**Schedule 8**

**Selection and Award**

**TRAFFIC SIGNALS and ancillary equipment maintenance term service contract**

**Commercial and Procurement Team**

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**Contents**

[1 The Evaluation Process 3](#_Toc6217905)

[1.1 Preliminary Compliance Stage 3](#_Toc6217906)

[1.2 Evaluation of the Selection Questionnaire 3](#_Toc6217907)

[1.3 Evaluation of the Award Questions and Price 6](#_Toc6217908)

[2 Selection Questionnaire 10](#_Toc6217909)

[3 Award 27](#_Toc6217910)

[4 Commercially Sensitive Information 34](#_Toc6217911)

# The Evaluation Process

## Preliminary Compliance Stage

The Authority will assess whether all requisite sections of the Applicant’s Bid have been completed and all necessary information, schedules and any other Bid requirements have been supplied in accordance with the following:

|  |  |
| --- | --- |
| **Schedule** | **Section** |
| **1** | Acceptance of Conditions of Contract |
| **2** | Form of Tender |
| **3** | Contract for the Declaration of Direct or Indirect Interest |
| **4** | Contract as to the Certificate of Canvassing |
| **5** | Certificate of Confidentiality |
| **6** | Price List |
| **7** | Contract Data Part 2 |
| **8** | Selection & Award |
| Section | Schedule/pro-forma  |
| Section 2 | Selection Questionnaire |
| Section 3 | Award |
| **9** | Completed Tender Assessment Sheet Financial (For Contract Data Part 2) |

Schedule 6A – Basket of Works is not required to be completed and returned by Applicants. This document is provided for information only and will be used by the Authority in the price evaluation of bids as described in section 1.3.1 of this document.

The Applicant’s response shall be considered to have failed and will be excluded from the procurement where it fails to complete and/or submit any of the required schedules as described above.

## Evaluation of the Selection Questionnaire

Evaluation of the Selection Questionnaire shall be conducted in accordance with the following:

|  |  |  |
| --- | --- | --- |
| **Section** | **Topic** | **Means of evaluation** |
| **Schedule 8 Selection and Award** |
| **Section 2**  | **Selection Questionnaire** |
| Table 1 | Supplier identity, key roles and contact information | For information only |
| Table 2 | Financial Information | Pass/fail |
| Table 3A | ESPD option, Grounds formandatory exclusion and non-payment of tax and social security contributions (mandatory exclusion) | Pass/fail |
| Table 3B | Grounds fordiscretionary exclusion | Pass/fail – Authority’s discretion |
| Table 4 | Health and safety: policy and capability | Pass/fail – Authority’s discretion |
| Table 5 | Equal opportunity and diversity policy and capability | Pass/fail – Authority’s discretion |
| Table 6 | Environmental management policy and capability | Pass/fail – Authority’s discretion |
| Table 7 | Quality management policy and capability | Pass/fail – Authority’s discretion |
| Table 8 | Additional | Pass/fail |

### Means of evaluation: for information only

Sections and/or questions marked for information will not be evaluated. However, all information requested must be completed by the Applicant.

### Means of evaluation: pass/fail

Applicant’s responses to sections and/or questions marked pass/fail will be considered to have failed and will be excluded from the procurement process under the following circumstances (where they apply):

* where the Applicant responds with a ‘yes’ to any of the circumstances listed under Table 3A Grounds for mandatory exclusion, whether the Applicant itself (where bidding as the Prime Contractor) or the Applicant or any consortium member (where bidding under a consortium structure);
* where the Applicant’s response contravenes any relevant legislation; or
* where the respective section is incomplete.

### Means of evaluation: pass/fail – Authority’s discretion

Applicant’s responses to sections and/or questions marked pass/fail will be considered to have failed and will be excluded from the procurement process under the following circumstances (where they apply):

* where the Applicant responds with a ‘yes’ to any of the circumstances listed under Table 3B Grounds for discretionary exclusion, whether the Applicant itself (where bidding as the Prime Contractor) or the Applicant or any consortium member (where bidding under a consortium structure);
* where the Applicant’s response fails to offer the Authority sufficient assurance that its requirements will be met;
* where the Applicant’s technical and professional ability, as explored through previous experience is, in the Authority’s view, inappropriate or inadequate to meet the Authority’s requirements as set out in the Procurement Documents;
* where the Applicant fails to confirm it already has and/or will acquire the type and level of insurance cover required;
* where the respective section is incomplete.

### Means of evaluation: pass/fail (Economic and financial standing)

The Applicant is required to self-declare its ability to provide at least one of a number of different types of information, such as company accounts, statement of turnover or cash flow forecast that demonstrate its financial standing although the Applicant is not required to submit its accounts, etc. as part of its Bid.

Should the Applicant provide no response to this section it will be considered to have failed and will be excluded from the procurement process. Should the Applicant fail to meet the minimum annual threshold as set out in these Procurement Documents it will be considered to have failed and be excluded from the procurement process.

Prior to the award of the Contract the Authority shall undertake to follow up with the successful Applicant to ensure that the documents declared are available and that they demonstrate that the Applicant has an acceptable level of economic and financial standing to perform a Contract of the required size and complexity. This will include an assessment regarding the ability of the Applicant to continue as a going concern, which is intended to identify considerations that would justify moving to not award the Contract on the basis of the likely future performance of the Applicant concerned.

The Authority will be entitled to consider all information contained in the financial information submitted by the Applicant. Prior to any decision not to award the resultant Contract to the Applicant on this basis, the Authority may seek clarification of the relevant consideration from the Applicant and will take into account any explanation offered by the Applicant.

Initially basic checks will be made on an Applicant’s title and any relevant registration details (e.g. registered number at Companies House) by the Authority’s Finance team. The Authority will check whether the Applicant is trading or dormant and whether it has a parent company. The status of the accounts will also be determined to check whether accounts submitted are for the last accounting period for which statements have been filed and whether there are later accounts that are overdue.

When considering profitability, the Authority will look at the gross profit margin and operating profit margin. These ratios will indicate the efficiency of the organisation. A loss in the year will be looked at in conjunction with the balance sheet resources available to cover this loss.

When looking at liquidity, the Authority will use the current ratio and the acid test ratio. The current ratio is a measure of financial strength and addresses the question of whether the Applicant has sufficient current assets to meet the payment schedule of its current debts with a margin of safety for possible losses in current assets. The Acid Test ratio will measure liquidity and excludes stock to include liquid assets only.

The Authority will look at the Applicant’s balance sheet and determine the net worth of the organisation and that element that can be mobilised in a financial crisis. The Authority will look at the net assets and also the net tangible worth (excluding intangible assets). The Authority will also look at debt ratio and total debts against total asset.

The Authority will make its evaluation based on the below:

|  |  |  |
| --- | --- | --- |
| **Risk Level** | **Score** | **Definition** |
| High Risk  | Fail | Unacceptable risk or risks identified |
| Low Risk | Pass | No risks identified or some minor risks identified |

Any decision to not to award the resultant Contract following the application of the financial assessment evaluation methodology will be formally recorded and the Applicant will be notified. Under these circumstances the Authority may decide to award the Contract to the second-placed Applicant, although Applicants are reminded of section 2.38 Acceptance of Offers within Part A Instructions to Applicants.

## Evaluation of the Award Questions and Price

### Award criteria

This Tender will be evaluated on the basis of MEAT (most economically advantageous tender) consisting of a combination of price and quality. For this Tender the split is 70% Price and 30% Quality with the following criteria and weightings to be applied in the evaluation of the questions and/or method statements asked of Applicants within section 4 Award of this Schedule 8 Selection and Award. A number of the quality questions are further divided, the sub-weightings for each part of the question are set out as part of the question.

| **Evaluation criteria breakdown** | **Means of evaluation** |
| --- | --- |
| **Weighting** | **Criteria** |
| **Quality** | **30%** |
| 1 Organisational Structure | 10% |
| 2 Methods of Working\*this question has sub-weightings set out in the question  | 35% |
| 3 Resources\*this question has sub-weightings set out in the question | 20% |
| 4 Investment Proposals | 10% |
| 5 Method Statements\*this question has sub-weightings set out in the question | 20% |
| 6 Social Value | 5% |
| **Price** | **70%** |

It will be on this basis that the Authority will award the Contract to the highest scoring Applicant.

