**VOLUME 2**

**Standard Selection Questionnaire**

**For the Provision of Dynamic Demand Responsive Transport - DDRT West of England Combined Authority**

**Project REF:** DN 610749

**Commencing:**  08/08/2022

**Contract Term**:  18 months **(approximate)**

**Procedure:** **OPEN**

**Submission deadline**

**by:** 17/06/2022 AT 17/00

# Introduction

The purpose of this questionnaire is to assist the Authority in establishing whether candidates are able to pass the mandatory grounds for rejection, discretionary grounds for rejection and any specified minimum requirements. The minimum requirements relating to this procurement are included within the table on the following page. Please refer to Volume 1 (Instructions to Bidders) of the ‘tender pack’ which provides further detail for this stage and how potential suppliers will be selected and invited to submit a tender.

Completed questionnaires must be submitted via the Supplying the Southwest Procurement Portal (ProActis) system, using the document return system, and following the instructions within Volume 1 (Instructions to Bidders). We strongly recommend you read this document prior to starting your submission.

Candidates must not submit or refer to any accompanying documents such as company brochures etc. unless explicitly requested. The scoring methods referred to in this SSQ will only be applied to the completed questionnaire and all other documentation will be ignored.

Guidance on uploading documents onto ProContract record can be downloaded via ProContract under the Supplier guidance tab accessible via: <https://www.supplyingthesouthwest.org.uk/>.

# SSQ Guidance, Completion and Declarations

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

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

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

When completed, this form is to be sent back to the contact given in the procurement documents along with the selection information requested in the procurement documentation.

The Authority reserves the right to require the winning Bidder to provide appropriate evidence to support the statements made in this Selection Questionnaire, prior to entering into the contract. If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

**Supplier Selection Questions: Part 3**

The section contains further grounds for rejection of a bid using Pass/Fail criteria. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors providing one composite response and declaration.

**Consequences of misrepresentation**

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

**Notes for completion**

1. The “Authority” means West of England Combined Authority.

2. “You”/ “Your”, “Supplier” or “Bidder” means the potential supplier completing this standard Selection Questionnaire **i.e. the legal entity seeking to be invited to the next stage of the procurement process and responsible for the information provided.** The term ‘Supplier’ is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

3. Please ensure that all questions are completed in full and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply to you, 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

5. The Authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the Authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The Authority will make a revised assessment of the submission based on the updated information.

6. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.

7. For answers to Part 3 if you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/or any sub-contractors, providing one composite response and declaration.

8. Please upload a completed version of this document via the procurement portal: [www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk/)

**Sub-contracting arrangements**

9. 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.

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

11. Please note that the Authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific legal form is deemed by the Authority as being necessary for the satisfactory performance of the contract.

12. 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.

‘**Self-cleaning’**

13. Any Supplier that answers ‘Yes’ to questions within part 2 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleans” the situation referred to in that question. The Supplier has to demonstrate it has taken such remedial action, to the satisfaction of the Authority in each case.

If such evidence is considered by the Authority (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.

In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has;

* paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
* clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
* taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, the Supplier shall be given a statement of the reasons for that decision.

*The Authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the Public Contracts Regulations 2015, or pursuant to an order of the court or demand made by any competent authority or body where the Authority is under a legal or regulatory obligation to make such a disclosure*

## Minimum requirements assessment criteria

Please refer to Section 2 above – SSQ Guidance, Completion and Declarations

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| --- | --- | --- |
| **PART 1 - SUPPLIER INFORMATION** | | |
| Section 1 - Supplier information | | No score. For information only |
| **PART 2 - EXCLUSION GROUNDS** | | |
| Section 2 - Grounds for mandatory exclusion | | **Pass/fail** |
| Section 3 - Grounds for discretionary exclusion | | **Pass/fail**  Please note it is possible to self-clean as explained in Section 13 above. |
| **PART 3 - SELECTION QUESTIONS** | | |
| Section 4 - Equalities | | **Pass/fail** |
| Section 5 – Requirements under the Modern Slavery Act 2015 | | **Pass/fail** |
| Section 6 - Environmental management | | **Pass/fail** |
| Section 7 - Health and safety | | **Pass/fail** |
| Section 8 – Economic and Financial standing | | **Pass/fail** |
| Section 9 - Insurance | | **Pass/fail** |
|  | Declarations | These must be signed and returned in order for us to accept your submission. |

Please note we will undertake due diligence checks on all information requested prior to any potential award. This may include detailed financial checks and requests / evidence for relevant certifications.

