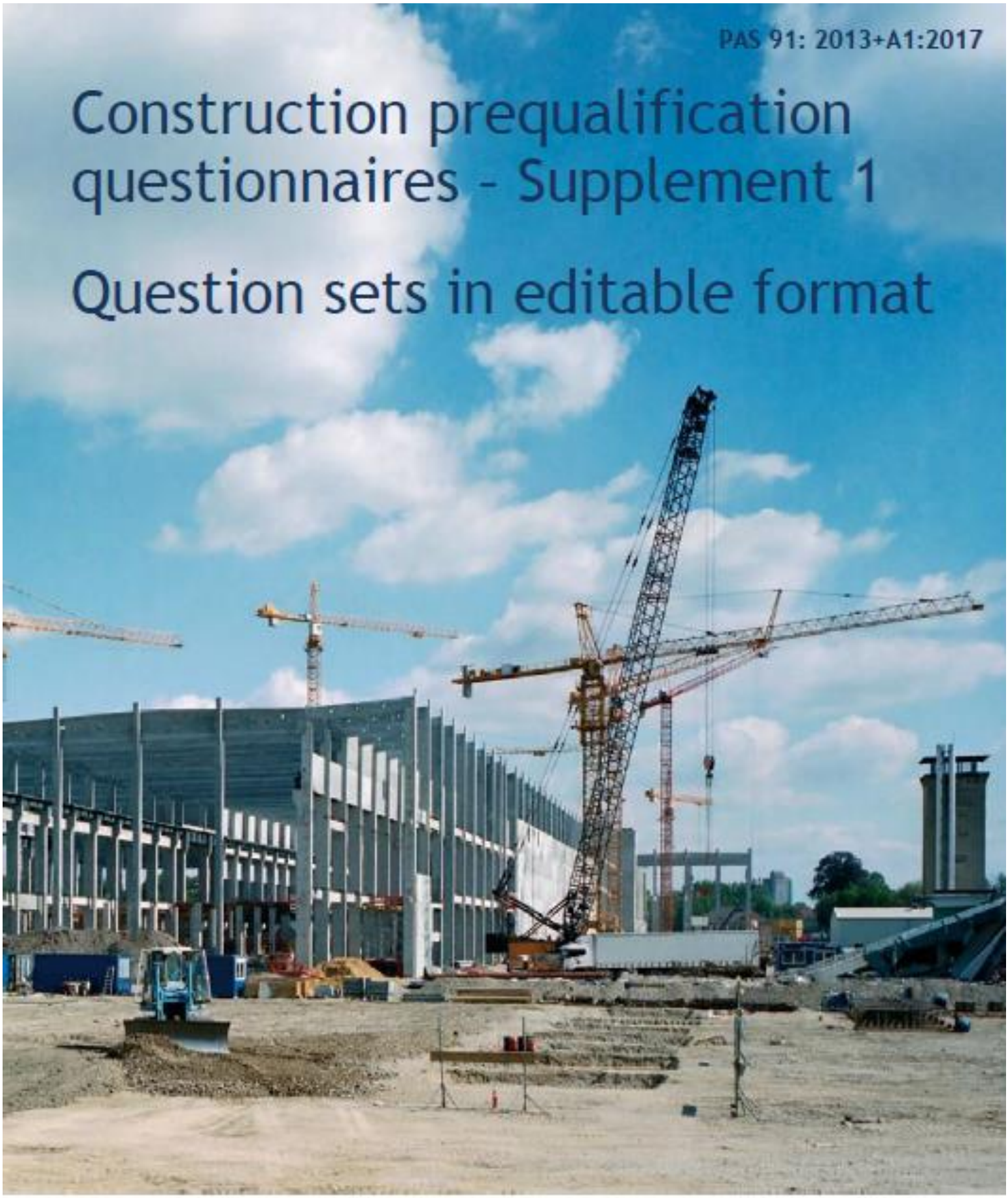
PAS 91: 2013+A1:2017

Construction prequalification questionnaires – Supplement 1

Question sets in editable format



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Introduction

BSI PAS 91 is a publicly available specification (PAS) that sets out the content, format and use of questions that are widely applicable to prequalification for construction tendering. The PAS sets out, not only the questions that are to be asked in a prequalification system claimed to be compliant with PAS 91, but also establishes rules for their application.

