**Cheshire East Borough Council**

**INVITATION TO TENDER**

### OPEN PROCEDURE RESPONSE DOCUMENT

**CONTRACT FOR THE PROVISION OF A DIRECT PAYMENTS SUPPORT SERVICE**

**PERIOD: 1ST OCTOBER 2019 – 30th SEPTEMBER 2021**

**[With an option to extend for one additional year]**

**CHEST REF: DN 403049**

**Procurement Ref: 19 067**

|  |  |
| --- | --- |
| Name of Tenderer: |  |

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**of the Council**

**Version 17**

**CHECKLIST FOR TENDERERS**

Failure to provide all of the items in the checklist may cause your Tender to be non-compliant and not considered.

|  |  |  |
| --- | --- | --- |
| **Schedule** | **Item** | **Included in Tender?** |
|  | Form of Tender |  |
|  | Certificate of non-collusion and non-canvassing |  |
|  | SQ - Selection Questionnaire |  |
|  | ITT Pricing Schedule |  |
|  | ITT Quality Response |  |

**Cheshire East Borough Council**

**CONTRACT FOR THE PROVISION OF A DIRECT PAYMENTS SUPPORT SERVICE**

**PERIOD: 1ST OCTOBER 2019 – 30th SEPTEMBER 2021**

**[With an option to extend for one additional year]**

**SCHEDULE 1 - FORM OF TENDER**

**Contract for the provision of A DIRECT PAYMENTS SUPPORT SERVICE**

FORM OF TENDER

To: Cheshire East Borough Council

(Via ‘The Chest’)

For the Attention of Andrew Elliott

Date:

Dear Sir/Madam,

**TENDERFOR THE PROVISION A DIRECT PAYMENTS SUPPORT SERVICE**

I/We the undersigned, hereby tender and offer to provide the Contract as listed below which is more particularly referred to in the Invitation to Tender supplied to me/us for the purpose of tendering for the provision of the Contract and upon the terms thereof.

Attached to this Form of Tender are the following:

1. My/our response to the requirements ofthe ITT.
2. The completed Pricing Schedule – Appendix C.
3. A signed Certificate of Non Collusive Tendering and non-Canvassing.

I/We confirm that I/we can supply the Contract as specified in the Invitation to Tender at the total costs of (excluding VAT) submitted within the Pricing Schedule herein.

I/We confirm that we accept the Contract as issued with the Invitation to Tender.

I/We undertake in the event of acceptance of our Tender to execute the Contract within the timescales stipulated.

I/We understand that the Council reserves the right to accept or refuse this Tender whether it is lower, the same, or higher than any other Tender.

I/We confirm that the information supplied to you and forming part of this Tender including (for the avoidance of doubt) any information supplied to you as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

I/We confirm that this Tender will remain valid for 90 days from the date of this Form of Tender.

I/We confirm and undertake that if any of such information becomes untrue or misleading that I/we shall notify you immediately and update such information as required.

I/We confirm that the undersigned are authorised to commit the Tenderer to the contractual obligations contained in the Invitation to Tender and the Contract.

Signed by

Name(s)

Position

for and on behalf of [ Insert Company Name ]

Full registered business / name and registered company address of the Tenderer

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**Cheshire East Borough Council**

**CONTRACT FOR THE PROVISION OF A DIRECT PAYMENTS SUPPORT SERVICE**

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**SCHEDULE 2 - CERTIFICATE OF NON-COLLUSION AND**

**NON-CANVASSING**

**Contract for the provision of A DIRECT PAYMENTS SUPPORT SERVICE**

To: Cheshire East Borough Council

(Via ‘The Chest’)

Date:

For the Attention of: Andrew Elliott

Statement of non-canvassing

I/we hereby certify that I/we have not canvassed any member, Director, employee, representative or adviser of the Council in connection with the proposed award of the Contract by the Council, and that no person employed by me/us or acting on my/our behalf, or advising me/us, has done any such act.

I/we further hereby undertake that I/we will not canvass any member, Director, employee, representative or adviser of the Council in connection with the award of the Contract and that no person employed by me/us or acting on my/our behalf, or advising me/us, will do any such act.

**Statement of non-collusion**

The essence of selective tendering for the Contract is that the Council shall receive bona fide competitive Tenders from all Tenderers.

In recognition of this principle, I/we certify that this is a bona fide offer, intended to be competitive and that I/we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person (except any sub-contractor identified in this offer).

