



## 4 Tender Submission (BTT)

**Contract Reference**

**T00915RVS**

**Contract Title**

**Supply, Delivery and Operation of an  
Attraction in Torquay**

**Maximum Period of Contract**

**Five Years**

**Return Date**

**Thursday 7 January 2016**

**Return Time**

**12:00 Noon**

**Return To**

**[www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk)**

**Applicant Name**

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# Stage One – Standardised Pre-Qualification Questionnaire (PQQ)

## Notes for completion

1. “Authority” means the public sector contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable suppliers to participate in this procurement process.
2. “You”/ “Your” or “Supplier” means the body completing these questions **i.e. the legal entity seeking to be invited to the next stage of the procurement process and responsible for the information provided.** The ‘Supplier’ is intended to cover any economic operator as defined by the Public Contract Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. This Pre-Qualification Questionnaire (PQQ) has been designed to assess the suitability of a Supplier to deliver the Authority’s contract requirement(s). If you are successful at this stage of the procurement process, you will be selected for the subsequent award stage of the process.
4. Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply to you, please state clearly ‘N/A’.
5. 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.
6. Please return a completed version of this document electronically via the Portal, in advance of the deadline for submission.

## Verification of Information Provided

7. Whilst reserving the right to request information at any time throughout the procurement process, the authority may enable the Supplier to self-certify that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the supplier can meet the specified requirements (such as the questions in section 7 of this PQQ relating to Technical and Professional Ability) the authority may only obtain such evidence after the final tender evaluation decision i.e. from the winning Supplier only.

## Sub-contracting arrangements

8. 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.
9. 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.

### **Consortia arrangements**

10. If the Supplier completing this PQQ is doing so as part of a proposed consortium, the following information must be provided;
  - names of all consortium members;
  - the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and
  - if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix.
11. 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.
12. All members of the consortium will be required to provide the information required in all sections of the PQQ as part of a single composite response to the Authority i.e. each member of the consortium is required to complete the form.
13. 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.
14. The Authority recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the Authority must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the selection criteria to the new information provided. The Authority reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

### **Confidentiality**

15. When providing details of contracts in answering section 6 of this PQQ (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.
16. The Authority reserves the right to contact the named customer contact in section 6 regarding the contracts included in section 6. The named customer contact does not owe the Authority any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.
17. 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 Public Contract Regulations.

1. Supplier Information			
1.1. Supplier Details		Answer	
Full name of the Supplier completing the PQQ			
Registered company address			
Registered company number			
Registered charity number			
Registered VAT number			
Name of immediate parent company			
Name of ultimate parent company			
Please mark 'X' in the relevant box to indicate your trading status		i) a public limited company	Yes
		ii) a limited company	Yes
		iii) a limited liability partnership	Yes
		iv) other partnership	Yes
		v) sole trader	Yes
		vi) other (please specify)	Yes
		vii) Voluntary, Community and Social Enterprise (VCSE)	Yes
		viii) Small or Medium Enterprise (SME) <sup>1</sup>	Yes
		ix) Sheltered workshop	Yes
		x) Public service mutual	Yes
1.2. Bidding Model			
Please mark 'X' in the relevant box to indicate whether you are:			
a) Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself			Yes
b) Bidding as a Prime Contractor and will use third parties to deliver <u>some</u> of the services			Yes
If yes, please provide details of your 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			

