

Phases 3 Temporary Accommodation
Wynyard Church of England Primary School,
Wynyard Estate, Billingham

Principle Modular Contractor – Invitation to Tender Part 1

This ITT Part 1 has been issued in connection with a competitive local procurement for temporary modular accommodation and associated Phase 3 works at Wynyard Church of England Primary School, Wynyard Estate, Billingham.

Notes to Potential Bidders for Completion:

Potential Bidders must answer these questions in complete honesty.

Please ensure that you read the ITT Part 1 guidance notes for each question and complete the ITT Part 1 as requested. Should the End User discover any discrepancies or that the Potential Bidder has been dishonest with its answers, this will result in the Potential Bidders application being disqualified. If you are subsequently awarded a contract and the End User becomes aware that you have misled them in anyway then the contract will be terminated with immediate effect.

All questions within this ITT Part 1 are mandatory unless stated otherwise.

Points allocated for each question are shown after each question.

Questions that are pass/fail questions are explained. If you fail any of these questions you fail the ITT and will be disqualified from the process.

Questions that require a yes or no answer are marked Yes/No. Please indicate your answer as either Yes or No. For those questions that do not apply to you please write N/A; if you do not know the answer please write N/K.

Sections to questions are weighted as follows

Sections	Weightings
0. Organisation Registering	N/A
1. Organisation Details	N/A
2. Financial Information	Question 2.1: Pass/Fail Question 2.2: Pass/Fail Question 2.3: Pass/Fail Question 2.4: Pass/Fail
3. Experience and Relevant Contracts	Question 3.1: Pass/Fail Question 3.2: Pass/Fail
4. Insurance	Question 4.1: Pass/Fail

5. Professional & Business Standing	N/A
6. Health and Safety	Question 6.1: Pass/Fail Question 6.2: Pass/Fail
7. Declaration	Question 7.1: Pass/Fail

0. ORGANISATION REGISTERING

0.1 Organisation Name

Full name of organisation tendering (or of the organisation acting as lead contact where a consortia bid is being submitted)

0.2 Organisation Address

0.3 Contact Name

0.4 Contact Telephone Number

0.5 Email

This question is worth 0 marks.

1. ORGANISATIONAL DETAILS

1.1 Is your organisation a:

- | | |
|-----------------------------------|--------------------------|
| Sole Trader | <input type="checkbox"/> |
| Partnership | <input type="checkbox"/> |
| Limited Liability Partnership | <input type="checkbox"/> |
| Limited company | <input type="checkbox"/> |
| Public Limited company | <input type="checkbox"/> |
| Third Sector Other (please state) | <input type="checkbox"/> |
| Other (please state) | |

This question is worth 0 marks.

1.2 Registered office address:

This question is worth 0 marks.

1.3 Company or charity registration number:

This question is worth 0 marks.

2. FINANCIAL INFORMATION

2.1 The estimated annual value of this contract is expected to be up to £460,000. In line with the Public Contracts Regulations 2015 the End User requires the annual turnover of potential bidders to be not less than twice the expected contract value.

Please confirm your annual turnover is in excess of £1,700,000.

Yes/No

Potential Bidders who answer 'No' will fail the ITT process.

2.2 If requested, would you be able to provide a copy of **one** of the following:

- A copy of your audited accounts for the most recent two years. **Yes/No**
- A statement of your turnover, profit and loss account and cash flow for the most recent year of trading. **Yes/No**
- A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position. **Yes/No**
- Alternative means of demonstrating financial status if trading for less than a year **Yes/No**

Potential Bidders who answer 'No' to all of these questions will fail the ITT process

2.3 If this procurement is valued at £250,000 or more, please confirm if you will provide a Parent Guarantee or Bond if requested by the End User

Yes/No

Potential Bidders who answer 'No' will fail the ITT process.

2.4 Of your top customers (ranked by turnover), what percentage of your total turnover does the highest ranked customer account for?

0%-75% scores pass. Please note Potential Bidders who answer 76%-100% will result in automatically failing the ITT.

