



South Tyneside Council

SOUTH TYNESIDE COUNCIL

(INSERT NAME OF PROJECT)

PROJECT NUMBER: (INSERT)

**Selection Questionnaire (SQ)
and
Instructions to Bidders and
Evaluation Methodology**

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Introduction to South Tyneside Council

1 Details of Contract

Item	Contract details
OJEU Reference	(INSERT IF APPLICABLE)
NEPO Portal Reference	(INSERT)
Council	South Tyneside Council
Contract Description	(INSERT)
Procuring Officer	Any queries must be raised 7 days before the Submission of Tenders closing date set out in the ITT through the Q&A section on: https://procontract.due-north.com/Login

2 Submission Instructions

Submission instructions	One copy of the Selection Questionnaire (compatible with Microsoft Office or Acrobat/PDF) via the e-tender system.
SQs to be submitted to	<p>https://procontract.due-north.com/Login</p> <p>Tenders must be submitted using the link above. Tenders must not be submitted via postal or email methods.</p> <p>If you need some guidance on how to submit your response through the NEPO Portal, please visit the NEPO website training section at https://www.nepo.org/suppliers/learn to access the Navigating the Portal suite of videos. These also include useful information on how to manage your online ProContract account.</p> <p>Proactis Supplier Support Helpdesk Ticketing System (http://proactis.kayako.com) - To be used by Suppliers for non-time critical issues i.e. password resets / account queries, finding information, etc.</p> <p>Email (ProContractSuppliers@proactis.com) - To be used in same way as ticketing system. Any emails to this address will auto-log a support ticket on Proactis Supplier Support Helpdesk.</p> <p>Emergency Contact (0330 005 0352) - To be used by Suppliers for critical support only i.e. document submission near tender deadline - this should be used by exception and only in an emergency situation.</p>

3 Background to Contract

3.1 The contract is for the provision of (INSERT NAME OF PROJECT). The initial contract duration will be for ? years with options to extend for a period or periods of up to ? years, commencing (INSERT CONTRACT START DATE).

3.2 Supplier Incentive Programme

The Council requires that Tenderers agree to participate in the Council's early payment programme, known as the Supplier Incentive Programme ("SIP"). The SIP operates on a sliding scale basis. All invoices should still be submitted by the Tenderer at full value and any rebate will be determined by the Council dependent on the actual payment date that the Council achieves, and how many days this actual payment date is earlier than the contracted payment term of 30 days from the date the invoice is correctly received. The actual payment date is the day on which the Council executes its payment run that includes payment of the invoice in question.

Early payment rebates that the Council will be entitled to deduct and retain will be calculated in accordance with the table in Appendix 1 of the Terms and Conditions. The early payment rebate is applied to the gross amount that is being invoiced (therefore including all sums being invoiced). For more information visit:

<https://www.southtyneside.gov.uk/article/33532/Supplier-Incentive-Programme> and click on the link "Find out more about the Supplier Incentive Programme".

4 Timetable

This timetable is indicative only; the Council reserve the right to change it at its discretion.

Stage	Date and time
Submission of completed SQs & Tenders	(INSERT)
Evaluation of completed SQs	(INSERT)
Evaluation of Submissions of Tenderers who have passed SQ	(INSERT)
Notification of Outcome of Tender Exercise	(INSERT)
Anticipated Contract Start	(INSERT)

5 Filling in the Questionnaire

5.1 The Questionnaire is split into 3 parts – the first two of which are standard mandatory questions, and the third part is split into several project specific sections, each with its own questions. It must be completed by the applicant organisation, and the responses will be scored as described in Section 6 (Evaluation of Questionnaires) below. If there are any questions that do not apply please mark them 'N/A' with an explanation where appropriate.

- 5.2 In the event that the applicant organisation is a Consortia, joint venture or other similar arrangement please see 5.3 – 5.8 below:
- 5.3 If your organisation is a consortium or partnership then you must nominate a lead consortium member who will submit the SQ response on behalf of the whole consortium.
- 5.4 All other member(s) of the Consortium should note below the sections of the SQ that require completion
- Part 1 (Potential Supplier Information) – to be completed by all consortium members
 - Part 2 (Exclusion Grounds) – to be completed by all consortium members
 - Part 3 Section 4 (Economic and Financial Standing) – single response submitted by Lead Member but using the ratio test document for Consortium bids.
 - Part 3 Section 5 (Technical & Professional Ability) – single response submitted by Lead Member on behalf of all members of the consortium.
 - Part 3 Section 6 (Modern Slavery Act) – single response submitted by Lead Member on behalf of all members of the consortium.
 - Part 3 Section 7.1 (Technical and Professional Ability / Project Specific - General) – single response submitted by Lead Member on behalf of all members of the consortium.
 - Part 3 Section 7.2 (Insurance) – self certification to be completed by all consortium members.
 - Part 3 Section 7.3 (Health and Safety) – to be completed by Lead Member (the Council reserves the right to request other members to complete the documentation).
 - Any other Sections?
- 5.5 The lead consortium member is responsible for submitting the SQ responses for the consortium.
- 5.6 Each consortium or partnership member's SQ submission will be evaluated in accordance with the Evaluation of Questionnaires section below. In the event that one or more of the consortium or partnership members' SQ fails any section, then the consortium or partnership submission is deemed to fail.
- 5.7 The Council recognises that any arrangements in relation to consortia may be subject to future change. Organisations should therefore respond in the light of arrangements as currently envisaged. During the procurement process any changes to the composition of the consortium or partnership must be notified to the Council immediately. The new consortium or partnership member will be required to complete the SQ which will be assessed in accordance with the rules set out in the SQ.
- 5.8 If a consortium is not proposing to form a corporate legal entity the Council reserves the right to require a successful consortium to form a single legal entity.