<sup>1</sup> See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

<p>c) Bidding as the Prime Contractor but will operate as a Managing Agent and will use third parties to deliver <u>all</u> of the services</p> <p>If yes, please provide details of your 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</p>	<table border="1"> <tr> <td data-bbox="1061 145 1173 212"></td> <td data-bbox="1173 145 1436 212">Yes</td> </tr> </table>		Yes						
	Yes								
<p>d) Bidding as a consortium but not proposing to create a new legal entity.</p> <p>If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created.</p> <p>Please note that the Authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.</p>	<table border="1"> <tr> <td data-bbox="1061 459 1173 526"></td> <td data-bbox="1173 459 1436 526">Yes</td> </tr> <tr> <td colspan="2" data-bbox="1061 526 1436 593"><u>Consortium members</u></td> </tr> <tr> <td colspan="2" data-bbox="1061 593 1436 840"><u>Lead member</u></td> </tr> </table>		Yes	<u>Consortium members</u>		<u>Lead member</u>			
	Yes								
<u>Consortium members</u>									
<u>Lead member</u>									
<p>e) Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV).</p> <p>If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix.</p>	<table border="1"> <tr> <td data-bbox="1061 840 1173 907"></td> <td data-bbox="1173 840 1436 907">Yes</td> </tr> <tr> <td colspan="2" data-bbox="1061 907 1436 974"><u>Consortium members</u></td> </tr> <tr> <td colspan="2" data-bbox="1061 974 1436 1086"><u>Lead member</u></td> </tr> <tr> <td colspan="2" data-bbox="1061 1086 1436 1274"><u>Name of Special Purpose Vehicle</u></td> </tr> </table>		Yes	<u>Consortium members</u>		<u>Lead member</u>		<u>Name of Special Purpose Vehicle</u>	
	Yes								
<u>Consortium members</u>									
<u>Lead member</u>									
<u>Name of Special Purpose Vehicle</u>									

**1.3. Contact Details**

**Supplier contact details for enquiries about this PQQ**

*Please note – all communication to the named contact will be undertaken electronically through the e-tendering portal and therefore through the individual who has expressed an interest in this opportunity.*

Name	
Postal address	
Country	
Phone	
Mobile	
E-mails	

**1.4. Licensing and Registration**

(Please mark 'X' in the relevant box):

1.4.1	Registration with a professional body  If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state).	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		<input type="checkbox"/>	N/A
		If yes please provide the registration number in this box:	
1.4.2	Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this:	

## 2. Grounds for Mandatory Exclusion

You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

If you have answered “yes” to question 2.2 on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details using a separate Appendix. You may contact the authority for advice before completing this form.

Please indicate your answer by marking ‘X’ in the relevant box	Yes	No
<b>2.1 Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences</b>		
(a) 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;		
(b) 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;		
(c) the common law offence of bribery;		
(d) 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;		
(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities:		
(i) the offence of cheating the Revenue;		
(ii) the offence of conspiracy to defraud;		
(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;		
(iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;		
(v) 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;		
(vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;		
(vii) 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;		
(viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or		
(ix) the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;		
(f) any offence listed—		
(i) in section 41 of the Counter Terrorism Act 2008; or		
(ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection;		



(g) any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f);		
(h) money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;		
(i) 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;		
(j) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;		
(k) an offence under section 59A of the Sexual Offences Act 2003;		
(l) an offence under section 71 of the Coroners and Justice Act 2009		
(m) 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; or		
(n) any other offence within the meaning of Article 57(1) of the Public Contracts Directive—		
(i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or		
(ii) created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland.		
<p><b><u>Non-Payment of Taxes</u></b></p> <p><b>2.2 Has it been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?</b></p> <p>If you have answered Yes to this question, please use a separate Appendix to provide further details. Please also use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines?</p>		

**3. Grounds for Discretionary Exclusion – Part 1**

The Authority may exclude any Supplier who answers ‘Yes’ in any of the following situations set out in paragraphs (a) to (k);

<b>Please indicate your answer by marking ‘X’ in the relevant box.</b>	<b>Yes</b>	<b>No</b>
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3.1 Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation.		
(a) your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contract Regulations 2015 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 Public Contracts Directive as amended from time to time;		
(b) your organisation is bankrupt or is the subject of insolvency or winding-up proceedings, where your 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;		
(c) your organisation is guilty of grave professional misconduct, which renders its integrity questionable;		
(d) your organisation has entered into agreements with other economic operators aimed at distorting competition;		
(e) your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contract Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;		
(f) the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures;		
(g) your organisation has 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;		
(h) your organisation— (i) has 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; or (ii) has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contract Regulations 2015; or		
(i) your organisation has undertaken to		
(aa) unduly influence the decision-making process of the contracting authority, or		
(bb) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or		

(j) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.		
(k) your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control has engaged in any extremist activity or espoused extremist views.		