I/we also certify that I/we have not done, and undertake that I/we will not do, at any time any of the following acts:

* + - * 1. communicate to a person other than the Council, the amount or approximate amount of my/our proposed offer except where the disclosure in confidence of the approximate value of the Tender was essential to obtain insurance premium quotations required for the preparation of the Tender; or
        2. enter into any agreement or agreements with any other person that they shall refrain from tendering or as to the amount of any offer submitted by them; or
        3. offer or agree to pay or give or actually pay or give any sum of money, inducement or valuable consideration, directly or indirectly, to any person for doing or having done or having caused to be done in relation to any other offer or proposed offer, any act or omission.
        4. committing any offence under the Bribery Act 2010 or any subordinate legislation made under that Act from time to time.

http://www.legislation.gov.uk/ukpga/2010/23/contents

I/we agree that there is a requirement to disclose and declare any direct or indirect

financial or non financial interest in an organisation, company, or other body that is

doing business with, or has dealings with, the council and where this may affect

and/or could bring about a conflict with the Council’s interest.

I/we should notify this to the Council and that failure to disclose or declare such an

interest could result in the contract being terminated.

I/we agree that the Council may, in its consideration of the offer and in any subsequent actions, rely upon the statements made in this Certificate.

Signed

Name:

Position

For and on behalf of **[Tenderer]**

*(End of Schedule 2)*

# Schedule 3 - Standard Selection Questionnaire

|  |
| --- |
| **NOTE TO ORGANISATION:**  Section **8** of Schedule **3** (Standard Selection Questionnaire) will be Scored out of a possible 100%.  Applicants will fail on incomplete responses and / or doesn’t meet the **minimum pass score of 60%.** Tenders that fail Schedule 3 will not be evaluated any further.  Questions marked ‘for information only’ will not be assessed however they must still be answered in full.  Tenderers are therefore strongly advised to ensure they answer all questions within each section.  **Cross Referencing an answer; from a questions response to another, will not be taken into consideration and will result in a score of zero for that question.**  **Failure to answer a question which is scored will result in a score of zero for that question.**  Failure to provide an **acceptable explanation** with any **Fail** Questions answered will fail on Schedule **3** as a result.  **Consortia Bids**  If the potential supplier is bidding on behalf of a group, for example, a consortium, or intends to use sub-contractors, there are different actions required for completion of Part 3 of the standard Selection Questionnaire compared to Part 1 and Part 2.  The consortium lead should complete all of the questions on behalf of the consortium and/or any sub-contractors. The consortium lead should make it clear who the lead member of the group is, and who will be contractually responsible for delivery of the contract.  All members of the group are required to provide the information required in Part 3 of the standard Selection Questionnaire or procurement documents, as part of a single composite response (unless the question specifically directs otherwise). We may require members of the group to assume a specific legal form if awarded the contract, if considered necessary for the satisfactory performance of the contract. Where the group is proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV) or consortium, they should provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity. They should also provide the name for the new entity and details of its legal and operational structure. An SPV is a legal entity that is formed to perform a specific contract.  Consortium arrangements may be subject to future changes and any updates to the  bidding model should be provided to the contracting authority so that a further  assessment can be carried out (by applying the selection criteria to the new  information provided). The contracting authority reserves the right to deselect the  Supplier prior to any award of contract, based on an assessment of the updated  information. |

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

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion[[1]](#footnote-1). If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

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 document 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 sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

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

**Consequences of misrepresentation**

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

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**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” 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. 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 sub-contractors, 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.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. *All sub-contractors are required to complete Part 1 and Part 2[[2]](#footnote-2).*
7. For answers to Part 3 -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

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.**Part 1: Potential supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

|  |  |  |
| --- | --- | --- |
| Section 1 | Potential supplier information | |
| Question number | Question | Response |
| 1.1(a) | Full name of the potential supplier submitting the information |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status   1. public limited company 2. limited company 3. limited liability partnership 4. other partnership 5. sole trader 6. third sector 7. other (please specify your trading status) |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i) - (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes  No  N/A |
| 1.1(i) - (ii) | If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s). |  |
| 1.1(j) - (i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes  No |
| 1.1(j) - (ii) | If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | Relevant classifications (state whether you fall within one of these, and if so which one)   1. Voluntary Community Social Enterprise (VCSE) 2. Sheltered Workshop 3. Public service mutual |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)[[3]](#footnote-3)? | Yes ☐  No ☐ |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[4]](#footnote-4)  - 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 (for existing companies the 6 April 2016 should be used);  - 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. [[5]](#footnote-5)  (Please enter N/A if not applicable) |  |
| 1.1(o) | Details of immediate parent company:    - Full name of the immediate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |
| 1.1(p) | Details of ultimate parent company:  - Full name of the ultimate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office 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 suppliers and the persons of significant control of them.Please provide the following information about your approach to this procurement:

|  |  |  |
| --- | --- | --- |
| Section 1 | Bidding model | |
| Question number | Question | Response |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators? | Yes  No  If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes  No |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Name |  |  |  |  |  | | Registered address |  |  |  |  |  | | Trading status |  |  |  |  |  | | Company registration number |  |  |  |  |  | | Head Office DUNS number (if applicable) |  |  |  |  |  | | Registered VAT number |  |  |  |  |  | | Type of organisation |  |  |  |  |  | | SME (Yes/No) |  |  |  |  |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  |  |  |  |  | | The approximate % of contractual obligations assigned to each sub-contractor |  |  |  |  |  | | |

