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Direct Invitation to Quote (DITQ)

Part 3 – Appendices

DN323115 Family Group Conference Coordinators

Part 3 – Please complete and return:

* Section 1 Contact details
* Section 2 Grounds for mandatory exclusion
* Section 3 Grounds for discretionary exclusion
* Section 4 Grave professional misconduct – additional questions
* Insurance
* Appendix 1 Form of tender
* Appendix 2 Certificate of non-collusion and non-canvassing
* Declaration to be signed by the lead organisation

**Supplier Information**

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| **Section 1** | **Contact details** |
| 1.1(a) | Contact name |  |
| 1.1(b) | Name of organisation |  |
| 1.1(c) | Role in organisation |  |
| 1.1(d) | Phone number |  |
| 1.1(e) | E-mail address  |  |
| 1.1(f) | Postal address |  |
| 1.1(g) | Signature (electronic is acceptable) |  |
| 1.1(h) | Date |  |

**Exclusion Grounds**

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

A completed declaration provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds.

Please answer the following questions in full.

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| **Section 2** | **Grounds for mandatory exclusion** |
| 2.1(a) | **Regulations 57(1) and (2)** The detailed grounds for mandatory exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions. Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). |
|  | Participation in a criminal organisation | Yes [ ] No [ ]  If Yes please provide details at 2.1(b) |
|  | Corruption | Yes [ ] No [ ]  If Yes please provide details at 2.1(b) |
|  | Fraud | Yes [ ] No [ ]  If Yes please provide details at 2.1(b) |
|  | Terrorist offences or offences linked to terrorist activities | Yes [ ] No [ ]  If Yes please provide details at 2.1(b) |
|  | Money laundering or terrorist financing | Yes [ ] No [ ]  If Yes please provide details at 2.1(b) |
|  | Child labour and other forms of trafficking in human beings | Yes [ ] No [ ]  If Yes please provide details at 2.1(b)  |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction.Identity of who has been convicted.If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) | Yes [ ] No [ ]   |
| 2.3(a) | **Regulation 57(3)**Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | Yes [ ] No [ ]   |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  |

Please Note: The authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

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| **Section 3** | **Grounds for discretionary exclusion**  |
| 3.1 | **Regulation 57 (8)**The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions. Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. |
| 3.1(a) | Breach of environmental obligations?  | Yes [ ] No [ ]  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations?  | Yes [ ] No [ ] If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations?  | Yes [ ] No [ ] If yes please provide details at 3.2 |
| 3.1(d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? | Yes [ ] No [ ] If yes please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes [ ] No [ ]  f yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes [ ] No [ ] If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes [ ] No [ ] If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes [ ] No [ ] If yes please provide details at 3.2 |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? | Yes [ ] No [ ] If yes please provide details at 3.2 |
| 3.1(j) | Please answer the following statements |
| 3.1(j) - (i) | The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria. | Yes [ ] No [ ] If Yes please provide details at 3.2 |
| 3.1(j) - (ii) | The organisation has withheld such information. | Yes [ ] No [ ] If Yes please provide details at 3.2 |
| 3.1(j) –(iii) | The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. | Yes [ ] No [ ] If Yes please provide details at 3.2 |
| 3.1(j)-(iv) | The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes [ ] No [ ] If Yes please provide details at 3.2 |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  |

