



Crown  
Commercial  
Service

## **STAGE 1 GUIDANCE AND ELIGIBILITY QUESTIONNAIRE**

### **GENERAL LEGAL SERVICES**

#### **REFERENCE NUMBER**

**RM 3786**

#### **ATTACHMENT 2**

## 1. INTRODUCTION

- 1.1 The purpose of this Attachment 2- Stage 1 Guidance and Eligibility Questionnaire is to provide information and instructions about the scoring and evaluation process to enable Potential Providers to submit a fully compliant Stage 1 Eligibility Questionnaire.
- 1.2 In order to evaluate your ability to meet the advertised requirement, the Authority requires Potential Providers to complete and submit a fully compliant Stage 1 Eligibility Questionnaire. The Stage 1 Eligibility Questionnaire focuses on your eligibility, economic and financial standing and capacity and experience, and should be read in conjunction with The Invitation to Tender.
- 1.3 The Invitation to Tender provides more information about the Authority's requirements.
- 1.4 The defined terms referred to within this Stage 1 Guidance and Eligibility Questionnaire have the meaning given to them in the Glossary, as set out in paragraph 13 of The Invitation (Attachment 1).
- 1.5 For the purposes of this Stage 1 Guidance and Eligibility Questionnaire the terms "CCS", "we", "us" or "our" refers to the Authority (Crown Commercial Service).
- 1.6 For the avoidance of doubt in this Stage 1 Guidance and Eligibility Questionnaire the terms "you" or "your" mean your organisation, or the organisation you represent in this Procurement process.

## 2. INSTRUCTIONS FOR COMPLETION

- 2.1 To participate in this Stage of this Procurement, you are required to submit a completed Eligibility Questionnaire ("**Stage 1 Tender Submission**") which complies with the instructions in this Attachment 2 Stage 1 Guidance and Eligibility Questionnaire.
- 2.2 You are strongly advised to read through all documentation first to ensure understanding of how to submit a fully compliant Stage 1 Eligibility Questionnaire.
- 2.3 The Authority is utilising an e-Sourcing Suite to manage the submission of the Tender Submissions and to communicate with you.
- 2.4 No hard copy documents will be issued and all communications with the Authority (including the submission of Stage 1 Eligibility Questionnaire) will be conducted via the e-Sourcing Suite. You must ensure that the details of the point of contact you nominate in the e-Sourcing Suite are accurate at all times as the Authority will not be under any obligation to contact any other point of contact.

### 2.5 Completion of Stage 1 Eligibility Questionnaire

- 2.5.1 You must submit your Stage 1 Eligibility Questionnaire in the e-Sourcing Suite.
- 2.5.2 It is your responsibility to ensure that you are eligible to participate in this Procurement and have submitted a fully compliant Stage 1 Eligibility Questionnaire.
- 2.5.3 You must ensure that you are using the latest versions of this document and Attachment 1 The Invitation, as the documentation may be updated from time to time.
- 2.5.4 Any incomplete or incorrect Tender Submissions may be deemed non-compliant and as a result you may be unable to participate any further in this Procurement

- 2.5.5 You are advised to allow sufficient time for the entering of responses in the e-Sourcing Suite. It is advised that this activity commences as soon as possible and is not left until the day of the Stage 1 Tender Submission Deadline.
- 2.6 For technical guidance on how to complete questions and text fields and how to upload any requested attachments please download the supplier guidance documentation at Attachment 11 – Supplier Guidance.
- 2.7 You must adhere to the following instructions in order to submit a fully compliant Stage 1 Eligibility Questionnaire in the e-Sourcing Suite:
- 2.7.1 All responses must be inserted into the relevant answer fields unless an additional attachment is permitted. No attachments are permitted except where specifically requested by the Authority. Only information entered into the relevant answer fields or information specifically requested by the Authority will be taken into account for the purposes of evaluating Stage 1 Eligibility Questionnaire.
- 2.7.2 Your Stage 1 Eligibility Questionnaire must be submitted in the English (UK) language.
- 2.7.3 You must answer all questions accurately and as fully as possible, within the character limits specified.
- 2.7.4 Where options are offered as a response to a question, you must select the relevant option from the drop down list.
- 2.7.5 You must not answer questions by cross referencing to other answers or to other materials (e.g. annual company reports located on a website). Each question answered must be completed in its own right.
- 2.7.6 The Authority will disregard any part of a response to a question which exceeds the specified character limit. The excess response will be disregarded, not the whole response. The stated character limit includes spaces and punctuation.

## **2.8 Additional Materials, Documents and Attachments**

- 2.8.1 You must adhere to the following instructions:
- 2.8.1.1 No additional attachments should be submitted with your Stage 1 Eligibility Questionnaire unless specifically requested by the Authority;
- 2.8.1.2 Any additional documents requested by the Authority must only be attached at the question level using the paperclip icon aligned to the question (not at Questionnaire Level and not at RFX Attachments) in the e-Sourcing Suite using a unique, unambiguous and relevant file name as specified by the Authority. All attachments submitted must be in the format specified by the Authority. Attachments must not be over 10mb in size

## **2.9 Uploading and Submitting a Stage 1 Tender Submission**

- 2.9.1 Your Stage 1 Tender Submission must be submitted to the Authority using the e-Sourcing Suite. Tenders submitted by any other means will not be accepted.

### **2.9.2 Verification of Information Provided**

- 2.9.2.1 Whilst reserving the right to request information at any time throughout the Procurement process, the Authority may enable the

Potential Provider to self-certify that there are no mandatory/discretionary grounds for excluding their organisation. When requesting evidence that the Potential Provider can meet the specified requirements the Authority choose to request such evidence after the final Stage 3 evaluation decision i.e. from the successful Potential Providers only.

### **3. DEADLINE FOR THE SUBMISSION OF STAGE 1 ELIGIBILITY QUESTIONNAIRE**

3.1 Your Stage 1 Tender Submission must be received by the Authority by the Stage 1 Tender Submission Deadline as detailed in paragraph 7 of Attachment 1 The Invitation.

#### **3.2 Late Submissions**

3.2.1 Any Stage 1 Tender Submissions received on or after the Stage 1 Tender Submission Deadline may be rejected by the Authority to ensure all Potential Providers are treated fairly. The decision whether to reject a Stage 1 Tender Submission received after the Stage 1 Tender Submission Deadline is entirely at the Authority's discretion.

### **4. STAGE 1 ELIGIBILITY EVALUATION**

4.1 The information submitted in your Stage 1 Tender Submission will enable the Authority to consider your eligibility, suitability to pursue a professional activity, economic and financial standing, capacity and experience. If you fail to respond fully and accurately your Stage 1 Tender Submission may be deemed non-compliant. The Authority reserves the right to exclude non-compliant Stage 1 Tender Submissions from further participation in this Procurement.

4.1.1 Please refer to Appendix 1 for a breakdown of the Evaluation Criteria and Weightings.

#### **4.2 Compliance / Validation**

4.2.1 Prior to commencing the formal evaluation process, your Stage 1 Tender Submission will be checked to ensure compliance with the requirements of The Invitation to Tender. Any non-compliant Stage 1 Tender Submissions may, including in the event further questions are asked or clarification is sought by the Authority but Potential Providers fail to produce a satisfactory response, be rejected by the Authority without proceeding to the next stage of evaluation.

4.2.2 Potential Providers who are excluded on grounds of non-compliance will be notified accordingly.

4.2.3 If you cannot answer 'Yes' to questions PR1, PR2, PR3, PR4, PR5 and PR6 in the Stage 1 Tender Submission will be excluded from further participation in this Procurement.

