



Crown
Commercial
Service

ATTACHMENT 2
PARTICIPATION REQUIREMENTS AND SELECTION QUESTIONNAIRE AND
GUIDANCE

Managed Learning Service

REFERENCE NUMBER

RM3822

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1 INTRODUCTION

- 1.1. This document provides representations of the online 'Participation Requirements' and the online 'Selection Questionnaire'. You cannot submit your responses using this document – you must complete and submit only the online version of the Participation Requirements Questionnaire and Selection Questionnaire in the eSourcing Suite.
- 1.2. This document provides an overview of the methodology which will be adopted by the Authority to evaluate your response to each question set out within the Selection Questionnaire.
- 1.3. For the avoidance of doubt in the Selection questions “you” / “your” refers to the Potential Provider (Lead Contact for a Group of Economic Operators).
- 1.4. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state N/A. If you cannot provide a response to a question your Tender will be deemed non-compliant.
- 1.5. If a Tender is deemed to be non-compliant, the Tender may be rejected and excluded from further participation in this Procurement. See the (Attachment 1) ITT for further details.

PARTICIPATION REQUIREMENTS (you must complete and submit the online version)

Below is a representation of the Participation Requirements in the eSourcing Suite. **You must complete the online version. You cannot submit your responses using this document.**

PARTICIPATION REQUIREMENTS		
PART A - Conditions of Participation		
PR1	You accept the Attachment 6 - Terms of Participation	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR2	You accept the draft Terms and Conditions as set out in Attachment 4 – Framework Agreement, Attachment 4a – Framework Schedule 2: Part A Goods and/or Services Specification and Attachment 5 – Call Off Contract	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR3	You confirm that you, including named Sub-Contractors and all Group of Economic Operators members comply with all the statements in Attachment 7 - Declaration Of Compliance	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR1 - PR3 Response Guidance You are required to respond Yes to confirm your acceptance of the conditions set out in these documents. If you do not answer Yes to these questions you cannot participate in this Procurement. If you respond No to these questions your Tender will be deemed to be non-compliant. If a Tender is deemed to be non-compliant, the Tender may be rejected and excluded from further participation in this Procurement.		
PART B - eSourcing Suite Tool Guidance		
PR4	You have read the document 'eSourcing Suite Supplier Guidance Part B - Tendering and Further Competitions' https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers (select the eSourcing Suite guidance: how to respond to Tenders and Further Competitions)	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR5	You understand that it is essential to press the red 'Submit all Draft Bids' button to correctly submit your completed Tender and confirm you have read and understood the instructions on where and how to do this in paragraph 8.9 of the 'eSourcing Suite Guidance Part B - Tendering and Further Competitions' https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers (select the eSourcing Suite guidance: how to respond to Tenders and Further Competitions)	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR6	You understand that to send a message to the CCS Procurement team you must ensure that the name of the Procurement is in the context field and 'ALL HOSTS' is selected in the 'TO' box	<input type="checkbox"/> Yes <input type="checkbox"/> No

PR4 – PR6 Response Guidance

You are required to respond **Yes** to confirm your understanding of how to use the eSourcing tool appropriately in this Procurement.

If you respond **No** to these questions your Tender will be deemed to be non-compliant. If a Tender is deemed to be non-compliant, the Tender may be rejected and excluded from further participation in this Procurement.

Selection Questionnaire			
Section			Evaluated
Section 1: Potential Provider Details (For Information Only)			
SQ1a	Organisation Details		Compliance
SQ1b	Trading Status		Compliance
SQ1c	Trading Status - Other		Compliance
SQ1d	Charity Registration Number		Compliance
SQ1e	Relevant Classifications		Compliance
SQ1f	Professional or Trade Body Registration		Compliance
SQ1g	Professional or Trade Body Registration - Details		Compliance
SQ1h	Organisation/Services Membership		Compliance
SQ1i	Organisation/Services Membership - Details		Compliance
SQ1j	Trading Name		Compliance
SQ1k	SME		Compliance
SQ1l	Details of Immediate Parent Company		Compliance
SQ1m	Number of employees		Compliance
SQ1n	People with Significant Control (PSC)		Compliance
SQ1o	Details of People with Significant Control (PSC) if applicable		Compliance
Section 2: Tendering Model (For Information Only)			
SQ2a	Group of Economic Operators - Lead		Compliance
SQ2b	Group of Economic Operators - Name		Compliance
SQ2c	Group of Economic Operators - Legal Structure		Compliance
SQ2d	Group of Economic Operators - Details		Compliance
SQ2e	Group of Economic Operators - Sub-Contracting		Compliance
SQ2f	Group of Economic Operators - Sub-Contracting - Details		Compliance
SQ2g	Group of Economic Operators – SME KPI		Compliance
Section 3: Grounds for Mandatory Exclusion (Evaluated)			
SQ3a-e	Grounds for Mandatory Exclusion (ineligibility)	Evaluation	Pass/Fail

Section 4: Grounds for Discretionary Exclusion – Part 1 (Evaluated)			
SQ4a-c	Grounds for Discretionary Exclusion (ineligibility)	Evaluation	Pass/Fail
Section 4: Grounds for Discretionary Exclusion – Part 2 (Evaluated)			
SQ4d	Grounds for Discretionary Exclusion (ineligibility) Tax Compliance	Evaluation	Pass/Fail
Section 5: Economic and Financial Standing (Evaluated)			
SQ5.1	Financial Risk Assessment	Evaluation	Pass/Fail
SQ5.2 a-c	Financial Risk Assessment - Guarantee	Evaluation	Pass/Fail
Section 6: Framework Specific Questions (Evaluated)			
SQ6.1	Insurance	Evaluation	Pass/Fail
SQ6.2	Equality Legislation	Evaluation	Pass/Fail
SQ6.3	Environmental Management	Evaluation	Pass/Fail
SQ6.4	Health and Safety	Evaluation	Pass/Fail
SQ6.5 a-b	Cyber Essentials Plus & CESG Compliance	Evaluation	Pass/Fail
SQ6.6 a-b	Apprenticeship and Skills Development	Evaluation	Pass/Fail
SQ6.7	Modern Slavery Act 2015]	Evaluation	Pass/Fail
SQ6.8	Standards	Evaluation	Pass/Fail
SQ6.9	UK Hosting	Evaluation	Pass/Fail
Section 7: Technical and Professional Ability - Proof of Previous Supply (Evaluated)			
SQ7.1 a - b	Relevant experience and contract examples	Evaluation	Pass/Fail
SQ7.2 a - f	Past Performance – Provision of Certificates	Evaluation	Pass/Fail

SELECTION QUESTIONNAIRE (you must complete and submit the online version)

Below is a representation of the online **Selection Questionnaire** in the eSourcing Suite. **You must complete the online version. You cannot submit your responses using this document.**

Note to Potential Providers: Unless the context provides otherwise, capitalised expressions in this Selection Questionnaire shall have the meaning given to them in the glossary to the Invitation to Tender descriptive document in Attachment 1. In this questionnaire “you” / “your” refers to the Potential Provider (Lead Contact for a Group of Economic Operators).

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

Section 1: Potential Provider Details (For Information Only)		
Question number	Question	Response
SQ1a(i)	<p>Organisation Details</p> <ul style="list-style-type: none"> - Full name of the Potential Provider submitting the Tender (for a Group of Economic Operators this will be the Lead Contact) - Company registration number (if applicable) - Registered office address - Date of registration in country of establishment - Registered VAT number - Head office DUNS number 	complete table in the eSourcing Suite
SQ1a(ii)	<p>Additional Information</p> <ul style="list-style-type: none"> - Telephone number - Email address - Internet (web) address 	complete table in the eSourcing suite
<p>SQ1a(i- ii) Response Guidance</p> <p>This is the legal entity with whom the Authority will contract if successful (where there is no Group of Economic Operators).</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must insert the Lead Contact’s own details.</p> <p>Please note, the organisation telephone number; email address and internet address that you provide may be published on Tenders Electronic Daily (TED) and/or Contracts Finder, if you are successful in this Procurement. Please refrain from using Personal Details.</p>		
SQ1b	<p>Trading status</p> <ul style="list-style-type: none"> a) Public limited company b) Limited company c) Limited liability partnership d) Other partnership e) Sole trader f) Other 	Use Pick list

SQ1b Response Guidance

If you selected Other to the options provided in SQ1b, please provide details.

