

**Selection Questionnaire**

**FCDO Abuja Enabling Works**

**Gana Street, Abuja, Nigeria**

**Contract Ref ESND-10202-2023**

Revision 0.4 February 2023

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1. **CONTRACTING AUTHORITY**

The Authority issuing this Selection Questionnaire is the Foreign, Commonwealth & Development Office (FCDO), King Charles Street, London, SW1A 2AH. Information about the FCDO can be found at Foreign, Commonwealth & Development Office - GOV.UK (www.gov.uk).

1. **INTRODUCTION**

The Authority issues this Selection Questionnaire (“SQ”) for the procurement of **FCDO Abuja – Enabling Works** in accordance with the UK Public Contract Regulations 2015 as amended by the Public Procurement (EU Exit) Regulations 2020 (referred to as the “regulations”).

The Authority requires the information sought in this SQ from each Potential Supplier that wishes to proceed further in tendering for this project. Only Potential Suppliers who are successful at this stage will be invited to tender for this project.

The purpose of this SQ is to form the initial stage of procurement through assessing Potential Suppliers against their ability to deliver this project and allowing the FCDO to progress the tendering process via a restricted route in accordance with the latest UK public procurement guidelines.

Potential Suppliers will be provided with feedback following the SQ process and confirmation of their successful transition into the Invitation To Tender (ITT) phase will be supplied.

1. **PROJECT BACKGROUND AND INFORMATION ON THE SCOPE OF WORKS**

**Removal and/ or demolition of the following:**

* Metal framed structures
* Temporary building/ portacabins
* Metal fence
* Toilet block
* Brick building
* Storage building
* Containers/ prefab/.steel roof amalgamation building
* Diesel fuel pump and tank building
* Tree stumps
* Trees (as identified)

**Preservation/ protection of the following:**

* Trees (as identified)

**Preservation/ protection and continued use provided, of the following:**

* Water tanks and associated structures
* Petrol storage area
* Gatehouse

**Key client and project requirements include:**

* Time constraints – completion in a timescale that is compatible with the Main Works starting on site,
* Cost constraints – confidence of budget certainty,
* Risk management – appropriate management of risk,
* Quality – completion of the works to a standard suitable for the commencement of the main works,
* Specific to local market – Local market contribution for contracting/ sub contracting and local supply of goods and services.

**Further detailed FCDO requirements include:**

* Relationship with local supply chain and strong supply chain links,
* Liaison with local community,
* Maintaining a secure site compound,
* Experience and knowledge of delivering projects in Abuja,
* Experience and knowledge of local climates and the subsequent impact on construction works,
* Experience and ability to work under the NEC 4 Option A form of contract,
* Ability to demonstrate consistent prompt payments (payments within 30 days) to it’s supply chain as part of its standard operational practice,
* Ability to comply with the Modern Slavery Act 2015 and the willingness to sign up to the UN Global Compact,
* Ability to provide the required levels of project insurances,
* Ability to prove the relevant Health & Safety documentation as required by FCDO, including company H&S policies,
* Ability to provide an environmental policy signed by senior management and reviewed within the last 12 months, and the ability to demonstrate that they have worked to the environmental standard ISO 14001 or equivalent,
* Ability to prove an organization’s quality standards with current Quality Assurance Certification e.g. ISO 9001 or equivalent, relevant to the required services,
* Contractors meet the requirements of the positive equality duties in relation to the Equalities Act 2010,
* Contractors meet the requirements of the Immigration, Asylum and Nationality Act 2006,
* Experience and knowledge of local planning regulations, and an appreciation of any construction or post-handover planning requirements,
* Experience and understanding of working with a client representative Clerk of Works,
* Proven record of current financial standing and performance,
* Completion of CDP elements of the design, including the ability to partner with a local company to deliver all work packages,
* Completion of the works to UK Building Regulations and British Standards (H&S) as a minimum.

The supplier(s) must be able to supply a full range of service requirements as confirmed in the Scope.

This contract opportunity is being tendered under a single stage procedure. The Supplier Questionnaire and ITT are issued concurrently.

All returns to this tender opportunity will be reviewed and considered in this order; SQ then ITT.

This document represents the SQ element of the tender.

Submissions will be evaluated using criteria set out in the SQ in the first instance.

In order to be eligible for the ITT review stage, Tenderers must:

* submit complete applications
* achieve a minimum score of **60**% in the SQ, and
* obtain a ‘Pass’ in all ‘Pass/Fail’ questions in the SQ

The tender pack includes further details of the site and a description of the work. The list of documents included in the tender pack are listed in the Instructions to Tenderers included in Annex E.

Details of the ITT element of the tender opportunity are contained within Tender Instructions which set out the rules of the tender, and the evaluation methodology for contract award.

The ITT portion of this procedure will evaluate Tenders based on a **50:50** split between the **Commercial** and **Quality** (including Programme) aspects of your tender respectively to arrive at the Most Economically Advantageous Tender (MEAT).

The Form of contract will be the **NEC ECC 4 Option A**.

1. **SECURITY REQUIREMENTS**

This project does not have any special security requirements.

1. **TIMETABLE**

Set out below is the proposed procurement timetable. This is intended as a guide and, whilst the Authority does not intend to depart from the timetable, it reserves the right to do so at any time.

Note that the SQ and the ITT have been issued and the tenderers are expected to respond to both concurrently.

|  |  |  |
| --- | --- | --- |
| Date or Target Date | Duration | Activity |
| 11/12/2023 |  | SQ/ ITT issued |
| w/c 08/01/2023 (TBC during tender period) | 3 hrs | Bidders Conference Teams |
| w/c 08/01/2023 (TBC during tender period) | 2 Days | Bidders Conference Site |
| 22/01/2024 | 6 weeks | Clarification Question deadline |
| 05/02/2024  17:00 GMT |  | ITT Response Deadline |
| 04/03/2024 | 2 weeks | Initial Appointment and enter into full contract |
| 05/03/2024 |  | Mobilisation/ start on site (from) |

**Key:**  = Milestone

Note that SQs and ITTs received after the return date will not be considered.

