****

**CONFIDENTIAL**

**PRE-QUALIFICATION QUESTIONNAIRE**

**(PQQ)**

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| **PROJECT:**  | **York St John University Creative Centre** |
| **PROJECT REFERENCE:** | **CAP176** |
| **OJEU REFERENCE:** | **2017/S 141-290242** |
| **Deadline for return:** | **4pm, Tuesday 19th Sept 2017** |
| **Address for return:** | **estates.admin@yorksj.ac.uk**and**Pam Rule,****Executive Wing,** **York St John University,** **Lord Mayor's Walk,** **York YO31 7EX** |

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**Foreword**

York St John University (YSJU) is an academic institution that has been educating and inspiring students on its award-winning campus in the heart of York for 176 years. Founded on 17 May 1841, York St John achieved University status in 2006 and Research Degree Awarding Powers for PhD and doctoral programmes in 2015. The University has nine new academic Schools and an increase in the range of demand-led courses has led to a record rise in student numbers. Over 100 degree course options are now available, including new courses in Games Design, Criminology, Policing Studies and Biomedical Science.

Following a £110m investment over the past 10 years, the beautiful, city-centre campus has been transformed with new library and IT facilities, student accommodation, biomedical labs, a 57-acre sports park on Haxby Road and a new Students’ Union building.

Some key facts:

* We are a modern university with a proud history - York St John has been an academic institution in the heart of York for 176 years and has been a university since 2006.
* We are creating employment opportunities – we’re in the top 20% of English universities for long-term graduate employability and for some courses, we’re in the top 3.
* We are at the heart of a great city – York is one of the safest cities in the UK with a great mix of culture, shopping, entertainment and festivals.
* We are international – you’ll meet students from more than 100 countries who study at York St John.
* We are part of the community - York St John contributes more than £60 million to the local economy and supports over 200 organisations with training and development.
* We have academics who are great at teaching - we’re 3rd in the UK for the number of academics with a formal teaching qualification.
* We have lots of new courses - over 226 different degree course options in our nine different academic schools, including sport and exercise science, police studies and games design.
* We change people’s lives – our students have helped more than 1000 mental health services users to access free courses as part of our ground-breaking Converge project.
* We are here to help you - we were voted 14th in the UK for student support (WhatUni student choice awards 2017).
* We’re inclusive - over 37% of our students are from less-privileged backgrounds and we welcome diversity and difference on our campus.

YSJU is currently the fastest growing University in England. First year undergraduate intake for 2016/17 was up over 30% at around 2,000 students. For this coming academic year, we expect to welcome over 2,150 new first years to the Institution. We have targeted that by 2020, YSJU will be home to over 8,000 students.

I hope you respond to this PQQ to help us develop a new Creative Centre on campus which will grow our academic offer and help maintain a fantastic learning experience for our students.

Rob Hickey

Executive Director, Innovation & Growth

**Overview**

**Introduction**

In the context of rapid overall growth in student numbers on campus, the continued popularity of Schools and subjects that require specialist space and the physical limitations across the rest of the estate, YSJU is seeking to build a new ‘Creative Centre’ at its city centre Lord Mayor’s Walk (LMW) campus.

YSJU will use a two-stage procurement process to appoint a Design Team to support the University on this project. This document outlines stage 1 and includes a Pre-Qualification Questionnaire (PQQ) which YSJU will use to shortlist at least four Design Teams, who will then participate in a design competition.

We anticipate that the Design Team for this project will include an architect (including landscape architect), a cost consultant, a services engineer and a structural engineer, as well as a number of other service providers. The winner will be announced in December 2017.

A full Invitation to Tender (ITT) will be released to the shortlisted teams following the completion of the PQQ stage. An accurate and complete specification will be included within the final ITT.

**Project Objectives**

YSJU has set the following objectives for the new Creative Centre:

1. To create a flexible building able to accommodate the University’s ambitious growth profile, particularly in the Schools of Art, Design and Computer Science, and Performance and Media Production;
2. To include learning and collaboration spaces, workshops, studios, labs and a large multi-use facility (with the latter able to be used as a theatre, performance venue or large learning space);
3. To further enhance the attractiveness and appeal of the LMW campus;
4. To take advantage of its location at the centre of the historic city of York; and
5. To contribute to the University’s strategic objectives and play to our values, as we seek to become the best of England’s small universities.

