Dated

1 November 2021

Invitation to tender

Development at 18 Cedar Drive Edenbridge Kent TN8 5JL

The Development of 13 dwellings, 80 car parking spaces, a new community shop and landscaping improvements

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| --- |
| NAME OF AUTHORITY: Sevenoaks District Council |
| TENDER FOR: Development at 18 Cedar Drive Edenbridge KENT TN8 5JL |
| TENDER RETURN DATE AND TIME (**DEADLINE**): 10th December 2021 at 12 noon |

# Introduction and background

## Contents of the ITT

This invitation to tender (ITT) comprises:

* Introduction to Project
* PAS91 Selection Questionnaire
* Tender completion requirements, evaluation model and schedules.

## Introduction to the Authority

The District of Sevenoaks has a population of approximately 120,000 and extends from Swanley in the north to the East Sussex border in the south and from Seal in the east to Westerham in the west.

## Introduction to and Scope of the Project

Applicants (**Tenderers**) are referred to the Employers Requirements (**Works**).

The Authority is conducting a one-stage selective tendering procurement to procure the Works.

**The procurement is reserved for Small and Medium sized Enterprises (SMEs)**. SME shall mean: *Any business with fewer than 250 employees and either an annual turnover below £45m or a total balance sheet less than £40m.*

**The procurement is reserved only for Tenderers located in the administrative county of Kent.** They should based in the area, established in the area or have substantive business operations in the area. This may include a registered office or other permanent base from which meaningful business operations have been conducted for at least 12 months

Grant funding is required for the scheme. Homes England is considering a potential grant of £300,000 contingent on factors including the need to appoint a local SME contractor and spend the grant fully by 31 March 2022.

SDC is considering the use of an Advance Payment Bond in response to the current volatile construction market.

A planning application was submitted in August 2021 (Ref: 21/02825/FUL). Subject to planning consent obtained and funding finalised, the new scheme should be delivered by Summer 2023.

This ITT contains further information about the procurement process, the Works, and assessment questions for Tenderers to complete. Each Tenderer's response (Tender) should be detailed enough to allow the Authority to make an informed selection of the most appropriate solution.

## Value of the contract

Indicative contract value of £3,400,000 (three million four hundred thousand pounds)

Details of sums provided in this document are given in good faith as a guide to assist you in submitting your Tender. They should not be interpreted as an undertaking to purchase any works, goods or services or works to any particular value and do not form part of the Contract.

## Contract term

The Authority proposes to enter into a Contract for the Works with the successful Tenderer (Contractor) as indicated in the timetable below and reflected in the Employer’s Requirements.

The new scheme should be delivered by Summer 2023.

Tenderer may propose any sectional completion programme (e.g. early completion of parking).

No show home is required.

## Purpose and scope of this ITT

This ITT:

* Sets out the overall timetable and process for the procurement to Tenderers.
* Asks Tenderers to submit their SQ and Tenders in accordance with the instructions set out in the remainder of this ITT.
* Provides Tenderers with sufficient information to enable them to submit a compliant Tender (including providing templates where relevant).
* Sets out the SQ evaluation criteria and the Tender Award Criteria that will be used to evaluate the Tenders.
* Explains the administrative arrangements for the receipt of Tenders.

## Clarifications about the Works or ITT

Tenderers are able to submit clarification questions to the Authority via the MyTenders portal. The Portal provides an effective and auditable trail and therefore must be used for all queries and requests for clarification regarding this procurement. Tenderers' queries will be secure and cannot be seen by any other Tenderers. The Authority will publish the questions and the response, in a suitably anonymous form, via the Portal to all Tenderers before the closing date for the receipt of Tenders.

The Authority will endeavour to answer all clarification queries about this ITT, provided that such queries are received by 12:00:00 hours on 22nd November 2021. Tenderers must clearly indicate when submitting a question which (if any) part of its question it views as confidential and applicable only to the Tenderer submitting the question. If the Authority does not agree that the question is confidential and applicable only to the Tenderer, the Tenderer will be given the right to withdraw the question without it being answered. Otherwise, both the question and Authority's response will be circulated to all Tenderers. Tenderers are advised not to rely on communications from the Authority in respect of the Works or ITT unless they are made in accordance with these instructions.

## Clarifications about the contents of the Tenders

The Authority reserves the right (but is not obliged) to seek clarification of any aspect of a Tenderer's Tender during the evaluation phase where necessary for the purposes of carrying out a fair evaluation. Tenderers are asked to respond to such requests promptly. Vague or ambiguous answers are likely to score poorly or render the Tender non-compliant.

# Tender Timetable

## Key dates

This procurement will follow a clear, structured and transparent process to ensure a fair and level playing field is maintained at all times, and that all Tenderers are treated equally.

The key dates for this procurement (Timetable) are currently anticipated to be as follows:

|  |  |
| --- | --- |
| **Date** | **Stage** |
| 01/11/2021 | Out to tender for the works |
| 22/11/2021 | 12 noon Deadline for questions of clarification from Tenderers |
| 10/12/2021 | 12 noon Deadline for return of SQ and tenders |
| 13/12/2021 – 23/12/2021 | Evaluation of tenders and clarifications by Authority |
| 17/12/2021 | Post Tender Interview (if required) |
| 05/01/2022 – 11/01/2022 | Client approval |
| 12/01/2022 – 22/02/2022 | Contract award and contractor mobilisation |
| 22/02/2021 | Works start on site |

Any changes to the procurement Timetable shall be notified to all Tenderers as soon as practicable.

## Deadline for receipt of Tenders

Responses to this ITT (including both the SQ and the Tender) must arrive in the manner prescribed under paragraph 4 no later than the Deadline.

Any Tender received after the Deadline shall not be opened or considered. The Authority may, however, in its own absolute discretion extend the Deadline and in such circumstances the Authority will notify all Tenderers of any change.

## References

Tenderers are requested to supply a reference. References will be used to verify the technical proposals put forward in the Tender and will not be scored.

The Authority reserves the right to seek references from any of the Tenderer's customers, including the Authority, whether or not the Tenderer has listed such customers as referees.

## Site Visit

Tenderers are advised to visit the site prior to submitting a tender. Tenderers should be in a position to arrange visits for the bulk of the site in their own time. However, arrangements to visit site may be made by appointment with the EA.

## Interviews (if applicable)

Following initial evaluation of the Tenders but before award, if required, the top scoring Tenderer(s) may be invited to interview in support of their Tenders with representatives of the Authority, as set out in the Timetable. You should keep this date free in case you are asked to attend.

At the Authority’s absolute discretion an invitation may also be extended to the next highest scoring Tenderer(s) if the evaluated scores are very close to the top scoring Tenderer.

The interviews will be only be used by the Authority if they are considered necessary to seek clarification.

The Authority will endeavour to notify all eligible Tenderers of the names and positions of those attending from the Authority in advance. The Council reserves the right to hold the interviews either at the Council Offices or remotely.

## Contract award

The Authority may award a Contract on the basis of a Tender submitted in accordance with the instructions below.

Contract award is subject to the formal approval process of the Authority. Until all necessary approvals are obtained, no Contract will be entered into.

Once the Authority has reached a decision in respect of a contract award, it will notify all bidders of that decision.

## Debrief

The contract award notification will be sent to each Tenderer. The Authority will inform all unsuccessful Tenderers of the identity and relative advantages and characteristics of the successful Tender as compared with the addressee's Tender.

# Selection Questionnaire

## These questions are based on PAS 91:2017+A1:2017.

## If contractors would like further guidance on completing the SQs they are advised to consider the further notes that accompany PAS 91:2017+A1:2017. Questions of clarification should be submitted in accordance with paragraph 1.7 above.

