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**PART A3 - SELECTION QUESTIONNAIRE FOR:**

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| --- | --- |
| ***Name of contract*** | **West London Waste Plan** |
| ***Contract Reference Number*** | **CEX 23025** |
| ***Procurement Procedure*** | **Open** |

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| --- | --- | --- | --- |
| **Part 1: Your information and the bidding model.** | | | |
| Bidders must ensure that every organisation on which they will rely to meet the selection criteria completes and submits their own answers and declaration for part 1 and 2. Please confirm that, if this is applicable, this has been done. | | | Yes **▢**  No **▢**  N/A **▢** |
| **Section 1 - Your information** | | | |
| **Number** | **Question** | | |
| 1.1 (a) | Name (if registered, please give the registered name) |  | |
| 1.1 (b) (i) | Registered address (if applicable) or head office address |  | |
| 1.1(b) (ii) | Registered website address (if applicable) |  | |
| 1.1 (c) | Trading status:   1. public limited company 2. limited company 3. limited liability partnership 4. other partnership 5. sole trader 6. third sector 7. other (please specify your trading status) |  | |
| 1.1 (d) | Date of registration (if applicable) or date of formation. |  | |
| 1.1 (e) | Registration number (company, partnership, charity, etc if applicable). |  | |
| 1.1 (f) | Registered VAT number. |  | |
| 1.1 (g) (i) | Are you registered with the appropriate professional or trade register(s) specified for this procurement in the Member State where your organisation is established? | Yes **▢**  No **▢**  N/A **▢** | |
| 1.1(g) (ii) | If you responded ‘Yes’ to 1.1(g) - (i), please provide the relevant details, including the name of the register and registration number(s), and if evidence of registration is available electronically, please provide the following information:   1. The website address 2. Issuing body 3. Reference number. | a)  b)  c) | |

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| 1.1(h) (i) | | **For procurements for services only**, is it a legal requirement in the country where you are established for you to:  a) possess a particular authorisation or  b) be a member of a particular organisation  in order to provide the requirements specified in this procurement? | | Yes **▢**  No **▢**  N/A **▢** |
| 1.1(h) (ii) | | If you responded yes to 1.1(h) - (i), please provide additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number.  Or state not applicable. | |  |
| 1.1(i) | | Relevant classifications. (Please state whether you fall within one of these, and if so which one):  a) Voluntary Community Social  Enterprise (VCSE)  b) Sheltered Workshop.  c) Public service mutual. | |  |
| 1.1(j) | | Are you a Small, Medium or Micro Enterprise (SME)? | | Yes **▢**  No **▢** |
| 1.1 (k) | | Details of Persons with Significant Control (PSC), where appropriate (Please enter N/A if not applicable):   1. Name 2. Date of Birth 3. Nationality 4. Country, state or part of the UK where the PSC usually lives 5. Service address 6. The date he or she became a PSC in relation to the company 7. 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 | | a)  b)  c)  d)  e)  f)  g) |
| 1.1 (l) | | Details of your immediate parent company:  (Please enter N/A if not applicable):   1. Full name of immediate parent company 2. Registered or head office address 3. Registration number (if applicable) 4. VAT number (if applicable) | | a)  b)  c)  d) |
| 1.1(m) | | Details of ultimate parent company:  (Please enter N/A if not applicable):   1. Full name of ultimate parent company 2. Registered or head office address 3. Registration number (if applicable) 4. VAT number (if applicable), | | a)  b)  c)  d) |
| 1.1(m) | | Details of ultimate parent company:  (Please enter N/A if not applicable):  Full name of ultimate parent company   1. Registered or head office address 2. Registration number (if applicable) 3. VAT number (if applicable), | | a)  b)  c) |
| Please note: A criminal record check for relevant convictions may be undertaken for the preferred supplier and all relevant persons and entities (as described above). | | | | |
|  | | | | |
| **Section 1 (Cont.) - Bidding model** | | | | |
| Please provide the following information about your approach to this procurement: | | | | |
| 1.2 | | Please indicate if you are bidding as a single supplier or as part of a group or consortium? | | Single supplier ▢ Consortium ▢ |
| If you are bidding as a single supplier, please go to Q 1.3.  If you are bidding as part of a group or consortium (including where you intend to establish a legal entity to deliver the contract, or you are a subcontractor), please tell us: | | |
| The name of the group/consortium. | |  |