To assist procurement organizations, buyers and assessment providers in their use of PAS 91, this document provides the PAS 91 prequalification questions in their entirety, in a form that can be used to create PAS 91 compliant questionnaires that suppliers will be able to use to submit their responses to the questions asked. This document should therefore be considered as supplementary to PAS 91: 2013+A1: 2017.

Users of this document are reminded that PAS 91 requires that questions be included in prequalification processes without modification (see PAS 91: 2013+A!; 2017, clause 3). In providing this document, every effort has been made to ensure the accurate reproduction of the PAS 91 questions but those using it to prepare their own questionnaires are responsible for ensuring that when incorporated in those questionnaires, the content of each question remains exactly as the equivalent question in the published PAS.

Any dispute as to the validity of a question presented in a prequalification questionnaire is to be resolved by reference to the relevant question in the published version of PAS 91:2013 and not to any copy of this supplementary document.

PLEASE NOTE:

To facilitate cross referencing between this supplementary document and the original PAS, the clauses in this document retain the numbers from the published version of PAS 91: 2013+ A1: 2017.

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4. Core and optional questions

4.1 Application of core question modules

The questions provided in tables 1 to 4 are core questions and shall be included as specified in Clause 3, in every prequalification questionnaire for which compliance with this PAS is claimed, other than in the circumstances provided for in the respective tables.

Table 1 – Core Question Module C.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 for Enquiries**	**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	

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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)*	

In addition to the information called for in C1-Q1 to C1-Q9, the following (pale blue shaded) supplementary questions (C1-Q10 to C1-Q14)) are applicable to procurements subject to the Public Contracts Regulations 2015 which exceed the relevant EU declared threshold. *Where applicable, these shall be incorporated in Table 1; a declaration regarding the responses to Table 1 and to the other Tables/questions in this document (questionnaire) is also required (see Annex C).*

Q Ref.	Nature of information	Description of response expected, which will be taken into account in assessment	Response
C1-Q10	**Size of business**	Are you a micro, a small, or a medium-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 YES Please 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 ☐

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		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 NO In 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 YES Please respond to C1-Q13-2, C1-Q13-3 and C1-Q13-4 below Please ensure that the others concerned, each provide a separate questionnaire	Yes ☐ No ☐

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		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:*

   Sole supplier/ Lead entity: Sole entity or, in case of consortium, joint venture or other types of groups, the leader of the group.

   Group member: Member (not leader) of the consortium, joint venture or other type of group.

   Other entity (relied upon): Entity on which the main supplier, the group or other subcontractor, relies in order to meet the selection criteria.

   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.
7) *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).*
8) *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)*

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Table 2 – Core Question Module C2: 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 / **C2-Q2-1-1 Policy No.**		

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		Employers' liability insurance	**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.*

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Table 3 – Core Question Module C3: Business and professional standing
For all procurement situations other than that for the public sector, including defence and security, procurement buyers shall require that suppliers in their responses to the questions in module C3, make known all pertinent information in respect of business related, criminal or civil court judgements against them and identify any ongoing or pending cases.

For public sector procurement the process for obtaining this information is prescribed in the Public Contact Regulations 2015 (PCR 2015), and Clause **4.3** of this PAS provides alternative questions aligned to the requirements of the PCR 2015, including those for the ESPD. Alternatively, suppliers who have already completed an ESPD template can submit that completed ESPD in lieu of Table 3. For procurement in the scope of the Defence and Security Public Contract Regulations 2011, Clause **4.4** of this PAS provides the necessary alternative questions (see also **Annex B**).

Table 3 – Core Question Module C3: Business and professional standing

Q Ref	Core question	Information required	YES	NO	Supplier's unique reference to relevant supporting information.
C3-Q1	**Has your company or any of its Directors and/ or Executive Officers been the subject of criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in, for which the outcome was a judgement against you or them?**	Details of any such action. *Responses will be taken into account in assessing the outcome of this prequalification application where the circumstances of the judgement are pertinent to anticipated future projects or services. They will not necessarily constitute a reason for rejection*	☐	☐	
C3-Q2	**If your company or any of its Directors and/ or Executive Officers are the subject of ongoing or pending criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in, have all claims been properly notified in accordance with relevant Insurance policy requirements and been accepted by the insurers?**	Details of any such action, insurance notification requirements where relevant, and confirmation, with references, of relevant insurance notification and insurer acceptance. *Responses will be taken into account as part of the assessment process.*	☐	☐	
C3-Q3	**Has your company or any of its Directors and/ or Executive Officers been in receipt of enforcement/remedial**	Details, including the status of the required action. *Responses will be taken into account as part of the assessment process*	☐	☐	

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	orders that are still unresolved (such as those in relation to Environment Agency or Office of Rail Regulation enforcement), in the last three years?				