## SQs are to be submitted simultaneously with the tender in accordance with paragraph 4.

## The Authority reserves the right to seek clarification on responses to the SQ but is under no obligation to do so.

## The SQ evaluation criteria can be found at Schedule 3.

# Tender completion information

## Formalities

The Tender should be made on the Form of Tender incorporated herein at Schedule 6. They should be signed by the Tenderer and submitted in the manner and by the date and time stated with the following additional documentation:

* + - * a statement of the names and home addresses of the partners if the Tenderer is a partnership or a statement of the names and home addresses of the directors and secretary if the Tenderer is a company;
      * a duly signed Certificate that the Tenders are bona fide (in the form attached at Schedule 7);
      * the Contract Sum Analysis (See Appendix F of the Employer’s Requirements Document) (fully priced);
      * answers to the “Quality” questions within the ITT; and
      * a list of supporting material.

The Tender must be clear, concise and complete. The Authority reserves the right to mark a Tenderer down or exclude them from the procurement if its Tender contains any ambiguities, caveats or lacks clarity. Tenderers should submit only such information as is necessary to respond effectively to this ITT. Tenders will be evaluated on the basis of information submitted by the Deadline.

Where the Tenderer is a company, the Tender must be signed by a duly authorised representative of that company. Where the Tenderer is a consortium, the Tender must be signed by the lead authorised representative of the consortium, which organisation shall be responsible for the performance of the Contract. In the case of a partnership, all the partners should sign or, alternatively, one only may sign, in which case he must have and should state that he has authority to sign on behalf of the other partner(s). The names of all the partners should be given in full together with the trading name of the partnership. In the case of the sole trader, he should sign and give his name in full together with the name under which he is trading.

## Submission of Tenders

All Tender responses must be submitted via the MyTenders Portal ([www.mytenders.co.uk](http://www.mytenders.co.uk)) by **12:00 midday on Friday 10th December 2021**.

The Portal is freely accessible to Tenderers and is not subject to any paid membership or other charges. Use of this system does not require the purchase of high specification IT equipment or connections, or high-level personal IT skills/capabilities. Tenderers are advised to complete their Tender response in advance of the submission deadline to allow time to request any required guidance. It is the responsibility of Tenderers to ensure they are familiar with the Portal and allow sufficient time for submitting their Tender responses.

The Portal does have a size limit for documents that can be attached. This can cause difficulty in submitting bids if they are large in size. It is reasonable to use the portal to make more than one submission, so that your documents can be split between those submissions.

The Authority is not responsible for inaccurate or incomplete contact information input into the Portal by Tenderers. It is the responsibility of Tenderers to ensure that the contact information it has entered for its organisation on the Portal is accurate and kept up to date. Important notification messages relevant to this tender exercise may not be received by a Tenderer should its contact information be inaccurate.

If at any stage a Tenderer needs to update its contact information held for its organisation this can be achieved by submitting it via the Portal. The Authority is under no obligation to respond/follow up on ‘out of the office’ messages and Tenderers will need to make appropriate arrangements to deal with absences.

For any technical advice or assistance relating to the e-tendering system please see the help page on the Portal website (https://www.mytenders.co.uk/sitehelp/help\_main.aspx) or call them on 0800 222 9006. If for any reason the Portal is not available, then please contact the Authority’s Senior Solicitor, David Lagzdins by email (legal@sevenoaks.gov.uk) or telephone (01732 227 350).Each Tenderer must submit one Tender only (subject to the technical limitations mentioned above)..

The Tender must meet the Authority's minimum requirements, operate as a standalone bid and not be dependent on any other bid or any other factors external to the Tender itself. That is, the Tender must be capable of being accepted by the Authority in its own right.

## Contract terms

The Contract that the Authority proposes to use is the JCT D&B 2016 as amended by the Authority. By submitting a Tender, Tenderers are agreeing to be bound by the terms of this ITT and the Contract without further negotiation or amendment.

If the terms of the Contract render the proposals in the Tenderer's Tender unworkable, the Tenderer should submit a clarification in accordance with paragraph 1.7 and the Authority will consider whether any amendment to the Contract is required. Any amendments shall be publicised to all Tenderers on the Portal and shall apply to all Tenderers. Where both the amendment and the original drafting are acceptable and workable to the Authority, the Authority shall publish the amendment as an alternative to the original drafting. Tenderers should indicate if they prefer the amendment; otherwise the original drafting shall apply. Any amendments which are proposed, but not approved by the Authority through this process, will not be acceptable and may be construed as a rejection of the terms leading to the disqualification of the Tender.

## Documents forming the contract

The following documents shall form part of the Contract between the Authority and the Contractor(s):

* JCT D&B 2016 and the Schedule of Amendments;
* this ITT and its schedules;
* all of the Employers Requirements including associated Appendices;
* Contractor’s Proposals document;
* Contract Sum Analysis;
* list of commercially sensitive information (as completed by the successful Tenderer) (if any); and
* any other appropriate documentation

## Consortia and subcontractors

The Authority requires all Tenderers to identify whether and which subcontracting or consortium arrangements apply in the case of their Tender, and in particular specify the share of the Contract it intends to sub-contract, any proposed sub-contractors, and precisely which entity they propose to be the Service Provider.

For the purposes of this ITT, the following terms apply:

* **Consortium arrangement.** Groups of companies come together specifically for the purpose of bidding for appointment as the Service Provider and envisage that they will establish a special purpose vehicle as the prime contracting party with the Authority.
* **Subcontracting arrangement.** Groups of companies come together specifically for the purpose of bidding for appointment as the Service Provider, but envisage that one of their number will be the Service Provider, the remaining members of that group will be subcontractors to the Service Provider.

## Warnings and disclaimers

While the information contained in this ITT is believed to be correct at the time of issue, neither the Authority, its advisors, nor any other awarding authorities will accept any liability for its accuracy, adequacy or completeness, nor will any express or implied warranty be given. This exclusion extends to liability in relation to any statement, opinion or conclusion contained in or any omission from, this ITT (including its appendices) and in respect of any other written or oral communication transmitted (or otherwise made available) to any Tenderer. This exclusion does not extend to any fraudulent misrepresentation made by or on behalf of the Authority.

If a Tenderer proposes to enter into a Contract with the Authority, it must rely on its own enquiries and on the terms and conditions set out in the Contract (as and when finally executed), subject to the limitations and restrictions specified in it.

Neither the issue of this ITT, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Authority (or any other person) to enter into a contractual arrangement.

## Confidentiality and Freedom of Information

This ITT is made available on condition that its contents (including the fact that the Tenderer has received this ITT) is kept confidential by the Tenderer and is not copied, reproduced, distributed or passed to any other person at any time, except for the purpose of enabling the Tenderer to submit a Tender.

As a public body, the Authority is subject to the provisions of the Freedom of Information Act 2000 (FOIA) in respect of information it holds (including third-party information). Any member of the public or other interested party may make a request for information.

Tenderers should be aware that, in compliance with its transparency obligations, the Authority routinely publishes details of its contracts, including the contract values and the identities of its suppliers on its website without consulting the provider of that information.

The Authority shall treat all Tenderers' responses as confidential during the procurement process. Requests for information received following the procurement process shall be considered on a case-by-case basis, applying the principles of FOIA, which permits certain information to be withheld, for example where disclosure would be prejudicial to a party’s commercial interests, and in accordance with the Authority’s transparency obligations.

Therefore, Tenderers are responsible for ensuring that any confidential or commercially sensitive information, the disclosure of which would be likely to diminish the Tenderer’s competitive edge, has been clearly identified to the Authority in the template provided at Schedule 2.

## Publicity

No publicity regarding the Services or the award of any Contract will be permitted unless and until the Authority has given express written consent to the relevant communication. For example, no statements may be made to the media regarding the nature of any Tender, its contents or any proposals relating to it without the prior written consent of the Authority.

