Bath & North East Somerset Council

Supplier Selection Questionnaire for Works contracts above £181k

NOTES TO TENDERERING COMPANIES

The main purpose of the SUPPLIER SELECTION QUESTIONNAIRE is to ensure that all companies who are invited to tender can meet the minimum financial and technical requirements to undertake the advertised work. When public sector organisations place advertisements for tenders and request expressions of interest, they may receive hundreds of responses. A SUPPLIER SELECTION QUESTIONNAIRE is almost always used as a way to shortlist these responses.

Completing a SUPPLIER SELECTION QUESTIONNAIRE is therefore often the first step in the tender process and buyers need to know that their suppliers follow good practices. The buyer will evaluate the supplier's response and decide whether or not they will then be invited to tender.

The way in which Supplier Selection Questionnaires are evaluated may vary depending on the contract (e.g. value, technical complexity, risk). The criteria against which responses will be assessed and their weightings (their relative importance) will always be made clear at the outset so that bidders can submit clear and relevant responses.

Many organisations may meet the basic criteria but only the top scoring ones will be invited to tender, therefore it is important to use the SUPPLIER SELECTION QUESTIONNAIRE to demonstrate that you can fully meet the criteria. This means not only 'ticking the boxes' but providing information that shows the value that you bring.

Definitions

“Council” means Bath and North East Somerset Council, or anyone acting on behalf of Bath and North East Somerset Council that is seeking to invite suitable suppliers to participate in this procurement process.

“You”/ “Your” or “Supplier” means the body completing these questions **i.e. the legal entity seeking to be invited to the next stage of the procurement process and responsible for the information provided.** The ‘Supplier’ is intended to cover any economic operator as defined by the Public Contract Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

Notes for completion

1. This Questionnaire has been designed to assess the suitability of a Supplier to deliver the Council's contract requirement(s). If you are successful at this stage of the procurement process, you will be selected for the subsequent award stage of the process.

2. **If the Supplier has already completed a Supplier Selection Questionnaire for Bath & North East Somerset Council within the past 12 months and your details have not changed, please confirm this by signing and dating the box at 18 below. The Supplier can then proceed to complete only the Supplementary (Project Related) Questions at Table 9 onwards.**

   Suppliers that have not completed a Supplier Selection Questionnaire within the last 12 months MUST complete all sections of this document in accordance with the instructions.

3. Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply, please state clearly, 'N/A'.

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

5. Please return a completed version of this document and any supporting information to:

Instructions for responding to the SUPPLIER SELECTION QUESTIONNAIRE in the e-tendering system	Suppliers must return their completed Questionnaire in the e-tendering system, Pro-Contract. Instructions on how to return the document and advice on where to get help can be found at the rear of this Questionnaire.
Deadline for receipt of SUPPLIER SELECTION QUESTIONNAIRE	***Friday 20th July 2018***

(UK date and time)	

Verification of Information Provided

6. Whilst reserving the right to request information at any time throughout the procurement process, the Council will enable the Supplier to self-certify that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the supplier can meet the specified requirements, the Council may only obtain such evidence after the final tender evaluation decision. i.e. From the winning Supplier only.

Sub-contracting arrangements

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

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

Consortia arrangements

9. If the Supplier completing this Questionnaire is doing so as part of a proposed consortium, the following information must be provided;

   - names of all consortium members;
   - the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and
   - if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix.

10. Please note that the Council may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific

legal form is deemed by the Council as being necessary for the satisfactory performance of the contract.

11. All members of the consortium will be required to provide the information required in all sections of the Questionnaire as part of a single composite response to the Council i.e. each member of the consortium is required to complete the form.

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

13. The Council recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the Council must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the selection criteria to the new information provided. The Council reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

Confidentiality

14. When providing details of contracts in answering Table 9 of this Questionnaire (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.

15. The Council reserves the right to contact the named customer contact in Table 9 regarding the contracts included. The named customer contact does not owe the Council any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

16. The Council confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the Public Contract Regulations.

Scoring Methodology

17. The Scoring Methodology for assessing the responses to this questionnaire is attached as a separate document.

Confirmation of Pre-Existing Supplier Selection Questionnaire

18.

I confirm that [ENTER YOUR COMPANY NAME] has completed and submitted a Supplier Selection Questionnaire to Bath & North East Somerset Council within the past 12 months and the details contained within the original questionnaire are still valid.