**Contact details and declaration**

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

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

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

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

I am aware of the consequences of serious misrepresentation.

|  |  |  |
| --- | --- | --- |
| Section 1 | Contact details and declaration | |
| Question number | Question | Response |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

|  |  |  |
| --- | --- | --- |
| Section 2 | Grounds for mandatory exclusion | |
| Question number | Question | Response |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | |
|  | Participation in a criminal organisation. | Yes  No  If Yes please provide details at 2.1(b) |
|  | Corruption. | Yes  No  If Yes please provide details at 2.1(b) |
|  | Fraud. | Yes  No  If Yes please provide details at 2.1(b) |
|  | Terrorist offences or offences linked to terrorist activities | Yes  No  If Yes please provide details at 2.1(b) |
|  | Money laundering or terrorist financing | Yes  No  If Yes please provide details at 2.1(b) |
|  | Child labour and other forms of trafficking in human beings | Yes  No  If Yes please provide details at 2.1(b) |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,  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. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) | Yes  No |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation 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 the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | Yes  No |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm 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. |  |

Please Note: The 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.

|  |  |  |
| --- | --- | --- |
| Section 3 | Grounds for discretionary exclusion | |
|  | Question | Response |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
| 3.1(a) | Breach of environmental obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations? | Yes  No  If yes please provide details at 3.2 |
| 3.1(d) | 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? | Yes  No  If yes please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes  No  If yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes  No  If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes  No  If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes  No  If yes please provide details at 3.2 |
| 3.1(i) | 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? | Yes  No  If yes please provide details at 3.2 |
| 3.1(j)  3.1(j) - (i)  3.1(j) - (ii)  3.1(j) –(iii)  3.1(j)-(iv) | Please answer the following statements  The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.  The organisation has withheld such information.  The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  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 to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2 |

|  |  |  |
| --- | --- | --- |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  |

**Part 3: Selection Questions**[[6]](#footnote-6)

|  |  |  |  |
| --- | --- | --- | --- |
| **Section 4** | **Economic and Financial Standing** | | |
|  | Question | Response | |
| **4.1** | Are you able to provide a copy of your audited accounts for the last two years, if requested?  If no, can you provide **one** of the following: answer with Y/N in the relevant box. | | Yes  No |
| (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. | | Yes  No |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | | Yes  No |
|  | (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). | | Yes  No |
| **4.2** | 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 |

|  |  |  |  |
| --- | --- | --- | --- |
| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.1(o) and/or 1.1(p) that you are part of a wider group, please provide further details below:** | | |
| **Name of organisation** | | |  |
| **Relationship to the Supplier completing these questions** | | |  |
| **5.1** | | Are you able to provide parent company accounts if requested to at a later stage? | Yes  No |
| **5.2** | | If yes, would the parent company be willing to provide a guarantee if necessary? | Yes  No |
| **5.3** | | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Yes  No |

|  |  |
| --- | --- |
| **Section 6** | **Technical and Professional Ability** |
| **6.1** | **Relevant experience and contract examples**  Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years.   The named contact provided should be able to provide written evidence 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 is to 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 main intended provider(s) or sub-contractor(s) who will deliver the contract.  If you cannot provide examples see question 6.3 |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer organisation** |  |  |  |
| **Point of contact in the organisation** |  |  |  |
| **Position in the organisation** |  |  |  |
| **E-mail address** |  |  |  |
| **Description of contract** |  |  |  |
| **Contract Start date** |  |  |  |
| **Contract completion date** |  |  |  |
| **Estimated contract value** |  |  |  |

|  |  |
| --- | --- |
| **6.2** | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)  Evidence 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 or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) |
|  |  |

|  |  |
| --- | --- |
| **6.3** | If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. |
|  |  |

|  |  |  |
| --- | --- | --- |
| **Section 7** | **Modern Slavery Act 2015:** **Requirements under Modern Slavery Act 2015[[7]](#footnote-7)** | |
| **7.1** | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes  N/A |
| **7.2** | If you have answered yes to question 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes  Please provide relevant the url …  No  Please provide an explanation |

**8 Additional SQ modules**

*Section* ***8*** *will be marked on* ***[both pass/fail and scoring]*** *basis and weightings are identified individually for each question where applicable.*

**Project specific questions to assess Technical and Professional Ability**

**Schedule 3, Section 8.5 carries a 100% TOTAL weighting of the SQ scoring.**

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

**Introduction**

These are further project specific questions relating to the technical and professional ability of the supplier. Please ensure your responses are in line with the questions page limit and 12pt Arial. Anything beyond the page limit will not be taken into consideration by the Council.

Cross Referencing is not deemed a valid response by the Council.