**Conflicts of interest**

In accordance with question 3.1 (e), the authority may exclude the Supplier if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.

Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Supplier to inform the authority, detailing the conflict in a separate Appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the Authority should not represent a conflict of interest for the Supplier.

**Taking Account of Bidders’ Past Performance**

In accordance with question (g), the authority may assess the past performance of a Supplier (through a Certificate of Performance provided by a Customer or other means of evidence). The authority may take into account any failure to discharge obligations under the previous principal relevant contracts of the Supplier completing this PQQ. The Authority may also assess whether specified minimum standards for reliability for such contracts are met.

In addition, the authority may re-assess reliability based on past performance at key stages in the procurement process (i.e. supplier selection, tender evaluation, contract award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

**‘Self-cleaning’**

Any Supplier that answers ‘Yes’ to questions 2.1, 2.2 and 3.1 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

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- 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.

## 4. Economic and Financial Standing

The Supplier's financial standing will be assessed by reviewing the following

1. Financial Check - The supplier will be asked to give permission for a financial check to be performed by a credit management agency DNBI. The financial check yields a score.
2. Supplier Turnover Requirement – The supplier will be asked to provide their annual turnover for the previous two trading years.

### Financial Check

The supplier must yield a score of 50 or more to demonstrate that they have suitable financial standing. If the financial check yields a score of less than 50, or the check yields information that may prove to be of concern, regardless of the financial check score, or a check is unable to be performed, financial information shall be referred to the Authority's Corporate Finance Department for further investigation, who will determine if the supplier's financial standing is suitable.

### Supplier Turnover Requirement

A Supplier's annual turnover needs to be a minimum of twice the annual contract value to demonstrate they have suitable financial standing. This will be based on the minimum anticipated spend over the life of the contract divided by the length of the contract, including any extensions.

If the turnover is lower than required, or turnover information has not been provided, financial information shall be referred to the Authority's Corporate Finance Department for further investigation, who will determine if the supplier's financial standing is suitable.

### Financial Assessment Undertaken By Corporate Finance Department

If a referral is made, the Corporate Finance department will assess the supplier's financial standing on the information the supplier has provided in question 5.1 below. If this does not provide enough information to assess the supplier's financial standing, further information may be requested. If this still does not provide enough information, the Corporate Finance department may deem that their financial standing is not suitable.

### Outcome of Financial Assessment

Where the Corporate Finance department deems that the Supplier's financial standing is not suitable, the Supplier shall be given a statement of the reasons for that decision.

The Authority may repeat this financial assessment for all Suppliers during the procurement process up to the point of contract award if the need arises.

FINANCIAL INFORMATION				
5.1	If a financial assessment needs to be undertaken by the Corporate Finance Department, please confirm which of the following you could provide. Please indicate your answer with an 'X' in the relevant box.			
	(a)	A copy of the audited accounts for the most recent two years		
	(b)	A statement of the turnover, profit and loss account, current liabilities and assets, and cash for the most recent year of trading for this organisation.		
	(c)	A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.		
	(d)	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 (a)	Do you give permission for a financial check to be performed by a credit management agency, DNBI?		Yes	
			No	
5.2 (b)	Please provide your turnover for the last two years of trading			
	£			
	£			
	If you cannot provide turnover information, please provide an explanation for this, e.g. your organisation is a new start-up.			
5.3	a) Are you are part of a wider group (e.g. a subsidiary of a holding/parent company)? If yes, please provide the name below:		Yes	
			No	
	Name of the organisation			
	Relationship to the Supplier completing this PQQ			
	If yes, please provide ultimate / parent company accounts if available			
	If yes, would the ultimate / parent company be willing to provide a guarantee if necessary?			Yes
				No
If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank?)			Yes	
			No	

## 5. Technical and Professional Ability

### Relevant experience and contract examples

Please provide details of up to three contracts, in any combination from either the public or private sector, that are relevant to the Authority's requirement. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years, and VCSEs may include samples of grant funded work.