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| **Section 4** | **Grave professional misconduct – additional questions****Please answer the following questions in relation to blacklisting**In relation to the questions set out in 4.1 below the authority may exclude any Supplier who answers ‘**No**’ in any of the following situations set out in paragraphs (a) to (d);  |
| 4.1(a) | Do you certify that your organisation has not done any act contrary to the Employment Relations Act 1999 (Blacklisting) Regulations 2010, s137 of the Trade Union and Labour Relations (Consolidation) Act 2002 and/or the Data Protection Act 1998 at any time in relation to: * the recruitment of prospective employees (e.g. seeking references, vetting);
* the dismissal of an employee;
* the treatment of existing employees (including through the provision of names for inclusion in any blacklist, or through the imposition of other detriment for any related reason);
* the use of a blacklist for any reason
 | Yes [ ] No [ ]  |
| 4.1(b) | Do you undertake, on behalf of your organisation, to not do any act contrary to the Employment Relations Act 1999 (Blacklisting) Regulations 2010, s137 of the Trade Union and Labour Relations (Consolidation) Act 2002 and/or the Data Protection Act 1998 at any time in relation to:* the recruitment of prospective employees (e.g. seeking references, vetting);
* the dismissal of an employee;
* the treatment of existing employees (including through the provision of names for inclusion in any blacklist, or through the imposition of other detriment for any related reason);
* the use of a blacklist for any reason
 | Yes [ ] No [ ]  |
| 4.1(c) | Do you certify that the principles contained in the Employment Relations Act 1999 (Blacklisting) Regulations 2010 and the Data Protection Act 1998 have been, or will be, brought to the attention of all your employees as well as all your sub-contractors, suppliers, employment/recruitment agencies and associated companies providing services, information or materials connected with the tender and any contract entered into with such sub-contractors, suppliers, employment/recruitment agencies or associated companies will be made on the basis of compliance with the above principles by all parties | Yes [ ] No [ ]  |
| 4.1(d) | Do you certify that any organisation with which you are legally related (through any parent/subsidiary or group structure) has not done any act contrary to the Employment Relations Act 1999 (Blacklisting) Regulations 2010, s.137 of the Trade Union and Labour Relations (Consolidation) Act 2002 and/or the Data Protection Act 1998 in relation to:* the recruitment of prospective employees (e.g. seeking references, vetting);
* the dismissal of an employee;
* the treatment of existing employees (including through the provision of names for inclusion in any blacklist, or through the imposition of other detriment for any related reason);
* the use of a blacklist for any reason
 | Yes [ ] No [ ]  |
| Note: In the event that you are unable to provide the certification required in this section please inform the council accordingly providing details relating to the circumstances as to why you are not able to provide the certification. The council will then review the details provided and carry out any necessary investigation to form a view as to whether the facts giving rise to the non-certification amount to an act of grave misconduct in the course of business or profession for purposes of Public Contracts Regulations 2015, Regulation 57(8)(c) such as to disqualify you from tendering for this contract. In order to make this assessment it would be of assistance to the council if you could provide the following information: * A description of the scope and nature of the blacklisting activities that have been carried out;
* A description of the steps taken to repair the damage done by such blacklisting activities;
* A description of any personnel changes that have been made to address the problem of blacklisting;
* A description of any organisational / structural changes that have been made to prevent blacklisting occurring in the future.

If you are not able to provide the certification in respect of any related company, please provide details as is required of any blacklisting by your organisation (see above). In addition, please provide details of any matters that demonstrate that the offending behaviour cannot be attributed also to your organisation. In this respect, you may consider it relevant to include details of the ownership, management, control and power exercised by the related company and by any common parent company (if different) over your own. |

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| **Insurance** |
| 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: |
| Employer’s (Compulsory) Liability Insurance = N/A | Yes [ ] No [ ]  |
| Professional Indemnity Insurance = £5 million | Yes [ ] No [ ]  |
| Public Liability Insurance = £5 million | Yes [ ] No [ ]  |
| Product Liability Insurance = N/A | Yes [ ] No [ ]  |
| **\*It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.** |

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| **Qualifications** |
| Please confirm whether you have completed accredited training to conduct Family Group Conferences and/or Lifelong Links\* |
| Family Group Conference training certificate (mandatory) | Yes [ ] No [ ]  |
| Lifelong Links training certificate (for info only) | Yes [ ] No [ ]  |
| Social Care, Youth & Community, Education, Health and Police (Diploma/NVQ/BTEC Level 4) | Yes [ ] No [ ]  |
| Can you evidence an annual portfolio of continuing professional development? | Yes [ ] No [ ]  |
| **\* You will be required to produce evidence before acceptance to the DPS** |

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| **Professional conduct** |  |
| Have you worked or are you working for the Council in another capacity?If yes, please describe; | Yes [ ] No [ ]  |
| Do you have a valid Disclosure Certificate from the Disclosure and Barring Service?\* | Yes [ ] No [ ]  |
| Are you willing to obtain a Disclosure Certificate from the Disclosure and Barring Service – this is now a mandatory requirement.  | Yes [ ] No [ ]  |
| **\* You will be required to produce evidence before acceptance to the DPS** |

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| **References** |  |
| Are you able provide two references from organisations with a recent direct knowledge of your work?\*Please attach contact details (name, address, telephone number) as part of your submission. | Yes [ ] No [ ]  |

**For information only**

The following questions are not being assessed (i.e. your answers to these two questions will have no impact on the Council’s assessment of your quotation).