10% - 14%

☐

scores pass

15% - 40%	<input type="checkbox"/>	scores pass
41% - 60%	<input type="checkbox"/>	scores pass
61% to 75%	<input type="checkbox"/>	scores pass
76%-100%	<input type="checkbox"/>	scores fail

3. EXPERIENCE AND RECENT RELEVANT CONTRACTS

- 3.1 Please provide details of up to three contracts that your organisation has held that are relevant to the End User's requirements stated in the advertisement. Contracts should have been performed during the past three years. Please include Customer organisation, Customer contact name and phone number, Contract award, start and end date, total value, names of any subcontractors/consortium members utilised and a comprehensive description of the contracts and how these examples are relevant to the End User's requirements.

Potential Bidders who provide less than two contracts will automatically fail the ITT.

Customer Organisation	Description of Project	Customer Contact Name and Phone No.	Contract Dates	Contract Value

- 3.2 Has your organisation had any contracts terminated for poor performance in the last three years, or any contracts where damages have been claimed and awarded by another contracting party? **Yes/No**

Potential Bidders who answer Yes will automatically fail the ITT

4. INSURANCE

The End User requires all Potential Bidders to provide the following for each and every claim:

- Professional indemnity £5 million
- Public Liability £5 million
- Employers Liability £5 million

- 4.1 Can you confirm that your organisation has the required level of cover or is prepared to obtain the level of cover prior to award?

Yes - have levels of cover already and will continue to for this contract

☐

No - but will provide the End User's level of cover requested if awarded contract

☐

No - have not got cover and won't provide End User's level of cover

☐

Potential Bidders who won't provide this level of cover will fail the ITT process.

5. PROFESSIONAL & BUSINESS STANDING

GROUNDINGS FOR MANDATORY REJECTION

In some circumstances the End User is required by law to exclude you from participating further in a procurement. If you cannot answer 'no' to every question in this section it is very unlikely that your application will be accepted, and you should contact us for advice before completing this form.

Please state 'Yes' or 'No' to each question.

- 5.1 Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?

Yes/No

- (a) 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 End User Framework Decision 2008/841/JHA;
- (b) 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; where the offence relates to active corruption;
- (c) the offence of bribery, where the offence relates to active corruption; (i) bribery within the meaning of section 1 or 6 of the Bribery Act 2010;
- (d) fraud, 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, within the meaning of:
 - (i) the offence of cheating the Revenue;

- (ii) the offence of conspiracy to defraud;
 - (iii) 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;
 - (iv) 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;
 - (v) 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;
 - (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
 - (vii) 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;
 - (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or
 - (ix) making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006;
- (e)** money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;
- (i) 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; or
 - (ii) 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
- (f)** any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State

GROUNDS FOR DISCRETIONARY REJECTION

Is any of the following true of your organisation?

Yes/No

- (a) being an individual is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or a debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of his creditors or has made any conveyance or assignment for the benefit of his creditors or appears unable to pay, or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other state;
- (b) being a partnership constituted under Scots law, has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate; or
- (c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is the subject of similar procedures under the law of any other state?

Has your organisation?

Yes/No

- (a) been convicted of a criminal offence relating to the conduct of your business or profession;
- (b) committed an act of grave misconduct in the course of your business or profession;
- (c) failed to fulfill obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which you are established;

6. HEALTH AND SAFETY

- 6.1 Does your organisation comply with the Health and Safety at Work Act 1974?
Yes/No

Potential Bidders who answer 'No' will fail the ITT process

- 6.2 Does your organisation train its staff in Health and Safety?
Yes/No/ N/A Sole Trader

Potential Bidders who answer 'No' will fail the ITT process

7. DECLARATION

- 7.1 I declare that to the best of my knowledge the answers submitted in this ITT are correct. I understand that the information will be used in the process to assess my organisation's suitability to be invited to tender for the End Users requirement and I am signing on behalf of my organisation. I understand that the End User may reject this ITT if there is a failure to answer all relevant questions fully or if I provide false/misleading information.

Potential Bidders who do not agree to this declaration will fail the ITT process.

NAME _____ DATE

Signature _____