1. **NOTES FOR COMPLETION BY THE APPLICANT**
   1. The following definitions are used in this document:

* “We” or “Authority” means the Secretary of State for Foreign, Commonwealth & Development Office (FCDO).
* “You” or “Your” or the “Applicant” or “Potential Supplier” means the business or company which is completing this SQ.
  1. Please ensure that you complete the questionnaire as requested. Failure to do so may result in your application to participate in the procurement procedure being disqualified. If the question does not apply to you please write N/A; if you do not know the answer please write N/K. Where you cannot complete a question, the Authority reserves the right to require further clarification or supplementary information.
  2. Where you have a valid reason for being unable to provide the specific information requested in relation to Economic and Financial Standing, Technical and Professional Ability, other information may be accepted but only if it is considered appropriate by the Authority.
  3. All questions should be answered without reference to general marketing or promotional material.
  4. **Please answer every question and supply supporting documentation in English**. The Application, as well as all correspondence and documents relating to the prequalification exchanged by the Applicants and the Authority, shall be written in the English language. Supporting documents and printed literature that are part of the Application may be in another language, provided they are accompanied by an accurate translation of the relevant passages into the English language, in which case, for purposes of interpretation of the Application, the translation shall govern.
  5. Where financial information is quoted in figures other than pounds sterling; the sum should be stated in both the original currency and pounds sterling. You should use exchange rates quoted (by national central banks, international institutions or commercial banks operating in the foreign exchange market) on the day this SQ was issued for all currency conversions, and you must state the exchange rate used in your response.
  6. You must inform the Authority of any material changes to the information provided as soon as you become aware of the change.

1. **Return of this SQ**
   1. Completed SQs (please complete within the system) must be submitted online via the Authority’s eSourcing Procurement Portal only (https://www.FCDO.bravosolution.co.uk). You must ensure adequate time to upload your SQ documentation and complete your submission. A Selection Questionnaire response submitted via other means (e.g., e-mail or post) will be deemed by FCDO to be non-compliant and rejected. You must ensure that information and attachments are saved and submitted. Technical difficulties should be addressed to the Jaggaer helpdesk (contact details can be found on the home page of the portal).
   2. In your response, you must provide the name, position and contact details for the person within the business or company of the Applicant responsible for this requirement.
   3. Submissions must be received no later than 1**7:00** hrs (GMT) **05/02/2024**. The reference for these requirements on the BRAVO eProcurement Portal is **Abuja – Enabling Works.**
   4. Any enquiries you may have that are specific to the SQ must be directed through the ‘Messages’ functionality of the FCDO Procurement Portal. All contact with FCDO relating to this Response must be made through the FCDO Procurement Portal. Queries submitted less than **7** calendar days before the Selection Questionnaire return date (the “Response Submission Deadline”) may not be answered by the Authority; therefore, any request for information should be submitted at the earliest opportunity. To ensure equal treatment of Potential Suppliers, the questions raised and FCDO’s responses will be notified to all Potential Suppliers (save where publication of the same could breach any obligation of confidentiality or where the same contain information that is commercially sensitive to the initiator) through the FCDO Procurement Portal, without disclosure of the initiator. FCDO will not respond to any clarifications that are raised directly with the Authority outside the FCDO Procurement Portal.
   5. In relation to this Procurement Process, the Potential Supplier must not (at any time prior to the conclusion of this Procurement Process) make contact with any other employee, agent, supplier, Development Partner, Potential Supplier or any other person who is in any way connected with this Procurement Process, unless instructed otherwise by the Authority. Potential Suppliers who do not comply with this requirement will be disqualified from further participation in this this Procurement Process.
2. **Verification of Information Provided**
   1. The higher the value and technical complexity of the procurement, the higher the level of verification that is likely to be required. Not all questions require supporting documents at this stage (for example certificates or statements). Each question in the SQ will state what documentary evidence is required and when it is required to be submitted. The Authority may ask to see these documents at a later stage, so it is advisable you ensure they can be made available upon request.
   2. You may also be asked to clarify your answers or provide more details about certain issues.
   3. Any serious misrepresentation in providing the information requested or failure to provide any of the information requested in the SQ or in response to a request for clarification by the Authority may result in the Applicant’s exclusion from the competition on discretionary grounds.
   4. The Authority may seek independent financial and market advice to validate information declared by you or to assist in the evaluation. Reference site visits or demonstrations or presentations may be requested but the Authority reserves the right to request these as a part of the SQ process.
3. **SQ Documents**
   1. This SQ, and its Appendices and Notices, and any related documents (referred to as the “SQ Documents”) have been prepared by the Authority for the purpose of providing an application procedure for individuals or organisations interested in tendering for the above named project and to assist Applicants in making their own evaluation of the potential opportunity.
   2. Whilst prepared in good faith, the SQ Documents are intended only as a preliminary background explanation of the Authority’s activities and plans and are not intended to form the basis of any decision on whether to enter into any contractual relationship with the Authority. The SQ Documents do not purport to be all inclusive or to contain all of the information that an Applicant may require in the performance of a contract.
   3. Any persons considering making a decision to enter into contractual relationships with the Authority following receipt of the SQ Documents should make their own investigations and their own independent assessment of the Authority and their requirements for the Project and should seek their own professional financial and legal advice.
   4. None of the Authority, its advisors, or the directors, officers, members, partners, military or civilian personnel, employees, other staff, agents or advisers of any such body or person:

(a) makes any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the SQ Documents

(b) accepts any responsibility for the information contained in the SQ Documents or for its accuracy or completeness

(c) shall be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.

* 1. Only the express terms of any written contract relating to the subject of the SQ Documents as and when it is executed shall have any contractual effect in connection with the matters to which it relates. That contract will be governed by English or Scottish law, as specified in the contract.
  2. Nothing in the SQ Documents is, or should be, relied upon as a promise or a representation as to the Authority’s ultimate decisions in relation to the Project. The publication of the SQ Documents in no way commits

1. **Sub-contracting arrangements**
   1. Where a sub-contracting approach is proposed, all information requested should be given in respect of the prime contractor.

* 1. Where sub-contractors will play a significant role in the delivery of the services or products under any ensuing contract, please indicate in a separate annex (by inserting the relevant company/organisation name) the composition of the supply chain, indicating which member of the supply chain will be responsible for the elements of the requirement noting that ultimate responsibility will always rest with the General Contractor.

* 1. It is recognised that arrangements in relation to sub-contracting may be subject to future change. However, Potential Suppliers should be aware that where sub-contractors are to play a significant role, any changes to those sub-contracting arrangements may constitute a material change and therefore may affect the ability of the Potential Supplier to proceed with the procurement process or to provide the goods and/or services.