4.2.4 If you answer 'No' to questions PR7, PR8 and PR9 your submission of a fully compliant Stage 1 Tender Submission is at significant risk. Any non-compliant Stage 1 Tender Submission may be rejected by the Authority. See paragraphs 4.2.1 and 4.2.2 above.

#### **4.3 Economic and Financial Standing**

4.3.1 The information that you submit in Section 1 Potential Provider Information and Section 2 Bidding Model will be used to carry out an assessment of your economic and financial standing.

- 4.3.2 The Authority uses a credit reference agency (Experian) as the first step in determining financial risk. The Authority will request an Experian financial risk score based on the information provided in response to Section 1 Potential Provider Information and Section 2 Bidding Model in the Stage 1 Eligibility Questionnaire. The report provided by Experian will be used to determine the level of financial risk you represent. If the score provided by Experian is 26 or more (where a standard UK score is available), or the risk level is equivalent or better (where a standard International score is available) then your Stage 1 Tender Submission will proceed to the evaluation process of this Stage 1 Eligibility.
- 4.3.3 If any of the following circumstances arise:
- 4.3.3.1 the score provided by Experian (where a standard UK score is available) is less than 26;
- 4.3.3.2 the score is less than the equivalent risk level above (where a standard international score is available); or
- 4.3.3.3 a standard Experian score is not available for your organisation.
- then the Authority may ask you to provide a copy of your audited accounts for the most recent two financial years and/or one or more of the following in respect of your organisation:
- a) a statement of the turnover, profit and loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation; or
  - b) a statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position; and/or
  - c) an alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank or an alternative means of demonstrating financial status).
- 4.3.4 The Authority will use the information described in paragraph 4.3.3 in addition to a detailed Experian report (where available) to assess whether your organisation's financial risk is determined as being a 'pass'. This will be performed using the Authority's financial assessment template which can be found at Attachment 13 – Financial Assessment Template (for information only), which covers a range of financial risk indicators.
- 4.3.5 If the financial risk is determined (in accordance with paragraph 4.3.4) as being a 'pass' by the Authority, then your Stage 1 Tender Submission will proceed in the evaluation process of Stage 1 Eligibility.
- 4.3.6 If after evaluating all the information requested and provided, the financial risk is determined (in accordance with paragraph 4.3.3) as being a 'fail' by the Authority, or where the requested information at paragraph 4.3.2 has not been provided, then your Stage 1 Tender Submission will be excluded from further participation in this procurement.
- 4.3.7 If you are bidding as Lead Contact for a Group of Economic Operators, the assessment of economic and financial standing will be carried out in respect of each member of the Group of Economic Operators. If following assessment the financial risk of one or more members of the

Group of Economic Operators is determined as being a 'fail', your Stage 1 Tender Submission will be excluded from further participation in this Procurement.

- 4.3.8 Please note that the Authority may require the Group of Economic Operators to assume a specific legal form for the purpose of concluding a Panel Agreement. In this case, the Authority is also likely to require the members of the Group of Economic Operators to nominate a Panel Guarantor for the single entity's performance of the Panel Agreement.

4.3.8.1 The Authority will only allow the ability to nominate a Panel Guarantor from new legally formed entities.

4.3.8.2 The Authority will undertake the steps at paragraphs 4.3.2 to 4.3.7 in respect of the proposed Panel Guarantor. If a Panel Guarantor cannot be provided and the level of financial risk remains not acceptable, your Stage 1 Tender Submission will be excluded from further participation in this Procurement.

#### **4.4 Section 3 – Licensing and Registration**

- 4.4.1 If you cannot answer 'Yes' to every question in Section 3 of Stage 1 Eligibility Questionnaire then your Tender Submission will be excluded from further participation in this Procurement.

#### **4.5 Sections 4, 5 and 6 – Grounds for Mandatory and Discretionary Exclusion**

- 4.5.1 In certain circumstances the Authority is required by law to exclude Potential Providers from participation in this Procurement. If you cannot answer 'No' to every statement in Section 4 of Stage 1 Eligibility Questionnaire then, subject to paragraph 4.5.4, your Stage 1 Tender Submission will be excluded from further participation in this Procurement (except where disproportionately small amounts of tax or social security obligations are involved).

- 4.5.2 The Authority is entitled (in its sole discretion) to exclude a Potential Provider from further participation in this Procurement if any of the statements in response to Section 5 (Discretionary Grounds for Exclusion, Part 1) of Stage 1 Eligibility Questionnaire apply. If you cannot answer 'No' to every statement it is possible, subject to paragraph 4.5.4, your Stage 1 Tender Submission will be excluded from further participation in this Procurement.

- 4.5.3 The Authority is entitled (in its sole discretion) to exclude a Potential Provider from further participation in this Procurement if any of the statements in response to Section 6 (Discretionary Grounds for Exclusion, Part 2) of Stage 1 Eligibility Questionnaire apply. If you cannot answer 'No' to every statement it is possible, subject to paragraph 4.5.4 your Stage 1 Tender Submission will be excluded from further participation in this Procurement.

- 4.5.4 'Self Cleaning' (covering both mandatory and discretionary exclusion)

4.5.4.1 If a Potential Provider provides sufficient evidence that remedial action has taken place subsequently that effectively "self cleans" the situation, the Authority could decide that the Potential Provider will not be excluded from this Procurement. As a minimum, you will have to demonstrate that you have:

- paid or undertaken to pay compensation in respect of any damage caused by any 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.

4.5.4.2 The measures you have taken will be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct.

4.5.4.3 If you are unable to demonstrate to the Authority's satisfaction that appropriate remedial action has been taken to prevent a similar unlawful discrimination reoccurring, your Stage 1 Tender Submission will be excluded from further participation in this Procurement.

#### **4.6 Section 7 – Panel Agreement Specific Requirements**

4.6.1 Responses to the questions in Section 7 – Panel Agreement Specific Requirements will be assessed and awarded a 'pass' or a 'fail' based on the criteria set out below.

Marking Scheme	Evaluation Criteria
Pass	Yes
Fail	No

4.6.2 If, following completion of the assessment of responses in Section 7 any response to a question is determined to constitute a 'fail', your Stage 1 Tender Submission will be excluded from further participation in the Procurement.

#### **4.7 Section 8 - Strategic Commitment towards Government Work**

##### **4.7.1 Section 8.1 – Strategic Position**

4.7.1.1 Responses to the questions 8.1a and 8.1b in Section 8.1 – Strategic Position will be assessed and awarded a 'pass' or a 'fail' based on the criteria set out below.

Marking Scheme	Evaluation Criteria
Pass	Yes
Fail	No

4.7.1.2 If, following completion of the assessment of responses to questions 8.1a and 8.1b in Section 8.1 any response is determined to constitute a 'fail', your Stage 1 Tender Submission will be excluded from further participation in the Procurement.

##### **4.7.2 Section 8.2 – Strategic Commitment (Weighted 15%)**

4.7.2.1 The questions in Section 8.2 – Strategic Commitment are scored questions in accordance with the table below:

Marking Scheme	Evaluation Guidance
5	Yes
2	Yes, will have in place.
0	No

4.7.2.2 If a Potential Provider is awarded a mark of zero (0) for any of the scored questions in Section 8.2 i.e. 8.2a or 8.2b they will have failed and their Stage 1 Tender Submission will be excluded from further participation in the Procurement.