Sub-contracting arrangements

- 5.9 Any changes to subcontracting arrangements must be notified to the Council.

6 Evaluation of Questionnaires

6.1 The Council will assess the questionnaires as set out below. Organisations should also refer to the SQ Evaluation Matrix (ITT Schedule 5a) which identifies how the marks will be allocated.

Section	Assessment
Part 1	This section is for information only.
Part 2	This section will be evaluated on a pass or fail basis.
Part 3 – Section 4 Economic & Financial Standing	This section will be evaluated on a pass or fail basis on the application of an accounting ratio test using accounts information from the bidding organisation
Part 3 – Section 5 Technical & Professional Ability	This section will be evaluated on a scored basis. Any applicant failing to meet the minimum threshold of ? marks out of ? available marks (assuming 5.3 in lieu of 5.1 is answered) will result in a failed submission.
Part 3 – Section 6 Modern Slavery Act	This section will be evaluated on a pass or fail basis.
Part 3 – Section 7.1 General	This section will be evaluated on a pass or fail basis.
Part 3 – Section 7.2 Insurance	This section will be initially evaluated on a self-certification basis, with evidence required in the event that the applicant is successful at contract award stage.
Part 3 – Section 7.3 Health and Safety	This section will be evaluated on a pass or fail basis.
Appendix 2 – Reference	This section will be scored.
Selection	<p>Parts 1 and 2 (Sections 1, 2 and 3) will be initially assessed.</p> <p>Any applicant's submissions failing to achieve a 'Pass' for all of these parts and sections will result in a failed submission and Part 3 (Sections 4, 5, 6, 7 and the References) will not be assessed.</p> <p>The Council will rank the applications that pass the mandatory Pass/Fail sections and exceed the threshold score of xxx out of Xxx marks available for section 5 and the References, according to their total score, and anticipates inviting the highest 5 to 7 ranked applicants to tender.</p> <p>Any documentation relating to self-certification questions will be requested from the shortlisted applicants, and the documentation relating to the proposed successful tenderer following completion of the tender evaluation process will be</p>

Section	Assessment
	<p>vetted to ensure that it is satisfactory. In the event that the documentation is not found to be satisfactory, that tender submission will be deemed non-compliant and the remaining tenders will be re-evaluated as necessary, including vetting the documentation of the 'revised proposed successful tenderer'.</p> <p>For the avoidance of doubt, no SQ applications previously identified as failing to be shortlisted will be introduced as a 'substitute' where this non-compliant scenario arises <u>unless</u> all of the shortlisted applicants' tenders are subsequently deemed to be non-compliant due to unsatisfactory self-certification documentation.</p> <p>Applicants must Pass all the Parts and Sections within the SQ in order to be progress to the Tender Award Stage.</p>

7 Important Notice

- 7.1 This Selection Questionnaire (SQ) is for use by Organisations who are interested in providing an (INSERT NAME OF PROJECT) (the 'Contract'), their professional advisers and other parties essential to preparing responses to the SQ and for no other purpose.
- 7.2 The contents of this SQ and of any other documentation sent to you in respect of this tender process, are provided on the basis that they remain the property of the Council and must be treated as confidential. If you are unable or unwilling to comply with this requirement you are required to destroy this SQ and all associated documents immediately and not to retain any electronic or paper copies.
- 7.3 This SQ is made available in good faith. No warranty is given as to the accuracy or completeness of the information contained in it and any liability for any inaccuracy or incompleteness is therefore expressly disclaimed by the Council and its advisers.
- 7.4 The Council reserves the right to reject SQs which are not submitted in accordance with the instructions given.
- 7.5 The Council reserves the right to cancel the tender process at any point. The Council is not liable for any costs resulting from cancellation of this process nor for any costs incurred by Organisations taking part in the tender process.
- 7.6 The SQ must be received in accordance with the relevant instructions no later than the date specified. PLEASE NOTE any SQs received after the stated deadline WILL NOT be accepted. Please ensure you allow sufficient time to upload your SQ response and all documents relevant to your submission.
- 7.7 In the event that Tenderers believe that they are unable to submit a SQ through the electronic system or require assistance or further information to be able to use the e-tendering process they must contact the Procuring Officer **no later than 4 calendar days before the submission date for the Tender** to enable any technical queries to be investigated and resolved.
- 7.8 SQs must be completed in the English language. The SQ can be made available in other languages or formats that are appropriate for the Tenderer upon request.