**PART 1 - SUPPLIER INFORMATION**

## Section 1 - Supplier information

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| --- | --- | --- | --- |
| **Contact details** | | | |
| 1 | Contact name  *[the person completing this questionnaire]* |  | |
| Name of organisation (if different from the Supplier name below) |  | |
| Phone number |  | |
| Email address |  | |
| Postal address |  | |
| **Lead Supplier details** | | | |
| 1.1 | Full name of the Supplier |  | |
| Registered office address |  | |
| Registered website (if applicable) |  | |
| Trading status        *[please mark 'x' in the relevant box to indicate your trading status* | a. Public limited company (plc) |  |
| b. Limited company (Ltd) |  |
| c. Limited liability partnership (LLP) |  |
| d. Other partnership |  |
| e. Sole trader |  |
| f. Third sector |  |
| g. Other (please specify) |  |
| Date of company registration |  | |
| Company registration number |  | |
| Charity registration number (if applicable) |  | |
| Head office DUNS number (if known) |  | |
| Registered VAT number |  | |
| Trading name(s) that will be used if successful in this procurement |  | |
| Name of immediate parent company (if applicable) |  | |
| Name of ultimate parent company (if applicable) |  | |
| Relevant classifications    *[please mark 'x' in the relevant box to indicate whether you fall within one of these* | a. Voluntary community social enterprise (VCSE) |  |
| b. Sheltered workshop |  |
| c. Public service mutual |  |
| 1.1.(a) | Are you a small, medium, or micro enterprise (SME)?    *[please state yes/no]* |  | |

1.1.a - Please note that we may require you to provide details of persons of significant control (PSC) in accordance with the Small Business, Enterprise, and Employment Act 2015. A PSC is someone who owns or controls your company.

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| **Licensing and registration** | | |
| 1.1(b) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?    *[please state yes/no]* | *[If yes please provide the relevant details, including the registration number(s) below]* |
| Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement?    *[please state yes/no]* | *[If yes please provide additional details of what is required and confirmation that you have complied with this below]* |

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

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

# PART 2 - EXCLUSION GROUNDS

## Section 2 - Grounds for mandatory exclusion

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

The Authority reserves the right to use its discretion to exclude a candidate where it can demonstrate by any appropriate means that the candidate is in breach of its obligations relating to the non-payment of taxes or social security contributions

For the list of exclusions, please see:

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

UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register and must file the PSC information with the central public register at Companies House. [See PSC guidance.](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships)

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| **Grounds for mandatory exclusion** | | | |
| 2.1.a | **Regulations 57(1) and (2)**  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences below.    *[please state yes/no]* | | |
| Participation in a criminal organisation? | |  |
| Corruption? | |  |
| Fraud? | |  |
| Terrorist offences or offences linked to terrorist offences? | |  |
| Money laundering or terrorist financing? | |  |
| Child labour and other forms of trafficking in human beings? | |  |
| 2.1.b | If you have answered ‘yes’ to any of the elements of question 2.1.a, please provide further details. Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction, Identity of who has been convicted If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  | |
| 2.2 | If you have answered ‘yes’ to any of the points above, have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion (self-cleaning)? | *[If yes please provide details below]* | |
| 2.3 | **Regulation 57(3)**  Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions?    *[please state yes/no]* | *[If yes, please provide further details below or in a separate appendix (if necessary). Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines.]* | |
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*Section 3 - Grounds for discretionary exclusion*