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must select the applicable option from the drop-down selection list provided to describe your organisation.

SQ1c	Trading Status - Other If you responded OTHER to SQ1b please specify, in the following text field, your trading status.	character limit 255
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SQ1c Response Guidance

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required to describe your organisation.

SQ1d	Charity registration number (if applicable)	character limit 255
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SQ1d Response Guidance

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required to describe your organisation.

Please insert **N/A** if Not Applicable

SQ1e	Relevant Classifications a) Voluntary Community Social Enterprise (VCSE) b) Sheltered Workshop c) Public service mutual d) Not Applicable	Use Pick list
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SQ1e Response Guidance

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide the applicable option from the drop-down selection list provided to describe your organisation.

SQ1f	Professional or Trade Body Registration If applicable, is your business registered with the appropriate professional or trade register(s) in the member state where it is established (as set out in Schedule 5 of the Regulations) under the conditions laid down by that state?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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SQ1f Response Guidance

Guidance on Professional and Trade Registers can be found at Link below:

<http://www.legislation.gov.uk/ukxi/2015/102/schedule/5/made>

<p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must, select the applicable option from selection list provided to describe your organisation. Please insert N/A if Not Applicable</p>		
SQ1g	<p>Professional or Trade Body Registration - Details</p> <p>If you responded Yes to SQ1f, please provide, in the following text field, details including the registration number.</p>	character limit 4096
<p>SQ1g Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required to describe your organisation. Please insert N/A if Not Applicable</p>		
SQ1h	<p>Organisation/Services Membership</p> <p>Is it 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 Goods and/or Services specified in this Procurement?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>SQ1h Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required to describe your organisation.</p>		
SQ1i	<p>Organisation/Services Membership - Details</p> <p>If you responded Yes to SQ1h, please provide additional details within this box of what is required and confirmation that you have complied with this. (Please enter N/A if not applicable)</p>	character limit 4096
<p>SQ1i Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required to describe your organisation. Please insert N/A if Not Applicable</p>		
SQ1j	<p>Trading Name</p> <p>Trading name(s) that will be used if successful in this Procurement.</p>	character limit 255
<p>SQ1j Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must insert the Trading Name of the Group of Economic Operators in this field.</p>		
SQ1k	<p>SME</p> <p>Are you a Small Medium Enterprise (SME)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>SQ1k Response Guidance</p>		

Guidance on definition of a Small Medium Enterprise (SME) can be found at:

[What is an SME? - European Commission](#)

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must answer this question in respect of the size of your organisation (and not the size of the Group of Economic Operators)

<p>SQ1l</p>	<p>Details of Immediate Parent Company:</p> <ul style="list-style-type: none"> - Full name of the immediate parent company - Registered company office address (if applicable) - Registration number (if applicable) - Head office DUNS number - Head office VAT number <p><i>In the event that there are insufficient table rows to enable you to submit a full and compliant response, please provide the information in table form as an attachment at question level. The table should be in the same format as the table in this question. The attachment should be labelled in the following format: "SQ1l [name of supplier]". Please enter "See attachment" in first table cell.</i></p> <p>(Please enter N/A in first table cell if not applicable)</p>	<p>complete table in the eSourcing Suite</p>
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SQ1l Response Guidance

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide the name(s) and details of the immediate Parent Company for each and every Economic Operator Group member(s) in the table provided, where applicable.

Please insert **N/A** in the first cell of the table if this question is Not Applicable.

<p>SQ1m</p>	<p>Number of employees</p> <ul style="list-style-type: none"> a) Less than 5 b) 5 – 49 c) 50 or more 	<p>Use Pick list</p>
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SQ1m Response Guidance

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide the applicable option from the drop-down selection list provided to describe your organisation.

<p>SQ1n</p>	<p>Do you have People with Significant Control (PSC)</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> N/A</p>
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SQ1n Response Guidance

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](#).

SQ1o	<p>If you have responded yes to SQ1n please provide details of the People with Significant Control (PSC), where appropriate:</p> <ul style="list-style-type: none">- Name;- Date of Birth;- Nationality;- Country, state or part of the UK where PSC usually lives;- Service address;- Date he/she became a PSC in relation to the company (for existing companies pre 6 April 2016 you should insert 6 April 2016)- Which conditions for being a PSC are met: Over 25% up to (and including) 50% More than 50% and less than 75% 75% or more <p><i>In the event that there are insufficient table rows to enable you to submit a full and compliant response, please provide the information in table form as an attachment at question level. The table should be in the same format as the table in this question. The attachment should be labelled in the following format: "SQ1o [name of supplier]". Please enter "See attachment" in first table cell.</i></p> <p>(Please enter N/A if not applicable)</p>	complete table in the eSourcing Suite
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SQ1o Response Guidance

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](#).

Please note: A Disclosure and Barring Service (**DBS**) check for relevant convictions may be undertaken for the successful Supplier and the People with Significant Control (PSC).

Section 2: Tendering Model (For Information Only)

Question number	Question	Response
SQ2a	Are you Tendering as the Lead Contact for a Group of Economic Operators?	<input type="checkbox"/> Yes <input type="checkbox"/> No

	<p>If Yes, please provide details listed in questions SQ2b, SQ2c and SQ2d.</p> <p>If No, and you are a supporting tenderer please provide the details for your group in questions SQ2b, SQ2c and SQ2d for reference purposes.</p>	
<p>SQ2a Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must a response on behalf of the Group of Economic Operators.</p>		
SQ2b	<p>Name of Group of Economic Operators (if applicable)</p> <p>(Please enter N/A if not applicable)</p>	<p>Complete text box in eSourcing suite character limit 255</p>
<p>SQ2b Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide the name on behalf of the Group of Economic Operators.</p>		
SQ2c	<p>Proposed legal structure if the Group of Economic Operators intends to form a named single legal entity prior to signing the Framework Agreement, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.</p>	<p>Complete text box in eSourcing suite character limit 4096</p>
<p>SQ2c Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide the legal structure required on behalf of the Group of Economic Operators.</p>		
SQ2d	<p>If you responded Yes to SQ2a, please provide additional details for each Group of Economic Operator members in following table:</p> <ul style="list-style-type: none"> a) Name b) Registered office address - (if applicable) c) Trading status d) Company registration number – (if applicable) e) Head office DUNS number f) Registered VAT number g) SME h) The role each Group of Economic Operator member(s) will take in providing the Goods and/or Services i) The approximate % of contractual obligations assigned to each Group of Economic Operator member(s) 	<p>complete table in the eSourcing Suite</p>

	<p><i>In the event that there are insufficient table rows to enable you to submit a full and compliant response, please provide the information in table form as an attachment at question level. The table should be in the same format as the table in this question. The attachment should be labelled in the following format: "SQ2d [name of supplier]". Please enter "See attachment" in first table cell</i></p> <p>(Enter N/A in the first table cell if not applicable)</p>	
<p>SQ2d Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required on behalf of the Group of Economic Operators.</p>		
SQ2d(i)	<p>If you selected "Other" in the "Trading Status" table cell in the table within Question SQ2d, please explain the nature of the trading status</p> <p>(Please enter N/A in the response box if this question is not applicable)</p>	character limit 255
<p>SQ2d(i) Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required on behalf of the Group of Economic Operators.</p>		
SQ2e	Are you or, if applicable, the Group of Economic Operators proposing to use Sub-Contractors?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>SQ2e Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, if you or, if applicable, the Group of Economic Operators are proposing to use Sub-Contractors, you must answer the remaining questions in this Selection Questionnaire and provide any evidence requested in respect of your organisation or, if applicable, the Group of Economic Operators and each of the proposed Sub-Contractors.</p> <p>(Please insert N/A in the first cell of the table if this question is not applicable.)</p>		
SQ2f	<p>If you responded Yes to SQ2e, please provide additional details for each Sub-Contractor</p> <ul style="list-style-type: none"> j) Full name k) Registered address l) Trading status m) Company registration number n) Head Office DUNS number o) Registered VAT number p) SME 	complete table in the eSourcing Suite