- 7.9 Organisations are deemed to understand fully the processes that the Council is required to follow under relevant European and UK legislation, particularly in relation to The Public Contracts Regulations 2015.
- 7.10 A reference to any statute, order, regulation or similar instrument shall be construed as a reference to the statute, order, regulation or instrument as amended by any subsequent statute, order, regulation or instrument or as contained in any subsequent re-enactment

8 Freedom of Information and Environmental Information Statement

- 8.1 The Council are subject to The Freedom of Information Act 2000 (Act) and The Environmental Information Regulations 2004 (EIR).
- 8.2 As part of the Council's duties under the Act or EIR, it may need to disclose information about the procurement process or the Contract to anyone who makes a request.
- 8.3 If an Organisation thinks that any of the information given in their SQ is commercially sensitive (meaning it could reasonably cause prejudice to the organisation if disclosed to a third party) then it should be clearly marked as '**Not for disclosure to third parties**'. Organisations should also give valid reasons in support of the information being exempt from disclosure under the Act and the EIR.
- 8.4 The Council aim to consult with Organisations and consider comments and any objections before it releases any information to a third party under the Act or the EIR. However, the Council will be entitled to decide in its absolute discretion whether any information is:
- 8.4.1 exempt from the Act or the EIR; or
 - 8.4.2 to be disclosed in response to a request for information.
- 8.5 The Council must make its decision on disclosure in line with the provisions of the Act or the EIR and can only withhold information if it is covered by an exemption from disclosure under either of them.
- 8.6 The Council will not be held liable for any loss or prejudice caused by the disclosure of information that:
- 8.6.1 has not been clearly marked as 'Not for disclosure to third parties' with supporting reasons (referring to the relevant category of exemption under the Act or EIR where possible);
 - 8.6.2 does not fall into a category of information that is exempt from disclosure under the Act or EIR (for example, a trade secret or would be likely to prejudice the commercial interests of any person); or
 - 8.6.3 in cases where there is no absolute statutory duty to withhold information, then notwithstanding the previous clauses, in circumstances where it is in the public interest to disclose any such information.

Standard Selection Questionnaire

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 exclusion¹. 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 exclusions grounds. Consequently we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. 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 point given in the procurement documents along with the selection information requested in the procurement documentation.

Supplier Selection Questions: Part 3

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

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

¹ 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

INSERT PROCUREMENT NAME

INSERT TRP REFERENCE NUMBER

INSERT PROCUREMENT PROCEDURE I.E. OPEN, RESTRICTED

Notes for completion

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) 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.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. All subcontractors are required to complete Part 1 and Part 2.
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.

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

PART 1 – Potential Supplier Information

Note to Organisation

Part 1, Section 1 - Supplier information

The Council needs the Organisation profile section for information purposes only to ensure the Council has the correct details of all Organisations.

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

This Section must be completed by all organisations

It is essential that consortium, joint venture or other arrangements bids are fully explained to the Council.

Consortia Bids

Sole Bidding Organisations

You are a sole bidding organisation if you are the only organisation bidding for this contract as part of your submission. You may intend to use subcontractors, consultants or other partner organisations to deliver against the requirements of the contract, but your organisation will be liable to the Council for the delivery of the requirements of the contract.

Consortia, Partnerships and Joint Ventures

You are a consortium if you are submitting a bid in partnership with another organisation or organisations, with the intention that all named bidders will be jointly awarded the contract. All parties will be jointly and severally liable to the Council for the delivery of the requirements of the contract, regardless of the value of their contribution in respect of the contract sum, time, volume, quality or any other considerations. The Council must be informed of any withdrawal of members of the consortium, partnership or joint venture during or subsequent to the SQ so that the implications of such a withdrawal may be assessed by the Council.

Special Purpose Vehicles

You are a special purpose vehicle (SPV) if you have formed or will form such an entity if successful, a limited liability partnership or other legal entity for the purpose of bidding for this contract, with the intention that this vehicle will be awarded the contract. This SPV legal entity will be liable to the Council for the delivery of the requirements of the contract.

Other arrangement

You should answer 'Other Arrangement' if the contractual structure of your consortium is different to those outlined above. Full details must be provided in Part 1.

The lead member of a consortium must ensure that a completed SQ is submitted in respect of each member of the consortium, partnership or joint venture as appropriate, in accordance with the requirements set out in Paragraph 5 of this document.

The completed SQ(s) for each of the consortium members or partners should be referenced as “SQ - *Organisation name*” and attached and submitted with the Lead Member’s submission.

