in the guidance pack or for its accuracy or completeness, or at any other stage of the procurement process for the Contract leading up to the execution of the Contract, nor shall any of them be liable for any loss, damage or expense (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication. Only the express terms of any written contract relating to the subject matter of this guidance pack, as and when it is executed shall have any contractual effect in connection with the matters to which it relates;
 - accept liability for any costs incurred by any Supplier responding to the guidance pack, whether incurred by them directly or their advisors or sub-contractors.
- 10.4 Suppliers considering entering into a contractual relationship with the Council should make their own enquiries and investigations of the Council's requirements beforehand.
- 10.5 The Council makes no representations or warranties regarding the Supplier's financial status or stability, technical competence or ability in any way to carry out the Contract.
- 11 DEBRIEFING**
- 11.1 Each unsuccessful Supplier will be provided with a debrief on their response to the guidance pack. This will be in writing only.

SELECTION METHODOLOGY

The information below sets out the selection criteria and scoring for the SQ.

If a Supplier is, at any point during the scoring of the paper, scored with a 'Fail', this will mean that Supplier will be rejected and will not be invited to submit an Invitation to Tender (ITT).

12 SELECTION APPROACH

12.1 The SQ questions are designed to enable the Council to make an assessment as to the suitability of the Supplier to be invited to participate in the procurement.

12.2 To minimise duplication, Supplier effort and Council assessment time, Suppliers who are expressing interest in both Lots must return two SQs but may reference answers given in Lot 2 to those given in Lot 1 where appropriate.

12.3 The Council will assess SQ responses in three stages:

- **Stage 1:** First a compliance check will be undertaken to ensure SQ responses are complete and have been completed and submitted in accordance with the instructions in this guidance pack. Suppliers may be rejected at this stage if the SQ responses is not compliant or the Council may clarify the SQ responses if appropriate to do so;
- **Stage 2:** Compliant SQ responses will then be assessed on a Pass/Fail basis against the minimum standards described for the following sections of the SQ as further described in the paragraphs set out in the table below:

SQ Section	Heading	Criteria
Section 1	Organisational Information	Information only
Section 2-1	Financial Information	Pass/ Fail
Section 2-2	Insurance	Pass/ Fail
Section 3	Mandatory Exclusion	Pass/ Fail
Section 4	Discretionary Exclusion	Pass/Fail
Section 5	Health and Safety	Pass/Fail
Section 6	Environmental	Pass/Fail
Section 7	Quality Management	Pass/Fail
Section 8	Technical	Scored

- **Stage 3: Responses to Section 8** (Project specific questions to assess Technical and Professional Ability) will then be scored and weighted in accordance with the methodology set out below. The weightings for each question are as follows:

SQ Section	Heading	Max Score	Weighting
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S1 – Q1	Capability	4	45
S1 – Q2	Relevant Experience	4	15
S1 – Q3	Technical Capability	4	10
S1 – Q4	Staff	4	5
S1 – Q5	Communication	4	10
S1 – Q6	Quality Assurance	4	5
S1 – Q7	Risk Management	4	10

Scoring Methodology

Assessment	Description	Score
Deficient	Response to the question(s) (or an implicit requirement) significantly deficient	0
Limited	Limited information provided, and/or a response that is inadequate or only partially addresses the question(s).	1
Acceptable	An acceptable response submitted in terms of the level of detail, accuracy and relevance.	2
Good	A good response submitted in terms of detail and relevance to the question.	3
Comprehensive	As Good, but to a significantly better degree and a response, which goes into detail with precision and relevance.	4

In terms of scoring if a question is weighted 10% and a score of 3 is achieved that equates to 7.5%, so if a case study is weighted at 30% and is scored 2 that equates to 15% and so on.

- **Ranking and Selection:** Suppliers will be ranked and provided that there are sufficient numbers of compliant SQ responses, the Council intends to invite between four and six Suppliers to tender in each Lot.

12.4 Verification

Whilst reserving the right to request information at any time throughout the procurement process, the Council 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 Council may only obtain such evidence after the final tender evaluation decision i.e. from the winning Supplier/s only.