	<p>q) The role each Sub-Contractor member will undertake in providing the Goods and/or Services</p> <p>r) The approximate % of contractual obligations assigned to each Sub- Contractor member</p> <p><i>In the event that there are insufficient table rows to enable you to submit a full and compliant response, please provide the information in table form as an attachment at question level. The table should be in the same format as the table in this question. The attachment should be labelled in the following format: "SQ2d [name of supplier]". Please enter "See attachment" in first table cell.</i></p> <p>Enter N/A in the first table cell if not applicable.</p>	
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SQ2f Response Guidance

If you or, if applicable, the Group of Economic Operators are proposing to use Sub-Contractors, you must answer the remaining questions in this Selection Questionnaire and provide any evidence requested in respect of your organisation or, if applicable, the Group of Economic Operators and each of the proposed Sub-Contractors.

SQ2f(i)	If you selected "Other" in the "Trading Status" table cell in the table within Question SQ2f, please explain the nature of the trading status	character limit 255
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SQ2f(i) Response Guidance

If you or, if applicable, the Group of Economic Operators are proposing to use Sub-Contractors, you must answer the remaining questions in this Selection Questionnaire and provide any evidence requested in respect of your organisation or, if applicable, the Group of Economic Operators and each of the proposed Sub-Contractors.

SQ2g	Are you or, if applicable, the Group of Economic Operators willing to proactively contribute to the Governments SME agenda through creating supply chain opportunities, if awarded a Framework Agreement under this procurement exercise.	<input type="checkbox"/> Yes <input type="checkbox"/> No
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SQ2g Response Guidance

It is the Contracting Authority's aspiration to source ≥51% of the total Framework Agreement value through SMEs either directly or indirectly through the supply chain and this will be measured and tracked as a KPI.

Section 3: Grounds for Mandatory Exclusion (Evaluated)

Question number	Question	Response
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SQ3a	<p>Regulation 57 (1)</p> <p>Within the past five years for your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators, has the organisation, directors or partners or any other person who has powers of representation, decision or control been convicted of any of the following offences or any other offence within the meaning of Regulation 57(11) of the Regulations as defined by the law of any jurisdiction outside England and Wales and Northern Ireland?</p>	
SQ3a(i)	<p>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;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3a(ii)	<p>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;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3a(iii)	<p>the common law offence of bribery;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3a(iv)	<p>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;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b	<p>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:</p>	
SQ3b(i)	<p>the common law offence of cheating the Revenue;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b(ii)	<p>the common law offence of conspiracy to defraud;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b(iii)	<p>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;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b(iv)	<p>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;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b(v)	<p>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;</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

SQ3b(vi)	an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b(vii)	destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b(viii)	fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3b(ix)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c	any offence listed —	
SQ3c(i)	in section 41 of the Counter Terrorism Act 2008; or	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(ii)	in Schedule 2 to that Act where the court has determined that there is a terrorist connection;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(iii)	any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f);	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(iv)	money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(v)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(vi)	an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(vii)	an offence under section 59A of the Sexual Offences Act 2003;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(viii)	an offence under section 71 of the Coroners and Justice Act 2009	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(ix)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No

SQ3c(x)	<p>any other offence within the meaning of Article 57(1) of the Directive -</p> <ul style="list-style-type: none"> • as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or • created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland 	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3c(xi)	<p>If you answer Yes to any of the questions SQ3a, SQ3b and SQ3c you are required to provide evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.</p> <p>This should be attached to this question SQ3c(xi) and entitled “SQ3c(xi) [insert your organisation name]”</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Upload Attachment
SQ3d	<p>Regulation 57 (3) –</p> <p>Has it been established, for your organisation and/or any of your or the Group of Economic Operators’ proposed Sub-Contractors and/or members of your Group of Economic Operators, 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, if applicable, is in breach of obligations related to the payment of tax or social security contributions?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ3e	<p>If you have answered Yes to question SQ3d, please provide further details to confirm whether you and/or any of your or the Group of Economic Operators’ proposed Sub-Contractors and/or members of your Group of Economic Operators have paid, or have entered into a binding arrangement with a view to paying, including where applicable any accrued interest and/or fines?</p>	character limit 4096
<p>SQ3 (a-e) Response Guidance</p> <p>If you answer Yes to any of the questions in this section you are required to provide evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.</p> <p>If you cannot provide evidence of ‘self-cleaning’ which is acceptable to the Authority you will be excluded from further participation in this Procurement.</p> <p>‘Self-cleaning’</p> <p>If you answer ‘Yes’ to questions SQ3a, SQ3b and SQ3c in Selection Questionnaire, you are required to provide sufficient evidence, in a separate attachment, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleanse” the situation referred to in that question. You have to demonstrate it has taken such remedial action, to the satisfaction of the Authority in each case.</p> <p>If such evidence is considered by the Authority (whose decision will be final) as sufficient, the Economic Operator concerned shall be allowed to continue in the Procurement process.</p>		

In order for the evidence referred to above to be sufficient, you shall, as a minimum, prove that you have;

- paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by you shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, you shall be given a statement of the reasons for that decision.

The Authority may exclude Potential Providers that do not provide full and accurate information.

Section 4: Grounds for Discretionary Exclusion – Part 1 (Evaluated)		
Question number	Question	Response
SQ4a	Regulation 57 (8) – Within the past three years, please indicate if anywhere in the world any of the following situations have applied, or currently apply, to your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators:	
SQ4a(i)	An organisation has violated applicable obligations referred to in Regulation 56 (2) 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 Public Contracts Directive as amended from time to time;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4a(ii)	An organisation is 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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4a(iii)	An organisation is guilty of grave professional misconduct, which renders its integrity questionable;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4a(iv)	An organisation has entered into agreements with other economic operators aimed at distorting competition;	<input type="checkbox"/> Yes <input type="checkbox"/> No

SQ4a(v)	An organisation has a conflict of interest within the meaning of Regulation 24 that cannot be effectively remedied by other, less intrusive, measures;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4a(vi)	The prior involvement of an organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in Regulation 41, that cannot be remedied by other, less intrusive, measures;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4a(vii)	An organisation has 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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4b	An organisation has:	
SQ4b(i)	Been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4b(ii)	Withheld such information or is not able to submit supporting documents required under Regulation 59;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4c	The organisation has undertaken to:	
SQ4c(i)	Unduly influence the decision-making process of the Contracting Authority;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4c(ii)	Obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4c(iii)	An organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4c(iv)	If you responded Yes to either SQ4c(i) or SQ4c(iii), you must provide details, in the following text field, of any mitigating factors that you consider relevant and that you wish the Authority to take into consideration.	character limit 4096

SQ4 (a-c) Response Guidance

If you answer **Yes** to any of the questions in this section you are required to upload evidence of 'self-cleaning' (see Regulation 57 (13) of the Regulations) against the relevant conviction.

If you cannot provide evidence of 'self-cleaning' which is acceptable to the Authority you may be excluded from further participation in this Procurement.

'Self-cleaning'

If you answer **'Yes'** to any questions in Selection Questionnaires SQ4(a-c) you are required to provide sufficient evidence, in a separate attachment, that provides a summary of the

circumstances and any remedial action that has taken place subsequently and effectively “self-cleanse” the situation referred to in that question. You have to demonstrate it has taken such remedial action, to the satisfaction of the Authority in each case.

If such evidence is considered by the Authority (whose decision will be final) as sufficient, the Economic Operator concerned shall be allowed to continue in the Procurement process.

