[](http://www.google.co.uk/url?sa=i&rct=j&q=&esrc=s&source=images&cd=&cad=rja&uact=8&ved=2ahUKEwjSwoi6_o_eAhWSY1AKHU15CPwQjRx6BAgBEAU&url=http://www.ehn-jobs.com/employer/301080/broxtowe-borough-council/&psig=AOvVaw1c__bIBlXXCh-iApy8cgRh&ust=1539952014343799)

Supplier Questions

Beeston Square

Phase 2

Refer to PIN 2018/S 015-030069

Design and construction of a mixed-use commercial premises.

|  |  |
| --- | --- |
|  |  |
| Status: | Invitation to Participate |
| Issue Date: | 3rd December 2018 |
| Return Date: | 14th January 2018 |
| Return Time: | 12:00 Hrs |
|  |  |

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1. Introduction
   1. Site

Borough Council (BBC) owns the freehold of a development site on the southern edge of Beeston town centre, adjacent to the new bus/tram transport interchange. This is shown on the location plan below.



The site was previously a bus station, multi-storey car park and fire station. These uses ceased, and the site was cleared to allow for construction of the NET Tram. The balance of the site is currently a surface pay & display car park operated by BBC.

* 1. Project Primary Objectives

Beeston’s town centre is in relatively good health, with above- average occupancy levels and an attractive mix of independent and national retailers. Daytime trading is strong, but activity falls away from late afternoon. It has a range of local café’s, bars & restaurants but the historic nature of most buildings does not meet the needs of national operators.

The Council therefore wishes to bring this site forward for development to achieve the following primary objectives:

* + - To enhance the quality & diversity of Beeston Town Centre’s retail provision to ensure its future vitality and diversify town centre uses to maintain its role as a Major District Centre.
    - To promote activities that can develop a sustainable evening economy.
    - To ensure the town centre is readily accessible by all modes of transport, whilst maximising access by foot, cycle and public transport in the context of a sustainable transport strategy.
    - To promote high quality town centre developments and public realm improvements that combine to create a good image for the town centre.
    - To secure development of the Town Centre and adjacent areas in a co-ordinated manner to maximise benefits to the town.

Following extensive public consultation and independent viability studies, a cinema-led retail & leisure offer, supplemented by a significant density of residential units likely to increase the immediate catchment of users for this offer was envisioned. This concept enjoys unanimous cross-party support among Councillors.

In September 2018, planning permission was granted for a mixed-use development comprising 132 apartments (outline consent) and a cinema-led leisure block (full consent) linked by a new public piazza. Floor plans and visual representations are attached as part of ITP Drawing Folder dated 28th November 2018 that is appended to this document; supporting planning information is available on the planning portal (<http://planning.broxtowe.gov.uk/ApplicationSearch>) under reference 18/00360/FUL.

BBC intends to sell the residential part of the site to a suitable developer and is currently marketing the opportunity through HEB Chartered Surveyors (<http://www.heb.co.uk/property-search-commercial.php>).

The Council will then develop the leisure element directly, procuring construction works that are the subject of this process under the NEC4 option A form of design and build contract. This will be funded through a mix of Council capital receipts and the Public Works Loan Board.

The provisional delivery programme is attached as Appendix 4.

An indicative Scope Document is provided that describe in more detail the extent of works and Client requirements is appended to this document

A multi-disciplinary project and design team is already in place to steer the development through to a successful completion and the design disciplines will be available for novation to the successful tenderer. An experienced interim consultant has also been appointed to act as “professional developer”, managing the interfaces between employer, consultant team and constructor.

Negotiations are well advanced to secure a cinema operator to anchor the project. Two of the four ground floor food & beverage units are currently under offer. It is expected that agreements for lease will be signed in early 2019, prior to the issue of final tender invitations.