By completing this declaration you are agreeing with the statement above

Details of person completing the Declaration.

Signature .....
(an electronic signature is acceptable)

Name.....

Position.....

For and on behalf of.....

Date.....

Questionnaire Layout

This questionnaire is in the following format.
Companies MUST answer all questions except where the question indicates otherwise.

Note: The diagram above shows the standard B&NES template for a Works Supplier Selection Questionnaire. The Core Questions will be included for all Procurements and are mandatory. The optional questions should only be included where the buyer believes it is relevant and proportionate to do so. Supplementary questions are project related and the buyer will include any they believe to be relevant and proportionate.

Core Questions

Table 1 Supplier Identity, Key Roles and Contact Information

	Supplier Response	
1.1 Name of legal entity or sole-trader		
1.2 Registered office address		
Website address		
1.3 Contact Details for Enquiries	Name Job Title E-mail Phone Number Address Post Code	
1.4 Registration number, if registered with Companies House or equivalent		
1.5 Charity registration number		
1.6 VAT Registration number		
1.7 Name of immediate parent company		
1.8 Name of ultimate parent company		
1.9 Type of Organisation e.g. PLC; limited company; LLP; other partnership; sole trader; other (please specify)		
1.10 Size of Business	Are you a micro, a small, or a medium-sized enterprise *(1)*?	▢ Yes ▢ No

1.11 ONLY IN THE CASE THE PROCUREMENT IS RESERVED (2) Sheltered workshop/"social business"	1.11.1 Is your organization a sheltered workshop, a "social business" *(3)* or will it provide for the performance of the contract in the context of sheltered employment	▢ Yes ▢ No

	programmes? IF YES Please respond to questions 1.11.2 and 1.11.3 below	
1.11.2 What is the corresponding percentage of disabled or disadvantaged workers?		
1.11.3 Please specify which category or categories of disabled or disadvantaged workers the employees concerned belong to		

1.12 APPLICABLE TO NON-UK BUSINESSES ONLY Official lists/national pre-qualification system	1.12.1 If applicable, is your organization registered on an official list of approved economic operators or does it have an equivalent certificate (e.g. under a national (pre)qualification system)? IF YES: Please answer the remaining questions below and complete Tables 3 and 4 and the required declaration. Complete 1.12.2 to 1.12.4 below	
1.12.2 Please provide the name of the list or certificate and the relevant registration or certification number, if applicable		
1.12.3 If the certificate of registration or certification is available electronically, please state the: web address issuing authority or body precise reference of the documentation		

1.12.4 Please state the references on which the registration or certification is based, and, where applicable, the classification obtained in the official list (4)	
1.12.5 Does the registration or certification cover all of the required criteria in Tables 1, 3 and 4. IF NO In addition, please complete the missing information in Tables 1, 3 and 4.	▢ Yes ▢ No
1.12.6 ONLY if this is required in the relevant notice or procurement documentation: Will your organization be able to provide a certificate with regard to the payment of social security contributions and taxes or provide information enabling the contracting authority or contracting entity to obtaining it directly by accessing a national database in any Member State that is available free of charge? If the relevant documentation is available electronically, please state the: web address issuing authority or body precise reference of the documentation	▢ Yes ▢ No
1.13 **Form of Participation** 1.13.1 Are you participating in the procurement procedure together with others *(5)*? IF YES Please respond to 1.13.2**,** 1.13.3 and 1.13.4 below	▢ Yes ▢ No

Please ensure that the others concerned, each provide a separate questionnaire		
1.13.2 Please indicate your organization's role(6) i.e. sole supplier/lead entity, group member, other entity (relied upon) (7), other entity (not relied upon)		
1.13.3 To enable the collation of the group's responses, please identify the other organizations participating in the procurement procedure together		
1.13.4 Where applicable, please provide the name of the group		
1.14 Lots	Where applicable, please indicate the lot(s) for which you wish to tender	

NOTES to Table 1

1) See EU definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

2) See Contract Notice point III.1.5

3) I.e. its main aim is the social and professional integration of disabled or disadvantaged persons

4) The references and classification, if any, are set out on the certification

5) Notably as part of a group, consortium, joint venture or similar, or a subcontractor that is being relied on to meet the selection criteria.