In order for the evidence referred to above to be sufficient, you shall, as a minimum, prove that you have;

- paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by you shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, you shall be given a statement of the reasons for that decision.

The Authority may exclude Potential Providers that do not provide full and accurate information.

Section 4: Grounds for Discretionary Exclusion – Part 2 (Evaluated)		
Question number	Question	Response
SQ4d	From 1 April 2013 onwards, for your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators, have any of the organisation's tax returns submitted anywhere in the world on or after 1 October 2012:	
SQ4d(i)	Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion;	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4d(ii)	Been found to be incorrect as a result of: <ul style="list-style-type: none"> • HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the “Halifax” abuse principle; or • a tax authority in a jurisdiction in which the Potential Provider is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the “Halifax” abuse principle; or • the failure of an avoidance scheme which the Potential Provider was involved in and which was, or should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the Potential Provider is established? 	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ4d(iii)	If you responded Yes to either SQ4d(i) or SQ4d(ii), you must provide details, in the following text field, of any mitigating factors	character limit 4096

	that you consider relevant and that you wish the Authority to take into consideration.	
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SQ4d Response Guidance

If you answer **Yes** to any of the questions in this section you are required to upload evidence of 'self-cleaning' (see Regulation 57 (13) of the Regulations) against the relevant conviction.

If you cannot provide evidence of 'self-cleaning' which is acceptable to the Authority you may be excluded from further participation in this Procurement.

'Self-cleaning'

If you answer '**Yes**' to any questions in Selection Questionnaires SQ4d you are required to provide sufficient evidence, in a separate attachment, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively "self-cleanse" the situation referred to in that question. You have to demonstrate it has taken such remedial action, to the satisfaction of the Authority in each case.

If such evidence is considered by the Authority (whose decision will be final) as sufficient, the Economic Operator concerned shall be allowed to continue in the Procurement process.

In order for the evidence referred to above to be sufficient, you shall, as a minimum, prove that you have;

- paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by you shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Authority to be insufficient, you shall be given a statement of the reasons for that decision.

The Authority may exclude Potential Providers that do not provide full and accurate information.

Section 5: Economic and Financial Standing (Evaluated)		
Question number	Question	Response
SQ5.1	For your organisation, and your or the Group of Economic Operators' proposed Sub-Contractors and, if applicable, all other members of your Group of Economic Operators, please select Yes / No as appropriate to confirm you have uploaded, using the paperclip icon aligned to this question, option (a) if available or, if option (a) is not available, one or more of options (b), (c) or (d) to demonstrate economic/financial standing :	

	(a) A copy of the audited accounts for the most recent two full years, if available; or (alternatively):	<input type="checkbox"/> Yes <input type="checkbox"/> No
	(b) A statement of the turnover, profit & loss account, current liabilities and assets, and cash flow for the most recent complete year of trading for your organisation; or	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
	(c) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position; or	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
	(d) 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).	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SQ5.2a	<p>If you or, if applicable, a member of your Group of Economic Operators, are part of a Group, would your parent company or the parent company of the relevant member of your Group of Economic Operators be willing to provide, prior to contract, a Framework Guarantee if you or, if applicable, the Group of Economic Operators are awarded a Framework Agreement?</p> <p>(If Yes, you will be contacted to provide the relevant parent company accounts if required)</p> <p>(Note: the definition of “Group” in the glossary to the Invitation to Tender (Attachment 1) is not the same as “Group of Economic Operators”)</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SQ5.2b	<p>If you responded No to question SQ5.2a, would you or, if applicable, a member of your Group of Economic Operators, be able to obtain a Framework Guarantee elsewhere?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SQ5.2c	<p>If you responded Yes to SQ5.2b, please provide details, in the following text field, of the alternative source.</p> <p>Please insert N/A if this question is not applicable.</p> <p>(Note to Lead Contacts in respect of questions SQ5.2a-c: the Authority reserves its right under Regulation 19 (6) to require a Group of Economic Operators to assume a specific legal form after award of the Framework Agreement if this is necessary for the satisfactory performance of the Framework Agreement)</p>	character limit 4096
<p>SQ5.1 – SQ5.2(a-c) Response Guidance</p> <p>This information is used with that from sections SQ1 and SQ2 to evaluate the economic and financial standing of those organisations involved in your Tender and or any Framework Guarantor(s).</p>		

Refer to paragraph 10.3 of Attachment 1 - Invitation to Tender for more information about how the financial assessment will be conducted.

Section 6: Framework Specific Questions (Evaluated)		
Question number	Question	Response
SQ6.1	<p>Insurance Requirements</p> <p>For your organisation and/or your Sub-Contractors and/or the Group of Economic Operators' proposed Sub-Contractors and members of your Group of Economic Operators, each already have or commit to obtain, prior to the commencement of the Framework Agreement, the levels of insurance cover indicated below:</p>	
SQ6.1a	<p>Employer's (Compulsory) Liability Insurance* = £5,000,000.00</p> <p>Public Liability Insurance = £5,000,000.00</p> <p>Professional Indemnity Insurance = £5,000,000.00</p> <p>Product Liability Insurance = £5,000,000.00</p>	Complete table in the eSourcing Suite
<p>SQ6.1a Response Guidance</p> <p>This question is evaluated PASS/FAIL</p> <p>You must indicate whether you have, Employer's Liability insurance of at least £5,000,000.00 and be able to provide a valid in-date certification as evidence of the insurance being in place prior to Framework Award.</p> <p>*It is a legal requirement that all companies except for businesses employing only the owner/close family members or if employing someone based abroad.</p> <p>Please note that (Not Applicable) N/A will therefore only apply if your organisation and/or your Group of Economic Operators, employs only the owner/close family members or employs someone based abroad.</p> <p>You must indicate whether your organisation has or will have the insurance(s) listed and be able to provide valid in-date certification as evidence of all the insurance(s) being in place prior to Framework Award.</p> <p>To achieve a PASS you must select Yes, or Yes, will have in place, prior to the commencement of the Framework Award, you will not be able to commence work under the Framework Award until you have evidenced to the Authority that you have valid in-date certification.</p> <p>If you select No then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.</p>		
Marking Scheme	Evaluation Guidance	

PASS	<p>By selecting Yes, you have indicated that your organisation has, or will have the insurance(s) listed and will provide valid in-date certification as evidence of the insurance(s) being in place prior to Framework Award,</p> <p>By selecting Yes, will have in place you have self-certified that you do not have insurance(s) of the amounts shown, will have in place, prior to the commencement of the Framework Award and will provide valid in-date certification as evidence of the insurance(s) being in place prior to Framework Award.</p> <p>OR</p> <p>You have selected option N/A for Employer's (Compulsory) Liability Insurance from the drop down list. As your organisation and/or your Group of Economic Operators, employs only the owner/close family members or employs someone based abroad.</p>	
FAIL	<p>By selecting No, you have indicated that your organisation does not have and will not have the insurance(s) listed prior to Framework Award.</p>	
SQ6.2a	<p>Equality Legislation</p> <p>In the last three years has any finding of unlawful discrimination made against it by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK).</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>SQ6.2a Response Guidance</p> <p>You must indicate whether your organisation had any finding of unlawful discrimination made against it by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK).</p>		
SQ6.2b	<p>In the last three years has your organisation 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 or alleged unlawful discrimination?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>SQ6.2b Response Guidance</p> <p>You must indicate whether your 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 or alleged unlawful discrimination.</p>		
SQ6.2c	<p>If you responded "Yes" to one or both of questions SQ6.2a and SQ6.2b, please provide, as a separate Attachment, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Upload Attachmen