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 where necessary and enter responses to questions in the fields provided.

|  |  |  |
| --- | --- | --- |
| **Section 8** | **Additional Questions** | |
| **8.1** | **Insurance**  ***(This question is to be scored on a pass/fail basis.)*** | |
| **8.1.A** | 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:  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:   1. **Employer’s Liability Insurance\*** = £5million.  Is required in respect of each and every claim. 2. **Public Liability Insurance** = £5million. Is required in respect of each and every claim with no abuse exclusion/inner limit. 3. **Professional Indemnity Insurance** = £1million.   *\* It is a legal requirement that all companies hold Employer’s Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders* | **Yes**  **No** |
| **8.1.B** | Please confirm that your Professional Indemnity Insurance covers data breach, data loss and reputational damage. If your answer is ‘yes’, skip questions 8.1.C & 8.1.D. | **Yes**  **No** |
| **8.1.C** | If your Professional Indemnity Insurance does not cover data breach, data loss and reputational damage, Cheshire East Council recommends that you obtain Cyber Insurance at £5m. Please confirm you have Cyber Insurance of £5m or are willing to obtain it.  If you answer is ‘yes’ skip question 8.1.D. | **Yes**  **No** |
| **8.1.D** | If answered no to both 8.2.B & 8.2.C, please state what your intentions and procedures would be in the event of any instance of data breach, data loss or reputational damage and how you would manage the potential impact on your company/organisation | **Yes**  **No** |
| *Enter details here if necessary for 8.2.D…* | | |
| 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:  Y/N  Employer’s (Compulsory) Liability Insurance = £5 million  Public Liability Insurance = £5 million Professional Indemnity Insurance = £1 million  \*It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | | |

|  |  |  |
| --- | --- | --- |
| **Section 8** | **Additional Questions** | |
|  |  | |
|  |  |  |

|  |  |
| --- | --- |
| **8.2** | **Compliance with Equality Legislation** |

1. Please indicate the number of directly employed persons in the box below – companies employing less than 5 are not required to answer the following questions, however must provide written assurance that the appropriate level of the Standard will be achieved following any recruitment which increases the size of the company to 5 or more employees.

|  |
| --- |
| Number of direct employees: |

For organisations employing less than 5 employees:

**I confirm that the appropriate level of the Equality Standard as set out at Appendix [?] will be achieved following any recruitment, including transfer of staff under this Contract, which increases the size of the company to 5 or more employees.**

Signed

Name:

Position

For and on behalf of **[Tenderer]**

For organisations employing 5 or more employees:

**Please complete the following questionnaire:**

|  |
| --- |
| ***NOTE TO ORGANISATION:***  ***This section will be evaluated on a pass /fail basis.***  ***If ‘PASS’ is not achieved on all questions within this section then it will result in a ‘FAIL’.***  ***In respect of questions where further details are required and responses are deemed unsatisfactory then this will result in a ‘FAIL’.*** |

Organisations need to demonstrate compliance with equality in employment legislation through their answers to the following questions and by providing supporting evidence.

**Is it your policy as an employer to comply with your statutory obligations and to consider and promote non mandatory requirements to staff and applicants for employment under the equality and non-discrimination laws as listed under the Acts” namely Equality Act 2010 and The Human Rights Act 1998.**

|  |
| --- |
| *Yes/No. If ‘No’ please provide details of why not.* ***-*** *If a satisfactory explanation is received this will not result in a fail.* |

**In the last three years has any finding of unlawful discrimination or other breach of these laws been made against the Organisation by any court or industrial tribunal?**

|  |
| --- |
| *Yes/No. If ‘yes’ please provide details* |

**3.**

**In the last three years has the Organisation been the subject of formal investigation by the Equality and Human Rights Commission (EHRC) on grounds of alleged unlawful discrimination?**

|  |
| --- |
| *Yes/No. If ‘yes’ please provide details* |

**4.**

**If you answered yes to question 2, or, in relation to question 3 a commission made a finding adverse to the Organisation, what steps did you take to address that finding?**

**5.**

|  |
| --- |
| *Please provide details - . If a satisfactory explanation is received this will not result in a fail.* |

**Are your policies on *equality and Inclusion at work* set out in all of the below:**

**(a)** In instructions to those concerned with recruitment, training and promotion?

**(b)** In documents available to employees, recognised trade unions or other representative group of employees?

**(c)** In recruitment advertisements or other literature?

|  |
| --- |
| *Yes/No. If ‘Yes’ Please provide details.*  *If ‘No’ please provide details of why not.* ***-*** *If a satisfactory explanation is received this will not result in a fail.* |

**6.**

**How do you promote and/or consider reducing socio-economic disadvantage through employment?**

*Please provide details.*

*If you ‘do not’ please provide details of why not.* ***-*** *If a satisfactory explanation is received this will not result in a fail.*