The named customer contact provided should be prepared to provide written evidence to the Authority to confirm the accuracy of the information provided below.

Consortia bids should provide relevant examples of where the consortium has delivered similar requirements; if this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle will be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (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 principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services.

### Relevant Experience and Contract Examples Assessment

The Supplier's relevant experience will be assessed by reviewing the details of the three contracts provided. The Supplier must provide **at least one relevant contract** example to demonstrate they have suitable relevant experience.

		Contract 1	Contract 2	Contract 3
6.1	Name of customer organisation			
6.2	Point of contact in customer organisation Position in the organisation E-mail address			
6.3	Contract start date Contract completion date Estimated Contract Value			
6.4	In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market.			
6.5	If you cannot provide at least one example for questions 6.1 to 6.4, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up.			

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**6. Additional PQQ Modules**

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by marking 'X' in the relevant boxes.

**A. Project Specific Questions to Assess Technical and Professional Ability**

Further project specific questions relating to the technical and professional ability of the supplier

Please indicate your answer by marking 'X' in the relevant box.			
1		<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
2		<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
3		<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No

**B. Insurance**

1.	Please self certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below, to be confirmed when the nature of the Attraction is known:  Employers (Compulsory) Liability Insurance* = £10m Public Liability Insurance = £5m Professional Indemnity Insurance = £5m Product Liability Insurance = £5m  *It is a legal requirement that all companies hold Employers (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No

### C. Compliance with Equality Legislation

For organisations working outside of the UK please refer to equivalent legislation in the country that you are located.

1.	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 the comparable proceedings in any jurisdiction other than the UK)?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		<input type="checkbox"/>	
2.	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 of alleged discrimination?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		<input type="checkbox"/>	
<p>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.</p> <p>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.</p>			
3	If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		<input type="checkbox"/>	

### D. Environment Management

1.	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)?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		<input type="checkbox"/>	
2.	If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had notice served upon them for infringement of environmental legislation?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
		<input type="checkbox"/>	

### E. Health and Safety



1.	Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
2.	<p>Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?</p> <p>If your answer to this question is “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.</p> <p>The Authority will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.</p>	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No
3.	If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?	<input type="checkbox"/>	Yes
		<input type="checkbox"/>	No

## 7. Declaration

I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement, and I am signing on behalf of..... **(Insert name of supplier)**.

I understand that the Authority may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.

I also declare that there is no conflict of interest in relation to the Authority’s requirement.

The following appendices form part of our submission:

Section of PQQ	Appendix Number

PQQ COMPLETED BY		
8.1	Name	
8.2	Role in organisation	
8.3	Date	

For Submission

8.4	Signature	
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For Submission

<b>PQQ – Template for Appendices</b>	
<b>Appendix Number -</b>	
<b>PQQ Section -</b>	
<b>Question Number –</b>	

# Stage Two – Award

## Method Statements

Applicants are required to submit Method Statements. They should be drafted in such a manner so as to be able to form part of the Contract. They should be submitted containing sufficient of detail to demonstrate that the stated outcomes will be deliverable, as defined within 3 Specification (BTT).

Responses must be relevant to the question and be appropriate in length. Supporting information may be submitted, provided that it is clearly referenced in the question to which it clearly relates and appended to the main submission.