**Evaluation of Price**

The Price List is contained in Schedule 6. Tenderers shall provide a rate for each and every item within the price list. Failure to do so may lead to the Bid being disqualified.

In addition to this and for evaluation purposes only - suppliers are required to submit a completed Schedule 9. All rates used must be the same as provided as part of the Schedule 7 Contract Data Part 2.

For the purposes of evaluation an estimated annual value for the contract will be calculated as a total sum derived from the following 3 parts:

1. The sum of the following monthly prices in the Price List will be multiplied by 12 to give an annual value:

Section 1 - Routine Services

• 1.1 Maintain Units

• 1.2 Provision of Fault Management System

Section 3 - Emergency Services

• 3.1 Basic Facility

1. The rates in the Price List will be applied by the Authority to the Basket of Works set out in Schedule 6A.
2. The total provided in Schedule 9 Completed Tender Assessment Sheet Financial

The estimated annual value for the contract as calculated above will be used to evaluate the Price score.

The lowest price will be allocated a maximum score of 70%. Other tendered prices which are greater will be scored using the following equation:

|  |
| --- |
| % Score = Lowest price tender x 70 Greater price tender |

Example:

Lowest tendered price £200,000 scores 70%

Second lowest tendered price £220,000 = 63.64%

(£200,000 ÷ £220,000) x 70 = 63.64

Third lowest tendered price £265,000 = 52.83%

(£200,000 ÷ £265,000) x 70 = 52.83

This will result in prices being ranked from lowest to highest with percentages being based on the percentage differences between the respective bids.

### Scoring guidelines

The questions asked of Applicants within section 4 Award of this Schedule 8 Selection and Award shall be scored using the marking system described within this section. Applicants must refer to the Authority’s minimum requirements, where given, to ensure that they meet or exceed the minimum requirements wherever possible so as to score the highest marks.

The score given by the evaluation panel to each Applicant’s responses to the Award questions will be based on, and reflect, the degree to which the Applicant has clearly answered the questions.

Each Applicant is required to provide a quality submission which describes the ways in which they propose to deliver the services. The quality submission shall be in the form of a set of responses to specific questions set out below under the following sub-headings:

* Organisational Structure
* Methods of Working
* Resources
* Investment Proposals
* Method Statements

Where quality submissions are agreed by the Employer as being an acceptable method of service delivery, the Employer shall ensure that the submissions are incorporated into the contract documents thus making the service delivery in accordance with the method statements binding on the Contractor.

All of the questions and each of their constituent parts (where indicated in the question) will be evaluated and assigned a score in accordance with the below table:

**Scoring Matrix 2**

| **Score** | **Criteria for Awarding Score** |
| --- | --- |
| **5** | The response has addressed all of the requirements of the question            |
| **3** | The response has addressed the majority of the requirements of the question, however, a very small number of the requirements only partially addressed or not addressed at all |
| **2** | The response has addressed some of the requirements of the question, however, more than a small number of the requirements are only partially addressed or not addressed at all |
| **1** | The response has scarcely addressed any of the requirements of the question with a significant number of the requirements only partially addressed or not addressed at all |
| **0** | The answer does not address any of the requirements of the question  |

### Evaluation procedure

The evaluation procedure will consist of two (2) distinct stages: selection and award. Selection will take place first and will be conducted by Officers from within the Authority’s Commercial and Procurement Team in conjunction with colleagues from within the Finance team and key stakeholders where appropriate. Applicants’ responses to the Selection Questionnaire will be evaluated within the selection stage of the evaluation procedure and evaluation panellists will examine the capacity and capability of Applicants, including previous experience to perform the Contract in accordance with section 1.2 Evaluation of the Selection Questionnaire of this Schedule 8 Selection and Award.

The award stage of the evaluation procedure will take place following the selection stage and only where the Applicant has been judged to have passed the selection stage. The award stage examines how the Applicant proposes to deliver the Contract and will be conducted by a panel of key stakeholders. The size, make up and experience of the evaluation panel will reflect the scale and complexity of the activity to be evaluated, and may include a degree of specialist input consistent with the nature of the procurement. A representative from the Authority’s Commercial and Procurement Team will moderate evaluation sessions.

Evaluation panellists will be provided with Applicants’ Bids prior to evaluation sessions but no scores will be agreed until an official session in convened. During the evaluation session Bids will be evaluated against the published evaluation criteria and scoring guidelines. Bids will not be scored comparative to one another. Evaluation panellists will be encouraged by the moderator to discuss Applicants’ Bids with a view to arriving at a single, agreed, moderated score for each question and/or method statement response. The moderator will record the moderated score and a summary of the evaluator’s comments sufficient to justify the score, which will be provided to Applicants alongside any notification of the decision to award the Contract.

# Selection Questionnaire PAS91

**Potential Supplier Information and Exclusion Grounds**

This standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion.

The form of Selection Questionnaire is PAS91:2013+A1:2017

If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Table 1 and Table 3A and 3B. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay, we reserve the right to amend the contract award decision and award to the next compliant bidder.

**Consequences of misrepresentation**

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

**PAS91**:2013+A1:2017

**Table 1 – Supplier identity, key roles and contact information**

|  |  |  |  |
| --- | --- | --- | --- |
| Q Ref | Nature of Information | Description of response expected, which will be taken into account in assessment | Response |
| C1-Q1 | Name of legal entity or sole-trader | Unique name of legal entity or name of individual |  |
| C1-Q2 | Registered office Address | C1-Q2-1 Address line 1 (Property name/number) |  |
| C1-Q2-2 Address line 2 |  |
| C1-Q2-3 Address line 3 |  |
| C1-Q2-4 Town |  |
| C1-Q2-5 County |  |
| C1-Q2-6 Postcode |  |
|  | Website address | C1-Q2-7 website (if applicable) |  |
| C1-Q3 | Contact Details forEnquiries | C1-Q3-1 Title (Mr, Mrs, Ms, etc.) |  |
| C1-Q3-2 Forename |  |
| C1-Q3-3 Family name |  |
| C1-Q3-4 Job title |  |
| C1-Q3-5 e-mail |  |
| C1-Q3-6 Telephone number |  |
| C1-Q3-7 Fax number |  |
| C1-Q3-8 Address line 1(Property name/number) |  |
| C1-Q3-9 Address line 2 |  |
| C1-Q3-10 Address line 3 |  |
| C1-Q3-11 Town |  |
| C1-Q3-12 County |  |
| C1-Q3-13 Postcode |  |
| C1-Q4 | Registration number, if registered with Companies House or equivalent | C1-Q4-1 Registration number with Companies House |  |
| C1-Q4-2 Registration number with equivalent body |  |
| C1-Q5 | Charity registration number |  |  |
| C1-Q6 | VAT registration number |  |  |
| C1-Q7 | Name of immediate parent company |  |  |
| C1-Q8 | Name of ultimate parent company |  |  |
| C1-Q9 | Type of organization | *e.g. PLC; limited company; LLP; other partnership; sole trader; other (please specify)* |  |
| C1-Q10 | Size of business | Are you a micro, a small, or amedium-sized enterprise (1)? | **Yes** [ ]  **No** [ ]  |
| C1-Q11 | ONLY IN THE CASE THE PROCUREMENT IS RESERVED (2) Sheltered workshop/“social business” | C1-Q11-1 Is your organization a sheltered workshop, a “social business” (3) or will it provide for the performance of the contract in the context of sheltered employment programmes?IF YESPlease respond to C1-Q11-2 and C1-Q11-3 below | **Yes** [ ]  **No** [ ]  |
| C1-Q11-2 What is the corresponding percentage of disabled or disadvantaged workers? |  |
| C1-Q11-3 Please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to |  |
| C1-Q12 | APPLICABLE TO NON-UK BUSINESSES ONLY Official lists/national pre-qualification system | C1-Q12-1 If applicable, is your organization registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)?IF YES:Please answer the remaining parts of Table 1 and complete Tables 9 and 10 and the required declaration.Complete C1-Q12-2 to C1-Q12-6 below. | **Yes** [ ]  **No** [ ]  **N/A** [ ]  |
| C1-Q12-2 Please provide the name of the list or certificate and the relevant registration or certification number, if applicable |  |
| C1-Q12-3 If the certificate of registration or certification is available electronically, please state the:• web address• issuing authority or body• precise reference of the documentation |  |
| C1-Q12-4 Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list (4) |  |
| C1-Q12-5 Does the registration or certification cover all of the required criteria in Tables (document compiler to insert the table numbers for all of the questions included for the procurement, other than those in tables 1, 9 and 10)?IF NOIn addition, please complete the missing information in Tables (document compiler to insert the table numbers for all of the questions included for the procurement, other than those in tables 1, 9 and 10) | **Yes** [ ]  **No** [ ]  |
| C1-Q12-6 ONLY if this is required in the relevant notice or procurement documentation:Will your organization be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtaining it directly by accessing a national database in any Member State that is available free of charge? If the relevant documentation is available electronically, please state the:• web address• issuing authority or body• precise reference of the documentation | **Yes** [ ]  **No** [ ]  |
| C1-Q13 | Form of Participation | C1-Q13-1 Are you participating in the procurement procedure together with others (5)?IF YESPlease respond to C1-Q13-2, C1-Q13-3 and C1-Q13-4 belowPlease ensure that the others concerned, each provide a separate questionnaire | **Yes** [ ]  **No** [ ]  |
| C1-Q13-2 Please indicate your organization’s role(6) i.e. sole supplier/lead entity, group member, other entity (relied upon) (7), other entity (not relied upon) |  |
| C1-Q13-3 To enable the collation of the group’s responses, please identify the other organizations participating in the procurement procedure together |  |
| C1-Q13-4 Where applicable, please provide the name of the group |  |
| C1-Q14 | Lots | Where applicable, please indicate the lot(s) for which you wish to tender |  |

