**Pre-Qualification Questionnaire and Information for Bidders**

**Provision of: Services for the Stage Lifts Project**

**Date: 3 August 2021 (V1)**

**Updated: 12 August 2021 (V2)**



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| --- |
| **The Corporation of the Hall of Arts and Sciences** (“**RAH**”)  **Contact** |
| **The Corporation of the Hall of Arts and Sciences** (“**RAH**”)  **contact for this tender process is:**  **Ms S. Baldwin**  **Royal Albert Hall**  **Kensington Gore,**  **LONDON SW7 2AP**  Email: Stephanieb@royalalberthall.com Any actual or attempted communication with the RAH outside of the above contact (unless specifically requested by the RAH will not be considered or responded to. Failure to adhere to this requirement may result in disqualification. |

# **INTRODUCTION**

## In order to participate in a tender process, interested parties ("**Bidders**") should complete this Pre-Qualification Questionnaire ("**PQQ**") in accordance with the instructions contained within this document.

## The contract to be entered into with the successful Bidder will be based on an Invitation to Tender (ITT) template which will be issued to Bidders later in the tender process, if they successfully qualify the PQQ stage.

## **Bidder Contact Point**

## Bidders are asked to nominate a single point of contact in their organisation for all contact from the RAH in this tender process. The RAH will not be responsible for contacting the Bidder through any route other than the nominated contact. Any amendment to the nominated contact must be clearly identified and communicated in writing to the RAH.

# **IMPORTANT INFORMATION**

## The contents of this PQQ and that of any other documentation sent to Bidders in respect of this tender process are provided on the basis that they are, and will remain, the property of the RAH and must be treated as confidential, and only shared with other parties essential to preparing a response to this PQQ and for no other purpose.

## If any Bidder is unwilling or unable to comply with the requirement in 2.1 above, it is required to destroy this PQQ and all associated documents immediately and not retain any paper or electronic copies.

## No Bidder will undertake any publicity activities with any part of the media in relation to this tender process without the prior written agreement of the RAH.

## This PQQ is made available in good faith and is not intended to provide the basis of any investment decision or recommendation. Nothing in this PQQ is or should be relied on as a promise or representation. 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 RAH.

## The RAH reserves the right to reject PQQ responses that are not submitted in accordance with the instructions given. Rejection of a PQQ response will result in disqualification of that Bidder from the tender process.

## The RAH reserves the right to change, without notice, the timing and procedure for the tender process and awarding of the contract(s), to reject any and all bids for the contract(s) and/or to cancel the tender process and not award any contract at any point, with no liability on its part. In particular, The RAH is not liable for any costs resulting from cancellation of this process nor for any costs incurred by Bidders taking part in this tender process.

## Where applicable, Bidders will be required to confirm, at tender stage (ITT), that there have been no material changes to their financial standing and/or technical competence as set out in their response to this PQQ.

## Where there is any indication that any actual or potential conflict of interest exists or may arise then it shall be the responsibility of the Bidder to inform the RAH detailing the conflict in writing, and setting out how it can be adequately managed, as an attachment to the PQQ response. If a conflict of interest cannot be effectively managed, a Bidder will be disqualified from the tender process. The RAH will be the final arbiter on cases of potential conflict of interests. Failure to notify the RAH of any actual or potential conflict of interest will invalidate any verbal or written agreement.

## Bidders and their employees, agents and sub-contractors must not engage in any collusive behaviour, anti-competitive conduct or similar behaviour with any other Bidder or any other person in relation to the preparation or submission of any proposals or other documents as part of this tender process.

## Bidders must not use the improper assistance of any RAH employee or use information obtained unlawfully or in breach of an obligation of confidentiality to the RAH in preparing proposals or other documents as part of this tender process.

## Bidders must not make false or misleading statements in their proposals or other documents as part of this tender process. The RAH reserves the right in its discretion to reject any responses where on reasonable grounds it believes that the response contains false or misleading statements, and regardless of whether such statements are made intentionally or unintentionally.

## The RAH may, at its discretion, conduct site visits or reference checks, the outcome of which may feed in to any stage of the tender process.

## Nothing in this tender process is intended to form any express or implied contractual relationship between the parties unless and until a contract (or contracts) is awarded for the opportunity.

## The RAH will collect, hold and use personal data obtained from and about the Bidder and its staff during the course of the tender process ("**Personal Data**"). The Bidder must agree to such Personal Data being collected, held and used in accordance with and for the purposes of administering the tender process as contemplated by this PQQ, any Invitation To Tender (ITT) issued by the RAH, and for the management of any contract subsequently awarded.

## The Bidder warrants, on a continuing basis, that it has all requisite authority and has obtained and will maintain all necessary consents, and otherwise fully complied with all of its obligations under applicable privacy laws, in order to disclose to the RAH, the Personal Data, and allow the RAH to carry out the tender process. The Bidder shall immediately notify the RAH if any of these consents are revoked or changed in any way which impacts on the RAH's rights or obligations in relation to such Personal Data.