It is envisaged that construction for the building will begin by no later than the end of 2018, with the building being operational by no later than Summer 2020.

**Project Parameters**

**Design Team**

The University is looking for a design team who are:

* able to design and deliver a memorable and distinctive building;
* able to understand and work within the ‘context’ of our unique campus;
* able to design to the Building Information Modelling (BIM) framework;
* able to work within a budgetary constraint and deliver value for money;
* who understand teaching, learning and academic collaboration spaces as well as the creation of inspiring events facilities; and
* able to work creatively with materials to achieve well-detailed, environmentally sustainable, accessible and robust spaces.

The University expects the bidding team to nominate a ‘Principal Designer’ for the project, who will have mandatory CDM Health & Safety responsibilities. The organisation proposed for this role should be clearly highlighted in the PQQ.

The Design Team should include an architect (including landscape architect), project manager, a cost consultant, a services engineer and a structural engineer. The team will also be expected to appoint additional specialists as necessary, such as an acoustic consultant, Breeam consultant, planning consultant and health and safety advisors. We envisage that the architect will also be the ‘Lead Designer’ and will coordinate the work of the other team members, although we are open to other proposals.

The Design Team’s appointment will be for the entire project, however funding or other constraints may mean that the project is postponed or potentially aborted at any point.

**Budget**

At present, the gross budget for the entire project is anticipated to be around £15m. Options will be explored, however, for a modular approach to the build to limit financial risk, as well as broadening the scope to involve a Phase 2.

We anticipate the budget for the design element (covered by the procurement exercise) to be no more than 6% of total budget, through to the start of construction, and circa 12% in its entirety.

**Procurement**

The University is likely to use a traditional form of contract. This will be discussed with the selected Design Team and the University’s Estates Directorate once they are appointed.

**Competition Process**

A two-stage competition is being launched to find a Design Team with the vision and expertise to design the YSJU Creative Centre. The tender process is run under the Public Contracts Regulations 2015 using the Restricted Procedure.

The competition will conclude with the selection of the winning Design Team.

**Stage 1 Expression of Interest**

In line with EU procurement guidelines, this is an open call for an Expression of Interest in accordance with this pre-qualification questionnaire (PQQ). The University has commissioned a feasibility study to RIBA stage 1.

At this stage, we would like you to explain your experience and complete the questionnaire in this document. A shortlist of at least four teams will progress to stage two, the Invitation to Tender (ITT). All bidding Design Teams will be informed of the University’s decision before the final ITT is released.

**Stage 2 Tender**

Having attended a briefing in York, at least four shortlisted teams will be asked to produce and present participate in a Design Competition which will cumulate in an interview with a judging panel. Shortlisted Design Teams will be given full access to the campus and the opportunity to discuss the Creative Centre with representatives from the University. They will be asked to produce a written proposal, presentation and attend an interview with the University. The University will pay an honorarium of £4,000 to each of these bidders to participate in the Design Competition. At this stage, the University may wish to visit previously completed projects by the shortlisted teams.

The competition will conclude with the selection of a winning Design Team. The ITT submissions and interviews will be assessed based on 80% quality and 20% price, and more detail on the evaluation process will be provided after the PQQ stage.

The draft ITT document is available on request via estates.admin@yorksj.ac.uk.

**Competition and Delivery Programme**

|  |  |
| --- | --- |
| **Activity** | **Deadline** |
| Issue OJEU Contract Notice | 24 July 2017 |
| PQQ responses received | 19 September 2017 |
| PQQ responses assessed, and 4-6 teams shortlisted | 30 September 2017 |
| ITT issued | 6 October 2017 |
| ITT return deadline | 20 November 2017 |
| Design competition completed and Design Team appointed | 21 December 2017 |
| Detailed and technical design completed | 30 June 2018 |
| Build contractors appointed | 31 October 2018 |
| Build starts | 30 November 2018 |
| Build complete | 30 April 2020 |

**PQQ Completion Notes**

Please answer all questions in the order shown and make your submissions electronically as a PDF to estates.admin@yorksj.ac.uk.

