# Invitation to Tender (Open) Volume 2

# Response Document

**For the purchase of a Fully Fitted Mobile Library Electric Vehicle**

**Commencing:** 1 November 2024

**Contract Term:** 10 months plus warranty periods

**Please submit by:** Friday 30 August 2024, no later than 13:00hrs

**Bidder:** [insert Bidders name]

**Volume 2**

Invitation to Tender

Selection Questionnaire

Quality Submission

Form of Tender Letter

Conditions of Tender

Draft Contract

Appendix 1 – EV Specification & Pricing Schedule

Appendix 2 – Social Value Response

Appendix 3 - Information about North Somerset Libraries

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**Invitation to Tender**

**Date:** 1 July 2024

**Via:** Supplying the South West Portal

To whom this may concern,

**TENDER INVITATION**

The council is aiming to seek tenders for the purchase of a Fully Fitted Mobile Library Electric Vehicle following an advertisement on The Portal, Contracts Finder and via the Find a Tender Service, Reference Number:  2024/S 000-019996.

I have pleasure in enclosing the following documents in order that you may submit a tender for the above contract:

1. A downloadable copy of the Invitation to Tender document Volumes 1 and 2. Volume 1 being the instructions and Volume 2 being the Form of Tender and Qualification sections.

2. A set of Appendices including:

* Appendix 1 – Specification & Pricing Schedule
* Appendix 2 - Social Value submission
* Appendix 3 - Information about North Somerset Libraries

Bidders are advised that a tender shall only be considered when;

1. all requirements of the tender documentation are completed and returned.
2. it is submitted back to North Somerset Council using The Portal. All submissions must be received **no later than Friday 30 August 2024, no later than 13:00hrs.**
3. it is accompanied by an undertaking which shall become a condition of the contract that the amount of the tender has not been calculated by agreement or arrangement with any other person other than the council and that the amount of the tender has not been communicated to any other person until after the closing date for the submission of tenders (see Certificate of Non-Collusion).

The successful bidder will have to comply with the terms and conditions of contract for the goods contained within this document, signed and witnessed by both parties.

You are required to hold all information pertaining to this contract confidential and to limit the dissemination of information within your organisation on a need-to-know basis.

The correction of any tendering errors will be dealt in accordance with North Somerset Council’s Contract Standing Orders, a copy of which can be found in the council’s constitution which is available on the council’s internet page.

Yours faithfully

Procurement Team

North Somerset Council

**Standard Selection Questionnaire Template**

**Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.**

The SQ includes a self-declaration, made by you (the potential supplier), that none of the grounds for exclusion apply, see Annex D in Invitation to Tender (open) Volume 1. If any of the grounds for exclusion do apply, there is an opportunity to explain any measures you have taken to demonstrate your reliability notwithstanding the existence of a ground for exclusion (we call this self-cleaning).

We require all the organisations that form part of your bidding group/consortium and each subcontractor that you are relying on to meet the selection criteria to provide a completed part 1 and part 2. This means that where you are joining a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Subcontractors that you rely on to meet the selection criteria, must also complete a self-declaration (although subcontractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

**Supplier Selection Questions: Part 3**

The procurement documents will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group/consortium or you intend to use subcontractors, you should complete all of the selection questions on behalf of the group/consortium and/or any subcontractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay, we reserve the right to exclude you from the procurement process, including where an award decision has already been notified, and award to another supplier.

In completing the submissions, bidders should not assume that the Council has any prior knowledge of the applicant, its practice, reputation or its involvement in existing services, projects or procurements.  In evaluating submissions, except as set out in the paragraph below, the Council will only consider information provided in response to this ITT (which may include customer references sought regarding the contracts included in Section 6 responses of the SQ). Bidders should note the need for such references and make sure that they inform their named customer contacts of this need as soon as possible after receipt of this SQ. The Council expects timely responses to any request for a reference from an applicant’s customer.

Notwithstanding the paragraph above, the Council may take account of any prior knowledge it has of the bidder, its practice, reputation or its involvement in existing services, projects or procurements to the extent that such knowledge indicates that information contained in the applicant’s SQ submission is false, misleading or inaccurate.

**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.

**For the purchase of a Fully Fitted Mobile Library Electric Vehicle**

**Reference Number: DN682493**

**OPEN PROCUREMENT PROCEDURE**

**Notes for completion**

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

2. “You” / “Your” or “Supplier” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.

4. Should you need to provide additional Appendices in response to the questions, these should be numbered clearly and listed as part of your declaration. A template for providing additional information is provided at the end of this document.

5. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of subcontractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed part 1 and part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.