6) Where the supplier is participating in the procurement with others as referred to in question 1.13.2, the organizational roles should be understood, as follows:

Sole supplier/ Lead entity: Sole entity or, in case of consortium, joint venture or other types of groups, the leader of the group.

Group member: Member (not leader) of the consortium, joint venture or other type of group.

Other entity (relied upon): Entity on which the main supplier, the group or other subcontractor, relies in order to meet the selection criteria.

Other entity (not relied upon): Entity on which the main supplier, the group or other subcontractor, does not rely in order to meet the selection criteria.

7) This includes subcontractors that the supplier relies on in the application and other organizations that the group relies on in the application (see Regulation 63 of the Public Contracts Regulations 2015).

8) For subcontractors that are not relied on by a candidate in its application, the buyer may ask whether the candidate intends to subcontract, the details of the proposed subcontractors (in so far as this is possible) and also for those subcontractors to complete a self-declaration against the exclusion grounds (Regulation 71 (1) and (8) Public Contracts Regulations 2015)

Table 2 Financial Information

Please select the one organization description that most closely matches your organization and provide information accordingly

Information Required	***Description of information expected, which will be taken into account in assessment***	**Tick as applicable**	***Supplier's unique reference to relevant supporting information***
2.1.1 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 (See Note 2 to this Table)	▢ Yes ▢ No	
2.1.2 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.	▢ Yes ▢ No	
2.1.3 Accounts for a small company or limited liability partnership with a turnover below the audit threshold at which the preparation of audited accounts	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	▢ Yes ▢ No	

is not required			
2.1.4 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	▢ Yes ▢ No	
2.1.5 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 2.1.4 above will suffice. Where this is not the case, an unaudited copy of the most recent accounts as described in 2.1.2 above should be provided.	▢ Yes ▢ No	

2.2 INSURANCE STATEMENT & CERTIFICATES		
2.2.1 Employers' liability insurance	**Policy Number**	
	Limit of Indemnity	
	Excess	
	Limit for a Single Event	
	Expiry Date	
2.2.2 Public liability insurance	**Policy Number**	
	Limit of Indemnity	
	Excess	
	Limit for a Single Event	
	Expiry Date	
2.2.3 Professional indemnity insurance (Where consultancy input involved)	**Policy Number**	
	Limit of Indemnity	
	Excess	
	Expiry Date	
2.2.4 Product liability	**Policy Number**	

insurance (Where product is to be supplied)	**Limit of Indemnity**	
	Excess	
	Expiry Date	

NOTE 1 to Table 2 *Where an insurance type is claimed to be "not in scope", it is essential that an explanation supporting that claim is provided, e.g. the explanation could support the fact that a particular type of insurance was not required for the work undertaken.*
NOTE 2 to Table 2 *At the discretion of the buyer, a minimum level of turnover may be asked for. However, buyers should avoid insisting on requirements which may not be proportionate or relevant to the procurement, or which may discriminate against or be burdensome for SMEs or new providers. It is acknowledged that the nature and extent of the accounts provided will be commensurate with the business requirements and legal obligations of the supplier.*

Table 3 – Business and Professional Standing in Public Sector Procurement – Grounds for Mandatory Exclusion

Suppliers who have an already completed a European Single Procurement Document (ESPD) template can submit that completed ESPD in lieu of Tables 3& 4.These tables need to be completed by each organization being relied on to meet the selection criteria. A completed Table1 and self-declaration is also required from each organization.

3.1 ESPD Option Have you submitted a completed European Single Procurement Document (ESPD)? The questions in this module (Tables 3 and 4) need not be completed if you have provided a completed and signed European Single Procurement Document (ESPD).	**Please indicate your answer by marking 'X' in the relevant box.**	
	Yes	**No**
Grounds for Mandatory Exclusion		
3.2 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 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 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 3.2.1 to 3.2.8 below, and listed on the above referenced webpage?		
3.2.1 Participation in a criminal organization		
3.2.2 Corruption		
3.2.3 Fraud		
3.2.4 Terrorist offences or offences linked to terrorist activities		
3.2.5 Money laundering or terrorist financing		
3.2.6 Child labour and other forms of trafficking human beings		
3.2.7 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		
3.2.8 Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.		
3.2.9 If you have answered yes to any of questions 3.2.1 to 3.2.8, 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	
3.2.10 If you have answered Yes to any of the questions 3.2.1 to 3.2.8, 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)		
3.3 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.		
3.3.1 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)?		
3.3.2 If you responded “No” for question 3.3.1, was this through a judicial or administrative decision having final and binding effect?		
3.3.3 Have any tax returns submitted on or after 1 October 2012 been found to be incorrect as a result of:		
3.3.3a HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle;		
3.3.3b 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		
3.3.3c 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.		
3.4 If you have answered No to 3.3.1and/or Yes to any of questions 3.3.2 to 3.3.3c, 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 3.3.1 (if not included the response to 3.3.2 or 3.3.3(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	Response	

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.	

