**Pendle Retail and Leisure Capacity Study 2022**

**Invitation to Tender**

**Public Contracts Regulations 2015**

**Suitability Assessment Questionnaire**

To be completed by all suppliers

**Introduction**

1. This questionnaire has been designed to assess the suitability of a supplier to deliver the authority’s contract requirement(s) in accordance with the Public Contracts Regulations 2006 [“the Regulations”].

The “authority” means the public sector contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable suppliers to participate in this procurement process.

The terms “You”, “Your” or “Supplier” means the body responsible for completing this questionnaire.

The “Supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

**Notes for completion**

1. Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified.
2. If the question does not apply to you, please write ‘N/A’.
3. If you do not know the answer please write ‘Not known’.
4. Should you need to provide additional appendices in response to the questions, these should be numbered clearly and listed as part of your declaration (Section 8). A template for providing additional information is included in Section 9 of this document.
5. The Council would prefer to receive tenders electronically via “The Chest”, the North West's local authority procurement portal, which can be accessed at.
* <https://www.the-chest.org.uk/>
1. Alternatively if you prefer to submit your tender by post it must include:
* one (1) bound paper copy of the SAQ in A4 format, together with any supporting documentation in a suitable format; and
* one (1) electronic copy of the SAQ in pdf format on a CD-Rom.
1. Any tender submitted by post will only be considered if it is in a plain sealed envelope or parcel bearing the words **“Tender for Pendle Retail and Leisure Capacity Study – NOT TO BE OPENED”**
2. Postal documents should be returned to:

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| --- | --- |
| **Named procurement officer** | Philip Mousdale |
| **Name of contracting authority** | Pendle Borough Council |
| **Postal address** | Town HallMarket StreetNelsonLancashireBB9 7LG |
| **Deadline for receipt of questionnaire****(UK date and time)** | **12:00 pm (noon) on Friday 15th July 2022**  |

**Verification of Information Provided**

1. The higher the value and complexity of the procurement, the greater the level of verification is likely to be required.
2. This contract falls below the current UK thresholds.[[1]](#footnote-1) The questions in this SAQ are relevant to the **Pendle Retail and Leisure Capacity Study – Invitation to Tender (ITT)**. They are considered to be necessary and proportionate to help determine the suitability of the Supplier to carry out the work requested.
3. **All** supporting documentation should be supplied alongside this questionnaire.

**Sub-contracting arrangements**

1. Where a sub-contracting approach is proposed, all information requested should be given in respect of the prime contractor.
2. Where sub-contractors will play a significant role in the delivery of the services or products under any ensuing contract, please indicate in a separate annex (by inserting the relevant company/organisation name) the composition of the supply chain, indicating which member of the supply chain will be responsible for the elements of the requirement.
3. It is recognised that arrangements in relation to sub-contracting may be subject to future change. However, Suppliers should be aware that where sub-contractors are to play a significant role, any changes to those sub-contracting arrangements may constitute a material change and therefore may affect the ability of the Supplier to proceed with the procurement process or to provide the goods and/or services. Therefore, if any of these circumstances changes in a material way up to the point of contract award the Supplier is required to inform the Authority without delay. The Authority reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated circumstances.

**Consortia arrangements**

1. If the Supplier completing this questionnaire is doing so as part of a proposed consortium, the following information must be provided;
* the names of all consortium members;
* the name of the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and
* if the consortium is not proposing to form a legal entity, full details of the proposed arrangements within a separate Appendix.
1. Please note that the authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific legal form is deemed by the authority as being necessary for the satisfactory performance of the contract.
2. All members of the consortium will be required to provide the information required in all sections of the PQQ as part of a single composite response to the authority i.e. each member of the consortium is required to complete the form.
3. Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity in a separate Appendix.
4. The authority recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the authority must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the selection criteria to the new information provided. The authority reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

**Confidentiality**

1. When providing details of contracts in answering Section 6 of this questionnaire (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.
2. The authority reserves the right to contact the named customer contact in Section 6 regarding the contracts included in Section 6. The named customer contact does not owe the authority any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.
3. The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the Public Contracts Regulations.