**Do you observe as far as possible the equalities and non-discrimination as detailed in the Acts*”?***

|  |
| --- |
| *Please provide details.*  *If you do not abide by the above please provide details of why not - If a satisfactory explanation is received this will not result in a fail.* |

**Do you carry out ‘Equality Impact Assessments’ of your main employment and services policies, if so how do you report your findings, and what positive impacts can you report in terms of employing a diverse and inclusive workforce?**

|  |
| --- |
| *Yes/No. If ‘Yes’ Please provide details.*  *If ‘No’ please provide details of why not.* ***-*** *If a satisfactory explanation is received this will not result in a fail.* |

|  |  |
| --- | --- |
| **8.3** | **Health & Safety Policies and Procedures** |

Does your organisation have a written Health and Safety Policy (covering General Policy, Organisation and Arrangement) issuing codes of safe working practices to workforce, as required by Regulation 37 Section 2(3) of the Health and Safety at Work Act 1974 etc.

<http://www.legislation.gov.uk/ukpga/1974/37/section/2>?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’** please provide a copy of your Policy **and** confirm a copy of the policy is enclosed, using the field below:

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘NO’** and your organisation does not have a written Health and Safety Policy please give the reason why, using the field below:

|  |
| --- |
|  |

Please state how health and safety policies and procedures are communicated to your workforce and administered within your organisation?

|  |
| --- |
|  |

Does your organisation have a procedure for the reporting and recording of accidents and dangerous occurrences in accordance with RIDDOR?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’**, provide a copy of your procedure for accident reporting, recording and investigation **and** confirm a copy of the procedure is enclosed, by using field below:

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

Please complete the following table in respect of accidents and dangerous occurrences as set out below:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Year** | **Fatal** | **Major Injury or “Over 7-Day”** | **Non-Reportable** | **Dangerous Occurrences** | **Reportable ill-health** | **Near Misses** |
| **This year** |  |  |  |  |  |  |
| **Last year** |  |  |  |  |  |  |
| **Year before last** |  |  |  |  |  |  |

During the last five years, has the organisation been subject to formal enforcement (e.g. Prosecution, Prohibition Notice or Improvement Notice) for contravention of the Health and Safety at Work Act 1974, or equivalent legislation arising from your conduct of activities similar to those covered by this contract?

<http://www.legislation.gov.uk/ukpga/1974/37/section/2>

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’**, please provide full details and explain corrective action taken to prevent re-occurrence using the field below:

|  |
| --- |
|  |

Does your organisation have Risk Assessment Procedures in place for all work activities as required by the Management of Health and Safety at Work Regulations 1999 and associated legislation?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’**, please supply 2 examples of risk assessments and safety method statements for work activity undertaken within the last 12 months. This should include manual handling, COSHH or others that are relevant to your work activities and confirm a copy of any examples are enclosed, by using the field below:

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

Does your organisation have a health and safety training programme for your workforce to ensure that they are competent for their duties?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’**, please enclose brief details of training courses or programmes undertaken by managers and workforce, using the field below:

|  |
| --- |
|  |

Does your organisation have arrangements in place for consultation with workforce on health and safety matters?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

Where appropriate, does your organisation undertake health monitoring of workforce?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’**, please provide details using the field below:

|  |
| --- |
|  |

If your organisation uses sub-contractors, do you have a system in place for assessing their competence and the ongoing monitoring and review of their Health and Safety performance?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’**, please provide details using the field below:

|  |
| --- |
|  |

Do you have a system in place for monitoring your Health and Safety arrangements including auditing them at periodic intervals and for reviewing them on an ongoing basis?

|  |  |
| --- | --- |
| *(Delete as appropriate)* | **YES/NO** |

If the answer is **‘YES’**, please provide details using the field below, including examples.

|  |
| --- |
|  |

|  |  |
| --- | --- |
| Name of Person completing this form |  |
| Position in Organisation |  |
| Contact Tel No |  |
| Email Address |  |
| Date |  |
| Signature |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Section 8.4** | **Additional Questions** **Prior Experience Questions (Pass/Fail) – A minimum score of 60% of the available marks is required for a pass in this section.** | | |
| **No.** | **Question** | **Criteria (all of equal weighting)** | **Score** |
| **8.4.1** | Please describe your approach to the effective delivery of a Direct Payment Support Service or service with equivalent demands, over the last 3 years.  **(Up to 400 words)** | * Demonstrates how you were successful in delivering a Direct Payment Support Service (or equivalent service) * Demonstrates how you achieved improved outcomes for service users, or reduced barriers that they were encountering * Demonstrates an effective approach to informing and guiding service users (including over any legal responsibilities) * Demonstrates your approach to service improvement (including by use of service user feedback). | **30%** |
| Response: | | | |
| **8.4.2** | Please describe your experience of implementing mobilisation plans in order to put a new service in place  **(Up to 300 words)** | * Demonstrates understanding of key actions / milestones required for delivery * Gives evidence of how service mobilisation was successful | **25%** |
| Response: | | | |
| **8.4.3** | Please describe what you believe to have been the main barriers to service users in accessing and managing a Direct Payment? This could include:   * Care and support provision * Understanding of Direct Payments   **(Up to 250 words)** | * Demonstrates good understanding of the barriers, as well as the strategies required to overcome these | **20%** |
| Response: | | | |
| **8.4.4** | Please describe your experience of working in partnership with a range of stakeholders (e.g. providers, organisations) in order to progress a service or project  **(Up to 300 words)** | * The response should describe partnership work (beyond mere signposting) with at least 2 organisations * The response should show what was achieved as a result of this partnership work * The response should reference skills required for successful partnership working | **25%** |
| Response: | | | |