Note to Table 3

We reserve our right to use our discretion to exclude your bid where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the non-payment of taxes or social security contributions.

Table 4 – Business and Professional Standing in Public Sector Procurement – Grounds for Discretionary Exclusion

4.1 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 4.4.1 to 4.4.8(e) below applied, to you or your organization.	**Please indicate your answer by marking 'X' in the relevant box.**	
	Yes	**No**
4.1.1 Breach of obligations in the field of environment, social and/or labour law.		
4.1.2 Bankruptcy, insolvency		
4.1.3 Guilty of grave professional misconduct		
4.1.4 Distortion of competition		
4.1.5 Aware of any conflict of interest		
4.1.6 Been involved in the preparation of the procurement procedure		
4.1.7 Performance deficiencies on a previous contract leading to early termination, damages or other sanctions		
4.1.8 Misrepresentation and undue influence		

Do any of the following statements apply to your organization?		
4.1.8a 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.		
4.1.8b The organization has withheld such information.		
4.1.8c The organization is not able to submit supporting documents required under Regulation 59 of the Public Contracts Regulations 2015.		
4.1.8d 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.		
4.1.8e The organization has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.		
4.1.8e If you have answered Yes to any of questions 4.1.1 to 4.1.8e, 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.	Response	

Table 5 – Health and Safety Policy and Capability

Exemptions and pertinent question selection	Exemption(s) Claimed	
	Please tick i and /or ii for 5.1.1a, 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
5.1 In the circumstances set out in 5.1.1a to 5.1.1c, 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 5.2 to 5.11 need not be completed for an exemption under i) above questions 5.12 to 5.22 also need not be completed in respect of the role(s) identified. If you are not claiming an exemption, please move to question 5.2. *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 5.12 to 5.22 in respect of each relevant category/role not covered by an exemption; and provide any additional information required for 5.2 to 5.11 in respect of relevant categories/ roles that are not covered by an exemption.* **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).*		

Circumstances of exemption		
5.1.1a 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)	
5.1.1b You have, within the last twelve months, successfully met the assessment requirements of a construction-related scheme	For i) CDM duty holder role(s) claimed.	

in registered membership of the Safety Schemes in Procurement (SSIP) forum (see Annex D).	.... For ii)	
5.1.1c 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)	

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***
5.2 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)*	▢ Yes ▢ No	
5.3 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*	▢ Yes ▢ No	

	this Table)		
5.4 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.)	▢ Yes ▢ No	
5.5 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).	▢ Yes ▢ No	
5.6 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	▢ Yes ▢ No	

	trainees).		
5.7 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.	▢ Yes ▢ No	
5.8 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.	▢ Yes ▢ No	
5.9 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).	▢ Yes ▢ No	
5.10 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.	▢ Yes ▢ No	
5.11 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	▢ Yes ▢ No	

	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.		

5.12 CDM duty holder related question selection:

The questions asked in 5.13 to 5.22 (in conjunction with questions 5.2 to 5.11) 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 5.13 to 5.22* ***NOTE 2*** *Principal contractors will also need to respond to questions applicable to contractors, and principal designers will also need to*	**YES/NO**	**Supplier's unique reference to relevant supporting information**

respond to questions applicable to designers		
5.12a) Contractor/principal contractor *(respond to grey shaded questions 5.13 to 5.16*	▢ Yes ▢ No	None Required
5.12b) Principal contractor *(in addition to 5.13 to 5.13 also respond to yellow shaded question 5.17)*	▢ Yes ▢ No	

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***
5.13 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	▢ Yes ▢ No	

