**CONTRACT DOCUMENTATION**

**FOR THE PROVISION**

**OF**

**AERIAL SYSTEM**

**SERVICING AND MAINTENANCE**

# SUITABILITY ASSESSMENT

**SUITABILITY ASSESSMENT**

The Suitability Assessment consists of 3 parts as below:

1. Part 1-Financial Checks
2. Part 2-Policies, Ability and Experience
3. Part 3-Mandatory and Discretionary Exclusions

The Tenderers must achieve PASS in all 3 parts in order to be considered for the further participation in the procurement.

We will not check the submission of the Tenderer who has failed the Suitability assessment part.

**Part 1-Financial Checks:**

The Financial Checks will be carried out based on the following criteria:

1. **Identification Checks**-Registration number, address etc. will be checked
2. **Accounting Checks** -last 2 years accounts, Auditors report (if applicable) and time scale of account submitted (if submitted within required time or not), will be checked
3. **Credit rating checks-** D&B credit report will be used to check Risk Indicator and Financial Strength. D&B Failure score less than 35% and Financial Strength less than F (tangible net worth less than £35,000) will not be accepted.
4. **Contract value to Turnover ratio** -maximum accepted percentage threshold 50%
5. **Level of Insurance Cover**-Adequate cover required-Employers & Public Liability Insurance-min £5m, Professional Indemnity Insurance-min £1m
6. **Insolvency Checks**-to ensure the supplier or any directors are not classed as Insolvent

In order to achieve PASS in the Financial Checks, the supplier will have to have acceptable result in all the above 6 areas.

**1 - Supplier information**

|  |  |  |
| --- | --- | --- |
| **1.1 Supplier details** | **Answer** | |
| Full name of the Supplier |  | |
| Registered company address |  | |
| Registered company number |  | |
| Registered charity number |  | |
| Registered VAT number |  | |
| Name of immediate parent company |  | |
| Name of ultimate parent company |  | |
| Please mark ‘X’ in the relevant box to indicate your trading status | i) a public limited company | ▢ Yes |
| ii) a limited company | ▢ Yes |
| iii) a limited liability partnership | ▢ Yes |
| iv) other partnership | ▢ Yes |
| v) sole trader | ▢ Yes |
| vi) other (please specify) | ▢ Yes |
| Please mark ‘X’ in the relevant boxes to indicate whether any of the following classifications apply to you | i)Voluntary, Community and Social Enterprise (VCSE) | ▢ Yes |
| ii) Small or Medium Enterprise (SME) [[1]](#footnote-1) | ▢ Yes |
| iii) Sheltered workshop | ▢ Yes |
| iv) Public service mutual | ▢ Yes |

|  |  |
| --- | --- |
| **1.2 Contact details** | |
| Supplier contact details for enquiries | |
| Name |  |
| Postal address |  |
| Country |  |
| Phone |  |
| Mobile |  |
| E-mail |  |

**2- Financial information**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | | | **FINANCIAL INFORMATION** | |
|  | | |  | |
| 2.1 | | | **Please provide one of the following to demonstrate your economic/financial standing;**  Please indicate your answer with an ‘X’ in the relevant box. | |
| 1. A copy of the audited accounts for the most recent two years |  |
| 1. A statement of the turnover, profit & loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation (if trading for less than 2 years) |  |
|  |  |
| 1. Alternative means of demonstrating financial status if any of the above are not available (e.g. Forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |
| 2.2 | | | **(a) Are you part of a wider group (e.g. a subsidiary of a holding/parent company)?**  If yes, please provide the name below:   |  |  | | --- | --- | | Name of the organisation |  | | Relationship to the Supplier |  |   If yes, please provide Ultimate / parent company accounts if available.  If yes, would the Ultimate / parent company be willing to provide a guarantee if necessary?  If no, would you be able to obtain a guarantee elsewhere (e.g from a bank?) | ▢ Yes  ▢ No  ▢ Yes  ▢ No  ▢ Yes  ▢ No |
|  | **3- Insurance Information** | |  | |
|  | INSURANCE INFORMATION | |  | |
| 3.1 | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below.  If you already have the Insurance, please enclose a copy of the certificates.  Employer’s (Compulsory) Liability Insurance = £5m Public Liability Insurance = £5m Professional Indemnity Insurance = £1m Product Liability Insurance = £1m  \* It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | | ▢ Yes  ▢ No | |

**Part 2-Policies, Ability & Experience:**

An assessment of Tenderer’s H&S Management, Environmental Management, Staff Training, Equality & Diversity Compliance and Ability, Experience in the similar areas along with the References will be carried out.

Each element of Part-2 will be assessed and scored on a scale of 0 to 10 using a predefined judgement basis as follows:

|  |  |  |
| --- | --- | --- |
| **Performance** | **Judgement** | **Score** |
| Meets the standard almost /completely | Excellent | 9-10 |
| Meets the standard well but not completely | Good | 7-8 |
| Meets the standard in majority of aspects but fails in some | Satisfactory | 5-6 |
| Fails to meet the standard in majority of aspects but meets in some | Unsatisfactory | 3-4 |
| Significantly fails to meet the standard | Poor | 1-2 |
| Completely fails to meets the standard | Failed | 0 |

Minimum overall mark required to achieve ‘PASS’ in Part-2 is 50%

The tenderers will be required to submit the following details/ documents along with the Tender to show their compliance and management of the policies, abilities and experiences required for this particular contract.