##

## 1. Supplier information

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| **1.1 Supplier details** |
| Full name of the Supplier tendering (or acting as the lead contact for a consortium bid)  | *Click here to enter text.* |
| Address of registered office | *Click here to enter text.* |
| Company or charity registration number | *Click here to enter text.* |
| VAT registration number | *Click here to enter text.* |
| Name of immediate parent company | *Click here to enter text.* |
| Name of ultimate parent company | *Click here to enter text.* |
| Please mark ‘X’ in the relevant box to indicate your trading status | i) Public limited company (PLC)  | [ ]  Yes |
| ii) Limited company (LTD) | [ ]  Yes |
| iii) Limited liability partnership (LLP) | [ ]  Yes |
| iv) Other partnership | [ ]  Yes |
| v) Sole trader | [ ]  Yes |
| vi) Other (please specify)*Click here to enter text.* | [ ]  Yes |

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| **1.2 Bidding model** |
| Please mark ‘X’ in the relevant box to indicate whether you are: |
| 1. Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself
 | [ ]  Yes |
| 1. Bidding as a Prime Contractor and will use third parties to deliver some of the services

If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. | [ ]  Yes*Click here to enter text.* |
| 1. Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services

If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. | [ ]  Yes*Click here to enter text.* |
| 1. Bidding as a consortium but not proposing to create a new legal entity.

If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created. Please note that the authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract. | [ ]  Yes**Consortium Members***Click here to enter text.***Lead Member***Click here to enter text.* |
| 1. Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV).

If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix. | [ ]  Yes**Consortium Members***Click here to enter text.***Current Lead Member***Click here to enter text.***Name of Special Purpose Vehicle***Click here to enter text.* |
| **1.3 Contact details** |
| Supplier contact details for enquiries about this questionnaire |
| Name | *Click here to enter text.* |
| Postal address | *Click here to enter text.* |
| Country | *Click here to enter text.* |
| Phone | *Click here to enter text.* |
| Mobile | *Click here to enter text.* |
| E-mail | *Click here to enter text.* |

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| **1.4 Licensing and registration** |
| **PLEASE NOTE: Only to be completed by businesses NOT registered in the United Kingdom.**Please indicate your answer by marking ‘X’ in the relevant box. |
| 1. If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established?

*As set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state.* | [ ]  Yes[ ]  No[ ]  N/AIf yes, please provide the registration number in this box.*Click here to enter text.* |
| 1. Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement?
 | [ ]  Yes[ ]  NoIf yes, please provide additional details within this box of what is required and confirmation that you have complied with this.*Click here to enter text.* |

## 2. Grounds for mandatory exclusion

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

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| **2.1 Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** |
| Please indicate your answer by marking ‘X’ in the relevant box. |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. the common law offence of bribery;
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. 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:
 |  |
| 1. the offence of cheating the Revenue;
 | [ ]  Yes [ ]  No |
| 1. the offence of conspiracy to defraud;
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. any offence listed –
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| 1. in section 41 of the Counter Terrorism Act 2008; or
 | [ ]  Yes [ ]  No |
| 1. in Schedule 2 to that Act where the court has determined that there is a terrorist connection;
 | [ ]  Yes [ ]  No |
| 1. any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f);
 | [ ]  Yes [ ]  No |
| 1. money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;
 | [ ]  Yes [ ]  No |
| 1. 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;
 | [ ]  Yes [ ]  No |
| 1. an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;
 | [ ]  Yes [ ]  No |
| 1. an offence under section 59A of the Sexual Offences Act 2003;
 | [ ]  Yes [ ]  No |
| 1. an offence under section 71 of the Coroners and Justice Act 2009;
 | [ ]  Yes [ ]  No |
| 1. 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; or
 | [ ]  Yes [ ]  No |
| 1. any other offence within the meanings of Article 57(1) of the Public Contracts Directive –
 |  |
| 1. as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or
 | [ ]  Yes [ ]  No |
| 1. created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland;
 | [ ]  Yes [ ]  No |

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| **2.2 Non-payment of taxes** |
| Please indicate your answer by marking ‘X’ in the relevant box. |
| Has it been established 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 your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?If you have answered “yes” to this question, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details using a separate Appendix. Please use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines?You may contact the authority for advice before completing this form.  | [ ]  Yes [ ]  No |