Section 1	Potential supplier information	
Question number	Question	Response
1.1(a)	Full name of the potential supplier submitting the information	
1.1(b) – (i)	Registered office address (if applicable)	
1.1(b) – (ii)	Registered website address (if applicable)	
1.1(c)	Trading status a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify your trading status)	
1.1(d)	Date of registration in country of origin	
1.1(e)	Company registration number (if applicable)	
1.1(f)	Charity registration number (if applicable)	
1.1(g)	Head office DUNS number (if applicable)	
1.1(h)	Registered VAT number	
1.1(i) - (i)	If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
1.1(i) - (ii)	If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s).	
1.1(j) - (i)	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?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(j) - (ii)	If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this.	
1.1(k)	Trading name(s) that will be used if successful in this procurement	
1.1(l)	Relevant classifications (state whether you	

	fall within one of these, and if so which one) a) Voluntary Community Social Enterprise (VCSE) b) Sheltered Workshop c) Public service mutual	
1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) ² ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(n)	Details of Persons of Significant Control (PSC), where appropriate: ³ - Name; - Date of birth; - Nationality; - Country, state or part of the UK where the PSC usually lives; - Service address; - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used); - Which conditions for being a PSC are met; - Over 25% up to (and including) 50%, - More than 50% and less than 75%, - 75% or more. ⁴ (Please enter N/A if not applicable)	
1.1(o)	Details of immediate parent company: - Full name of the immediate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	
1.1(p)	Details of ultimate parent company: - Full name of the ultimate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	

² See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

³ 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.](#)

⁴ Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award.

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

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

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 <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/>					
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					

Contact details and declaration

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

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

Part 2: Exclusion Grounds

Note to Organisation

Part 2 – Exclusion Grounds: Section 2 - Grounds for mandatory exclusion

Mandatory Grounds – Answering NO to any of the mandatory grounds means that your organisation is confirming there are no convictions and this will result in a pass for this Section.

Answering YES to any one of the mandatory grounds will result in a fail for this Section unless the Council is satisfied that there are overriding requirements in the general interest which justify disregarding the mandatory ground.

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 2	Grounds for mandatory exclusion	
Question number	Question	Response
2.1(a)	Regulations 57(1) and (2) The detailed grounds for mandatory exclusion of an organisation are set out on this webpage , 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 .	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at

		2.1(b)
	Child labour and other forms of trafficking in human beings.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(a), please provide further details.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.</p>	
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 <input type="checkbox"/> No <input type="checkbox"/>
2.3(a)	<p>Regulation 57(3)</p> <p>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?</p>	Yes <input type="checkbox"/> No <input type="checkbox"/>
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.

Note to Organisation

Part 2 – Exclusion Grounds: Section 3 - Grounds for discretionary exclusion

Discretionary Grounds – Answering NO to any of the discretionary grounds means that your organisation is confirming there are no convictions and this will result in a pass for this Section.

Answering YES to any one of the discretionary grounds will result in a fail for this Section unless the Council is satisfied that there are overriding requirements in the general interest which justify disregarding the discretionary ground.

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

Section 3	Grounds for discretionary exclusion	
	Question	Response
3.1	Regulation 57 (8) The detailed grounds for discretionary exclusion of an organisation are set out on this webpage , 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (b)	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2

3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2
3.1(j) - (ii)	The organisation has withheld such information.	Yes <input type="checkbox"/> No <input type="checkbox"/> 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 <input type="checkbox"/> No <input type="checkbox"/> 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	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 3.2

	award.	
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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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PART 3 – Selection Questions

Section 4 – Economic & Financial Standing

Notes to organisation:

This Section must be completed by all organisations

The information required must be provided by the bidding organisation in full and, if applicable, for each of its consortium members or formal partners. If any of the information required is not provided, the response of the bidding organisation may be disqualified from the SQ evaluation process

In respect of the financial evaluation of your Organisation, the Council reserves the right to use the services of an independent third party credit reference agency to assess reporting status with Companies House. It is the responsibility of bidding organisations to ensure that this information is up to date.

Bidding organisations will be assessed as follows:

Application of an accounting ratio test using accounts information from the bidding organisation. The accounting ratio test is provided as an excel workbook at Annex 1.

The Accounting Ratio test is designed to be self-completed by the bidding organisation to enable the organisation to determine whether they will pass the test.

A single bidding organisation should complete Annex 1 and consortia bids should complete Annex 3

Annex 1 Sheet 1 (Data Input) is the data input sheet – whereby bidders are requested to input the figures from their submitted accounts into the pink highlighted cells.

Annex 1 Sheet 2 (Ratio Scores Generated) generates the ratio scores in the yellow cells (from the figures input in sheet 1).

Annex 1 Sheet 3 (Annual Score and Combined Score) combines the scores for the three years.

Annex 2 is a worked example of figures input from the accounts and the resulting scores.

Annex 3 is the data input sheet to be completed by consortia bids,

The scores for each year's accounts are weighted 0.5; 0.3; 0.2 in respect of the most recent three years' accounts.

If only two years' figures are available instead of 3 – the weighting for the two years may be amended to 0.6 and 0.4 by selecting 2 years in the drop down list in cell D7 on the "Data Input" tab.

If only 1 year's figures are available then the ratios calculated for that single, most-recent year – will have the whole 100% weighting, and this is done by selecting 1 year in the drop down list in cell D7 on the "Data Input" tab.

The table below sets out the components of the accounting ratio test.

The components of the ratio test include efficiency, profitability, liquidity, gearing and estimated contract value as a proportion of turnover and tangible net worth.