4.7.2.3 The mark achieved for each question in Section 8.2 will be added together to form a Section 8 Mark. Please see example below:

Question Number	Maximum Mark Available	Mark
8.2a	5	5
8.2b	5	2
Maximum Mark Available	10	
<b>Section 8.2 Mark</b>		<b>7</b>

4.7.2.4 The Potential Provider with the highest "Section 8.2 Mark" will be awarded the maximum marks available (15 marks). The remaining Potential Providers shall be awarded a percentage of the maximum mark available equal to their "Section 8.2 Mark" relative to the highest "Section 8.2 Mark" submitted.

4.7.2.5 The calculation used is as follows:

$$\text{Section 8.2 Score} = \frac{\text{Potential Providers "Section 8.2 Mark"}}{\text{Highest "Section 8.2 Mark"}} \times \frac{15}{\text{Maximum Mark Available}}$$

## 4.8 Section 9 – Infrastructure Capability (Weighted 15%)

4.8.1 The questions in Section 9 – Infrastructure Capability are scored questions in accordance with the table below:

Marking Scheme	Evaluation Guidance
5	Yes
2	Yes, will have in place.
0	No

4.8.2 If a Potential Provider is awarded a mark of zero (0) for any of the scored questions in Section 9 i.e. 9a, 9b or 9c they will have failed and their Stage 1 Tender Submission will be excluded from further participation in the Procurement.

4.8.3 The mark achieved for each question in Section 9 will be added together to form a Section 9 Mark. Please see example overleaf:



Question Number	Maximum Mark Available	Mark
9a	5	5
9b	5	2
9c	5	5
Maximum Mark Available	15	
<b>Section 9 Mark</b>		<b>12</b>

4.8.4 The Potential Provider with the highest "Section 9 Mark" will be awarded the maximum marks available (15 marks). The remaining Potential Providers shall be awarded a percentage of the maximum mark available equal to their "Section 9 Mark" relative to the highest "Section 9 Mark" submitted.

4.8.5 The calculation used is as follows:

$$\text{Section 9 Score} = \frac{\text{Potential Providers "Section 9 Mark"}}{\text{Highest "Section 9 Mark"}} \times \frac{15}{\text{Maximum Mark Available}}$$

## 4.9 Section 10 – Capacity and Experience

### 4.9.1 Section 10.1 - Capacity

4.9.1.1 Responses to the question 10.1 will be assessed and awarded a 'pass' or a 'fail' based on the criteria set out below:

Marking Scheme	Evaluation Criteria
Pass	Yes
Fail	No

4.9.1.2 If, following completion of the assessment of responses to questions 10.1 any response is determined to constitute a 'fail', your Stage 1 Tender Submission will be excluded from further participation in the Procurement.

### 4.9.2 Section 10.2 - Experience (Weighted 70%)

4.9.2.1 You must download the Experience Worksheet (Attachment 2a) in the e-Sourcing Suite.

4.9.2.2 You must ensure that you read the Instructions tab.

4.9.2.3 You must not alter, amend or change the format or layout of the Experience Worksheet (Attachment 2a). You must not insert or attach any notes or comments into any of the worksheet tabs or upload a separate attachment. Any such additional information will be disregarded by the Authority.

4.9.2.4 You must complete the Experience Worksheet (Attachment 2a) in accordance with the instructions provided within the worksheet.

- 4.9.2.5 You must insert the required information into the cells which are highlighted in green in accordance with the instructions provided within the Experience Worksheet (Attachment 2a).
- 4.9.2.6 The numbers that you insert into the cells highlighted in green in Table A will calculate the weighted total for each sector area in Table B which will then automatically calculate your “Total Mark for Section 10.2 Experience Worksheet” in Table C of the Experience Worksheet tab.
- 4.9.2.7 You must upload your completed– Experience Worksheet (Attachment 2a) to question 10.2 using the paperclip icon aligned to the question. Your Attachment should be entitled “10.2[insert your company name]”.
- 4.9.2.8 You must answer ‘Yes’ to question 10.2 to confirm that you have downloaded, completed and uploaded Experience Worksheet (Attachment 2a) to the e-Sourcing Suite.
- 4.9.2.9 The Potential Provider with the highest “Total Mark for Section 10.2 Experience Worksheet” in Table C will be awarded the maximum marks available (70 marks). The remaining Potential Providers shall be awarded a percentage of the maximum mark available equal to their “Total Mark for Section 10.2 Experience Worksheet” relative to the highest “Total Mark for Section 10.2 Experience Worksheet” submitted.

**4.9.2.10** The calculation used is as follows:

$$\text{Section 10.2 Score} = \frac{\text{Potential Providers "Total Mark for Section 10.2 Experience Worksheet"}}{\text{Highest "Total Mark for Section 10.2 Experience Worksheet"}} \times \frac{70}{\text{Maximum Mark Available}}$$

#### 4.10 Section 11 – Collaborative Working

- 4.10.1 Responses to question 11.1a in Section 11 – Collaborative Working are for information only.
- 4.10.2 Responses to question 11.1b in Section 11 – Collaborative Working will be assessed and awarded a ‘pass’ or a ‘fail’ based on the criteria set out below.

Marking Scheme	Evaluation Criteria
Pass	Yes
Fail	No

- 4.10.3 If, following completion of the assessment of responses to question 11.1b any response is determined to constitute a ‘fail’, the Tender Submission will be excluded from further participation in the Procurement.

#### 4.11 Eligibility Score

- 4.11.1 When the marks for Section 8.2, Section 9 and Section 10.2 have been determined they will be added together to determine an overall Eligibility Score. See worked example in the table below:

Section	Maximum Mark Available	Section Mark
Section 8.2 Score	15	15
Section 9 Score	15	10
Section 10.2 Score	70	60
<b>Eligibility Score</b>		<b>85</b>

## 5. SELECTION OF TENDER SUBMISSION FOR STAGE 2 SUITABILITY

- 5.1 Following evaluation of Stage 1 Tender Submissions, those Potential Providers whose Stage 1 Eligibility Questionnaires meet the criteria set out below will be ranked by the Eligibility Score achieved from the highest score downwards:
- 5.1.1 pass the compliance / validation at paragraph 4.2 above;
  - 5.1.2 meet the economic and financial standing requirements at paragraph 4.3 above;
  - 5.1.3 meet the licensing and registration requirements at paragraph 4.4 above;
  - 5.1.4 meet the standards set out in Regulation 58 at paragraph 4.5 above; and
  - 5.1.5 achieve a 'pass' to all the questions at Section 7 at paragraph 4.6 above
  - 5.1.6 achieve a 'pass' to all the questions at Section 8.1 at paragraph 4.7.1 above;
  - 5.1.7 achieve a 'pass' to the question at Section 10.1 at paragraph 4.9.1; and
  - 5.1.8 achieve a 'pass' to all the questions at Section 11 at paragraph 4.10 above.
- 5.2 Only the top 50 scoring Potential Providers will be invited to participate in Stage 2 Suitability of this Procurement.
- 5.3 Where there are more than 50 eligible Potential Providers, those ranked 1st to 50th will be invited via the e-sourcing suite to participate in Stage 2 – Suitability.
- 5.4 Where there are less than 50 Potential Providers who participate in Stage 1 then all eligible Potential Providers who are deemed to have satisfied the Stage 1 Eligibility requirements will be invited to participate in Stage 2 Suitability.
- 5.5 Where two or more Potential Providers have tied scores and are in any position except for the last position, the number of Potential Providers will fill the positions immediately following the position that they have tied for. For instance where two Potential Providers are tied in 43<sup>rd</sup> position they will occupy that 43<sup>rd</sup> position as well as the 44<sup>th</sup> position respectively for the purpose of calculating the top 50 Potential Providers. An example illustrating is shown below:

Rank	Provider	Eligibility Score	Invited to participate in Stage 2 Suitability	Reasoning
40	Potential Provider A	87.88	Yes	
41	Potential Provider B	88.99	Yes	

42	Potential Provider C	87.44	Yes	
43	Potential Provider D	86.22	Yes	Tied places in any other position other than last will take respective ranked positions as detailed.
44	Potential Provider E	86.22	Yes	
45	Potential Provider F	84.87	Yes	
46	Potential Provider G	83.12	Yes	
47	Potential Provider H	82.65	Yes	
48	Potential Provider I	81.25	Yes	
49	Potential Provider J	80.21	Yes	
50	Potential Provider K	79.21	Yes	
51	Potential Provider M	77.21	No	Potential Providers ranked 51st and below not be invited to participate in Stage 2 and will be excluded from this Procurement.

- 5.6 Where there are two or more Potential Providers who have tied scores and are placed in the last position (50th) position, the Authority will apply a tie breaker and the Potential Provider who obtained the highest score in Section 10.2 Experience Worksheet score of the Eligibility Questionnaire will be taken through to Stage 2.
- 5.7 In the event that there are still two or more Potential Providers who have tied scores following the tie break process outlined in paragraph 9.3.7 then the Authority will use the number of Optional Specialisms offered by the Potential Providers as a further tie break criteria. The Potential Provider offering the highest number of Optional Specialisms will be taken through to Stage 2.
- 5.8 Potential Providers ranked 51st and below will be excluded from this Procurement by the Authority and notified accordingly via the e-Sourcing Suite.

## 6. ELIGIBILITY STAGE – EVALUATION SUMMARY TABLE

Section			Evaluated
<b>1. Potential Provider Information</b>			
1.1	Organisational Details	Compliance	N/A
1.2	Immediate Parent Company Name	Compliance	N/A
1.3	Ultimate Parent Company Name	Compliance	N/A
1.4	Trading Status	Compliance	N/A
1.5	Trading Status – Other	Compliance	N/A
1.6	SME	Compliance	N/A
<b>2. Bidding Model</b>			
2.1	Whether bidding as the Lead Contact for a Group of Economic Operators	Compliance	N/A
2.2	Name of Group of Economic Operators (if applicable)	Compliance	N/A
2.3	Whether you intend to form a single legal entity	Compliance	N/A
2.4	Proposed Legal Structure if awarded a place on the Panel	Compliance	N/A
2.5	Details for each member of Group of Economic Operators	Compliance	N/A
2.6	Use of Key Sub Contractors	Compliance	N/A
2.7	Details of Key Sub Contractors	Compliance	N/A
<b>3. Licensing and Registration</b>			
3.1 (a-c)	Licensing and Registration	Evaluation	Pass/Fail
<b>4. Grounds for Mandatory Exclusion</b>			
4 (a-e)	Grounds for Mandatory Exclusion	Evaluation	Pass/Fail
<b>5. Grounds for Discretionary Exclusion – Part 1</b>			
5.1 (a-k)	Grounds for Discretionary Exclusion	Evaluation	Pass/Fail
<b>6. Grounds for Discretionary Exclusion – Part 2</b>			
6.1 – 6.3	Grounds for Discretionary Exclusion	Evaluation	Pass/Fail
<b>7. Panel Agreement Specific Requirements</b>			
7.1 (a-c)	Quality Assurance	Evaluation	Pass/Fail
7.2 (a)	Insurance	Evaluation	Pass/Fail

7.3 (a)	Information Security Risks	Evaluation	Pass/Fail
7.3 (b)	Information Security Management	Evaluation	Pass/Fail
7.4 (a)	Business Continuity	Evaluation	Pass/Fail
7.5 (a-b)	Modern Slavery Act 2015	Evaluation	Pass/Fail
7.6 (a-c)	Skills and Apprentices	Evaluation	Pass/Fail
7.7 (a-h)	Value Added Panel Services	Evaluation	Pass/Fail
7.8 (a)	Cyber Essentials Plus	Evaluation	Pass/Fail
<b>8. Strategic Commitment towards Government Work</b>			
8.1 (a-b)	Strategic Position	Evaluation	Pass/Fail
8.2 (a-b)	Strategic Commitment	Evaluation	Scored
<b>9. Infrastructure Capability</b>			
9 (a-c)	Infrastructure Capability	Evaluation	Scored
<b>10. Capacity and Experience</b>			
10.1	Capacity	Evaluation	Pass/Fail
10.2	Experience	Evaluation	Scored
<b>11. Collaborative Working</b>			
11.1 (a)	Collaborative Working	Information Only	N/A
11.1 (b)	Collaborative Working	Evaluation	Pass/Fail

## 7. ELIGIBILITY QUESTIONNAIRE AND GUIDANCE

- 7.1 The questions contained within the Eligibility Questionnaire along with the Marking Scheme and Maximum Score Available (where applicable) for each question is set out below:
- 7.2 You cannot submit your responses using this document – you must complete and submit only the online version of Stage 1 Eligibility Questionnaire in the e-Sourcing Suite.

### Participation Requirements Questionnaire

For the avoidance of doubt in the Participation Requirements questions “we” refers to the Potential Provider.

Requirement number	Participation Requirement	Response
PART A - Conditions of Participation		
PR1	We accept the Terms of Participation as set out in Attachment 9	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR2	We accept the draft Terms and Conditions as set out in Attachment 7 Panel Agreement; Attachment 7a Panel Agreement Schedule 2: Part A Panel Services and Attachment 8 Panel Agreement Schedule 4 – Legal Services Contract and Order Form	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR3	We will unreservedly deliver in full, all the mandatory Panel Service requirements as set out in Attachment 7a Panel Agreement Schedule 2, Part A: Panel Services.	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR4	We will ensure that our organisation has a commitment to deliver Central Government legal work through this Panel Agreement RM3786.	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR5	<p>We accept and undertake as evidence of our commitment to Central Government legal work, that we will (i) accept Orders and (ii) respond to invitations to participate in Further Competitions for the provision of Mandatory Panel Services from the Authority and/or Panel Customers, as set out in paragraph 3.2.1 of Attachment 7a Panel Agreement Schedule 2: Part A Panel Services, unless i can demonstrate that one of more of the following applies:</p> <ul style="list-style-type: none"> <li>• we have a conflict of interest in relation to the proposed Order and/or the relevant Panel Customer, which cannot be mitigated to the Panel Customer’s satisfaction; or</li> <li>• we do not have adequate resources available to properly service the Order; and/or</li> <li>• we do not have the necessary specialist expertise in the types of legal services, areas of legal practice and/or industry sector specialisms required for the provision of such</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	Mandatory Panel Services as may be requested by the Authority and/or Panel Customer(s).	
PR6	We confirm that we, including named Key Sub Contractors and all Group of Economic Operators members comply with all the statements in the Attachment 10 Declaration Of Compliance	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>Response guidance PR1, PR2, PR3, PR4, PR5 and PR6</b></p> <p>You are required to answer “Yes” to confirm your acceptance of the conditions set out in these documents. <b>If you do not answer “Yes” to these questions you cannot participate in this Procurement.</b></p>		