*NOTES to Table 1*

1. *See EU definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition\_en*
2. *See contract notice point III.1.5*
3. *I.e. its main aim is the social and professional integration of disabled or disadvantaged persons*
4. *The references and classification, if any, are set out on the certification*
5. *Notably as part of a group, consortium, joint venture or similar, or a subcontractor that is being relied on to meet the selection criteria.*
6. *Where the supplier is participating in the procurement with others as referred to in question C1-Q13-2, the organizational roles should be understood, as follows:*
7. *Sole supplier/ Lead entity:*
8. *Sole entity or, in case of consortium, joint venture or other types of groups, the leader of the group.*
9. *Group member: Member (not leader) of the consortium, joint venture or other type of group.*
10. *Other entity (relied upon): Entity on which the main supplier, the group or other subcontractor, relies in order to meet the selection criteria.*
11. *Other entity (not relied upon): Entity on which the main supplier, the group or other subcontractor, does not rely in order to meet the selection criteria.*
12. *This includes subcontractors that the supplier relies on in the application and other organizations that the group relies on in the application (see Regulation 63 of the Public Contracts Regulations 2015).*
13. *For subcontractors that are not relied on by a candidate in its application, the buyer may ask whether the candidate intends to subcontract, the details of the proposed subcontractors (in so far as this is possible) and also for those subcontractors to complete a self-declaration against the exclusion grounds (Regulation 71 (1) and (8) Public Contracts Regulations 2015)*

**Table 2 – Financial Information**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Q Ref | Information required | Description of information expected, which will be taken into account in assessment | Tick as applicable | Supplier’s unique reference to relevant supporting information |
| C2-Q1 | Please select the one organization description that most closely matches your organization and provide information accordingly |
| C2-Q1-1 Financial information for a start-up business that has not reported accounts to the Inland Revenue or Companies House | Forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, or an alternative means of demonstrating financial status (See Note 2 to this Table) | [ ]  |  |
| C2-Q1-2 Accounts for an unincorporated business (sole traders and partnerships) | Copy of the most recent accounts that contain turnover, profit before tax, and balance sheet (if prepared) covering either the most recent two-year period of trading or, if trading for less than two years, the period that is available.If accounts are not prepared, provide the relevant pages from the latest tax returns (self-employment pages for sole traders, partnership pages for partnerships), together with the tax assessment. | [ ]  |  |
| C2-Q1-3 Accounts for a small company or limited liability partnership with a turnover below the audit threshold at which the preparation of audited accounts is not required | Copy of the most recent accounts as submitted to the Inland Revenue covering either the most recent two-year period of trading or, if trading for less than two years, the period that is available. Abbreviated accounts are not acceptable | [ ]  |  |
| C2-Q1-4 Accounts for a medium to large incorporated entity and all other organizations that are required to prepare audited accounts | Copy of the most recent audited accounts covering either the most recent two-year period of trading or, if trading for less than two years, the period that is available | [ ]  |  |
| C2-Q1-5 Accounts for other organization types (e.g. not for profit entities, local authorities, housing associations, charities) | In most cases it is likely that audited accounts will have been prepared and the accounts required at C2-Q1-4 above will suffice. Where this is not the case, an unaudited copy of the most recent accounts as described in C2-Q1-2 above should be provided. | [ ]  |  |
| C2-Q2 | Insurance statement and certificates | Please enter the requested information in the response column | Response |
| C2-Q2-1 Employers’ liability insurance | C2-Q2-1-1 Policy No. |  |
| C2-Q2-1-2 Limit of indemnity |  |
| C2-Q2-1-3 Excess |  |
| C2-Q2-1-4 Limit for a single event |  |
| C2-Q2-1-5 Expiry date |  |
| C2-Q2-2 Public liability insurance | C2-Q2-2-1 Policy No. |  |
| C2-Q2-2-2 Limit of indemnity |  |
| C2-Q2-2-3 Excess |  |
| C2-Q2-2-4 Limit for a single event |  |
| C2-Q2-2-5 Expiry date |  |
| C2-Q2-3 Professional indemnity insurance (Where consultancy input involved) | C2-Q2-3-1 Policy No. |  |
| C2-Q2-3-2 Limit of indemnity |  |
| C2-Q2-3-3 Excess |  |
| C2-Q2-3-4 Expiry date |  |
| C2-Q2-4 Product liability insurance (Where product is to be supplied) | C2-Q2-4-1 Policy No. |  |
| C2-Q2-4-2 Limit of indemnity |  |
| C2-Q2-4-3 Excess |  |
| C2-Q2-4-4 Expiry date |  |

*NOTE 1 to Table 2 Where an insurance type is claimed to be “not in scope”, it is essential that an explanation supporting that claim is provided, e.g. the explanation could support the fact that a particular type of insurance was not required for the work undertaken.*

*NOTE 2 to Table 2 At the discretion of the buyer, a minimum level of turnover may be asked for. However, buyers should avoid insisting on requirements which may not be proportionate or relevant to the procurement, or which may discriminate against or be burdensome for SMEs or new providers. It is acknowledged that the nature and extent of the accounts provided will be commensurate with the business requirements and legal obligations of the supplier.*

**Table 3A – Business and professional standing**

**ESPD option, Grounds for mandatory exclusion and non-payment of tax and social security contributions (mandatory and discretionary exclusion)**