In an uncertain market place for high streets generally and the food & beverage market in particular, it is acknowledged that a number of similar schemes elsewhere in the UK are on hold. However, Beeston Town Square represents a real and sustainable opportunity for the following key reasons:

* Full planning consent already granted.
* Funding in place
* Pre-lets in advanced negotiations
* The project is self-funding so is not reliant on BBC subsidy

BBC also appreciates the cost to contractors of public-sector tendering. Accordingly, the procurement process has been designed to reduce this wherever possible whilst maintaining compliance with EU procurement regulations. More specifically:

* This PQQ has been compiled to focus on key questions on which selection of a shortlist will be based, rather than a generic formula.
* ITTs will not be issued until:
  + A critical mass of legally-binding pre-let agreements has been achieved (converting current offers will achieve this)
  + Binding contract for sale of residential site to cross-fund the project
  + Agreement in principal to additional PWLB funding
* Full site investigations have been undertaken and will be included in final tender packs
* Arrangements for diversion of underground services will be in place prior to contract award
* Party Wall Act and allied agreement with adjoining landowners (including Nottingham Express Tramway) will also be in place prior to contract award
* A transparent approach to risk & contingency will be enshrined within the contract
* Shortlist limited to maximum of 4 – 6 suitable constructors.

In this spirit, the Council invites respondents to refrain from including generic and marketing material in the returns as this will not be considered and may serve to distract reviewers from specific answers requested. Please also contain responses to the word/page limits (where stated) as any material in excess of this will be disregarded.

Broxtowe Borough Council is now seeking a construction partner with the necessary skills and experience to work collaboratively in a spirit of mutual support and openness to deliver this important and high-profile project.

1. Notes for completion
   1. General

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) 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. 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, providing one composite response and declaration.

7. 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.

* 1. 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. 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).

For the list of exclusions please see:

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf>

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. When completed, this form is to be sent back to the address set out below along with the selection information requested in the following documentation.

* 1. 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.

* 1. 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.

* 1. Return Details and Address

Returns are to be uploaded to the tendering portal.

Queries and clarifications are to be submitted through the tendering portal. Please note that questions and responses will be available for all participants to view.

To be upload in full not later than 12:00 noon on Monday 14th January 2018.

|  |  |
| --- | --- |
| Status: | Invitation to Participate |
| Issue Date: | 3rd December 2018 |
| Return Date: | 14th January 2018 |
| Return Time: | 12:00 Hrs |

1. Potential Supplier Information
   1. 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.

|  |  |
| --- | --- |
| C1-Q1 | Name of legal entity or sole-trader of the potential supplier submitting the information |
|  | |
| C1-Q2 | Registered office address (if applicable) |
| Address |  |
|  |
|  |
| Town |  |
| County |  |
| Postcode |  |
|  | Registered website address (if applicable) |
|  | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Potential Supplier Information continued** | | | | |
| C1-Q3 | | Contact Details for Enquires | | |
| Address | |  | | |
|  | | |
|  | | |
| Town | |  | | |
| County | |  | | |
| Postcode | |  | | |
| C1-Q4 | | Trading status | | |
| a) public limited company | | |  | |
| b) limited company | | |  | |
| c) limited liability partnership | | |  | |
| d) other partnership | | |  | |
| e) sole trader | | |  | |
| f) third sector | | |  | |
| g) 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(k) | Trading name(s) that will be used if successful in this procurement | | | |
| *[enter details here if different to C1-Q1]* | | | | |
| 1.1(0) | 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) | | | |
| [enter details here if 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) | | | |
| [enter details here if applicable] | | | | |

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

* 1. Bidding Model

Please provide the following information about your approach to this procurement:

|  |  |  |
| --- | --- | --- |
| 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. | | |
| *[please provide details on a separate sheet if applicable]* | | |
| 1.2(a)-(ii) | Name of group of economic operators (if applicable) | |
| *[enter details here 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. | |
| *[please provide details on a separate sheet if applicable]* | | |

* 1. 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.

|  |  |  |
| --- | --- | --- |
| 3.3.3 (a) | Contact name |  |
| 3.3.3 (b) | Name of organisation |  |
| 3.3.3 (c) | Role in organisation |  |
| 3.3.3 (d) | Phone number |  |
| 3.3.3 (e) | E-mail address |  |
| 3.3.3 (f) | Postal address |  |
| 3.3.3 (g) | Signature  (electronic is acceptable) |  |
| 3.3.3 (h) | Date |  |

* 1. Conflict of Interest Declaration (For Tenderers)

This declaration must be completed and signed as part of the Tender. Tenderers will be required to notify the Council of any changes to the content of this Declaration as soon as such information becomes available to them.