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| 1. **London Living Wage – to be completed for all contracts**

Does your organisation pay the London Living Wage (LLW) to its staff involved in the provision of the type of services that are the subject of this procurement?Yes [ ]  No [ ]  Not known [ ]  Prefer not to say [ ]  If you were to be awarded this contract for Southwark Council, would you be prepared to pay the London Living Wage\* or above?Yes [ ]  No [ ]  Not known [ ]  Prefer not to say [ ]  \*London Living Wage as defined by Citizens UK: [www.livingwage.org.uk](http://www.livingwage.org.uk)(Please note this figure is updated from time to time.) |

**Appendix 1 - Form of Tender**

To be signed by someone authorised to act for your organisation

TO: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF SOUTHWARK

I/We the undersigned hereby offer to provide Southwark Council the services that the Council is procuring. I/we undertake to do this in accordance with the Conditions of Contract and the procurement instructions to Tenderers issued by the Council in connection with this procurement at the prices that we have submitted in the enclosed Pricing Schedule.

If this Tender that we are submitting is accepted by the Council I/we agree to execute a contract on the terms issued by the Council. I/we agree that, until such a contract is executed the Conditions of Contract and instructions to Tenderers issued by the Council and the tender submitted by us including the prices stated in our Pricing Schedule together with the Council’s written acceptance shall form the Contract.

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| --- | --- |
| **Hourly rate (words)** |  |
| **Hourly rate (figures)** |  |
| **Signature** |  |
| **Job title** |  |
| **Name and address of tenderer***(For a limited liability company, the address of the registered office should be given.)* |  |
| **Date** |  |

**Appendix 2 - Certificate of non-collusion and non-canvassing**

To be signed by someone authorised to act for your organisation.

Please sign the certificate below and also provide a certificate in the same format from each of your partners/consortium members/sub-contractors

DN323115 Family Group Conference Coordinators (the “Contract”)

**(i) Statement of non-canvassing**

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

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

**(ii) Statement of non-collusion**

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

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

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

(a) communicate to a person other than the Council, the amount or approximate amount of my/our proposed offer except where the disclosure in confidence of the approximate value of the Tender was essential to obtain insurance premium quotations required for the preparation of the Tender; or

(b) enter into any agreement or agreements with any other person that they shall refrain from tendering or as to the amount of any offer submitted by them; or

(c) offer or agree to pay or give or actually pay or give any sum of money, inducement or valuable consideration, directly or indirectly, to any person for doing or having done or having caused to be done in relation to any other offer or proposed offer, any act or omission.

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, whether legally binding or not.

I/we agree that the Council may, in its consideration of the tender submitted by us and in any subsequent actions, rely upon the statements made in this Certificate of non-collusion, and non-canvassing.

|  |  |
| --- | --- |
| **Signature** |  |
| **Name** |  |
| **Job title** |  |
| **For and on behalf of** |  |
| **Date** |  |

Declaration

To be signed by someone authorised to act for your organisation.

I confirm that, as far as I know, the answers given in this Tender Return (and any supporting modules) are correct. I understand that you will use the information to assess my organisation’s suitability to bid for the contract.

As far as I know, the information in this Tender Return is accurate. I understand that giving false information could result in my organisation’s bid being excluded.

I accept that it would be wrong to try to influence staff or councillors when they are awarding this contract.

Please note that if you fill in the Tender Return electronically using Pro Contract [[https://procontract.due-north.com](https://procontract.due-north.com/)/](https://procontract.due-north.com/) we will consider that it has been signed electronically within the meaning of the Electronic Communications Act 2000.

By signing by hand or sending us this Tender Return electronically, you agree that you fully understand what this means. If we find out that you (or someone acting for you, with or without your knowledge) have made any type of gift or promise (financial or otherwise) to get a contract or other agreement, or to prevent other people from getting a contract, we may cancel the contract and recover any costs from your company.

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| --- | --- |
| **Signature** |  |
| **Name** |  |
| **Job title** |  |
| **For and on behalf of** |  |
| **Date** |  |

1. For the list of exclusion please see <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-1)