Table 4 – Core Question Module C4: Health and safety: policy and capability

Q Ref	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) ☐	

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	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.	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 in-house 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**	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	☐	☐	

[1] In C4-Q1-1c), '. 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.

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	organization is likely to undertake?	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 micro-businesses in particular should be taken into account by*	☐	☐	

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		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) IDENTIFIED ***Please 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 co-operating 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	**Are you able to provide evidence of the skills, knowledge and experience of H&S in**	Examples of actual knowledge, skills and experience within your organization. This may include:	☐	☐	

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contractor	**construction in your organization?**	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 co-operation 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 duties **C4-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 in-house 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	☐	☐	

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		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 design review (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 2015 **C4–Q20-2** Gather, prepare, communicate and coordinate information, including design information, with other duty holders during the pre-construction phase **C4–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.	☐	☐	

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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.*

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4.2 Application of optional question modules

The questions provided in Tables 5 to 8 constitute optional modules that can be included, where relevant, but where included they shall be applied as specified in Clause 3 in every prequalification questionnaire for which compliance with this PAS is claimed.

Table 5 – Optional Question Module O1: 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?** *Note This applies to both public and private procurement*	In respect of **O1-Q1**, copies of: **O1-Q1-1** relevant instructions or written statement/evidence of relevant actions **O1-Q1-2** relevant guidance or written statement/evidence of relevant actions **O1-Q1-3** relevant policies/literature or written statement/evidence of relevant actions **O1-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**	Details of any investigations	☐	☐	

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	grounds of alleged unlawful discrimination?				
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.	☐	☐	

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Table 6 – Optional Question Module O2: 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 standard[2], 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**	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.	☐	☐	

[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.

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	training and information on construction-related environmental issues?	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.	☐	☐	
NOTE *EMAS is the European Eco-management and Audit Scheme, sponsored by the European Commission (see http://eceuropaeu/environment/emas/index_ENhtm)*					

Table 7 – Optional Question Module O3: 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 standard[3] 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.	☐	☐	

[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.

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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/otherworkforce 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 on-going 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.	☐	☐	

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Table 8 – Optional Question Module O4: Building information modelling (BIM), policy and capability

NOTE *This will be used for UK Government procured projects for Departments that have commenced implementation of the BIM Strategy and may be used by other clients adopting a similar path.*

Q Ref	Exemptions	Exemption claimed	If exemption claimed, supplier's unique reference to certificates or other supporting information
O4-Q1	The questions **O4-Q2** to **O4-Q5** need not be completed if your organization holds a third-party certificate of compliance with PAS 1192-2:2013 *(or equivalent) issued by a Conformity Assessment Body accredited to provide conformity assessment services to that standard[4] e.g. accredited by UKAS, and can provide information to evidence this. ***NOTE*** *Such accrediting organizations will be required to have specialized design management competences* **updated version expected November 2017.*	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
O4-Q2	**Do you have the capability of working with a project using a "Common Data Environment" as described in PAS 1192-2:2013?**	Evidence that your organization understands the concept of a "Common Data Environment" as described in PAS 1192-2:2013 and is able to exchange information between supply chain members in an efficient and collaborative manner. If you have delivered a project in this way, you may use this to demonstrate your capability. Your explanation should be clear and concise.	☐	☐	
O4-Q3	**Do you have documented policy, systems and procedures to achieve "Level 2 BIM" maturity as defined in the government's BIM Strategy?** (see note to this Table)	Evidence that you or your organization has a policy authorized by the chief executive or equivalent, that is regularly reviewed. The policy and procedures should be relevant to the nature and scale of the work to be undertaken.	☐	☐	
O4-Q4	**Do you have the capability of developing and delivering or working to (depending upon the role(s) that this PQQ covers) a BIM Execution Plan (BEP) as described in PAS 1192-2:2013?**	Evidence-that your organization understands the requirements of PAS 1192-2:2013, in particular with respect to BEP. This will include how to create reliable information and exchange it between supply chain members in an efficient and collaborative manner, and where appropriate, to the client, in the form specified (e.g. in accordance with the COBie UK 2012 standard	☐	☐	

[4] 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.