Any conflict of interest or potential conflict of interest must be fully disclosed to the Council as soon as the conflict of potential conflict becomes apparent. In the event of any such conflict or potential conflict the Council at its absolute discretion shall decide on the appropriate course of action and the decision of the Council will be final and binding in this regard.

A conflict of interest may include any factor, whether arising through personal interest, current or prospective contractual obligations or any other activity or association, which could prejudice your firm and its employees or agenda in the delivery, for the sole benefit of the Council, of the service required.

The Council reserves the right to determine the appropriate course of action with regard to all actual and potential conflicts of interest.

Are you aware of any conflict of interest which might have an impact on your ability to offer / deliver the services in question to the Council?

Yes No

If yes, please provide details:

I hereby declare that the above is an accurate and complete Declaration of all Conflicts of Interest on the part of my firm in relation to this framework of which I am aware. I undertake to inform the Council of any changes to this Declaration or of any other conflicts of interest which may arise during the lifetime of the contract.

I accept that the Council may take appropriate action in relation to conflicts of interest, and that my firm may be excluded for tendering for a specific contract where the effect of the conflict of interest has not been dealt with to the satisfaction of the Authority.

|  |  |
| --- | --- |
| Name  (Block Capitals) |  |
| Signature |  |
| Date |  |
| Position |  |
| On behalf of |  |

* 1. CERTIFICATE OF NON-CANVASSING

We hereby undertake that we have not canvassed or solicited, nor will in the future canvass or solicit, any councillor, officer or employee or advisor of Broxtowe Borough Council in connection with this tender and that persons employed by us acting on our behalf have not and will not do any such act.

In this Certificate the word “person” includes any persons and anybody or association, corporate or unincorporated and the words “ canvass or solicit “ shall bear their ordinary meaning in this context, but shall also have the following meanings.

“Either directly or through a third party:

1. provide information;
2. give an opinion or opinions;
3. take any action which seeks to get a person or persons to hold an opinion;
4. take any action which seeks to influence an opinion that is held;
5. take any action which seeks to influence decisions which are to be taken

other than through the submission of this tender in the manner required.”

Dated this \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_day of\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_2018

Signed by [insert full name in block capitals

here] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

in the capacity of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Duly authorised to sign for and on behalf of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (block capitals please )

Signature ……………………………………………………………………………………

1. 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.

* 1. Grounds for mandatory exclusion

|  |  |  |  |
| --- | --- | --- | --- |
| 4.1.1  (a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  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) | |
| 4.1.1  (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. | | |
| 4.1.2 | 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 ☐ |

|  |  |  |
| --- | --- | --- |
| 4.1.3  (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 ☐ |
| 4.1.3  (b) | If you have answered yes to question 4.1.3(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. | |

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.*

* 1. Grounds for discretionary exclusion

|  |  |  |
| --- | --- | --- |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  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) | Please answer the following statements | |
| 3.1(j)-(i) | 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. | Yes ☐ No ☐ If Yes, please provide details at 3.2 |
| 3.1(j)-(ii) | The organisation has withheld such information. | Yes ☐ No ☐ If Yes, please provide details at 3.2 |
| 3.1(j) -(iii) | The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. | Yes ☐ No ☐ If Yes, please provide details at 3.2 |
| 3.1(j)-(iv) | 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 |
| 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) | |