1. **Consortia Arrangements**

* 1. If the Potential Supplier bidding for a requirement is a consortium, the following information must be provided:
  + Full details of the consortium; and
  + The information sought in this SQ in respect of each of the consortium’s constituent members as part of a single composite response.
  1. Potential Suppliers should provide details of the actual or proposed percentage shareholding of the constituent members within the consortium in a separate Annex. If a consortium is not proposing to form a corporate entity, full details of alternative proposed arrangements should be provided in the Annex. Please note that, in accordance with Regulation 19(6), of the Public Contracts Regulations 2015, the Authority may require a group of economic operators to assume a specific legal form for the purpose of concluding the Contract. In this case, FCDO is also likely to require the members of the group of economic operators to nominate a guarantor for the single legal entity’s performance of the Contract.
  2. The Authority recognises that arrangements in relation to consortia may (within limits) be subject to future change. Potential Suppliers should therefore respond in the light of the arrangements as currently envisaged. Potential Suppliers are reminded that any future proposed change in relation to consortia must be notified to the Authority so that it can make a further assessment by applying the selection criteria to the new information provided.

1. **Supply Chain**

* 1. Tenderers should be able to provide information on request about the composition of their sub-contractors.
  2. Where the Potential Supplier will rely on the capacities or resources of their sub-contractors for the delivery of services, under any ensuing contract:
  + Note that ultimate responsibility will always rest with the Principle Contractor
  + All information provided in response to this SQ must be given in respect of the Potential Supplier

1. **Confidentiality and freedom of information**
   1. The information in the SQ Documents is made available on condition that it is treated as confidential by the Applicant and is not disclosed, copied, reproduced, distributed or passed to any other person at any time except for the purpose of enabling a submission to be made (for example, disclosure by an Applicant to its insurers or potential suppliers who are directly involved in the bid is permitted provided they have each given an undertaking at the time of receipt of the relevant information (and for the benefit of the Authority) to keep such information confidential).
   2. The Authority is subject to the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004, the subordinate legislation made under those Act / Regulations and any guidance and / or codes of practice issued (from time to time) in relation to such legislation. Applicants are required to (where known at the time):

(a) specify (with reasons) the SQ responses which they regard as falling within any of the exemptions from disclosure specified under the Act/Regulations including (without limitation) information provided in confidence; and

(b) state which provisions of the Act/Regulations apply to the SQ responses identified under (a) above.

* 1. The Authority shall be responsible for determining, at its absolute discretion and subject to its legal obligations, whether any of the exemptions from disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004, including those claimed by the Applicant, should apply. Nothing in this provision will affect the Applicant’s rights at law.

1. **Selection of Tenderers**

* 1. This contract opportunity is being tendered under a single stage procedure. The Supplier Questionnaire and ITT are issued concurrently.
  2. Therefore, whilst under a normal SQ process, Potential Suppliers would not be submitting a price to undertake the contract at this stage, on this occasion Suppliers are invited to complete an ITT response concurrently to the SQ.
  3. The summary of the criteria applied for the selection of tenderers are outlined in Section 15.  Potential Suppliers will submit their SQ within the procurement portal.