# **BACKGROUND TO THE TENDER AND THE PROCESS TIMETABLE**

## The outline of the project is the replacement of three stage lift control systems to include electrical drives with pluggable and/or switchable spares, single fault tolerant controllers and critical sensor redundancy to ensure ultra-high availability. Certification of the lifts for the carriage of goods and persons which will require Notified Body approval for two of the lifts and contractor self-certification for the third. Replacement of secondary (backup) motor on main Arena Lift and addition of physical locks, automated barriers and pit access ladder to permit safe access for maintenance.

## The indicative timetable for this tender process is set out below. This is intended as a guide, and whilst the RAH does not intend to depart from the timetable, it reserves the right to do so at any time.

|  |  |
| --- | --- |
| **Milestone** | **Date** |
| **Stage 1** | |
| Period PQQ available | 5th August 2021 |
| Last date for PQQ clarifications | 20th August 2021 |
| PQQ submission deadline | 6th September 2021 |
| Completion of PQQ evaluation | 10th September 2021 |
| Inform successful and unsuccessful suppliers | 10th September 2021 |
| **Stage 2** | |
| Invitation to Tender (ITT) sent to shortlisted Bidders | 13th September 2021 |
| Last date for ITT clarifications | 3rd October 2021 |
| Tender bid submission deadline | 13th October 2021 |
| Completion of tender bid submission evaluation | 1st November 2021 |
| Notification to Shortlisted bidders re Presentation | TBA |
| Shortlisted Supplier Presentations | TBA |
| Completion of ITT evaluation | 22nd November 2021 |
| Contract Award Notification | 22nd November 2021 |

# **INSTRUCTIONS FOR COMPLETING THE PQQ**

## **Format**

## Each question must be answered in full using the same numbering and order as set out in the PQQ. Bidders must not provide any information additional to that specifically requested.

## All responses must be in English.

## The RAH may, at its sole discretion, require clarification of a Bidder's PQQ response and will contact Bidders as necessary, for any clarification required.

## If there are any questions that do not apply to a Bidder, please answer with a N/A with an explanation where appropriate.

## **Clarification**

## Clarification requests should be submitted as soon as possible and in any event, no later than 12:00 Noon on 20th August 2021.

## Any requests for clarification must be made only through the email contact specified above.

## The RAH will aim to respond to clarification requests within one (1) working day following the day of receipt.

## Any clarification request and response containing information that is of relevance to all Bidders shall, in the interest of a fair tender process, be made available to all Bidders without disclosing the identity of the originator of the question.

## **Reliance on parent / Group Company**

## Where a Bidder intends to rely upon the financial standing or technical ability of a parent or other group company as part of its PQQ submission:

### Relevant financial/ technical information (as applicable) must be fully submitted in respect of the parent or other group company; and

### The RAH reserves the right to require parent/ group company performance/ financial guarantees, before entering into a Contract.

**Single Entity Bidders**

## Bids may only be submitted by Bidders comprising a single legal entity and consequently consortium Bidders will not be permitted to participate in this tender process.

**Code of Ethics**

4.11 The Code of Ethics must be signed and returned as part of the bidders response.

**Method of Submission**

## Submissions and all supporting documents must be made in electronic format and sent to Stephanieb@royalalberthall.com

## Bidders must ensure that the RAH receives the completed PQQ no later than 12:00 Noon on 6th September 2021. Please note that completed PQQs received after the closing date/time will be rejected.

**Submission Checklist**

**Please use this checklist to ensure you have completed everything required and return with your PQQ submission.**

|  |  |
| --- | --- |
| **Section** | **Completed and returned?** |
| Form A – Organisation and Contact Details |  |
| Form B – General Criteria |  |
| Form C – Financial Information |  |
| Form D –Technical Ability |  |
| Form E – Declaration |  |
| Annex 1 – Parent/group company statement (if applicable) |  |
| Annex 2 – Signed Code of Ethics |  |

# **EVALUATION OF PQQ**

## The PQQ responses will be evaluated in accordance with the following process:

## **Compliance Check**

## The information supplied in the PQQ response by each Bidder will be checked for completion and submission compliance with the requirements of the PQQ.

## Failure to provide the required information, make a satisfactory response to any question, or supply documentation requested/ referred to in responses may mean that the response is non-compliant, and the Bidder will be disqualified from the tender process.

## **PQQ Evaluation**

## Completed PQQs that pass the compliance check will then be evaluated in accordance with the scoring methodology set out below.

## The scoring methodology that will be applied is as follows:

### Information only – the information provided will not be scored, but failure to provide it may result in the PQQ submission being disqualified from the tender process.