| The proposed structure of the group/consortium, including the legal structure where applicable. | |  |
| The name of the lead member in the group/consortium. | |  |
| Your role in the group/consortium (e.g. lead member, consortium member, subcontractor). | |  |
| If you are the lead member in the group/consortium, are you relying on other consortium members to meet the selection criteria (i.e. are you relying on other consortium members for economic and technical standing and/or technical and professional ability)? | | Yes **▢**  No **▢** |
| If your answer to the question above is ‘Yes’, which criteria you are relying on them for? Please state if not applicable. | |  |
| 1.3 | | If you are proposing to use subcontractors, please provide the following details for each subcontractor.  Please insert a duplicate of this question for each additional subcontractor. | | |
| Name | |  |
| Registration number | |  |
| Registered or head office address, | |  |
| Trading status:   1. Public limited company 2. Private limited company 3. Limited liability partnership 4. Other partnership 5. Sole trader 6. Third sector 7. Other   If other, please specify your trading status. | |  |
| Registered VAT number | |  |
| SME (Yes/No) | |  |
| The role the subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known | |  |
| The approximate % of contractual obligations assigned to each subcontractor, if known. | |  |
| Is the subcontractor being relied upon to meet the selection criteria (i.e. are you relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are you relying on them for? | | Yes **▢**  No **▢**  Criteria: |
| 1.4 | | **Lots -** Where applicable, please tell us which lot(s) you wish to bid for?  Or state N/a | |  |
|  | | | | |
| **Part 2: Exclusion Grounds** | | | | |
| Please answer the following questions in full. Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to Part 1 and the declarations in Part 2. | | | | |
| **Section 2 - Grounds for mandatory exclusion** | | | | |
| **Number** | | **Question** | | |
| 2.1 (a) | | Within the past five years, anywhere in the world, have you or any person who:   1. is a member of the supplier’s administrative, management or supervisory body or 2. has powers of representation, decision or control in the supplier,   been convicted of any of the offences within the summary below and  listed in full on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf)? | | |
| Participation in a criminal organisation. | | Yes **▢**  No **▢** |
| Corruption. | | Yes **▢**  No **▢** |
| Terrorist offences or offences linked to terrorist activities. | | Yes **▢**  No **▢** |
| Money laundering or terrorist financing. | | Yes **▢**  No **▢** |
| Child labour and other forms of trafficking in human beings. | | Yes **▢**  No **▢** |
| Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland. | | Yes **▢**  No **▢** |
| Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland. | | Yes **▢**  No **▢** |
| 2.1(b) | | **If you have answered yes to any part of question 2.1(a), please provide further details,** including:   1. date of conviction and the jurisdiction, 2. which of the grounds listed the conviction was for, 3. the reasons for conviction, 4. the identity of who has been convicted. 5. If the relevant documentation is available electronically, please also provide: 6. the web address, 7. issuing authority, 8. precise reference of the documents. 9. Please state if not applicable. | | a)  b)  c)  d)  e)  f)  g)  h)  i) |
| 2.1(c) | | If you have answered yes to any part of the question above, please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion (‘self-cleaning’). Please state if not applicable. | |  |
|  | | | | |
| **Section 3** | | **Mandatory and discretionary grounds relating to the payment of taxes and social security contributions** | | |
| The detailed grounds for mandatory and discretionary exclusion of a supplier for non-payment of taxes and social security contributions, are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), and should be referred to before completing these questions. | | | | |
| **Number** | | **Question** | | |
| 3.1 | | Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.  If documentation is available electronically, please provide the details requested. | | |
|  | | We confirm that all our obligations as listed above have been met. | | Yes **▢**  No **▢** |
|  | | The web address | |  |
|  | | Issuing authority | |  |
|  | | Precise reference of the documents | |  |
| 3.2 | | If you have answered ‘No’ to 3.1 please provide further details including the following:   1. Country concerned, 2. What is the amount concerned 3. How the breach was established, i.e. through a judicial or administrative decision or by other means. 4. If the breach has been established through a judicial or administrative decision please provide the date of the decision 5. If the breach has been established by other means please specify the means. 6. Or state if not applicable. | | a)  b)  c)  d)  e)  f) |