		CPPs.		
5.14 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.	▢ Yes ▢ No	
5.15 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)	▢ Yes ▢ No	
5.16 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-	▢ Yes ▢ No	

		project review.		
5.17 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: **5.17.1** Plan, manage, monitor and coordinate H&S in the construction phase, including communication with the client, principal designer and contractors; **5.17.2** Prepare, review and maintain CPPs; **5.17.3** Organize co-operation between contractors and others, and coordinate the work; **5.17.4** Ensure relevant and suitable site inductions; **5.17.5** Provide information for the H&S file.	▢ Yes ▢ No	

NOTES TO TABLE 5

NOTE 1 *Assessors should not request unnecessary paperwork and may not necessarily require evidence of all the examples in column 3 of Table 5. Suppliers (including contractors, consultants and others) should only be required to produce enough evidence to show that they meet the relevant criteria, taking account of the nature of activities/projects likely to be involved, and the hazards and risks. This requires assessors to make a judgement as to whether the evidence provided meets the standard to be achieved. If that judgement is reasonable, and clearly based on the evidence requested, assessors cannot be criticised if the supplier they appoint subsequently proves not to have the necessary capability (essential knowledge, skills and experience) when carrying out the activity.*

NOTE 2 *For suppliers that will be CDM duty holders – The core questions in Table 5 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 5 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.*

Stage 1*: An assessment of the supplier's organization and arrangements for H&S, to determine whether these are sufficient to enable the supplier to carry out the activity safely and without risk to health. Stage 1 assessments assess the general (basic) capability of the supplier and are within the scope of PAS 91.*

Stage 2*: Stage 2 assessments are outside the scope of PAS 91*. They involve an additional assessment of the supplier's experience, technical capability and track record, to establish that: it is capable of carrying out the actual construction activity/project required (i.e. project, activity or service-specific enquiries), and notably in relation to higher hazard activity; that the supplier recognizes any limitations and how these should be overcome; and appreciates the hazards associated with the activity and how the risk should be effectively controlled.*

**Stage 2 assessments follow Stage 1 enquiries and they should not therefore be asked in relation to PAS 91 (although in the public sector only, stage 2 questions relating to previous experience will be asked in the prequalification questionnaire – if required by law).*

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.*

Optional Questions

Table 6 Equal Opportunity & Diversity Policy and Capability

Questions	***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***
6.1 As an employer, do you meet the requirements of the positive equality duties in relation to the Equalities Act 2010? This applies to both public and private procurement	In respect of 6.1, copies of: **6.1.1** relevant instructions or written statement/evidence of relevant actions **6.1.2** relevant guidance or written statement/evidence of relevant actions **6.1.3** relevant policies/ literature or written statement/ evidence of relevant actions **6.1.4** evidence of where you believe these policies have made a difference	▢ Yes ▢ No	
6.2 Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than	No supporting evidence required	▢ Yes ▢ No	

others?			
6.3 In the last three years has any finding of unlawful discrimination been made against your organization by any court or industrial or employment tribunal or equivalent body?	Details of any findings	▢ Yes ▢ No	
6.4 In the last three years, has your organization been subject to a compliance action by the Equality and Human Rights Commission or an equivalent body on grounds of alleged unlawful discrimination?	Details of any investigations	▢ Yes ▢ No	
6.5 In the last three years, has your organization been found in breach of section 15 of the Immigration, Asylum and Nationality Act 2006?	Details of any findings	▢ Yes ▢ No	

6.6 In the last three years, has your organization been found in breach of section 21 of the Immigration, Asylum and Nationality Act 2006?	Details of any findings	▢ Yes ▢ No	
6.7 In the last three years, has your organization been found to be in breach of the National Minimum Wage Act 1998?	Details of any findings	▢ Yes ▢ No	
6.8 If the answer to any of questions 3 to 7 is “yes”, what steps did your organization take as a result of that finding or investigation?	Details/evidence of remedial action	▢ Yes ▢ No	
6.9 Does your organization operate appropriate arrangements to ensure that equality and diversity is embedded within your organization?	Provide copies of any relevant policies or written statement/ evidence of relevant actions	▢ Yes ▢ No	