1. **H&S Management**- to include

* Policy Statement that includes:
  + Management and Supervisory structure indicating H&S responsibilities of Directors, managers, supervisors, employees and sub-contractors
  + Procedure for identifying hazards
  + Procedure for managing asbestos and COSHH
  + Additional arrangements
* Risk assessment and method statement for working at heights, in communal areas and COSHH
* Process of regular communications regarding H&S management with the staff and stakeholders

1. **Environmental Management**-to include

* A copy of Environmental policy
* Examples of policy put in place during recent projects

1. **Staff Training Management**-to include

* Organisation’s policy towards staff development
* Evidence of training completed by staff, training matrix and competency evaluation process

1. **Equality and Diversity compliance**-to include

* Equality & Diversity Policy
* Evidence in the form of advertisement and other literatures to show compliance
* Details of any findings of unlawful discrimination made against your organisation, and/or complaint upheld following an investigation by the Equality and Human Right Commission.

1. **Ability, Experience and References**

* 1. Please list the certification, accreditation and membership of relevant professional bodies including OHSAS18001, CHAS or Construction Line (if relevant), which your organisation currently holds, and also provide registration details /attach evidence as necessary.

1. ...............................................................................................................
2. …………………………………………………………………………………
3. …………………………………………………………………………………
4. …………………………………………………………………………………
5. …………………………………………………………………………………
   1. Details of Completed Contracts:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name and Address of Organisation and contact details | Contract | Scope of Services Provided | Value (£) and Duration of Contract | Nature of Work | Date of Contract |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

* 1. References from current clients- see attached Reference Request Letter and Form which you need to forward it to 3 current clients willing to act as a referee. (You are entirely responsible for ensuring that references are returned as per the instruction in the letter before the expiry of the ITT deadline.

**Part 3-Mandatory and Discretionary Exclusions:**

In this part, tenderers will be asked a number of questions under Mandatory grounds for exclusions and discretionary ground for exclusions. The tenderers will be excluded from the procurement if any of the mandatory grounds for rejection apply. The contracting Authority (SBHA) could exclude the Tenderers from the procurement if any of the discretionary grounds for exclusion apply.

**Mandatory Exclusions**

|  |  |  |
| --- | --- | --- |
| **3.1 Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** | **Please indicate your answer by marking ‘X’ in the relevant box.** | |
| **Yes** | **No** |
| 1. 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; |  |  |
| 1. 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; |  |  |
| 1. the common law offence of bribery; |  |  |
| 1. 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; |  |  |
| 1. 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: |  |  |
| (i) the offence of cheating the Revenue; |  |  |
| (ii) the offence of conspiracy to defraud; |  |  |
| (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; |  |  |
| (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; |  |  |
| (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; |  |  |
| (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |  |
| (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; |  |  |
| (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |  |
| (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; |  |  |
| 1. any offence listed— |  |  |
| (i) in section 41 of the Counter Terrorism Act 2008; or |  |  |
| (ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection; |  |  |
| 1. any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f); |  |  |
| 1. money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002; |  |  |
| 1. 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; |  |  |
| 1. an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004; |  |  |
| 1. an offence under section 59A of the Sexual Offences Act 2003; |  |  |
| 1. an offence under section 71 of the Coroners and Justice Act 2009 |  |  |
| 1. 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 |  |  |
| 1. 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. |  |  |
| **Non-payment of taxes**  **3.2 Has it been established 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 your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?**  If you have answered Yes to this question, please use a separate Appendix to provide further details. Please also use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines? |  |  |

**Discretionary Exclusions**

|  |  |  |
| --- | --- | --- |
| **3.3 Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation.** | **Please indicate your answer by marking ‘X’ in the relevant box.** | |
| **Yes** | **No** |
| 1. your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contract Regulations 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; |  |  |
| 1. your organisation is bankrupt or is the subject of insolvency or winding-up proceedings, where your 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; |  |  |
| 1. your organisation is guilty of grave professional misconduct, which renders its integrity questionable; |  |  |
| 1. your organisation has entered into agreements with other economic operators aimed at distorting competition; |  |  |
| 1. your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contract Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures; |  |  |
| 1. the prior involvement of your 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; |  |  |
| 1. your 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; |  |  |
| 1. your organisation—   (i) has 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  (ii) has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contract Regulations 2015; or |  |  |
| (i) your organisation has undertaken to |  |  |
| (aa) unduly influence the decision-making process of the contracting authority, or |  |  |
| (bb) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or |  |  |
| (j) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. |  |  |
| (k) Details of any conviction/pending prosecution related to H&S incidents/breaches. If so, please provide details of any remedial actions taken/changes made to procedure  (SBHA will not select bidders that have been convicted in the last 3 years unless satisfied of appropriate remedial action to prevent future occurrences/breaches) |  |  |
| (l) Details of any conviction for the breach of environmental legislation or any notice served by an environmental regulator in the last 3 years (SBHA will not select bidders that have been prosecuted/served notice under environmental legislation in the last 3 years unless satisfied of appropriate remedial action to prevent future occurrences/breaches) |  |  |

**If you have answered Yes to any of the above questions, please use a separate Appendix to provide further details.**

1. [↑](#footnote-ref-1)