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| **Grounds for discretionary exclusion** | | | | |
| 3.1 | **Regulation 57 (8)**  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.    *[please state yes/no]* | | | |
| Breach of environmental obligations? |  | | |
| Breach of social obligations? |  | | |
| Breach of labour law obligations? |  | | |
| Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any state. |  | | |
| Guilty of grave professional misconduct? |  | | |
| Entered into agreements with other economic operators aimed at distorting competition? |  | | |
| Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure. |  | | |
| Been involved in the preparation of the procurement procedure? |  | | |
| Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions. |  | | |
| The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria. |  | | |
| The organisation has withheld the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria. |  | | |
| The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. |  | | |
| The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. |  | | |
| 3.2 | If you have answered yes to any of the elements of question 3.1 above, please explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion (self-cleaning). |  | | |
| **PART 3: SUPPLIER SELECTION QUESTIONS**  **Responses to Questions 4 – 8 will be assessed on a Pass/Fail basis.** | |  |  |
| **4 EQUALITIES** | | | | |
| 4.1 | In the last three years, has any finding of unlawful discrimination been made against your organisation by an employment tribunal, an employment appeal tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? |  | | |
| In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination? |  | | |
| **5 Requirements under the Modern Slavery Act 2015** | | | | |
| 5.1 | Are you a relevant commercial organisation as defined by section 54 (transparency in supply chains etc) of the Modern Slavery Act 2015?    *[Commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more]* |  | | |
| 5.2 | If you have answered yes to question 5.1 are you compliant with the annual reporting requirements contained within section 54 of the Act? | *If yes please provide a link to your statement. If no, please provide an explanation* | | |
| **6 ENVIRONMENTAL MANAGEMENT** | | | | |
| 6.1 | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including any local authority)?    *[please state yes/no]* |  | | |
| *If your answer to the this question is yes, please provide details in a separate appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.*  *The Authority will not select suppliers that have been successfully prosecuted or served notice under environmental legislation in the last three years, unless the Authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches.* | | | |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to them?    *[please state yes/no]* |  | | |

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| **7** | **HEALTH AND SAFETY** |  |
| 7.1 | Has your organisation or any of its directors or executive officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last three years? |  |
|  | If you answered yes please provide details |  |
| **8** | **ECONOMIC & FINANCIAL STANDING** |  |
| 8.1 | a. Please confirm you can provide a copy of your audited accounts for the last two years, and/or | YES / NO |
| b. Please confirm you can provide a statement of the turnover, profit and loss account, balance sheet and statement of cash flow for the most recent year of trading and /or | YES / NO |
| c. Please provide a statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position  and/or | YES / NO |
| d. Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status) | YES / NO |

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| --- | --- | --- |
| **9 Insurance** | |  |
| 9.1 | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:   1. public liability insurance to a minimum level of five million pounds (£5,000,000) in respect of each claim, with no limit on the number of claims, or as required by Applicable Laws; 2. employer's liability insurance to a minimum level of ten million pounds (£10,000,000) in respect of each claim, with no limit on the number of claims or as required by Applicable Laws; and 3. motor vehicle insurance in line with Best Industry Practice; 4. product liability insurance to a minimum level of two million pounds (£2,000,000) in respect of each claim, with no limit on the number of claims; and 5. cyber insurance to a minimum level of five million pounds (£5,000,000) in respect of each claim, with no limit on the number of claims;     *[It is a legal requirement that all companies hold Employer’s (compulsory) Liability Insurance of £5m as a minimum. Please note this requirement may not be applicable to sole traders or where you are the sole director of a limited company, own 50% or more of the shares, and have no employees]* | *[please state yes/no]*  YES / NO  YES / NO  YES / NO  YES / NO  YES / NO |

**Section 10 Declaration**

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| --- | --- | --- |
| **Declaration** | | |
| I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.  I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.  I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.  I understand that the Authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.  I am aware of the consequences of serious misrepresentation. | | |
| 1.3.a | Name |  |
| 1.3.c | Role in organisation |  |
| 1.3.h | Date |  |
| 1.3.g | Signature (electronic is ok) |  |