1. Selection Question
   1. Insurance & Indemnity Levels

Please confirm that you have in place (or will put in place prior to contract award) and maintain for 10 years following practical completion (or such longer period as may be required by Statute) the following insurances:

|  |  |  |
| --- | --- | --- |
| 5.1-Q1 Employers'  liability insurance | Limit of indemnity | £10 million |
| Limit for a single event | £10 million |
| 5.1-Q2 Public liability insurance | Limit of indemnity | £20 million |
| Limit for a single event | £10 million |
| 5.1 Q3 Professional Indemnity Insurance | Limit of indemnity | £10 million |
| Basis | Each & every |
| Limit for a single event | £10 million |
| 5.1 Q4 Contractors all risks insurance. | Limit of indemnity | £10 million |
| Basis | Each & every |
| Limit for a single event | £10 million |

* 1. Third party warranties

The ability to offer third party warranties set out below is required for this project. Please sign the box to confirm that you will commit to providing these should you be successful:

* Warranties to up to 6 first tenants on leases in excess of 5 years;
* Warranty to first purchaser of freehold or head lease exceeding 25 years

|  |  |
| --- | --- |
| C2-Q2-S6 Confirmation of commitment to providing third party warranties as detailed if awarded the contract: | |
| Name: |  |
| Position: |  |
| Signature: |  |

* 1. Business and Professional Standing

Core Question Module C3: Business and professional standing

| Please indicate if any of the following apply: | YES | NO |
| --- | --- | --- |
| 5.3-Q1) Has your company or any of its Directors and Executive Officers been the subject of criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in, for which the outcome was a judgement against you or them? |  |  |
| 5.3-Q 2) If your company or any of its Directors and / or Executive Officers are the subject of ongoing or pending criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in, have all claims been properly notified in accordance with the suppliers Product Liability Insurance policy requirements and been accepted by insurers? |  |  |
| 5.3-Q 3) Has your company or any of its Directors and Executive Officers been in receipt of enforcement / remedial orders that are still unresolved (such as those in relation to Environment Agency or Office of Rail Regulation enforcement), in the last three years? |  |  |

* 1. Health & Safety Policy and Capability

| Please indicate whether any of the following apply: | YES | NO |
| --- | --- | --- |
| 5.4-Q1-1a) Has your organisation within the last twelve months successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum. |  |  |
| 5.4-Q1-1b) Does your organisation hold a UKAS or equivalent, accredited independent third-party certificate of compliance with BS OHSAS 18001. |  |  |
| If the answer to any of 5.4-Q1-1a to 5.4-Q1-1b is 'Yes', please provide the supporting evidence (e.g. registration number; copies of certificates; or details of accreditation) and move directly to the section headed '*Duties under the Construction (Design and Management) Regulations 2015*'. | | |
| If the answer to any of 5.4-Q1-1a to 5.4-Q1-1b is **'No'**, please complete the following: | | |
| 5.4-Q3) Are you able to demonstrate that you have a policy and organisation for health and safety (H&S) management? |  |  |
| 5.4-Q4) Are you able to describe your arrangements for ensuring that your H&S measures are effective in reducing / preventing incidents, occupational ill-health and accidents? |  |  |
| 5.4-Q5) Do you have access to competent H&S advice / assistance, both general and sector related? |  |  |
| 5.4-Q6) Do you have a policy and process for providing your staff / workforce with training and information appropriate to the types of activity that your organisation is likely to undertake? |  |  |
| 5.4-Q7) Do your staff / workforce have H&S or other relevant qualifications and experience sufficient to implement your H&S policy to a standard appropriate to the activity that your organisation is likely to undertake? |  |  |
| 5.4-Q8) Do you check, review and where necessary improve your H&S performance? (see Note 1) |  |  |
| 5.4-Q9) Do you have procedures in place to involve your staff / workforce in the planning and implementation of H&S measures? |  |  |
| 5.4-Q10) Do you routinely record and review accidents / incidents and undertake follow-up action? |  |  |
| 5.4-Q11) Do you have arrangements for ensuring that your suppliers apply H&S measures to a standard appropriate to the activity for which they are being engaged? |  |  |
| 5.4-Q12) Do you operate a process of risk assessment capable of supporting safe methods of work and reliable project delivery where necessary? |  |  |
| 5.4-Q13) Do you have arrangements for co-operating and co-ordinating your work with others (including other suppliers, notably designers / contractors)? |  |  |
| 5.4-Q14) Do you have arrangements for ensuring that on-site welfare provision meets legal requirements and the needs / expectations of your employees? |  |  |