	<p>If the investigation upheld the complaint against the organisation, please explain what action (if any) the organisation has taken to prevent unlawful discrimination from reoccurring.</p> <p>This should be attached to this question SQ6.2c and entitled "SQ6.2c [insert your organisation name]"</p> <p>Please select option Yes, No or N/A to confirm whether or not you have uploaded an Attachment using the paperclip icon aligned to this question.</p>	t if applicable
<p>SQ6.2c Response Guidance</p> <p>This section is evaluated PASS/FAIL</p> <p>You may be excluded if you are unable to demonstrate to the Authority's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination occurring.</p> <p>If you answer Yes to one or both questions SQ6.2a and SQ6.2b you are required to provide an uploaded summary of the nature of investigation and an explanation of the outcome of the investigation to date as an Attachment to SQ6.2c by uploading an Attachment using the paperclip icon aligned to this question.</p> <p>To achieve a PASS you must select Yes or (Not Applicable) N/A. If you select No then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.</p>		
Marking Scheme	Evaluation Guidance	
PASS	<p>You have selected Yes and have provided an uploaded summary of the nature of investigation and an explanation of the outcome of the investigation to date.</p> <p>OR</p> <p>You have selected N/A from the drop down list</p>	
FAIL	<p>You have not provided an uploaded summary of the nature of investigation and an explanation of the outcome of the investigation to date.</p> <p>OR</p> <p>You have selected No</p>	
SQ6.2d	<p>Sub-Contractors Equality Legislation</p> <p>Does the organisation have processes in place to check whether any of the above circumstances apply to Sub-Contractors?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

SQ6.2d Response Guidance

This section is evaluated PASS/FAIL

Please note that for question SQ6.2d (Not Applicable) **N/A** will only apply if your organisation does not intend to use Sub-Contractors throughout the duration of the Framework Agreement and any Call Off Contract.

To achieve a **PASS** you must select **Yes** or (Not Applicable) **N/A**. If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance	
PASS	By selecting Yes , you have indicated that your organisation have processes in place to check whether any of the above circumstances apply to Sub-Contractors? OR You have selected N/A from the drop down list.	
FAIL	By selecting No , you have indicated that your organisation does not have processes in place to check whether any of the above circumstances apply to Sub-Contractors?	
SQ6.3a	Environmental Management Has your organisation and/or any proposed Sub-Contractors and/or members of your Group of Economic Operators been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ6.3a Response Guidance You must indicate whether your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators has been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?		
SQ6.3b	If you responded " Yes " to question SQ6.3a, please provide details in a separate Attachment of any environmental legislation breach conviction, or notice and details of any remedial action or changes you have made as a result of conviction or notices served. This should be attached to this question SQ6.3b and entitled "SQ6.3b [insert your organisation name]"	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Upload Attachment if applicable

	Please select option Yes , No or N/A to confirm whether or not you have uploaded an Attachment using the paperclip icon aligned to this question.	
<p>SQ6.3b Response Guidance</p> <p>This section is evaluated PASS/FAIL</p> <p>If you answer Yes to question SQ6.3a you are required to provide details of any environmental legislation breach conviction, or notice and details of any remedial action or changes you have made as a result of conviction or notices served in the last three years by any environmental regulator or authority (including local authority)conviction or notice served.</p> <p>To achieve a PASS you must select Yes or (Not Applicable) N/A. If you select No then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.</p>		
Marking Scheme	Evaluation Guidance	
PASS	<p>You have provided an uploaded summary of any environmental legislation breach conviction, or notice and details of any remedial action or changes you have made as a result of conviction or notices served in the last three years.</p> <p>OR</p> <p>You have selected N/A from the drop down list</p>	
FAIL	<p>You have not provided an uploaded summary of any environmental legislation breach conviction, or notice and details of any remedial action or changes you have made as a result of conviction or notices served in the last three years.</p> <p>OR</p> <p>You have selected No</p>	
SQ6.3c	<p>Sub-Contractors Environmental Management</p> <p>Do you and/or the Group of Economic Operators have processes in place to check whether any Sub-Contractors have been convicted or had a notice served upon them for infringement of environmental legislation?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
<p>SQ6.3c Response Guidance</p> <p>This question is evaluated. PASS/FAIL</p> <p>You must indicate whether your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators</p>		

have processes in place to check whether any Sub-Contractors have been convicted or had a notice served upon them for infringement of environmental legislation.

Please note that (Not Applicable) **N/A** will only apply if your organisation does not intend to use Sub-Contractors throughout the duration of the Framework Agreement and any Call Off Contract.

To achieve a **PASS** you must select **Yes** or (Not Applicable) **N/A**. If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance	
PASS	<p>By selecting Yes, you have indicated that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators has processes in place to check whether any of the above circumstances apply to Sub-Contractors.</p> <p>OR</p> <p>You have selected N/A from the drop down list</p>	
FAIL	<p>By selecting No, you have indicated that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators does not have processes in place to check whether any of the above circumstances apply to Sub-Contractors?</p>	
SQ6.4a	<p>Health and Safety</p> <p>Please self-certify that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators has a Health and Safety Policy that complies with current legislative requirements.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>SQ6.4a Response Guidance</p> <p>This section is evaluated PASS/FAIL</p> <p>You must indicate whether your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators have a Health and Safety Policy that complies with current legislative requirements.</p> <p>To achieve a PASS you must select Yes. If you select No then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.</p>		
Marking Scheme	Evaluation Guidance	

PASS	By selecting Yes , you have indicated that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators has a Health and Safety Policy that complies with current legislative requirements.	
FAIL	By selecting No , you have indicated that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators does not have a Health and Safety Policy that complies with current legislative requirements.	
SQ6.4b	Health and Safety Has your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ6.4b Response Guidance This section is evaluated PASS/FAIL You must indicate whether your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years? To achieve a PASS you must select No . If you select Yes , then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.		
Marking Scheme	Evaluation Guidance	
PASS	By selecting No , you have indicated that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators has not been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.	
FAIL	By selecting Yes , you have indicated that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.	
SQ6.4c	If you responded " Yes " to question SQ6.4b, please provide details in a separate Attachment of any enforcement/remedial orders served by the Health and Safety Executive (or equivalent body) in the last 3 years and give details of any remedial action or changes to procedures the organisation has made as a result.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Upload Attachmen

	<p>This should be attached to this question SQ6.4c and entitled “SQ6.4c [insert your organisation name]”</p> <p>Please select option Yes, No or N/A to confirm whether or not you have uploaded an Attachment using the paperclip icon aligned to this question.</p>	t if applicable
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SQ6.4c Response Guidance

This section is evaluated PASS/FAIL

If you answer **Yes** to question SQ6.4b you are required to provide details of enforcement/remedial orders served by the Health and Safety Executive (or equivalent body) in the last 3 years and give details of any remedial action or changes to procedures the organisation has made as a result.

To achieve a **PASS** you must select **Yes** or (Not Applicable) **N/A**. If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance	
PASS	<p>You have provided an uploaded summary of enforcement/remedial orders served by the Health and Safety Executive (or equivalent body) in the last 3 years and given details of any remedial action or changes to procedures the organisation has made as a result.</p> <p>OR</p> <p>You have selected N/A from the drop down list.</p>	
FAIL	<p>You have not provided an uploaded summary of enforcement/remedial orders served by the Health and Safety Executive (or equivalent body) in the last 3 years and given details of any remedial action or changes to procedures the organisation has made as a result.</p> <p>OR</p> <p>You have selected No</p>	
SQ6.4d	<p>Do you and/or the Group of Economic Operators have processes in place to check whether any of the above circumstances apply to Sub-Contractors?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

SQ6.4d Response Guidance

This section is evaluated PASS/FAIL

Please note that (Not Applicable) **N/A** will only apply if your organisation does not intend to use Sub Contractors throughout the duration of the Framework Agreement and any Call Off Contract.