1. **Evaluation and scoring**
   1. **Evaluation Criteria**

| Part | SQ Evaluation Criteria | Weighting | Quest-ion(s) | SQ Sub Criteria | Sub-Weighting | Evaluation Methodology |
| --- | --- | --- | --- | --- | --- | --- |
| 1 | Potential supplier information | N/A | 1.1 | Contact details and organisation | For information only |  |
| N/A | 1.2 | Bidding model | For information only |  |
| Declaration | N/A | N/A | Confirms SQ answers are true/correct | Pass/Fail | Yes = Pass  No = Fail |
| 2 | Grounds for Mandatory Rejection | N/A | 2 | All questions | Pass/Fail | Yes = Pass or Fail\*  No = Pass  \*If answer is Yes, the Authority will read 2.2 and/or 2.3(b) as appropriate and consider the nature of the situation, its impact upon the Authority’s procurement and whether the conflict can be managed before deciding to pass or fail (self-cleaning). |
| Grounds for Discretionary Rejection | N/A | 3 | All questions | Pass/Fail | Yes = Pass or Fail\*  No = Pass  \*If answer is Yes, the Authority will read 3.2 and consider the nature of the situation, its impact upon the Authority’s procurement and whether the conflict can be managed before deciding to pass or fail (self-cleaning). |
| 3 | Economic and Financial Standing | N/A | 4.1 (a) - (b) | Financial information – audited accounts | Pass/Fail | Information provided = Pass  Information not provided = Fail  The Authority reserves the right to request further information. |
| N/A | 4.1 (c1) | Turnover Ratio | Pass/Fail | Tenderer meets minimum average annual turnover of £400,000 = Pass  Tenderer does not meet the minimum average annual turnover of £400,000 = Fail |
| N/A | 4.1 (c2) | Acid Ratio  An Acid Ratio of 1.0 and above is a Pass.  An Acid Ratio of below 0.8 is a Fail.  An Acid Ratio of between 0.8 - 1.0 should be accompanied by mitigation measures that could cover or reduce the Bidder’s short-term liabilities, such as:   * A bidder’s ability to raise cash through new borrowings, equity issuance, the sale of an asset or the use of parent company resources where the bidder is a member of a wider group; * A bidder’s stock turn, i.e. the speed with which it can sell its inventory to raise cash; * A deeper look at the nature of the bidder’s short-term liabilities which may include creditors and accruals not immediately due for settlement. | Pass/Fail | Tenderer has an Acid Ratio of 0.8 and above with evidence of mitigations to cover a Bidder’s short-term liabilities if less than 1.0 = Pass  Tenderer has an Acid Ratio of less than 0.8, or less than 1.0 with no mitigation measures to cover a Bidder’s short-term liabilities if between 0.8 - 1.0 = Fail |
| Further details | N/A | 5 | Provision of a guarantee/ performance bond if required | To inform assessment of Economic Standing | Yes = Pass  No = Fail |
| Technical and Professional Ability | **40%** | 6.1 | Relevant experience and contract examples | **32%** | The Authority will read and consider the case studies and information provided as to how these are relevant to this project.  0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| 6.2 | Supply Chain Management | **8%** | 0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| Prompt Payment | N/A | 7 | Prompt payment questions | Information Only | Information Only. |
| Carbon Reduction | N/A | 8.1 to 8.3 | Not applicable. | Not applicable. | Not applicable. |
| 8.4 to 8.5 | Not applicable. | Not applicable. | Not applicable. |
| Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015 | N/A | 9 | Details of the organisation’s policies and procedures | Pass/Fail | Yes, exempt, or willing to obtain = Pass  No or unwilling to obtain = Fail |
| Insurance | N/A | 10.1 (a) | Insurance policy | Pass/Fail | Yes, or willing to obtain = Pass  No or unwilling to obtain = Fail |
| Suppliers Past Performance | N/A | 11 | Past performance | Pass/Fail | Yes, or willing to obtain = Pass  No or unwilling to obtain = Fail |
| Project-Specific Questions | **30%** | **12.1** | **Local supply market** | **6%** | 0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| **12.2** | **Programme** | **12%** | 0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| **12.3** | **Main Contractor Responsibilities** | Pass/Fail | Pass/Fail |
| **12.4** | **Secure embassy projects** | **1.5%** | 0-6 Assessment scale (refer to paragraph 15.2) |
| **12.5** | **Supply chain performance and quality management for projects in Nigeria or other nearby regions** | **4.5%** | 0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| **12.6** | **Slave/child labour** | **6%** | 0-6 Assessment scale (refer to paragraph  15.2)  Minimum score to pass: 2/4 |
| Health & Safety | **5%** | 13 | Company’s H&S policies/  H&S questions | **N/A** | 0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| Environmental Criteria | **5%** | 14 | Company’s environmental policies/  Environmental questions  Contractor’s Approach to disposal off-site | **N/A** | 0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| Quality Assurance | **20%** | 15 | Company’s Quality Assurance/  QA questions | **N/A** | 0-6 Assessment scale (refer to paragraph 15.2)  Minimum score to pass: 2/4 |
| Building Information Modelling | N/A | 16 | All questions | Not applicable | Not applicable |
| Cyber Essentials Scheme and CESG CHECK Penetration Testing | N/A | 17 | All questions | Not applicable | Not applicable |
| Skills and Apprentices | N/A | 18.1-.2 | All questions | Not applicable | Not applicable |
| Anti-Discrimination | N/A | 19.1-2 | Equalities Act Requirements | Pass/Fail | Yes = Pass  No = Fail |
| 19.3-4 | Unlawful discrimination |  | No = Pass  Yes = Fail |
| Equal Opportunity and diversity policy and capability | N/A | 20.1-3 | Equal opportunity and diversity policy and capability | Pass/Fail | No = Pass  Yes = Fail (unless sufficiently explained in 20.4) |
| 20.5-6 | Equal opportunity and diversity policy and capability | Pass/Fail | Yes=Pass  No=Fail |
| Contractual Questions | N/A | 21.1 to 21.3 | Contractual questions | Pass/Fail | Yes = Pass  No = Fail |
| Businesses Compliance | N/A | 22.1-2 | Registration with professional body | Pass/Fail | Yes/Not applicable = Pass  No = Fail |
| 22.3 | Subcontractor contractual questions | For information only |  |
| Organisation Policy Upload | N/A | 23 | All questions | Pass/Fail | This question is not scored, and the required response is for information.  Evidence provided = Pass  Unable to provide policies = Fail  Failure to provide a response will be considered unacceptable and will result in the Potential Supplier’s Response being non-compliant and the Potential Supplier will be disqualified from further participation in this Procurement Process.  The evidence requested must confirm the Potential Suppliers’ capability in respect of the above aspects, for example, this may take the form of an existing organisational policy or examples of how appropriate approaches have been applied in the past – for further information see the Supplier Guidance Section of the FCDO website |
| Supplier Code of Conduct | N/A | 24 | All questions | Pass/Fail | Yes = Pass  No = Fail |
| Total Weighting | | 100% |  | | | |

* 1. **Evaluation of Responses**

Question Scoring Scale

|  |  |
| --- | --- |
| **Assessment** | **Score** |
| Good: Shows strong evidence of capacity and capability in all areas | 6 |
| Satisfactory: Shows sufficient evidence of the required capability and capacity to undertake the project | 4 |
| Poor: Shows some evidence of the required capacity and capability | 2 |
| Non-Compliant: Does not answer the question or is of an unacceptably low standard | 0 |

For the evaluation of:

* Section 7 Approach to Payment: Refer to Appendix 8 Approach to Payment – Marking Scheme and FAQs (note that this is for information purposes only)

The Authority may seek independent financial, legal, market and internal advice and references to validate information declared or to assist in the evaluation. Reference site visits or demonstrations and/or presentations are unlikely to be requested at this stage, but the Authority reserves the right to request the same as a part of the SQ process.

**Part 1: Potential Supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

| **Section 1: Potential Supplier Information** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 1.1(a) | Full name of the potential supplier submitting the information (or of the organisation acting as lead contact where a consortium bid is being submitted) |  |
| 1.1(b) – (i) | Registered office address (if applicable) |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status  a) public limited company  b) 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 in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i) – (i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes/No/Not applicable |
| 1.1(i) – (ii) | If you responded ‘yes’ to 1.1(i) – (i), please provide the relevant details, including the registration number(s) |  |
| 1.1(j) – (i) | It is a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes/No |
| 1.1(j) – (ii) | If you responded ‘yes’ to 1.1(j) – (i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Please confirm the trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | 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(m) | Are you a Small, Medium or Micro Enterprise (SME)  For the EU definition of SME refer to https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition\_en | Yes/No |
| 1.1(n) | Details of Persons of Significant Control (PSC) where appropriate1:   * 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 (for existing companies 6th April 2016 should be used) * Which conditions for a PSC are met?   + Over 25% up to (and including) 50%   + More than 50% and less than 75%   + 75% or more2   (Please enter N/A if not applicable)  Notes:   1. 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) 2. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award |  |
| 1.1(o) | Details of immediate parent company:   * Full name of the immediate parent company * Registered office address (if applicable) * Registration number (if applicable) * Head office DUNS number (if applicable) * Head office VAT number (if applicable)   (Please enter N/A if not applicable) |  |
| 1.1(p) | Details of ultimate parent company:   * Full name of the ultimate parent company * Registered office address (if applicable) * Registration number (if applicable) * Head office DUNS number (if applicable) * Head office VAT number (if applicable)   (Please enter N/A if not applicable) |  |

Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

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

| **Section 1: Bidding Model** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 1.2(a) – (i) | Are you bidding as the lead contact for a group of economic operators? | Yes/No  If yes, please provide details listed in questions 1.2(a) – (ii), (a) – (iii) and to 1.2(b) – (i), (b) – (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) – (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) – (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) – (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(a) -(iv) | Provide details Group or Consortium details | Complete Appendix 3 - Group or Consortium Details and upload using the following filename *1.2(a)(iv)yourname* |
| 1.2(b) – (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes/No |
| 1.2(b) – (ii) | If you responded yes to 1.2(b) – (i) please provide additional details for each sub-contractor by completing Appendix 2 - Key Subcontractors’ Details and upload using the following filename *1.2(b)(ii)yourname* | |

**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.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

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

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.

| **Section 1: Contact Details and Declaration** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Telephone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(h) | Date |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

| **Section 2: Grounds for Mandatory Exclusion** | | |
| --- | --- | --- |
| Refer to Appendix 6 for further information | | |
| **Question No** | **Question** | **Response** |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | |
| Participation in a criminal organisation | Yes/No  If ‘yes’ please provide details at 2.1(b) |
| Corruption | Yes/No  If ‘yes’ please provide details at 2.1(b) |
| Fraud | Yes/No  If ‘yes’ please provide details at 2.1(b) |
| Terrorist offences or offences linked to terrorist activities | Yes/No  If ‘yes’ please provide details at 2.1(b) |
| Money laundering or terrorist financing | Yes/No  If ‘yes’ please provide details at 2.1(b) |
| Child labour and other forms of trafficking in human beings | Yes/No  If ‘yes’ please provide details at 2.1(b) |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,  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. |  |
| 2.2 | If you have answered ‘yes’ to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning) | Yes/No |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in  accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | Yes/No |
| 2.3(b) | * If you have answered ‘yes’ to question 2.3(a), please provide further details. Please also confirm 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. |  |

| **Section 3: Grounds for Discretionary Exclusion** | | |
| --- | --- | --- |
| Refer to Appendix 7 for further information | | |
| **Question No** | **Question** | **Response** |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
| 3.1(a) | Breach of environmental obligations? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(b) | Breach of social obligations? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(c) | Breach of labour law obligations? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(d) | 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? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(e) | Guilty of grave professional misconduct? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(j) | Please answer the following statements |  |
| 3.1(j) – (i) | The organisation is 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  If ‘yes’ please provide details at 3.2 |
| 3.1(j) – (ii) | The organisation has withheld such information. | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(j) – (iii) | The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.1(j) – (iv) | 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 to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. | Yes/No  If ‘yes’ please provide details at 3.2 |
| 3.2 | If you have answered ‘yes’ to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning) |  |
| 3.3 | Member of your Consortium, Key Sub-Contractors and Guarantors must provide the information requested in Appendix 3a.  Please upload this information in a single file. If there are several documents you can upload a single Zip file. | Complete Appendix 3a. Information and Declaration Workbook and upload using the following filename *1.2 (a)(iv) Information and Declarationyourname* |

Please Note: The 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.

**Part 3: Selection Questions**

If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

| **Section 4: Economic and Financial Standing** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 4.1 (a) | If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide:   1. the web address 2. issuing authority   precise reference of the documents    If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your detailed accounts for the last three years (audited if required by law).    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 three years (audited if required by law). | Yes - Upload using the following filename: *Q4.1(a)yourname*    No – See 4(b) |
| 4.1(b) | If you are not able to answer 4.1(a) please provide one of the alternatives.    A statement of the 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 for this organisation.    An alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | Yes - Upload using the following filename: *Q4.1(b)yourname*    No – Please explain why. Upload your response using the following filename: *Q4.1(b)yourname* |
| 4.1(c1) | Turnover Ratio  The Authority will calculate the average turnover ratio of the Tenderer. | N/A Scoring criteria is outlined in 15.1 of this document |
| 4.1 (c2) | Acid Ratio  The Authority will calculate the average acid ratio of the Tenderer. | N/A Scoring criteria is outlined in 15.1 of this document |

If your latest audit accounts are more than 18 months old, please ensure you can provide the latest unaudited or management accounts.

The FCDO will seek more information from independent credit reference agencies as part of the evaluation and reserves the right to undertake credit checks at each stage of the procurement process.

| **Section 5: Further Details** | | | |
| --- | --- | --- | --- |
| **If you have indicated in the SQ question 1.2 that you are part of a wider group, please provide further details below** | | | |
| Name of organisation | |  | |
| Relationship to the supplier completing these questions | |  | |
| **Question No** | **Question** | | **Response** |
| 5.1 | Are you able to provide parent company accounts if requested to at a later stage? | | Yes/No |
| 5.2 | If ‘yes’, would the parent company be willing to provide a guarantee if necessary? | | Yes/No |
| 5.3 | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | | Yes/No |

| **Section 6: Technical and Professional Ability** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 6.1 | **Relevant Experience and Contract Examples**  Please provide details of three contracts where you have worked on projects of a similar nature to this requirement. These contracts can be in any combination from either the public or private sector, voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contract services should have been performed during the past five years.  Ideally these contracts should be:   1. examples of when you acted in the role of Principal Contractor1 2. completed within the past 5 years prior to the date of your SQ submission2 3. comparable in terms of type of work 4. comparable in terms of size 5. at least one of the contracts must have been performed in a / delivered in Nigeria, for a client of a similar nature. Tenderers should identify similar projects involving Enabling Works and working in secure environments.   Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).  Notes:   1. Principal Contractor means a contractor with control over the construction phase of a project involving more than one contractor 2. The definition of Completion means that the Applicant has carried out all the work to performed contract excluding the defects correction period after the completion has been achieved | Complete your answer using the Excel document contained in Appendix 1 ‘Contracts’ and upload using the following filename: *Q6.1 your name*  The ‘Brief Description of the contract’ field has a word limit of 300 words. |
| 6.2 | Where you intend to sub-contract a proportion of the contract, please demonstrate how you have  previously maintained healthy supply chains with your sub-contractor(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 or membership of  the UK Prompt Payment Code (or equivalent schemes in other countries) | Maximum 500 words  Complete you answer in word and upload using the following filename: Q6.2yourname |