## Tenderer conduct and conflicts of interest

Any attempt by Tenderers or their advisors to influence the contract award process in any way may result in the Tenderer being disqualified. Specifically, Tenderers shall not directly or indirectly at any time:

* Devise or amend the content of their Tender in accordance with any agreement or arrangement with any other person, other than in good faith with a person who is a proposed partner, supplier, consortium member or provider of finance.
* Enter into any agreement or arrangement with any other person as to the form or content of any other Tender, or offer to pay any sum of money or valuable consideration to any person to effect changes to the form or content of any other Tender.
* Enter into any agreement or arrangement with any other person that has the effect of prohibiting or excluding that person from submitting a Tender.
* Canvass the Authority or any employees or agents of the Authority in relation to this procurement.
* Attempt to obtain information from any of the employees or agents of the Authority or their advisors concerning another Tenderer or Tender.

Tenderers are responsible for ensuring that no conflicts of interest exist between the Tenderer and its advisers, and the Authority and its advisors. Any Tenderer who fails to comply with this requirement may be disqualified from the procurement at the discretion of the Authority.

## Authority's rights

The Authority reserves the right to:

* Waive or change the requirements of this ITT from time to time without prior (or any) notice being given by the Authority.
* Seek clarification or documents in respect of a Tenderer's submission.
* Disqualify any Tenderer that does not submit a compliant Tender in accordance with the instructions in this ITT.
* Disqualify any Tenderer that is guilty of serious misrepresentation in relation to its Tender or the tender process.
* Withdraw this ITT at any time, or to re-invite Tenders on the same or any alternative basis.
* Choose not to award any Contract as a result of the current procurement process.
* Make whatever changes it sees fit to the Timetable, structure or content of the procurement process, depending on approvals processes or for any other reason.

## Bid costs

The Authority will not be liable for any bid costs, expenditure, work or effort incurred by a Tenderer in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the Authority.

# Selection Questionnaire Evaluation Model

## All SQs are marked in accordance with the criteria set out at Schedule 3.

# Tender Evaluation Model

## Award Criteria and Evaluation Criteria

Any Contract awarded as a result of this procurement will be awarded on the basis of the offer that is the most economically advantageous to the Authority. The Award Criteria (**Award Criteria**) are:

* 30% quality
* 70% cost.

Scores are arrived at following the application of the Evaluation Criteria (**Evaluation Criteria**) set out below to the Tenderer's Tender.

Tenderers are required to submit a Tender strictly in accordance with the requirements set out in this ITT, to ensure the Authority has the correct information to make the evaluation. Evasive, unclear or hedged Tenders may be discounted in evaluation and may, at the Authority's discretion, be taken as a rejection by the Tenderer of the terms set out in this ITT.

The Tender Evaluation Model showing the Evaluation Criteria and the maximum scores attributable to them is set out below.

|  |  |  |
| --- | --- | --- |
| **Evaluation Criteria and Sub-Criteria** | **Expected Content** | **Weighting** |
| Approach and methodology | Demonstrate the robustness and suitability of the proposed approach for meeting the Employer’s Requirements. Provide a clear methodology for driving and delivering the project from contract award. Logistical site plan and method statement should take into account the form of construction, the available space, access, security, hours of work and site operation facilities. Include procurement strategy and mitigation measures re Covid, Brexit and labour shortages and material availability.  (Max 4 sides of A4) | 15 |
| Proposed team | Provide roles and responsibilities, evidence of knowledge, skills and experience of the key members of the proposed project team. Include CVs and a project staff organigram. State where they will be based.  (Max 2 sides of A4) | 5 |
| Programme | Provide a detailed programme of pre-construction and on-site work. Include all elements that you see as important, a clear critical path and any proposals for sectional completion.  (Max 1 side of A4) | 5 |
| Environmental and Sustainability approach | Provide details of your approach to ensure this project will be designed and constructed to minimum building regulation/government energy efficiency, carbon reduction and sustainability standards.  The use of green technologies are welcome.  Submit a Carbon Reduction Plan. (Max 2 sides of A4) | 5 |
| **Total marks available** |  | **30%** |

## Evaluation process

Technical or quality evaluation

The technical evaluation will be scored in accordance with the table below.

Scoring matrix for the technical and quality criteria

|  |  |
| --- | --- |
| 0 | Completely fails to meet required standard or does not provide a proposal. |
| 1 | Proposal significantly fails to meet the standards required, contains significant shortcomings or is inconsistent with other proposals. |
| 2 | Proposal falls short of achieving expected standard in a number of identifiable respects. |
| 3 | Proposal meets the required standard in most material respects, but is lacking or inconsistent in others. |
| 4 | Proposal meets the required standard in all material respects. |
| 5 | Proposal meets the required standard in all material respects and exceeds some or all of the major requirements. |

Pricing evaluation

The evaluation process will be made on a parity of tenders. The tenders MUST be fully fixed with no Provisional or Excluded items (other than those included by SDC)

Bid prices will be scored:

On a comparative basis with the bid providing the greatest return to the Council receiving 100% of the available marks (70% following weighting). All other bids will be compared against that bid.

For tender evaluation purposes;

* All “Excluded” items will be given a conservative value by SDC
* All items that the Contractor deems as “Provisional” despite not being labelled as such in the tender documents will be given a conservative value by SDC