|  |  |  |
| --- | --- | --- |
| Q Ref | Question | Response |
| ESPD Option |
| C3-QP1 | Have you submitted a completed European Single Procurement Document (ESPD)?The questions in this module (Tables 3A and 3B) need not be completed if you have provided a completed and signed European Single Procurement Document (ESPD). | YES[ ]  | No[ ]  |
|  Grounds for Mandatory Exclusion |
| C3-QP2 | In respect of Regulations 57(1 and 2) of the Public Contracts Regulations 2015 the detailed grounds for mandatory exclusion of an organization are set out on the 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.Within the past five years, anywhere in the world, have you, your organization or any person who has powers of representation, decision or control in the organization been convicted of any of the offences within the summary (C3-QP2-1 to C3-QP2-8) below, and listed on the above referenced webpage? |  |
| C3-QP2-1 | Participation in a criminal organization | YES[ ]  | No[ ]  |
| C3-QP2-2 | Corruption | YES[ ]  | No[ ]  |
| C3-QP2-3 | Fraud | YES[ ]  | No[ ]  |
| C3-QP2-4 | Terrorist offences or offences linked to terrorist activities | YES[ ]  | No[ ]  |
| C3-QP2-5 | Money laundering or terrorist financing | YES[ ]  | No[ ]  |
| C3-QP2-6 | Child labour and other forms of trafficking human beings | YES[ ]  | No[ ]  |
| C3-QP2-7 | Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland | YES[ ]  | No[ ]  |
| C3-QP2-8 | Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland. | YES[ ]  | No[ ]  |
| C3-QP2-9 | If you have answered yes to any of questions C3-QP2-1 to C3-QP2-8, provide further details for each such question, including:• date of conviction and the jurisdiction;• which of the grounds listed the conviction was for;• the reasons for conviction;• the identity of who has been convicted.If the relevant documentation is available electronically, provide:• the web address;• issuing authority;• precise reference of the documents. | Response |
| C3-QP2-10 | If you have answered Yes to any of the questions C3-QP2-1 to C3-QP2-8, explain, for each such question, what measures have been taken to demonstrate the reliability of the organization despite the existence of relevant grounds for exclusion (self-cleaning - see Regulation 57 (13 to 17) of the Public Contracts Regulations 2015). | Response |
| Non-payment of tax and social security contributions (mandatory and discretionary exclusion) |
| C3-QP3 | In respect of Regulation 57(3) and (4) of the Public Contracts Regulations 2015, the detailed grounds for mandatory and discretionary exclusion of an organization are set out on the 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. |  |
| C3-QP3-1 | Has your organization met all its obligations relating to the payment of taxes or social security contributions, both in the UK and in the country in which the organization is established (if outside the UK)? | YES[ ]  | No[ ]  |
| C3-QP3-2 | If you responded “No” for question C3-QP3-1, was this through a judicial or administrative decision having final and binding effect? | YES[ ]  | No[ ]  |
| C3-QP3-3 | Have any tax returns submitted on or after 1 October 2012 been found to be incorrect as a result of: |  |  |
| C3-QP3-3(a) | • HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; | YES[ ]  | No[ ]  |
| C3-QP3-3(b) | • a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle; or | YES[ ]  | No[ ]  |
| C3-QP3-3(c) | • a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS), VADR (Schedule 11A to the Value Added Tax Act 1994 (as amended by Schedule 1 to the Finance (no. 2) Act 2005) or any equivalent or similar regime in a jurisdiction in which the supplier is established. | YES[ ]  | No[ ]  |
| C3-QP3-4 | If you have answered No to C3-QP3-1 and/or Yes to any of questions C3-QP3-2 to C3-QP3-3(c), provide further details for each instance, including:• whether you believe there to be any overriding reasons for non-payment;• the country or state concerned;• the amount concerned;• details of the means for a No response to question C3-QP3-1 (if not included the response to C3-QP3-2 or C3-QP3-3(a) (b) or (c));• the date of the conviction or decision (if applicable);• in case of a conviction, insofar as established directly therein, the length of the period of exclusion;• whether you have paid, or have entered into a binding arrangement with a view to paying, “the taxes or social security contributions due” including where applicable any interest accrued and/or fines; and• if the relevant documentation is available electronically indicate the web address, issuing authority or body and precise reference of thedocument. | Response |

*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 non-payment of taxes or social security contributions.*

**Table 3B – Grounds for discretionary exclusion**

|  |  |  |
| --- | --- | --- |
| Q Ref | Question | Response |
| ESPD Option |
| C3-QP4 | Regulation 57 (8) of the Public Contracts Regulations 2015The detailed grounds for discretionary exclusion of an organization are set out on the 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.Within the past three years, anywhere in the world, have any of the situations identified in C3- QP4-1 to C3-QP4-8(e) below applied, to you or your organization. |  |
| C3-QP4-1 | Breach of obligations in the field of environment, social and/or labour law | YES[ ]  | No[ ]  |
| C3-QP4-2 | Bankruptcy, insolvency | YES[ ]  | No[ ]  |
| C3-QP4-3 | Guilty of grave professional misconduct | YES[ ]  | No[ ]  |
| C3-QP4-4 | Distortion of competition | YES[ ]  | No[ ]  |
| C3-QP4-5 | Aware of any conflict of interest | YES[ ]  | No[ ]  |
| C3-QP4-6 | Been involved in the preparation of the procurement procedure | YES[ ]  | No[ ]  |
| C3-QP4-7 | Performance deficiencies on a previous contract leading to early termination, damages or other sanctions | YES[ ]  | No[ ]  |
| C3-QP4-8 | Misrepresentation and undue influenceDo any of the following statements apply to your organization? |
| C3-QP4-8(a) | The organization 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[ ]  | No[ ]  |
| C3-QP4-8(b) | The organization has withheld such information. | YES[ ]  | No[ ]  |
| C3-QP4-8(c) | The organization is not able to submit supporting documents required under Regulation 59 of the Public Contracts Regulations 2015. | YES[ ]  | No[ ]  |
| C3-QP4-8(d) | The organization has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organization undue advantages in the procurement procedure. | YES[ ]  | No[ ]  |
| C3-QP4-8(e) | The organization has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | YES[ ]  | No[ ]  |
| C3-QP4-9 | If you have answered Yes to any of questions C3- QP4-1 to C3-QP4-8(e), provide• details of the circumstances;• explain what measures have been taken to demonstrate the reliability of the organization despite the existence of a relevant ground for exclusion (Self cleaning - see Regulation 57 (13 to 17) of the Public Contracts Regulations 2015);• if relevant documentation is available electronically, indicate the web address, issuing authority or body and precise reference of the document. | Response |

