**Tender for electronic procurement system**

**Tender – DOCUMENT three**

**Response Document: To be Completed and Returned**

When completed, please return **one copy via email** ofthe response document (Document Three) to sylvia.gough@ncha.org.uk. Please use the following as the title for your email: “Tender for Electronic Procurement System”.

Please ensure that Appendices 1, 2 and 3 are completed.

|  |
| --- |
| **To be received no later than 12 noon on 16th November 2020****Late submissions will be disregarded.** |

|  | **CONTENTS** | **PAGE** |
| --- | --- | --- |
| 1 | [Standard Selection Questionnaire (SQ)](#StandardSelectionQuestionnaire) | 3-11 |
| 2 | [Tender Submission](#TenderSubmission) | 13-15 |
| 3 | [Appendix 1: Form of Tender](#App1) | 16 |
| 4 | [Appendix 2: Collusive Tendering Certificate](#App2) | 17 |
| 5 | [Appendix 3: Confidential & Commercially Sensitive Information](#ConfidentialandCommerciallySensitiveInfo)   | 18-19 |

**STANDARD SELECTION QUESTIONNAIRE (SQ)**

**1** **POTENTIAL SUPPLIER INFORMATION**

|  |  |  |
| --- | --- | --- |
| **Question No.** | **Question** | **Response** |
| 1.1 (a) | Full name of the potential supplier submitting the information |  |
| 1.1 (b) (i) | Registered office address (if applicable) |  |
| 1.1 (b) (ii) | Registered website address (if applicable) |  |
| 1.1 (c) | Trading Status:i) public limited companyii) limited companyiii) limited liability partnershipiv) other partnershipv) sole tradervi) third sectorvii) other (please specify) | [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 1.1 (d) | Company/charity registration number (if applicable) |  |
| 1.1 (e) | Are you a Small, Medium or Micro Enterprise (SME)? | Yes [ ] No [ ]  |
| 1.1 (f) | Contact details for person completing the form:i) Nameii) Position in Organisationiii) Phone numberiv) Email address |  |

**2 GROUNDS FOR EXCLUSION**

|  |  |  |
| --- | --- | --- |
|  **Question No.** | **Question** | **Response** |
| 2.1 (a) | Regulations 57(1) and (2):The detailed grounds for exclusion are set out on this [web page](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 has been convicted anywhere in the world of any of the offences within the summary below and listed on the [web page](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 in 2.1 (b) |
| Corruption | Yes [ ] No [ ] If yes, please provide details in 2.1 (b) |
| Fraud | Yes [ ] No [ ] If yes, please provide details in 2.1 (b) |
| Terrorist offences or offences linked to terrorist activities | Yes [ ] No [ ] If yes, please provide details in 2.1 (b) |
| Money laundering or terrorist financing | Yes [ ] No [ ] If yes, please provide details in 2.1 (b) |
| Child labour and other forms of trafficking in human beings | Yes [ ] No [ ] If yes, please provide details in 2.1 (b) |
| Breach of environmental obligations? | Yes [ ] No [ ] If yes, please provide details at 2.1 (b) |
| Breach of social obligations? | Yes [ ] No [ ] If yes, please provide details at 2.1 (b) |
| Breach of labour obligations? | Yes [ ] No [ ] If yes, please provide details at 2.1 (b) |
| 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 an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the law and regulations of any State? | Yes [ ] No [ ] If yes, please provide details at 2.1 (b) |
|  | Guilty of grave professional misconduct? | Yes [ ] No [ ] If yes, please provide details at 2.1 (b) |
| Entered into agreements with other economic operators aimed at distorting competition? | Yes [ ] No [ ] If yes, please provide details at 2.1 (b) |
| 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 2.1 (b) |
| Been involved in the preparation of the procurement procedure? | Yes [ ] No [ ] If yes, please provide details at 2.1 (b) |
| 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 2.1 (b) |
| 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? If ‘yes’, please also confirm that 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 [ ]  |
| 2.1 (b) | If you have answered ‘yes’ to any of the above, explain what measures have been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion (self cleaning) |  |