One bound and one unbound copy should also be sent to Pam Rule, Executive Wing, York St John University, Lord Mayor's Walk, York YO31 7EX.

The University reserves the right to carry out financial checks on any applicant and exclude those who could be considered financially unstable. All material submitted as part of your response to the PQQ will retained by the University and will not be returned to participants.

**ALL SUBMISSIONS MUST BE RECEIVED BY 4PM, TUESDAY 19TH SEPTEMBER 2017.**

**Amendments**

Clarification to this document may be made at any time. All Competitors who have confirmed their intention to bid will be notified via email of any changes and amended documentation will be available at <http://www.yorksj.ac.uk/estate-management/estate-management/tender-opportunities.aspx>.

**Site Visits, Photos and Drawings**

At the first stage of the competition, there will be no formal site visits, or photos and drawings distributed. The LMW campus is, however, open should you feel it necessary to see the site.

**Competition Publicity**

The University and its advisers reserve the right to make use of all materials submitted in any future publication, exhibition or website article about the Design Team appointment. All use will be credited to the Design Team and the team warrants that the material submitted comprises solely their own work. This non-exclusive licence is irrevocable, shall survive the Design Team’s exit from the tender process and is royalty free.

**Pre-Qualification Questionnaire**

**1.0 General Overview**

**1.1. Purpose of the PQQ and Conditions for Participation**

* + 1. This PQQ has been designed to assess the suitability of a Supplier to deliver the University’s contract requirements. If you are successful at this stage of the procurement process, you will be selected for the subsequent ITT stage of the process. Completed PQQs will be used to evaluate each respondent’s technical, economic and financial suitability under the section headings within the PQQ.
		2. We ask that having received and reviewed the PQQ, any Suppliers who intend to submit a PQQ for the scheme confirm this with the University team by filling in the attached expression of interest form (Annex 1) and returning it to Pam Rule at estates.admin@yorksj.ac.uk*.* Please note that the return of this form is not binding upon the returning Supplier and is simply to give the University an idea of the interest in the scheme.
		3. All respondents **must** complete and submit this PQQ in full. Failure to complete any section or question may invalidate your submission. If the question does not apply to you, please state clearly ‘N/A’.
		4. Should you need to provide additional appendices in response to the questions, these should be numbered clearly and listed as part of your declaration.
		5. It is anticipated that a minimum of four respondents will be invited to tender (although the University reserves the right to shortlist as many tenderers as it deems necessary). These will be the respondents that pass the mandatory criteria and score highest against the technical and professional section of the PQQ. Selection will be based upon candidates’ scores achieved subject to a ‘Pass’ being achieved for each of the pass/fail categories.
		6. Respondents who successfully progress to the ITT stage will be forwarded detailed requirements and a specification for this project.

**1.2.** **Instructions to Respondents**

* + 1. Respondents must complete the PQQ in full. All answers must be provided in English.
		2. All completed PQQs will be assessed in accordance with the criteria and weightings described in paragraph 1.10.
		3. Where questions cannot be fully answered, please provide a relevant explanation.

**Consortia Arrangements**

* + 1. If the Supplier completing this PQQ is doing so as part of a proposed consortium, the following must be provided: names of all consortium members; the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and if the consortium is not proposing to form a legal entity, full details of proposed arrangements within Section 2.
		2. Please note that the University may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific legal form is deemed by the University as being necessary for the satisfactory performance of the contract.
		3. All members of the consortium will be required to contribute to the information required in all sections of the PQQ as part of a single composite response to the University.
		4. Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity in a separate Appendix.
		5. The University recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the University must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the selection criteria to the new information provided. The University reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