1. Site plan



1. Selection Questionnaire

|  |  |  |  |
| --- | --- | --- | --- |
| Table 1 **–** Core Question Module C.1: Supplier identity, key roles and contact information | | | |
| **Q Ref** | **Nature of information** | **Description of response expected, which will be taken into account in assessment** | Response |
| **C1-Q1** | **Name of legal entity or sole-trader** | **Unique name of legal entity or name of individual** |  |
| **C1-Q2** | **Registered office Address** | **C1-Q2-1 Address line 1** (Property name/number) |  |
| **C1-Q2-2 Address line 2** |  |
| **C1-Q2-3 Address line 3** |  |
| **C1-Q2-4 Town** |  |
| **C1-Q2-5 County** |  |
| **C1-Q2-6 Postcode** |  |
| **Website address** | **C1-Q2-7 website** (if applicable) |  |
| **C1-Q3** | **Contact Details for Enquiries** | **C1-Q3-1 Title** (Mr, Mrs, Ms, etc.) |  |
| **C1-Q3-2 Forename** |  |
| **C1-Q3-3 Family name** |  |
| **C1-Q3-4 Job title** |  |
| **C1-Q3-5 e-mail** |  |
| **C1-Q3-6 Telephone number** |  |
| **C1-Q3-7 Fax number** |  |
| **C1-Q3-8 Address line 1** (Property name/number) |  |
| **C1-Q3-9 Address line 2** |  |
| **C1-Q3-10 Address line 3** |  |
| **C1-Q3-11 Town** |  |
| **C1-Q3-12 County** |  |
| **C1-Q3-13 Postcode** |  |
| **C1-Q4** | **Registration number, if registered with Companies House or equivalent** | **C1-Q4-1 Registration number with Companies House** |  |
| **C1-Q4-2 Registration number with equivalent body** |  |
| **C1-Q5** | **Charity registration number** |  |  |
| **C1-Q6** | **VAT registration number** |  |  |
| **C1- Q7** | **Name of immediate parent company** |  |  |
| **C1-Q8** | **Name of ultimate parent company** |  |  |
| **C1-Q9** | **Type of organization** | *e.g. PLC; limited company; LLP; other partnership; sole trader; other (please specify)* |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Table 2 – Core Question Module C2: Financial information | | | | | | |
| **Q Ref** | **Information required** | | **Description of response expected, which will be taken into account in assessment** | Tick as applicable | Supplier’s unique reference to relevant supporting information | |
| **C2-Q1** | *Please select the one organization description that most closely matches your organization and provide information accordingly* | | |
| **C2-Q1-1 Financial information for a start up business that has not reported accounts to the Inland Revenue or Companies House** | Forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, or an alternative means of demonstrating financial status | | n |  | |
| **C2-Q1-2 Accounts for an unincorporated business (sole traders and partnerships)** | Copy of the most recent accounts that contain turnover, profit before tax, and balance sheet (if prepared) covering either the most recent two-year period of trading or, if trading for less than two years, the period that is available.  If accounts are not prepared, provide the relevant pages from the latest tax returns (self-employment pages for sole traders, partnership pages for partnerships), together with the tax assessment. | | n |  | |
| **C2-Q1-3 Accounts for a small company or limited liability partnership with a turnover below the audit threshold at which the preparation of audited accounts is not required** | Copy of the most recent accounts as submitted to the Inland Revenue covering either the most recent two year period of trading or, if trading for less than two years, the period that is available. Abbreviated accounts are not acceptable | | n |  | |
| **C2-Q1-4 Accounts for a medium to large incorporated entity and all other organizations that are required to prepare audited accounts** | Copy of the most recent audited accounts covering either the most recent two-year period of trading or, if trading for less than two years, the period that is available | | n |  | |
| **C2-Q1-5 Accounts for other organization types (e.g. not for profit entities, local authorities, housing associations, charities)** | In most cases it is likely that audited accounts will have been prepared and the accounts required at **C2-Q1-4** above will suffice. Where this is not the case, an unaudited copy of the most recent accounts as described in **C2-Q1-2** above should be provided. | |  |  | |
| **C2-Q2** | **Insurance statement and certificates** | **Please enter the requested information in the response column** | | | **Response** |
| **C2-Q2-1 Employers’ liability insurance** | | **C2-Q2-1-1 Policy No.** |  |
| **C2-Q2-1-2 Limit of indemnity** |  |
| **C2-Q2-1-3 Excess** |  |
| **C2-Q2-1-4 Limit for a single event** |  |
| **C2-Q2-1-5 Expiry date** |  |
| **C2-Q2-2 Public liability insurance** | | **C2-Q2-2-1 Policy No.** |  |
| **C2-Q2-2-2 Limit of indemnity** |  |
| **C2-Q2-2-3 Excess** |  |
| **C2-Q2-2-4 Limit for a single event** |  |
| **C2-Q2-2-5 Expiry date** |  |
| **C2-Q2-3 Professional indemnity insurance** *(Where consultancy input involved)* | | **C2-Q2-3-1 Policy No.** |  |
| **C2-Q2-3-2 Limit of indemnity** |  |
| **C2-Q2-3-3 Excess** |  |
| **C2-Q2-3-4 Expiry date** |  |
| **C2-Q2-4 Product liability insurance** *(Where product is to be supplied)* | | **C2-Q2-4-1 Policy No.** |  |
| **C2-Q2-4-2 Limit of indemnity** |  |
| **C2-Q2-4-3 Excess** |  |
| **C2-Q2-4-4 Expiry date** |  |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Table 4 **–** Core Question Module C4: Health and safety: policy and capability | | | | | | | | | |
| **Q Ref** | **Exemptions and pertinent question selection** | | **Exemption(s) Claimed** | | | | | | |
| **Please tick i and /or ii for C4-Q1-1a, b and /or c, as appropriate, and for i, also state the CDM duty holder role(s) for which exemption is claimed** | | | | | **Supplier’s unique reference to certificates or other supporting information** | |
| **C4-Q1** | In the circumstances set out in **C4-Q1-1a)** to **C4-Q1-1c)**, if your organization meets the relevant criteria in respect of exemption categories i) and/or ii) below:  i. one or more of the following CDM duty holder roles: contractor, principal contractor, designer, principal designer;  ii. general health and safety: policy and capability;  and you can provide the supporting information to evidence this, the following exemptions apply:  • for an exemption under i) or ii) above: questions **C4-Q2** to **C4-Q11** need not be completed  • for an exemption under i) above questions **C4-Q12** to **C4-Q22** also need not be completed in respect of the role(s) identified.  If you are not claiming an exemption, please move to question **C4-Q2**. However, if you are claiming exemption(s), but such exemption(s) does not cover all the categories/roles relevant to your application, please:  • complete questions **C4-Q12** to **C4-Q22** in respect of each relevant category/role not covered by an exemption; and  • provide any additional information required for **C4-Q2** to **C4-Q11** in respect of relevant categories/ roles that are not covered by an exemption.\*  ***NOTE*** *\*Additional information to that relevant to the exemption(s) claimed could be required to demonstrate satisfactory organization and arrangements appropriate to the categories/roles not covered by such exemption(s)* | |  | | | | |  | |
| **C4-Q1-1a)** You have, within the last twelve months, successfully completed a prequalification application undertaken by an assessment provider able to demonstrate that its information gathering process is equivalent to that of PAS 91. | | For i)  CDM duty holder role(s) claimed. ................................................... For ii) | | | | |  | |
| **C4-Q1-1b)** You have, within the last twelve months, successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum (see Annex D). | | For i)  CDM duty holder role(s) claimed. ................................................... For ii) | | | | |  | |
| **C4-Q1-1c)** You hold a certificate of compliance with BS OHSAS 18001 (or equivalent) issued by a Conformity Assessment Body accredited to provide conformity assessment services to that standard,1 e.g. accredited by UKAS. | | For i)  CDM duty holder role(s) claimed. ................................................... For ii) | | | | |  | |
| **Q Ref.** | **Question** | **Example of the type of information in support of responses, which will be taken into account in assessment** | | **YES** | | **NO** | | **Supplier’s unique reference to relevant supporting information** | |
| **C4-Q2** | **Are you able to show that you have a general policy and an organization which is responsible for ensuring effective health and safety (H&S) management?** | Evidence of periodically reviewed general H&S policy, signed and dated by a senior person within the organization. The H&S policy should also contain the organization and arrangements. These should be relevant to the anticipated nature and scale of activity to be undertaken, and set out responsibilities for H&S management at all levels in the organization.  *(Organizations with fewer than 5 employees, see Note 4 to this Table)* | | n | | n | |  | |
| **C4-Q3** | **Are you able to show your arrangements for ensuring that your H&S measures are effective in reducing/ preventing work-related incidents, occupational ill-health and accidents?** | Details of the arrangements for H&S management that are relevant to the anticipated nature and scale of activity to be undertaken, and how these arrangements are communicated to workers. *(Organizations with fewer than 5 employees, see Note 4 to this Table)* | | n | | n | | n | |
| **C4-Q4** | **Do you have ready access to competent H&S advice/assistance?** | Evidence of how your organization has ready access to competent H&S advice, for both general health and safety and, for CDM duty holders, construction-related health and safety.  *(Access to competent in house advice, in whole or part, is usually preferred. It is essential that H&S advisor(s) are able to provide general H&S advice and that, for CDM duty holders (from the same source or elsewhere) advice on relevant construction H&S issues is accessible as required.)* | | n | |  | |  | |
| **C4-Q5** | **Do you have a process for providing your employees/other workforce with training and other information appropriate to the activities that your organization is likely to undertake?** | Evidence that your organization implements relevant training arrangements to ensure that employees/other workforce have sufficient skills and understanding to discharge their various duties. This should include refresher training on relevant good H&S practice and, for CDM contractors and principal contractors, Construction Phase Plans (CPP) may be used to show how information is disseminated or communicated on-site  (*see note 5 to this Table*) | |  | |  | |  | |
| **C4-Q6** | **Do your employees/other workforce have H&S and other relevant knowledge, experience and skills to carry out activities that your organization is likely to undertake?** | Evidence that your employees/other workforce have suitable knowledge, experience and skills for the activities assigned to them, unless there are specific situations where they need to work under competent control and/or supervision (e.g. apprentices and other trainees). | | n | | n  n | | n | |
| **C4-Q7** | **Do you check, review and, where necessary, improve your H&S performance?** | Evidence that your organization has an effective, ongoing system for monitoring H&S procedures, and for periodically reviewing and updating that system as necessary. | | n | |  | |  | |
| **C4-Q8** | **Do you have procedures for involving your employees/other workforce in the planning and implementation of H&S measures?** | Evidence that your organization implements a means of consulting with its employees/other workforce on H&S matters and how comments, concerns or complaints submitted by employees/other workforce are taken into account. | | n | |  | |  | |
| **C4-Q9** | **Do you routinely record and review accidents/incidents and undertake follow-up action?** | Evidence that your organization maintains records of all RIDDOR reportable (see note 6 to this Table) and other incidents for at least the last three years.  Evidence that your organization has an effective system for reviewing significant incidents, and recording any resulting action taken (including your response to any H&S enforcement activity). | |  | |  | |  | |
| **C4-Q10** | **Do you have arrangements for ensuring that your suppliers also apply H&S measures that are appropriate to the activities that your organization is likely to undertake?** | Evidence that your organization implements arrangements for ensuring and monitoring H&S skills, knowledge and experience, and performance, throughout your entire supply chain, appropriate to the work likely to be undertaken. | | n | | n | |  | |
| **C4-Q11** | **Do you operate a process of risk assessment, capable of supporting safe systems of work?** | Evidence that your organization implements procedures for carrying out relevant risk assessments and for developing and implementing safe systems of work (“method statements”).  Please provide indicative examples, which must include: the identification and control of any significant occupational health (not just safety) issues, appropriate to the work likely to be undertaken. *(Organizations with fewer than 5 employees, see Note 4 to this Table)*  ***NOTE*** *Risk assessments should focus on, and be proportionate to, the risks arising from the type of work to be undertaken. The need to reduce documentation requirements on micro businesses in particular should be taken into account by buyers and assessment providers. Excessive bureaucracy associated with prequalification assessment can obscure the real H&S issues to be considered, and even divert effort away from them* | |  | |  | |  | |
| **C4-Q12** | **CDM duty holder related question selection:** The questions asked in **C4-Q13 to C4-Q22** (in conjunction with questions **C4-Q2** to **C4-Q11**) are appropriate for particular construction duties and have been colour coded accordingly to assist identification. Please indicate below which duty (or duties) best describes your organization’s activity and then only provide responses to the questions colour coded to the duty (or duties) you have selected. ***NOTE*** *The questions refer to duty holders under the Construction (Design and Management) Regulations 2015, which defines the scope of “construction” activity. If your organization potentially fills more than one role (e.g. “Design and Build”), please provide responses to the questions applying to all relevant duty holder roles (e.g. Designer and Principal Contractor)* | | | |  | |  | |  | |
| **CDM DUTY HOLDER ROLE(S) IDENTIFIED *Please respond “yes” or “no” to each role identified below*** | | | |  | | | |  | |
| ***NOTE 1*** *If none of the duty holder roles identified below are relevant, you do not need to respond to any of questions* ***C4-Q13 to C4-Q22 NOTE 2*** *Principal contractors will also need to respond to questions applicable to contractors, and principal designers will also need to respond to questions applicable to designers* | | | | **YES** | | **NO** | |  | |
| **C4-Q12-a)** Contractor/principal contractor*(respond to grey shaded questions* ***C4-Q13 to C4-Q16)*** | | | |  | |  | | *None required* | |
| **C4-Q12-b)** Principal contractor *(in addition to* ***C4-Q13*** *to* ***C4-Q16 also*** *respond to yellow shaded question* ***C4-Q17****)* | | | |  | |  | |  | |
| **C4-Q12-c)** Designer/principal designer *(respond to red shaded questions* ***C4-Q18*** *to* ***C4-Q19)*** | | | |  | |  | |  | |
| **C4-Q12-d)** Principal designer *(in addition to* ***C4-Q18*** *to* ***C4-Q19 also*** *respond to green shaded questions* ***C4-Q20*** *to* ***C4-Q22****)* | | | |  | |  | |  | |