**NOTE 1**

*This would include being able to provide evidence that your organisation has in place, and implements, an ongoing system for monitoring H&S procedures and for periodically reviewing and updating that system as necessary; for example, through project design review (during and post-completion).*

* 1. Duties under the Construction (Design and Management) Regulations 2015

| Please indicate the answer to the following: | YES | NO |
| --- | --- | --- |
| 5.5-Q15) Do you ensure that you and your workforce have the appropriate capabilities (i.e. skills, knowledge, experience, & training) to enable you and them to discharge your / their legal duties under health and safety legislation? |  |  |
| 5.5-Q16) Do you have, and implement, arrangements for meeting the duties of Principal Designer & Principal Contractor under the Construction (Design and Management) Regulations 2015? |  |  |
| 5.5-Q17) Do you check, review and where necessary improve your H&S performance? |  |  |
| If required, would you be able to provide evidence showing how you address each of the following; including being able to provide examples for each showing how risk was reduced through design (with the emphasis on practical measures that reduce particular risks arising from the design, not on lengthy procedural documentation highlighting generic risks): | | |
| Please indicate the answer to the following: | YES | NO |
| 5.5-Q16-1) Ensuring co-operation and co-ordination of design work within the design team and with other designers / contractors; |  |  |
| 5.5-Q16-2) Ensuring hazards are eliminated and show how remaining risks are managed (with reference to buildability, maintainability, and use); |  |  |
| 5.5-Q16-3) Ensuring that any structure designed by you that will be used as a workplace will meet relevant requirements of the Workplace (Health, Safety and Welfare) Regulations 1992; |  |  |
| 5.5-Q16-4) Managing design changes. |  |  |

* 1. Environmental Management Policy & Capability

| Please indicate the answer to the following: | | YES | NO |
| --- | --- | --- | --- |
| 5.6-Q1) Does your organisation hold a UKAS (or equivalent) accredited independent third-party certificate of compliance with BS EN ISO 14001, or a valid EMAS certificate? | |  |  |
| If the answer to the above is 'Yes', please provide copies of the relevant certificates or accreditation and move directly to section 1- - Quality Management. If the answer is 'No', please complete the following, keeping your answers to no more than 2 sides of A4 paper at minimum Arial 11 point or equivalent sized font: | | | |
| 5.6-Q2) Do you have a documented policy and organisation for the management of construction-related environmental issues? |  | |  |
| 5.6-Q3) If yes, please outline your arrangements for ensuring that your environmental management procedures are effective in reducing / preventing significant impacts on the environment? |  | |  |
| 5.6-Q4) Briefly describe your arrangements for providing employees who will engage in construction, with training and information on construction-related environmental issues? |  | |  |
| 5.6-Q5) Briefly explain how you check, review and where necessary improve your environmental management performance? |  | |  |
| 5.6-Q6) Do you have arrangements for ensuring that any suppliers you engage apply environmental protection measures that are appropriate to the activity for which they are being engaged? |  | |  |

**NOTE**

*EMAS is the European Eco-management and Audit Scheme, sponsored by the European Commission (see* [*http://ec.europa.eu/environment/emas/index\_EN.htm*](http://ec.europa.eu/environment/emas/index_EN.htm)*)*

* 1. Quality Management Policy & Capability

| Please indicate the answer to the following: | YES | NO |
| --- | --- | --- |
| 5.7-Q1) Does your organisation hold a UKAS (or equivalent) accredited independent third-party certificate of compliance with BS EN ISO 9001? |  |  |
| If the answer to the above is 'Yes', please move directly to the section 11 – Modern Slavery. If the answer is 'No', please complete the following keeping your answers to no more than 2 sides of A4 paper at minimum Arial 11 point or equivalent sized font: | | |
| 5.7-Q2) Please summarise your quality management arrangements including training, communication and periodic review. |  |  |
| 5.7-Q3) Do you have arrangements for ensuring that your own suppliers apply quality management measures that are appropriate to the work for which they are being engaged? |  |  |