| 3.3 | | If you have answered ‘No’ to 3.1, please also confirm whether you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including, where applicable, any accrued interest and/or fines. | | Yes **▢**  No **▢**  N/a **▢** |
| Please Note: Ealing Council reserves its right to use its discretion to exclude your bid where the Council can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions | | | | |
|  | | | | |
| **Section 4** | | **Grounds for Discretionary Exclusion** | | |
| The detailed grounds for discretionary exclusion of an organisation are set out in the SQ Guidance and should be referred to before completing these questions. | | | | |
| **Number** | | **Question** | | |
| 4.1 | | Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf) applied to you? | | |
| 4.1 (a) | | Breach of environmental obligations? | | Yes **▢**  No **▢** |
| 4.1 (b) | | Breach of social law obligations? | | Yes **▢**  No **▢** |
| 4.1 (c) | | Breach of labour law obligations? | | Yes **▢**  No **▢** |
| 4.1 (d) | | Bankruptcy or subject of insolvency? | | Yes **▢**  No **▢** |
| 4.1 (e) | | Guilty of grave professional misconduct? | | Yes **▢**  No **▢** |
| 4.1 (f) | | Distortion of competition? | | Yes **▢**  No **▢** |
| 4.1 (g) | | Conflict of interest? | | Yes **▢**  No **▢** |
| 4.1 (h) | | Been involved in the preparation of the procurement procedure? | | Yes **▢**  No **▢** |
| 4.1 (i) | | Prior performance issues? | | Yes **▢**  No **▢** |
| 4.1 (j) | | Do any of the following statements apply to you ? | | |
| 4.1 (j) - (i) | | You have been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria | | Yes **▢**  No **▢** |
| 4.1 (j) - (ii) | | You have withheld such information | | Yes **▢**  No **▢** |
| 4.1 (j) –(iii) | | You are not able, without delay, to submit documents if/when required | | Yes **▢**  No **▢** |
| 4.1 (j)-(iv) | | You have undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer upon you undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. | | Yes **▢**  No **▢** |
| [**Tackling Modern Slavery in Supply Chains**](https://www.gov.uk/government/publications/ppn-0223-tackling-modern-slavery-in-government-supply-chains)(Link) | | | | |
| 4.2 | | You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services, and you have an annual turnover of at least £36 million. | | |
| 4.2 (a) | | Please state whether you are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 | | Yes **▢**  No **▢** |
| 4.2(b) | | If you *are* a relevant commercial organisation, please confirm the following.  If you are *not* a relevant commercial organisation, please state N/a and proceed to question 4.2(c) | | |
| 4.2 (b) (i) | | Confirm that you have published a statement as required by Section 54 of the Modern Slavery Act | | Yes **▢**  No **▢**  N/a **▢** |
| 4.2 (b) (ii) | | Confirm that the statement complies with the requirements of Section 54 and any guidance issued under Section 54. | | Yes **▢**  No **▢**  N/a **▢** |
| 4.2(b) (iii) | | If your latest published statement is available electronically, please provide: | | |
|  | | The web address | |  |
|  | | Precise reference of the documents. | |  |
|  | | State here if not available electronically or not applicable | |  |
|  | | The web address | |  |
| 4.2 (c) | | If you are *not* a relevant commercial organisation under Section 54 of the Modern Slavery Act 2015 please complete the following questions.  (If you *are* a relevant commercial organisation, please state N/a to all questions).  In order to work for the London Borough of Ealing, bidders must confirm that they comply with and actively support the requirements of Section 54 of the Modern Slavery Act 2015 and associated guidance including information relating to:  a. the organisation’s structure, its business and its supply chains;  b. its policies in relation to slavery and human trafficking;  c. its due diligence processes in relation to slavery and human trafficking in its business and supply chains;  d. the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk;  e. its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate;  f. the training and capacity building about slavery and human trafficking available to its staff.  Please note that the requirements of either 4.2(b) or 4.2(c) must be met for a company to be eligible to perform a contract for the LB Ealing. | | |
| 4.2 (c) (i) | | Is your company a UK-based company? | | Yes **▢**  No **▢**  N/a **▢** |