PART B - eSourcing Tool Guidance		
PR7	<p>We have read Attachment 11 Supplier Guidance, Part B - Tendering and Further Competitions'</p> <p><a href="https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers">https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers</a></p> <p>(select e-Sourcing tool guidance: how to respond to tenders and further competitions)</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR8	<p>We understand that it is essential to press the red 'Submit all Draft Bids' button to correctly submit our completed Stage 1 Tender Submission and confirm we have read and understood the instructions on where and how to do this in paragraph 8.9 of Attachment 11 the "e-Sourcing Supplier Guidance, Part B - Tendering and Further Competitions"</p> <p><a href="https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers">https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers</a></p> <p>(select e-Sourcing tool guidance :how to respond to tenders and further competitions)</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR9	<p>We understand that to send a message to the Authority's procurement team we must ensure that the name of the procurement is in the context field and 'ALL HOSTS' is selected in the 'TO' box</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><b>Response guidance PR7, PR8 and PR9</b></p> <p>You are required to answer "Yes" to confirm your understanding of how to use the e-Sourcing tool appropriately in this Procurement. <b>If you cannot answer "Yes" to these questions you are at significantly increased risk of misunderstanding the Procurement and of submitting a sub-optimal or a non-compliant Tender Submission.</b></p>		

## 1. Potential Provider Information

The information that you provide in this section will be assessed in accordance with paragraph 4.2 – Compliance / Validation.

Question number	Question	Response
1.1	Organisation Details <ul style="list-style-type: none"> <li>• Company registration number (if applicable)</li> <li>• Full name of the Potential Provider submitting the Tender (For a Group of Economic Operators this will be the lead Contact)</li> <li>• Registered office address</li> <li>• Date of registration in country of establishment</li> <li>• Registered VAT number</li> <li>• DUNS number</li> </ul>	complete table in the eSourcing suite
1.2	Name of immediate Parent Company	character limit 255
1.3	Name of ultimate Parent Company	character limit 255
1.4	Trading status <ul style="list-style-type: none"> <li>• public limited company</li> <li>• limited company</li> <li>• limited liability partnership</li> <li>• other partnership</li> <li>• OTHER (please specify)</li> </ul>	Use Pick list
1.5	If you responded OTHER to 1.4 please specify, in the following text field, your trading status.	character limit 255
1.6	Is your organisation a Small or Medium Enterprise?  Guidance on what is an SME can be found by accessing the following web link:  <a href="http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/">http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/</a>	<input type="checkbox"/> Yes  <input type="checkbox"/> No

## 2. Bidding Model

The information that you provide in this section will be assessed in accordance with paragraph 4.2 – Compliance / Validation.

Question number	Question	Response
2.1	Are you bidding as the Lead Contact for a Group of Economic Operators? If 'Yes', please provide details listed in questions 2.2, 2.3, 2.4 and 2.5.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.2	Name of Group of Economic Operators (if applicable)	character limit 255
2.3	Do you intend to form a single legal entity prior to signing the Panel Agreement, if awarded?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.4	If you responded 'Yes' to question 2.3 please detail the Group of Economic Operators proposed legal structure Enter N/A if not applicable	character limit 255
2.5	If you responded 'Yes' to question 2.1, please provide additional <b>details for each member</b> in following table: <ul style="list-style-type: none"> <li>• Name</li> <li>• Registered address</li> <li>• Trading status</li> <li>• Company registration number</li> <li>• Registered VAT number</li> <li>• SME</li> <li>• The role each member will take in providing the Panel Services</li> <li>• The approximate % of orders/mandates/instructions to be assigned to each member i.e. Mandatory Panel Services and where applicable, Optional Panel Service requirements.</li> </ul> Enter N/A in the first table cell if not applicable	complete table in the eSourcing suite
2.6	Are you or, if applicable, the Group of Economic Operators proposing to use Key Sub Contractors?	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.7	If you responded 'Yes' to question 2.6, please provide additional <b>details for each Key Sub Contractor</b> in the following table: <ul style="list-style-type: none"> <li>• Name</li> <li>• Registered address</li> <li>• Trading status</li> </ul>	complete table in the eSourcing suite

	<ul style="list-style-type: none"> <li>• Company registration number</li> <li>• Registered VAT number</li> <li>• SME</li> <li>• The role each Key Sub Contractor will take in providing the Panel Services</li> <li>• The approximate % of orders/mandates/instructions to be assigned to each Key Sub Contractor i.e. Mandatory Panel Services and where applicable, Optional Panel Service requirements.</li> </ul> <p>Enter N/A in the first table cell if not applicable.</p>	
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### **Please Note**

If you are bidding as a Lead Contact, you must answer the remaining questions in this Stage 1 Eligibility Questionnaire and provide evidence requested in respect of each member of the Group of Economic Operators, unless the question specifically directs otherwise and

If you or, if applicable, the Group of Economic Operators are proposing to use Key Sub Contractors, you must answer the remaining questions in this Stage 1 Eligibility Questionnaire and provide any evidence requested in respect of your organisation and, if applicable, the Group of Economic Operators and each of the proposed Key Sub Contractors, unless the question specifically directs otherwise.

### **3. Licensing and Registration**

You are required to answer 'Yes' to each question in this section. **If you do not answer 'Yes' to questions 3.1a and 3.1b you will be excluded from further participation in this Procurement.** The information that you provide in this section will be assessed in accordance with paragraph 4.4 of this Stage 1 Guidance.

Question number	Question	Response
3.1a	Please self-certify that your business is registered with the Solicitors Regulation Authority or an equivalent regulatory body?	<input type="checkbox"/> Yes <input type="checkbox"/> No
3.1b	In relation to the Panel Services intended to be provided by the Potential Provider please self-certify that you will ensure all practicing Solicitors hold a current Practising Certificate.	<input type="checkbox"/> Yes <input type="checkbox"/> No

#### 4. Grounds for Mandatory Exclusion

This section will be evaluated Pass / Fail. You are required to answer 'No' to each question in this section. **If you answer 'Yes' to these questions and do not provide evidence of 'self-cleaning' which is acceptable to the Authority you will be excluded from further participation in this Procurement.**

You will be excluded from this Procurement if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

##### **'Self-cleaning'**

If you answer 'Yes' to questions 4a, 4b and 4c, you are required to provide sufficient evidence, in a separate attachment. This should be attached to question 4c(xii) and entitled "4c(xii) [insert your organisation name]", and provide 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 you have 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 Potential Provider concerned shall be allowed to continue in this Procurement. .

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.

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

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

If you have answered 'Yes' to question 4d on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details at question 4e. You may contact the Authority for advice before completing this Questionnaire.