Method Statement Number	Method Statements	Assessment Criteria
1	<p>The Applicant shall provide an outline Business Plan to evidence that their proposals shall deliver the stated outcomes defined within Section 1.2 in document 3 Specification (BTT).</p> <p>The Plan is to include but not be limited to the following:</p> <ul style="list-style-type: none"> <li>a. Owner’s Background;</li> <li>b. Details of the free-standing structure proposed, why it best suits the site and how it will enhance the visitor experience;</li> <li>c. Proposals for assembling and dismantling the structure to ensure minimum disruption to the site area to include surface reinforcement;</li> <li>d. Removal of the shelters;</li> <li>e. Proposals for site surveys and impact assessments to include light levels and noise;</li> <li>f. Proposals for public consultation and partnership working with users of the planned site area;</li> <li>g. A site and landscape plan;</li> <li>h. Implementation proposals to include a traffic management plan for setting up, dismantling and removal of Attraction;</li> <li>i. Contract management proposals;</li> <li>j. Additional features and/or planting to enhance the offer;</li> <li>k. Charges and Pricing Strategy;</li> <li>l. Financial Sales and Costs Forecast and Table;</li> <li>m. Cash flow Forecast;</li> <li>n. Income to the Authority;</li> <li>o. Gantt Chart;</li> <li>p. Any other added value.</li> </ul> <p><b>Minimum Mandatory Requirement:</b></p> <p>The Plan must demonstrate:</p>	<p style="text-align: center;"><b>30%</b></p> <p style="text-align: center;"><b>&amp;</b></p> <p style="text-align: center;"><b>Pass/Fail</b></p> <p style="text-align: center;"><b>Must Meet Minimum Mandatory Requirement to Pass</b></p>

For Submission

	<ol style="list-style-type: none"><li>1. the attraction being proposed is of a similar scale to the Big Wheel attraction that was previously on Torquay seafront;</li><li>2. a suitable pricing strategy that will be affordable to the customer;</li><li>3. the Income to the Authority is achievable.</li></ol>	
<b>Response:</b>		

# Certificates and Declarations

TORBAY COUNCIL CONDITIONS OF TENDER			
1.	Tenders are invited for the supply of the goods or services specified or described in the invitation. Tenders with conditions of contract duly completed and marked with the title of the procurement and returned electronically via the Supplying the South West portal. Tenders must be returned by the date and time stated on the front page the procurement documents. Tenders received after the time stated or not properly completed will be disregarded. Facsimile and emailed copies will not be accepted.		
2.	The Contract shall be subject to the Authority's Conditions of Contract, included in these Tender Documents. Wherever special conditions of Contract are contained in the Invitation to Tender, the Contract shall be subject to those special conditions in addition to the Standard Conditions of Contract, and where those special conditions are inconsistent with the Authority's Standard Conditions of Contract, the special conditions shall prevail. Offers by Applicants made subject to additional or alternative conditions may not be considered and may be rejected on the grounds of such conditions alone. No alteration must be made to the printed conditions or schedules. Any Tenders bearing such alterations will not be considered.		
3.	The Authority does not bind itself to accept the lowest or any Tender, and reserves the right to accept a Tender either in whole or in part, for such item or items specified in the Invitation to Tender, and for such place or places of delivery as it thinks fit, each item and establishment being for this purpose considered as Tendered for separately.		
4.	<p><b>To Torbay Council</b></p> <p>I / We the undersigned DO HEREBY UNDERTAKE on the acceptance by the Authority of my/our Tender either in whole or in part, to supply (or perform the services), on such terms and conditions and in accordance with such specifications (if any), as are contained or incorporated in the Invitation to Tender. I / We agree and declare that the acceptance of this Tender by letter on behalf of the Authority, whether for the whole or part of the items included therein, will constitute a Contract for the supply of such items, I/We agree to enter into a further agreement for the due performance of the Contract, and I/We declare that I am/We are acting as the Delegated Authority for the purposes of signing off this Tender, and therefore, the Contract.</p>		
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Signed*:</td> <td style="width: 50%; border: none;">Date:</td> </tr> </table>		Signed*:	Date:
Signed*:	Date:		
Name <i>(in block capitals)</i> :			
In the capacity of: <i>(State official position, i.e. Director, Manager etc.)</i>			
<i>*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).</i>			