The scores for each year's accounts are weighted 0.5 ; 0.3 ; 0.2 in respect of the most recent three years' accounts; 0.6 ; 0.4 if only two years' accounts are available, and X 1 for the single year if only 1 years' accounts are available.

The scoring in respect of the elements of the accounting ratios is provided below. Each of the first 6 calculations will earn a score of between 0 and 5 – as indicated in each row. The scores for turnover and tangible net worth earn a score of 10 each. A score of 25 or higher on the ratio test model, out of a maximum of 50, is a pass.

The Table below indicates how the entries are scored

SCORING TABLE

Scoring Table for the financial ratios							
	Scores ;	5	4	3	2	1	0
Ratios	Formula						
Efficiency							
Return On Capital Employed	$\frac{\text{Profit Before Interest and Tax}}{\text{Capital Employed}}$	>20%	>15%	>10%	>5%	>1%	otherwise 0
Profitability							
Net Profit	$\frac{\text{Profit Before Interest and Tax}}{\text{Turnover}}$	>9%	>7%	>5%	>3%	>1%	otherwise 0
Liquidity							
Current Ratio	$\frac{\text{Current Assets}}{\text{Current Liabilities}}$	>1.8	>1.4	>1	>0.6	>0.2	otherwise 0
Acid Test Ratio	$\frac{\text{Current Assets} - \text{Stock}}{\text{Current Liabilities}}$	>1.8	>1.4	>1	>0.6	>0.2	otherwise 0
Gearing							
Interest Cover	$\frac{\text{Profit Before Interest and Tax}}{\text{Interest Charges}}$	>7	>4	>2	>1	>0	0
Gearing	$\frac{\text{Long Term Debt}}{\text{Net Worth}} \times 100$	otherwise	>=20%	>=40%	>=60%	>=80%	>=100%
Turnover	score (this element is weighted X2)	10	8	6	4	2	0
	A notional annual value of work under the contract as a percentage of the annual; turnover of the bidder.	<8%	>8%	>25%	>50%	>66%	>100%
Tangible Net Worth	score (this element is weighted X2)	10	8	6	4	2	0
this score is weighted X 2	$\frac{\text{Total Assets} - \text{Liabilities} - \text{Intangible Assets}}{\text{Assets}}$	>£0.42m	>£0.21m to <£0.42m	>£0.13m to <£0.21m	>£0.1m to <£0.13m	£0.0m to <£0.1m	<0m

Figures need to be entered in £000's in the pink-highlighted cells in Annex 1 Sheet 2 for Sole Organisations, or Annex 3 for Consortia Bids. This in turn generates a score for each ratio or measure in the cream-highlighted formula cells in sheet 2. Sheet 3 summarises the scores for the 3 years to a single score in cell E42.

Bidders are requested to complete the accounting ratio test themselves, in respect of their annual accounts – and to submit the completed table, together with their annual accounts.

If, after completing the Annex 1/Annex 3 self-assessment, the bidding organisation fails the Accounting Ratio test, the bidding organisation can apply the same assessment to the Parent Company. The bidding organisation will need to submit the Company Account, the completed ratio test in respect of the appropriate parent company, and the completed Guarantee Undertaking and Deed of Guarantee and Indemnity under this scenario. The Guarantee Undertaking and Deed of Guarantee and Indemnity will need to be completed by the parent company.

If your filings of accounts are overdue in respect of Companies' House or Charity Commission submission dates the bid will fail the financial appraisal unless exceptional circumstances apply.

The Council reserves the right to request additional information should these submissions

not be up-to-date.

Bidding organisations are requested to provide the following;

A copy of your most recent audited accounts for the last two years (covering 3 years' figures).

If your organisation does not produce accounts which are audited, the Council reserves the right to seek additional information, or to request an Accountant's reference for the accounts.

The year-ending date of the accounts should be no more than 21 months old in respect of the period they cover. If the most recent accounts are more than 21 months old, please provide draft accounts for the most recent 12 months.

If the accounts include an audit qualification or warning, then the submission will fail.

The following constitutes a Pass

If the bidding organisation achieves a score of at least 25/50 on the accounting ratio test.

The bidding organisation is expected to be up-to-date with regard to the filing of accounts to Companies House (or to the Charity Commission).

If the bidding organisation fails in respect of the Accounting Ratio Test above, the test will be applied to the Parent Company (where applicable, and where the Guarantee Undertaking and Deed of Guarantee and Indemnity has been completed and returned).

Bidders are required to submit the completed ratio table with their bid submission. The ratio test will only be reviewed and checked by the Council at the later stage of contract award.

Where the bidding organisation is a local authority or other Government body (and it is not a local authority-owned company), then the financial strength of the organisation is derived from the tax base. No financial appraisal is applicable.

Consortium Bids

Where the bid is by a consortium (i.e. where separate companies combine for the bid and each will be signatories to the main contract), Annex 3 is designed to evaluate the ratio scores of the consortium.