| **Q Ref** | **Question** | **Example of the type of information in support of responses, which will be taken into account in assessment.** | **YES** | **NO** | **Supplier’s unique reference to relevant supporting information** |
| --- | --- | --- | --- | --- | --- |
| **C4-Q13** Contractor/ principal contractor | **Do you have arrangements for co-operating and co-ordinating your work with others (including other suppliers, notably contractors)?** | Describe how co-operation and co-ordination of the work is achieved in practice, and how any other organizations are involved in drawing up method statements, etc. including response to emergency situations. This should include how input from your suppliers will be taken into account, and how external comments, including any concerns or complaints, will be responded to. This may include CPPs. |  |  |  |
| **C4-Q14** Contractor/ principal contractor | **Do you have arrangements for ensuring on-site welfare for your employees/other workforce?** | Describe how you ensure suitable welfare facilities for your employees/other workforce are in place before starting work on site, whether provided by a site-specific arrangement with others, or your own measures. This may include CPPs. |  |  |  |
| **C4-Q15** Contractor/ principal contractor | **Are you able to provide evidence of the skills, knowledge and experience of H&S in construction in your organization?** | Examples of actual knowledge, skills and experience within your organization. This may include: NEBOSH Construction Certificate; membership of Association for Project Safety; membership of Institution of Construction Safety; SSSTS; SMSTS (e.g. provided in a skills matrix for key personnel) |  |  |  |
| **C4-Q16** Contractor/ principal contractor | **Do you review and develop your effectiveness in the contractor/ principal contractor role?** | Evidence that your organization Implements an ongoing system for monitoring performance, including post-project review. |  |  |  |
| **C4-Q17** Principal contractor | **Do you implement arrangements to meet the ‘principal contractor’ duties under the Construction (Design and Management) Regulations 2015?** | Concise, practical examples, relevant and proportionate to the type of activity likely to be carried out, of how your organization meets the requirements of principal contractor. In particular, provide evidence of how you: **C4–Q17-1** Plan, manage, monitor and coordinate H&S in the construction phase, including communication with the client, principal designer and contractors; **C4–Q17-2** Prepare, review and maintain CPPs;  **C4–Q17-3** Organize co-operation between contractors and others, and coordinate the work; **C4–Q17-4** Ensure relevant and suitable site inductions; **C4–Q17-5** Provide information for the H&S file |  |  |  |
| **C4-Q18** Designer/ principal designer | **Do you implement arrangements to meet the ‘designer’ duties under the Construction (Design and Management) Regulations 2015?** | Evidence showing how you address **C4-Q18-1** to **C4-Q18- 4** below. Provide relevant examples showing how risk was reduced through design. ***NOTE*** *Emphasis should be on practical, proportionate measures that address significant risks arising from designs for relevant construction, not on lengthy documentation about generic risks.* **C4-Q18-1** Check that the client is aware of their duties **C4-Q18-2** Ensure that you and your workforce have the necessary skills, knowledge and experience to discharge their legal duties under CDM 2015? Provide relevant evidence of: • your CPD programme and/ or examples of training and development plans (which may include in house training). • your relevant qualifications, e.g. membership of a professional institution such as CIAT; CIBSE; ICE or RIBA. • how you maintain your technical knowledge and understanding of construction design. **C4-Q18-3** Ensure significant risks are eliminated by design, taking account of the principles of prevention and show how construction and lifecycle risks are eliminated or controlled (with reference to buildability, maintainability and use). **C4-Q18-4** Effectively manage design changes, with regard to ensuring H&S during and post-completion. |  |  |  |
| **C4-Q19** Designer**/ principal designer** | **Do you review and monitor your design performance, notably in relation to H&S?** | Evidence that your organization implements an ongoing system for monitoring H&S design procedures and for reviewing and updating that system as necessary, e.g. through project design review (during and post completion). |  |  |  |
| **C4-Q20** Principal Designer | **Do you implement arrangements to meet the “principal designer” duties under the Construction (Design and Management) Regulations 2015?** | Concise, practical examples, relevant and proportionate to the type of activity likely to be carried out, of how your organization meets the requirements of principal designer. In particular, evidence of how you: **C4–Q20-1** Help the client to meet its duties under CDM 2015 **C4–Q20-2** Gather, prepare, communicate and coordinate information, including design information, with other duty holders during the pre-construction phase **C4–Q20-3** Plan, manage and monitor health and safety-related information, including design information, in the pre-construction phase of a project, with the aim of identifying, eliminating or controlling foreseeable risks;  **C4–Q20-4** Ensure designers carry out their duties, including oversight and co-ordination within the design team and with other designers/contractors; **C4-Q20-5** Liaise with the principal contractor; **C4–Q20-6** Prepare and provide relevant information to other duty holders, including the H&S file. |  |  |  |
| **C4-Q21** Principal designer | **Are you able to provide evidence of the skills, knowledge and experience of H&S in construction in your organization?** | Examples of actual skills, knowledge and experience. This may include validated CPD, and typical additional qualifications. *For example, a member of the registers administered by the Association for Project Safety or the Institution of Construction Safety (formerly known as the CDM co-ordinator’s register), or the ICE construction health and safety register.* |  |  |  |
| **C4-Q22** Principal designer | **Do you review and develop your effectiveness in the principal designer role?** | Evidence that your organization implements, an ongoing system for monitoring performance, including post-project review. |  |  |  |

**NOTES TO TABLE 4**

**In C4-Q1-1c)** ‘accredited’ means having undergone third-party attestation by an organization that is a signatory to either or both of the European Accreditation or International Accreditation Forum, multi-lateral agreements.