To achieve a **PASS** you must select **Yes or (Not Applicable) N/A**. If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance	
PASS	<p>By selecting Yes, you have indicated that your organisation has processes in place to check whether any of the above circumstances apply to Sub-Contractors?</p> <p>OR</p> <p>You have selected N/A from the drop down list.</p>	
FAIL	<p>By selecting No, you have indicated that your organisation does not have processes in place to check whether any of the above circumstances apply to Sub-Contractors?</p>	
SQ6.5a	<p>Cyber Essentials Plus Scheme and CESG Compliance</p> <p>In relation to the Services, please confirm that you comply with one of the following criteria:</p> <p>(i) You have a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies within the most recent 12 months and</p> <p>where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor;</p> <p>OR</p> <p>(ii) You have not got a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies but you are working towards gaining it, and will be in a position to confirm that you have been awarded a current and valid Cyber Essentials Plus certificate by one of the government approved accreditation bodies, by the commencement date of the first Call Off Contract, and where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information</p>	<p>Please select an option from the drop down list.</p> <p><input type="checkbox"/> (i) Yes</p> <p><input type="checkbox"/> (ii) Yes</p>

	<p>with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor;</p> <p>OR</p> <p>(iii) You have not got a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies, but you can demonstrate (or, will be able to demonstrate) by the commencement date of the first Call Off Contract that your organisation meets the technical requirements prescribed by the Cyber Essentials Plus Scheme as detailed in the following link: https://www.cyberstreetwise.com/cyberessentials/files/requirements.pdf</p> <p>AND that you can provide evidence of verification by a technically competent and independent third party (which has taken place within the most recent 12 months) that your organisation demonstrates compliance with Cyber Essentials technical requirements. Also where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor;</p> <p>OR</p> <p>(iv) Your organisation is exempt from complying with the requirements at questions i), ii) and iii) because your organisation conforms with the ISO27001 standard and the Cyber Essentials Plus requirements have been included in the scope of that standard, and verified as such and the certification bodies carrying out this verification is approved to issue a Cyber Essentials Plus certificate by one of the government approved Cyber Essentials accreditation bodies referred to in i) and where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor.</p>	<p><input type="checkbox"/> (iii) Yes</p> <p><input type="checkbox"/> (iv) Yes</p> <p><input type="checkbox"/> No</p>
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SQ6.5 Response Guidance

This section is evaluated PASS/FAIL

The Government introduced its new Cyber Essentials Scheme on 01 October 2014, to further reduce the levels of cyber security risks in its supply chain. Cyber Essentials Plus defines a set of controls which, when properly implemented, will provide organisations with basic protection from the most prevalent forms of threat which come from the internet. The link below to the Gov.uk website provides information on the new Cyber Essentials Scheme;

<https://www.gov.uk/government/publications/cyber-essentials-scheme-overview>

Yes (i) - By selecting **Yes (i)**, you have confirmed that you have a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies within the most recent 12 months and where your organisation proposes to use Sub-Contractors to carry out the Services, these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor;.

Yes (ii) - By selecting **Yes (ii)** you have confirmed that you do not got a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation body but you are working towards gaining it, and will be in a position to confirm that you have been awarded a current and valid Cyber Essentials Plus certificate by one of the government approved accreditation bodies, by the commencement date of the first Call Off Contract and where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor;.

Yes (iii) - By selecting **Yes (iii)** you have confirmed that you have not got a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation body, but you can demonstrate (or, will be able to demonstrate by the commencement date of the first Call Off Contract) that your organisation meets the technical requirements prescribed by the Cyber Essentials Plus Scheme as detailed in the following link:

<https://www.cyberstreetwise.com/cyberessentials/files/requirements.pdf>

AND that you can provide evidence of verification by a technically competent and independent third party (which has taken place within the most recent 12 months) that your organisation demonstrates compliance with Cyber Essentials Plus technical requirements and where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor;.

OR

Yes (iv) - By selecting **Yes (iv)** you have confirmed that your organisation is exempt from complying with the requirements at questions i), ii) and iii) because your organisation

conforms with the ISO27001 standard and the Cyber Essentials Plus requirements have been included in the scope of that standard, and verified as such and the certification Authority(s) carrying out this verification is approved to issue a Cyber Essentials Plus certificate by one of the government approved Cyber Essentials accreditation bodies referred to in i) and where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will have in place a valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor;.

No - By selecting **No**, you have confirmed that you have not got a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies within the most recent 12 months, and cannot demonstrate (or, will not be able to demonstrate by the commencement date of the Framework Agreement or at a later date when you receive sensitive and personal information with regard to the Services;) that you have been awarded a current and valid Cyber Essentials Plus certificate by one of the government approved accreditation bodies. Your tender will be excluded from further consideration for the purposes of this Procurement.

Do not submit any Cyber Essentials documentation at this stage.

Marking Scheme	Evaluation Guidance	
PASS	By selecting Yes (i) , or Yes (ii) , or Yes (iii) , or Yes (iv) , you have indicated that your organisation has or will have the Available Services that comply with one of the criteria, as set out in Clause 9 of Attachment 4 – Framework Agreement.	
FAIL	By selecting No you have indicated that your organisation does not have the Available Services that comply with one of the criteria, as set out in Clause 9 of Attachment 4 – Framework Agreement.	
SQ6.5b	<p>CESG Check Assurance</p> <p>In relation to the Services, please confirm that you comply with all of the following criteria you agree to undertake 'Check Assurance' on CESG penetration testing, with a CESG approved provider, prior to Call Off contract and annually thereafter.</p> <p>Further information can be found at: https://www.cesg.gov.uk/articles/using-check-provider https://www.cesg.gov.uk/scheme/penetration-testing</p>	<p>Please select an option from the drop down list.</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
SQ6.6a	Apprenticeships and Skills Development	<input type="checkbox"/> Yes

	Please confirm that your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators will be supporting apprenticeship and skills development through this Framework	<input type="checkbox"/> No
SQ6.6b	Does your organisation and/or any of your or the Group of Economic Operators' proposed Sub-Contractors and/or members of your Group of Economic Operators have a process in place to ensure that your supply chain supports skills, development and apprenticeships in line with PPN 14/15 and can provide evidence if requested.	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, will have in place <input type="checkbox"/> No

SQ6.6(a-b) Response Guidance

This is evaluated **PASS/FAIL**

Public procurement of contracts with a full life value of £10,000,000.00 and above and duration of 12 months and above should be used to support skills development and delivery of the apprenticeship commitment. This Policy is set out in detail in Policy Procurement Note 14/15.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/456805/27_08_15_Skills_Apprenticeships_PPN_vfinal.pdf

The requirement is to have or will have in place, prior to this Framework Award an Apprenticeship/Current Skills Process that should demonstrate commitment to supporting, developing and maintaining skills required.

If you select **Yes**, the Authority may ask you to provide evidence of your Apprenticeship/Current Skills Process prior to any Framework Award.

If you select **Yes, will have in place** prior to the Framework Award, you will not be able to commence work under the Framework Agreement until you have provided evidence to the Authority that you have implemented an Apprenticeship/Current Skills Process.