6. The authority may decline to consider bids (or otherwise exclude from participating in the procurement) from suppliers who are constituted or organised under the law of Russia or Belarus, or whose ‘Persons of Significant Control’ information states Russia or Belarus as the place of residency, unless the supplier (or any member of their supply chain they rely on to deliver the contract):

● is registered in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access to public procurement; and/or

 ● has significant business operations in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access to public procurement.

7. For part 1 and part 2 every member of your bidding group/consortium, and any subcontractor that is being relied on to meet the selection criteria, must complete and submit the self-declaration.

8. For the mandatory exclusion grounds only (Q2.1(a)), you must complete the declaration for all relevant persons and entities. There are two categories of persons and entities:

* members of your administrative, management or supervisory board; secondly, entities and persons who have powers of representation, decision or control. You must decide, depending on the nature and structure of the entity or person who is bidding, which entities and persons this applies to in your particular circumstances. Clearly, members of your administrative, management or supervisory board should be easily identifiable and will cover company directors (or equivalent for other types of corporate entities) and members of an executive board.
* the second category of those with powers of representation, decision or control, is likely to be more complicated. As an illustration, entities or persons with 25% or more shareholding (or equivalent for other types of corporate entities) are likely to have powers or representation, decision or control, although those with a lower shareholding may still have the relevant powers depending on their particular rights. Similarly, your ultimate parent company (or equivalent for other types of corporate entities) is likely to have powers of representation, decision or control. Depending on your particular structure, intermediate parent companies who do not have a direct shareholding, directors or members of an executive board of your immediate parent company (for example in the case of an SPV set up specifically to bid for a particular contract), and holders of mortgages or liens may be covered. It isn’t necessary to identify which entities and persons you think are covered but you must be satisfied that your declaration is made in respect of all of those that are covered.

9.All subcontractors are required to complete their own part 1 and part 2[[1]](#footnote-2).

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

10. The Public Procurement Review Service allows government suppliers and potential government suppliers to raise concerns anonymously about unfair public sector procurement practice. The government can then investigate and resolve these concerns for contracting authorities as listed in [Schedule 1](http://www.legislation.gov.uk/uksi/2015/102/schedule/1/made) of the Public Contracts Regulations 2015. To use the Public Procurement Review Service, [read the terms](https://www.gov.uk/government/publications/mystery-shopper-scope-and-remit) and email publicprocurementreview@cabinetoffice.gov.uk or phone 0345 010 3503.

11. Please upload a completed version of this document via the procurement portal [www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk)

**Sub-contracting arrangements**

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

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

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

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

**‘Self-cleaning’**

16. Any Supplier that answers ‘Yes’ to questions within part 2 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleans” the situation referred to in that question. The supplier has to demonstrate it has taken such remedial action, to the satisfaction of the authority in each case.

If such evidence is considered by the authority (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.

In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has;

* paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
* clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
* taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, the Supplier shall be given a statement of the reasons for that decision.

*The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.*

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| **Part 1: Your information and the bidding model** |
| You must answer all questions in parts 1 and 2. If you are the supplier, you must answer all questions in part 3 as well.  |
| Please confirm that every organisation on which you will rely to meet the selection criteria completes and submits their own answers and declaration for part 1 and 2 as part of your overall submission:Yes [ ] No [ ]  N/A [ ]   |

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| **Section 1** | **Your information** |
| **Question number** | **Question** | **Response** |
| 1.1(a) | Name (if registered, please give the registered name) |  |
| 1.1(b) – (i) | Registered address (if applicable) or head office address |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading statusa) - public limited companyb) - private limited companyc) - limited liability partnershipd) - other partnershipe) - sole traderf) - third sectorg) - other (please specify your trading status) |  |
| 1.1(d) | Date of registration (if applicable) or date of formation. |  |
| 1.1(e) | Registration number (company, partnership, charity, etc if applicable). |  |
| 1.1(f) | Registered VAT number. |  |
| 1.1(g) - (i) | Are you registered with the appropriate professional or trade register(s) specified for this procurement in the Member State where your organisation is established? | Yes [ ] No [ ]  N/A [ ]   |

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| 1.1(g) - (ii) | If you responded yes to 1.1(g) - (i), please provide the relevant details, including the name of the register and registration number(s), and if evidence of registration is available electronically, please provide:- the website address,- issuing body- reference number. |  |
| 1.1(h) - (i) | For procurements for services only, is it a legal requirement in the country where you are established for you to:a) possess a particular authorisation, orb) be a member of a particular organisation,to provide the requirements specified in this procurement. | Yes [ ] No [ ]   |
| 1.1(h) - (ii) | If you responded yes to 1.1(h) - (i), please provide additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number. |  |
| 1.1(i) | Relevant classifications (state whether you fall within one of these, and if so which one)a) Voluntary Community Social Enterprise (VCSE).b) Sheltered Workshop.c) Public service mutual. |  |
| 1.1(j) | Are you a Small, Medium or Micro Enterprise (SME)[[2]](#footnote-3)? | Yes [ ] No [ ]   |