CERTIFICATE OF UNDERTAKING AND ABSENCE OF COLLUSION OR CANVASSING	
<p>The Applicant shall sign the below Certificate of Undertaking and Absence of Collusion clearly indicating whether they sign as a Consortium or Member of Consortium (Box A), or as a single body and/or individual (Box B) by striking through Box A or B, whichever does not apply.</p>	
<p><b>Box A – Consortium</b></p> <p>I / We the undersigned do hereby certify that:-</p> <p>(a) the consortium's Tender is bona fide and intended to be competitive;</p> <p>(b) the consortium has not entered into any agreement with any person outside the consortium with the aim of preventing Tenders being made or asked the amount of another Tender of the conditions or which the Tender is made;</p> <p>(c) the consortium has not informed any person outside the consortium other than the person calling for the Tenders the amount or approximate amount of the Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender;</p> <p>(d) the consortium has not caused or induced any person to enter into such an agreement as is mentioned in (b) above or to inform the consortium of the amount or the approximate amount of any rival Tender for the Contract.</p> <p>(e) the consortium has not and will not canvass or solicit any Member, Officer or employee of the Authority in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by the consortium or acting on the consortium's behalf has done or will do such an act.</p> <p>(f) I / We further undertake that the consortium will not do any of the acts mentioned in (b), (c), (d) and (e) above before the hour and date specified for the return of the Tender.</p>	
<p><b>Box B – Single Body and/or Individual</b></p> <p>I / We the undersigned do hereby certify that:-</p> <p>(a) My / Our Tender is bona fide and intended to be competitive and I/we have not fixed or adjusted the amount of the Tender by or under in accordance with any agreement or arrangement with any other person;</p> <p>(b) I / We have not indicated to any person other than the person calling for the Tender 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 or other quotations necessarily required for the preparation of the Tender;</p> <p>(c) I / We shall have not entered into any agreement or arrangement with any other person that they shall refrain from Tendering or asked the amount of any Tender to be submitted;</p> <p>(d) I / We have not offered 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 nature specified and described above.</p> <p>(e) I / We hereby certify that I/we have not and will not canvass or solicit any Member, Officer or employee of the Authority in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by me/us or acting on my/our behalf has done or will do such an act.</p> <p>(f) I / We further undertake that I/we will not do any of the acts mentioned in (d), (c) and (d) above before the hour and date specified for the return of the Tender</p>	
Signed*:	Date:
Name <i>(in block capitals)</i> :	
In the capacity of: <i>(State official position, i.e. Director, Manager etc.)</i>	
<p><i>*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).</i></p>	

CERTIFICATE OF CONFIDENTIALITY	
<p>I / We hereby agree with the Authority that I/we shall not at any time divulge or allow to be divulged to any person any information, confidential or otherwise, relating to information passed to me regarding this project.</p> <p>It is appreciated by the parties that in the event of negotiations in respect of the proposed Contract being entered into between the Authority and my organisation that it may be necessary to share information with colleagues within my organisation. In this event this confidentiality clause may be waived to allow such information sharing to take place but not further or otherwise.</p>	
Signed*:	Date:
Name (in block capitals):	
In the capacity of: (State official position, i.e. Director, Manager etc.)	
<i>*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).</i>	

PRICING SCHEDULE DECLARATION	
<p>I / We offer to supply the goods, works or services as per the pricing in the ATR Pricing Submission document above, in accordance with the Specification, terms and conditions and all other documents forming the Contract.</p>	
Signed*:	Date:
Name (in block capitals)	
In the capacity of: (State official position, i.e. Director, Manager etc.)	
Organisation Name and Full Postal Address:	
Telephone Number:	
<i>*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).</i>	