**3** **ECONOMIC AND FINANCIAL STANDING**

|  |  |  |
| --- | --- | --- |
| **Question No.** | **Question** | **Response** |
| 3.1 | Are you able to provide a copy of your audited accounts for the last two years, if requested?If no, can you provide one of the following (answer with a ‘yes’ or ‘no’ in the relevant box):1. 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 of trading for this organisation
2. A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position
3. 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 bank, charity accruals accounts or an alternative means of demonstrating financial status).
 | Yes [ ] No [ ] Yes [ ] No [ ] Yes [ ] No [ ] Yes [ ] No [ ]  |
| 3.2 | If applicable, are you able to provide parent company accounts if requested at a later stage? | Yes [ ] No [ ] N/A [ ]  |
| 3.3 | If applicable, would the parent company be willing to provide a guarantee if necessary?If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | Yes [ ] No [ ] N/A [ ] Yes [ ] No [ ]  |

**4 TECHNICAL AND PROFESSIONAL ABILITY**

4.1 Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VSCE) that are relevant to our requirement. VCSEs may include examples of grant funded work. Contracts for supplies or services should have been performed during the last three years. Works contracts may be from the last five years.

 The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| Name of Customer organisation |  |  |  |
| Point of contact in the organisation |  |  |  |
| Position in the organisation |  |  |  |
| Email address |  |  |  |
| Description of contract |  |  |  |
| Contract start date |  |  |  |
| Contract completion date |  |  |  |
| Estimated contract value |  |  |  |

Where you cannot provide at least one example for question 4.1, in no more than

500 words please provide an explanation for this, e.g. your organisation is a new start-up or you have provided services in the past but not under contract.

|  |
| --- |
|  |

|  |  |
| --- | --- |
| 4.2 | 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 not be limited to, details of your supply chain management tracking systems to ensure performance of the contract and prompt payment or membership of the UK Prompt Payment Code (or equivalent) |
| **Response:**  |

**5 REQUIREMENTS UNDER MODERN SLAVERY ACT 2015**

|  |  |  |
| --- | --- | --- |
| **Question No.** | **Question** | **Response** |
| 5.1 | Are you a relevant commercial organisation as defined by section 54 (Transparency in supply chains etc.) of the Modern Slavery Act 2015  | Yes [ ] No [ ]  |
| 5.2 | If you have answered ‘yes’ to question 5.1, are you compliant with the annual reporting requirements contained within section 54 of the Modern Slavery Act 2015 | Yes[ ] Please provide the relevant URLNo[ ] Please provide an explanation |

**6 ADDITIONAL QUESTIONS**

|  |  |  |
| --- | --- | --- |
| **Question No.** | **Question** | **Response** |
| **6.1** | **Insurance:**Please self certify whether you already have or are able to obtain, prior to the commencement of the contract the levels of insurance cover indicated below.Employers (Compulsory) Liability Insurance\* = £5 millionPublic Liability Insurance = £5 millionProfessional Indemnity Insurance = £5 millionProduct Liability Insurance = £5 million\* It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note that this requirement does not apply to Sole Traders. | Yes [ ] No [ ] Yes[ ] No [ ] Yes [ ] No [ ] Yes [ ] No [ ]  |
| **Question No.** | **Question** | **Response** |
| **6.2** | **Equality and Diversity** |  |
| 6.2(a)  | Do you have in place an Equalities and Diversity Policy? | Yes [ ] No [ ]  |
| 6.2 (b) | Do you provide equalities and diversity training to your staff? | Yes [ ] No [ ]  |
| 6.2 (c)  | Have you ever been successfully prosecuted, either through the civil or criminal courts, for an offence linked with the Equalities Act 2010? | Yes (please provide further information) [ ] No [ ]  |
| **6.3** | **Environmental Management** | **Response** |
| 6.3 (a) | Do you have in place an Environmental Management policy? | Yes [ ] No [ ]  |
| 6.3 (b) | Please summarise your key commitments under this Policy |  |
| 6.3 (c) | Have you ever been successfully prosecuted, either through the civil or criminal courts, for an offence relating to the environment? | Yes (please provide further information) [ ] No [ ]  |
| **6.4** | **GDPR** |  |
| 6.2 (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 General Data Protection Regulation and to ensure the protection of the rights of data subjects*.* | Yes [ ] No [ ]  |
| 6.2 (b) | Please provide details of the technical facilities and measures (including systems andprocesses) you have in place, or will have in place by contract award, to ensurecompliance with the General Data Protection Regulation and to ensure the protectionof the rights of data subjects. Your response should include, but should not be limitedto facilities and measures:○ to ensure ongoing confidentiality, integrity, availability and resilience ofprocessing systems and services;○ to comply with the rights of data subjects in respect of receiving privacyinformation, 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 dataoutside 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** **DECLARATION**

I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement, and I am signing on behalf of …………………… (**Insert name of Supplier**).

