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| --- | --- |
| Title: | ECO4 Fraud and Error Assurance |
| Tender Reference Number: | ITT\_1853 |
| Deadline for Responses: | 10/12/2024 |

Date: 19/11/2024

The Department for Energy Security & Net Zero (referred throughout these documents as “DESNZ” or the “Department”) wishes to commission a project to **ECO4 Fraud and Error Assurance**.

Enclosed are the following sections:

* Section 1 (page 6) Instructions on tendering procedures
* Section 2 (page 11) Specification of Requirements
* Section 3 (page 30) Further information on tender procedure
* Section 4 (page 33) Declarations to be submitted by the tenderer;

Statement of non-collusion

Form of tender

Conflict of interest

Standard Selection Questionnaire

Please register your interest in submitting a tender through the Jaggaer platform <https://beisgroup.ukp.app.jaggaer.com/> - This will ensure you receive immediate notification of updates to the ITT process or answers to questions raised by potential bidders.

Please read the instructions on the tendering procedures carefully since failure to comply with them may invalidate your tender. Your tender must be returned by the closing date clearly displayed in the Jaggaer portal.

We look forward to receiving your response.

Yours sincerely,

DESNZ Commercial

**Privacy Notice**

This notice sets out how we will use your personal data, and your rights. It is made under Articles 13 and/or 14 of the General Data Protection Regulation (GDPR).

**YOUR DATA**

We will process the following personal data:

Names and contact details of employees involved in preparing and submitting the bid; names and contact details of employees proposed to be involved in delivery of the contract; names, contact details, age, qualifications and experience of employees whose CVs are submitted as part of the bid.

*Purpose*

We are processing your personal data for the purposes of the tender exercise described within the remainder of this Invitation to Tender, or in the event of legal challenge to such tender exercise.

If you intend to use the above personal data collected in the procurement exercise to evaluate the procurement exercise and obtain feedback from tenderers, you need to highlight this here and update the section on retention.

*Legal basis of processing*

The legal basis for processing your personal data is processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller, such as the exercise of a function of the Crown, a Minister of the Crown, or a government department; the exercise of a function conferred on a person by an enactment; the exercise of a function of either House of Parliament; or the administration of justice.

*Recipients*

Your personal data will be shared by us with other Government Departments or public authorities where necessary as part of the tender exercise. We may share your data if we are required to do so by law, for example by court order or to prevent fraud or other crime.

*Retention*

All tenders will be retained for a period of 6 years from the date of contract expiry, unless the contract is entered into as a deed in which case it will be kept for a period of 12 years from the date of contract expiry.

**YOUR RIGHTS**

You have the right to request information about how your personal data are processed, and to request a copy of that personal data.

You have the right to request that any inaccuracies in your personal data are rectified without delay.

You have the right to request that any incomplete personal data are completed, including by means of a supplementary statement.

You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.

You have the right in certain circumstances (for example, where accuracy is contested) to request that the processing of your personal data is restricted.

You have the right to object to the processing of your personal data where it is processed for direct marketing purposes.

You have the right to object to the processing of your personal data.

**INTERNATIONAL TRANSFERS**

Your personal data will not be processed outside the UK/EEA.

**COMPLAINTS**

If you consider that your personal data has been misused or mishandled, you may make a complaint to the Information Commissioner, who is an independent regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

0303 123 1113

casework@ico.org.uk

Any complaint to the Information Commissioner is without prejudice to your right to seek redress through the courts.

**CONTACT DETAILS**

The data controller for your personal data is the Department for Energy Security and Net Zero (DESNZ).

You can contact the DESNZ Data Protection Officer at: DESNZ Data Protection Officer, Department for Energy Security and Net Zero, 3-8 Whitehall Place, London SW1A 2EG. Email: [dataprotection@energysecurity.gov.uk](mailto:dataprotection@energysecurity.gov.uk)

**Section 1**

**Instructions and Information on Tendering Procedures**

Invitation to tender for: ECO4 Fraud and Error Assurance

Tender reference number: ITT\_1853

Deadline for tender responses: 10/12/2024

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# Indicative Timetable

The anticipated timetable for this tender exercise is as follows. The Department reserves the right to vary this timetable. Any variations will be published on contracts finder or circulated to all organisations who have registered an interest in notifications.

Table 1 Tender Timeline

|  |  |
| --- | --- |
| **Tender Timeline** | **Date** |
| Advert and full invitation to tender issued | 19/11/2024 |
| Deadline for questions relating to the tender | 29/11/2024 (17:00) |
| Responses to questions published | 04/12/2024 |
| Deadline for receipt of tender | **10/12/2024 (17:00)** |
| All suppliers alerted of outcome | 14/01/2024 |
| Contract award on signature by both parties | 24/01/2024 |
| Contract start date | 30/01/2024 |

The contract is to be for a period of up to 5 months, unless terminated or extended by the Department in accordance with the terms of the contract. A more detailed breakdown of the milestones for works to be completed by is included in the Specification.

# Procedure for Submitting Tenders

The maximum page limit for tenders is 24 (excluding declarations, Pricing Schedule and Stakeholder Conflict of Interest form). To apply for this tender please register on the following website <https://beisgroup.ukp.app.jaggaer.com/>

For questions regarding the procurement process please contact [hthcommercial@energysecurity.gov.uk](mailto:hthcommercial@energysecurity.gov.uk)

Tenders will be received up to the time and date stated (17:00 on 10/12/2024). Please ensure that your tender is delivered no later than the appointed time on the appointed date. The Department does not undertake to consider tenders received after that time. The Department requires tenders to remain valid for a period indicated for a minimum 60 days.

The Department shall have the right to disqualify you from the procurement if you fail to fully complete your response, or do not return all of the fully completed documentation and declarations requested in this ITT. The Department shall also have the right to disqualify you if it later becomes aware of any omission or misrepresentation in your response to any question within this invitation to tender. If you require further information concerning the tender process, or the nature of the proposed contract, email [hthcommercial@energysecurity.gov.uk](mailto:hthcommercial@energysecurity.gov.uk)

All questions should be submitted by 29/11/2024 (17:00), through the message function on Jaggaer; questions submitted after this date may not be answered. Should questions arise during the tendering period, which in our judgement are of material significance, we will publish these questions with our formal reply by the end of 04/12/2024 and circulate – unnamed - to all organisations that have expressed an interest in bidding. All contractors should then take that reply into consideration when preparing their own bids, and we will evaluate bids on the assumption that they have done so.

You will not be entitled to claim from the Department any costs or expenses that you may incur in preparing your tender whether or not your tender is successful.

# Conflict of Interest

Conflicts of interest will be assessed in two ways:

* Conflicts with the Authority – Declaration 3
* Conflicts with key stakeholders on this exercise – Stakeholder Conflict of Interest form

**Conflicts with the Authority**

The Department’s standard terms and conditions of contract include reference to conflict of interest and require contractors to declare any potential conflict of interest to the Secretary of State.

For research and analysis, conflict of interest is defined as the presence of an interest or involvement of the contractor, subcontractor (or consortium member) which could affect the actual or perceived impartiality of the research or analysis.

Where there may be a potential conflict of interest, it is suggested that the consortia or organisation designs a working arrangement such that the findings cannot be influenced (or perceived to be influenced) by the organisation which is the owner of a potential conflict of interest. For example, consideration should be given to the different roles which organisations play in the research or analysis, and how these can be structured to ensue maintain an impartial approach to the project is maintained.

The process by which this is managed in the procurement process is as follows:

1. **During the bidding process, organisations may contact DESNZ to discuss whether or not their proposed arrangement is likely to yield a conflict of interest.** Any responses given to individual organisations or consortia will be published on Contracts Finder (in a form which does not reveal the questioner’s identity). Any organisation thinking of submitting a bid, should share their contact details with the staff member responsible for this procurement, to ensure they receive an update when any responses to questions are published.
2. **Contractors are asked to sign and return ‘Declaration 3’ to indicate whether or not any conflict of interest may be, or be perceived to be, an issue.** If this is the case, the contractor or consortium should give a full account of the actions or processes that it will use to ensure that conflict of interest is avoided. In any statement of mitigating actions, contractors are expected to outline how they propose to achieve a robust, impartial and credible approach to the research.
3. **When tenders are scored, this declaration will be subject to a pass/fail score**, according to whether, on the basis of the information in the proposal and declaration, there remains a conflict of interest which may affect the impartiality of the research.

Failure to declare or avoid conflict of interest at this or a later stage may result in exclusion from the procurement competition, or in the Department exercising its right to terminate any contract awarded.