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| 1.1 (k) | Details of Persons with Significant Control (PSC)[[3]](#footnote-4) [[4]](#footnote-5), where appropriate[[5]](#footnote-6):- Name- Date of birth- Nationality- Country, state or part of the UK where the PSC usually lives- Service address- The date he or she became a PSC in relation to the company;- Which conditions for being a PSC are met:- Over 25% up to (and including) 50%- More than 50% and less than 75%- 75% or more(Please enter N/A if not applicable) |  |
| 1.1(l) | Details of your immediate parent company:- Full name of immediate parent company,- Registered or head office address,- Registration number (if applicable),- VAT number (if applicable),Please enter N/A if not applicable) |  |
| 1.1(m) | Details of ultimate parent company:- Full name of ultimate parent company,- Registered or head office address,- Registration number (if applicable),- VAT number (if applicable),(Please enter N/A if not applicable) |  |
| Please note: A criminal record check for relevant convictions may be undertaken for the preferred supplier and all relevant persons and entities (as described above). |

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| **Please provide the following information about your approach to this procurement:** |
| **Section** **(cont.)** | **Bidding model** |  |
| **Question number** | **Question** | **Response** |
| 1.2 | Please indicate if you are bidding as;A single supplier?or As part of a group or consortium?*If you are bidding as a single supplier please go to Q 1.3.*If you are bidding as part of a group or consortium (including where you intend to establish a legal entity to deliver the contract, or you are a subcontractor), please tell us:1. The name of the group/consortium.
2. The proposed structure of the group/consortium, including the legal structure where applicable.
3. The name of the lead member in the group/consortium.
4. Your role in the group/consortium (e.g. lead member, consortium member, subcontractor).
5. If you are the lead member in the group/consortium, whether you are relying on other consortium members to meet the selection criteria (i.e. are you relying on other consortium members for economic and technical standing and/or technical and professional ability?) and, if so, which criteria you are relying on them for
 | Yes [ ] No [ ]  Yes [ ] No [ ]   |
| 1.3 | If you are proposing to use subcontractors, please provide the details for each subcontractor[[6]](#footnote-7).- Name- Registration number- Registered or head office address,- Trading status1. Public limited company
2. Private limited company
3. Limited liability partnership
4. Other partnership
5. Sole trader
6. Third sector
7. Other (please specify your trading status)

- Registered VAT number- SME (Yes/No)- The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known- The approximate % of contractual obligations assigned to each subcontractor, if known- Is the subcontractor being relied upon to meet the selection criteria (i.e. are you relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are you relying on them for? |  |

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| **Part 2: Exclusion Grounds** |
| Please answer the following questions in full. Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to part 1 and the declarations in part 2. |
| **Section 2** | **Grounds for mandatory exclusion** |
| **Question number** | **Question** | **Declaration** |
| 2.1 (a) | Within the past five years, anywhere in the world, have you or any person who:* is a member of the supplier’s administrative, management or supervisory body or
* has powers of representation, decision or control in the supplier[[7]](#footnote-8),
* been convicted of any of the offences within the summary below and listed in full in [Annex D](#AnnexD)
 |  |
|  | Participation in a criminal organisation. | Yes [ ] No [ ]   |
|  | Corruption.  | Yes [ ] No [ ]   |
|  | Terrorist offences or offences linked to terrorist activities. | Yes [ ] No [ ]   |
|  | Money laundering or terrorist financing. | Yes [ ] No [ ]   |
|  | Child labour and other forms of trafficking in human beings. | Yes [ ] No [ ]   |
|  | 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 [ ]   |
|  | 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 [ ]   |
| 2.1(b) | **If you have answered yes to any part of question 2.1(a), please provide further details,** 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 please provide:* the web address,
* issuing authority,
* precise reference of the documents.
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| 2.1(c) | If you have answered yes to any part of the question above please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion. (Self cleaning). |  |