To achieve a **PASS** you must select **Yes or Yes will have in place**. If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance
PASS	<p>By selecting Yes, you have self-certified that you have an Apprenticeship/Current Skills Process that should demonstrate commitment to supporting, developing and maintaining skills required that are applicable to this Framework Agreement.</p> <p>By selecting Yes, will have in place you have self-certified that you do not have an Apprenticeship/Current Skills Process that should demonstrate commitment to supporting, developing and maintaining skills required that are applicable to this Framework Agreement but will establish an Apprenticeship/Current Skills Process prior to the Framework Award.</p>

FAIL	By selecting No you have confirmed that you do not have an Apprenticeship/Current Skills Process that should demonstrate commitment to supporting, developing and maintaining skills required that are applicable to this Framework Agreement, and will not put one in place for this Framework Agreement.	
SQ6.7a	Modern Slavery Act 2015 Are you a relevant commercial organisation as defined by section 54 (Transparency in supply chains etc) of the Modern Slavery Act 2015 (the Act)	<input type="checkbox"/> Yes <input type="checkbox"/> N/A
SQ6.7b	If you responded Yes to question SQ6.7a, are you compliant with the annual reporting requirements contained within Section 54 of the Slavery Act 2015?	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ6.7c	If you responded Yes to question SQ6.7b and have a website. Please provide your website url address link to your organisations website showing your statement.	Insert your Website url Address Link
SQ6.7d	If you responded Yes to question SQ6.7b, but you do not have a website. Please select Yes to indicate you will provide a copy of your Slavery and Human Trafficking statement upon written request.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>SQ6.7(a-d) Response Guidance</p> <p>This is evaluated PASS/FAIL</p> <p>Since October 2015, commercial organisations that carry on a business or part of business in the UK, supply Goods or Services and have an annual turnover of £36 million or more (relevant commercial organisations) have been required under Section 54 of the Act to prepare a slavery and human trafficking statement as defined by section 54 of the Act.</p> <p>If you select Yes to SQ6.7b, you are compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p> <p>To achieve a PASS you must select Yes or N/A. If you select Yes to SQ6.7b, you must provide a valid url web address link to your organisations website showing your statement</p> <p>OR</p> <p>If you select Yes to SQ6.7b but you do not have a website. You must provide a copy of your Slavery and Human Trafficking statement upon written request.</p> <p>If you select No to SQ6.7b and/or SQ6.7d then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.</p>		
Marking Scheme	Evaluation Guidance	

PASS	<p>By selecting Yes, to SQ6.7a and SQ6.7b you have confirmed that you are a relevant commercial organisation as defined by section 54 (Transparency in supply chains etc) of the Modern Slavery Act 2015 (the Act), you are compliant with the annual reporting requirements contained within Section 54 of the Slavery Act 2015 and you are willing to provide your website url address link to your organisations website showing your statement. If you do not have a website you are willing to provide provide a copy of your Slavery and Human Trafficking statement upon written request.</p> <p>OR</p> <p>You have selected N/A from the drop down list.</p>	
FAIL	<p>You have not provided your website url address link to your organisations website showing your statement.</p> <p>OR</p> <p>You have selected No</p>	
Additional Questions (Evaluated)		
SQ6.8	<p>Standards</p> <p>You must provide a response for each Standard that is listed in the table in the eSourcing suite.</p> <ol style="list-style-type: none"> 1. BS EN ISO 9001 “Quality Management System” standard or equivalent 2. ISO 10007 Quality management systems – Guidelines for configuration management or equivalent 3. BS25999-1:2006 Code of Practice for Business Continuity Management and, ISO/IEC 27031:2011, ISO 22301 and ISO/IEC 24762:2008 in the provision ITSC/DR plans or equivalent 4. BS EN ISO 14001 Environmental Management System standard or equivalent 5. OHSAS 18001 Occupational Health and Safety Management System or equivalent 	<input type="checkbox"/> Yes <input type="checkbox"/> No <p>(select an answer for each standard listed)</p>
<p>SQ6.8 Response Guidance</p> <p>This is evaluated PASS/FAIL</p> <p>To achieve a PASS you must select Yes against each Standard listed.</p> <p>If you select No to SQ6.8 against each Standard listed then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.</p>		
Marking Scheme	Evaluation Guidance	

PASS	You have provided a response of Yes against each of the five Standards listed on SQ6.8.	
FAIL	You have provided a response of No against each of the five Standards listed on SQ6.8.	
SQ6.9	UK Hosting Please confirm whether your organisation is able to process all data in the UK and meet the Schedule 14. Optional Clause 54 Security Measures requirements of some Contracting Authorities for some Call Off contracts.	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ6.9 Response Guidance This is evaluated PASS/FAIL To achieve a PASS you must select Yes against SQ6.9. If you select No to SQ6.9 listed then you will be awarded a FAIL and your Tender will be excluded from further consideration for the purposes of this Procurement.		
Marking Scheme	Evaluation Guidance	
PASS	You have provided a response of Yes against SQ6.9.	
FAIL	You have provided a response of No against SQ6.9.	

Section 7: Technical and Professional Ability (Evaluated)		
Question number	Question	Response
SQ7.1	Relevant experience and contract examples Please provide details of two contracts, 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. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.	complete table in the eSourcing Suite

	<p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>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 two separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (two examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or subcontractor(s) who will deliver the contract.</p> <p>(Where a contract is still being performed, please insert the expected or estimated expiry date in the “Contract completion date” table cell.)</p>	
	Contract 1	Contract 2
Name of customer organisation		
Point of contact in the organisation		
Position in the organisation		
E-mail address		
Contract Start date		
Contract completion date		
Estimated contract value		
SQ7.1a	<p>Contract Example 1</p> <p>Please describe the comparable contract example and how its performance demonstrates the technical and professional capabilities needed to deliver a fully end to end Managed Learning Service. Your response must include a description of your provision of more than one of the Tier 1, Tier 2, Tier 3 and Tier 4 Services, demonstrating the size, scale and flexibility</p>	<p>Complete text box in eSourcing Suite (Character limit 4096)</p>

	required as set out at paragraph 5.6 of Attachment 4a Framework Schedule 2 Part A: Goods and Services.	
SQ7.1b	<p>Contract Example 2</p> <p>Please describe the comparable contract example and how its performance demonstrates the technical and professional capabilities needed to deliver a fully end to end Managed Learning Service. Your response must include a description of your provision of more than one of the Tier 1, Tier 2, Tier 3 and Tier 4 Services, demonstrating the size, scale and flexibility required as set out at paragraph 5.6 of Attachment 4a Framework Schedule 2 Part A: Goods and Services.</p>	Complete text box in eSourcing Suite (Character limit 4096)

SQ7.1a-b Response Guidance

This section is evaluated PASS/FAIL

You must demonstrate you have the necessary technical and human resources and experience to perform the Framework Agreement to the required standard. Potential Providers (Lead Contact for a Group of Economic Operators) must provide:

- two comparable contract examples; and
- evidence within these contracts examples to demonstrate that you have the necessary technical and human resources and experience.

Contract Examples must:

- have been performed over and at the most within the last three years prior to the publication of the OJEU Notice to be valid and can be from the public or private sector; and
- customer contacts named have been made aware that they may be contacted by the Authority, to verify the accuracy of the information provided at any time. The Authority may exclude Potential Providers that do not provide full and accurate information. Customer contacts must not be employed by your organisation or be from within your associated group of companies.

Examples of Call Off Contracts awarded under framework agreements will be considered valid, but citing a framework agreement that you have been awarded will NOT be considered a valid contract example.

The Authority will use the information you provide in this section to evaluate whether your organisation; and/or members within the Group of Economic Operators and/or named Sub Contractors have the relevant technical and human resources and experience to perform the requirement for this Procurement. Refer to paragraph 9.2 Consensus Marking Procedure, of the Invitation to Tender Attachment 1.

Potential Providers that cannot sufficiently demonstrate they have the technical and human resource and experience to provide the requirements of the Framework (or their Tenders where the Authority has elected under Regulation 56 (3) to examine the Tenders before verifying the absence of grounds for exclusion and the fulfilment of the

selection criteria) will be excluded from further consideration for the purposes of this Procurement.		
Marking Scheme	Evaluation Guidance	
PASS	You have provided two contract examples which have met the requirements of questions SQ7.1a-b and demonstrates you have the necessary technical and human resources and experience to perform the Framework Agreement to the required standard.	
FAIL	<p>You have provided two contract examples which have not met the requirements of SQ7.1a-b and therefore does not demonstrate you have the necessary technical and human resources and experience to perform the Framework Agreement to the required standard.</p> <p>OR</p> <p>You have not provided a response to this question.</p>	
SQ7.2	<p>Past Performance - Provision of Certificates</p> <p>The HM Government has developed an approach to ensuring that previous poor performance by Potential Providers can be taken into account and robustly assessed prior to entering into certain new Framework Agreements (See Link below to PPN Taking Account of Suppliers' Past Performance)</p> <p>https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/417211/PPN04-15_Supplier_Past_Performance_.pdf</p> <p>This will give Government confidence, based on past performance, that those awarded such contracts will perform them satisfactorily in accordance with their terms.</p> <p>The policy is that, as part of any assessment of a Potential Provider's technical and professional ability, Contracting Authorities should ensure that any failure to discharge obligations under the previous principal relevant contracts of those who will be involved in performing the contract (if awarded to the Potential Provider) is taken into account in the assessment of whether specified minimum standards for reliability for such contracts are met.</p> <p>In addition, under the policy, Departmental Bodies will re-assess reliability based on past performance before key points in the procurement process (i.e. short listing, preferred Potential Provider status, conclusion of contract etc.). Potential Providers will accordingly be asked to update the evidence they provide in relation to past performance to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).</p>	
SQ7.2a	<p>Can you supply a list of your relevant principal contracts for goods and/or services provided in the last three years?</p> <p>Please select 'Yes' to confirm you have uploaded your list as an attachment to this question SQ7.2a.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