**Conflicts with Key Stakeholders**

Question T0 of the Technical Questions contains a list of some of the key stakeholders the successful supplier will be required to interact with and assess as part of this exercise. As part of your tender response, complete the Stakeholder Conflict of Interest form attached to the Technical Envelope of the ITT in the esourcing portal, Jaggaer.

This question is **PASS/FAIL**. Bidders will automatically fail this question if they submit three or more unmitigated conflicts, OR they submit three or more conflicts whose mitigations are deemed unsatisfactory by the Authority. The definition of what is unsatisfactory is up to the discretion of the Authority. Should a Bidder fail this question, the rest of the bid will not be marked, and the Bidder will be excluded.

Three members of the Authority will assess each Stakeholder Conflict of Interest form. The three evaluators from the Authority team will meet, with the presence of a moderator, to agree the PASS/FAIL status of each form.

# Evaluation of Responses

The tender process will be conducted to ensure that bids are evaluated fairly and transparently, in accordance with agreed assessment criteria. Further details are provided in this ITT.

# Terms and conditions applying to this Invitation to Tender

The Mid Tier Terms and Conditions will apply to this contract. These are available to download as part of this ITT on <https://beisgroup.ukp.app.jaggaer.com/>

Please read the Procurement Guidance on GDPR and Cyber-Security.

If the Contractor will transfer personal data outside of the European Economic Area or the countries highlighted in Procurement Guidance on GDPR and Cyber-Security, please inform your Procurement Business Partner, who will highlight the changes which will need to be made to the standard data protection provisions.

As per PCR 58.9, this exercise requires the supplier to have a minimum annual turnover of up to 2x the annual contract value. To bid for this opportunity, you, or your consortium, must have a minimum annual turnover of £900,000.

# Further Instructions to Contractors

The Department reserves the right to amend the enclosed tender documents at any time prior to the deadline for receipt of tenders. Any such amendment will be numbered, dated and issued by 29/11/2024. Where amendments are significant, the Department may at its discretion extend the deadline for receipt of tenders.

The Department reserves the right to withdraw this contract opportunity without notice and will not be liable for any costs incurred by contractors during any stage of the process. Contractors should also note that, in the event a tender is considered to be fundamentally unacceptable on a key issue, regardless of its other merits, that tender may be rejected. By issuing this invitation the Department is not bound in any way and does not have to accept the lowest or any tender and reserves the right to accept a portion of any tender unless the tenderer expressly stipulates otherwise in their tender.

# Checklist of Documents to be Returned

* Proposal (maximum 24 pages + Stakeholder Conflict of Interest form)
* Pricing Schedule
* Declaration 1: Statement of non-collusion
* Declaration 2: Form of Tender
* Declaration 3: Conflict of Interest
* Declaration 4: Standard Selection Questionnaire

**Section 2**

**Specification of Requirements**

Invitation to Tender for: ECO4 Fraud and Error Assurance

Tender Reference Number: ITT\_1853

Deadline for Tender Responses: 10/12/2024

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# Specification

Find the detailed Specification document for this requirement within the attached documents for this ITT, on Jaggaer.

# Consortium Bids

In the case of a consortium tender, only one submission covering all of the partners is required but consortia are advised to make clear the proposed role that each partner will play in performing the contract as per the requirements of the technical specification. We expect the bidder to indicate who in the consortium will be the lead contact for this project, and the organisation and governance associated with the consortia.

Contractors must provide details as to how they will manage any sub-contractors and what percentage of the tendered activity (in terms of monetary value) will be sub-contracted.

If a consortium is not proposing to form a corporate entity, full details of alternative proposed arrangements should be provided. However, please note the Department reserves the right to require a successful consortium to form a single legal entity in accordance with Regulation 19 of the Public Contracts Regulations 2015.

The Department recognises that arrangements in relation to consortia may (within limits) be subject to future change. Potential Providers should therefore respond in the light of the arrangements as currently envisaged. Potential Providers are reminded that any future proposed change in relation to consortia must be notified to the Department so that it can make a further assessment by applying the selection criteria to the new information provided.

# Budget

The maximum budget for this exercise is **£495,000 exc VAT**, including all Workstreams (as set out in the Specification), and any ad-hoc requests (additional requirements from the Authority, or additional workstreams suggested by the Supplier). The maximum budget split for this contract can be seen in the table below. The pricing for how these Workstreams will be charged under this contract are included in the table also.

Table 2 Budget Allocation across Workstreams

|  |  |  |
| --- | --- | --- |
| **Workstreams** | **Budget Allocated (£)** | **Pricing Mechanism** |
| Workstream 1 - ECO4 Scheme Evaluation Scoping Exercise | 408,000 | Capped Time and Materials with a Guaranteed Maximum Price |
| Workstream 2 - Fraud and Error Management: Document Review |
| Workstream 3 - Research via Qualitative Interviews |
| Workstream 4 - Fraud and Error Risk around Individual Measures |
| Workstream 5 - Domestic Building Fraud and Error |
| Workstream 6 - Recipient Eligibility Fraud and Error |
| Workstream 8 - Reporting |
| Workstream 9 - Gaming Review |
| Workstream 7 - On-site property audits | 15,000 | Fixed Price |
| Ad Hoc Requests | 72,000 | Capped Time and Materials |

Please note that these values are maximums, and the Authority is not obligated to spend the full amount. Any savings made against the budget (£408,000) allocated for Workstreams 1, 2, 3, 4, 5, 6, 8 and 9 (excluding Workstream 7 and Ad Hoc Requests) will be shared with the appointed supplier through a **Gainshare** mechanism. At the end of this contract, the Authority and Supplier will reconcile the spend against this contract. Once the Authority has signed this off, the Supplier will be able to charge a value amounting to **a third** of the savings figure agreed (in GBP, and excluding VAT) to the Authority in the final invoice.

Contractors should provide a full and detailed breakdown of costs (including options where appropriate), in all sections requested in the Pricing Schedule. Please note that all prices entered will become contractually enforceable should you be awarded this contract. Prices entered into the Pricing Schedule will be a criterion against which bids which will be assessed.

In submitting full tenders, contractors confirm in writing that the price offered will be held for a minimum of 60 calendar days from the date of submission. Any payment conditions applicable to the prime contractor must also be replicated with sub-contractors.

The Department aims to pay all correctly submitted invoices as soon as possible with a target of 10 days from the date of receipt and within 30 days at the latest in line with standard terms and conditions of contract.

# Evaluation of Tenders

Contractors are invited to submit full tenders of no more than 24 pages, excluding declarations. Tenders will be evaluated by at least three DESNZ staff.

The tender process will be conducted to ensure that bids are evaluated fairly and transparently, in accordance with agreed assessment criteria. This tender will be assessed via a Qualification Envelop, Technical Envelope, and Commercial Envelope, as described below.

### Declarations

There are a number of Declarations required of Tenderers when submitting a response to this procurement. These are the following:

• Form of Tender

• Statement of Non-Collusion

• Conflict of Interest

• Supplier Selection Questionnaire response

These are contained in the Qualification Envelope of the Authority’s e-sourcing portal, Jaggaer, and will require Tenderer’s submitting a response to confirm the content of these declarations when completing their submission.

# 4.1 Qualification Envelope

In line with Public Procurement Notice 03/236 (“PPN”), Tenderers are required to complete a Supplier Selection Questionnaire, which is contained in the Qualification Envelope of the Authority’s e-sourcing portal, Jaggaer.

The questions asked in Part 3 of the Supplier Selection Questionnaire of this procurement may differ from those Tenderers may have responded to in other procurements and so it is recommended that Tenderers give enough time to thoroughly review and complete this Questionnaire prior to the procurement deadline.

There are mandatory and discretionary exclusions to this questionnaire and the Authority will follow the guidance as detailed in Annex D of the PPN to reject or accept a Tenderer’s responses. If rejected, the Tenderer’s response will not progress to Technical or Commercial evaluation and the submission will be removed from the competition. The Authority reserves the right to seek clarification on responses given in a Tenderer’s Supplier Selection Questionnaire.

Every organisation that is being relied on to deliver the proposed Services must complete:

• The Declarations

• Supplier Selection Questionnaire Parts 1 and Part 2

The lead Tenderer, that whom the Authority would contract with if successful, must complete the Qualification Envelope online on the Authority’s e-sourcing portal, Jaggaer. The Qualification Envelope can be downloaded as a file for other reliant organisations to complete and upload with the lead Tenderer’s submission.

If Tenderers are intending to form a Consortium for delivery as a proposed single legal entity (i.e. not one lead supplier and a supply chain) then the guidance in the Qualification Envelope details how all consortium partners can complete individual Supplier Selection Questionnaires.