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| **Section 3** | **Mandatory and discretionary grounds relating to the payment of taxes and social security contributions** |
| The detailed grounds for mandatory and discretionary exclusion of a supplier for non-payment of taxes and social security contributions, are set out below in [Annex D](#AnnexD), and should be referred to before completing these questions. |
| **Question number** | **Question** | **Declaration** |
| 3.2(a) | Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.If documentation is available electronically please provide:* the web address,
* issuing authority,
* precise reference of the documents
 | Yes [ ] No [ ]   |
| 3.2(b) | If you have answered no to 3.2(a) please provide further details including the following:* Country concerned,
* what is the amount concerned
* how the breach was established, i.e. through a judicial or administrative decision or by other means.
* if the breach has been established through a judicial or administrative decision please provide the date of the decision,
* if the breach has been established by other means please specify the means.
 |  |
| 3.3 | Please also confirm whether you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including, where applicable, any accrued interest and/or fines. | Yes [ ] No [ ]   |
| Please Note: We reserve our right to use our discretion to exclude your bid where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions |

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| **Section 4** | **Grounds for Discretionary Exclusion** |
| The detailed grounds for discretionary exclusion of an organisation are set out in [Annex D](#AnnexD) and should be referred to before completing these questions. |
| **Question number** | **Question** | **Declaration** |
| 4.1 | Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full in [Annex D](#AnnexD) below applied to you? |  |
| 4.1(a) | Breach of environmental obligations?To note that environmental law obligations include Health and Safety obligations. Please see [Annex D](#AnnexD) below. | Yes [ ] No [ ]   |
| 4.1(b) | Breach of social law obligations?  | Yes [ ] No [ ]   |
| 4.1(c) | Breach of labour law obligations? | Yes [ ] No [ ]   |
| 4.1(d) | Bankruptcy or subject of insolvency? | Yes [ ] No [ ]   |
| 4.1(e) | Guilty of grave professional misconduct? | Yes [ ] No [ ]   |
| 4.1(f) | Distortion of competition? | Yes [ ] No [ ]   |
| 4.1(g) | Conflict of interest? | Yes [ ] No [ ]   |
| 4.1(h) | Been involved in the preparation of the procurement procedure? | Yes [ ] No [ ]   |
| 4.1(i) | Prior performance issues? | Yes [ ] No [ ]   |
| 4.1(j)4.1(j) - (i)4.1(j) - (ii)4.1(j) –(iii)4.1(j)-(iv) | Do any of the following statements apply to you?You have been 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.You have withheld such information.You are not able, without delay, to submit documents if/when required.You have undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer upon you undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes [ ] No [ ]  Yes [ ] No [ ]  Yes [ ] No [ ]  Yes [ ] No [ ]   |

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| **Part 3: Selection Questions** |
| **Section 5** | **Economic and Financial Standing** |
| **Question number** | **Question** | **Response** |
| 5 | Please provide one of the following to demonstrate your economic/financial standing for your organisation and for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing.Please indicate your answer with an ‘X’ in the relevant box. |
| 5.1 | A copy of your accounts (audited if required by law) for the most recent two years. If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide:* the web address
* issuing authority
* precise reference of the documents
 |  |
| Also please provide for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing a copy of their detailed accounts for the last two years (audited if required by law).  |  |
| (a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. |  |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. |   |
|  | (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |
| 5.2 | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | Yes [ ] No [ ]   |
| 5.3 | Where you are relying on another member of your bidding group/consortium or any subcontractors or other security in order to meet the selection criteria relating to economic and financial standing, please confirm that the relevant person or entity is willing to provide a guarantee or other security if required. | Yes [ ] No [ ]  |
| **5.4** | **If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below:** |
| **Name of organisation**  |  |
| **Relationship to the Supplier completing these questions** |  |
| 5.4 (a) | Are you able to provide parent company accounts if requested to at a later stage? | Yes [ ] No [ ]   |
| 5.4 (b) | If yes, would the parent company be willing to provide a guarantee if necessary? | Yes [ ] No [ ]   |
| 5.4 (c) | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Yes [ ] No [ ]   |

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| **Section 6** | **Technical and Professional Ability** |
| **Question number** | **Question** |
| 6.1 | **Relevant experience and contract examples**Please provide details of up to three contracts, to meet the technical and professional ability criteria set out in the procurement documents in any combination from either the public or private sectors; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement.VCSEs may include samples of grant-funded work. Where this procurement is for supplies or services, the examples must be from the past three years. Where this procurement is for works, the examples may be from the past five years.The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.For consortium bids, or where you have indicated that you are relying on a subcontractor in order to meet the technical and professional ability, you should provide relevant examples of where the consortium/subcontractors have delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or members of the Special Purpose Vehicle or subcontractors (three examples are not required from each member).Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or subcontractor(s) who will deliver the contract.**For each contract please provide the following information**If you cannot provide examples see question 6.2 |

|  |  |
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|  | Contract 1 |
| Name of customer organisation |  |
| Point of contact in the organisation |  |
| Position in the organisation |  |
| Email address |  |
| Description of contract |  |
| Contract start date |  |
| Contract completion date |  |
| Estimated contract value |  |
|  | Contract 2 |
| Name of customer organisation |  |
| Point of contact in the organisation |  |
| Position in the organisation |  |
| Email address |  |
| Description of contract |  |
| Contract start date |  |
| Contract completion date |  |
| Estimated contract value |  |
|  | Contract 3 |
| Name of customer organisation |  |
| Point of contact in the organisation |  |
| Position in the organisation |  |
| Email address |  |
| Description of contract |  |
| Contract start date |  |
| Contract completion date |  |
| Estimated contract value |  |