Section 4	Economic and Financial Standing	
	Question	Response
4.1	Please state the year the organisation was established.	
4.2	Can you confirm that the filings of accounts required under the Companies Act are up to	Yes <input type="checkbox"/> No <input type="checkbox"/>

	date? (Or the return of accounts to the Charity Commission, or to the appropriate regulatory body).	N/A <input type="checkbox"/>
4.3	If the answer to the above is no or N/A please explain the reasons for the non-compliance?	
4.4	<p>Bidding organisations are requested to provide the following:</p> <ol style="list-style-type: none"> 1. A copy of your most recent <u>audited</u> accounts for the last two years covering 3 years' figures). 2. If your organisation does not produce accounts which are audited, the Council reserves the right to seek additional information, or to request an Accountant's reference for the accounts. 3. The year-ending date of the accounts should be no more than 21 months old in respect of the period they cover. If the most recent accounts are more than 21 months old, please provide draft accounts for the most recent 12 months. 	
4.5	If you are providing fewer than two years' accounts, (covering three years in total), please explain why. (e.g. Company restructuring, new start-up etc.)	
4.6	<p>Are you using Parent Company accounts to pass the Accounting Ratio test?</p> <p>If No, please go to question 4.7. If Yes, please answer questions 4.6.1 to 4.6.3</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
4.6.1	Name of Parent Company (if applicable)	
4.6.2	Company registration of the Parent Company	
4.6.3	Please complete and submit with your Tender the Deed of Guarantee and Undertaking attached at ITT Schedule ?? This must be completed by the Parent Company.	<p>Attached:</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
4.7	Please confirm that the completed accounting ratio test (Annex 1 ratio) for Sole Bidding Organisations or Annex 3 ratio for Consortia bids has been completed and the completed table provided with this submission (for either the bidding organisation, or the Parent Company, as appropriate).	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
4.8	Please confirm that the completed ratio test has achieved the minimum required score (for either	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

	the bidding organisation, or the Parent Company, as appropriate).	
4.9	Please confirm that you have submitted the annual accounts which have been used to populate the test (for either the bidding organisation, or the Parent Company, as appropriate).	Yes <input type="checkbox"/> No <input type="checkbox"/>
4.10	If a Consortium Bid, please indicate the lead member. If this is not a Consortium Bid, please state "N/A" in the box	N/A <input type="checkbox"/>

Section 5 – Technical and Professional Ability

Note to organisation

Sole Bidding Organisations and lead members of Consortia, Partnerships and Joint Ventures, and lead members of Special Purpose Vehicles must answer all questions in Section 5: Technical and Professional Ability.

Sole Bidding Organisations

You must answer each of the technical questions in respect of your own organisation.

Consortia, Partnerships and Joint Ventures

The lead consortium member must submit your SQ response on behalf of the whole consortium. You may draw on the experience, skills, capability of any combination of named consortium members in your responses, but these must be submitted by the lead consortium member in the form of a single response to each question. Answers submitted by other consortia, partnership and joint venture members will not be considered.

Special Purpose Vehicles

The lead member must submit your SQ response on behalf of the whole SPV. You may draw on the experience, skills, capability of any combination of named SPV members in your responses, but these must be submitted by the lead member in the form of a single response to each question. Answers submitted by other SPV members will not be considered.

This section will be evaluated on a scored basis for each question. The marks available are as stated against each question. Organisations should also refer to the Scoring Matrix.

Questions in Section 5 can achieve a total of ?? marks (assuming 5.3 is answered in lieu 5.1). The marks achievable for each individual question are outlined below.

You must score a minimum total of xx marks in order to Pass this section.

Question 5.1

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of ?? marks, and marked in line with the

scoring methodology in the Evaluation Matrix

Details of only three example project should be submitted - in the event that more than one is submitted only the first will be evaluated and all others disregarded.

Section 5	Technical and Professional Ability
5.1	<p>Relevant experience and contract examples</p> <p>Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.</p> <p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>Consortia bids should provide a relevant example of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then a separate example should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (an example is not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.</p> <p>If you cannot provide an example see question 5.3</p>

	Contract 1	Contract 2	Contract 3
Name of customer organisation			
Point of contact in the organisation			
Position in the organisation			
E-mail address			
Description of contract			
Contract Start date			
Contract completion date			
Estimated contract value			

Question 5.2

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of ?? marks, and marked in line with the scoring methodology in the Evaluation Matrix

5.2	<p>Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)</p> <p>Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries)</p>

Question 5.3

This question is only to be completed if question 5.1 is unable to be completed, and will be evaluated on a scored basis.

This question will be scored out of a maximum of ?? marks, and marked in line with the scoring methodology in the Evaluation Matrix

5.3	<p>If you cannot provide an example for question 5.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.</p>

Section 6 – Modern Slavery Act 2015**Note to Organisation**

Questions in this section will be evaluated on a pass or fail basis in accordance with the

criteria set out in the SQ Evaluation Matrix.

Answering NO to 6.2 without a satisfactory explanation given will result in a fail for this Section.

Section 6	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
6.1	Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?	Yes <input type="checkbox"/> N/A <input type="checkbox"/>
6.2	If you have answered yes to question 6.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?	Yes <input type="checkbox"/> Please provide the relevant url ... No <input type="checkbox"/> Please provide an explanation

Section 7 Additional Questions: Technical and Professional Ability / Project Specific

NOTE TO PROCURER

Any additional project specific questions should be inserted in here i.e.