In this procurement the Authority does not require all sub-contractors to complete Part 1 and Part 2 of the Supplier Selection Questionnaire.

For answers to Supplier Selection Questionnaire Part 3 - If a Tenderer is bidding on behalf of a group, for example a consortium, or intends to use sub-contractors, the lead Tenderer should complete all of the questions on behalf of the consortium and/or any sub-contractors, providing one composite response and declaration.

# 4.2 Technical Envelope

An overview of the technical questions which will be asked for this procurement and their relative weightings are provided in the table below. The questions asked in this technical envelope make up the ‘Quality’ element of this tender.

Table 3 Technical Question Overview

|  |  |  |
| --- | --- | --- |
| Question number | Question Topic | Weighting |
| T0 | Stakeholder Conflicts of Interest | N/A |
| T1 | Fraud Assurance Capability and Requirement Core/Desirable Capabilities | 25% |
| T2 | Approach to the delivery of services and project plan | 50% |
| T3 | Team structure, experience, expertise, and ways of working | 15% |
| SV1 and SV2 | MAC 3.1 and MAC 3.4 | 5% + 5% |

Tenderers are required to provide responses to the all the technical and social value questions. This will form the Tenderer’s Technical Proposal and will be included in an awarded Contract. Technical responses are to be uploaded to the Technical Envelope on the e-sourcing portal, Jaggaer.

Tenders will be evaluated by at least three Authority staff, or staff from other relevant Departments, of His Majesty’s Government as required. Technical and Commercial proposals will be reviewed separately.

Authority staff will independently review and score the Technical Proposals received. Only the information provided in answer to each question will be evaluated and scored for that question.

Following this, a consensus meeting will be held, chaired by a representative of the Authority’s Commercial Team, to reach agreement on scores for each proposal.

### Scoring Methodology

Each question response in the Technical Proposal will be scored according to the requirements of the question and the Scoring Matrix provided below. Proposals will be awarded scores between 0 and 5, using the Scoring Matrix below. The scoring bands have specifically been designed not to be linear to prevent bid-bunching in line with Cabinet Office Guidance[[1]](#footnote-2). Where scores will consist of the stated numbers only; there will be no incremental scores awarded between them.

Table 4 Scoring Methodology

|  |  |
| --- | --- |
| Score | Description |
| 0 | **Fail**:  Complete failure to address all material elements of the Specification. No tailoring of responses to meet customer requirements. No quality responses providing no confidence that they will deliver. |
| 0.8 | **Not Satisfactory**: Demonstrates a poor understanding of the issues relating to delivery of the Specification. Poor attempt to tailor the response to the customers’ requirements where required. Generally, an unsatisfactory and a low level of quality information and detail leading to a low level of confidence that they will deliver. |
| 1.9 | **Partially Satisfactory**: Demonstrates a partially satisfactory understanding of some of the issues relating to delivery of the Specification. Only some attempt to tailor the response to and address the customer’s requirements. Provides only some level of detail and quality of information to give only some level of confidence that they will be able to deliver. |
| 3.1 | **Satisfactory**: Demonstrates a satisfactory understanding of many of the issues relating to the delivery of the Specification. Responses are tailored where relevant to the customer’s requirements for many of the aspects of the specification and the key areas of the specification are addressed.  Provides an overall satisfactory level of detail and quality of information to give a reasonable level of confidence that they will deliver. |
| 4.1 | **Good**: Demonstrates a good understanding of the majority of issues relating to delivery of the Specification. Responses are tailored where relevant to the customer’s requirements in the majority of aspects and the majority of the specification is addressed. Provides sufficient detail and quality of information to give a strong level of confidence that they will deliver. |
| 5 | **Excellent**: Demonstrates excellent understanding of the Specification and proposes excellent and accurate solutions which address all requirements, and which are innovative where appropriate. Responses are excellently tailored to the customer’s requirements in all aspects. Level of detail and quality of information provides the highest degree of confidence in certainty of delivery. |

The total Technical Score will be calculated by applying the agreed score for a question against the question’s weighting as given in Table 3.

Any Tenders deemed to be non-compliant following the Technical Evaluation will be excluded at that point and will not be considered in the Commercial Evaluation.

After reviewing and evaluating the technical responses, the Authority may decide to request Bid Clarifications from Tenderers. These discussions will be limited to clarifying elements of existing proposals and will not be an opportunity for the Authority or the Tenderer to improve or change proposals.

### Technical Questions

The table below outlines the questions and associated weightings against which Technical submissions will be evaluated in detail. Tenderers should ensure that their proposal addresses all the requirements set out in the Specification, these requirements have not been repeated.

Tenderers are requested to structure their submissions clearly with responses to each question asked below clearly identified. Tenderers are requested to provide separate files for each question response.

Question T0 is a pass/fail question, and as explained above, if a Tenderer fails this question they will be excluded from the procurement and the rest of their response will not be marked. Also, there is a minimum quality threshold for question T2. If a supplier scores <1.9 on this question, then the Authority reserves the right to exclude the supplier, and will not score any further questions.

All responses should be in font size 11, have regular margins and all text in diagrams or tables are to be of sufficient size to be legible without magnification**.** All submissions must be portrait orientation (with the exception of any diagrams/charts).Please do not include any links as only content included within the page limit will be evaluated.

**Cover pages or letters should not be included in the bid**. If a response goes over the stated page count, the evaluator will stop reading the response at the page count limit, and the rest of the response will not be scored. Do not include the question sheet (attached to each question in Jaggaer) at the start of your answer, or the same methodology will be applied.