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| 6.2 | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this and how you meet the selection criteria relating to technical and professional ability e.g. your organisation is a new start-up, or you have provided services in the past but not under a contract. |
|  | Bidders Response: |
| 6.3 | Where you intend to subcontract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your subcontractor(s).The description should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment and whether you are a signatory of the UK Prompt Payment Code (or have given commitments under other equivalent schemes). |
|  | Bidders Response: |

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| **Section 7** | **Additional Questions including Project Specific Questions** |
| **Question number** | **Question** | **Response** |
| **7.1** | **Insurance**Please confirm whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:Employer’s (Compulsory) Liability Insurance = **minimum of £5 million**Public Liability Insurance = **minimum of £5 million**Professional Indemnity Insurance = **£1 million**Product Liability Insurance = **£5 million**\*There is a legal requirement for certain employers to hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information: <http://www.hse.gov.uk/pubns/hse39.pdf> | Yes [ ] No [ ]  Yes [ ] No [ ]  Yes [ ] No [ ]  Yes [ ] No [ ]   |
| 7.2 | **Data Protection** |
| 7.2(a) | Please confirm that you have in place, or that you will have in place by contract award, the human and technical resources to perform the contract to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects. | Yes [ ] No [ ]   |
| **PUBLIC SECTOR CONTRACTS Requirement under the Public Contracts Regulations 2015 (Regulation 113)** |
| 7.3 | Please confirm that for public sector contracts awarded under the Public Contract Regulations 2015 you have systems in place to include (as a minimum) 30 day payment terms in all of your supply chain contracts and require that such terms are passed down through your supply chain. | Yes [ ] No [ ]  PASS/FAIL |

[ ]

|  |  |
| --- | --- |
| **Section 8** | **Project Specific Questions to Assess Technical and Professional Ability** |

Further project specific questions relating to the technical and professional ability of the supplier with regards to the nature of the contract.

|  |  |  |
| --- | --- | --- |
| 8.1  | Health and SafetyPlease self-certify that that you have accredited SSIP membership or hold ISO 45001. If you do not have this, you will be required to provide a copy of your Health and Safety Policy that complies with current legislative requirements. This will be only requested of the highest scoring tenderer during the evaluation process. If this policy is requested of you please ensure that you include:1. A statement of intent 2. Responsibilities section which sets out who is responsible for specific actions3. The arrangements section containing the detail of what you are going to do in practice and information on how you are going to eliminate or reduce the risks of hazards in your work.If you have any other relevant policies/procedures connected with this work, please include these alongside your tender response. This includes your requirement to manage subcontracting partners should you be subcontracting any part of the provision. | Yes [ ]  No [ ]  |
| 8.2a | **Equality and Diversity** |
| *For the avoidance of doubt, should question C relating to subcontractors not be relevant to your organisation for this provision, please enter “N/A”* |
| a) In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? | Yes [ ] No [ ]  |
| b) In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds or alleged unlawful discrimination?  | Yes [ ] No [ ]  |
| If you have answered “yes” to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.You may be excluded if you are unable to demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring |
| c) If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | Yes [ ] No [ ] N/A [ ]  |
| 8.2b | * 1. Please self-certify that you are able to provide a signed and dated copy of your most recent written Equality and Diversity Policy Statement.
	2. As an employer do you comply with your statutory obligations under the Equality Act 2010 which applies in Great Britain, or equivalent legislation in the countries in which your firm employs staff?
	3. If requested, your Equality & Diversity policy will be assessed in line with the guidance at 18.3 of ITT Volume 1, therefore please familiarise yourself with this guidance. The policy will be scored out of 5 and to pass the council’s requirements for this contract opportunity you must achieve a score of 3/5 or more.
 | Yes ☐ No ☐Yes ☐ No ☐ |
| 8.3 | **Climate Emergency Questionnaire**  |
|  | a) Please advise who in your organisation is responsible for delivering your Climate Change/Environmental policy and contractual commitments.  Please give the individual’s name and job title:Name……………………………………………………….Job Title…………………………………………………… |  |
|  | b) North Somerset Council has declared a Climate Emergency, with an ambitious aim to be carbon neutral by 2030 and has taken action to actively reduce its environmental impact, including creating working groups, environmental policy and a commitment to educating themselves about Climate Change. Any contractor who supplies the Council must work with us to support our policies and aims.Please confirm you will work with us to support our policies and aims.  | Yes [ ] No [ ]   |
|  | c) Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)? If your answer is “Yes”, please give information in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction, or notices served.The Council will not select supplier(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | Yes [ ] No [ ]   |
|  | d) If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | Yes [ ] No [ ] N/A [ ]  |
| 8.4 | **Artificial Intelligence (AI)** |  |
| 8.4a | Artificial Intelligence tools can be used to improve the efficiency of your bid writing process, however they may also introduce an increased risk of misleading statements. Has your organisation used AI or machine learning tools, to assist in any part of your Submission?  | Yes [ ] No [ ]  |
| 8.4b | If you have answered ‘Yes’ to 8.4a, please provide the details below, including any specific sections of your Submission where your organisation has utilised AI tools. |  |
|  | Bidder Response: |  |