### Pass/ fail – responses to the questions that are scored as a "fail" will result in disqualification from the tender process and the remaining sections of the response will not be evaluated further.

### Scored – responses will be awarded a score as described at the end of each section.

## **Bidder short listing**

## All Bidders who:

### submit a compliant PQQ response; and

### achieve a pass in all pass/fail sections;

## will have their responses to the scored sections marked. The RAH will invite the top 5 (Five) compliant bidders to participate in the next stage (ITT) of the tender process however, The RAH reserves the right, in its absolute discretion, to invite fewer than five Applicants. In the event scores are tied, the RAH may, at its discretion, increase the number of bidders invited to participate.

# **SCHEDULE 1****- PRE-QUALIFICATION QUESTIONNAIRE RESPONSE DOCUMENT**

|  |
| --- |
| **TO BE COMPLETED AND RETURNED** |

# *FORM A – ORGANISATION AND CONTACT DETAILS - Information only*

|  |  |  |
| --- | --- | --- |
| Full name of Company (Bidder): |  | |
| Contact name for enquiries about this PQQ: |  | |
| Contact position (Job Title): |  | |
| Address:  Post Code: |  | |
| Telephone number(s): |  | |
| Fax number: |  | |
| E-mail address: |  | |
| Company/ Registered Provider or Charity registration number (if applicable - please specify registering body): |  | |
| Country of Registration: |  | |
| Type of organisation:  (Please tick **one**) | 1. a public limited company |  |
| 1. a limited company |  |
| 1. a limited liability partnership |  |
| 1. other partnership |  |
| 1. a sole trader |  |
| 1. other (please specify) |  |
| Name and registration number of immediate parent company (if applicable): |  | |
| Name and registration number of ultimate parent company (if applicable): |  | |
| Number of full-time employees: |  | |
| Annual Turnover (£): |  | |
| Have you or your company ever been involved with The Royal Albert Hall? | **Yes/No** | |
| Do you or anyone involved in the proposed team have any relationship with anyone employed or connected to The Royal Albert Hall? | **Yes/No** | |
| Please state whether your company is a member of any professional, trade or H&S institutions. If so, please give details. |  | |
| Brief history of the organisation, no more than 400 words, including details of any parent and associated companies and any changes of ownership over the last five years. Include details of significant pending developments, changes in financial structure or ownership, prospective take-over bids, buy-outs etc., which are currently in the public domain. |  | |
| Please provide your accident/incident records for the last 3 years (on a separate sheet if necessary) and details of remedial actions taken to prevent recurrence for the last 3 accidents. |  | |
| Please state the name of the individual or organisation that provides you with competent H&S Advice, together with details and confirmation of their professional qualifications |  | |
| Please state the relevant professional/ technical qualifications your managers/supervisors and operatives are required to have. |  | |
| Please state your company’s arrangements for H&S training of management, operatives and supervisory staff Inc.: for examples CITB safety courses, CSCS, IOSH/NEBOSH courses etc.  *Please provide the training records of those staff expected to work on the project.* |  | |
| When undertaking design or construction work describe how you comply with the Principles of Prevention as defined within CDM 2015. |  | |
| Describe and provide worked examples on how you identify hazards and control risks on your sites. |  | |
| Please state the measures your company takes for the selection and vetting of sub-contractors you appoint. |  | |
| Provide an example of a recent site Induction Programme. |  | |
| Please provide worked examples of completed Construction Phase Plans |  | |
| Please advise your arrangements for reporting and investigating accidents and incidents |  | |

# *FORM B – GENERAL CRITERIA – PASS/ FAIL*

1. **Mandatory grounds for rejection**

**Important Notice:**

**Any Bidder who answers “Yes” to any question in this section will be disqualified from the tender process.**

Please answer each question.

|  |  |
| --- | --- |
| Has the Bidder or any of its directors or partners or any other person who has powers of representation, decision or control been convicted of: | **Answer**  **(Yes or No)** |
| conspiracy |  |
| corruption |  |
| bribery |  |
| fraud |  |
| the offence of cheating the Government's Tax Authority |  |
| the offence of conspiracy to defraud |  |
| theft |  |
| fraudulent trading |  |
| fraudulent evasion of taxation |  |
| destroying, defacing or concealing of documents |  |
| making, adapting, supplying or offering to supply articles for use in frauds |  |
| money laundering |  |
| an offence in connection with the proceeds of criminal conduct |  |
| an offence in connection with the proceeds of drug trafficking |  |
| a criminal offence relating to the conduct of his/her business or profession |  |
| committed an act of grave misconduct in the course of his/her business or profession; |  |

1. **Discretionary Grounds for Rejection**

**Any Bidder who answers “Yes” to any question in this section may be disqualified from the tender process.**

In the event that you answer “Yes” to any question, please set out in a separate Annex, full details of the relevant incident and any remedial action taken subsequently. The information provided may be taken into account by the RAH in considering whether or not you will be able to proceed any further in respect of this tender process.