**Table 4 – Health and safety: policy and capability**

|  |  |  |
| --- | --- | --- |
| Q RefC4-Q1 | Exemptions and pertinent question selection | Exemption(s) Claimed |
| Please tick i and /or ii for C4-Q1-1a, b and /or c, as appropriate, and for i, also state the CDM duty holder role(s) for which exemption is claimed | Supplier’s unique reference to certificates or other supporting information |
| C4-Q1 | In the circumstances set out in C4-Q1-1a) to C4-Q1-1c), if your organization meets the relevant criteria in respect of exemption categories i) and/or ii) below:i. one or more of the following CDM duty holder roles: contractor, principal contractor, designer, principal designer;ii. general health and safety: policy and capability;and you can provide the supporting information to evidence this, the following exemptions apply:• for an exemption under i) or ii) above: questions C4-Q2 to C4-Q11 need not be completed• for an exemption under i) above questions C4-Q12 to C4-Q22 also need not be completed in respect of the role(s) identified.If you are not claiming an exemption, please move to question C4-Q2.However, if you are claiming exemption(s), but such exemption(s) does not cover all the categories/roles relevant to your application, please:• complete questions C4-Q12 to C4-Q22 in respect of each relevant category/role not covered by an exemption; and• provide any additional information required for C4-Q2 to C4-Q11 in respect of relevant categories/ roles that are not covered by an exemption.\**NOTE \*Additional information to that relevant to the exemption(s) claimed could be required to demonstrate satisfactory organization and arrangements appropriate to the categories/roles not covered by such exemption(s).* |  |  |
| Circumstances of exemption |
| C4-Q1-1a) You have, within the last twelve months, successfully completed a prequalification application undertaken by an assessment provider able to demonstrate that its information gathering process is equivalent to that of PAS 91. | For i) [ ] CDM duty holder role(s) claimed....................................................For ii) [ ]  |  |
| C4-Q1-1b) You have, within the last twelve months, successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum (see Annex D). | For i) [ ] CDM duty holder role(s) claimed....................................................For ii) [ ]  |  |
| C4-Q1-1c) You hold a certificate of compliance with BS OHSAS 18001 (or equivalent) issued by a Conformity Assessment Body accredited to provide conformity assessment services to that standard,1 e.g. accredited by UKAS.*Note 1) accredited means having undergone third-party attestation by an organization that is a signatory to either or**both of the European Accreditation or International Accreditation Forum, multi-lateral agreements.* | For i) [ ] CDM duty holder role(s) claimed....................................................For ii) [ ]  |  |
| Q Ref. | Question | Example of the type of information in support of responses, which will be taken into account in assessment | YES | NO | Supplier’s unique reference to relevant supporting information |
| C4-Q2 | Are you able to show that you have a general policy and an organization which is responsible for ensuring effective health and safety (H&S) management? | Evidence of periodically reviewed general H&S policy, signed and dated by a senior person within the organization. The H&S policy should also contain the organization and arrangements. These should be relevant to the anticipated nature and scale of activity to be undertaken, and set out responsibilities for H&S management at all levels in the organization. (Organizations with fewer than 5 employees, see Note 4 to this Table) | [ ]  | [ ]  |  |
| C4-Q3 | Are you able to show your arrangements for ensuring that your H&S measures are effective in reducing/ preventing work-related incidents, occupational ill-health and accidents? | Details of the arrangements for H&S management that are relevant to the anticipated nature and scale of activity to be undertaken, and how these arrangements are communicated to workers. (Organizations with fewer than 5 employees, see Note 4 to this Table) | [ ]  | [ ]  |  |
| C4-Q4 | Do you have ready access to competent H&S advice/assistance? | Evidence of how your organization has ready access to competent H&S advice, for both general health and safety and, for CDM duty holders, construction-related health and safety.(Access to competent inhouse advice, in whole or part, is usually preferred. It is essential that H&S advisor(s) are able to provide general H&S advice and that, for CDM duty holders (from the same source or elsewhere) advice on relevant construction H&S issues is accessible as required.) | [ ]  | [ ]  |  |
| C4-Q5 | Do you have a process for providing your employees/other workforce with training and other information appropriate to the activities that your organization is likely to undertake? | Evidence that your organization implements relevant training arrangements to ensure that employees/other workforce have sufficient skills and understanding to discharge their various duties. This should include refresher training on relevant good H&S practice and, for CDM contractors and principal contractors, Construction Phase Plans (CPP) may be used to show how information is disseminated or communicated on-site (see note 5 to this Table). | [ ]  | [ ]  |  |
| C4-Q6 | Do your employees/other workforce have H&S and other relevant knowledge, experience and skills to carry out activities that your organization is likely to undertake? | Evidence that your employees/other workforce have suitable knowledge, experience and skills for the activities assigned to them, unless there are specific situations where they need to work under competent control and/or supervision (e.g. apprentices and other trainees). | [ ]  | [ ]  |  |
| C4-Q7 | Do you check, review and, where necessary, improve your H&S performance? | Evidence that your organization has an effective, ongoing system for monitoring H&S procedures, and for periodically reviewing and updating that system as necessary. | [ ]  | [ ]  |  |
| C4-Q8 | Do you have procedures for involving your employees/other workforce in the planning and implementation of H&S measures? | Evidence that your organization implements a means of consulting with its employees/other workforce on H&S matters and how comments, concerns or complaints submitted by employees/other workforce are taken into account. | [ ]  | [ ]  |  |
| C4-Q9 | Do you routinely record and review accidents/incidents and undertake follow-up action? | Evidence that your organization maintains records of all RIDDOR-reportable (see note 6 to this Table) and other incidents for at least the last three years.Evidence that your organization has an effective system for reviewing significant incidents, and recording any resulting action taken (including your response to any H&S enforcement activity). | [ ]  | [ ]  |  |
| C4-Q10 | Do you have arrangements for ensuring that your suppliers also apply H&S measures that are appropriate to the activities that your organization is likely to undertake? | Evidence that your organization implements arrangements for ensuring and monitoring H&S skills, knowledge and experience, and performance, throughout your entire supply chain, appropriate to the work likely to be undertaken. | [ ]  | [ ]  |  |
| C4-Q11 | Do you operate a process of risk assessment, capable of supporting safe systems of work? | Evidence that your organization implements procedures for carrying out relevant risk assessments and for developing and implementing safe systems of work (“method statements”).Please provide indicative examples, which must include: the identification and control of any significant occupational health (not just safety) issues, appropriate to the work likely to be undertaken. (Organizations with fewer than 5 employees, see Note 4 to this Table)*NOTE Risk assessments should focus on, and be proportionate to, the risks arising from the type of work to be undertaken. The need to reduce documentation requirements on microbusinesses in particular should be taken into account by buyers and assessment providers. Excessive bureaucracy associated with prequalification assessment can obscure the real H&S issues to be considered, and even divert effort away from them.* | [ ]  | [ ]  |  |
| C4-Q12 | CDM duty holder related question selection: The questions asked in C4-Q13 to C4-Q22 (in conjunction with questions C4-Q2 to C4-Q11) are appropriate for particular construction duties and have been colour coded accordingly to assist identification. Please indicate below which duty (or duties) best describes your organization’s activity and then only provide responses to the questions colour coded to the duty (or duties) you have selected.*NOTE The questions refer to duty holders under the Construction (Design and Management) Regulations 2015, which defines the scope of “construction” activity. If your organization potentially fills more than one role (e.g. “Design and Build”), please provide responses to the questions applying to all relevant duty holder roles (e.g. Designer and Principal Contractor)* |  |  |
| CDM DUTY HOLDER ROLE(S) IDENTIFIEDPlease respond “yes” or “no” to each role identified below |  |  |
| *NOTE 1 If none of the duty holder roles identified below are relevant, you do not need to respond to any of questions C4-Q13 to C4-Q22**NOTE 2 Principal contractors will also need to respond to questions applicable to contractors, and principal designers will also need to respond to questions applicable to designers* | YES | No |  |
| C4-Q12-a) Contractor/principal contractor (respond to grey shaded questions C4-Q13 to C4-Q16) | [ ]  | [ ]  | None Required |
| C4-Q12-b) Principal contractor (in addition to C4-Q13 to C4-Q16 also respond to yellow shaded question C4-Q17) | [ ]  | [ ]  |  |
| C4-Q12-c) Designer/principal designer (respond to red shaded questions C4-Q18 to C4-Q19) | [ ]  | [ ]  |  |
| C4-Q12-d) Principal designer (in addition to C4-Q18 to C4-Q19 also respond to green shaded questions C4-Q20 to C4-Q22) | [ ]  | [ ]  |  |
| Q Ref | Question | Example of the type of information in support of responses, which will be taken into account in assessment. | YES | NO | Supplier’s unique reference to relevant supporting information |
| C4-Q13 Contractor/Principal contractor | Do you have arrangements for cooperating and co-ordinating your work with others (including other suppliers, notably contractors)? | Describe how co-operation and co-ordination of the work is achieved in practice, and how any other organizations are involved in drawing up method statements, etc. including response to emergency situations. This should include how input from your suppliers will be taken into account, and how external comments, including any concerns or complaints, will be responded to. This may include CPPs. | [ ]  | [ ]  |  |
| C4-Q14 Contractor/Principal contractor | Do you have arrangements for ensuring on-site welfare for your employees/other workforce? | Describe how you ensure suitable welfare facilities for your employees/other workforce are in place before starting work on site, whether provided by a site-specific arrangement with others, or your own measures. This may include CPPs. | [ ]  | [ ]  |  |
| C4-Q15 Contractor/principal contractor | Are you able to provide evidence of the skills, knowledge and experience of H&S in construction in your organization? | Examples of actual knowledge, skills and experience within your organization. This may include:NEBOSH Construction Certificate; membership of Association for Project Safety; membership of Institution of Construction Safety; SSSTS; SMSTS (e.g. provided in a skills matrix for key personnel) | [ ]  | [ ]  |  |
| C4-Q16 Contractor/ principal contractor | Do you review and develop your effectiveness in the contractor/principal contractor role? | Evidence that your organization Implements an ongoing system for monitoring performance, including post-project review. | [ ]  | [ ]  |  |
| C4-Q17 Principal contractor | Do you implement arrangements to meet the ‘principal contractor’ duties under the Construction (Design and Management) Regulations 2015? | Concise, practical examples, relevant and proportionate to the type of activity likely to be carried out, of how your organization meets the requirements of principal contractor. In particular, provide evidence of how you:C4–Q17-1 Plan, manage, monitor and coordinate H&S in the construction phase, including communication with the client, principal designer and contractors;C4–Q17-2 Prepare, review and maintain CPPs;C4–Q17-3 Organize cooperation Between contractors and others, and coordinate the work;C4–Q17-4 Ensure relevant and suitable site inductions;C4–Q17-5 Provide information for the H&S file. | [ ]  | [ ]  |  |
| C4-Q18 Designer/principal designer | Do you implement arrangements to meet the ‘designer’ duties under the Construction (Design and Management) Regulations 2015? | Evidence showing how you address C4-Q18-1 to C4-Q18-4 below.Provide relevant examples showing how risk was reduced through design.*NOTE Emphasis should be on practical, proportionate measures that address significant risks arising from designs for relevant construction, not on lengthy documentation about generic risks.*C4-Q18-1 Check that the client is aware of their dutiesC4-Q18-2 Ensure that you and your workforce have the necessary skills, knowledge and experience to discharge their legal duties under CDM 2015?Provide relevant evidence of:• your CPD programme and/ or examples of training and development plans (which may include inhouse training).• your relevant qualifications, e.g. membership of a professional institution such as CIAT; CIBSE; ICE or RIBA.• how you maintain your technical knowledge and understanding of construction design.C4-Q18-3 Ensure significant risks are eliminated by design, taking account of the principles of prevention and show how construction and lifecycle risks are eliminated or controlled (with reference to buildability, maintainability and use).C4-Q18-4 Effectively manage design changes, with regard to ensuring H&S during and post-completion. | [ ]  | [ ]  |  |
| C4-Q19 Designer/principal designer | Do you review and monitor your design performance, notably in relation to H&S? | Evidence that your organization implements an ongoing system for monitoring H&S design procedures and for reviewing and updating that system as necessary, e.g. through project designreview (during and post-completion). | [ ]  | [ ]  |  |
| C4-Q20 Principal Designer | Do you implement arrangements to meet the “principal designer” duties under the Construction (Design and Management) Regulations 2015? | Concise, practical examples, relevant and proportionate to the type of activity likely to be carried out, of how your organization meets the requirements of principal designer. In particular, evidence of how you:C4–Q20-1 Help the client to meet its duties under CDM 2015C4–Q20-2 Gather, prepare, communicate and coordinate information, including design information, with other duty holders during the pre-construction phaseC4–Q20-3 Plan, manage and monitor health and safety-related information, including design information, in the pre-construction phase of a project, with the aim of identifying, eliminating or controlling foreseeable risks;C4–Q20-4 Ensure designers carry out their duties, including oversight and co-ordination within the design team and with other designers/contractors;C4-Q20-5 Liaise with the principal contractor;C4–Q20-6 Prepare and provide relevant information to other duty holders, including the H&S file. | [ ]  | [ ]  |  |
| C4-Q21 Principal designer | Are you able to provide evidence of the skills, knowledge and experience of H&S in construction in your organization? | Examples of actual skills, knowledge and experience. This may include validated CPD, and typical additional qualifications.For example, a member of the registers administered by the Association for Project Safety or the Institution of Construction Safety (formerly known as the CDM co-ordinator’s register), or the ICE construction health and safety register. | [ ]  | [ ]  |  |
| C4-Q22 Principal designer | Do you review and develop your effectiveness in the principal designer role? | Evidence that your organization implements, an ongoing system for monitoring performance, including post-project review. | [ ]  | [ ]  |  |