I understand that NCHA may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information

I also declare that there is no conflict of interest in relation to NCHA’s requirement.

**Completed by:**

|  |  |
| --- | --- |
| 7.1 Name |  |
| 7.2 Role in Organisation |  |
| 7.3 Date |  |
| 7.4 Signature |  |

[Back to Contents](#Contents)

**TENDER SUBMISSION**

**Please note that only those organisations which pass the Selection Questions will have their Tender submissions evaluated.**

Please see Document One for details on how responses will be evaluated.

**QUALITY**

|  |  |  |  |
| --- | --- | --- | --- |
| **Question 1:** |  | **Word limit:** | N/A |
| Does your system deliver all the essential characteristics detailed in Section 5 of the Specification? |
| Yes [ ] No [ ]  |
| **Question 2:** |  | **Word limit:** | N/A |
| Does your system comply with the ICT requirements detailed in Section 7 of the Specification? |
| Yes [ ] No [ ]  |
| **Question 3: Word limit:** 1000 wordsPlease describe the usability of your system using the 5 key characteristics of effectiveness, efficiency, engaging, error tolerance and easy to learn. Your response should include a summary of the work you have undertaken to improve the usability of your system and any relevant customer/supplier feedback. (You may include limited screen shots/a link to a test system/a video summarising the system etc. to support your response but the evaluation panel will take no longer than 20 minutes to review your response to this question and so this will need to be borne in mind) |
| **Answer:** |

|  |
| --- |
| **Question 4: Word limit:** 1000 wordsPlease provide information on the speed of resolution of helpdesk calls over the last 2 years.Your response should provide details of both supplier and system user calls and describe how you assign priority to those calls. It should also include any measures you take to learn from customer feedback. |
| **Answer:**  |
| **Question 5 Word limit:** 500 wordsPlease place a tick against each of the desirable characteristics listed below (and detailed in Section 6 of the Specification) that your system includes. Please provide further information as necessary including which if any are included in the core system and therefore the price provided.  |
| **Answer:**Contract Register change control function [ ] Out of hours logging of support calls [ ] Branded NCHA Portal and/or link to Housing Association specific portal [ ] Auto completion of information [ ] Internal messaging function [ ] Reports on helpdesk function [ ] Single sign on functionality [ ] Additional information: |
| **Question 6 Word limit:** 1000 wordsPlease provide an Implementation Plan that meets the time scale requirements set out in Section 8 of the Specification (you may provide this as a separate document). Please provide information on the expected roles of both NHCA and you during implementation. You should also provide information on user migration, training, testing etc. and how you expect this to be undertaken.  |
| **Answer:** |

|  |
| --- |
| **Question 7 Word limit:** 1000 wordsPlease describe the process for supplier migration bearing in mind the importance of ensuring that suppliers on the Approved List are able to access and respond to RFQs from the Go Live date. Your response should detail the support you will provide, the extent of the activity that suppliers will have to undertake and what will be needed from NCHA.  |
| **Answer:** |
| **Question 8 Word limit:** 500 wordsWhat added value can you bring to the contract?a) Through the use of user groups, a Housing Association focus, procurement updates etc.b) By providing functionality not included in the Specification |
| **Answer:** |
| **Question 9 Word limit:** 500 wordsWhat added social value can you bring to the contract? Please tailor your response to encompass the commitments referred to in Section 11 of the Specification |

## PRICE

Please complete the following Pricing Schedule, ensuring that you have provided a cost in each of the relevant boxes. All prices quoted should exclude VAT.

Please note that all costs must be included, additional costs which are not identified at this stage cannot be charged for during the Contract Term unless by the express agreement of NCHA.

Total price for initial term

£

Please provide a full price breakdown as a separate attachment

Where you are able to provide the desirable characteristics but these are not part of the core system, please price them separately in the attached price breakdown. The price for the desirable characteristics which are separate from the core offer will not form part of the tender evaluation.

[Back to Contents](#Contents)

**Appendix 1: Form of Tender**

Date: ..........................................

**Tender for Electronic Procurement System**

I/We the undersigned, hereby tender and offer to provide the Contract as listed above which is more particularly referred to in the Invitation to Tender supplied to me/us for the purpose of tendering for the provision of the Contract and upon the terms thereof.

I/We undertake in the event of acceptance of our Tender to execute the Contract within 15 business days of such acceptance and if required in the interim provide the Contract in accordance with the Contract if necessary.

I/We understand that NCHA reserves the right to accept or refuse this Tender whether it is lower, the same, or higher than any other Tender.