|  |  |
| --- | --- |
| Has the bidder ever been the subject of any of the following (or the equivalent of any of the following in the applicable jurisdiction): | **Answer**  **(Yes or No)** |
| bankruptcy |  |
| insolvency |  |
| debt relief order or restriction |  |
| administration order |  |
| liquidation |  |
| arrangement or composition with creditors |  |
| winding up order (otherwise than for the purpose of bona fide reconstruction or amalgamation) |  |
| receivership |  |

# *FORM C - FINANCIAL INFORMATION – PASS/ FAIL*

1. **Insurance**

|  |  |  |
| --- | --- | --- |
| 1. | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the appropriate levels of insurance cover indicated below:  Employer’ Compulsory Liability Insurance – [AMOUNT}  Public Liability Insurance – [AMOUNT}  Professional Indemnity Insurance – [AMOUNT] | ▢ Yes  ▢ No |

1. **Financial Information – Pass/ Fail  
     
   Please provide the following**a. A copy of the audited accounts for the most recent two years.  
     
   b. 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.  
     
   C. A statement of the cash flow forecast for the current year.   
     
   d. Alternative means of demonstrating financial status if any of the above are not available (e.g. Forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).
2. **Parent or Group Company Declaration – Pass/ Fail**

Where a Bidder intends to rely upon the turnover or technical ability of a parent or other group company as part of its PQQ submission:

## The RAH reserves the right to request parent or group company performance/ financial guarantees from the Bidder (if successful), before entering into a Contract;

|  |  |
| --- | --- |
| **Parent/ Group Company Declaration** | **Yes/ No/ N/A** |
| Please confirm that a statement in the form set out at Annex 1 from any parent/ group company stating that it is prepared to support the Bidder, including the provision of performance/ financial guarantees in such form as may be required by The RAH, is included with the PQQ response. |  |

1. **Financial Standing**

Bidders must achieve a minimum Equifax Credit Score. Should an applicant fail to meet this minimum standard, the RAH is entitled to exclude the applicant from the Procurement exercise but, may decide at it’s discretion, having considered all the relevant circumstances, to allow the applicant to proceed.

1. **Policies – Pass/ Fail**

|  |  |
| --- | --- |
| Policies | **Answer**  **(Yes or No)** |
| Do you have a Health & Safety Policy |  |
| Do you have an Environmental Management Policy |  |
| Do you have a Data Protection / GDPR Policy |  |
| Do you have a quality assurance policy? |  |
| Do you have an Equal Opportunities Policy? |  |
| Do you have a corporate social responsibility statement? |  |
| Do you have an Anti-Slavery and Human Trafficking statement? |  |
| What necessary controls do you have in place to prevent the use of modern slavery or human trafficking in your supply chain? |  |
| Please confirm if your firm pay the London Living Wage to every employee and contractor? |  |

# **Monitoring, Audit & Review**

|  |  |
| --- | --- |
|  |  |
| Provide copies of key performance indicators you have used previously on your sites. |  |
|  |  |
| Please describe on your company’s Monitoring, Audit and inspection systems for H&S, with documented examples, specific to construction works. |  |
|  |  |

# *FORM D TECHNICAL ABILITY – PASS/FAIL & SCORED*

1. **Technical and Professional Ability -** Short Description of Works
2. Replacement of three stage lift control systems to include electrical drives with pluggable and/or switchable spares, single fault tolerant controllers and critical sensor redundancy to ensure ultra-high availability. Certification of the lifts for the carriage of goods and persons which will require Notified Body approval for two of the lifts and contractor self-certification for the third. Replacement of secondary (backup) motor on main Arena Lift and addition of physical locks, automated barriers and pit access ladder to permit safe access for maintenance.

Detailed Schedule of Works (Provisional)

1. Provision of independent drive and control systems for each lift complete with redundant controllers, variable speed drives and critical sensors to ensure ultra-high availability.
2. Upgrade main Arena Lift secondary motor to allow remote engagement via an electro-mechanical clutch or through permanent connection of a secondary motor (preferred).
3. Install new access CAT ladder to main Arena Lift pit with fall arrest and rescue equipment and add physical locks to lift platform to enable safe access to, and working below, the platform.
4. Addition of automated rising barriers to main Arena Lift platform.
5. Re-cladding of lift pinion columns to eliminate trapping / guillotine hazards.
6. Replace safety sensors (safety edges and PE light beams) and door interlocks.
7. Add load monitoring to each lift.
8. Provide comprehensive fault monitoring and reporting including telemaintenance facilities.
9. Install additional lightweight mesh barriers around platform structures to remove fall hazards.
10. Replace Arena and Rear Arena Lift manually deployed barriers and introduce storage for these under the Arena Lift platform.
11. Strengthen Rear Arena Lift guides and add synchronising pinions to stabilise the platform.
12. Recertification of all three lifts for carriage of goods and persons working with a UK Approved Body to meet the requirements of the Supply of Machinery (Safety) Regulations.
13. Preparation of Health and Safety File and Building Manual.