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		and other typical client's information requirements). If you have delivered a project in this way, you may present an example BEP.			
O4-Q5	**Do you have arrangements for training employees in BIM-related skills and do you assess their capabilities?**	Evidence that your organization has in place training arrangements to ensure that its staff/workforce have sufficient skills and understanding to implement and deliver projects in accordance with the policy and procedures established to achieve "Level 2 BIM" maturity. Completed Construction Project Information Exchange (CPIx) templates referred to in the Project Implementation Plan (PIP), part of the BEP defined in PAS 1192-2:2013 would be considered. If this PQQ is for the first such project that you have considered undertaking, a training plan and evidence of how prior training outcomes in other areas have been assessed, would be considered.	☐	☐	
NOTE *Level 2 BIM describes a specific range of BIM capabilities (see PAS 1192-2:2013) These involve developing and sharing 3D construction project-related data, via an electronic "BIM environment", with others involved in a project. This includes an as-built "Data Drop" for use by the Client. The electronic BIM environment allows design models (digital objects and supporting information about these objects) to be shared. Each model requires platform software and a database of object information.*					

4.3 Application of C3 (business and professional standing) in Public Sector procurement

The questions provided in Tables 9 and 10 shall be used in place of those in Table 3 for public sector procurement in the scope of the Public Contracts Regulations 2015.

Suppliers who have an already completed a European Single Procurement Document (ESPD) template can submit that completed ESPD in lieu of Tables 9 and10. Alternatively Contracting Authorities can request that suppliers complete the EU electronic version of the ESPD, through the Commission's E-ESPD service or the self-declaration module of the Contracting Authorities e-procurement platform.

Tables 9 and 10 need to be completed by each organization being relied on to meet the selection criteria. A completed Table 1 and self-declaration is also required from each organization.

Procurements in scope of the Defence and Security Public Contract Regulations 2011 shall substitute Tables 11 and 12 for Table 3. Clause 4.4 of this PAS provides the necessary alternative questions.

NOTE For further information on Public Procurement see Annex B.

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Table 9 – Core Question Module C3 for Public Sector procurement – 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 9 and 10) 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	Response

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	exclusion (self-cleaning - see Regulation 57 (13 to 17) of the Public Contracts Regulations 2015).	
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 **C3-QP3-3(a)**	Have any tax returns submitted on or after 1 October 2012 been found to be incorrect as a result of: • 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 the document.	Response

Note to Table 9

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.

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Table 10 – Core Question Module C3 for Public Sector procurement: grounds for discretionary exclusion

Q Ref	Question	Response
C3-QP4	Regulation 57 (8) of the Public Contracts Regulations 2015 The 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 influence Do 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);	Response

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	• if relevant documentation is available electronically, indicate the web address, issuing authority or body and precise reference of the document.	

4.4 Application of C3 (business and professional standing) in Defence and Security Public Contract Procurement

Table 11 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Part 4 Regulation 23(1) – Mandatory exclusion

Q Ref	Information required and description of information expected, which will be taken into account in assessment	Answer	
C3-QD1	Do any of the circumstances as set out in Part 4 Regulation 23(1) of the Defence and Security Public Contracts Regulations 2011 (SI 1848), including any amendments to the legislation identified *, apply to you as the Applicant or to members of any Applicant Group? If yes, supply details in **C3-QD1-1** to **C3-QD-1(l),**as applicable.	Yes ☐	No ☐
		Response	
	C3-QD1-1 If your organization or any directors or partner or any other person who has powers of representation, decision or control has been convicted of any of the following offences, provide information.		
	C3-QD1-1(a) conspiracy within the meaning of section 1 or section 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983, or in Scotland the Offence of conspiracy, where that conspiracy relates to participation in a criminal organization as defined in Article 2 of Council Framework Decision 2008/841/JHA.		
	C3-QD1-1(b) involvement in serious organized crime or directing serious organized crime within the meaning of section 28 or 30 of the Criminal Justice and Licensing (Scotland) Act 2010;		
	C3-QD1-1(c) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906*;		
	C3-QD1-1(d) the offence of bribery;		
	C3-QD1-1(e) bribery within the meaning of section 1, 2 or 6 of the Bribery Act 2010;		
	C3-Q1-1(f) bribery or corruption within the meaning of section 68 and 69 of the Criminal Justice (Scotland) Act 2003;		
	C3-QD1-1(g) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union*, within the meaning of:		
	C3-QD1-1(g) (i) the offence of cheating the Revenue;		