**Contact details and declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this complete document are correct and accurate, including parts 1, 2 and part 3.

I declare that, upon request and without delay I will provide the certificates and/or documentary evidence referred to in this document except where this documentation can be accessed by the contracting authority via a national database free of charge or the contracting authority already possesses the documentation.

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

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

I am aware of the consequences of serious misrepresentation.

|  |  |
| --- | --- |
| Signature (electronic is acceptable) |  |
| Date |  |

|  |
| --- |
| **Contact details of those making the declaration** |
|  | Response |
| Contact name |  |
| Name of organisation |  |
| Role in organisation |  |
| Phone number |  |
| E-mail address |  |
| Postal address |  |

|  |  |
| --- | --- |
| **Section 9** | **Quality Questions - Method Statements** |
| 9.1 | **Expertise and Suitability**With clear demonstration of having read the detailed specification, please set out your approach to developing and delivering the vehicle. **a)** Please provide a bespoke vehicle design, referring to the mandatory components from the specification spreadsheet (Appendix 1 & 3) with specific focus on the following points:* Suitability of Vehicle chassis and body:
* Provide details regarding, but not limited to:
* The materials and finishes for the vehicle you have specified and its relative advantages in providing a vehicle that is durable and appropriate to the service.
* Your commitments to the durability and working lifespan for the vehicle and all its fitments.
* Any added value specific to the vehicle’s design and manufacture you have specified.
* EV battery including expected range
* Interior fit-out and library features
* Accessibility features
* Security features

**b)** Provide details of innovative suggestions for storage, space saving or multi-functional equipment, features to enhance accessibility, customer experience, and opportunities to use the interior space flexibly. Include images and description of the added benefit. Please include costings in the Appendix 1 Specification & Pricing Desirable Tab 2. | 40% |
|  | Bidder Response:**a)****b)**(Maximum word count: 3000 words) |  |
| 9.2 | **Project Management and Quality Assurance:** **a)** Project Management and Resourcing:* Provide details of lead contact(s) and their experience.
* Provide details of organisational governance arrangements.
* Provide details of approach to risk management.
* Methodology and approach to delivering the vehicle to the specification that you have tendered over the contracted period
* Provide a Gantt chart or detailed timeline of the contracted period, which the vehicle build will follow from purchase order to delivery; parts being subject to manufacture lead times. Also reference the elements of the build which will be sub-contracted.

**b)** Performance Management and Quality Assurance: * Provide details of systems and resourcing to ensure compliance with contractual targets.
* Provide details of your approach to overdue delivery or delivery unfit for purpose.
* Detail your procedure for complaints regarding, but not limited to vehicle quality, including delivery of a vehicle not to full specification; vehicle durability; variance between initial delivery promise and actual delivery. Include details of your escalation procedure if complaints are not resolved to our satisfaction.
* Provide details of plan for communications with the customer, including 4-weekly updates in the vehicle build and delivery period.