## 3. Grounds for discretionary exclusion – Part 1

The authority may exclude any supplier who answers ‘Yes’ in any of the following situations set out in paragraphs (a) to (i);

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| **3.1 Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation.** |
| Please indicate your answer by marking ‘X’ in the relevant box. |
| 1. your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts Regulations 2015 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 Public Contracts Directive as amended from time to time;
 | [ ]  Yes [ ]  No |
| 1. your organisation is bankrupt or is the subject of insolvency or winding-up proceedings, where your 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 |
| 1. your organisation is guilty of grave professional misconduct, which renders its integrity questionable;
 | [ ]  Yes [ ]  No |
| 1. your organisation has entered into agreements with other economic operators aimed at distorting competition;
 | [ ]  Yes [ ]  No |
| 1. your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contracts Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;
 | [ ]  Yes [ ]  No |
| 1. the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures;
 | [ ]  Yes [ ]  No |
| 1. your organisation has 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 |

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| 1. your organisation –
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| 1. in has been 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; or
 | [ ]  Yes [ ]  No |
| 1. has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015; or
 | [ ]  Yes [ ]  No |
| 1. your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.
 | [ ]  Yes [ ]  No |

**Conflicts of interest**

In accordance with question 3.1 (e), the authority may exclude the Supplier if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.

Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Supplier to inform the authority, detailing the conflict in a separate Appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the authority should not represent a conflict of interest for the Supplier.

**Taking Account of Bidders’ Past Performance**

In accordance with question (g), the authority may assess the past performance of a Supplier (through a Certificate of Performance provided by a Customer or other means of evidence). The authority may take into account any failure to discharge obligations under the previous principal relevant contracts of the Supplier completing this PQQ. The authority may also assess whether specified minimum standards for reliability for such contracts are met.

In addition, the authority may re-assess reliability based on past performance at key stages in the procurement process (i.e. Supplier selection, tender evaluation, contract award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

**‘Self-cleaning’**

Any Supplier that answers ‘Yes’ to questions 2.1, 2.2 and 3.1 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleans” the situation referred to in that question. The Supplier has to demonstrate it has taken such remedial action, to the satisfaction of the authority in each case.

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

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

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

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

## 4. Grounds for discretionary exclusion – Part 2

Section 4 is excluded as this only applies to procurements over £5m in value.

## 5. Economic and Financial Standing

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| **5.1** | **Please provide one of the following to demonstrate your economic / financial standing.** |
| Please indicate your answer by marking ‘X’ in the relevant box. |
| 1. A copy of the audited accounts for the most recent two years;
 | [ ]  Yes |
| 1. A statement of the turnover, profit & loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation;
 | [ ]  Yes |
| 1. A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position;
 | [ ]  Yes |
| 1. Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status);
 | [ ]  Yes |
| **5.2** | **Where the authority has specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out here.** |
| Please indicate your answer by marking ‘X’ in the relevant box. | [ ]  Yes [ ]  No |
| **5.3** | **Are you are part of a wider group (e.g. a subsidiary of a holding/parent company)?** |
| Please indicate your answer by marking ‘X’ in the relevant box. | [ ]  Yes [ ]  No |
| If yes, please provide:

|  |  |
| --- | --- |
| Name of the organisation: | *Click here to enter text.* |
| Relationship to the Supplier completing the questionnaire | *Click here to enter text.* |

 |  |
| 1. Ultimate / parent company accounts, if available.
 | [ ]  Yes [ ]  No |
| 1. Would the ultimate / parent company be willing to provide a guarantee, if necessary?
 | [ ]  Yes [ ]  No |
| If no: |  |
| 1. Would you be able to obtain a guarantee elsewhere (e.g. from a bank?)
 | [ ]  Yes [ ]  No |

## 6. Technical and Professional Ability

|  |  |
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| **6.1** | **Relevant experience and contract examples** |
| Please provide details of up to three contracts, in any combination from either the public or private sector, that are relevant to the authority’s requirement. * Contracts for supplies or services should have been performed during the past **three** years.
* Works contracts may be from the past **five** years
* VCSEs may include samples of grant funded work.