Technical and Professional Ability

*Where provided, the customer contact should be prepared to speak to the RAH to confirm the accuracy of the information provided below if the RAH wishes to contact them.*

Submit details of reference projects delivering comparable services to those listed above, in an international and/or historic venue that the tenderer has completed in the latest 12 years before the expiry of the deadline for submission of this PQQ.

To fulfil the minimum requirement the references shall individually or in combination include examples of all of the following services tabled below. A weighting is included for each service that will be used when evaluating the references:

|  |  |
| --- | --- |
| Item | Service |
| 1 | Design of new or upgrading of existing lifts to permit person riding, working in conjunction with a UK Approved Body (or Notified Body pre-Brexit) to certify lift under Annex IV of the Supply of Machinery (Safety) Regulations |
| 2 | Provision of ultra-high availability motor-drive and control systems with switchable spare drives |
| 3 | Implementing control systems that include safety functions to SIL3 / PLe |
| 4 | Provision of elevators with remotely engaged backup motors |
| 5 | Design and installation of mechanical locks to new or existing lifts |
| 6 | Design and installation of lift platforms with automated rising barriers |
| 7 | Design and installation of lift platforms with load monitoring |
| 8 | Provision of integrated telemaintenance systems capable of recording all operator interactions plus real-time machine parameters for the duration of every lift motion, all for later analysis by remote service personnel |

Scores will be allocated for in accordance with the following scoring table.

|  |  |
| --- | --- |
| **Score** | **Interpretation** |
| 4 | Response demonstrates good relevant experience |
| 3 | Response demonstrates satisfactory relevant experience |
| 2 | Response demonstrates weak relevant experience |
| 1 | Response demonstrates poor relevant experience |
| 0 | Response demonstrates no relevant experience |

Only references relating to services carried out at the time of submission of tender will be given importance in the evaluation of whether the minimum requirements regarding technical and professional capacity have been complied with, see below. Hence, in the case of an ongoing task, only the part of the services already performed at the time of submission of tender will be included in the evaluation of the reference.

Each reference is requested to include a brief description of the deliveries made, size of contract, period, and contact name. The description of the delivery should include a clear description of the services listed above to which the delivery related and the tenderer's role(s) in the performance of the delivery. The reference is furthermore requested to include the financial value of the delivery, the date of delivery and the name of the customer and details of the customer’s contact person.

When indicating the date of the delivery, the tenderer is requested to indicate the date of commencement and finalisation of the delivery.

1. Omitted from PQQ
2. Omitted from PQQ
3. In less than 100 words describe the internal controls used by your organisation to manage the delivery of this type of service to ensure the requirements are met fully in terms of quality and timely delivery; despite any conflicting priorities and/or demanding workloads and resourcing requirements.

*This is a scored question and carries a total weighting of* ***20%****.*

*Areas to be covered can include but, not be limited to:*

* *Resourcing of the service, especially during peak periods.*
* *An overview and description of Applicant’s internal control and quality checks,*
* *Applicant’s scheduling and timetable, including estimated completion times of internal audits.*

1. In less than 100 words describe your understanding of the challenges/constraints and risks faced by the RAH currently and over the next five years.

*This is a scored question and carries a total weighting of* ***16%*** *- 8% weighting against challenges/constraints and 8% for risks.*

*Areas to be evaluated will include but, not be limited to:*

* *The Understandings of the environment in which the RAH faces and will compare the Applicant’s response to the RAH’s ongoing internal evaluation of its challengers/constraints and risks.*

*There is no minimum or maximum number we will apply but the RAH will look at the depth of the answer.*

1. Please demonstrate that your company has the capacity, ability and understanding to deliver the proposed design and construct project

*This is a scored question and carries a total weighting of* ***12%****.*

1. Describe how your company proposes to resource the project with particular reference to supply chains and their location.
2. **Client Relationship**

Scores will be allocated for **each question** set out belowin accordance with the following scoring table.

|  |  |
| --- | --- |
| **Score** | **Interpretation** |
| 4 | Response to specific question is rated as good |
| 3 | Response to specific question is rated as satisfactory |
| 2 | Response to specific question is rated as weak |
| 1 | Response to specific question is rated as poor |
| 0 | Response to specific question is not appropriate |

1. Have you ever had a contract terminated due to poor performance?  If yes, have you taken action to prevent poor performance again (‘self-cleaning’) and if so, please provide evidence of this.