**c)** Aftersales* Please state how you will provide after sales support, including:
* how you would ensure parts are readily available during the warranty period,
* your policy on the use of non-OE parts with regards vehicle warranty,
* Please also advise if courtesy vehicles would be made available to cover any repair periods throughout the life of warranty agreement.
 | 20% |
|  | Bidder Response:**a)****b)****c)**(Maximum word count: 4000 words excluding Gantt chart) |  |
| 9.3 | **Environmental Impact** **North Somerset Council** aims to be carbon neutral by 2030, following declaration of a climate emergency in February 2019. See:<https://www.n-somerset.gov.uk/council-democracy/priorities-strategies/climate-emergency/what-climate-emergency>**Please provide a response to the question below**. Please describe what actions you and your organisation will take to address the following: How will you ensure reduced greenhouse gas emissions are considered in the delivery and lifecycle of the goods provided?Please include the following in your response:* Reducing emissions for your organisation (e.g. transport, supply chain, energy use and supply);
* Influencing environmental behaviours and behaviour change amongst staff and service users;
* Basic employee training provisions to benefit both staff and service users;
* Improve waste management and reduction;
* Innovative solutions for business head office/office operations.
 | 5% |
|  | Bidder Response:(Maximum word count: 1000 words) |  |
| 9.4 | **Social Value** Please complete and return **Appendix 2** included in the tender pack with your Social Value commitments | 10% |
|  | **Total** | **75%** |
|  | Relevant Attachments for the above quality questions.You are permitted to attach the following to your response:* Documented Procedures
* Process Maps
* Pictures to evidence answers
* Example of previous work if relevant
* Gantt Chart/s
 |  |

**Part Four: Pricing Schedule**

**Specification & Pricing Schedule**

4.1 All prices must be held open for a period of 90 days from the date of submission.

4.2 Prices must be inclusive of all expenses (including management costs, resources, travel time and mileage costs, preparation and activity costs) but exclusive of VAT

4.3 Please complete the Specification & Pricing Schedule at **Appendix 1** in the format as shown.

4.4 You must provide all of the information requested in the table, failure to do so may disqualify your quotation.

4.5 All costs should be in pounds Sterling and exclusive of VAT.

**Part Five – Additional council requirements/certificates**

**5.1 Anti-collusive Tendering**

TO: North Somerset Council

Having examined the contract documents for the above mentioned service/works we offer to perform and complete the said service/works for such sum as may be ascertained in accordance with the said Conditions of Contract.

Unless and until a formal Agreement is prepared and executed this Tender, together with your written acceptance thereof, shall constitute a binding Contract between us.

We understand that you are not bound to accept the lowest or any tender you may receive.

We certify that this is a bona fide tender, and that we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not done and we undertake that we will not do at any time before the hour and date specified for the return of this tender any of the following acts:-

a) Communicating to a person other than the person calling for these tenders the amount or approximate amount of the proposed tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain insurance premium quotations required for the preparation of the tender.

b) Entering into any agreement or arrangement with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted.

c) Offering or paying or giving or agreeing to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other tender or proposed tender for the said work any act or thing of the short described above.

In this Certificate, the word `person’ includes any persons and any body or association, corporate or unincorporated; and `any agreement or arrangement’ includes any such transaction, formal or informal, and whether legally binding or not.

Signed: ………………………………………… Date: ………………….. in the

capacity of ………………………………………. ………duly authorised to sign tenders

and give such Certificates on behalf of ………………………………………Address:

**5.2 Certificate as to Canvassing**

I/We hereby certify that I/We have not canvassed or solicited any Member, Officer or Employee of the Client in connection with the acceptance of this tender or any other tender or proposed tender for the service and that no person employed by me/us or acting on my/our behalf has so acted.

I/We further hereby undertake that I/We will not in future canvass or solicit any member, officer or employee of the Client in connection with the award of this tender or any other tender or proposed tender for the service and that no person employed by me/us or acting on my/our behalf will so act.

Signed:

Designation:

(Duly authorised to sign tenders and give such certificate for and on behalf of :)

Tenderer

Date: Address:

**5.3 Form of Tender Letter**

**Form of Quotation**

**Invitation to tender for: For the purchase of a Fully Fitted Mobile Library Electric Vehicle**

To: North Somerset Council

I/We the undersigned, having read the Conditions of Contract and Specifications do hereby offer to complete the supply of goods/services required to be performed in the carrying out of the above contract in accordance with the above documents, to the criteria as appended to this form of quotation.

I/We, hereby undertake to enter into a Contract incorporating such Conditions of Contract, Specification, drawings and this Quotation, and I/We hereby agree that in the event of my/our Quotation being accepted, until such Contract be executed, the said Conditions of Contract, Specification, and Quotation, together with the acceptance thereof in writing, shall constitute a Contract. I/We agree that my/our offer shall remain open for acceptance for a period of twelve weeks from the date fixed for return of quotations.

I/We agree that my/our quotation remains open for consideration for a period of 90 days from the date fixed for lodgement of quotes. I/We declare that insurance, Contract Particulars is currently maintained by me/us and shall be maintained in accordance with the Contract Particulars.

I/We confirm that I/we have the capability and resources to meet all requirements of the brief in terms of quality, cost and time.