Table 5: Evaluation Questions

| **Area of Evaluation** | **Question** | **Weighting** | **Higher Marks** |
| --- | --- | --- | --- |
| T0 – Stakeholder Conflicts of Interest | There are several stakeholders within this scheme you will be required to collect and assemble data from. Please see them listed in Table 1 on the Stakeholder Conflict of Interest form (attached to this ITT, in Jaggaer).  Please state any Conflicts of Interest you have with these stakeholders on the ‘Stakeholder Conflict of Interest’ form provided with this ITT. For any conflicts identified, indicate any mitigation measures you would take to manage this should you be awarded this contract.  This question is **PASS/FAIL**. Bidders will automatically fail this question if they submit three or more unmitigated conflicts, OR they submit three or more conflicts whose mitigations are deemed unsatisfactory by the Authority. Should a Bidder fail this question, the rest of the bid will not be marked, and the Bidder will be excluded.  This question is separate to ‘Declaration 3 – Conflict of Interest’, which is assessing your conflicts with the contracting Authority. | N/A | N/A |
| T1 – Fraud Assurance Capability and Requirement Core/Desirable Capabilities | Please detail your fraud and error assurance technical capabilities and your assessment of the fraud risks in relation to this requirement.  Please also cover how you meet the capabilities required to address Workstreams 1-9, detailed in Sections 7 and 8 of the Specification.  Please include in your response:   * How you meet the capabilities for both the core and desirable Workstreams. * How any gaps in your capabilities will be addressed. * Clear explanations of any fraud investigation methodologies used in your response. Any proprietary methods must be explained and fully justified. * How you will ensure your methodologies are quality-assured, and how they will help overcome challenges in delivering this exercise.   **Maximum Page Count = 6 sides of A4** | 25% | Higher marks will be awarded to a response that provides assurance of delivery to the Department where:   * There is evidence of a mature counter fraud function and methods for fraud and error investigation. * How you would identify potential areas of fraud not stated in the Specification, giving examples of what these could be and include a robust rationale. |
| T2 Approach to the delivery of services and project plan | Please clearly explain and give reasoning for your proposed methodology and approach to delivering the objectives, Workstreams, and outputs highlighted in the Specification.  Please include in your response:   * A **Project Plan**, including timescales, methodologies, and the breakdown of different tasks, to show how you would approach and complete the Workstreams, and produce the outputs required by this exercise. Please include your mobilisation plan within this. Also highlight where Workstreams can be conducted in parallel. * Detail how you will produce actionable recommendations for the Authority, to form the basis of the Final Report. * Any relevant previous experience in delivering this scope of works, and how lessons learned have fed into your suggested approaches. * The risks and dependencies of your approaches and how these will be managed and mitigated. * Your proposed project-level targets for ensuring timely and quality-focused delivery, including reporting on these to the Authority. * How you will ensure engagement and alignment with the different participants and stakeholders you’d be interacting with in this requirement. * Your ability to leverage and use different sources of data. This includes your own, data provided by the Authority, and any of the participants listed in Table 1 of the Specification.   **Maximum Page Count = 10 sides of A4**  This question has a minimum quality threshold of 1.9. If a supplier scores <1.9 on this question, then the Authority reserves the right exclude the supplier, and will not score any further questions. | 50% | Higher marks will be awarded to a response that provides assurance of delivery to the Department where:   * The proposed approach provides a clear method or overall framework for managing the complexity of delivering this exercise. * The overall methodology presented offers an approach that will add significant value to the objectives of the project as well as delivering the core scope. This could include any methods and or Workstreams not already proposed in the Specification that the Bidder feels would add value to findings. * Opportunities for efficiencies, innovation, and continuous improvement are identified and explored. * Detailing the use of other sources of data, apart from that provided by the Authority, along with rationale for this. |
| T3 Team structure, experience, expertise, and ways of working | Please detail the team structure and staffing for the programme and explain how the team presented offers the right mix of skills and expertise to deliver the methodology proposed and the objectives of the programme as detailed in the Specification. Please also describe your ways of working with the Authority team.  Please include in your response:   * An outline of the roles and responsibilities of the team that, if appointed, would deliver this requirement. * Provide a logical operating structure for the team in an organogram form and highlight how it would interact and align with the Authority team, e.g. through a SPOC. * The mitigation measures for knowledge retention and handover that will be put in place should a team member leave or no longer be able to deliver the requirement. * Detail how you will ensure appropriate resourcing to meet the demands, geographical scope, technical capabilities and work volumes required for this Contract. * Your approach to budget management, detailing how overspend will be avoided and value for money will be achieved. * How you will manage risks arising within the project, and how you propose working with the Authority team to monitor and address them. * How you will ensure a collaborative working relationship with the Authority will be maintained to ensure programme success.   If partnering with other organisations, please include details of this in this response, and how this impacts your approach to this question.  **Maximum Page Count = 5 sides of A4** | 15% | Higher marks will be awarded to a response that provides assurance of delivery to the Department where:   * How you would ensure any gaps in resourcing or skill will be filled. Evidence flexibility in resource to meet the demands of varying requirements. * An understanding of Government Fraud Functional Standards is shown. * Your approach to knowledge retention and handing over lessons learned to the Authority team at the end of this contract is included. * The delivery team clearly has the breadth and depth of relevant skills, capabilities, and experience to deliver the requirements of this exercise. |
| SV1. And SV2. Social value | Please outline the social value commitments your organisation and proposed project partners will make in delivering this contract against the social value theme ‘Tackling Economic Inequality’, and each of the following Model Award Criteria (MAC).  MAC 3.1 Create a diverse supply chain to deliver the contract including new businesses and entrepreneurs, start-ups, SMEs, VCSEs and mutuals.  MAC 3.4: Demonstrate collaboration throughout the supply chain, and a fair and responsible approach to working with supply chain partners in delivery of the contract.  You should include:   * A 'Method Statement' stating your commitments, how you will achieve them, and highlighting how your commitments meet the Award Criteria. * A detailed project plan and processes, including how you will implement your commitments and by when, and how they will be monitored, measured, and reported. You should include specific metrics, the tools / processes that will be used to gather data and report on it, feedback, and improvement processes, and how transparency will be maintained. * An overview of how you will influence staff, suppliers, customers, and communities to support delivery of your commitments (for example through engagement, co-design / creation, training and education, partnering / collaborating, volunteering, etc.) * Details of the Key Performance Indicators (KPIs) you propose to support your Social Value commitments.  **Maximum page count = 3 sides of A4** | MAC 3.1 – 5%  MAC 3.4 – 5% | For this evaluation, we will be assessing the qualitative aspects and outcomes of your commitments. Priority should be given to incremental value that you will commit to as a direct result of being awarded this contract. If you are not in a position to commit to specific social value deliverables directly related to this contract award, you must demonstrate your ongoing corporate track record of delivering social value that aligns with the criteria outlined in this ITT.  Higher marks will be awarded to a response which demonstrates:   * A clear plan for implementing Social Value commitments including what will be delivered and how. * Social value commitments that are specific to the Contract or extend existing commitments into the Contract. |

# 4.3 Commercial Envelope

Tenderers are required to complete the Pricing Schedule and submit this in the Commercial Envelope of the e-sourcing portal, Jaggaer. This forms the ‘Price’ element of this tender. Each element of the Pricing Schedule has the following Pricing Mechanism, which will be used in the Contract:

* Part A – Capped Time and Materials with a Guaranteed Maximum Price (Workstreams 1, 2, 3, 4, 5, 6, 8, and 9)
* Part B – Fixed Price (Workstream 7)

Any additional, or ‘ad hoc’ services, called off by the Authority within the duration of this will be priced on a Capped Time and Materials basis, from the rate card provided in Part A of the Pricing Schedule. This does not contribute to the price output of Part A, but these rates will become contractually binding for any ad hoc services upon contract signature.

All prices must be given in £ sterling. The Authority will take the price submitted, excluding UK VAT but including all other taxes and use this to inform the Final evaluation.

More detailed instructions of how to complete the Pricing Schedule are included within it. The Pricing Schedule excel spreadsheet can be found within the Commercial Envelope on Jaggaer.

**Abnormally Low Tender price**

The Authority will assess prices submitted and if it is in the opinion of the Authority that an abnormally low tender has been submitted by the Tenderer the Authority, after clarification with the Tenderer, may reject the submission from the competition.

# Final Evaluation Scoring method

The Final Evaluation shall be determined by a Price Per Quality Point (PQP) mechanism. There will be a PQP calculated for both Part A and Part B of the Pricing schedule separately, in the following formulas:

PQP A = Total Quality Score / Part A Price Output

PQP B = (Total Quality Score / Part B Price Output) / 4

PQP A and PQP B will be summed to provide a Total PQP. This shall be calculated to four decimal places (applying standard rounding rules). Preferred Bidder status will be awarded to the bid with the highest total quality score with a PQP score that is a maximum of 10% higher than the compliant bid with the lowest PQP score.

Table 6 below is a worked example of this process. Please note, the figures within the table are provided for illustrative purposes only.

Table 6: Example of PQP Scoring and Ranking

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Tenderer | Total Quality score of technical proposal | Price submitted | PQP Score calculation | Within PQP Range? | Winner |
| A | 50 | £205,000 | (205,000 / 50) = 4,100 | Y |  |
| B | 60 | £240,000 | (240,000 / 60) = 4,000 | Y |  |
| C | 70 | £301,000 | (301,000 / 70) = 4,300 | Y | \* |
| D | 75 | £337,500 | (337,500 / 75) = 4,500 | N |  |

Should following the initial evaluation there remain a tie, the technical questions will be ranked according to the highest weighting assigned to those questions and where questions have the same weighted score, the order of question number will take precedence. Then the tied Tenderers will move down this question list until that point it is identified where a Tenderer scores higher than (an)others, at which point they will be selected for Preferred Bidder status.

In the unlikely event that scores remain tied after following the above process, the Authority will call those remaining tied Tenderers for a presentation, details of this and the scoring method to be used will be shared prior to the presentation.

### Due Diligence Assessment on Preferred Bidder

The Authority will complete detailed due diligence in respect of the Preferred Bidder’s ITT response. This is to:

1. Re-assess information provided in respect of the Supplier Selection Questionnaire questions to ensure that it is still accurate and to identify any new risks which may have arisen since the bid was submitted;
2. Allow the economic and financial standing of the Preferred Bidder to be re-assessed;
3. Allow testing and checking of financial models to ensure that bid prices are sustainable for the life of the Contract and to identify risk(s) associated with pricing commitments;
4. Engage in “non-material” discussions about the Preferred Bidder’s ITT responses where a matter of clarification is required to avoid any ambiguity of understanding between the parties relating to the obligations of the Preferred Bidder in the performance of the Contract; and
5. Provide final assurance that the Tenders put forward are achievable and any specific areas of concern identified within the Tenders are checked and confirmed as satisfactory.

The Authority may seek external advice in order to complete the Due Diligence. The Authority reserves the right to conduct Due Diligence on one or more Bidders and at the same time. Nor does it guarantee that a Contract will be awarded to any Preferred Bidder.

### Bid Clarification

After reviewing and evaluating the written proposals, DESNZ may decide to hold bid clarifications with suppliers.

### Contract Award and Feedback

Feedback will be given in the successful/unsuccessful letters. Tenderers will be notified of the result of the procurement process through the Authority’s e-sourcing portal, Jaggaer

In the event that the Preferred Bidder is unable to enter into a contract with the Authority to deliver the programme for any reason, including but not limited to that described in the due diligence process above, or any undeclared or unmitigated conflicts of interest arise, the Authority reserves the right to approach the next highest scoring compliant Tenderer.