The named customer contact provided should be prepared to provide written evidence to the authority to confirm the accuracy of the information provided below.Consortia bids should provide relevant examples 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 will be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member). Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services. |
| **Contract 1** |
| a) | Name of client | *Click here to enter text.* |
| b) | Client contactPositionE-mail address | *Click here to enter text.* |
| c) | Contract start dateContract completion dateEstimated contract value | *Click here to enter text.* |
| d) | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. | *Click here to enter text.* |
| **Contract 2** |
| a) | Name of client | *Click here to enter text.* |
| b) | Client contactPositionE-mail address | *Click here to enter text.* |
| c) | Contract start dateContract completion dateEstimated contract value | *Click here to enter text.* |
| d) | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. | *Click here to enter text.* |
| **Contract 3** |
| a) | Name of client | *Click here to enter text.* |
| b) | Client contactPositionE-mail address | *Click here to enter text.* |
| c) | Contract start dateContract completion dateEstimated contract value | *Click here to enter text.* |
| d) | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. | *Click here to enter text.* |
| **6.2** | **If you cannot provide at least one example for questions 6.1 to 6.4, in no more than 500 words please provide an explanation for this** e.g. your organisation is a new start-up. |
| *Click here to enter text.* |

## 7. Additional Modules

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this alongside the Invitation to Tender.

Please indicate your answer by marking ‘X’ in the relevant boxes.

**A – Project specific questions to assess Technical and Professional Ability**

Include any further project specific questions relating to the technical and professional ability of the Supplier.

**B – Insurance**

|  |  |  |
| --- | --- | --- |
| i) | 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 = £10 million
* Public Liability Insurance = £10 million
* Professional Indemnity Insurance = £2 million
* Product Liability Insurance = £10 million

Please note:1. It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum.
2. This requirement is not applicable to Sole Traders.
 | [ ]  Yes [ ]  No |

**C – Compliance with equality legislation**

|  |  |  |
| --- | --- | --- |
| i) | In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? | [ ]  Yes [ ]  No |
| ii) | In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination? If you have answered “yes” to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.You may be excluded if you are unable to demonstrate to the authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.  | [ ]  Yes [ ]  No |

|  |  |  |
| --- | --- | --- |
| iii) | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | [ ]  Yes [ ]  No |

**D – Environmental management**

|  |  |  |
| --- | --- | --- |
| i) | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)? If your answer to this question is “Yes”, please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.The authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | [ ]  Yes [ ]  No |
| ii) | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | [ ]  Yes [ ]  No |

**E – Health and safety**

|  |  |  |
| --- | --- | --- |
| i) | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | [ ]  Yes [ ]  No |
| ii) | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years? If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.The authority will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.  | [ ]  Yes [ ]  No |
| iii) | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?  | [ ]  Yes [ ]  No |

## 8. Declaration

|  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| I declare that to the best of my knowledge the answers submitted to these questions are correct. 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, and I am signing on behalf of Click here to enter text. **(Insert name of Supplier)**. I understand that the authority may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.I also declare that there is no conflict of interest in relation to the authority’s requirement.The following appendices form part of our submission;

|  |  |
| --- | --- |
| **Section of questionnaire** | **Appendix number** |
| *Click here to enter text.* | *Click here to enter text.* |
| *Click here to enter text.* | *Click here to enter text.* |
| *Click here to enter text.* | *Click here to enter text.* |
| *Click here to enter text.* | *Click here to enter text.* |
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  |
| **Questionnaire completed by:** |
| i) | Name | *Click here to enter text.* |
| ii) | Position in organisation | *Click here to enter text.* |
| iii) | Date | *Click here to enter text.* |
| iv) | Signature |  |

## 9. Template for appendices

|  |  |
| --- | --- |
| Section of questionnaire  | *Click here to enter text.* |
| Question number | *Click here to enter text.* |
| *Click here to enter text.* |

1. The [UK public procurement thresholds](https://www.gov.uk/government/publications/procurement-policy-note-0921-thresholds-and-inclusion-of-vat) are updated every two years. Those applicable from 1 January 2022 (net of VAT) are as follows: for supply and services £213,477 and for public works £5,336,937. [↑](#footnote-ref-1)