13 ORGANISATIONAL INFORMATION

Organisational Information

Suppliers are required to complete Section 1 (Supplier Information) of the Questionnaire. Any Supplier who fails to provide all of the information required may, at the discretion of the Council have be deemed non-compliant and excluded from the procurement process.

Questions	Criteria	
C1-Q1 to C1-Q9	Organsational Information	Not scored, although must be completed in full.

14 FINANCIAL INFORMATION – PASS/FAIL

14.1 This Section is assessed on a pass/fail basis.

14.2 Suppliers are required to pass this Section.

In order to pass this Section, Suppliers must provide all of the information required in Sections of the Questionnaire and pass the Council's minimum standards as set out in the table below. Any Supplier who fails to provide all of the information required or who fails to satisfy the minimum standard may be rejected, at the discretion of the Council.

Criteria	Minimum Standard and method of assessment
Question C2-Q1-1/2/3/4/5	Suppliers must provide all of the information required. Any Supplier who fails to provide all of the information required will, at the discretion of the Council have been deemed to fail.
Questions C2-Q2	Suppliers must confirm their insurance levels and include where appropriate documentary evidence (certificate etc). Failure to provide confirmation will, at the discretion of the Council have been deemed to fail.

15 EXCLUSION GROUNDS – PASS/FAIL

15.1 Suppliers must complete this section (Grounds for mandatory exclusion) in the Questionnaire. This section is assessed on a pass/fail basis. Suppliers are required to pass this section of the Questionnaire in order for their SQ response to be considered further by the Council.

15.2 In order to pass this section, Suppliers must provide all of the information required in this section of the Questionnaire and pass the Council's minimum standards described in the table below. Any Supplier who fails to satisfy the minimum standard will be rejected.

Criteria	Minimum Standard and Method of Assessment
Grounds for	Pass/Fail

Criteria	Minimum Standard and Method of Assessment
Mandatory Exclusion	<p>You will be excluded from participation in the contract award if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).</p> <p>Any Supplier that answers 'yes' to question 2.1,2.2 or 2.3 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively "self-cleans" the situation referred to in that question. The Supplier has to demonstrate it has taken such remedial action, to the satisfaction of the Council in each case.</p> <p>If such evidence is considered by the Council (whose decision will be final) as sufficient, the supplier concerned shall be allowed to continue in the concession contract award procedure.</p> <p>In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has:</p> <ul style="list-style-type: none"> • paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct; • clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and • taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct. <p>The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct.</p>

16 GROUNDS FOR DISCRETIONARY EXCLUSION – PASS/FAIL

16.1 This section - Grounds for Discretionary Exclusion – is also scored on a pass/fail basis. Suppliers are required to pass every question in this section of the Questionnaire in order for their responses to be considered further by the Council.

16.2 Minimum standards for this section of the SQ are set out in the table below.

Criteria	Minimum Standard and method of assessment
Grounds for Discretionary Exclusion	<p>Pass/Fail</p> <p>The Council may exclude you from the procurement exercise if you answer "yes" to any of the questions in this section but may decide, having considered all the relevant circumstances, to allow you to proceed further. If you answer 'yes' to any question, please set out (in a separate Appendix) full details of the relevant incident and any remedial action taken subsequently. The Council will evaluate</p>

Criteria	Minimum Standard and method of assessment
	<p>this evidence before making a decision on whether to exclude you.</p> <p>The Council is also entitled to exclude you in the event that you are guilty of serious misrepresentation in providing any information referred to within the Public Procurement (Amendments, Repeals and Revocations) Regulations 2016 or you fail to provide any such information requested by us.</p> <p>Any Supplier that answers 'yes' to any question in (C3-Q1 to C3 P2) should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively "self-cleans" the situation referred to in that question. The Supplier has to demonstrate it has taken such remedial action, to the satisfaction of the Council in each case.</p> <p>If such evidence is considered by the Council (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.</p> <p>In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has:</p> <ul style="list-style-type: none"> • paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct; • clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and • taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct. <p>The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct.</p>

17 HEALTH AND SAFETY – PASS/FAIL

- 17.1 This section – Health and Safety – is scored on a pass/fail basis. Suppliers are required to pass every question in this section of the Questionnaire in order for their responses to be considered further by the Council.
- 17.2 In order to pass this section, Suppliers must provide all of the information required in this section of the Questionnaire and pass the Council's minimum standards described in the table below. Any Supplier who fails to satisfy the minimum standard will be rejected.