6.10 Do you actively promote good practice in terms of eliminating discrimination in all forms through:			
6.10.1 guidance to your employees/ suppliers concerned with recruitment, training and promotion?	In respect of 6.10.1, copies of any relevant guidance or written statement/evidence of relevant actions.	▢ Yes ▢ No	
6.10.2 making guidance or policy documents concerning how the organization embeds equality and diversity available to employees/ sub-contractors, recognized trade unions or other representative groups of employees?	In respect of 6.10.2, copies of any relevant guidance, policies, or written statement/ evidence of relevant actions.	▢ Yes ▢ No	
6.10.3 appropriate recruitment advertisements or other literature?	In respect of 6.10.3, copies of any relevant advertisement or written statement/evidence of relevant actions.	▢ Yes ▢ No	

Table 7 Environmental Management Policy and Capability

Exemption		**Exemption Claimed**	**If exemption claimed, supplier's unique reference to certificates or other supporting information**
7.1 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	
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**
7.2 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.	▢ No ▢ Yes	

7.3 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.	▢ No ▢ Yes	
7.4 Do you have arrangements for providing employees who will engage in construction, with training	Evidence that your organization has in place, and implements, training arrangements to ensure that its workforce has	▢ No ▢ Yes	

and information on construction-related environmental issues?	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.		
7.5 Do you check, review and where necessary improve your environmental management performance?	Evidence that your organization has a system for monitoring environmental management procedures on an ongoing basis and for updating them at periodic interval.	▢ No ▢ Yes	
7.6 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?	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 organizations	▢ No ▢ Yes	

	supply chain.		

EMAS is the European Eco-management and Audit Scheme, sponsored by the European Commission (see http://eceuropaeu/environment/emas/index_ENhtm)

Table 8 Quality Management Policy and Capability

Exemption	**Exemption Claimed**		**If exemption claimed, supplier's unique reference to certificates or other supporting information**
8.1 The questions 8.2 to 8.6, need not be completed if your organization holds a certificate of compliance with BS EN ISO 9001(or equivalent) issued by a Conformity Assessment Body accredited to provide conformity assessment services to that standard[3] e.g. accredited by UKAS, and can provide information to evidence this.	▢ No ▢ Yes		
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**
8.2 Do you have a policy and organization for quality management?	Evidence that your organization has and implements a quality management policy that is authorized by the chief executive or equivalent that is	▢ No ▢ Yes	

	periodically reviewed at a senior management level. The policy should be relevant to the nature and scale of the work to be undertaken and set out responsibilities for quality management throughout the organization.		
8.3 Do you have arrangements for ensuring that your quality management, including the quality of construction output and general performance, is effective in reducing/ preventing incidents of sub-standard delivery?	Evidence that your organization keeps copies of documentation setting out quality management organization and procedures that meet currently agreed good. practice. These should include the arrangements for quality management throughout the organization. They should set out how the company will carry out its policy, with a clear indication of how the arrangements are communicated to employees/other workforce.	▢ No ▢ Yes	
8.4 Do you have arrangements for providing your workforce with quality-related training and	Evidence that your organization has in place and implements, training arrangements to	▢ No ▢ Yes	

information appropriate to the type of work for which your organization is likely to bid?	ensure that its employees/other workforce has sufficient skills and understanding to discharge their various responsibilities. These arrangements should include a programme of training that will keep employees/other workforce up to date with required knowledge about quality related issues, including copies of job profiles; training manuals and training records.		
8.5 Do you have procedures for periodically reviewing, correcting and improving quality performance?	Evidence that your organization has a system for monitoring quality management procedures on an on-going basis. Your organization should be able to provide evidence of systematic, periodic review and improvement of quality in respect of construction output and general performance.	▢ No ▢ Yes	

8.6 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?	Evidence that your organization has arrangements for monitoring supplier's quality management arrangements and ensuring that quality performance appropriate for the work to be undertaken is delivered throughout the whole of your organizations supply chain.	▢ No ▢ Yes	

Supplementary or Additional Questions

Table 9 Supplementary/additional questions including in respect of organizational technical and/or professional ability