**9 Declaration**

|  |  |  |  |
| --- | --- | --- | --- |
| **9** | 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; | | Yes  No |
| **Section ref of SQ** | | **Supplier Appendix number** | |
| *Enter here if necessary…* | | *Enter here if necessary…* | |
|  | |  | |
| **SQ completed by:** | | | |
| **9.1** | Name |  | |
| **9.2** | Role in Organisation |  | |
| **9.3** | Date |  | |
| **9.4** | Signature |  | |

*(End of Schedule 3 SQ)*

**Cheshire East Borough Council**

**CONTRACT FOR THE PROVISION OF A DIRECT PAYMENTS SUPPORT SERVICE**

**PERIOD: 1ST OCTOBER 2019 – 30th SEPTEMBER 2021**

**[With an option to extend for one additional year]**

**SCHEDULE 4 – PRICING SCHEDULE**

**Pricing Schedule – 30% of total evaluation score**

Please complete and return the **Pricing Table** below foryour proposed charge for the provision of **a Direct Payments Support Service. Please submit the annual amount** you propose to charge.

|  |
| --- |
| £ \_\_\_\_\_\_\_\_\_\_\_ |

This should represent the full charges payable by Cheshire East Council PER ANNUM for the term available under the contract, including the potential extension period - **No claim for additional payment will be considered for items that have not been specified.** Please note that the evaluated price will be the **Total Amount Payable** (excluding VAT) which must include **ALL** charges, disbursements, expenses and costs in respect of the term of the contract. Payment will be made quarterly in arrears.

Failure to quote for all aspects of the project listed will result in a score of zero for this section. If no separate charge is made for any of the areas listed please indicate the charge is “nil” rather than leave the box blank. PLEASE NOTE – A bid price which exceeds the published budget envelope of £120,000 per annum will result in disqualification of your bid.

*(End of Schedule 4)*

**Cheshire East Borough Council**

**CONTRACT FOR THE PROVISION OF A DIRECT PAYMENTS SUPPORT SERVICE**

**PERIOD: 1ST OCTOBER 2019 – 30th SEPTEMBER 2021**

**[With an option to extend for one additional year]**

**SCHEDULE 5**

**ITT QUALITATIVE EVALUATION QUESTIONS**

**Quality Questions – 70% of total evaluation score, including Presentation**

**Introduction**

These are the ITT Qualitative questions, which are contract specific and relate to the technical and professional ability of the supplier. Please ensure you responses are in line with the questions page limit and 12pt Arial. Anything beyond the word limit will not be taken into consideration by the Council. Cross Referencing information is not deemed a valid form of response by the Council.