**NOTE 2** For suppliers that will be CDM duty holders – The core questions in Table 4 align with legal requirements on the relevant duty holder under the Construction (Design and Management) Regulations (CDM 2015).

**NOTE 3** For suppliers that will be CDM duty holders – Asking the questions in Table 4 does not remove the buyer’s requirement to make further enquiries about the supplier’s H&S capability, as required for specific projects, services or other activities.

**NOTE 4** If a supplier has fewer than five employees it is not legally required to write down its general policy, organization or arrangements. However, it does need to be able to show that its arrangements are adequate in relation to the type of activity likely to be undertaken.

**NOTE 5** Relevant and proportionate CPPs are required for ‘construction work’ covered by CDM 2015. CPPs need only be proportionate to the nature of the activity likely to be undertaken.

**NOTE 6** RIDDOR: The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

| Table 9 – Core Question Module C3 for Public Sector procurement – ESPD option, Grounds for mandatory exclusion and non-payment of tax and social security contributions (mandatory and discretionary exclusion) | | | | |
| --- | --- | --- | --- | --- |
| Q Ref. | Question | | Response | |
| ESPD Option | | | | |
| C3-QP1 | Have you submitted a completed European Single Procurement Document (ESPD)? The questions in this module (Tables 9 and 10) need not be completed if you have provided a completed and signed European Single Procurement Document (ESPD). | | YES | NO |
| Grounds for Mandatory Exclusion | | | | |
| C3-QP2 | In respect of Regulations 57(1 and 2) of the Public Contracts Regulations 2015 the detailed grounds for mandatory exclusion of an organization are set out on the https://www.gov.uk/government/uploads/system/uploads/attachment\_data/ file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf which should be referred to before completing these questions.  Within the past five years, anywhere in the world, have you, your organization or any person who has powers of representation, decision or control in the organization been convicted of any of the offences within the summary (C3-QP2-1 to C3-QP2-8) below, and listed on the above referenced webpage? | |  |  |
| C3-QP2-1 | Participation in a criminal organization | | YES | NO |
| C3-QP2-2 | Corruption | | YES | NO |
| C3-QP2-3 | Fraud | | YES | NO |
| C3-QP2-4 | Terrorist offences or offences linked to terrorist activities | | YES | NO |
| C3-QP2-5 | Money laundering or terrorist financing | | YES | NO |
| C3-QP2-6 | Child labour and other forms of trafficking human beings | | YES | NO |
| C3-QP2-7 | Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland | | YES | NO |
| C3-QP2-8 | Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland. | | YES | NO |
| C3-QP2-9 | If you have answered yes to any of questions C3-QP2-1 to C3-QP2-8, provide further details for each such question, including: • date of conviction and the jurisdiction; • which of the grounds listed the conviction was for; • the reasons for conviction; • the identity of who has been convicted. If the relevant documentation is available electronically, provide: • the web address; • issuing authority; • precise reference of the documents. | | Response | |
| C3-QP2-10 | If you have answered Yes to any of the questions C3-QP2-1 to C3-QP2-8, explain, for each such question, what measures have been taken to demonstrate the reliability of the organization despite the existence of relevant grounds for exclusion (self-cleaning - see Regulation 57 (13 to 17) of the Public Contracts Regulations 2015). | | Response | |
| Non-payment of tax and social security contributions (mandatory and discretionary exclusion) | | | | |
| C3-QP3 | In respect of Regulation 57(3) and (4) of the Public Contracts Regulations 2015, the detailed grounds for mandatory and discretionary exclusion of an organization are set out on the webpage: https://www.gov.uk/government/uploads/system/uploads/attachment\_data/ file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf which should be referred to before completing these questions. | | Response | |
| C3-QP3-1 | Has your organization met all its obligations relating to the payment of taxes or social security contributions, both in the UK and in the country in which the organization is established (if outside the UK)? | | YES | NO |
| C3-QP3-2 | If you responded “No” for question C3-QP3-1, was this through a judicial or administrative decision having final and binding effect? | | YES | NO |
| C3-QP3-3 | Have any tax returns submitted on or after 1 October 2012 been found to be incorrect as a result of: | |  |  |
| C3-QP3-3(a) | • HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; | | YES | NO |
| C3-QP3-3(b) | • a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle; or | | YES | NO |
| C3-QP3-3(c) | • a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS), VADR (Schedule 11A to the Value Added Tax Act 1994 (as amended by Schedule 1 to the Finance (no. 2) Act 2005) or any equivalent or similar regime in a jurisdiction in which the supplier is established. | | YES | NO |
| C3-QP3-4 | If you have answered No to C3-QP3-1 and/or Yes to any of questions C3-QP3-2 to C3-QP3-3(c), provide further details for each instance, including:• whether you believe there to be any overriding reasons for non payment; • the country or state concerned; • the amount concerned; • details of the means for a No response to question C3-QP3-1 (if not included the response to C3-QP3-2 or C3-QP3-3(a) (b) or (c)); • the date of the conviction or decision (if applicable); • in case of a conviction, insofar as established directly therein, the length of the period of exclusion; • whether you have paid, or have entered into a binding arrangement with a view to paying, “the taxes or social security contributions due” including where applicable any interest accrued and/or fines; and  • if the relevant documentation is available electronically indicate the web address, issuing authority or body and precise reference of the document. | Response | | |