I/We confirm that the information supplied to you and forming part of this Tender including (for the avoidance of doubt) any information supplied to you as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

I/We confirm that this Tender will remain valid for 90 days from the date of this Form of Tender.

I/We confirm and undertake that if any of such information becomes untrue or misleading that I/we shall notify you immediately and update such information as required.

I/We confirm that the undersigned are authorised to commit the Bidder to the contractual obligations contained in the Invitation to Tender and the Contract.

Signed by:

Name…………………………………….

Position………………………………….

Name…………………………………….

Position………………………………….

for and on behalf of

………………………………………………………………………………………(Bidder)

[Back to Contents](#Contents)

**APPENDIX 2: COLLUSIVE TENDERING CERTIFICATE**

We certify that this is a bona fide tender, and that we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not done so and we undertake that we will not do so at any time before the hour and date specified for the return of this tender any of the following acts:

1. Communicating to a person other than the person calling for these tenders the amount or approximate amount of the proposed tender, except where the disclosure, in confidence, of the approximate amount of the tender was necessary to obtain insurance premium quotations required for the preparation of the tender;
2. Entering into agreement or arrangement with any other person that he shall refrain from tendering or as to the amount of any tender to be submitted;
3. Offering or paying or giving or agreeing to any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation of any tender or proposed tender for that said work or thing of any sort described above.

In this certificate, the word ‘person’ includes any persons and any body or association, corporate or unincorporated; and ‘any agreement or arrangement’ includes any such transaction, formal or informal, whether legally binding or not.

SIGNED: ………………………………………………………………………..

NAME: …………………………………………………………………………

ON BEHALF OF:……………………………………………………………………

DATE: …………………………………………………………………………

[Back to Contents](#Contents)

**APPENDIX 3: CONFIDENTIAL & COMMERCIALLY SENSITIVE INFORMATION**

**The following form should be submitted with all bids to indicate areas of the submission that are considered to be either *confidential* or *commercially sensitive*. *Whilst NCHA is not currently subject to FoI, many bodies we work with are and we may be required to disclose information to them.***

**Confidential material** is as defined in Section 41 of the Freedom of Information Act, 2000 (FoI) where the disclosure of the information would constitute an actionable breach of confidence.

**Commercially sensitive** material is as defined in Section 43 of the FoI Act and relates to *‘information, the disclosure of which would be likely to prejudice the commercial interests of any person’*.

Bidders should make themselves aware of the definition of each term as well as the circumstances in which FoI & Environmental Information Regulations 2004 (EIR) exemptions apply.

**Confidential Material Checklist**

|  |
| --- |
|  |

Name of Organisation:

Confidential documents not for disclosure to third parties under the FoI & EIR. NCHA may be obliged to disclose information in or relating to this bid following a request for information under FoI or EIR therefore please outline in the table below all items which you consider are genuinely confidential and which are not for disclosure in respect of your application.

|  |  |  |
| --- | --- | --- |
| **Information / Document**  | **Reference / Page No.** | **Reasons for non-disclosure**  |
|  |  |  |
|  |  |  |
|  |  |  |
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|  |  |  |

The applicant acknowledges that the confidential information listed in this schedule is of indicative value only and NCHA may be obliged to disclose it following a request under FOI or EIR.

NCHA shall act reasonably and use its discretion, ensuring that the latest guidance/case law is taken into account, when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information believed to be confidential NCHA will consider those views however NCHA will make the final decision to disclose information or not.

**Commercially Sensitive Material Checklist**

**Commercially sensitive documents not for disclosure to third parties under FoI or EIR**

|  |
| --- |
|  |

Name of Organisation:

NCHA may be obliged to disclose information in or relating to this bid exercise following a request for information under FoI or EIR therefore please outline in the table below items which are considered genuinely commercially sensitive and which are not for disclosure in respect of this bid.

|  |  |  |  |
| --- | --- | --- | --- |
| Information / Document | Reference / Page No. | Reasons for non-disclosure (cite exemption(s) to be considered) | Duration of confidentiality |
|  |  |  |  |
|  |  |  |  |
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|  |  |  |  |

The applicant acknowledges that the commercially sensitive information listed in this schedule is of indicative value only and NCHA may be obliged to disclose it pursuant to a request under FOI or EIR.

NCHA shall act reasonably and use its discretion, ensuring that the latest guidance/case law is taken into account, when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information is believed to be commercially sensitive NCHA will consider those views however NCHA will make the final decision to disclose information or not.

[Back to Contents](#Contents)