- Technical Competency and Experience
- Safeguarding Children / Adults
- ICT and Information Governance
- Environmental
- Social Values
- Social and Economic

Note to organisation

Sole Bidding Organisations and lead members of Consortia, Partnerships and Joint Ventures, and lead members of Special Purpose Vehicles must answer all questions in Section 7.

Sole Bidding Organisations

You must answer each of the technical questions in respect of your own organisation.

Consortia, Partnerships and Joint Ventures

The lead consortium member must submit your SQ response on behalf of the whole consortium. You may draw on the experience, skills, capability of any combination of named consortium members in your responses, but these must be submitted by the lead consortium member in the form of a single response to each question. Answers submitted by other consortia, partnership and joint venture members will not be considered.

Special Purpose Vehicles

The lead member must submit your SQ response on behalf of the whole SPV. You may draw on the experience, skills, capability of any combination of named SPV members in your responses, but these must be submitted by the lead member in the form of a single response to each question. Answers submitted by other SPV members will not be considered.

Please also include the following statement, per additional question

Self-Certification Questions

Please insert the following sentence at the beginning of each Self – Cert set of questions.

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

Section 7.1 - General

Question 7.1

This section will be evaluated on a scored basis for each question. The marks available are as stated against each question. Organisations should also refer to the Scoring Matrix.

Questions in Section 7.1 can achieve a total of ?? marks (assuming 7.1.3 is answered in lieu 7.1.1). The marks achievable for each individual question are outlined below.

Question 7.1.1

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of ?? marks, and marked in line with the scoring methodology in the Evaluation Matrix

Details of only one example project should be submitted - in the event that more than one is submitted only the first will be evaluated and all others disregarded.

7.1.1	Please provide details of your approach to contract and project management, service delivery, customer care, communications and complaints. Please also provide details of the experience of the person who is responsible for quality standards

Question 7.1.2

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of ?? marks, and marked in line with the scoring methodology in the Evaluation Matrix.

7.1.2	Please confirm whether your organisation has ever had a contract terminated within the last 3 years. If the answer is yes please provide full details	Yes <input type="checkbox"/> No <input type="checkbox"/>

Question 7.1.3

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of **?? marks**, and marked in line with the scoring methodology in the Evaluation Matrix.

7.1.3	Please confirm whether your organisation has ever NOT had a contract renewed for failure to perform to the terms of the contract. If the answer is yes please provide full details	Yes <input type="checkbox"/> No <input type="checkbox"/>

Question 7.1.4

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of **?? mark**, and marked in line with the scoring methodology in the Evaluation Matrix.

7.1.4	Please confirm whether your organisation has withdrawn from a contract prematurely If the answer is yes please provide full details	Yes <input type="checkbox"/> No <input type="checkbox"/>

Question 7.1.5

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of **?? marks**, and marked in line with the scoring methodology in the Evaluation Matrix.

7.1.5	Please confirm whether your organisation or any subcontractor has any outstanding claims or had litigation against it in the last 3 years If the answer is yes please provide full details	Yes <input type="checkbox"/> No <input type="checkbox"/>
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Question 7.1.6

This question will be evaluated on a scored basis.

This question will be scored out of a maximum of **?? marks**, and marked in line with the scoring methodology in the Evaluation Matrix.

7.1.6	Please confirm whether your organisation has been involved in the creation of or use of an 'Employment Blacklist' within the last 3 years If the answer is yes please provide full details	Yes <input type="checkbox"/> No <input type="checkbox"/>

NOTE TO PROCURER

Please add in here any additional Technical / Professional general questions.

Section 7.2 – Insurance

Note to organisation

This Section must be completed by all organisations

The Council will evaluate this section on a pass or fail basis.

In order to pass this Section you must confirm that you have or if successful will buy the required levels of insurance.

The levels of insurance required for this contract are shown below.

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

Public liability £5 million

Employers liability £10 million

Section 7.2	Insurance	
7.2.1	Please self-certify whether you already have, or can	

<p>commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:</p> <p>Employer's (Compulsory) Liability Insurance = £10M</p> <p>Public Liability Insurance = £5M</p> <p>*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.</p> <p>Other Insurance = £x</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
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Section 7.3 – Health & Safety

Note to organisation

Questions in this section will be evaluated on a pass or fail basis in accordance with the criteria set out in the SQ Evaluation Matrix. You must pass all questions in order to pass this section.

Question 7.3.1 to 7.3.5

These questions will be evaluated on a pass or fail basis in line with the scoring methodology in the Evaluation Matrix.