*This is a Pass/Fail question.*

*Applicant will pass where:*

*- There has been no termination; or,*

*- For where there has been a termination, Applicant can provide evidence that action to prevent poor performance again (‘self-cleaning’) has been completed and Applicant can demonstrate that they are now reliable. If the RAH finds this ‘self-cleaning’ evidence is sufficient, Applicant will pass.*

*Applicant will fail where there has been a termination due to poor performance and there is no or no sufficient evidence of self-cleaning.*

1. Over the last three years what proportion of annual turnover was derived from organisations or those similar to the RAH?

*This is a scored question and carries a total weighting of* ***12%****.*

*The RAH will assess what percentage of the Applicant’s total client base is from organisations similar to the RAH.*

# 

# *FORM E -* *DECLARATION*

When you have completed the PQQ, please ensure that:

* You have answered all the questions;
* You have provided all supporting documentation requested (see summary of enclosures below); and
* You have read and signed the undertaking below.

Use the checklist at clause 4.12 to confirm that you have submitted all the information required.

**A Partner, Director or authorised signatory, in his/her own name, on behalf of the Bidder must sign the declaration.**

I certify that the information supplied is accurate to the best of my knowledge and that I accept the conditions and undertakings requested in the PQQ. I understand and accept that false information could result in rejection of the application to be selected to take part in the tender process. I confirm that neither myself nor any of my colleagues are related to any RAH member of staff (includes but not limited to spouse, parent, grandparent, child, grandchild, or sibling).

By signing and returning this letter, I/we confirm that I/we have not in relation to this opportunity or the PQQ:

1. Entered into any agreement with any other person with the aim of preventing bids being made or as to the fixing or adjusting of the amount of any bid or the conditions on which any bid is made or the elements or contents of any bid;
2. Informed any other person, other than the RAH of any confidential information in relation to the project, except where disclosure, in confidence, was necessary for the purposes of preparing the PQQ;
3. Caused or induced any person to enter into such an agreement as is mentioned in paragraphs (a) and (b) above;
4. Committed any offence under applicable anti-bribery or anti money laundering laws and/or regulations;
5. Offered or agreed to pay, give or accept any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done, in relation to any proposed bid, any act or omission;
6. Offered or agreed to pay, give or accept any sum of money, inducement or valuable consideration directly or indirectly to any person bidding for the PQQ, or from any person in relation to this project; or
7. Agreed to undertake work or services for any other person in connection with the project.
8. **Summary of Enclosures**

Please ensure you have included all relevant documents when returning the completed questionnaire, which should include:

|  |  |  |  |
| --- | --- | --- | --- |
| **Documentation** | **Yes** | **No** | **Reason for not including** |
| Health and Safety Policy Statement |  |  |  |
| Organisation for H&S (Duties & Responsibilities) |  |  |  |
| Arrangements (this could include safety manuals, guidance, instructions etc.) |  |  |  |
| Sample of H&S training Records |  |  |  |
| Worked examples of relevant Risk assessments |  |  |  |
| Worked examples of previous Construction Phase Plan |  |  |  |
| Examples of workplace H&S Audits and inspections |  |  |  |
| Documented design management process |  |  |  |
| Contractor Assessment procedure |  |  |  |
| Quality assurance policy |  |  |  |
| Equal Opportunities policy |  |  |  |
| Environmental policy |  |  |  |
| Anti-Slavery and Human Trafficking statement |  |  |  |

Either - I/ we know of no conflict of interest which, if came to be known, would prohibit my firm from carrying out this work [or] I would like to declare the following conflict/s of Interest *(please list)*.

*[Declaring any conflicts of interest does not automatically mean your firm’s exclusion from this RFQ process. If you believe the conflicts do not materially affect your ability to deliver this project should your firm be successful, please explain how the conflicts will be managed].*

In this letter the word "person" includes any person, body or association, corporate or incorporate and "agreement" includes any arrangement whether formal or informal and whether legally binding or not.

|  |  |
| --- | --- |
| Signed: |  |
| Name: |  |
| Telephone No: |  |
| Email address: |  |
| Position/Status in the organisation: |  |
| Date: |  |

# *ANNEX 1 – PARENT/ GROUP COMPANY STATEMENT*

**To be completed by any Bidder that intends to rely upon the financial standing or technical ability of a parent or other group company as part of its PQQ submission.**

"We confirm that the Bidder has relied upon the financial information of [INSERT NAME OF PARENT/ GROUP COMPANY] in completing the information in Form C "Financial Information" of the PQQ.