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| --- | --- | --- |
| **Section 7: Prompt Payment** | | |
| **Question No** | **Question** | **Response** |
| Note guidance on responding to these questions is given in Appendix 8.  This section is for information only. | | |
| **Self-declaration** | | |
| 7.1 | Please confirm if you intend to use a supply chain for this contract. If you answer “No” you do not need to complete the rest of this section. [INFORMATION ONLY] | Yes/No |
| 7.2 | Please confirm that you have systems in place to pay those in your supply chain promptly and effectively, i.e. within your agreed contractual terms. | Yes/No |
| 7.3 | Please confirm you have procedures for resolving disputed invoices with those in your supply chain promptly (within 30 days) and effectively. | Yes/No |
| 7.4 | Not applicable. | Not applicable. |
| 7.5(a) | Not applicable. | Not applicable. |
| 7.5(b) | Not applicable. | Not applicable. |
| 7.5(c) | Not applicable. | Not applicable. |
| **Evidence Requirements**  Evidence for self-declarations (listed below).  This is not required now but bidders should note that prior to contract award the Authority may require, on request, the following evidence will be required from the successful bidder (where the bidder has answered “Yes” to question 7.1 above) in order to verify the bidders responses. | | |
| a. | A copy of your standard payment terms for all of your supply chain contracts. |  |
| b. | A copy of your procedures for resolving disputed invoices promptly and effectively. |  |
| c. | Details of any payments of interest for late payments you have paid in the past twelve months or which became due during the past twelve months and remain payable (contractually or under late payment legislation) and, if any such payment has been made (or arose), an explanation as to why this occurred and an outline of what remedial steps have been taken to ensure this does not occur again. |  |
| d. | A copy of your standard payment terms used with sub-contractors on public sector contracts subject to the Public Contract Regulations 2015. |  |

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| --- | --- | --- |
| **Section 8: Carbon Reduction** | | |
| **Question No** | **Question** | **Response** |
| *Not applicable.* | | |

| **Section 9: Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 9.1 | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? This means you have a turnover of £36 million or more. | Yes/ N/A |
| 9.2 | If you have answered yes to question 9.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? [www.legislation.gov.uk/ukpga/2015/30/section/54/enacted](http://www.legislation.gov.uk/ukpga/2015/30/section/54/enacted) | Yes  Please provide the relevant url to view the statement  No  Please provide an explanation |
| 9.3 | Is the organisation signed up to the UN Global Compact? | Yes/No |
| 9.4 | If you have answered 'no' to question 9.4 will your organisation sign up to the UN Global Compact  by the commencement date of the [Contract] / [first call-down Contract]? Answering 'No' will result  in a Potential Supplier being excluded from participating further in the procurement process. | Yes/No |

| **Section 10: Insurance**  Note: Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage. | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 10.1 | Insurance  Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the different types of insurance cover indicated below:   * Loss of or damage to the works, Plant and Materials= £1m per each and every claim * Loss of or damage to equipment: £1m each and every claim * Loss or damage to property (except the works, Plant and Materials and Equipment) and liability for bodily injury or death of a person (not an employee of the Contractor) arising of or in connection with the Contractor Providing the work) = £5 million per each and every claim * Employer’s (Compulsory) Liability Insurance1 £5M each and every claim * Professional Indemnity Insurance £5M each and every claim   Notes:  1. It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | Pass/Fail |

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| --- | --- | --- |
| **Section 11: Suppliers Past Performance** | | |
| **Question No** | **Question** | **Response** |
| 11.1 | On request can you provide a certificate of Past Performance from those customers listed in your response to Question 6.1 | Yes/No |
| 11.2 | If you cannot obtain a certificate from a customer can you explain the reasons why? | Yes/No |
| 11.3 | If any selected certificate states that services supplied were not satisfactory are you able to supply information which shows why this will not recur if you are awarded the contract being procured? | Yes/No |
| 11.4 | Can you supply the information in questions 11.1 to 11.3 above for any sub-contractors (or consortium members) who you are relying upon to perform this contract? | Yes/No |

|  |  |  |
| --- | --- | --- |
| **Section 12: Project-Specific Questions** | | |
| **Question No** | **Question** | **Response** |
| 12.1 | Please demonstrate your knowledge of the local market including need for registration, available skills and materials and reference relevant previous experience to support your response | Maximum 500 words  Complete you answer in word and upload using the following filename: Q12.1yourname |
| 12.2 | Please demonstrate your approach to the development of the programme, including identification of any critical path elements. | Maximum 500 words  Complete you answer in word and upload using the following filename: Q12.2yourname |
| 12.3 | Please confirm that you are able to perform the role of main contractor without the need for any form of advance payment. | Yes / No |
| 12.4 | Please provide details (if any) of any secure embassy buildings/site/land construction projects you have worked on. | Maximum 300 words  Complete you answer in word and upload using the following filename: Q12.4yourname |
| 12.5 | Describe a recent project you have delivered in Nigeria or nearby regions with specific reference to how your organisation ensures quality, performance compliance and value for money. | Maximum 500 words  Complete you answer in word and upload using the following filename: Q12.5yourname |
| 12.6 | Explain how you verify that slave and or child labour is not used in any of your projects and cite a project where your approach has been successful. | Maximum 200 words  Complete you answer in word and upload using the following filename: Q2.6yourname |

| **Section 13: Health and Safety** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 13.1 | Are you familiar with, and have you worked to, the health and safety standard ISO 45001?  If not, what equivalent health and safety standards do you typically work to and how are they similar? | Yes/No  Maximum 300 words  Complete you answer in word and upload using the following filename*: Q13.1 yourname* |
| 13.2 | What challenges have you experienced in implementing H&S regulations on construction sites of this scale? | Maximum 300 words  Complete you answer in word and upload using the following filename*: Q13.2 yourname* |

| **Section 14: Environmental Criteria** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 14.1 | If requested would you be able to provide an environmental policy signed by senior management and reviewed within the last 12 months?  Guidance can be found here: https://startups.co.uk/how-to-create-an-environmental-policy-statement/  The policy should be relevant to the nature and scale of the activity and set out the responsibilities for environmental management throughout the organisation. | Yes/No |
| 14.2 | Are you familiar with, and have you worked to, the environmental standard ISO 14001?  If not, what equivalent environmental standards do you typically work to and how are they similar? | Maximum 300 words  Complete you answer in word and upload using the following filename: *Q14.2yourname* |

| **Section 15: Quality Assurance** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 15.1 | Are you familiar with, and have you worked to, the quality assurance standard ISO 9001 and the relevant required services?  If not, what equivalent quality management standards do you typically work to and how are they similar? | Yes/No  Maximum 300 words  Complete you answer in word and upload using the following filename: *Q15.1yourname* |