*NOTES TO TABLE 4*

*NOTE 1 Assessors should not request unnecessary paperwork and may not necessarily require evidence of all the examples in column 3 of Table 4. Suppliers (including contractors, consultants and others) should only be required to produce enough evidence to show that they meet the relevant criteria, taking account of the nature of activities/projects likely to be involved, and the hazards and risks. This requires assessors to make a judgement as to whether the evidence provided meets the standard to be achieved. If that judgement is reasonable, and clearly based on the evidence requested, assessors cannot be criticised if the supplier they appoint subsequently proves not to have the necessary capability (essential knowledge, skills and experience) when carrying out the activity.*

*NOTE 2 For suppliers that will be CDM duty holders – The core questions in Table 4 align with legal requirements on the relevant duty holder under the Construction (Design and Management) Regulations (CDM 2015).*

*NOTE 3 For suppliers that will be CDM duty holders – Asking the questions in Table 4 does not remove the buyer’s requirement to make further enquiries about the supplier’s H&S capability, as required for specific projects, services or other activities.*

*Stage 1: An assessment of the supplier’s organization and arrangements for H&S, to determine whether these are sufficient to enable the supplier to carry out the activity safely and without risk to health. Stage 1 assessments*

*assess the general (basic) capability of the supplier and are within the scope of PAS 91.*

*Stage 2: Stage 2 assessments are outside the scope of PAS 91\*. They involve an additional assessment of the supplier’s experience, technical capability and track record, to establish that: it is capable of carrying out the actual construction activity/project required (i.e. project, activity or service-specific enquiries), and notably in relation to higher hazard activity; that the supplier recognizes any limitations and how these should be overcome; and appreciates the hazards associated with the activity and how the risk should be effectively controlled.*

*\*Stage 2 assessments follow Stage 1 enquiries and they should not therefore be asked in relation to PAS 91 (although in the public sector only, stage 2 questions relating to previous experience will be asked in the prequalification questionnaire – if required by law).*

*NOTE 4 If a supplier has fewer than five employees it is not legally required to write down its general policy, organization or arrangements. However, it does need to be able to show that its arrangements are adequate in relation to the type of activity likely to be undertaken.*

*NOTE 5 Relevant and proportionate CPPs are required for ‘construction work’ covered by CDM 2015. CPPs need only be proportionate to the nature of the activity likely to be undertaken.*

*NOTE 6 RIDDOR: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.*

**Table 5 - Equal opportunity and diversity policy and capability**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Q Ref. | Question | Description of information in support of response, which will be taken into account in assessment | YES | NO | Supplier’s unique reference to relevant supporting information |
| O1-Q1 | As an employer, do you meet the requirements of the positive equality duties in relation to the Equalities Act 2010? | In respect of O1-Q1, copies of:O1-Q1-1 relevant instructions or written statement/evidence of relevant actionsO1-Q1-2 relevant guidance or written statement/evidence of relevant actionsO1-Q1-3 relevant policies/literature or written statement/ evidence of relevant actionsO1-Q1-4 evidence of where you believe these policies have made a difference | [ ]  | [ ]  |  |
| O1-Q2 | Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others? | No supporting evidence required | [ ]  | [ ]  |  |
| O1-Q3 | In the last three years has any finding of unlawful discrimination been made against your organization by any court or industrial or employment tribunal or equivalent body? | Details of any findings | [ ]  | [ ]  |  |
| O1-Q4 | In the last three years, has your organization been subject to a compliance action by the Equality and Human Rights Commission or an equivalent body on grounds of alleged unlawful discrimination? | Details of any investigations | [ ]  | [ ]  |  |
| O1-Q5 | In the last three years, has your organization been found in breach of section 15 of the Immigration, Asylum and Nationality Act 2006? | Details of any findings | [ ]  | [ ]  |  |
| O1-Q6 | In the last three years, has your organization been found in breach of section 21 of the Immigration, Asylum and Nationality Act 2006? | Details of any findings | [ ]  | [ ]  |  |
| O1-Q7 | In the last three years, has your organization been found to be in breach of the National Minimum Wage Act 1998? | Details of any findings | [ ]  | [ ]  |  |
| O1-Q8 | If the answer to any of questions 3 to 7 is “yes”, what steps did your organization take as a result of that finding or investigation? | Details/evidence of remedial action | [ ]  | [ ]  |  |
| O1-Q9 | Does your organization operate appropriate arrangements to ensure that equality and diversity is embedded within your organization? | Provide copies of any relevant policies or written statement/evidence of relevant actions | [ ]  | [ ]  |  |
| O1-Q10 | Do you actively promote good practice in terms of eliminating discrimination in all forms through: |  |  |  |  |
| O1-Q10-1 guidance to your employees/ suppliers concerned with recruitment, training and promotion? | In respect of O1-Q10-1, copies of any relevant guidance or written statement/evidence of relevant actions. | [ ]  | [ ]  |  |
| O1-Q10-2 making guidance or policy documents concerning how the organization embeds equality and diversity available to employees/ sub-contractors, recognized trade unions or other representative groups of employees? | In respect of O1-Q10-2, copies of any relevant guidance, policies, or written statement/ evidence of relevant actions. | [ ]  | [ ]  |  |
| O1-Q10-3 appropriate recruitment advertisements or other literature? | In respect of O1-Q10-3, copies of any relevant advertisement or written statement/evidence of relevant actions. | [ ]  | [ ]  |  |