Question number	Question	Response
4a	<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 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(1) of the Regulations as defined by the law of any jurisdiction outside England and Wales and Northern Ireland?</p>	
4a(i)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4a(ii)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4a(iii)	the common law offence of bribery;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4a(iv)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4b	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:	
4b(i)	the common law offence of cheating the Revenue;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4b(ii)	the common law offence of conspiracy to defraud;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4b(iii)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4b(iv)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No

4b(v)	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;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4b(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
4b(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
4b(viii)	fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or	<input type="checkbox"/> Yes <input type="checkbox"/> No
4b(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
4c	any offence listed —	
4c(i)	in section 41 of the Counter Terrorism Act 2008; or	<input type="checkbox"/> Yes <input type="checkbox"/> No
4c(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
4c(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
4c(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
4c(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
4c(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
4c(vii)	an offence under section 59A of the Sexual Offences Act 2003;	<input type="checkbox"/> Yes <input type="checkbox"/> No



4c(viii)	an offence under section 71 of the Coroners and Justice Act 2009	<input type="checkbox"/> Yes <input type="checkbox"/> No
4c(ix)	an offence under section 2 or 4 of the Modern Slavery act 2015	<input type="checkbox"/> Yes <input type="checkbox"/> No
4c(x)	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; or	<input type="checkbox"/> Yes <input type="checkbox"/> No
4c(xi)	any other offence within the meaning of Article 57(1) of the Public Contracts Directive— (i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or (ii) 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
4c(xii)	If you answer 'Yes' to any of the questions 4a, 4b and 4c you are required to provide evidence of 'self-cleaning' (see Regulation 57 (13) of the Regulations) against the relevant conviction.  This should be attached to this question 4c(xii) and entitled "4c(xii) [insert your organisation name]"	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Upload Attachment
4d	Regulation 57 (3) –  Has it been established, for your organisation and/or any of your or the Group of Economic Operators' proposed Key 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
4e	If you have answered YES to question 4d, please provide further details to confirm whether you and/or any of your or the Group of Economic Operators' proposed Key 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 the taxes or social security obligation, including where applicable any accrued interest and/or fines?	character limit 4096

## 5. Grounds for Discretionary Exclusion – Part 1

This section will be evaluated Pass / Fail. You are required to answer 'No' to questions 5.1a to 5.1j in this section. **If you answer 'Yes' to these questions and do not provide evidence of 'self-cleaning' which is acceptable to the Authority you will be excluded from further participation in this Procurement.**

### **Conflicts of interest**

In accordance with question 5.1(e), the Authority may exclude the Potential Provider if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of this Procurement.

Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Potential Provider to inform the Authority, detailing the conflict in a separate Appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the Authority should not represent a conflict of interest for the Potential Provider.

For the avoidance of doubt, this question is not about whether a Potential Provider has a conflict of interest (or a potential conflict of interest) as described in the SRA Code of Conduct.

### **'Self-cleaning'**

If you answer 'Yes' to questions 5.1a, 5.1b and 5.1c, you are required to provide sufficient evidence, this should be attached to question 5.1(k) and entitled "5.1(k) [insert your organisation name]" and provide 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 that you have 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 Potential Provider concerned shall be allowed to continue in this Procurement.

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.**

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

Question number	Question	Response
5.1	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 Key Sub Contractors and/or members of your Group of Economic Operators :	
5.1a	An organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts Regulation 2015 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
5.1b	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
5.1c	An organisation is guilty of grave professional misconduct, which renders its integrity questionable;	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1d	An organisation has entered into agreements with other economic operators aimed at distorting competition;	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1e	An organisation has a conflict of interest within the meaning of regulation 24 of the Public Contracts Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1f	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
5.1g	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

5.1h	An organisation has:	
5.1h(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; or	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1h(ii)	Withheld such information or is not able to submit supporting documents required under Regulation 59; or	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1i	The organisation has undertaken to:	
5.1i(a)	Unduly influence the decision-making process of the Authority , or	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1i(b)	Obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure; or	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.1j	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
5.1k	<p>If you answer 'Yes' to any of the above questions 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 5.1k and entitled "5.1k [insert your organisation name]"</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Upload Attachment

## 6. Grounds for Discretionary Exclusion – Part 2

This section will be evaluated Pass / Fail. **If you answer ‘Yes’ to questions 6.1 and 6.2 and do not provide evidence to demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent any reoccurrence you may be excluded from further participation in this Procurement.**

The Authority reserves the right to use its discretion to exclude a Potential Provider where it can demonstrate the Potential Provider’s non-payment of taxes/social security contributions where no binding legal decision has been taken.

Question number	Question	Response
From 1 April 2013 onwards, have any of your company’s tax returns submitted on or after 1 October 2012;		
6.1	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
6.2	Been found to be incorrect as a result of: <ul style="list-style-type: none"><li>• HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the “Halifax” abuse principle; or</li><li>• A Tax Authority in a jurisdiction in which the legal entity 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</li><li>• 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.</li></ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No

6.3	<p>If answering “Yes” to either 6.1 or 6.2 above, the Potential Provider may provide details of any mitigating factors that it considers relevant and that it wishes the Authority to take into consideration. This could include, for example:</p> <ul style="list-style-type: none"> <li>• Corrective action undertaken by the Potential Provider to date;</li> <li>• Planned corrective action to be taken;</li> <li>• Changes in personnel or ownership since the Occasion of Non-Compliance (OONC); or</li> <li>• Changes in financial, accounting, audit or management procedures since the OONC.</li> </ul> <p>In order that the Authority can consider any factors raised by the Potential Provider, the following information should be provided:</p> <ul style="list-style-type: none"> <li>• A brief description of the occasion, the tax to which it applied, and the type of “non-compliance” e.g. whether HMRC or the foreign Tax Authority has challenged pursuant to the GAAR, the “Halifax” abuse principle etc.</li> <li>• Where the OONC relates to a DOTAS, the number of the relevant scheme.</li> <li>• The date of the original “non-compliance” and the date of any judgement against the Potential Provider, or date when the return was amended.</li> <li>• The level of any penalty or criminal conviction applied.</li> </ul> <p>If you have answered “Yes” to question 6.1 or 6.2 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> <p>If the investigation upheld the complaint against your organisation, please use an attachment to explain what action (if any) you have taken to prevent any reoccurrence.</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 any reoccurrence.</p> <p>This should be attached to question 6.3 and entitled “6.3 [insert your organisation name]”</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Upload Attachment
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## 7. Panel Agreement Specific Requirements

This section will be evaluated “Pass / Fail”. You are required to answer ‘Yes’ to each question in this section. If you do not answer ‘Yes’ to these questions you will be excluded from further participation in this Procurement.

If you self-certify that you meet the Panel Agreement specific requirements you will be required to provide evidence, if you are successful at the Panel Agreement award stage.

### 7.1 Quality Assurance

Question number	Question	Response
7.1a	<p>In relation to the Panel Services intended to be provided, please self-certify that you comply with at least one of the following criteria:</p> <p>i) you have a current ISO 9001 Quality Assurance Certificate registered by a UKAS accredited organisation for UK Potential Providers (or equivalent) or for non-UK Potential Providers equivalent national certification; or a current EFQM ‘Committed to Excellence’ Assessor’s Report</p> <p>OR</p> <p>ii) you are working towards ISO 9001 Quality Assurance or equivalent certification</p> <p>OR</p> <p>iii) you have a documented Quality Management System based on the principles of ISO 9001 or the European Foundation for Quality Management (EFQM) Excellence Model criteria or equivalent.</p> <p>Please do not submit any documentation at this stage.</p>	<input type="checkbox"/> Yes  <input type="checkbox"/> No
7.1b	<p>In relation to the Panel Services intended to be provided, please self-certify that you comply with at least one of the following criteria:</p> <p>i) you have a current ISO 9001 2008 certification which is the people investor, or equivalent certification;</p> <p>OR</p> <p>ii) you are working towards ISO 9001 2008 certification which is the people investor, or equivalent certification.</p>	<input type="checkbox"/> Yes  <input type="checkbox"/> No
7.1c	<p>In relation to the Panel Services intended to be provided, please self-certify that you comply with at least one of the following criteria:</p> <p>i) you have a current Lawnet Quality Standards certification, or equivalent certification;</p> <p>OR</p> <p>ii) you are working towards Lawnet Quality Standards certification, or equivalent certification.</p>	<input type="checkbox"/> Yes  <input type="checkbox"/> No