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	C3-QD1-1(g) (ii) the offence of conspiracy to Defraud;	
	C3-QD1-1(g) (iii) fraud or theft within the meaning of the Theft Act 1968* the Theft Act (Northern Ireland) 1969*, the Theft Act 1978* or the Theft (Northern Ireland) Order 1978*;	
	C3-QD1-1(g) (iv) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;	
	C3-QD1-1(g) (v) in Scotland, the offence of fraud;	
	C3-QD1-1(g) (vi) in Scotland, the offence of theft;	
	C3-QD1-1(g) (vii) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies Act (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;	
	C3-QD1-1(g) (viii) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994*;	
	C3-QD1-1(g) (ix) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;	
	C3-QD1-1(g) (x) destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968* or section 19 of the Theft Act (Northern Ireland) 1969* or making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006;	
	C3-QD1-1(g) (xi) in Scotland the offence of uttering; or	
	C3-QD1-1(g) (xii) in Scotland, the criminal offence of attempting to pervert the course of justice;	
	C3-QD1-1(h) money laundering within the meaning of section 93A, 93B, or 93C of the Criminal Justice Act 1988, section 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996 or the Money Laundering Regulations 2003 or money laundering or terrorist financing within the meaning of the Money Laundering Regulations 2007*****;	
	C3-QD1-1(i) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Framework Decision 2002/475/JHA*;	
	C3-QD1-1(j) an offence in connection with proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or	
	C3-QD1-1(k) in Scotland, the offence of incitement to commit any of the crimes described in Regulation 23(1);	

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	C3-QD1-1(l) any other offence within the meaning of Article 39(1) of the Defence and Security Procurement Directive 2009/81/EC as defined by the national law of any member State.	
** including any amendments to the legislation identified"*		
NOTE *Regulation requires that Defence and Security Public Contracts procurers exclude any applicant from the tender process who satisfies any of the criteria for rejection set out in Part 4, Regulation 23(1) of the DSPCR 2011. It is therefore essential that entities applying for pre-qualification are required to confirm that none of the circumstances set out in Part 4, Regulation 23(1) of the DSPCR 2011 apply to them or any member of an applicant group that they represent.*		

Table 12 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Regulation 23(4) – Discretionary exclusion

Q Ref	Information required and description of information expected, which will be taken into account in assessment	Answer	
C3-QD2	Do any of the circumstances as set out in Part 4 Regulation 23(4) of the Defence and Security Public Contracts Regulations 2011 (SI 1848), apply to the Applicant or to members of any Applicant Group? If yes, please supply details below.	Yes ☐	No ☐
	Question	**Response**	
	C3-QD2-1 Is any of the following true of your organization?		
	C3-QD2-1(a) being an individual, is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of creditors or has made any conveyance or assignment for the benefit of creditors or appears unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of Section 268 of the Insolvency Act 1986, or Article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other State;		
	C3-QD2-1(b) being a partnership constituted under Scots law, has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate;		
	C3-QD2-1(c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company's winding up otherwise than for the purpose of *bona fide* reconstruction or amalgamation, or has had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part of the company's business or is the subject of similar procedures under the law of any other State?		
	C3-QD2-2 Has your organization		

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	C3-QD2-2(a) been convicted of a criminal offence relating to the conduct of its business or profession, including, for example, any infringements of any national or foreign law on protecting security of information or the export of defence or security goods;	
	C3-QD2-2(b) committed an act of grave misconduct in the course of its business or profession, including a breach of obligations regarding security of information or security of supply required by the contracting authority in accordance with Regulation 38 or 39 of the DSPCR during a previous contract;	
	C3-QD2-2(c) been told by a contracting authority, that the Potential Provider does not to possess the reliability necessary to exclude risks to the security of the United Kingdom*;	
	C3-QD2-2(d) failed to fulfil obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the member State in which it is established;	
	C3-QD2-2(e) failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the member State in which it is established;	
NOTE *The Authority is entitled to exclude applicants from participating in this procurement if any of the above apply but it may decide to allow the applicant to proceed further. . . If the applicant cannot answer 'No' to every question it is possible that its application might not be accepted. In the event that any of the following do apply, the applicant should set out (in a separate Annex) full details of the relevant incident and any remedial action taken subsequently The information provided will be taken into account by the Authority in considering whether or not to allow the applicant to proceed further.*		

4.5 Supplementary or additional questions

Introduction: Table 13 provides a format for asking supplementary or additional questions which, if necessary can be interpolated into the core and optional question modules presented in Tables 1 to 8. In recognizing that supplementary or additional questions may need to be asked and providing for their inclusion in existing question modules, **Clause 3.2** specifically requires that any supplementary or additional questions be referenced in a manner that clearly identifies the fact that they are supplementary or additional questions and numbered in a manner that does not change the number sequence of the original PAS 91 questions, in the module in which they are inserted.