| Table 10 – Core Question Module C3 for Public Sector procurement: grounds for discretionary exclusion | | | | |
| --- | --- | --- | --- | --- |
| Q Ref | Question | | Response | |
| C3-QP4 | Regulation 57 (8) of the Public Contracts Regulations 2015 The detailed grounds for discretionary exclusion of an organization are set out on the webpage: https://www.gov.uk/government/uploads/system/uploads/attachment\_data/ file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf which should be referred to before completing these questions. Within the past three years, anywhere in the world, have any of the situations identified in C3- QP4-1 to C3-QP4-8(e) below applied, to you or your organization. | |  | |
| C3-QP4-1 | Breach of obligations in the field of environment, social and/or labour law. | | YES | NO |
| C3-QP4-2 | Bankruptcy, insolvency | | YES | NO |
| C3-QP4-3 | Guilty of grave professional misconduct | | YES | NO |
| **C3-QP4-4** | | Distortion of competition | YES | NO |
| **C3-QP4-5** | | Aware of any conﬂict of interest | YES | NO |
| **C3-QP4-6** | | Been involved in the preparation of the procurement procedure | YES | NO |
| **C3-QP4-7** | | Performance deficiencies on a previous contract leading to early termination, damages or other sanctions | YES | NO |
| **C3-QP4-8** | | Misrepresentation and undue inﬂuence Do any of the following statements apply to your organization? |  |  |
| **C3-QP4-8(a)** | | The organization is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria. | YES | NO |
| **C3-QP4-8(b)** | | The organization has withheld such information. | YES | NO |
| **C3-QP4-8(c)** | | The organization is not able to submit supporting documents required under Regulation 59 of the Public Contracts Regulations 2015. | YES | NO |
| **C3-QP4-8(d)** | | The organization has inﬂuenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organization undue advantages in the procurement procedure. | YES | NO |
| **C3-QP4-8(e)** | | The organization has negligently provided misleading information that may have a material inﬂuence on decisions concerning exclusion, selection or award. | YES | NO |
| **C3-QP4-9** | | If you have answered Yes to any of questions **C3- QP4-1** to **C3-QP4-8(e)**, provide • details of the circumstances; • explain what measures have been taken to demonstrate the reliability of the organization despite the existence of a relevant ground for exclusion (Self cleaning - see Regulation 57 (13 to 17) of the Public Contracts Regulations 2015); • if relevant documentation is available electronically, indicate the web address, issuing authority or body and precise reference of the document. |  |  |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Table 6 - Optional Question Module O2: Environmental management policy and capability | | | | | | | |
| Q Ref. | Exemption | | | Exemption Claimed | | If exemption claimed, supplier’s unique reference to certificatesor other supporting information | |
| **O2-Q1** | The questions in this module need not be completed if your organization holds a certificate of compliance with BS EN ISO 14001 (or equivalent) issued by a Conformity Assessment Body accredited to provide conformity assessment services to that standard2, e.g. accredited by UKAS, or you have a valid EMAS certificate, and can provide information to evidence this. | | | **YES**  NO | |  | |
|  |  | | |  | |  | |
| **Q Ref** | | **Question** | **Description of information in support of response, which will be taken into account in assessment** | | **YES** | **NO** | **Supplier’s unique reference to relevant supporting information** |
| **O2-Q2** | | **Do you have a documented policy and organization for the management of construction-related environmental issues?** | Evidence that you or your organization has an environmental management policy authorized by the chief executive or equivalent that is regularly reviewed. The policy should be relevant to the nature and scale of the activity and set out the responsibilities for environmental management throughout the organization. | | n | n |  |
| **O2-Q3** | | **Do you have documented arrangements for ensuring that your environmental management procedures are effective in reducing/ preventing significant impacts on the environment?** | Evidence that your organization’s environmental policy implementation plan provides information as to how the company aims to discharge relevant legal responsibilities and provides clear indication of how these arrangements are communicated to employees/other workforce, in relation to environmental matters including: • sustainable materials procurement; • waste management; • energy management. This should include the arrangements for responding to, monitoring and recording environmental incidents, emergencies and complaints. | |  |  |  |
| O2-Q4 | | Do you havearrangements forproviding employeeswho will engagein construction,with training andinformation onconstruction-related environmental issues? | Evidence that your organization has in place, and implements, training arrangements to ensure that its workforce has sufficient skills and understanding to carry out their various duties. This should include a programme of refresher training that will keep employees/other workforce updated on relevant legal requirements and good environmental management practice. | |  |  |  |
| O2-Q5 | | Do you check,review and wherenecessary improve your environmentalmanagementperformance? | Evidence that your organization has a system for monitoring environmental management procedures on an ongoing basis and for updating them at periodic interval. | |  |  |  |
| O2-Q6 | | Do you havearrangements forensuring that anysuppliers you engage apply environmentalprotection measures that are appropriate to the activity for which they are beingengaged? | Evidence that your organization has procedures for monitoring supplier’s environmental management arrangements and ensuring that environmental performance appropriate for the activity to be undertaken is delivered throughout the whole of your organization’s supply chain | |  |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Table of Supplementary Questions | | | | | |
| Number | Question | Description of information in support of response, which will be taken into account in assessment | Yes | No | Unique reference to supporting information |
| S1Q1 | Is your business a Small or Medium sized Enterprise (SME) | Evidence to show that your organisation is a business with fewer than 250 employees and either an annual turnover below £45m or a total balance sheet less than £40m.A DUNS number may assist in providing such evidence. |  |  |  |
| S1Q2 | Is your business located in the administrative county of Kent? | Evidence to show that your business is based in the area, established in the area or has substantive business operations in the area. This may include a registered office or other permanent base from which meaningful business operations have been conducted for at least 12 months. |  |  |  |
| S1Q3 | Has your company carried out projects of a comparable specification and design to the project in question? | Details of relevant projects carried out including client, value (i.e. by units, cost and type), location, and services provided (e.g. liaison with planners, technical design and construction). |  |  |  |
| S1Q4 | Does your company have experience of working with supply chains local to a development | Details of how these were achieved on similar reference projects. |  |  |  |
| S1Q5 | Does your company have experience of engaging with a local community when carrying out construction projects? | Details of relevant projects, steps taken to engage with the local community and the different methods that have been employed to do so. |  |  |  |
| S1Q6 | Does your company have experience of dealing with local authority clients? | Details of relevant projects and how you have taken account of their particular requirements and context |  |  |  |

|  |  |
| --- | --- |
| Declaration | |
|  | I declare that to the best of my knowledge the answers submitted in this SQ are correct and accurate.  I declare that upon request and without delay I will provide the certificates and/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 participate further in this procurement. I understand that the contracting 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.  **By completing this declaration you are agreeing with the statement above** |
| **FORM COMPLETED BY** |
| Signature |  |
| Name |  |
| Position |  |
| For and on behalf of |  |
| Date |  |

1. Selection Questionnaire Evaluation Model
2. Evaluation criteria
   1. All those who meet the requirements will have their tenders evaluated. If an applicant fails in any area without adequate explanation provided then their SQ will be rejected and their tender will not be considered.
   2. The SQ is made up of a number of questions. Each question is categorised below and guidance is provided to explain what standard must be met.
   3. These questions are based on PAS 91:2017+A1:2017 with specific questions relevant to this project (“supplementary questions”) at the end.
3. **Evaluation Requirements and Guidance**

|  |  |  |
| --- | --- | --- |
| **Question** | **Completed By** | **Requirements** |
| Table 1 | Providing information as requested | PASS - Information has been provided  FAIL - Information has not been provided |
| Table 2 - Q1 | Providing information as requested | A fail will be awarded where either the information has not been provided or that the Applicant appears to present a high financial risk for the scale of contract.  To support this assessment the Council will obtain a financial appraisal report from Creditsafe. The report provides the Council with an overall Risk Score which will be used to assess the applicant’s financial standing and in any event the following shall apply:   |  |  |  |  | | --- | --- | --- | --- | | Risk Score | | Evaluation Outcome | | | 0-29 |  | Fail |  | | 30+ |  | Pass |  | |
| Table 2 - Q2 | Providing current levels as requested and/or committing (for this project) to the levels as stated in the adjacent box. | PASS: The Council asks that the Applicant either hold or, upon request from the Council, commit to holding for the project, the following insurances:  £10million – Public Liability  £10million – Employers Liability  £5million – Professional Indemnity  FAIL: Requirements not met |
| Table 4 | C4-Q1: Exemptions  If your organisation meets any of the criteria then some of the following questions may not apply. You should specify which CDM duty holder roles the exemptions apply for.  Evidence may be demanded if successful in the tendering process.  If your organisation is NOT claiming exemption (or not claiming exemption for all roles that it would play under the contract) then you are required to complete all of the health and safety questions C4-Q2 to C4-Q22.  C4-Q2 to Q22: Health and Safety Questions The questions in this subsection have a discretionary ‘Manual Pass / Fail’ criteria. Organisations are required to provide a response that demonstrates the requirement as set out in each of the questions. Organisations must also provide the evidence to support their response.  The Council will consider the response and any information that the Applicant provides which clearly indicates that they meet the requirements as set out in each of the questions | PASS - Requirements met  FAIL - Requirements not met |
| Table 9 | Confirming as requested | PASS –  QP2: All answers are No  QP3-1: The answer was Yes (or extenuating circumstances are provided in QP3-4).  QP3-3: All answers are No (or extenuating circumstances are provided in QP3-4 and the Council, having reviewed the supporting information, has decided the contractor can proceed).  This must also include responses from all the organisations that will be relied upon to meet the criteria)  FAIL – One or more answers are contrary to the above (also including responses from all the organisations that will be relied upon to meet the selection criteria) |
| Table 10 | Confirming as requested | PASS - All answers are No or although one or more answers are Yes the Council, having reviewed the supporting information, has decided the contractor can proceed to the next stage of the process (also including responses from all the organisations that will be relied upon to meet the criteria)  FAIL – One or more answers are Yes and the Council, having reviewed the supporting information, decides that the contractor cannot progress further in the process (also including responses from all the organisations that will be relied upon to meet the criteria) |
| Table 6 | O2-Q1: Exemptions  If your organisation meets any of the criteria then the remainder of the questions in the table shall not apply.  Evidence may be demanded if successful in the tendering process.  If your organisation is NOT claiming exemption then you are required to complete all of the Environmental Management questions O2-Q2 to O2-Q6.  O2-Q2 to O2Q6: Environmental Management Questions The questions in this subsection have a discretionary ‘Manual Pass / Fail’ criteria. Organisations are required to provide a response that demonstrates the requirement as set out in each of the questions. Organisations must also provide the evidence to support their response.  The Council will consider the response and any information that the Applicant provides which clearly indicates that they meet the requirements as set out in each of the questions | PASS - Requirements met  FAIL - Requirements not met |
| Table of Supplementary Questions | S1Q1 and S1Q2  Confirming as requested  S1Q3 to S1Q5  Provide evidence accordingly | S1Q1 and S1Q2  PASS - Requirements met  FAIL - Requirements not met  S1Q3 to S1Q5  Responses to each question will be marked out of 5.  PASS - A score of 2.5 or more on each question  FAIL - A score of less than 2.5 shall be a fail on any question |

