

**WTC 02 / 2024-25**

Date 16/12/2024

**Westbury Town Council**The Laverton, Bratton Road

Westbury, Wiltshire BA13 3EN

www.westburytowncouncil.gov.uk

info@westburytowncouncil.gov.uk
01373 822232

**DOCUMENT 4**

**Westbury Town Council:
Tender for grounds maintenance
and Streetscene contract**

**STANDARD SELECTION QUESTIONNAIRE**

## **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 erroneously, 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 If a contract has been entered into you may be sued for damages and the contract may be rescinded.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.

* Grounds Maintenance and Streetscene Services
* Open Procurement Process (PCR 2015)
* WTC-02 / 2024-25

## **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. The authority may decline to consider bids (or otherwise exclude from participating in the procurement) from suppliers who are constituted or organised under the law of Russia or Belarus, or whose ‘Persons of Significant Control’ information states Russia or Belarus as the place of residency, unless the supplier (or any member of their supply chain they rely on to deliver the contract):
* is registered in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access to public procurement; and/or
* has significant business operations in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access to public procurement.
1. 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.
2. 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.
1. 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.
2. 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.
3. All subcontractors are required to complete their own part 1 and part 2
4. For answers to part 3 – If you are bidding on behalf of a group, for example, a consortium, or you intend to use subcontractors, you should complete all of the questions on behalf of the consortium and/ or any subcontractors, providing one composite response and declaration.
5. 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.
6. 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 or phone 0345 010 3503.

## **Part 1: General Information**

You must answer all questions in parts 1, 2 and 3 of this questionnaire.

Bidders must ensure that every organisation upon which they will rely to meet the selection criteria completes and submits their own answers and declaration for part 1 and 2.

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| **Your Information****STANDARD SELECTION QUESTIONNAIREPART 1 : General Information** |
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| **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 statusa) - public limited companyb) - private limited companyc) - limited liability partnershipd) - other partnershipe) - sole traderf) - third sectorg) - 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. |  |
| 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 procurements for services only, is it a legal requirement in the country where you are established for you to:a) possess a particular authorisation, orb) 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 additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number. |  |
| 1.1(i) | Relevant classifications (state whether you fall within one of these, and if so which one)a) Voluntary Community Social Enterprise (VCSE). b) Sheltered Workshop.c) Public service mutual.  |  |
| 1.1(j) | [Are you a Small, Medium or Micro Enterprise (SME)?](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fn:3) | Yes ▢No ▢ |
| 1.1 (k) | [Details of Persons with Significant Control (PSC),](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fn:4) where appropriate- Name- Date of birth- Nationality- Country, state or part of the UK where the PSC usually lives- Service address- The date he or she became a PSC in relation to the company- 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(Please enter N/A if not applicable) |  |
| 1.1(l) | Details of your immediate parent company:- Full name of immediate parent company,- Registered or head office address,- Registration number (if applicable),- VAT number (if applicable),Please enter N/A if not applicable) |  |
| 1.2 | Please indicate if you are bidding as a single supplier or as part of a group or consortium?If you are bidding as a single supplier, please go to Q 1.3.If you are bidding as 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:- The name of the group/consortium.- The proposed structure of the group/consortium, including the legal structure where applicable.- The name of the lead member in the group/consortium.- Your role in the group/consortium (e.g. lead member, consortium member, subcontractor).- If you are the lead member in the group/consortium, whether you are relying on other consortium members to meet the selection criteria (i.e. are you relying on other consortium members for economic and technical standing and/or technical and professional ability?) and, if so, which criteria you are relying on them for |  |
| 1.3 | If you are proposing to [use subcontractors/a supply chain](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fn:7), please provide the details for each one- Name- Registration number- Registered or head office address,- Trading statusa. Public limited companyb. Private limited companyc. Limited liability partnershipd. Other partnershipe. Sole traderf. Third sectorg. Other (please specify your trading status)- Registered VAT number- SME (Yes/No)- The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known- The approximate % of contractual obligations assigned to each subcontractor, if known- Is the subcontractor being relied upon to meet the selection criteria (i.e. are you relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are you relying on them 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 (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to part 1 and the declarations in part 2.

**Section 2: Grounds for mandatory exclusion**

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| 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[[footnote 8]](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fn:8),- been convicted of any of the offences within the summary below and listed in full in [Annex D](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fnref:1) | Yes ▢ No ▢ |
| - | 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, including:- date of conviction and the jurisdiction,- which of the grounds listed the conviction was for,- the reasons for conviction,- the identity of 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 the question above, please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion. (Self-cleaning). |  |

**Section 3: Mandatory and discretionary grounds 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 in [Annex D](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fnref:1), and should be referred to before completing these questions.

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| 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:- country concerned- what is the amount concerned- how the breach was established, i.e. through a judicial or administrative decision or by other means- if the breach has been established through a judicial or administrative decision, please provide the date of the 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

**Section 4: Grounds for Discretionary Exclusion**

The detailed grounds for discretionary exclusion of an organisation are set out in [Annex D](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fnref:1) and should be referred to before completing these questions.

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| 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 in [Annex D](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fnref:1) applied to you?  |  |
| 4.1(a) | Breach of environmental obligations?To note that environmental law obligations include Health and Safety obligations. See [Annex D](https://www.gov.uk/government/publications/ppn-0324-standard-selection-questionnaire-sq/annex-c-selection-questionnaire-template-single-procurement-document-spdhtml#fnref:1) | 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 documents if/when required under Regulation 59. | 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 -- confirm that you have published a statement as required by Section 54 of the Modern Slavery Act.- confirm that the statement complies with the requirements of Section 54. | Yes ▢ No ▢Yes ▢ No ▢ |
| 4.3 | If you have answered YES to any of the questions in 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) |  |

**Section 5: Economic and Financial Standing**

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| 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 | 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).Also, for any other person or entity on whom you are relying on 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 | If you are not able to provide a response to questions 5.1 or 5.2, please provide any of the following alternatives. |  |
| 5.3(a) | 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 and a bank letter outlining the current cash and credit facility position. |  |
| 5.3(b) | 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 by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | Yes ▢ No ▢ |

**Section 7: Additional Questions including Project Specific Questions**

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| Question Number | Question | Response |
| 7.1 | InsurancePlease 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 Insurance = £5mPublic Liability Insurance = £10mProfessional Indemnity Insurance = £5mProduct Liability Insurance = £10m\*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 (PDF, 133KB)](http://www.hse.gov.uk/pubns/hse39.pdf) for more information | Yes ▢ No ▢Yes ▢ No ▢Yes ▢ No ▢Yes ▢ No ▢ |
| 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 perform the contract to ensure compliance with the UK General Data Protection Regulations and to ensure the protection of the rights of data subjects. | 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(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. |  |

PUBLIC SECTOR CONTRACTS ONLY – Requirement under the Public Contracts Regulations 2015 (Regulation 113)

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| Question Number | Question | Response |
| 7.5 | Please confirm that for public sector contracts awarded under the Public Contract Regulations 2015 you have 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 |