* 1. Requirements of the Modern Slavery Act 2015

| Commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more ("relevant commercial organisations") are required under Section 54 of the Act to prepare a slavery and human trafficking statement as defined by section 54 of the Act. | | |
| --- | --- | --- |
| Please indicate the answer to the following: | YES | NO |
| Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? |  |  |
| If you have answered yes to the previous question, are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? |  |  |
| * If your answer to the question above is 'Yes', please provide the relevant URL for your statement, or a copy with your submission. * If your answer to the question above is 'No', please provide a statement explaining why those requirements have not been met. | | |

* 1. Skills & Apprentices

| Please indicate the answer to the following: | YES | NO |
| --- | --- | --- |
| Please confirm if you will be supporting apprenticeships and skills development through this contract. |  |  |
| If yes, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills, development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation? |  |  |
| Do you have a process in place to ensure that your supply chain supports skills, development and apprenticeships in line with PPN 14/15 (see guidance) and can provide evidence if requested? |  |  |

Objective Criteria

Applicants are asked to prepare responses to the following questions.

Responses should evidence the applicant's previous experience in similar schemes and demonstrate their suitability for this opportunity.

***Scoring Scales and weighting are provided in Appendix 1, Section 2 of this document.***

Please ensure that your responses to the questions relate to the Project Brief, Employer's Requirements, and additional project information provided; and any applicable policies, available on the authority's website.

Responses for each question should be no more than the limit indicated for each question; this limit includes illustrations where appropriate.

For each written question, please ensure that no more material is provided than is required to answer the question. In particular, please avoid the following:

* Additional information outside the scope of the question;
* Details about your company that have not been requested and don't add clarity to the response;
* 'Sales pitch' type information.

Please clearly label each response with the appropriate question number.

* 1. Size of Undertaking

|  |  |
| --- | --- |
| Q1 | **Size of undertaking**  The Council is seeking to achieve a balanced business relationship with it construction partner(s) for whom the size and profile of the subject project will be of similar importance to the respective organisations. For this, it needs to understand the value of projects typically undertaken and their relationship to annual turnover.   1. Please indicate the number of projects completed within the last 5 years in the following value ranges [less than £5 million] [ £5-£10 million] [£10-£15 million] [ above £15 million] 2. Please indicate the number of projects currently on site or contracted to commence within the next 12 months in the following value ranges [less than £5 million] [ £5-£10 million] [£10-£15 million] [ above £15 million] 3. Please provide total gross annual turnover for the last 5 years. 4. Please confirm the total number of projects completed within the last 5 years.   (Response limit - no more than 2 sides of A4 paper including any illustrations and diagrams with a minimum fonts size equivalent to Arial 11). Please note any information provided over 2 sides will not be considered). |

* 1. Project experience

|  |  |
| --- | --- |
| Q2 | **Project experience – Type**  The Council wishes to ensure that its construction partner(s) has experience of undertaking similar projects or those having similar characteristics complete in the last 5 years.  (Response limit - no more than 2 sides of A4 paper including any illustrations and diagrams with a minimum fonts size equivalent to Arial 11). Please note any information provided over 2 sides will not be considered). |

|  |  |  |  |
| --- | --- | --- | --- |
| Project Type | **Project Name + Location** | **Client** | **Value + Date Completed** |
| Town / City Centre. |  |  |  |
| Interface with public transport. |  |  |  |
| Steel frame / RC Concrete frame / other. |  |  |  |
| Retail / leisure. |  |  |  |
| Cinema / Theatre / Other auditoria |  |  |  |

NOTE:

*The Authority reserves the right to undertake further enquiries during later stages of this selection process in connection with this question. This may include requesting additional project details, obtaining references, site visits and the like.*