Criteria	Minimum Standard and method of assessment
C4-Q1/Q2	Information only
C4-Q3, to Q14	The Council may exclude you from the procurement

	exercise if you answer “no” to any of the questions in this section but may decide, having considered all the relevant circumstances, to allow you to proceed further. If you answer ‘no’ to any question, please set out (in a separate Appendix) full details of the relevant incident or issue and any remedial action taken subsequently. The Council will evaluate this evidence before making a decision on whether to exclude you.
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18 ENVIRONMENTAL – PASS/FAIL

- 18.1 This section – Environmental – is scored on a pass/fail basis. Suppliers are required to pass every question in this section of the Questionnaire in order for their responses to be considered further by the Council.
- 18.2 In order to pass this section, Suppliers must provide all of the information required in this section of the Questionnaire and pass the Council's minimum standards described in the table below. Any Supplier who fails to satisfy the minimum standard will be rejected.

Criteria	Minimum Standard and method of assessment
O2-Q1/Q6	<p>The Council may exclude you from the procurement exercise if you answer “no” to any of the questions in this section but may decide, having considered all the relevant circumstances, to allow you to proceed further. If you answer ‘no’ to any question, please set out (in a separate Appendix) full details of the relevant incident or issue and any remedial action taken subsequently. The Council will evaluate this evidence before making a decision on whether to exclude you.</p> <p>This section need not be completed if your organisation holds a UKAS accredited certificate of compliance to BS EN ISO 14001 or a valid EMAS certificate.</p>

19 QUALITY MANAGEMENT – PASS/FAIL

- 19.1 This section – Quality Management – is scored on a pass/fail basis. Suppliers are required to pass every question in this section of the Questionnaire in order for their responses to be considered further by the Council.
- 19.2 In order to pass this section, Suppliers must provide all of the information required in this section of the Questionnaire and pass the Council's minimum standards described in the table below. Any Supplier who fails to satisfy the minimum standard will be rejected.

Criteria	Minimum Standard and method of assessment
O3-Q1/Q6	<p>The Council may exclude you from the procurement exercise if you answer “no” to any of the questions in this section but may decide, having considered all the relevant circumstances, to allow you to proceed further. If you answer ‘no’ to any question, please set out (in a separate Appendix) full details of the relevant incident or issue and any remedial action taken subsequently. The Council will evaluate this evidence before making a decision on whether to exclude you.</p>

	This section need not be completed if your organisation holds a UKAS accredited certificate of compliance to BS EN ISO 9001.
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20 **TECHNICAL CAPACITY AND EXPERIENCE - SCORED**

- 20.1 Suppliers who pass Sections 1 to 9 of the Questionnaire will then be assessed on the basis of their responses to this section S1-Q1 to Q7. The Council is looking for evidence that the Supplier demonstrates the necessary technical resources, experience and has the technical and professional ability to deliver the project.
- 20.2 Questions S1-Q1 to Q7 will be scored in accordance with the scoring scale set out in this document.

21 **SECTION 9 – DECLARATION**

- 21.1 All Suppliers must complete, sign and return the Declaration.

22 **RANKING AND SELECTION**

- 22.1 Provided Suppliers pass the compliance checks for sections:
- Organisational Information
 - Financial Information
 - Insurance
 - Exclusion Mandatory
 - and the pass/fail assessments they will achieve an overall SQ score
- Technical and Capability section, they will have met the Minimum Standards..
- 22.2 The Council does not intend to select any Supplier to participate in negotiation that has not met the Minimum Standards

APPENDIX 1

Selection Questionnaire Declaration

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

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

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

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

I am aware of the consequences of serious misrepresentation.

Contact details and Declaration	
Contact name	
Name of organisation	
Role in organisation	
Phone number	
E-mail address	
Postal address	
Signature (electronic is acceptable)	
Date	