We confirm that if the Bidder is successful and is awarded a Contract by the RAH, [INSERT NAME OF PARENT/ GROUP COMPANY if relevant] will, upon demand, provide a performance and financial guarantee in respect of the contract between the RAH and the Bidder in such form as may be required by the RAH."

|  |  |
| --- | --- |
| Signed for and on behalf of the Parent/ Group company: | |
| Signed: |  |
| Name: |  |
| Telephone No: |  |
| Email address: |  |
| Position/Status in the Organisation: |  |
| Organisation's name: |  |
| Organisation's address: |  |
| Date: |  |

# *[ANNEX 2 – CODE OF ETHICS]*

**CODE OF ETHICS**

Owner: <Job Title>

Version: X.X

# Definitions

* “RAH” is the **The Corporation of the Hall of Arts and Sciences**, <ADDRESS>;
* A “corrupt practice” is the offering, giving, receiving or soliciting, directly or indirectly, anything of value to improperly influence the actions of another party;
* A “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation;
* A “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including to influence improperly the actions of another party;
* A “coercive practice” is impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party to improperly influence the actions of a party;
* An “obstructive practice” is;
* Deliberately destroying, falsifying, altering or concealing of evidence material to the investigation or making false statements to investigators in order to materially impede an investigation authorised by the RAH into allegations of a corrupt, fraudulent, coercive or collusive practice; and/or threatening, harassing or intimidating any party to prevent it from disclosing its knowledge of matters relevant to the investigation or from pursuing the investigation, or
* Acts intended to materially impede the exercise of the RAH’s contractual rights of audit or access to information.
* A “contractor” is any individual, company, organisation, donor, supplier or agency.
* A “partner” is any recipient of funding or payments which includes <BUSINESS SECTOR DESCRIPTION/PARTNER GROUPS>, Governments, civil society and the wider community that works with the RAH.

# Preamble

The RAH has a reputation for integrity, openness and respect for others. Therefore, the trust and confidence of those the RAH deals with is essential. The protection of its reputation and relationships is of fundamental importance to its long-term sustainability. The RAH recognises its obligations to all those with whom it has a direct relationship.

This document covers fraud and corruption in the use of funds for unauthorised or ineligible expenditures, as well as fraud and corruption engaged in for the purpose of influencing any decision as to the use of funds. All such fraud and corruption are deemed to occur in connection with the use of the RAH’s funds. Where the RAH has sufficient evidence of fraud and corruption, it shall request a refund of funds from the contractor or partner involved and may refer the issue to law enforcement authorities.

Finally, all partners are required to sign the last page of this document signifying they have read and understood this Code of Ethics (the “Code”) and their commitment to implement the code, which is an integral part of the engagement document with the RAH.

# Code of Ethics

The RAH’s reputation depends on the way in which it works. It will treat its contractors and partners with respect, honesty and fairness. Confidential information relating to its relationship with all contractors and partners will be respected. It will respect copyright and other intellectual property rights.

Where contractors and other third parties are contracted by the RAH to perform services, they will be expected to act in accordance with this code. The obligation to comply with this document forms an integral part of the engagement.

Decisions to hire a contractor or source materials from a particular vendor or supplier are made on the basis of objective criteria such as quality, reliability, technical excellence, price and service. Purchasing decisions will never be made on the basis of personal relationships or the opportunity for personal financial gain. Where applicable, contractors and partners undertake to pay suppliers, sub-contractors and agents in accordance with agreed terms.

The receipt of gifts or favours by contractors and partners can give rise to embarrassing situations and may be seen as improper inducement. Gifts and favours must not be solicited. In the event that any offers of gifts or favours are received, contractors and partners should report this immediately using their organisation’s internal reporting channels.

Contractors and partners shall not avoid tax liabilities and will record and report all transactions, including those where payment is made in cash. All taxable perquisites to which contractors and partners staff are entitled will be listed and declared for tax purposes.

It is expected that contractors and partners will recruit and promote their staff on the basis of their suitability for the job and organisation’s needs without discrimination. Gender Equality and Diversity of staff and sub-contractors is immensely valued and central to the operations of the RAH. The RAH expects contractors and partners to conduct their business activities with colleagues and stakeholders with respect for all and with honesty and courtesy. The RAH expects contractors and partners to forbid the harassment or bullying of their staff.

# Fraud and corruption

Contractors and partners are expected to conduct their business with the utmost integrity and not canvass or solicit any member, officer or employee of the RAH in connection with any work, tender contract or proposed contract.

No staff or sub-contractors of contractors or partners shall be involved in any activity through the RAH for personal gain. Any personal interests or interests of a member of one’s immediate family in relation to the organisation’s business must be disclosed. Any conflicts of interest should be discussed with the RAH who will take action to deal with, resolve and/or mitigate any real or apparent conflict.