## 7.2 Insurance

Question number	Question	Response
7.2a	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the Panel Agreement, the levels of insurance cover indicated below:</p> <p>Employer's (Compulsory) Liability Insurance = £5,000,000  Public Liability Insurance = £1,000,000  Professional Indemnity Insurance = £10,000,000</p> <p>It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5,000,000 as a minimum. Please note this requirement is not applicable to Sole Traders.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 7.3 Information Security Risks

Question number	Question	Response
7.3a	<p>In relation to the Panel Services intended to be provided, please self-certify that you comply with at least one of the following criteria:</p> <p>i) you conform to and fully implement the recommendations of the ISO/IEC27002(previously ISO 17799 &amp; BS7799-1) code of practice or equivalent</p> <p>OR</p> <p>ii) you are working towards ISO/IEC 27002 conformance and implementation of the recommendations or equivalent.</p> <p>OR</p> <p>iii) you have a documented set of controls for addressing Information Security Risks that implements the recommendations of ISO/IEC 27002 or equivalent.</p> <p>Please do not submit any documentation at this stage.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No



### 7.3 Information Security Management

Question number	Question	Response
7.3b	<p>In relation to the Panel Services intended to be provided, please self-certify that you comply with at least one of the following criteria:</p> <p>i) you conform to and fully implement the recommendations of the ISO/IEC27001 or equivalent</p> <p>OR</p> <p>ii) you are working towards ISO/IEC 27001 conformance and implementation of the recommendations or equivalent.</p> <p>OR</p> <p>iii) you have a documented set of controls for addressing Information Security Management that implements the recommendations of ISO/IEC 27001 or equivalent.</p> <p>Please do not submit any documentation at this stage.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

### 7.4 Business Continuity

Question number	Question	Response
7.4a	<p>In relation to the Panel Services intended to be provided, please self-certify that you comply with at least one of the following criteria:</p> <p>i) you have a current ISO 22301 certification or equivalent.</p> <p>OR</p> <p>ii) you are working towards adherence to ISO 22301 certification or equivalent</p> <p>OR</p> <p>iii) you have a documented plan for reviewing and testing your plans to ensure business continuity in line with the ISO 22301 or equivalent principles.</p> <p>Please do not submit any documentation at this stage.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 7.5 Requirements under Modern Slavery Act 2015

Question number	Question	Response
7.5a	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"/> Not two
7.5b	If you have answered Yes to question 7.5a are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015  <a href="http://www.legislation.gov.uk/ukpga/2015/30/section/54/enacted">www.legislation.gov.uk/ukpga/2015/30/section/54/enacted</a>	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 7.6 Skills and Apprenticeships

Question number	Question	Response
7.6a	Public procurement of contracts with a full life value of £10 million 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.  <a href="#">Click here for PPN 14/15</a>  Please confirm if you will be supporting apprenticeships and skills development through this Panel Agreement.	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.6b	If you have answered "Yes" to question 7.6a, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills, development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation.	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.6c	Do you 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 by the Authority.	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 7.7 Value Added Panel Services and Knowledge Sharing – to be provided free of charge

Question number	Question	Response
Please indicate by selecting 'Yes' or 'No', that in the event you are awarded a place on the Panel Agreement, whether you will or will not provide the following Panel Services free of charge:		
7.7a	We will provide to the Authority a minimum of ten (10) days of free training (excluding preparation and travel time) every calendar year throughout the Panel Period, as set out in paragraph 3.11.2 of Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a)	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.7b	We will make available a minimum of two (2) suitably qualified and experienced Supplier Personnel (a "Seconded") per Contract Year for a minimum period of six (6) weeks, to support the delivery of the Ordered Panel Services as set out in paragraph 3.17.2 of Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a)	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.7c	We will make available suitably qualified and experienced Supplier Personnel for a minimum of two (2) exchange schemes per Contract Year in exchange for an equivalent number of Panel Customer Personnel for a minimum period of three (3) months, as set out in paragraph 3.17.1 of Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a)	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.7d	<p>We will make available to Panel Customers regularly and periodically throughout the Panel Term, free of charge, via email, printed publication or other form of presentation (as appropriate), know-how appropriate to the Panel Customer and/or the Panel Services provided by the Supplier to each Panel Customer, as set out in paragraph 3.1.1 of Panel Agreement Schedule 2 Part A: Panel Services. (Attachment 7a). This shall include (without limitation):</p> <ul style="list-style-type: none"> <li>• e-briefings, email alerts, hubs and webinars;</li> <li>• white papers, thought leadership, publications, subscriptions, insights and articles; and</li> <li>• invitations and access to breakfast briefings, seminars, conferences and events;</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.7e	We will make available to Panel Customers general use of and access to our physical and electronic reference libraries located at our offices, given appropriate security access, as set out in paragraph 3.11.1.4 of Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a).	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.7f	We will make available to Panel Customers invitations to masterclasses, and industry events as set out in paragraph 3.11.1.5 of Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a).	<input type="checkbox"/> Yes <input type="checkbox"/> No

7.7g	We will provide Panel Customers with an initial consultation of up to two (2) hours to discuss developing/new legal matters, at no cost to the Panel Customers, as set out in paragraph 3.10.1 of Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a).	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.7h	Matter Management administration will be free of charge for the Panel Customers at all times, as set out in paragraph 3.7.7 of Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a).	<input type="checkbox"/> Yes <input type="checkbox"/> No

## 7.8 Cyber Essentials Plus

Question number	Question	Response
7.8a	<p>In relation to the Panel Services required, please confirm that you comply with one (1) of the following criteria:</p> <p>(i) You have a current and valid Cyber Essentials Plus certificate (or equivalent) which has been awarded by one of the government approved Cyber Essentials accreditation bodies within the most recent twelve (12) months (or an equivalent from another member state);</p> <p>OR</p> <p>(ii) You have not got a current and valid Cyber Essentials Plus certificate (or equivalent) 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, thirty (30) days after the commencement date of the Framework Agreement;</p> <p>OR</p> <p>(iii) You have not got a current and valid Cyber Essentials Plus certificate (or equivalent) which has been awarded by one of the government approved Cyber Essentials accreditation bodies, but you can demonstrate (or, will be able to demonstrate thirty (30) days after the commencement date of the Panel Agreement that your organisation meets the technical requirements prescribed by the Cyber Essentials Scheme as detailed in the following link:</p> <p><a href="https://www.cyberstreetwise.com/cyberessentials/files/requirements.pdf">https://www.cyberstreetwise.com/cyberessentials/files/requirements.pdf</a></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 twelve (12) months) that your organisation demonstrates compliance with Cyber Essentials technical requirements;</p> <p>OR</p> <p>(iv) Your organisation is exempt from complying with the requirements at questions i), ii) and iii) above because your organisation conforms with the ISO27001 standard and the Cyber Essentials requirements have been included in the scope of that standard, and verified as such and</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	<p>the certification body 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).</p> <p>AND</p> <p>Where your organisation proposes to use Key Sub Contractors to carry out the Panel Services and these Key Sub Contractors shall be involved in handling sensitive and personal information with regard to the Panel Services, such Key Sub Contractors are compliant with either of the requirements of questions i), ii), iii) or iv).</p>	
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## 8 Strategic Commitment towards Government Work

### 8.1 Strategic Position

This section will be evaluated Pass / Fail. You are required to answer 'Yes' to each question in this section. If you do not answer "Yes" to these questions you will be excluded from further participation in this Procurement.