**Table 6 – Environmental management policy and capability**

|  |  |  |  |
| --- | --- | --- | --- |
| Q Ref. | Exemption | Exemption claimed | If exemption claimed, supplier’s unique reference to certificates or other supporting information |
| O2-Q1 | The questions in this module need not be completed if your organization holds a certificate of compliance with BS EN ISO 14001 (or equivalent) issued by a Conformity Assessment Body accredited to provide conformity assessment services to that standard2, e.g. accredited by UKAS, or you have a valid EMAS certificate, and can provide information to evidence this. | YES [ ]  |  |
| NO [ ]  |
| Q Ref. | Question | Description of information in support of response, which will be taken into account in assessment | YES | NO | Supplier’s unique reference to relevant supporting information |
| O2-Q2 | Do you have a documented policy and organization for the management of construction-related environmental issues? | Evidence that you or your organization has an environmental management policy authorized by the chief executive or equivalent that is regularly reviewed. The policy should be relevant to the nature and scale of the activity and set out the responsibilities for environmental management throughout the organization. | [ ]  | [ ]  |  |
| O2-Q3 | Do you have Documented arrangements for ensuring that your environmental management procedures are effective in reducing/ preventing significant impacts on the environment? | Evidence that your organization’s environmental policy implementation plan provides information as to how the company aims to discharge relevant legal responsibilities and provides clear indication of how these arrangements are communicated to employees/other workforce, in relation to environmental matters including:• sustainable materials procurement;• waste management;• energy management.This should include the arrangements for responding to, monitoring and recording environmental incidents, emergencies and complaints. | [ ]  | [ ]  |  |
| O2-Q4 | Do you have arrangements for providing employees who will engage in construction, with training and information on construction-related environmental issues? | Evidence that your organization has in place, and implements, training arrangements to ensure that its workforce has sufficient skills and understanding to carry out their various duties. This should include a programme of refresher training that will keep employees/other workforce updated on relevant legal requirements and good environmental management practice. | [ ]  | [ ]  |  |
| O2-Q5 | Do you check, review and where necessary improve your environmental management performance? | Evidence that your organization has a system for monitoring environmental management procedures on an ongoing basis and for updating them at periodic interval. | [ ]  | [ ]  |  |
| O2-Q6 | Do you have arrangements for ensuring that any suppliers you engage apply environmental protection measures that are appropriate to the activity for which they are being engaged? | Evidence that your organization has procedures for monitoring supplier’s environmental management arrangements and ensuring that environmental performance appropriate for the activity to be undertaken is delivered throughout the whole of your organizations supply chain. | [ ]  | [ ]  |  |

2) In O2-Q,1 accredited means having undergone third-party attestation by an organization that is a signatory to either or both of the European Accreditation or International Accreditation Forum, multi-lateral agreements.

*NOTE EMAS is the European Eco-management and Audit Scheme, sponsored by the European Commission (see* [*http://eceuropaeu/environment/emas/index\_ENhtm*](http://eceuropaeu/environment/emas/index_ENhtm)*)*

**Table 7 – Quality management policy and capability**

|  |  |  |  |
| --- | --- | --- | --- |
| Q Ref. | Exemption | Exemption claimed | If exemption claimed, supplier’s unique reference to certificates or other supporting information |
| O3-Q1 | The questions O3-Q2 to O3-Q6, need not be completed if your organization holds a certificate of compliance with BS EN ISO 9001 (or equivalent) issued by a Conformity Assessment Body accredited to provide conformity assessment services to that standard3 e.g. accredited by UKAS, and can provide information to evidence this. | YES [ ]  |  |
| NO [ ]  |
| Q Ref. | Question | Description of information in support of response, which will be taken into account in assessment | YES | NO | Supplier’s unique reference to relevant supporting information |
| O3-Q2 | Do you have a policy and organization for quality management? | Evidence that your organization has and implements a quality management policy that is authorized by the chief executive or equivalent that is periodically reviewed at a senior management level. The policy should be relevant to the nature and scale of the work to be undertaken and set out responsibilities for quality management throughout the organization. | [ ]  | [ ]  |  |
| O3-Q3 | Do you have arrangements for ensuring that your quality management, including the quality of construction output and general performance, is effective in reducing/ preventing incidents of sub-standard delivery? | Evidence that your organization keeps copies of documentation setting out quality management organization and procedures that meet currently agreed good. practice. These should include the arrangements for quality management throughout the organization. They should set out how the company will carry out its policy, with a clear indication of how the arrangements are communicated to employees/other workforce. | [ ]  | [ ]  |  |
| O3-Q4 | Do you have arrangements for providing your workforce with quality-related training and information appropriate to the type of work for which your organization is likely to bid? | Evidence that your organization has in place and implements, training arrangements to ensure that its employees/other workforce has sufficient skills and understanding to discharge their various responsibilities. These arrangements should include a programme of training that will keep employees/other workforce up to date with required knowledge about quality related issues, including copies of job profiles; training manuals and training records. | [ ]  | [ ]  |  |
| O3-Q5 | Do you have procedures for periodically reviewing, correcting and improving quality performance? | Evidence that your organization has a system for monitoring quality management procedures on an ongoing basis. Your organization should be able to provide evidence of systematic, periodic review and improvement of quality in respect of construction output and general performance. | [ ]  | [ ]  |  |
| O3-Q6 | Do you have arrangements for ensuring that your own suppliers apply quality management measures that are appropriate to the work for which they are being engaged? | Evidence that your organization has arrangements for monitoring supplier’s quality management arrangements and ensuring that quality performance appropriate for the work to be undertaken is delivered throughout the whole of your organizations supply chain. | [ ]  | [ ]  |  |

3) In O3-Q1 accredited means having undergone third-party attestation by an organization that is a signatory to either or both of the European Accreditation or International Accreditation Forum, multi-lateral agreements.

**Declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this completed document (questionnaire) are correct and accurate, including Tables 1, 3A and 3B and where applicable Tables (document compiler to insert the table numbers for all of the other questions included for the procurement)

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

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

I understand that the contracting 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.

**By completing this declaration you are agreeing with the statement above**

Details of person completing the Declaration.

|  |  |
| --- | --- |
| **Signature****(an electronic signature is acceptable)** |  |
| **Name** |  |
| **Position** |  |
| **For and on behalf of** |  |
| **Date** |  |

**Table 8 – Additional Questions**

|  |  |
| --- | --- |
| **8.1** | **If you have indicated in the Selection Questionnaire question that you are part of a wider group, please provide further details below:** |
| Name of organisation |  |
| Relationship to the Supplier completing these questions |  |
| **a** | Are you able to provide parent company accounts if requested to at a later stage? | **Yes** [ ] **No** [ ]  |
| **b** | If yes, would the parent company be willing to provide a guarantee if necessary? | **Yes** [ ] **No** [ ]  |
| **c** | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | **Yes** [ ] **No** [ ]  |

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| **8.2**  | **Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015** |
| **a** | 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** [ ]  |
| **b** | If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | **Yes** [ ] Please provide the relevant url to view the statement…**No** [ ] Please provide an explanation |

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| **8.3** | **Cyber Essentials** |
| This section is evaluated as PASS/FAIL.Please confirm whether:Your organisation has a current and valid Cyber Essentials certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies within the most recent 12 months; **or** Your organisation has not got a current and valid Cyber Essentials certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies but is working towards gaining it, and will confirm that it has been awarded a current and valid Cyber Essentials certificate by one of the government approved accreditation bodies by the date of the Framework Agreement or a later date when Cyber Essentials Data are received by the Supplier; **or** Your organisation has not got a current and valid Cyber Essentials certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies, but can demonstrate (or, will be able to demonstrate by the date of the Framework Agreement or a later date when Cyber Essentials Data are received by the Supplier) that its organisation meets the technical requirements prescribed by the Cyber Essentials Scheme as detailed in the following link:<https://www.cyberstreetwise.com/cyberessentials/files/requirements.pdf>and that the Supplier can provide evidence of verification by a technically competent and independent third party (which has taken place within the most recent 12 months) that its organisation demonstrates compliance with Cyber Essentials technical requirements. Your organisation will be exempt from complying with the requirements where a Supplier conforms to the ISO27001 standard and the Cyber Essentials requirements have been included in the scope of that standard, and verified as such and the certification body carrying out this verification is approved to issue a Cyber Essentials certificate by one of the government approved Cyber Essentials accreditation bodies referred to above.To achieve a PASS you must select YES. If you select NO then you will achieve a FAIL and your tender will be excluded from further consideration for the purposes of this procurement. | **Yes** [ ] **No** [ ]  |