This format and the example questions used for its demonstration in Table 13, may be used in prequalification processes that relate to specific projects or frameworks, where applicants are required to meet minimum standards of technical and/or professional ability. Before choosing to use these example questions however, buyers and assessment providers should have particular regard to reducing unnecessary documentation requirements for businesses and in any event only request information that is related and proportionate to the subject matter of the contracts likely to be awarded (see Note to this Clause).

Whilst the use of this particular format and numbering system are not requirements of this PAS and users may adopt whatever method of presentation is best suited to the nature of the question(s) to be asked, the requirements of **Clause 3.2** in respect of relevance and proportionality, additionality and numbering, shall still be met for any supplementary or additional questions that may be asked.

NOTE Where prequalification processes are required to be OJEU compliant, the allowable means of evaluating compliance with minimum standards of technical and professional ability are described in Public Contracts Regulations

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2015 Regulations 58(15) - 58(18) and Regulation 60(9), and questions should be formulated to address such evaluation. They should also be related and proportionate to the subject matter of the contracts likely to be awarded.

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Table 13 – Examples of supplementary/additional questions including in respect of organizational technical and/or professional capability

Example numbering	Example question	Description of information in support of response, which will be taken into account in assessment	YES	NO	Unique reference to supporting information
S1-Q1	**Do you and/or your company have the technical ability to carry out the activities that are the subject of this prequalification questionnaire?**	Evidence of your company's capability of carrying out the activities described, by way of a completed project record, demonstrating the skills, efficiency, experience and reliability of your organization. Responses will be evaluated with regard to provision of comprehensive information on the following: **i)** description of the project including project value and Client details and Client brief; **ii**) pre-construction services, including any pre-contract advice, surveys and design drawings undertaken by your company, pre-contract planning, construction phase programming and management plans; **iii)** construction phase Health & Safety services, including examples of Construction Phase Health & Safety Project Plan and Health & Safety Inspections; **iv)** cost planning and management; **v)** specific working methods for providing, maintaining and monitoring a high level of service delivery and customer satisfaction; **vi)** details of meetings, communications and interactions between all parties to ensure efficient project completion; **vii**) description of approach to handover, including awareness training of all relevant persons involved.	☐	☐	
S1-Q2	**Have you and/or your company carried out activities of the same or similar nature to that which is the subject of this prequalification questionnaire?**	A list of relevant activities carried out over the past 5 years together with evidence of satisfactory completion for the most important of those activities, indicating in each case: **i)** project size (e.g. by value);and **ii**) when and where the work or works were carried out.	☐	☐	
S1-Q3	**Have you and/or your company provided supplies or services of the same or similar nature to that which is**	A statement of the principal supplies sold or services provided in the past 3 years including:	☐	☐	

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	the subject of this prequalification questionnaire?	**i)** the dates on which the supplies or services were provided; **ii)** the identity of the person to whom the supplies were sold or the services were provided; and **iii**) any certificate issued or countersigned by that person confirming the details of the contract for those supplies sold or services provided.			
S1-Q4	**Do you and/or your company have the necessary technical facilities to fabricate, supply and deliver the supplies and services that are the subject of this prequalification questionnaire?**	A statement of the professional qualifications held by you and/or other members of staff/workforce within your company who will be responsible for providing the services or carrying out the activities that are the subject of this prequalification questionnaire.	☐	☐	
S1-Q5	**Do you and/or your company have the necessary numbers of staff to fabricate, supply and deliver the activities, supplies and/or services that are the subject of this prequalification questionnaire?**	A statement of the average annual number of managerial staff and other workforce over the previous 3 years.	☐	☐	
NOTE In the question referencing above, the questions are numbered appropriately for inclusion in a separate set of supplementary or additional questions. If the supplementary or additional questions are to be interpolated into PAS 91 core or optional question modules, the letter in the first element will be C or O dependent upon whether the question is to be added to a core or optional module and the number of the first element will be determined by the particular module into which the question is being inserted. SUP is then added as a suffix to denote a supplementary or additional question.					

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