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| --- |
| **Section 16: Building Information Management** |
| *Not applicable.* |

| **Section 17: Cyber Essentials Scheme and CESG CHECK Penetration Testing** |
| --- |
| *Not applicable.* |

| **Section 18: Skills and Apprentices** |
| --- |
| *Not applicable.* |

|  |  |  |
| --- | --- | --- |
| **Section 19: Anti-Discrimination** | | |
| **Question No** | **Question** | **Response** |
| 19.1 | Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others? | Yes/No |
| 19.2 | As an employer, do you meet the requirements of the positive equality duties in relation to the Equalities Act 2010?  <https://www.gov.uk/guidance/equality-act-2010-guidance>  If not, what equivalent anti-discrimination standards do you typically work to and how are they similar? | Yes/No  Maximum 300 words  Complete you answer in word and upload using the following filename: *Q19.2yourname* |
| 19.3 | In the last three years has any finding of unlawful discrimination been made against your organization by any court or industrial or employment tribunal or equivalent body?  If yes, details of any findings | Yes/No  Maximum 300 words  Complete you answer in word and upload using the following filename: *Q19.3yourname* |
| 19.4 | In the last three years, has your organization been subject to a compliance action by the Equality and Human Rights Commission or an equivalent body on grounds of alleged unlawful discrimination?  If yes, details of any findings | Yes/No  Maximum 300 words  Complete you answer in word and upload using the following filename: *Q19.4yourname* |

|  |  |  |
| --- | --- | --- |
| **Section 20: Equal opportunity and diversity policy and capability** | | |
| **Question No** | **Question** | **Response** |
| 20.1 | It is important that suppliers working with the FCDO have policies and practices in place to ensure equal/non-discriminatory behaviour. Does your organization have a policy that addresses equality and diversity? | Maximum 300 words  Complete you answer in word and upload using the following filename: *Q20.1yourname* |

|  |  |  |
| --- | --- | --- |
| **Section 21: Contractual Matters** | | |
| **Question No** | **Question** | **Response** |
| 21.1 | Do you accept the competition rules, in this SQ, ITT and Contract Notice? | Yes/No |
| 21.2 | Please confirm that, if selected, your company will agree that the contract with the FCDO will be under English Law and subject to the exclusive jurisdiction of the English Courts. | Yes/No |
| 21.3 | Not applicable. | Yes/No |
| 21.4 | Contractors short-listed for tender must be prepared to take full responsibility for obtaining visas for their team.  Please confirm you accept this process. | Yes/No |

| **Section 22: Businesses Compliance** | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 22.1 | Registration with professional body: Is your business registered with the appropriate trade or professional register(s) in the country where it is established under the conditions laid down by that country? | Yes/No/Not applicable  If ‘yes’ please state which trade or professional registers  If ‘not applicable’ please provide an explanation  Maximum 250 words  Complete your answer in word format and upload using the following filename: *Q22.1yourname* |
| 22.2 | Is it a legal requirement in the country where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? If yes, please provide details of what is required and confirm that you have complied with this. | Yes/No  If ‘yes’ please provide explanation and confirmation that you have complied. |
| 22.3 | What (if any) aspects of your solution to our requirements would you be planning to sub-contract, and in which case please confirm under what country of law would these sub-contracts be governed, e.g. English or otherwise? | Maximum 250 words  Complete you answer in word and upload using the following filename: *Q22.3yourname* |

| **Section 23: Organisation Policies Upload**  This question is not scored, and the required response is for information.  Please provide evidence that the Lead Organisation(s) has effective policy and procedures in place for the following areas of Sustainability/Performance, Management/Governance, Environmental/Social Impact (for example, copies of policies and procedures  Failure to provide a response will be considered unacceptable and will result in the Potential Supplier’s Response being non-compliant and the Potential Supplier will be disqualified from further participation in this Procurement Process.  The evidence requested must confirm the Potential Suppliers’ capability in respect of the above aspects, for example, this may take the form of an existing organisational policy or examples of how appropriate approaches have been applied in the past – for further information see the Supplier Guidance Section of the FCDO website:  Procurement at FCDO - Foreign, Commonwealth & Development Office - GOV.UK ([www.gov.uk/FCDO](http://www.gov.uk/FCDO)) | | |
| --- | --- | --- |
| **Question No** | **Question** | **Response** |
| 23(a) | Please upload a copy of your Due diligence, fraud and anti-corruption policies/procedures | Attachment |
| 23(b) | Supplier Management | Attachment |
| 23(c) | Safeguarding | Attachment |
| 23(d) | Whistleblowing | Attachment |
| 23(e) | Bullying and Harassment | Attachment |
| 23(f) | Recruitment including conflict of interest mitigation and management | Attachment |
| 23(g) | Sustainability | Attachment |
| 23(h) | Environment / Social Impacts | Attachment |

|  |  |  |
| --- | --- | --- |
| **Section 24: FCDO Supply Partner Code of Conduct**  You should be aware that any contract awarded for this procurement will require the successful Potential Supplier to accept the documents listed below.  1. FCDO's NEC ECC4 Form of Contract Option A  2. Supply Partner Code of Conduct (inclusive within Terms and Conditions) located as Appendix 10 | | |
| **Question No** | **Question** | **Response** |
| 24 | Please confirm your acceptance of all of the above by answering ‘Yes’. | Yes/No |

**Appendices**

**Separate documents, refer to the portal:**

**Appendix 1 Type of Contract**

**Appendix 2 Key Sub-contractors’ Details**

**Appendix 3 Consortia Details**

**Appendix 3a Consortia Exclusion Grounds**

**Appendix 4**  **Not Used**

**Appendix 5 Not Used**

**Included with this document:**

**Appendix 6 Mandatory Exclusion Grounds**

**Appendix 7 Discretionary Exclusions**

**Appendix 8 Approach to Payment – Marking Scheme and FAQs**

**Appendix 9 Not Used**

**Appendix 10 FCDO Supplier Code of Conduct**

**Appendix 6 Mandatory Exclusion Grounds**

**Public Contract Regulations 2015 R57(1), (2) and (3)**

**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;

**Fraud**

Any of the following offences, where the offence relates to fraud affecting the European Communities’ financial interests as defined by Article 1 of the convention on the protection of the financial interests of the European Communities:

* the common law offence of cheating the Revenue;
* the common law offence of conspiracy to defraud;
* fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;
* fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
* fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;
* an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
* destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
* fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;
* the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;

**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 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

**Appendix 7 Discretionary Exclusions**

**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 the following:

* 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 3 years.
* 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 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.**

**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 to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.

Additional exclusion grounds

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

**Appendix 8 APPROACH TO PAYMENT- MARKING SCHEME AND FAQS**

Not applicable.