### Contract Engrossment

The Authority will engage with the Preferred Bidder in order to prepare the final Contract in readiness for the Contract Award announcement and Contract signature. This process will see the commitments made by the Preferred Bidder in its ITT response incorporated into the Contract.

# Contract Management

The Authority will appoint a Contract Manager (TBC) to manage this contract, to act as the main point of contact. The type and cadence of performance reporting will be agreed between the Successful Tenderer and the Authority during mobilisation of this contract.

### Key Performance Indicators (KPIs)

Below are some indicative KPIs to be included in this contract. These will be agreed and finalised with the Successful Tenderer before contract signature.

|  |  |  |
| --- | --- | --- |
| **KPI** | **Sub-Category** | **Target** |
| 1. Minimum Quality and Delivery of Final Report | 1.1 Initial findings, drafts of the final report, and the final report to be delivered on time | 100% |
| 1.2 Any comments/questions from the Authority on the report to be addressed and actioned within 2 working days | 100% |
| 1. Milestones | 2.1 Meeting the timelines and milestones agreed with the Authority (indicative currently) | 90% |
| 1. Social Value – To be agreed proposed in bid and agreed with Successful Supplier | TBC | TBC |

**Section 3**

**Further Information on Tender Procedure**

Invitation to Tender for: ECO4 Fraud and Error Assurance

Tender Reference Number: ITT\_1853

Deadline for Tender Responses: 10/12/2024

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B. Data security 31

C. Non-Collusion 32

# Definitions

Please note that references to the "Department" throughout these documents mean The Secretary of State for Business, Energy and Industrial Strategy acting through his/her representatives in the Department for Business Energy & Industrial Strategy.

The Freedom of Information Act 2000 (“FOIA”) and the Environmental Information Regulations 2004 (“EIR”) apply to the Department. You should be aware of the Department’s obligations and responsibilities under FOIA or EIR to disclose, on written request, recorded information held by the Department. Information provided in connection with this procurement exercise, or with any contract that may be awarded as a result of this exercise, may therefore have to be disclosed by the Department in response to such a request, unless the Department decides that one of the statutory exemptions under the FOIA or the exceptions in the EIR applies. If you wish to designate information supplied as part of this response as confidential, or if you believe that its disclosure would be prejudicial to any person’s commercial interests, you must provide clear and specific detail as to the precise information involved and explain (in broad terms) what harm may result from disclosure if a request is received, and the time period applicable to that sensitivity. Such designation alone may not prevent disclosure if in the Department’s reasonable opinion publication is required by applicable legislation or Government policy or where disclosure is required by the Information Commissioner or the First-tier Tribunal (Information Rights).

Additionally, the Government’s transparency agenda requires that tender documents (including ITTs such as this) are published on a designated, publicly searchable web site. The same applies to other tender documents issued by the Department (including the original advertisement and the pre-qualification questionnaire (if used)), and any contract entered into by the Department with its preferred supplier once the procurement is complete. By submitting a tender you agree that your participation in this procurement may be made public. The answers you give in this response will not be published on the transparency web site (but may fall to be disclosed under FOIA or EIR (see above)). Where tender documents issued by the Department or contracts with its suppliers fall to be disclosed the Department will redact them as it thinks necessary, having regard (inter alia) to the exemptions/exceptions in the FOIA or EIR.

# Data security

The successful tenderer must comply with all relevant Data Protection Legislation, as defined in the terms and conditions applying to this Invitation to Tender.

Section 4 contains a “The General Data Protection Regulation Assurance Questionnaire for Contractors” (Declaration 5) to evidence the extent of readiness. The Authority may ask the Contractor to provide evidence to support the position stated in the questionnaire. The Authority may require the successful Contractor to increase their preparedness where the Authority is not satisfied that the Contractor will be in a position to meet its obligations under the terms and conditions. If the Contractor fails to satisfy the Authority that it will be in a position to meet its obligations under the terms and conditions in the event that the Contractor is successful, the Authority reserves the right to exclude the bidder from this procurement.

# Non-Collusion

No tender will be considered for acceptance if the contractor has indulged or attempted to indulge in any corrupt practice or canvassed the tender with an officer of the Department. Section 4 contains a "Statement of non-collusion" (declaration 1); any breach of the undertakings covered under items 1 - 3 inclusive will invalidate your tender. If a contractor has indulged or attempted to indulge in such practices and the tender is accepted, then grounds shall exist for the termination of the contract and the claiming damages from the successful contractors. You must not:

* Tell anyone else what your tender price is or will be, before the time limit for delivery of tenders.
* Try to obtain any information about anyone else's tender or proposed tender before the time limit for delivery of tenders.
* Make any arrangements with another organisation about whether or not they should tender, or about their or your tender price.

Offering an inducement of any kind in relation to obtaining this or any other contract with the Department will disqualify your tender from being considered and may constitute a criminal offence.

**Section 4**

**Declarations to be submitted by the Tenderer**

Invitation to Tender for: ECO4 Fraud and Error Assurnace

Tender Reference Number: ITT\_1853

Deadline for Tender Responses: 10/12/2024

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# Declaration 1: Statement of non-collusion

To: Department for Energy Security & Net Zero

1. We recognise that the essence of competitive tendering is that the Department will receive a bona fide competitive tender from all persons tendering. We therefore certify that this is a bona fide tender and that we have not fixed or adjusted the amount of the tender or our rates and prices included therein by or in accordance with any agreement or arrangement with any other person.

2. We also certify that we have not done and undertake not to do at any time before the hour and date specified for the return of this tender any of the following acts:

1. communicate to any person other than the Department the amount or approximate amount of our proposed tender, except where the disclosure, in confidence, of the approximate amount is necessary to obtain any insurance premium quotation required for the preparation of the tender;
2. enter into any agreement or arrangement with any other person that he shall refrain for submitting a tender or as to the amount included in the tender;
3. offer or pay or give or agree to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person doing or having done or causing or having caused to be done, in relation to any other actual or proposed tender for the contract any act, omission or thing of the kind described above.

3. In this certificate, the word “person” shall include any person, body or association, corporate or unincorporated; and “any agreement or arrangement” includes any such information, formal or informal, whether legally binding or not.

……………………………………………………………………………….….

Signature (duly authorised on behalf of the tenderer)

……….………………………………………………………………………….

Print name

…………………………………………………………….…………………….

On behalf of (organisation name)

…………………………………………………………………….…………….

Date

# Declaration 2: Form of Tender

To: The Department for Energy Security & Net Zero

1. Having considered the invitation to tender and all accompanying documents

(including without limitation, the terms and conditions of contract and the Specification) we confirm that we are fully satisfied as to our experience and ability to deliver the goods/services in all respects in accordance with the requirements of this invitation to tender.

2. We hereby tender and undertake to provide and complete all the services required to be performed in accordance with the terms and conditions of contract and the Specification for the amount set out in the Pricing Schedule.

3. We agree that any insertion by us of any conditions qualifying this tender or any unauthorised alteration to any of the terms and conditions of contract made by us may result in the rejection of this tender.

4. We agree that this tender shall remain open to be accepted by the Department for 8 weeks from the date below.

5. We understand that if we are a subsidiary (within the meaning of section 1159 of (and schedule 6 to) the Companies Act 2006) if requested by the Department we may be required to secure a Deed of Guarantee in favour of the Department from our holding company or ultimate holding company, as determined by the Department in their discretion.

6. We understand that the Department is not bound to accept the lowest or any tender it may receive.

7. We certify that this is a bona fide tender.

…………………………………………………………………………........

Signature (duly authorised on behalf of the tenderer)

…………………………………………………………………………………

Print name

………………………………………………………………………….

On behalf of (organisation name)

………………………………………………………………………….

Date

# Declaration 3: Conflict of Interest

I have nothing to declare with respect to any current or potential interest or conflict in relation to this research (or any potential providers who may be subcontracted to deliver this work, their advisers or other related parties). By conflict of interest, I mean, anything which could be reasonably perceived to affect the impartiality of this research, or to indicate a professional or personal interest in the outcomes from this research.

Signed …………………………………….

Name …………………………………….

Position …………………………………….

***OR***

I wish to declare the following with respect to personal or professional interests related to relevant organisations\*;

* X
* X

*Where a potential conflict of interest has been declared for an individual or organisation within a consortia, please clearly outline the role which this individual or organisation will play in the proposed project and how any conflict of interest has or will be mitigated.*

* X
* X

Signed …………………………………….

Name …………………………………….

Position …………………………………….

Please complete this form and return this with your ITT documentation - Nil returns **are** required.