Technical & Professional Ability

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
9.1 Do you and/or your company have the technical ability to carry out the activities that are the subject of this prequalification questionnaire?	Evidence of your company's capability of carrying out the activities described, by way of a completed project record, demonstrating the skills, efficiency, experience and reliability of your organization. Responses will be evaluated with regard to provision of comprehensive information on the following: description of the project including project value and Client details and Client brief; pre-construction services, including any pre-contract advice, surveys and design drawings undertaken by your company, pre-contract planning, construction phase programming and management plans; construction phase Health & Safety services, including examples of Construction Phase Health & Safety Project Plan and Health & Safety Inspections; cost planning and management; specific working methods for providing, maintaining and monitoring a high level of service delivery and customer satisfaction; details of meetings, communications and interactions	☐ No ☐ Yes	

	between all parties to ensure efficient project completion; vii) description of approach to handover, including awareness training of all relevant persons involved.		
9.2 Have you and/or your company carried out activities of the same or similar nature to that which is the subject of this prequalification questionnaire? **Please Note:** ***If you/ or your company have completed similar projects for BANES in the past. Please note the relevant project name and Project Manager.***	A list of relevant activities and project case studies carried out over the past 5 years together with evidence of refurbishment and alteration works to listed buildings, satisfactory completion for the most important of those activities, indicating in each case: project size (e.g. by value); and ii) when and where the work or works were carried out.	▢ No ▢ Yes	
9.3 Do you and/or your company have the necessary technical ability, experience and numbers of staff to supply and deliver the activities that are the subject of this prequalification questionnaire?	A statement of the professional qualifications held by you and/or other members of staff/workforce within your company who will be responsible for the supply, delivery or carrying out of the activities that are the subject of this prequalification questionnaire. Please also include a statement of the average annual number of managerial staff and other workforce over the previous 3 years.	▢ No ▢ Yes	

Social Value

9.6 The Council will procure its works, where appropriate, in line with the Social Value Act. The Act asks commissioners to think about securing extra benefits for their area when they are buying works. Before they start procurement, commissioners should think about how the works they are going to buy, or the procurement process they are going to use to buy them, could secure the most valuable benefits for their area.		
Question	**Description of information in support of response, which will be taken into account in assessment**	**Supplier's unique reference to relevant supporting information**
9.6.1 Please give examples of your involvement in each of the following areas and explain your exact involvement in each of the activities listed: a) Generating employment and training opportunities for long-term unemployed people; b) Providing training opportunities for young people; c) Promoting supply-chain opportunities to new and small enterprises.	Evidence of your company's record of carrying out the activities described.	
9.6.2 Which of the examples cited have been more successful, and which have been less successful, and why?	Evidence of successful Social Value inclusion in contracts	

FORM OF DECLARATION

The Public Contracts Regulations 2015 (Regulation 59) stipulate that suppliers and any entities relied on, be required to complete a declaration in respect of their prequalification responses, and that this be included with the issued questionnaire. Subcontractors not relied on that are instructed to complete a self-declaration also required to complete the declaration.

I declare that to the best of my knowledge the answers submitted and information contained in this completed document (questionnaire) are correct and accurate, including Tables 1, 3 and 4 and where applicable Tables 2, 5 and 9.

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 organization'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

Details of person completing the Declaration.

Signature .....
(an electronic signature is acceptable)

Name.....

Position.....

For and on behalf of.....

Date.....

SUPPLIER SELECTION QUESTIONNAIRE

Template for Supplier Appendices

Appendix Number -
SUPPLIER SELECTION QUESTIONNAIRE **Table number -**
Question number -

Instructions for Returning your Supplier Selection Questionnaire on the E-Tendering system

Bath and North East Somerset Council use Pro-Contract, an e-tendering system to issue Supplier Selection Questionnaires and Invitations to Tender to interested suppliers. We require that suppliers respond in Pro-Contract by attaching their completed documents by the deadline date and time stated at paragraph 6 of the Notes for Completion.

Important: We strongly recommend that you allow sufficient time to upload your response to Pro-Contract. Since it can take several minutes for large uploads to take effect, we recommend that you allow at least 15 minutes to ensure the upload completes by the deadline time.

Communication

Pro Contract is managed by PROACTIS and any queries relating to how to use the system, including how to upload this SUPPLIER SELECTION QUESTIONNAIRE or any other documents should be addressed to the helpdesk at ProContractsuppliers@Proactis.com explaining the nature of your query.

Tender Questions

To ask questions relating to a specific quotation or tender, you must use the message facility found on the right-hand side of the tender main screen within my opportunities.

Business Opportunity Discussion

If you need to discuss a specific business opportunity, you should contact the lead officer. Their contact details are published within the business opportunity advert. If you are unable to contact the lead officer for a particular business opportunity or tender the generic contact details are as follows:-

Bath and North East Somerset Council
Email: procurement@bathnes.gov.uk
Telephone: 01225 477030