| 4.2 (c) (ii) | | If your answer to question 4.2(c) (i) above is ‘Yes’, do you undertake to comply with all the requirements of Section 54 of the Modern Slavery Act 2015 including the requirements listed in question 4.2(c) parts (a) to (f) above | | Yes **▢**  No **▢**  N/a **▢** |
| 4.2 (c) (ii) | | If your answer to question 4.2(c) (i) is ‘No’, please provide a link to an equivalent statement or document which demonstrates information and compliance relating to 4.2(c) parts (a) to (f) above. | | N/a **▢**  Or link: |
| 4.2 is a PASS/FAIL question.  A reminder to suppliers: failure to demonstrate satisfactory measures in compliance with the requirements of Section 54 of the Modern Slavery Act 2015 will render your company ineligible to proceed any further in the tender process. | | | | |
|  | | | | |
| **Part 3: Selection Questions** | | | | |
| **Section 5** | | **Economic and Financial Standing** | | |
| **Number** | | **Question** | | |
| 5.1 | | If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide:   1. The web address 2. Issuing authority 3. Precise reference of the documents | | a)  b)  c) |
| 5.2 | | If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your detailed accounts for the last two years (audited if required by law). | | Attached **▢**  Not applicable **▢** |
| 5.3 | | If you are not able to provide a response to questions 5.1 or 5.2, please provide any of the following alternatives: | | |
| 5.3 (a) | | A statement of your annual turnover, Profit and Loss Account/Income statement, Balance Sheet/statement of Financial Position and Statement of Cash Flow for the most recent year(s) of trading and a bank letter outlining the current cash and credit facility position. | | Attached **▢**  Not applicable **▢** |
| 5.3 (b) | | Alternative information to evidence economic and financial standing (e.g. forecast financial statements and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | | Attached **▢**  Not applicable **▢** |
| 5.4 | | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | | Yes **▢**  No **▢** |
|  | | | | |
| **Section 6 - Technical and Professional Ability** | | | | |
| **Number** | | **Question** | | |
| 6.1 | | **Relevant experience and contract examples**  This information is requested on Document Part D.  If you cannot provide the requested examples, state this and see question 6.2 | | |
| 6.2 | | If you cannot provide at least one example for question 6.1, in no more than 500 words please provide an explanation below for this and how you meet the selection criteria relating to technical and professional ability e.g. your organisation is a new start-up or you have provided services in the past but not under a contract. | | |
| Response: | | |
| 6.3 | | Where you intend to subcontract a proportion of the contract, please demonstrate below how you have previously maintained healthy supply chains with your subcontractor(s).  The description should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment and whether you are a signatory of the UK Prompt Payment Code (or have given commitments under other equivalent schemes). | | |
| Response: | | |
|  | | | | |
| **Section 7** | | **Additional Questions including Project Specific Questions** | | |
| **Number** | | **Question** | | |
| 7.1 | | **Insurance**  Please confirm whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: | | |
| 7.1 (a) | | Employer’s (Compulsory) Liability Insurance = £10,000,000 | | Yes **▢**  No **▢** |
| 7.1 (b) | | Public Liability Insurance =£10,000,000 | | Yes **▢**  No **▢** |
| 7.1 (c) | | Professional Indemnity Insurance = £1,000,000 | | Yes **▢**  No **▢** |
| 7.2 | | **Data protection** | | |
| 7.2(a). | | Please confirm that you have in place, or that you will have in place by contract award, the human and technical resources to perform the contract to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects. | | Yes **▢**  No **▢** |
| 7.2(b). | | Please provide below details of the technical facilities and measures (including systems and processes) you have in place, or will have in place by contract award, to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects. Your response should include, but should not be limited to facilities and measures:   * to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services; * to comply with the rights of data subjects in respect of receiving privacy information, and access, rectification, deletion and portability of personal data; * to ensure that any consent based processing meets standards of active, informed consent, and that such consents are recorded and auditable; * to ensure legal safeguards are in place to legitimise transfers of personal data outside the EU (if such transfers will take place); * to maintain records of personal data processing activities; and   to regularly test, assess and evaluate the effectiveness of the above measures. | | |
|  | | Response: | | |