* 1. Sector experience

|  |  |  |  |
| --- | --- | --- | --- |
| Q3 | **Sector experience**  Whilst it is important for a construction partner(s) to have experience of working in the public sector generally and local authorities specifically, it is considered that a contractor that also works with private clients will potentially bring additional value to the project through best commercial practice and innovation.  Please complete the following table for sector experience of projects completed in the last 3 years: | | |
|  | **Sector** | **Indicative % by value of total projects** | **Total turnover for sector** |
| Local authority |  |  |
| Central government |  |  |
| Other public-sector bodies |  |  |
| Commercial developers |  |  |
| Retail / leisure companies direct |  |  |
| Other |  |  |
| TOTALS | 100% | £ |

* 1. Contract experience

|  |  |
| --- | --- |
| Q4 | **Contract experience**  The Council needs comfort that bidders have experience of working with the proposed contract type.   1. Please indicate the proportion of projects by both number and value you have completed in the last 5 years using the following contract types: [NEC] [JCT] [Other]. 2. Of these, what is the percentage by number and value of design & build contracts (all types) 3. For NEC contracts, please indicate the relative proportion by value and number of each option: [A – F]   (Response limit - no more than 1 side of A4 paper including any illustrations and diagrams with a minimum fonts size equivalent to Arial 11). Please note any information provided over 1 sides will not be considered). |

* 1. Cultural Alignment

|  |  |
| --- | --- |
| Q5 | **Cultural alignment**  Broxtowe Borough Council believes that organisations with a similar culture and objectives make better project partners. Further, it aspires to a collaborative and mutually beneficial climate in which to undertake this important development. From your organisation experience;   1. What are the 3 most important things / behaviour characteristics required of a primary construction partner to maximise the chances of a successful project outcome? 2. What 3 things / behaviour characteristics should a client adopt to maximise the chances of a successful project outcome? 3. What are the 3 most important factors that contribute a successful design and build project.   (Response limit - no more than 3 sides of A4 paper including any illustrations and diagrams with a minimum fonts size equivalent to Arial 11). Please note any information provided over 3 sides will not be considered). |

* 1. Health & Safety

|  |  |
| --- | --- |
| Q6 | **Health & safety – Supplementary Question**  Whilst all parties should strive for zero harm, response to incidents or near misses can provide a useful insight to an organisation’s safety culture. From your organisation experience;   1. Please provide brief details of any notifiable health & safety incidents or enforcement action in the last 3 years, together with an overview of what measures were taken to prevent recurrence. 2. Please provide brief details of any near misses in the last 3 years, together with an overview of what measures were taken to avoid recurrence. 3. What 3 different or similar Health & safety approaches / behaviour characteristics should a client or a designer or a contractor adopt to minimise any hazard during the works and during the operation and life span of the building?   (Response limit – it is preferred that responses are limited to no more than 3 sides of A4 paper including any illustrations and diagrams with a minimum fonts size equivalent to Arial 11). Please note any information provided over 3 sides will not be considered). |

* 1. Community Benefit

|  |  |
| --- | --- |
| Q7 | **Community Benefit**  Broxtowe Borough Council is keen to ensure maximum leverage from its investment in this project towards its vision of “Making Broxtowe a great place where people enjoy living, working and spending leisure time”. The specific priorities for this are set out in its Corporate Plan 2016-20 (<https://intranet.broxtowe.gov.uk/our-council/corporate-plan-2016-20/>)  Please give no more than three brief examples of how recent comparable projects have conferred benefits to the communities in which they are located, with specific reference (but not limited) to:   * Supporting local enterprise * Training * Education * Employment * Local supply chain   (Response limit – it is preferred that responses are limited to no more than 3 sides of A4 paper including any illustrations and diagrams with a minimum fonts size equivalent to Arial 11). Please note any information provided over 3 sides will not be considered). |

* 1. Equality

|  |  |
| --- | --- |
| Q8 | **Equalities**  Whilst this is enshrined in primary legislation, the Council is interested to know how organisations meet their obligations and, ideally, “go the extra mile”.  Please therefore explain in brief your arrangements for achieving compliance with the Equalities Act 2010 and allied legislation, giving examples of practical application where possible.  (Response limit – it is preferred that responses are limited to no more than 1 side of A4 paper including any illustrations and diagrams with a minimum fonts size equivalent to Arial 11). Please note any information provided over 1 side will not be considered). |