**\*** These may include (but are not restricted to);

* A professional or personal interest in the outcome of this research
* For evaluation projects, a close working, governance, or commercial involvement in the project under evaluation
* Current or past employment with relevant organisations
* Payment (cash or other) received or likely to be received from relevant organisations for goods or services provided (Including consulting or advisory fees)
* Gifts or entertainment received from relevant organisations
* Shareholdings (excluding those within unit trusts, pension funds etc) in relevant organisations
* Close personal relationship or friendships with individuals employed by or otherwise closely associated with relevant organisations

***All of the above apply both to the individual signing this form and their close family / friends / partners etc.***

If your situation changes during the project in terms of interests or conflicts, you must notify the Department straight away.

A DECLARATION OF INTEREST WILL NOT NECESSARILY MEAN THE INDIVIDUAL OR ORGANISATION CANNOT WORK ON THE PROJECT; BUT IT IS VITAL THAT ANY INTEREST OR CONFLICT IS DECLARED SO IT CAN BE CONSIDERED OPENLY.

# Declaration 4: Standard Selection Questionnaire

***Financial Credit Checks:***

*DESNZ use Dun & Bradstreet to assist them with their financial due diligence and will request Dun and Bradstreet to provide comprehensive reports on the preferred bidder/s where the opportunity being tendered for exceeds £1M (excluding VAT).*

*DESNZ will review the Dun and Bradstreet report prior to notifying bidders of the result of the competition and may need to check [with bidders] that the information within the report is correct. DESNZ may also request the latest accounts and financial information from the preferred bidder.*

*Suppliers assessed with a high financial risk status may not be awarded a contract at this stage we will revert to the bidder to discuss further.*

**Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.**

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that none of the grounds for exclusion apply[[2]](#footnote-3). If any of the grounds for exclusion do apply, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

We require all the organisations that form part of your bidding group/consortium and each subcontractor that you are relying on to meet the selection criteria, to provide a completed Part 1 and Part 2. This means that where you are joining a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Subcontractors that you rely on to meet the selection criteria must also complete a self-declaration (although subcontractors that are not relied upon do not need to complete the self-declaration). A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusion grounds.

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

**Supplier Selection Questions: Part 3**

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

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay, we reserve the right to exclude you from the procurement process, including where an award decision has already been notified, and award to another compliant bidder.

**Consequences of misrepresentation**

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

**ECO4 Fraud and Error Assurance**

**ITT\_1853**

**Accelerated Open Procedure**

**Notes for completion**

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The authority recognises that arrangements set out in Section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of subcontractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every member of your bidding group/consortium, and any subcontractor that is being relied on to meet the selection criteria, must complete and submit the self-declaration.
6. For the mandatory exclusion grounds only (Q2.1(a)), you must complete the declaration for all relevant persons and entities. There are two categories of persons and entities:

* members of your administrative, management or supervisory board;
* entities and persons who have powers of representation, decision or control.

You must decide, depending on the nature and structure of the entity or person who is bidding, which entities and persons this applies to in your particular circumstances. Clearly, members of your administrative, management or supervisory board should be easily identifiable and will cover company directors (or equivalent for other types of corporate entities) and members of an executive board.

The second category of those with powers of representation, decision or control, is likely to be more complicated. As an illustration, entities or persons with 25% or more shareholding (or equivalent for other types of corporate entities) are likely to have powers or representation, decision or control, although those with a lower shareholding may still have the relevant powers depending on their particular rights. Similarly, your ultimate parent company (or equivalent for other types of corporate entities) is likely to have powers of representation, decision or control. Depending on your particular structure, intermediate parent companies who do not have a direct shareholding, directors or members of an executive board of your immediate parent company (for example in the case of an SPV set up specifically to bid for a particular contract), and holders of mortgages or liens may be covered. It isn’t necessary to identify which entities and persons you think are covered but you must be satisfied that your declaration is made in respect of all of those that are covered.

1. All subcontractors are required to complete their own Part 1 and Part 2[[3]](#footnote-4).
2. For answers to Part 3 - If you are bidding on behalf of a group/consortium, and/or any subcontractors, you should complete all of the questions on behalf of the group/consortium and/or any subcontractors, providing one composite response and declaration.
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 regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.
4. The Public Procurement Review Service allows government suppliers and potential government suppliers to raise concerns anonymously about unfair public sector procurement practice. The government can then investigate and resolve these concerns for contracting authorities as listed in [Schedule 1](http://www.legislation.gov.uk/uksi/2015/102/schedule/1/made) of the Public Contracts Regulations 2015. To use the Public Procurement Review Service, [read the terms](https://www.gov.uk/government/publications/mystery-shopper-scope-and-remit) and email [publicprocurementreview@cabinetoffice.gov.uk](mailto:publicprocurementreview@cabinetoffice.gov.uk) or phone 0345 010 3503.

**Part 1: Your Information and the Bidding Model**

You must answer all questions in Part 1 and Part 2, and ensure that every organisation on which you will rely to meet the selection criteria, completes and submits their own answers and declaration for Part 1 and Part 2.

You must also answer all questions in Part 3.

|  |  |  |
| --- | --- | --- |
| **Section 1** | **Your Information** | |
| **Question number** | **Question** | **Response** |
| 1.1(a) | Name (if registered, please give the registered name) |  |
| 1.1(b) – (i) | Registered address (if applicable) or head office address |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status  a) - public limited company  b) - private limited company  c) - limited liability partnership  d) - other partnership  e) - sole trader  f) - third sector  g) - other (please specify your trading status) |  |
| 1.1(d) | Date of registration (if applicable) or date of formation |  |
| 1.1(e) | Registration number: company, partnership, charity etc. (if applicable) |  |
| 1.1(f) | Registered VAT number (if applicable) |  |
| 1.1(g) - (i) | Are you registered with the appropriate professional or trade register(s) specified for this procurement, in the country where your organisation is established? | Yes ☐  No ☐  N/A ☐ |
| 1.1(g) - (ii) | If you responded yes to 1.1(g) - (i), please provide the relevant details, including the name of the register and registration number(s) and, if evidence of registration is available electronically, please provide:  - the website address;  - issuing body;  - reference number. |  |
| 1.1(h) - (i) | For procurement of **services only**, is it a legal requirement, in the country where you are established, for you to:  a) possess a particular authorisation; or  b) be a member of a particular organisation,  to provide the requirements specified in this procurement? | Yes ☐  No ☐ |
| 1.1(h) - (ii) | If you responded yes to 1.1(h) - (i), please provide the relevant details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please provide:  - the website address;  - issuing body;  - reference number. |  |
| 1.1(i) | State whether you fall within one of these classifications and if so, which one:   1. Voluntary Community Social Enterprise (VCSE) 2. Sheltered Workshop 3. Public Service Mutual |  |
| 1.1(j) | Are you a Small, Medium or Micro Enterprise (SME)[[4]](#footnote-5)? | Yes ☐  No ☐ |
| 1.1(k) | Details of Persons with Significant Control (PSC), where appropriate: [[5]](#footnote-6)    - Name;  - Date of birth;  - Nationality;  - Country, EU state or part of the UK where the PSC usually lives;  - Service address;  - The date they became a PSC in relation to the company;  - Which conditions for being a PSC are met:  - Over 25% up to (and including) 50%;  - More than 50% and less than 75%;  - 75% or more. [[6]](#footnote-7)  (Please enter N/A if not applicable) |  |
| 1.1(l) | Details of your immediate parent company:  - Full name of the immediate parent company;  - Registered or head office address;  - Registration number;  - VAT number.  (Please enter N/A if not applicable) |  |
| 1.1(m) | Details of ultimate parent company:  - Full name of the ultimate parent company;  - Registered or head office address;  - Registration number;  - VAT number.  (Please enter N/A if not applicable) |  |
| Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and all relevant persons and entities (as described above). | | |

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

|  |  |  |  |
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| **Section 1 continued** | **Bidding Model** | | |
| **Question number** | **Question** | **Response** | |
| 1.2 | Indicate if you are bidding as a single supplier, or as part of a group or consortium | Single Supplier ☐  Group / Consortium ☐ | |
| 1.2 | If you are bidding as a single supplier, go to Q1.3. If you are part of a group or consortium (including where you intend to establish a legal entity to deliver the contract, or you are a subcontractor), please tell us: | | |
| 1.2(a) | Name of group or consortium |  | |
| 1.2(b) | Proposed structure of the group or consortium, including legal structure where applicable |  | |
| 1.2(c) | Name of lead member of group or consortium |  | |
| 1.2(d) | Your role in the group or consortium (eg lead, consortium member, subcontractor) |  | |
| 1.2(e) | If you are the lead of the group or consortium: are you relying on other members to meet the selection criteria (ie for economic and technical standing and/or technical and professional ability)? If so, which criteria are you relying on them for? | Yes ☐  No ☐  Criteria: | |
| 1.3 | Are you (or the group or consortium) proposing to use sub-contractors or a supply chain? | Yes ☐  No ☐ | |
| If you responded yes to 1.3, please provide the details for all sub-contractors and supply chain members that are known at this stage as follows: | | | |
| 1.3(a) | - Full name;  - Registration number;  - Registered or head office address;  - Trading status:  (a) – Public limited company;  (b) – Private limited company;  (c) – Limited liability partnership;  (d) – Other partnership;  (e) – Sole trader;  (f) – Third sector;  (g) – Other (please specify).  - Registered VAT number;  - SME (Yes/No);  - The role each subcontractor will take in providing the deliverables;  - The approximate % of contractual obligations assigned to each subcontractor;  - Where the subcontractor is being relied on to meet the selection criteria, which criteria are you relying on them for? | | |
| 1.4 | **Lots**  Where applicable, please tell us which lot(s) you wish to bid for? | |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on to meet the selection criteria (including subcontractors) must complete and submit responses to Part 1 and the declarations in Part 2.