Contractors and partners will:

1. Take all appropriate measures to prevent corrupt, fraudulent, collusive, coercive and obstructive practices in connection with the use of RAH funds, including (but not limited to):

* adopting appropriate fiduciary and administrative practices and institutional arrangements to ensure that the funds are used only for the purposes for which they were intended, and;
* ensuring that all of its representatives involved with the project, and all recipients of funds with which it enters into an agreement related to the Project, receive a copy of this document and are made aware of its contents;

1. Immediately report to the RAH any allegations of fraud and corruption;
2. Cooperate fully with representatives of the RAH or its appointed agent/s in any investigation into allegations of fraud and corruption. If the RAH determines that any person or entity referred to in 4.1 above has engaged in corrupt, fraudulent, collusive, coercive or obstructive practices, it may suspend further funding/disbursement/payment. Should investigations reveal that there was fraudulent activity, the RAH reserves the right to demand a refund and may terminate the contract/ agreement in place. The RAH may also hand over the reports from any investigations to the law enforcement authorities for appropriate action;
3. Take all necessary and appropriate action against any representative declared ineligible, as described below, from duties and responsibilities;

* If the RAH determines that a contractor or partner or any of their staff or sub-contractors have committed any of the practices set out in this Code, it shall declare that contractor or partner ineligible;
* The RAH shall declare a contractor or partner ineligible under this Code if such a contractor or partner has been declared ineligible under RAH procurement guidelines or those of the respective government, any other international organisation; and

1. A contractor or partner is expected to assist or enable the RAH obtain a refund of any resources (assets, monies, materials among other benefits) that have been used inappropriately, including returning any unutilised funds especially where the RAH is not content with progress.

# Gender mainstreaming

Gender equality is a key value of the RAH Charter and we expect our contractors and partners to take this into consideration and be able to demonstrate where efforts are being made to advance gender equality principles, within their business practices.

# 6 Discrimination of marginalised groups

The RAH, its contractors and its partners will not discriminate against any marginalised groups including women, men, disabled persons, religious groups, or ethnic minorities and will strive to ensure that they work with contractors and partners who are committed to the prohibition of discrimination.

# Environmental Sustainability

Supporting the achievement of environmentally sustainable development in its member states is one of the RAH’s primary goals. The RAH is committed to ensuring that environmental best practice permeates through the day-to-day and strategic operations of its premises, facilities, procedures and practices and it expect its partners to adopt similar or better standards.

At the headquarters of the RAH, its commitment to environmental sustainability in its operations is to be carried out through a range of activities such as:-

* Energy management through the principles of ISO50001;
* Attaining carbon neutral operations;
* Encouraging virtual meetings over travel;
* Improved waste management; and
* Staff training and awareness.

We expect our contractors and partners to be able to demonstrate where efforts are being made to embed Environmental Sustainability, within their business practices.

# Commitment to address Ethical Issues

The RAH actively seeks opportunities to work with external organisations to achieve shared objectives. Therefore, it is vital that it maintains its independence and does not allow business relationships to bring the name of the RAH into disrepute.

The RAH therefore seeks, as far as is practical and within the constraints of relevant national legislation and International law:-

* To ensure that initiatives do not compromise the independent status of the RAH;
* To ensure that contractors and partners activities are consistent with our organisational values;
* To enhance gender equality through monitoring where applicable, diversity and inclusion on Management Boards.  To this end, we will collect data on the percentage of women and men on Boards;
* To ensure that by 2020, at least 30% of our supplier base are small or medium sized enterprises (SMEs). We will collect data on the percentage of SMEs applying for and winning tenders, as well as women-owned SMEs applying for and winning tenders;
* To use Fairtrade, Rainforest alliance or local produce for any catering purposes;
* To monitor the environmental awareness of our contractors and partners with a view to only doing business with environmentally responsible businesses by 2020; and
* Not to award contracts whose value exceeds 25% of the company’s annual turnover;

# Product endorsements for contractors and partners

The RAH does not endorse or approve products.

# Implementing and monitoring this document

This document is not an exhaustive description of the RAH’s requirements of adherence to ethical polices and standards. The RAH aims to create a culture in which it is normal for partners to ‘do the right thing’ and to voice genuinely held concerns about behaviour or decisions that they perceive to be unethical. Adherence to the provisions of this document is a condition of partnership.

The RAH is available to ensure that all contractors and partners receive guidance on this document and understand the values that underpin its usage. Contractors and partners should strive to create an environment that encourages open discussion about any concerns.

The RAH may, at regular intervals, check with contractors and partners that the situation from when this document was signed has not changed.

# Miscellaneous

The provisions of this Code do not limit any other rights, remedies or obligations of the RAH or its partners under any other document to which the RAH and its contractors or partners are both parties.

# Commitment to the Code of Ethics

I have read this Code and hereby sign it as a confirmation of my commitment to ensuring the principles are incorporated in my activities and are adhered to.

Name of organisation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ *(where applicable)*

Name of Signatory\*: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title of Signatory: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\* **Only a Partner, Director or authorised signatory, in his/her own name should, on behalf of the contractor or partner, sign this document. ]**