* 1. Financial Standing

|  |  |
| --- | --- |
| Q9 | **Financial standing**  Please provide a full Dunn & Bradstreet credit reference report for your tendering vehicle and ultimate parent (if applicable), dated within the last month.  NB: The Authority reserves the right to call for additional information in later stages of this selection process to clarify or amplify information summarised in the submitted report. This may include but not be limited to: published accounts, management accounts, details of Persons of Significant Control, group structure and similar. |

Declaration & Signature

Please complete the declaration below to certify that the information provided is correct and accurate and the by submitting your details to the Council’s preferred eTendering Portal, you certify the information you have provided is correct. If a signed declaration is not provided, the application may not be considered. This declaration must be signed by an appropriately authorised individual as follows:

* Where the Applicant is an individual, by that individual;
* Where the Applicant is a partnership, by two duly authorised partners;
* Where the Applicant is a limited company, by a director duly authorised for such purposes.

Signatures may be a scanned signature or an electronic signature, but not typed.

|  |  |
| --- | --- |
| I declare that to the best of my knowledge the answers submitted in this questionnaire and any supporting information are correct. I understand that the information will be used in the evaluation process to assess my organisation’s suitability to be invited to tender for the authority’s requirement, and that should the information provided be found at a later date to be incorrect or inaccurate, this may result in my tender being rejected, or any contract subsequently awarded being terminated (at the authority's sole discretion). | |
| Name: |  |
| Position / Job Title: |  |
| Email Address: |  |
| Telephone Number: |  |
| Date: |  |
| Signature: |  |

Appendix 1: Supplier Questionnaire Evaluation

Parts 1-3

These sections measure your fitness to become a supplier to the authority; the questions are not scored, however the authority reserves the right to eliminate suppliers who fail to provide complete or adequate responses on one or more questions. In particular, the authority will be looking for evidence that:

* Applicants have supplied all the required information
* There is no reason for excluding bids on eligibility grounds in accordance with Regulation 57 of the Public Services Contracts Regulations 2015.
* Applicants comply with statutory obligations
* The Applicant’s Policies, Procedures and status meet the standards required by the authority
* Applicants can demonstrate they have the necessary technical and professional capability to deliver the activities required for this tender.

Applicants have satisfactory financial health for a contract this size. *The Council will obtain and use Financial reports from an independent financial checking organisation (such as Dun & Bradstreet) as part of its selection process.*

* If we have any concerns, we will not exclude a company on this information alone and will contact you to request further financial information or clarification. Following discussion with the company it may be decided not to take them forward on financial grounds, or to seek a parent company guarantee or bank bond.

Objective Criteria

These questions will be scored and used to shortlist contractors to be invited to participate in the Invitation to Tender.

The questions will be evaluated and given a score according to the table below; the authority reserves the right to exclude tenderers submitting a response that is considered by the evaluation panel to be less than satisfactory for any one or more questions.

We may, however, choose to seek additional clarification where it is deemed necessary to properly evaluate the response.

The specific weightings and total score available for each element are as per the tables on the following page.

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Objective Criteria** | **Subject Matter:** | | | | **Points Available** | | **Question Weighting** | |  |
| **Q1** | Size of Undertaking | | | | 5 | | 2 | |  |
| **Q2** | Project experience – Type | | | | 5 | | 2 | |  |
| **Q3** | Sector experience | | | | 5 | | 1 | |  |
| **Q4** | Contract experience | | | | 5 | | 1 | |  |
| **Q5** | Cultural Alignment | | | | 5 | | 3 | |  |
| **Q6** | Health & safety – Supplementary Question | | | | 5 | | 2 | |  |
| **Q7** | Community Benefits | | | | 5 | | 2 | |  |
| **Q8** | Equalities | | | | 5 | | 1 | |  |
| **Q9** | Financial standing | | | | 5 | | 3 | |  |
| **Scoring Scale for Questions 2 & 3:** | | | | | | | | | |
| **0** | | **1** | **2** | **3** | | **4** | | **5** | |

Appendix 2: Indicative Project Programme