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| **Section 2** | **Grounds for Mandatory Exclusion** | |
| **Question number** | **Question** | **Declaration** |
| 2.1(a) | Within the past five years, anywhere in the world, have you or any person who:   * is a member of the supplier’s administrative, management or supervisory body; or * has powers of representation, decision or control in the supplier[[7]](#footnote-8);   been convicted of any of the offences given in the summary below, and listed in full at the end of Part 2? | |
|  | Participation in a criminal organisation | Yes ☐  No ☐ |
|  | Corruption | Yes ☐  No ☐ |
|  | Terrorist offences or offences linked to terrorist activities | Yes ☐  No ☐ |
|  | Money laundering or terrorist financing | Yes ☐  No ☐ |
|  | Child labour and other forms of trafficking in human beings | Yes ☐  No ☐ |
|  | Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland | Yes ☐  No ☐ |
|  | Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland | Yes ☐  No ☐ |
| 2.1(b) | If you have answered YES to any part of question 2.1(a), please provide further details:   * Date of conviction and the jurisdiction; * Specify which of the grounds listed the conviction was for; * Give the reasons for conviction; * Identify who has been convicted;   If the relevant documentation is available electronically please provide:   * the web address; * issuing authority; * precise reference of the documents; |  |
| 2.1(c) | If you have answered YES to any part of question 2.1(a) above, please explain what measures have been taken to demonstrate your reliability, despite the existence of relevant grounds for exclusion? (Self Cleaning) |  |

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| **Section 3** | **Mandatory and Discretionary Grounds for Exclusion Relating to the Payment of Taxes and Social Security Contributions** | |  |
| The detailed grounds for mandatory and discretionary exclusion of a supplier, for non-payment of taxes and social security contributions, are set out at the end of Part 2 below, and should be referred to before completing these questions. | | |  |
| **Question number** | **Question** | **Declaration** |  |
| 3.1(a) | Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established, and in the UK.  If documentation is available electronically please provide:   * the web address; * issuing authority; * precise reference of the documents; | Yes **▢**  No **▢** |  |
| 3.1(b) | If you have answered NO to 3.1(a) please provide further details including the following:   * the Country concerned; * the Amount concerned; * how the breach was established, i.e. through a judicial or administrative decision, or by other means; * the Date of the decision, if the breach has been established through a judicial or administrative decision; * if the breach has been established by other means, please specify the means. |  |  |
| 3.2 | Please also confirm whether you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including, where applicable, any accrued interest and/or fines. | Yes **▢**  No **▢** |  |
| Please Note: We reserve our right to use our discretion to exclude your bid where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions. | | |  |

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| **Section 4** | **Grounds for Discretionary Exclusion** | |
| The detailed grounds for discretionary exclusion of an organisation are set out at the end of Part 2 below and should be referred to before completing these questions. | | |
| **Question Number** | **Question** | **Declaration** |
| 4.1 | Within the past three years, anywhere in the world, have any of the situations summarised below (and listed in full at the end of Part 2) applied to you? | |
| 4.1(a) | Breach of environmental obligations?  (Note this includes Health & Safety obligations) | Yes ☐  No ☐ |
| 4.1 (b) | Breach of social law obligations? | Yes ☐  No ☐ |
| 4.1 (c) | Breach of labour law obligations? | Yes ☐  No ☐ |
| 4.1(d) | Bankruptcy or subject of insolvency? | Yes ☐  No ☐ |
| 4.1(e) | Guilty of grave professional misconduct? | Yes ☐  No ☐ |
| 4.1(f) | Distortion of competition? | Yes ☐  No ☐ |
| 4.1(g) | Conflict of interest? | Yes ☐  No ☐ |
| 4.1(h) | Been involved in the preparation of the procurement procedure? | Yes ☐  No ☐ |
| 4.1(i) | Prior performance issues? | Yes ☐  No ☐ |
| 4.1(j) | Do any of the following statements apply to you? | |
| 4.1(j) – (i) | You have 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. | Yes ☐  No ☐ |
| 4.1(j) – (ii) | You have withheld such information | Yes ☐  No ☐ |
| 4.1(j) – (iii) | You are not able, without delay, to submit supporting documents when required under Regulation 59 of the Public Contracts Regulations 2015 | Yes ☐  No ☐ |
| 4.1(j) – (iv) | You have undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer upon you undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes ☐  No ☐ |
| 4.2 | You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business, in the UK supplying goods or services and you have an annual turnover of at least £36 million.  If you are a relevant commercial organisation, please: | |
| 4.2(a) – (i) | Confirm whether you have published a statement as required by Section 54 of the Modern Slavery Act: | Yes ☐  No ☐ |
| 4.2(a) – (ii) | Confirm whether the statement complies with the requirements of Section 54: | Yes ☐  No ☐ |
| 4.3 | If you have answered YES to any part of questions 4.1, or NO to question 4.2, please explain what measures have been taken to demonstrate your reliability despite the existence of a relevant ground for exclusion. (Self cleaning) |  |

**Public Procurement Exclusion Grounds**

## Mandatory Exclusion Grounds

Listed in Public Contract Regulations 2015 (as amended) R57(1), (2) and (3) and the Public Contract Directives 2014/24/EU Article 57(1).

#### Participation in a criminal organisation

* Participation offence as defined by section 45 of the Serious Crime Act 2015
* Conspiracy within the meaning of:
* section 1 or 1A of the Criminal Law Act 1977; or
* article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983,

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

**Corruption**

* Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;
* The common law offence of bribery;
* Bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983.

**Terrorist offences or offences linked to terrorist activities**

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

**Money laundering or terrorist financing**

* Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002
* An offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996.

**Child labour and other forms of trafficking human beings**

* An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;
* An offence under section 59A of the Sexual Offences Act 2003
* An offence under section 71 of the Coroners and Justice Act 2009;
* An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994
* An offence under section 1, 2 or section 4 of the Modern Slavery Act 2015.

**Non-payment of tax and social security contributions**

* Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.
* Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:
* HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
* a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle;
* a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established.

**Other offences**

* Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland.
* Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.

**Discretionary Exclusions Grounds**

Listed in Public Contract Regulations 2015 (as amended) R57(8) and the Public Contract Directives 2014/24/EU Article 57(4).

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

* Where an organisation has violated applicable obligations in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Directive (see copy below) as amended from time to time; including, but not limited to, the following:-
* In the last 3 years, where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body).
* In the last three years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
* In the last three years where the organisation has been convicted of a breach of the Health and Safety legislation.
* In the last three years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).
* Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
* Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
* Where the organisation has been in breach of the National Minimum Wage Act 1998.

**Bankruptcy, insolvency**

* Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State.

**Grave professional misconduct**

* Guilty of grave professional misconduct

**Distortion of competition**

* Entered into agreements with other economic operators aimed at distorting competition.

**Conflict of interest**

* Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

**Been involved in the preparation of the procurement procedure.**

* Advised the contracting authority or contracting entity or otherwise been involved in the preparation of the procurement procedure.

**Prior performance issues**

* Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions.

**Misrepresentation and undue influence**

* The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award, or withheld such information or is not able to submit supporting documents required under regulation 59.