1. The evaluation team
   1. An evaluation team will undertake a consistent evaluation of each SQ Response. The evaluation team will comprise officers of the Council with advice from their technical and legal consultants.
   2. **Methodology for scored questions**
      1. The final supplementary questions (S1Q3, S1Q4 and S1Q5) will be scored out of 5 using the scoring matrix below. Any score of less than 2.5 shall be treated as a “Fail”.
      2. Each member of the evaluation team will mark individually and allocate provisional scores. These scores will then be subject to moderation and, where there is a disparity in scoring between the different members of the evaluation team, the evaluation team will meet to discuss the scoring and agree on the appropriate score, which may be an average of scores given.
   3. Scoring Matrix

Applicants will note that this refers to meeting the "requirements"; these are set out in the guidance for each question, above (which should be read in the context of the procurement documents). Further context is set out in the remaining procurement documents.

|  |  |
| --- | --- |
| Using a 0 – 5 scoring system | |
| 0 | Unacceptable Response – No information provided or response does not address the requirement. |
| 1 | Poor response – The response contains material omissions and / or is supported by limited evidence / examples. Major concerns that the organisation has the potential to deliver / that they have failed to meet a reasonable standard. |
| 2 | Fair response – The response contains some omissions and / or is not well supported by evidence / examples. Some concerns about the applicant’s ability to deliver / that they have failed to meet a reasonable standard. |
| 3 | Good response – There is adequate detail / supporting examples giving a reasonable level of confidence in the Bidder’s experience and ability. The applicant appears to have the potential to deliver as required / has met a reasonable standard and there are only minor concerns about the applicant’s experience. |
| 4 | Very Good Response – The level of detail / supporting examples gives a high level of confidence in the applicant’s experience and ability. The applicant clearly has the potential to deliver and / or has clearly met an acceptable standard. |
| 5 | Excellent Response – A comprehensive well evidenced submission, clearly demonstrating expertise and knowledge incorporating value added benefits/social value attributes & other points of innovation. The response fully captures understanding of the steps involved to deliver the aspects of the question posed, giving a very high level of confidence in the applicant’s experience and ability. |

1. Form of Tender

|  |  |
| --- | --- |
| FORM OF TENDER: Tender Certificate | |
| TO: Sevenoaks District Council | |
| PROVISION OF: Development at 18 Cedar Drive Edenbridge KENT TN8 5JL | |
| We, the undersigned, having examined the ITT, the Employer’s Requirements and all other schedules thereto, do hereby offer to design, execute and complete, in accordance with the draft contract and schedules, the whole of the Works described for the VAT exclusive, firm price, sum of:    We further offer to complete the whole of the Works described within weeks (Contractor to determine construction period allowing for all holidays) from the Date of Possession.  We agree that, should the Employer so request, we will take possession of the site not later than six weeks of written notification,  We undertake to perform all the functions and duties and exercise the powers of the principal contractor as defined in The Construction (Design and Management) Regulations 2015 and confirm the CDM Planning period is sufficient as stated in the Employers Requirements.  We agree that should obvious errors in pricing or errors in arithmetic be discovered in the priced documents submitted by us before acceptance of this offer, these errors will be corrected in accordance with Alternative 2 (confirm or amend) contained in JCT Tendering 2017 Practice Note.  If this offer is accepted, we will execute such documents in the form of the Contract within 30 days of being called on to do so.  We agree that before executing the Contract (and associated schedules) substantially in the form set out in the ITT, the formal acceptance of this Tender in writing by the Authority or such parts as may be specified, together with the contract documents attached hereto shall comprise a binding contract between the Authority and the company.  We further agree with the Authority in legally binding terms to comply with the provisions of confidentiality set out in paragraph 4.7 of the ITT.  We further undertake and it shall be a condition of any Contract, that:   * The amount of our Tender has not been calculated by agreement or arrangement with any person other than the Authority and that the amount of our Tender has not been communicated to any person until after the closing date for the submission of Tenders and in any event not without the consent of the Authority. * We have not canvassed and will not, before the evaluation process, canvass or solicit any member or officer, employee or agent of the Authority or other contracting authority in connection with the award of the Contract and that no person employed by us has done or will do any such act.   We confirm that this tender remains open for consideration for 12 weeks from the date stated below.  I warrant that I have all requisite authority to sign this Tender and confirm that I have complied with all the requirements of the ITT. | |
|  | **FORM COMPLETED BY** |
| Signature |  |
| Name |  |
| Position |  |
| For and on behalf of |  |
| Address |  |
| Date |  |

NOTE:

The Authority does not undertake to accept the lowest or any tender or to pay any expenses incurred by the Tenderer in the preparation of his tender.

1. Commercially sensitive information.

I declare that I wish the following information to be designated as commercially sensitive.

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The reason(s) it is considered that this information should be exempt under FOIA is:

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| --- |
|  |

The period of time for which it is considered this information should be exempt is [until award of Contract **OR** during the period of the contract **OR** for a period of [NUMBER] years until [MONTH], [YEAR]].

|  |
| --- |
|  |

|  |  |
| --- | --- |
|  | **FORM COMPLETED BY** |
| Signature |  |
| Name |  |
| Position |  |
| For and on behalf of |  |
| Address |  |
| Date |  |

1. Collusive Tendering Certificate

|  |  |
| --- | --- |
| Declaration | |
|  | We certify that this is a bona fide Tender, and that we have not fixed or adjusted the amount of the Tender by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not done and we undertake that we will not do at any time before the hour and date specified for the return of this Tender any of the following acts:-  (a) Communicate to any person the amount or approximate amount of the proposed Tender, except where the disclosure, in confidence, of the approximate amount of the Tender was necessary to obtain insurance premium quotations required for the preparation of the Tender;  (b) Enter into any agreement or arrangement with any other person that he or she shall refrain from tendering or as to the amount of any Tender to be submitted;  (c) Offer or pay or give or agree to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other Tender or proposed Tender for the said work any act or thing of the sort described above.  In this certificate, the word “person” includes any persons and any body or association, corporate or unincorporated; and “any agreement or arrangement” includes any such transaction, formal or informal, and whether legally binding or not.  **By completing this declaration you are agreeing with the statement above** |
| **FORM COMPLETED BY** |
| Signature |  |
| Name |  |
| Position |  |
| For and on behalf of |  |
| Address |  |
| Date |  |