Question number	Question	Response
8.1a	Does your organisation have a strategic position written into its policies; strategic statement and/or business model or equivalent to service central government legal work?	<input type="checkbox"/> Yes <input type="checkbox"/> No
8.1b	Is there strong support from your organisation's top executive management and board to conduct central government work?	<input type="checkbox"/> Yes <input type="checkbox"/> No

### 8.2 Strategic Commitment

This section will be evaluated in accordance with the marking scheme set out below for each of the questions 8.2a and 8.2b. Refer to paragraph 4.7.2 of this Stage 1 Guidance for detailed information regarding how the evaluation will be conducted.

You will be required to provide evidence, if you are successful at the Panel Agreement Award stage.

Question number	Question	Response
Please indicate by selecting 'Yes', 'Yes will have in place' or 'No' that in the event you are awarded a place on the Panel Agreement, you will or will not be able to provide the following requirements as detailed in questions 8.2a and 8.2b below.		
8.2a	Does your organisation actively recruit "government" experts to fill skills and capacity gaps?	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, will have in place

		<input type="checkbox"/> No
Marking Scheme	Evaluation Guidance	
5	By selecting Yes, you confirm your organisation actively recruits “government” experts to fill skills and capacity gaps for the delivery of the Panel Services and these experts will be available for the delivery of the Panel Panel Services..	
2	By selecting Yes, will have in place you confirm that your organisation will actively recruit “government” experts to fill skills and capacity gaps for the delivery of the Panel Services, prior to a Legal Services Contract being awarded.	
0	By selecting No you have confirmed that your organisation has not and will not actively recruit “government” experts to fill skills and capacity gaps for the delivery of the Panel Services, for this Panel Agreement.	
8.2b	Does your organisation have “government” focussed skills and training programme delivered to your staff?	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, will have in place <input type="checkbox"/> No
Marking Scheme	Evaluation Guidance	
5	By selecting Yes, you confirm your organisation has “government” focussed skills and training programme delivered to its staff.	
2	By selecting Yes, will have in place you confirm your organisation will have “government” focussed skills and training programme delivered to its staff for the delivery of the Panel Services, prior to a Legal Services Contract being awarded.	
0	By selecting No you have confirmed that your organisation will not have “government” focussed skills and training programme delivered to its staff for the delivery of the Panel Services, for this Panel Agreement.	

## 9. Infrastructure Capability

This section will be evaluated in accordance with the marking scheme set out below for each of the questions 9a to 9c. Refer to paragraph 4.8 of this Stage 1 Guidance – Infrastructure Capability for detailed information regarding how the evaluation will be conducted.

You will be required to provide evidence, if you are successful at the Panel Agreement Award stage.

Question		Response
<p>Please indicate by selecting 'Yes', 'Yes will have in place' or 'No' that in the event you are awarded a place on the Panel Agreement, you will or will not be able to provide the following requirements as detailed in questions 9a to 9c below in the delivery of the Panel Services and that these will be provided free of charge.</p> <p>Potential Providers will be required to provide evidence of this if they are successful at Panel Agreement Award.</p>		
9a	An industry recognised Matter Management system.	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, will have in place <input type="checkbox"/> No
Marking Scheme	Evaluation Guidance	
5	By selecting Yes, you have in place a single industry recognised Matter Management system.	
2	By selecting Yes, will have in place a single industry recognised Matter Management system prior to Panel Agreement award.	
0	By selecting No you have confirmed that you do not have in place and/or will not have in place a single industry recognised Matter Management system for this Panel Agreement.	
9b	A strategy for digitalisation of virtual and physical storage.	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, will have in place <input type="checkbox"/> No
Marking Scheme	Evaluation Guidance	
5	By selecting Yes, you have in place a strategy for digitalisation of virtual and physical storage.	

2	By selecting Yes, will have in place within 12 months of Panel Agreement Award a strategy for digitalisation of virtual and physical storage.	
0	By selecting No you have confirmed that you do not have in place and/or will not have in place within 12 months of Panel Agreement Award a strategy for digitalisation virtual and physical storage.	
9c	An active procurement / costs reduction programme towards costs and disbursements.	<input type="checkbox"/> Yes <input type="checkbox"/> Yes, will have in place <input type="checkbox"/> No
Marking Scheme	Evaluation Guidance	
5	By selecting Yes, you have in place an active procurement / costs reduction programme towards costs and disbursements.	
2	By selecting Yes, will have in place within 12 months of Panel Agreement Award an active procurement / costs reduction programme towards costs and disbursements.	
0	By selecting No you have confirmed that you do not have in place and/or will not have in place within 12 months of Panel Agreement Award an active procurement / costs reduction programme towards costs and disbursements.	



## 10. Capacity and Experience

Question 10.1 will be evaluated Pass / Fail. You are required to answer 'Yes' to question 10.1 in this section. If you do not answer "Yes" to question 10.1 you will be excluded from further participation in this Procurement.

Refer to paragraph 4.9 of this Stage 1 Guidance of this document for detailed information regarding how the evaluation of question 10.2 will be conducted.

You may be required to provide evidence, if you are successful at the Panel Agreement Award stage.

Question number	Question	Response
10.1	<p>Does your organisation have at least one (1) practitioner at each of the Supplier Personnel/practitioner grade levels below, with a minimum of two (2) years' experience in each of the Mandatory Specialisms set out in Appendix 2 Panel Agreement Schedule 2 Part A: Panel Services (Attachment 7a)</p> <ul style="list-style-type: none"> <li>• Partner</li> <li>• Legal Director/Senior Solicitor/Senior Associate</li> <li>• Solicitor/Associate</li> <li>• Junior Solicitor</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No
10.2	<p>Please download Experience Worksheet (Attachment 2a) from the e-Sourcing Suite which contains an Instructions Tab that you must read detailing the information required to complete the Experience Worksheet.</p> <p>You must comply with the Instructions provided and upload the completed worksheet using the e-Sourcing Suite as part of your Stage 1 Tender Submission.</p> <p>Your Attachment should be attached to this question and entitled "10.2[insert your company name]"</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No  Upload Attachment

## 11. Collaborative Working

Refer to paragraph 4.10 – Collaborative Working of this document for detailed information regarding how the evaluation of this section will be conducted.

Question 11.1a will not be evaluated as this question is for information only. Question 11.1b will be evaluated “Pass / Fail”. You are required to answer ‘Yes’ to question 11.1b in this section. **If you do not answer ‘Yes’ to this question you will be excluded from further participation in this Procurement.**

Question number	Question	Response
11.1a	Have you worked in the last three (3) years collaboratively with another law firm in delivering a legal solution to a Customer?	<input type="checkbox"/> Yes <input type="checkbox"/> No
11.1b	Do you agree to work collaboratively with one (1) or more law firms and/or independent specialists as directed by the Authority and/or Customer, when required?	<input type="checkbox"/> Yes <input type="checkbox"/> No

## Appendix 1: STAGE 1 – ELIGIBILITY EVALUATION CRITERIA AND WEIGHTINGS

	Section	Question	Sub Weighting
<div>Eligibility Score 100%</div>	8.2	Strategic Commitment	15%
		8.2a	
		8.2b	
	9	Infrastructure Capability	15%
		9a	
		9b	
		9c	
	10.2	Experience Excel Workbook	70%