SQ7.2b	On request can you provide a certificate from those customers on the list?	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ7.2c	If you cannot obtain a certificate from a customer can you explain the reasons why?	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ7.2d	If the certificate states that goods and/or services supplied were not satisfactory are you able to supply information which shows why this will not recur in this contract if you are awarded it?	<input type="checkbox"/> Yes <input type="checkbox"/> No
SQ7.2e	Can you supply the information in questions a. to d. above for any sub-contractors (or consortium members) who you are relying upon to perform this contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No

SQ7.2a-e Response Guidance

This section is evaluated PASS/FAIL

If you are not utilising third parties (Sub-Contractors), the list referred to above must include **either: (a) contracts under which relevant Goods and Services have been provided by you; or (b) a contract (or contracts) under which you have provided relevant Goods and Services of some specific value, quantity or description**

Where you are responsible for contract(s) which were previously the responsibility of a predecessor entity (or entities) the list of contracts must include the contracts under which relevant Goods and Services were provided by the predecessor entity.

If you rely on other entities (including, in the case of a Group of Economic Operators, members of the Group of Economic Operators, third parties and Sub-Contractors) to enable you to perform any contract to be awarded under the Framework Agreement, the list referred to above must include

either:

(a) describe the function that each such other entity will perform under the contract to be awarded and/or any contract to be awarded under the Framework Agreement, and

(b) contracts in respect of relevant Goods and/or Services provided by you (or a predecessor body) and contracts in respect of relevant Goods and/or Services provided by any other entity (including any member of the Group of Economic Operators) on which you may intend to rely to enable you to perform any contract to be awarded under the Framework Agreement, or

(b) in respect of you or any other such entity, a contract (or contracts) under which relevant Goods and/or Services were provided by you of some specific, value, quantity or other description.

and in either case which are relevant to the function that each will perform under the contract to be awarded under the Framework Agreement.

Where you are an entity which has been formed for the particular purposes of responding to this Procurement, you should follow the instructions given above in the paragraph starting 'If you rely on other entities' by including in your list contracts under which relevant Goods and/or Services were provided by those entities on whom you will rely to perform the contract (or your predecessor entities), instead of the you yourself.

Where it is envisaged that you will rely on one or more Sub-Contractors to enable you to perform any contract to be awarded under this Framework Agreement:

- Where a sub-contractor has not been formally appointed, you need not include any contracts in relation to that particular sub-contract, within the list, and
- in so far as the anticipated value of any particular Sub-Contract is less than 5 per cent of the total contract value, you need not include such a contract in relation to that particular sub-contract, within the list.

Failure to provide a full and comprehensive list of all the relevant principal Goods and/or Services provided in the previous 3 years will result in a **FAIL** and your Tender will be excluded from further participation in this Procurement.

Marking Scheme	Evaluation Guidance	
PASS	You have provided a full and comprehensive list of all the relevant principal Goods and/or Services in the previous 3 years.	
FAIL	You have not provided a full and comprehensive list of all the relevant Goods and/or Services in the previous 3 years. OR You have not answered the question.	
SQ7.2f	<p>Provision of Certificates of Performance</p> <p>If you have responded Yes to SQ7.2b you must provide:</p> <p>(a) certificates in the form set out in Annex A, from those to whom relevant Goods and /or Services on the list (response to SQ7.2a) were provided;</p> <p>(b) if any such certificate cannot be obtained, you must self-certify performance using the form set out in Annex A;</p> <p>(c) if the certificate does not state that the Goods and/or Services have been provided satisfactorily in accordance with the terms of the contract in question, you must provide additional information to demonstrate that any reason why they were not so provided, will not recur in the performance of any contract to be awarded under the Framework Agreement.</p> <p>Completed certificates of performance must be uploaded into the portal in a zipped file labelled [Organisation Name] SQ7.2a Certificates of Performance using the paperclip icon aligned to this question.</p> <p>Each certificate should be labelled with the contract number and name of customer organisation.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No Upload attachment

SQ7.2f Response Guidance

This section is evaluated PASS/FAIL

You are advised that the Authority reserves the right to verify the information provided (checking with any reasonably available sources of information) and to require you to clarify or provide supplementary information.

Failure to provide certificates of performance (and additional information as requested at para (c) where appropriate) for all customers detailed in SQ7.2a will result in a **FAIL** and your Tender will be excluded from further participation in this Procurement

Marking Scheme	Evaluation Guidance
PASS	You have provided certificates of performance (and additional information as requested at para (c) where appropriate) for all customers detailed in SQ7.2a
FAIL	You have not provided certificates of performance (and additional information as requested at para (c) where appropriate) for all customers detailed in SQ7.2a. OR You have not answered the question.

Annex A – [Organisation Name] SQ7.2 Certificate of Past Performance

Name of Supplier..... ("Supplier")
 Contract Title..... ("Contract")
 Name of Customer..... ("Customer")

Contract

Details of the Contract to which this certificate relates are set out in the table below:

Contract Number:	Customer Contact (name, address, telephone number and e-mail) with whom the Authority can raise further queries if required:	Contract title plus brief description of the Goods and/or Services , and the consideration received:	The dates on, or between, which the Goods and/or Services were (and/or were to be) sold or provided:
[Details to be completed by Supplier]			

OPTION A

We hereby certify that, to the best of our knowledge and belief, the Supplier has satisfactorily supplied the Goods and/or Services described in the table above in accordance with the Contract.

OR

OPTION B

We are unable to certify that the Supplier has satisfactorily supplied the Goods and/or Services described in the table above in accordance with the Contract for the following reasons:

.....
.....
.....

(Please continue on a separate page where there is insufficient space. Please cross refer the documents, clearly labelling any additional pages)

Guidance for Customers

If you are unable to certify that the Supplier has satisfactorily supplied the Goods and/or Services in accordance with the Contract, please provide the reason or reasons why performance was not in accordance with the Contract. These may include:

1. delays in supplying the Goods and/or Services;
2. failures to supply all the Goods and/or Services in accordance with the scope set out in the Contract;
3. failures to meet any service levels and/or supply the Goods and/or Services in accordance with quality standards;
4. any other failure by the Supplier to comply with its obligations under the Contract.

You may wish to take legal advice in relation to completing this certificate.

Liability of any customer certifying

Whilst the Customer believes the information in this certificate to be truthful and accurate, the Customer does not assume any responsibility and does not assume any liability and so cannot give any guarantee or make any representation or warranty as to the contents of this certificate. The Customer shall therefore not be liable for and hereby excludes liability for any loss, damage (including any special, exemplary, indirect, incidental, consequential damages, costs or associated legal fees) that may be suffered as a result of use of the certificate and its content, to the fullest extent permitted by law.

Nothing in this certificate shall affect, or constitute a waiver of, the Customer's rights or remedies in relation to the Contract.

Signed

*To be signed by the person with sufficient knowledge of and responsibility for the contract in question within the Customer organisation

OR

*In the event of self certification this certificate of performance is signed by the Potential Provider for and on behalf of the [insert Customer name]

[Delete as appropriate]*

Name

Date.....