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

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

**Additional grounds**

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

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

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

**Consequences of misrepresentation**

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

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

**Part 3: Selection Questions**

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| **Section 5** | **Economic and Financial Standing** | | |
| **Question Number** | **Question** | **Response** | |
| 5.1 | If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide:   * the web address * issuing authority * precise reference of the documents | |  |
| 5.2(a) | If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your detailed accounts for the last two years (audited if required by law). | |  |
| 5.2(b) | Also, for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing, please provide a copy of their detailed accounts for the last two years (audited if required by law). | |  |
| 5.3  5.3(a)  5.3(b) | If you are not able to provide a response to questions 5.1 or 5.2, please provide any of the following alternatives:  A statement of your annual Turnover, Profit and Loss Account/Income statement; Balance Sheet/Statement of Financial Position; and Statement of Cash Flow; for the most recent year(s) of trading plus a Bank Letter outlining the current cash and credit facility position.  Alternative information to evidence economic and financial standing (e.g. Forecast Financial Statements and a Statement of Funding provided by the owners and/or the bank, Charity Accruals accounts or an alternative means of demonstrating financial status). | |  |
| 5.4 | Where we have specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify whether you meet the requirements set out.   * + As per PCR 58.9, this exercise requires the supplier to have a minimum annual turnover of up to 2x the annual contract value. To bid for this opportunity, you, or your consortium, must have a minimum annual turnover of £900,000. Please confirm 'yes', or 'no', whether you meet this criteria. | | Yes ☐  No ☐ |
| 5.5 | Where you are relying on another member of your bidding group/consortium, or any subcontractors, or any other security, in order to meet the selection criteria relating to economic and financial standing, please confirm that the relevant person or entity is willing to provide a guarantee or other security if required. | | Yes ☐  No ☐ |

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| **Section 6** | **Technical and Professional Ability** |
| **Question number** | **Question** |
| 6.1 | **Relevant experience and contract examples**  Please provide details of up to three contracts, to meet the technical and professional ability criteria set out in the procurement documents. This can be in any combination from either the public or private sectors or VCSE’s that are relevant to our requirement. VCSEs may include examples of grant-funded work. Where this procurement is for goods or services, the examples must be from the past three years. Where this procurement is for construction works, the examples may be from the past five years. The named contact given should be able to provide written evidence to confirm the accuracy of the information provided below.  For consortium bids, or where you have indicated that you are relying on a subcontractor in order to meet the technical and professional ability, you should provide relevant examples of where the consortium / particular member / subcontractor have delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or members of the Special Purpose Vehicle or subcontractors. (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 goods or services, the information requested should be provided in respect of the main intended provider(s) or subcontractor(s) who will deliver the contract.  **For each contract please provide the following information:** |

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer organisation who signed the contract** |  |  |  |
| **Name of supplier who signed the contract** |  |  |  |
| **Point of contact in the customer’s organisation** |  |  |  |
| **Position in the customer’s organisation** |  |  |  |
| **E-mail address** |  |  |  |
| **Description of contract** |  |  |  |
| **Contract start date** |  |  |  |
| **Contract completion date** |  |  |  |
| **Estimated contract value** |  |  |  |

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| 6.2 | If you cannot provide at least one example for question 6.1, in no more than 500 words please provide an explanation for this and how you meet the selection criteria relating to technical and professional ability (e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.) |
| 6.3 | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your subcontractor(s).  Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment and whether you are a signatory of the UK Prompt Payment Code (or have given commitments under equivalent schemes in other countries). |

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| **Section 7** | **Additional Questions including Project Specific Questions** | | |
| **7.1** | **Insurance Levels** | | |
| 7.1(a)  7.1(b)  7.1(c)  7.1(d) | Please confirm 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 Insurance1 = £10 million  Public Liability Insurance = £5 million  Professional Indemnity Insurance = £5 million  Product Liability Insurance = N/A  *1. There is a legal requirement for certain employers to hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information:*   * *http://www.hse.gov.uk/pubns/hse39.pdf* | | Yes ☐  No ☐  Yes ☐  No ☐  Yes ☐  No ☐  Yes ☐  No ☐ |
| **7.2** | **Data Protection** | | |
| 7.2(a) | Please confirm that you have in place, or that you will have in place by contract award, the human and technical resources to ensure compliance with the UK General Data Protection Regulations and to ensure the protection of the rights of data subjects in performing the contract. | | Yes ☐  No ☐ |
| 7.2(b) | Please provide details of the technical facilities and measures (including systems and processes) you have in place, or will have in place by contract award, to ensure compliance with the UK General Data Protection Regulations and to ensure the protection of the rights of data subjects. Your response should include, but should not be limited to facilities and measures:   * to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services; * to comply with the rights of data subjects in respect of receiving privacy information, and access, rectification, deletion and portability of personal data; * to ensure that any consent based processing meets standards of active, informed consent, and that such consents are recorded and auditable; * to ensure legal safeguards are in place to legitimise transfers of personal data outside the EU (if such transfers will take place); * to maintain records of personal data processing activities; and * to regularly test, assess and evaluate the effectiveness of the above measures. | | |
| **7.3** | **Payment Terms** | | |
| 7.3(a) | Please confirm that you will comply with Regulation 113 of the Public Contract Regulations 2015, by having systems in place to include (as a minimum) 30 day payment terms in all of your supply chain contracts, and require that such terms are passed down through your supply chain. | Yes **▢**  No **▢**  PASS/FAIL | |
| **7.4** | **Suppliers’ Past Performance** | | |
| 7.4(a) | Can you supply a list of your relevant principal contracts for goods and/or services provided in the last three years? | Yes **▢**  No **▢** | |
| 7.4(b) | On request can you provide a certificate from those customers on the list? | Yes **▢**  No **▢** | |
| 7.4(c) | If you cannot obtain a certificate from a customer can you explain the reasons why? | Yes **▢**  No **▢** | |
| 7.4(d) | If the certificate states that goods and/or services supplied were not satisfactory are you able to supply information which shows why this will not recur in this contract if you are awarded it? | Yes **▢**  No **▢** | |
| 7.4(e) | Can you supply the information in questions a. to d. above for any subcontractors [or consortium members] who you are relying upon to perform this contract? | Yes **▢**  No **▢** | |
| 7.5 | **Tackling Modern Slavery in Supply Chains** | | |
| 7.5(a) | If you are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015, and if your latest statement is available electronically please provide:   * the web address, * precise reference of the documents   *(For more details see Procurement Policy Note PPN 02/23)* |  | |
| 7.5(b) | If your latest statement is not available electronically, please provide a copy. |  | |
| 7.5(c) | If you are not a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 (for example if your turnover is less than £36 million or you do not carry on your business, or part of your business, in the UK), please provide the above information in relation to any published statements on modern slavery or other relevant documents containing information of a similar type/level. |  | |
| 7.5(d) | Any modern slavery statement or other statement or document should contain at least the following information:  a. the organisation’s structure, its business and its supply chains;  b. its policies in relation to slavery and human trafficking;  c. its due diligence processes in relation to slavery and human trafficking in its business and supply chains;  d.the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;  e. its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;  f. the training and capacity building about slavery and human trafficking available to its staff; or  If all of this information is not included in your modern slavery statement or other statement or documents, please provide an explanation as to why not and/or assurances that it will be included before contract award. |  | |
| **7.6** | **Health & Safety** |  | |
| 7.6(a) | Please describe the arrangements you have in place to manage health and safety effectively and control significant risks relevant to the requirement (including risks from the use of contractors, where relevant). Please use no more than [500] words. | | |

**Contact details and declaration**

I declare that to the best of my knowledge, the answers submitted and information contained in this document are correct and accurate, including Parts 1, 2 and 3.

I declare that, upon request and without delay, I will provide the certificates and/or documentary evidence referred to in this document. The exception is where this documentation can be accessed by the contracting authority via a national database free of charge, or the contracting authority already possesses the documentation.

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

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

I am aware of the consequences of serious misrepresentation.

Signature:

(electronic is acceptable)

Date:

|  |  |
| --- | --- |
| **Contact details of those making the declaration** | |
| **Item** | **Response** |
| Contact name |  |
| Name of organisation |  |
| Role in organisation |  |
| Phone number |  |
| E-mail address |  |
| Postal address |  |

1. Cabinet Office Bid Evaluation Guidance Note <https://assets.publishing.service.gov.uk/media/60a387e48fa8f56a3e32fa9a/Bid_evaluation_guidance_note_May_2021.pdf> [↑](#footnote-ref-2)
2. For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf [↑](#footnote-ref-3)
3. See PCR 2015 regulations 71 (8)-(9) [↑](#footnote-ref-4)
4. See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/ [↑](#footnote-ref-5)
5. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). [↑](#footnote-ref-6)
6. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-7)
7. see Notes for Completion [↑](#footnote-ref-8)