**Appendix 9 NET ZERO CARBON EVALUATION METHODOLOGY**

Not used.

**Appendix 10 FCDO SUPPLIER CODE OF CONDUCT**

**1. What we expect from our Suppliers**

1.1 Version 2 of the [Government Supplier Code of Conduct](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/646497/2017-09-13_Official_Sensitive_Supplier_Code_of_Conduct_September_2017.pdf) (“the Code”) sets out the standards and behaviours expected of suppliers who work with government.

1.2 The FCDO (henceforth known as “the Authority”) expects its Suppliers and its Suppliers’ Subcontractors to meet the standards set out in the Code. In addition, The FCDO expects its suppliers and its suppliers’ subcontractors to comply with the standards set out in this Schedule.

1.3 The Supplier acknowledges that the Authority may have additional requirements in relation to corporate social responsibility. The Supplier and the Suppliers’ Subcontractors shall comply with such corporate social responsibility requirements as the Authority may notify to the Supplier from time to time.

**2. Equality and Accessibility**

2.1 Without prejudice to the generality of its rights and obligations under each Contract, the Supplier shall support the Authority in fulfilling its public sector equality duty under S149 of the Equality Act 2010 by ensuring, so far as reasonably practicable, that it (the Supplier) fulfils its obligations under each Contract in way that has due regard to the need to:

2.1.1 Eliminate discrimination, harassment or victimisation and any other conducted that is prohibited under the 2010 Act; and

2.1.2 Advance equality of opportunity and foster good relations between those who share a protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership) and those who do not share it.

**3. Modern Slavery, Child Labour and Inhumane Treatment**

The "Modern Slavery Helpline"refers to the point of contact for reporting suspicion, seeking help or advice and information on the subject of modern slavery available online at <https://www.modernslaveryhelpline.org/report> or by telephone on 08000 121 700.

3.1 The Supplier:

3.1.1 Shall not use, or allow its Subcontractors to use, forced, bonded or involuntary prison labour;

3.1.2 Shall not require any Supplier staff or Subcontractor staff to lodge deposits or identify papers with the Employer or deny Supplier staff freedom to leave their employer after reasonable notice;

3.1.3 Warrants and represents that it has not been convicted of any slavery or human trafficking offences anywhere around the world.

3.1.4 Warrants that to the best of its knowledge it is not currently under investigation, inquiry or enforcement proceedings in relation to any allegation of slavery or human trafficking offenses anywhere around the world.

3.1.5 Shall make reasonable enquires to ensure that its officers, employees and Subcontractors have not been convicted of slavery or human trafficking offences anywhere around the World.

3.1.6 Shall have and maintain throughout the term of each Contract its own policies and procedures to ensure its compliance with the Modern Slavery Act 2015 and shall include in its contracts with its subcontractors anti-slavery and human trafficking provisions;

3.1.7 Shall implement due diligence procedures to ensure that there is no slavery or human trafficking in any part of its supply chain performing obligations under a Contract;

3.1.8 Shall prepare and deliver to the FCDO at the commencement of each Contract and updated on a frequency defined by the Authority, a slavery and human trafficking report setting out the steps it has taken to ensure that slavery and human trafficking is not taking place in any of its supply chains or in any part of its business;

3.1.9 Shall not use, or allow its employees or Subcontractors to use, physical abuse or discipline, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation of its employees or Subcontractors;

3.1.10 shall not use, or allow its Subcontractors to use, child or slave labour;

3.1.11 shall report the discovery or suspicion of any slavery or trafficking by it or its Subcontractors to the Authority and Modern Slavery Helpline.

**4. Income Security**

4.1 The Supplier shall:

4.1.1 Ensure that that all wages and benefits paid for a standard working week meet, at a minimum, national legal standards in the country of employment;

4.1.2 Ensure that all workers are provided with written and understandable information about their terms and conditions of employment, and in particular in respect of wages, before they enter employment, and about the particulars of their wages for the pay period concerned each time that they are paid;

4.1.3 Not make deductions from wages as a disciplinary measure except

(a) Where permitted by law; and

(b) Upon express permission of the worker concerned.

4.1.4 Record all disciplinary measures taken against Supplier Staff throughout the term of each contract; and

4.1.5 Ensure that Supplier Staff are engaged under a recognised employment relationship established through national law and practice.

**5. Working Hours**

5.1 The Supplier shall:

5.1.1 Ensure that the working hours of Supplier staff comply with national laws, and any collective agreements;

5.1.2 Ensure that the working hours of Supplier staff, excluding overtime, are defined by contract, and do not exceed 48 hours per week unless the individual has lawfully agreed so in writing;

5.1.3 Ensure that overtime is used responsibly, taking into account:

(a) The extent;

(b) Frequency; and

(c) Hours worked

By reference to individuals and the Supplier staff as a whole;

5.2 The total hours worked by an individual in any seven-day period shall not exceed 60 hours, unless the criteria set out in paragraph 5.3 are satisfied.

5.3 Working hours may exceed 60 hours in any seven-day period only where all of the following are met:

5.3.1 This is allowed by national law;

5.3.2 This is expressly authorised by a collective agreement freely negotiated with a workers’ organisation representing a significant portion of the workforce;

5.3.3 Appropriate safeguards are taken to protect the workers’ health and safety; and

5.3.4 The employer can demonstrate that exceptional circumstances apply.

5.4 All Supplier Staff shall be provided with at least one (1) day off in every seven (7) day period or, where allowed by national law, two (2) days off in every fourteen (14) day period.

**6. Sustainability**

6.1 The Supplier shall meet the applicable [Government Buying Standards](https://www.gov.uk/government/collections/sustainable-procurement-the-government-buying-standards-gbs) applicable to Deliverables.