| 7.3 | | **Health and Safety**  Please describe below the arrangements you have in place to manage health and safety effectively and control significant risks relevant to the requirement (including risks from the use of contractors, where relevant). Please use no more than 500 words. | | |
|  | | Response: | | |
| **Requirements under the Public Contracts Regulations 2015 (Regulation 113) As Amended** | | | | |
| 7.4 | | Please confirm that for public sector contracts awarded under the Public Contract Regulations 2015 that you have systems in place to include (as a minimum) 30-day payment terms in all of your supply chain contracts and require that such terms are passed down through your supply chain. | | Yes **▢**  No **▢** |
| Please note: 7.4 is a PASS/FAIL question.  A reminder to suppliers: failure to confirm that satisfactory systems are in place to ensure as a minimum 30-day payment terms in all of your supply chain and require that such terms are passed down through your supply chain will render your company ineligible to proceed any further in the tender process. | | |
| 7.5 (a) | | Please provide the percentage of invoices paid by you to those in your immediate supply chain on all contracts for each of the two previous six month reporting periods. This should include the percentage of invoices paid within each of the timescales listed below.  It is acceptable to cross refer to information that has previously been submitted to Government or other bodies or is publicly available (provided it covers the required reporting periods), including data published in accordance with the Reporting on Payment Practices and Performance Regulations 2017.  If you wish to cross refer, please provide details and/or insert link(s). | | |
| Within 30 days | |  |
| In 31 to 60 days | |  |
| In 61 days or more | |  |
| Due but not paid by the last date for payment under agreed contractual terms. | |  |
| Cross reference/links | |  |
| 7.5 (b) | | If you are unable to demonstrate that all invoices have been paid within the agreed contractual terms, please explain why in the field below.  State if not applicable. | | |
| Response: | | |
| 7.5 (c) | | If you are unable to demonstrate that ≥95% of invoices payable to your supply chain on all contracts have been paid within 60 days of the receipt of the invoice in at least one of the last two six months reporting periods, please provide an action plan for improvement which includes (as a minimum) the following:   1. Identification of the primary causes of failure to pay:    1. 95% of all supply chain invoices within 60 days; and    2. if relevant under question 7.5 (b), all invoices within agreed terms. 2. Actions to address each of these causes. 3. A mechanism for and commitment to regular reporting on progress to the bidder’s audit committee (or equivalent). 4. A plan signed off by your director (this can be a summary plan) 5. Link to Plan published on website.   State if this question is not applicable. | | |
| Response:  a)  b)  c)  d)  e) | | |
| Bidders please note: Please note: 7.5 (c) is a PASS/FAIL question.  a. If you have an existing action plan prepared for a different purpose, it is acceptable to attach this but it should contain the above features.  b. If you are required to submit an action plan under question 7.5 (c) this action plan must also set out steps to address your payment of invoices within agreed terms, in order to achieve a pass for this question. | | |
|  | | | | |
| **Contact Details and Declaration** | | | | |
| I declare that to the best of my knowledge the answers submitted and information contained in this complete document are correct and accurate, including parts 1, 2 and part 3.  I declare that, upon request and without delay I will provide the certificates and/or documentary evidence referred to in this document except where this documentation can be accessed by the contracting authority via a national database free of charge or the contracting authority already possesses the documentation.  I understand that the information will be used in the selection process to assess my suitability to participate further in this procurement.  I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.   |  |  | | --- | --- | | I am aware of the consequences of serious misrepresentation.  Signature (electronic is acceptable) ……………………………………………………… |  | | Date ………………………………………………… |  | | | | | |
| **Contact details of those making the declaration:** | | | | |
| Contact name | | |  | |
| Name of organisation | | |  | |
| Role in organisation | | |  | |
| Phone number | | |  | |
| E-mail address | | |  | |
| Postal address | | |  | |
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| **Index to any attachments** | | | | |
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