Section 7.3	Health and Safety	
Question Number	Question	Response
7.3.1	<p>Has your organisation or any of its Directors or Executive Officers been subject to formal enforcement/remedial orders/action (e.g. Prosecution, Prohibition Notice or Improvement Notice) for contravention of the Health and Safety at Work etc. Act 1974 or equivalent legislation arising from your conduct of activities similar to those covered by this contract in the last 3 years?</p> <p>If you have answered YES, please provide details below of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. This information will be validated on the HSE website at http://www.hse.gov.uk/notices/.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

	Response:	
7.3.2	<p>Is your organisation accredited/registered with a Safety Schemes in Procurement (SSIP) member scheme? (e.g. CHAS etc.)</p> <p>If Yes, please supply a copy of the certificate indicating accreditation/registration relevant to the discipline of the tender opportunity (if you have any doubt about the relevance please contact the Procurement section before the submission date). This information will be validated with the relevant SSIP member scheme.</p> <p>If Yes, there is no need to answer questions 7.3.3, 7.3.4 and 7.3.5 below</p> <p>If No, please answer questions 7.3.3, 7.3.4 and 7.3.5 below</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
7.3.3	<p>Do you have a health and safety policy (that complies with current legislative requirements) and organisation for health and safety (H&S) management?</p> <p>If No, is this because your organisation has less than 5 employees?</p> <p>Please see Writing a health and safety policy</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
7.3.4	<p>Please confirm that you have adequate processes in place to check the competence, skills and experience of any sub-contractors employed by you.</p> <p>If no, is this because you don't use sub-contractors?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p>

7.3.5	<p>How do you ensure your organisation has access to necessary technical and Health and Safety competence, experience and skills to deliver contracts safely?</p> <p><u>Either</u> in-house – if so provide:</p> <ul style="list-style-type: none"> • H&S Advisor's CV • Copies of any H&S qualification certificates (see note below) • Description of role played in managing H&S within organisation <p><u>Or</u> externally by a Consultant – if so provide:</p> <ul style="list-style-type: none"> • Consultant's CV • Copies of any H&S qualification certificates (see note below) • Letter from consultant confirming the fact that they are retained to provide H&S advice to your organisation <p><u>Note</u></p> <p>Alternatively provide a copy of a membership number of a professional body</p> <p>This information will be validated</p>	<p>Enclosed:</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
	Response:	

Mandatory Exclusion Grounds

Public Contract Regulations 2015 R57(1), (2) and (3)

Public Contract Directives 2014/24/EU Article 57(1)

Participation in a criminal organisation

Participation offence as defined by section 45 of the Serious Crime Act 2015

Conspiracy within the meaning of

- section 1 or 1A of the Criminal Law Act 1977 or
- article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983

where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime;

Corruption

Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;

The common law offence of bribery;

Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983;

Fraud

Any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the convention on the protection of the financial interests of the European Communities:

- the common law offence of cheating the Revenue;
- the common law offence of conspiracy to defraud;
- fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
- fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;
- an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
- fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;

- the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;

Terrorist offences or offences linked to terrorist activities

Any offence:

- listed in section 41 of the Counter Terrorism Act 2008;
- listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
- under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points;

Money laundering or terrorist financing

Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002

An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996

Child labour and other forms of trafficking human beings

An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;

An offence under section 59A of the Sexual Offences Act 2003

An offence under section 71 of the Coroners and Justice Act 2009;

An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994

An offence under section 2 or section 4 of the Modern Slavery Act 2015

Non-payment of tax and social security contributions

Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.

Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:

- HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
- 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;
- 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) or any equivalent or similar regime in a jurisdiction in which the supplier is established

Other offences

Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland

Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland

Discretionary exclusions

Obligations in the field of environment, social and labour law.

Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including the following:-

- Where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.
- In the last three years, where the organisation has 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.
- In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).
- Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has been in breach of the National Minimum Wage Act 1998.

Bankruptcy, insolvency

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;

Grave professional misconduct

Guilty of grave professional misconduct

Distortion of competition

Entered into agreements with other economic operators aimed at distorting competition

Conflict of interest

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.

Prior performance issues

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.

Misrepresentation and undue influence

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.

Additional exclusion grounds

Breach of obligations relating to the payment of taxes or social security contributions.

ANNEX X Extract from Public Procurement Directive 2014/24/EU

LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;
- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

Consequences of misrepresentation

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

- The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015;
- The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
- If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
- If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR (subject to self-cleaning).

Appendix 2 – Reference Template

Assessment of Contractor's Performance: **<Please insert name of contractor here>**.

General

- a. Name of Client Organisation
- b. Name of Contact
- c. Approximate project contract value
- d. Name of project.....
- e. Name of Project Director/Project Manager
- f. Name of Contractor
- g. Name of Contractor Contact

Insert a 'yes' or an 'x' inside the appropriate box. If blank we assume your response is 'disagree'. Please do not qualify your response with comments

Statement	Disagree	Agree	Strongly Agree
The services supplied by the organisation met your requirements (whether in terms of specification, timescales, budget and other contractual requirements), excluding incidents that were not the fault of the organisation (e.g. force majeure, client delays etc.)			
The organisation's personnel (including those of its subcontractors if relevant) were capable and responsive			
Complaints and other issues raised by the client in the course of the services and/or after completion (whether the fault of the organisation or otherwise) were resolved in a timely manner (excluding delays which were not the fault of the organisation) and to your satisfaction			

Signature:

Organisation:

Position: Date:

Note to Referee: Please return this reference to **name@southtyneside.gov.uk, in advance of the SQ submission deadline of **Insert Date**.**