**SIGNED………………………………………………………………………………………………………………**

**DATE…………………………………………………………**

**PERSONS, FIRM OR COMPANY**:

**ADDRESS:**

# Annex D - Exclusion Grounds: Public Procurement

## Mandatory Exclusion Grounds

Listed in Public Contract Regulations 2015 (as amended) R57(1), (2) and (3) and the Public Contract Directives 2014/24/EU Article 57(1).

#### Participation in a criminal organisation

* Participation offence as defined by section 45 of the Serious Crime Act 2015
* Conspiracy within the meaning of:
* section 1 or 1A of the Criminal Law Act 1977; or
* article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983,

where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime.

**Corruption**

* Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;
* The common law offence of bribery;
* Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983.

**Terrorist offences or offences linked to terrorist activities**

* Any offence:
* listed in section 41 of the Counter Terrorism Act 2008;
* listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
* under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points.

**Money laundering or terrorist financing**

* Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002
* An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996.

**Child labour and other forms of trafficking human beings**

* An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;
* An offence under section 59A of the Sexual Offences Act 2003
* An offence under section 71 of the Coroners and Justice Act 2009;
* An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994
* An offence under section 1, 2 or section 4 of the Modern Slavery Act 2015.

**Non-payment of tax and social security contributions**

* Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.
* Where any tax returns submitted on or after 1 October 2012 have 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; or
* 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;
* 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) or any equivalent or similar regime in a jurisdiction in which the supplier is established.

**Other offences**

* Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland.
* Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.

**Discretionary Exclusions Grounds**

Listed in Public Contract Regulations 2015 (as amended) R57(8) and the Public Contract Directives 2014/24/EU Article 57(4).

**Obligations in the field of environment, social and labour law.**

* Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including, but not limited to, the following:-
* In the last 3 years, where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body).
* In the last three years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
* In the last three years where the organisation has been convicted of a breach of the Health and Safety legislation.
* In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).
* Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
* Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
* Where the organisation has been in breach of the National Minimum Wage Act 1998.

**Bankruptcy, insolvency**

* Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State.

**Grave professional misconduct**

* Guilty of grave professional misconduct

**Distortion of competition**

* Entered into agreements with other economic operators aimed at distorting competition.

**Conflict of interest**

* Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

**Been involved in the preparation of the procurement procedure.**

* Advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure.

**Prior performance issues**

* Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.

**Misrepresentation and undue influence**

* The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award, or withheld such information or is not able to submit supporting documents required under regulation 59.

**Breach of obligations relating to the payment of taxes or social security contributions.**

* The contracting authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

**Additional grounds**

ANNEX X Extract from Public Procurement Directive 2014/24/EU

LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —

* ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
* ILO Convention 98 on the Right to Organise and Collective Bargaining;
* ILO Convention 29 on Forced Labour;
* ILO Convention 105 on the Abolition of Forced Labour;
* ILO Convention 138 on Minimum Age;
* ILO Convention 111 on Discrimination (Employment and Occupation);
* ILO Convention 100 on Equal Remuneration;
* ILO Convention 182 on Worst Forms of Child Labour;
* Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
* Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
* Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
* Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

**Consequences of misrepresentation**

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

* The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015;
* The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
* If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
* If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR (subject to self-cleaning).
1. See [PCR 2015 regulations 71 (8)-(9)](http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf) (<http://www.legislation.gov.uk/uksi/2015/102/pdfs/uksi_20150102_en.pdf>) [↑](#footnote-ref-2)
2. See definition of SME <https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en> [↑](#footnote-ref-3)
3. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required to keep a PSC register, and must file the PSC information with the central public register at Companies House. See [PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). Overseas bidders are required to provide equivalent information.

4 It is possible to decline to consider bids from Russian or Belarusian suppliers in certain circumstances. For suppliers who are constituted or organised under the law of Russia or Belarus or their ‘Persons of Significant Control’ information states Russia or Belarus as the place of residency, the supplier’s bid can be discounted. See PPN 01/22 for further guidance. [↑](#footnote-ref-4)
4. [↑](#footnote-ref-5)
5. 5Only information that relates to the persons with powers of representation, decision or control within the meaning of regulation 57(2) can be considered in relation to the mandatory exclusion grounds and other details are requested for information only. [↑](#footnote-ref-6)
6. This applies to all supply chain members and/or subcontractors, where their identity is known at this stage, irrespective of whether you are relying on them to meet the selection criteria. Where a supply chain member and/or subcontractor has been identified in response to this question, any resulting subcontract entered into with that subcontractor for that part of the works, services or supplies identified in response to that question will not be subject to the requirement for contracts to advertise the subcontracting opportunity, as set out in PPN 01/18. [↑](#footnote-ref-7)
7. see Notes for Completion [↑](#footnote-ref-8)