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Question** | | **% Weighting** |
|  | **Service Delivery / Service Users** |  |  |
| **1.** | How will you ensure that your organisation fulfils the service delivery model as outlined in the Direct Payment Support Service specification. This includes:   * Universal information and advice for all residents irrespective of whether they have eligible support needs, and/or a “self funder” * Brokerage for those Service Users with eligible support needs * Understanding of local need   **(Up to 1500 words)** | * Demonstrates a credible approach to the delivery of information and advice relating to the following key areas:   + - Employment practices, policies and legislation     - Personal Assistants / Care Agency     - Payroll     - Managed accounts     - Insurance     - Contingency planning     - Health and safety     - Potentially, brokering care and support for self-funders. * Demonstrates an effective approach to the brokerage of Personal Assistants and Care Agencies * Demonstrates an understanding of need within Cheshire East. This includes in relation to service users of different client types (e.g. learning disabilities, older people) and for different locations. | **25%** |
| Response: | | | |
|  | **Interactive sessions / shaping the market** |  |  |
| **2.** | Please detail how you would shape the local care market. This would include via engagement with users, use of interactive sessions, stakeholder events and formalised links.  Note - this work will be designed to provide an opportunity for participants (which may include staff members, services users, stakeholders) to discuss a specific question, concern, issue or practical implementation with the provider.  **(Up to *800 words)*** | * The response should describe how you will deliver the following:   + Shaping the market     - how your organisation will support the market in attracting personal assistants, care agencies, and/ or volunteers to support Direct Payment recipients     - facilitation of a Personal Assistant Finder Register   + Surgeries – the Provider will be expected to offer regular drop in-surgeries (geographical locations to be agreed) in Cheshire East   + Workshops   + Service delivery – face to face, telephone, digital contacts   + Co-production   + Close working with Cheshire East Council (with the provider acting as a conduit between the wider market and local authority ) | **10%** |
| Response: | | | |
|  | **Transition (children to adult)** |  |  |
| **3.** | Please describe how your organisation will work closely with Service Users transitioning from Children’s Direct Payments to Adult Direct Payments.  **(Up to 600 words)** | * Describes the service delivery model and approach that your organisation will take * Details the pathways and processes which will be developed during mobilisation | **5%** |
| Response: | | | |
|  | **Processes and pathways** |  |  |
| **4.** | Please describe how your organisation will develop formal pathways and processes with the Council’s Business & Finance Team and Adult Social Care services?  **(up to 800 words)** | * The response should detail the pathways and processes necessary for successful relationships with social care operations and social care finance. * The response should highlight any barriers to be overcome and how these would be addressed. | **5%** |
| Response: | | | |
|  | **Mobilisation** |  |  |
| **5.** | Please provide a high level mobilisation plan for the new service for ensuring that your organisation is able to provide the required level of service from the contract commencement date. Please attach a detailed mobilisation plan and include in your response:  **(Up to 1000 words)** | * A mobilisation plan is provided which gives a detailed list of actions, including projected timescales and key milestones (including start and end dates) * Actions are described which align with the mobilisation section of the service specification. As such, this should capture:   + A description of which staff will be involved in the mobilisation / transition   + Approach to TUPE   + Risk management   + Approach to communication with Service Users, informal carers, and stakeholders   + Arrangements for securing premises (where applicable), equipment and IT to deliver the service   + Approach to data migration / data transfer   + How you will manage and mitigate risk   + Training Matrix / Recruitment   + Staffing structure   + Income generation – proposed approach   + Publicity and promotion   + Recruitment and training   + Timings and relevant targets * The plan should also feature any other elements required to ensure core service delivery can be in place from the contract start date. | **10%** |
| Response: | | | |
|  | **Social Value** |  |  |
| **6.** | Please describe how in the delivery of this service you will achieve and monitor Social Value for one or more of the following objectives?   * Promote employment and economic sustainability * Raise the living standards of local residents * Promote participation and citizen engagement – encourage resident participation and promote active citizenship * Build the capacity and sustainability of the voluntary and community sector – practical support for local voluntary and community groups * Promote equity and fairness target effort towards those in the greatest need or facing the greatest disadvantage and tackle deprivation across the borough * Promote environmental sustainability   **(Up to 750 words)** | * The response should describe at least one of the social value objectives will be met in a credible way in order to achieve a satisfactory rating | **5%** |
| Response: | | | |
|  | **Provider Presentation** |  |  |
| **7.** | How will your organisation ensure that you offer a person centred approach to service delivery and is responsive to changing service user need? | Provider Presentation to panel member and representation from service users to take place on Friday 7 June 2019, at Cheshire East Council, Westfields, Middlewich Road, Sandbach, CW11 1HZ. Confirmation of attendance will be provided during the procurement period.  This will form **10%** of the overall marking   * 15 minutes – presentation * 15 minutes – question and answer   The response will describe how the service will:   * Offer a person centred approach in each aspect of service delivery (e.g. information/advice provision and brokerage) * Ensures that service users/carers understand their responsibilities when managing their Direct Payment e.g. being a good employer, HMRC, payroll, pensions, audit etc. * Details how your organisation supports those service users who are experiencing difficulties in managing their direct payment and associated responsibilities | **10%** |

*End of Schedule 5 ITT Response*

**Cheshire East Borough Council**

**CONTRACT FOR THE PROVISION OF A DIRECT PAYMENTS SUPPORT SERVICE**

**PERIOD: 1ST OCTOBER 2019 – 30th SEPTEMBER 2021**

**[With an option to extend for one additional year]**

**SCHEDULE 6**

**COMPLIANCE WITH SPECIFICATION & SCOPE OF REQUIREMENTS**

**This section will be evaluated on a pass / fail basis**

Please confirm you have complied with the stated specification included within this document, by entering an ‘X’ in the field below:

Yes

If ‘NO’ please advise areas of non compliance in the field below:

|  |
| --- |
|  |

Please also confirm that you accept and will comply with the terms and conditions of the contract that has been supplied with the tender documentation, as they will not be open to negotiation post award.

Yes

*End of Schedule 6 ITT Response*

**19 067 v2 ICT Security Questions**

This section will be scored on a **Pass/Fail** basis and to pass this section bidders must meet the Councils expectations which are detailed below as various requirements.