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| **8.4** | **Data Protection** |
| **Please answer the following questions in relation to your organisation or any partner organisation:** |
| Does your organisation comply with the General Data Protection Regulations? | **Yes** [ ] **No** [ ]  |
| Please self-certify that your organisation or any partner organisation has a Data Protection policy that complies with current legislative requirements or are willing to comply with Somerset County Council’s current policy.  | **Yes** [ ] **No** [ ]  |

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| **8.5** | **e-mail Security** |
| The Authority currently uses the EGRESS secure e-mail system and Suppliers must confirm that they will agree to implement and use EGRESS (or a similar compatible system) for protection of personal/sensitive e-mail and data. | **Yes** [ ] **No** [ ]  |

# Award

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| **Questions** | **Weighting** |
| **1 Organisation Structure** | **10%** |
| Describe your proposed organisational structure for the delivery of the service. Your response should demonstrate that this structure will effectively deliver the service.Set out your proposals with regard to the following criteria:1. The management of the contract corporately to include an organisation chart.
2. The management of the contract locally, to include details of the Contract Director, Operations Manager and Commercial Manager and other management and support staff.
3. Curricula Vitae (CV) for the proposed Contract Director, Operations Manager and Commercial Manager.

CV’s shall be in summary format of a maximum length of two sides of A4 each using 12-point Arial font and shall cover the following:1. Name
2. Years of experience
3. Qualifications/Dates
4. Position
5. Time in Position
6. Key Skills
7. Sector 8 accreditation and obtained modules
8. Career summary including relevant experience
9. Selected project experience including dates, name of employer and description of responsibility
10. Refer to Volume 4 Method of Measurement Section 4 Dayworks
11. Details of operational staff to include numbers and job titles.
12. Other pertinent information.
 |
| **Response:****May be provided as a separate document – please state below the title of documents**Maximum Length 4 sides of A4 excluding CV’s. |
| **2 Methods of working** | **35%** |
| Detail your proposed methods of working addressing the following criteria:* 1. Proposals for contract start-up. The submission for this section will include a sufficiently detailed Mobilisation Programme, the purpose of which is to demonstrate to the Employer that due consideration is given to providing the Employer with a seamless transfer between old and new contracts. 2 sides of A4

2.2 Ensuring 24/7 cover for Emergency Service. 1 side of A42.3 Administering the Fault Management System on a day to day basis. 2 sides of A4* 1. Internal Auditing. 1 side of A4
	2. Proposals for keeping staff up to date with policy, including but not limited to Equality legislative responsibilities, and how staff and Subcontractors are monitored to ensure compliance. 1 side of A4
	3. Proposals for delivering continuous improvement in service delivery. 1 side of A4
	4. Proposals for regular performance meetings. 1 side of A4
	5. Proposals for monthly production of Key Performance Indicators and their subsequent review. 1 side of A4
	6. Proposals for training. 1 side of A4
 | 20%5%20%10%10%10%10%10%5% |
| **Response:****May be provided as a separate document – please state below the title of documents****For Maximum Length see individual points (excluding Mobilisation Programme).** |
| **3 Resources** | **20%** |
| Detail and describe the resources that you propose to deliver the service. Demonstrate how these proposals will ensure effective delivery of the service.Your response should address the following criteria:3.1 Premises, depots and offices. 1 side of A43.2 Labour, Plant and Equipment, stating vehicle and equipment type and numbers as appropriate. 1 side of A43.3 Information Communication Technology and availability of systems. 2 side of A43.4 Extent of use and control of Subcontractors. 1 side of A43.5 Ensuring sufficient resources to provide the service throughout the Contract, including how staff that may be transferred will be integrated (including terms, benefits and pension rights) with your existing staff. 2 side of A4 | 10%10%30%20%30% |
| **Response:****May be provided as a separate document – please state below the title of documents****For Maximum Length see individual points.** |
| **4 Risk** | **10%** |
| Describe your approach to risk management for this contract, demonstrating that this approach is robust, setting out:1. A clear approach to identify any risks and constraints surrounding task orders;
2. A robust and thorough approach to carry out an assessment on identified risks and constraints to fully understand the implications upon the works to be carried out;
3. Details around how you would review the suitable options for mitigating and managing any identified risks and constraints, including setting out the factors that will be considered in determining the best option;
4. Explanation around how you would ensure the approach to managing the constraints and risks are subsequently taken into account in the delivery of the service or task order.
 |
| **Response:****May be provided as a separate document – please state below the title of documents****Maximum Length 4 sides of A4 excluding example documents** |
| **5 Method Statements** | **20%** |
| Tenderers shall provide Method Statements for providing services in the following circumstances. In formulating their responses Tenderers must have regard to the provisions of the Tender Document and describe resources to be used, compliance with technical requirements, providing adequate notice of works to the Service Manager and Street Authority, health and safety and/or traffic management issues that may arise from the described circumstance.5.1 The Contractor receives a Red Lamp Fault Report at 17:00hrs. On inspection the lamp appears to have simply malfunctioned. Describe the procedure followed by the Contractor to clear the Fault. Your response should make specific reference to how the Fault Management System is used to keep the Service Manager informed, response times to be adhered and the appropriate method within the Price List used to reimburse the Contractor for his costs.5.2 The Contractor receives a Modification Task Order which includes replacing 4 degraded traffic signal poles with new. Outline the processes and procedures followed by the Contractor to undertake these works, including how the Task Order is processed, Traffic management and the supervision of Subcontractors, from inception to completion. Your response should include liaisons between the Contractor, Service Manager and method for booking road space on the network.5.3 Describe the regime and method utilised whilst undertaking Cyclical Maintenance, specific reference to cleaning and periodic inspections, taking into account non-standard poles. With specific reference to vegetation issues, Aspect alignment, electrical testing. Consideration should be given to Vol 3 Service Information & Service Specification and Volume 2 Works Information Appendix 23.5.4 Describe the methods and processes used to ensure that Emergency Services are delivered in accordance with the terms of this contract, cross referencing to sections of the Service Information as appropriate. Your response should clearly demonstrate the ability to respond to an Emergency call within the time limits defined.5.5 The Contractor receives a Detector Fault relating to a Loop on a high-speed site. Describe the whole process from attendance to full fix. Include the process how the fault changes into a chargeable/modification task order, traffic management, subcontractor supervision. Also include liaisons between the Contractor, Service manager and NRSWA.5.6 Describe the process when the contractor receives a fault relating to a communication on Somerset County Council private network, from attendance to full fix. | 20%20%20%10%20%10% |
| **Response:****May be provided as a separate document – please state below the title of documents****Each Method Statement shall be no longer than 2 sides of A4** |
| **6 Social Value** | **5%** |
| Set out your organisation’s commitment to corporate social responsibility and how this relates to the contract on offer.With specific reference to this contract and the Somerset Priority Areas for delivering Social Value outcomes, describe how your tender will support delivery of Social Value. Please set out any activities that will be delivered during the term of the contract and how these will be measured and demonstrated to have been delivered.For Information the following Somerset Priority Areas are have been identified as potentially relevant to this contract:1. Developing employment, skills and training opportunities, particularly for hard to reach/ disabled/target groups2. Improving health and wellbeing, maintaining independence and reducing inequalities of local residents and employees3. Creating opportunities for micro-providers, the voluntary sector, small and medium enterprises to be part of supply chains which support Somerset County Council priorities and service delivery.4. Actively encouraging and working with partners, suppliers and customers to adopt measures to reduce / cut their use of single use plastics.5. Reducing air pollution, particularly in urban areas.(source <http://www.somerset.gov.uk/EasySiteWeb/GatewayLink.aspx?alId=124646>)  |
| **Response****May be provided as a separate document – state below title of documents****Maximum Length 4 sides of A4 excluding example documents** |

# Commercially Sensitive Information

I declare that I wish the following information to be designated as Commercially Sensitive:

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The reason(s) it is considered that this information should be exempt under Freedom of Information Act 2000 is:

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