***“Demonstration by the Organisation of the relevant knowledge, ability, understanding, experience, skills, and resource & quality measures needed to meet the Councils requirements, with evidence to support the response.”***

As part of the selection process bidders must demonstrate compliance with the 5 security screening criteria listed by responding in writing to every requirement and question in this document.

**In order to pass this section, bidders must meet each and every requirement set out in this ICT security questionnaire. Validation of the answers provided by the bidder may be requested during the evaluation process, however, bidders will not be permitted to re-submit or change any of the responses originally provided to the questions. Any erroneous information could limit the bidders’ ability to finalise implementation of the proposed solution.**

Bidders are expected to maintain an awareness of the laws and regulations applicable to the use of the proposed solution (in respect of storing and protecting data), in a public sector environment and you will be expected to ensure that your organisation is up to date in this area for the full term of any contract that may be awarded.

Documentation

The bidder may be asked to provide security whitepapers, technical documents, or copies of policies as necessary to fully demonstrate compliance with the requirement. Failure to provide any necessary supporting evidence or information to show how you intend to meet the requirements in this section could lead to you failing this section and your full submission being excluded from this process.

Please note that if you plan to sub-contract or partner with another organisation to deliver any part of the intended solution to meet a requirement then it may be necessary for sub-contract or partner organisation(s) to also complete the ICT security questions below.

Considering the specification that you are bidding for, please provide full responses to the following 5 questions in the boxes below:

Q1. – ***Requirement: A high standards of information security which meets the needs of a nationally or internationally recognised industry standard.***

Do you or your provider(s) of the solution in relation to PERSONAL/SENSITIVE DATA hold any recognised industry standards e.g. ISO27001, Cyber Essentials, ISO9001 or equivalent. If so please identify the standard (**if using a non-UK standard please identify the relevant industry body & country under which the standard is awarded)**

|  |
| --- |
|  |

Q2. – ***Requirement: All data/IT systems within your proposed solution (including administrators’ access) must be password protected with a password format which is ‘strong’ or secure***

Please confirm and detail the password format i.e. number of characters, upper and lower case with numbers and special characters, and how often are these changed, and the measures your organisation has in place to protect these.

|  |
| --- |
|  |

Q3. – ***Requirement: A clear, accessible and widely publicised process must be in place for reporting and recording internal data breaches leading up to and including self-reporting breaches to the Information Commissioners Office.***

Please set out how your organisation meets this requirement by reference to the process that staff should follow if there has been an actual or suspected breach in data security. Detail is required to include:

1. Defining and showing examples of a data breach and the process that staff should follow e.g. who do they report the breach to internally & the process to report the breach to the Council/ Information Commissioners Office if required.
2. How the process is publicised throughout the organisation and accessed by all staff.

Please attach appropriate documents

|  |
| --- |
|  |

Q4. – ***Requirement: Staff must receive appropriate training in data security both at inception and at regular periods during employment. This should include training in data protection principles and the reporting process for data breaches***.

Please set out how your organisation meets this requirement by reference to Information Security and HR policies and procedures. Please attach any appropriate documents to support your response.

|  |
| --- |
|  |

Q5. – ***Requirement: Any media on which personal data is held (including software, hardware and paper) must be securely disposed of or destroyed when storage or other processing of the data is no longer permitted under the Data Protection legislation***

Please set out how your organisation meets this requirement by reference to the following:

a) A description or policy describing the process for the disposal of hardware and media (e.g. all confidential paper must be cross-shredded.)

b) Services supplied by an external provider to secure data erasure, in accordance with data privacy regulations and guidelines, and disposal of hardware and other equipment containing personal data. Any such provider used for undertaking secure erasure, removal/disposal of information and/or assets must be WEEE Compliant in order to provide assurances to the assets disposal or destruction, if you do use such an organisation. Please identify the accreditation/certifications which your organisation or the proposed solution provider has in place (in relation to personal data).

|  |
| --- |
|  |

The bidder represents and warrants that their responses to the questions are complete and accurate and that the policies, systems and processes described herein will continue to conform to the Councils requirements unless mutually agreed upon by Cheshire East Council and the Bidder. Bidder further agrees to work with Cheshire East Council in good faith to maintain compliance with new laws and regulations and/or to improve the security of the system as necessary.

Agreed on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019

Company Name:

Signer's Name:

Signer's Title:

*End of ICT security questionnaire.*

1. For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf [↑](#footnote-ref-1)
2. See PCR 2015 regulations 71 (8)-(9) [↑](#footnote-ref-2)
3. See EU definition of SME: <http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/> [↑](#footnote-ref-3)
4. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need 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). [↑](#footnote-ref-4)
5. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-5)
6. [See Action Note 8/16 Updated Standard Selection Questionnaire](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-6)
7. [Procurement Policy Note 9/16 Modern Slavery Act 2015](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-7)