**Sub-Contracting Arrangements**

* + 1. Where the Supplier proposes to use one or more sub-contractors to deliver some or all of the contract requirements, Section 2 should be used to provide details of the proposed bidding model that includes members of the supply chain, the approximate percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.
		2. The University recognises that arrangements in relation to sub-contracting may be subject to future change, and may not be finalised until a later date. However, Suppliers should be aware that where information provided to the University indicates that subcontractors are to play a significant role in delivering key contract requirements, any changes to those subcontracting arrangements may affect the ability of the Supplier to proceed with the procurement process or to provide the supplies and/or services required. Suppliers should therefore notify the University immediately of any change in the proposed subcontractor arrangements. The University reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.
		3. Any clarification requests must be submitted at least 5 days prior to the PQQ closing date to ensure the clarification can be answered and the response circulated prior to the closing date.
		4. The completed PQQ must be returned to Pam Rule. Please note all completed PQQs must also be returned electronically to the email address below:

|  |  |
| --- | --- |
| **Named recipient** | Pam Rule |
| **Name of contracting authority** | York St John University |
| **Contact email address** | estates.admin@yorksj.ac.uk |
| **Postal address** | Executive Wing, York St John University, Lord Mayor's Walk, York YO31 7EX. |

* + 1. One bound and one unbound copy of the completed questionnaire is required.
		2. The deadline for the return of completed questionnaires is: **4PM, TUESDAY 19TH SEPTEMBER 2017.** Entries received after this deadline will not be considered.
		3. The ‘University’ means the public sector contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable Suppliers to participate in this procurement process.
		4. “You” / ”Your” / “Supplier” / “Respondent” / “Provider” or “Potential Provider” means the body completing these questions i.e. the legal entity seeking to be invited to the next stage of the procurement process and responsible for the information provided. The ‘Supplier’ is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
		5. Whilst reserving the right to request information at any time throughout the procurement process, the University may enable the Supplier to self-certify that there are no mandatory / discretionary grounds for excluding their organisation. When requesting evidence that the Supplier can meet the specified requirements (such as the questions in Section 5 of this PQQ relating to Insurance), the University may only obtain such evidence after the final tender evaluation decision i.e. from the winning Supplier only.

**1.3.** **Lots**

1.3. This requirement is not divided into lots.

**1.4. Clarifications**

1.4.1 The University may seek clarification of any aspect of a completed PQQ and/or additional information, including supporting documents, in order to carry out a fair evaluation. Failure to respond adequately to a request for clarification may result in the completed PQQ being rejected.

**1.5. Confidentiality**

* + 1. When providing details of contracts in answering section 6 of this PQQ (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.
		2. The University reserves the right to contact the named customer contact in section 6 regarding the contracts included in section 6. The named customer contact does not owe the University any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.
		3. The University confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the contracting authorities defined by the Public Contracts Regulations.

**1.6. Freedom of Information**

* + 1. In respect of any information submitted by a Respondent that it considers commercially sensitive, the respondent shall:
* Clearly identify such information as commercially sensitive;
* Explain the potential implications of disclosure of such information; and
* Provide an estimate of the period of time it believes that such information will remain commercially sensitive.
	+ 1. Information falling into the above categories shall be submitted as a separate statement accompanying the completed PQQ.
		2. Where a respondent identifies information as commercially sensitive, the University will endeavor to maintain confidentiality. Respondents should note, however, that even where information is identified as commercially sensitive, the University might be required to disclose such information in accordance with the Freedom of Information Act 2000. Accordingly, the University cannot guarantee that any information marked “commercially sensitive” will not be disclosed.

**1.7. Canvassing**

* + 1. Any Respondent who directly or indirectly canvasses any officer, member, employee, or agent of the University and who directly or indirectly obtains or attempts to obtain information from any such officer, member, employee or agent concerning any other respondent or completed PQQ will be excluded from this procurement process and its completed PQQ rejected.
		2. Respondents shall not make contact with any employee, agent or consultant of the University which is in any way connected with this requirement during this procurement process, unless instructed otherwise by the University.

**1.8. Changes to the Respondent’s Circumstances**

* + 1. The University may:
* Reject a completed PQQ if there is a subsequent change of identity, control, financial standing or other factor which may affect the University’s evaluation of the completed PQQ;
* Revisit information contained in a completed PQQ at any time to take account of subsequent changes to a respondent’s circumstances; or
* At any point during the procurement process, require a respondent to certify there has been no material change to information submitted in its completed PQQ and, in the absence of such certification, reject the completed PQQ.

**1.9. Disclaimers**

* + 1. Whilst the information in the PQQ and supporting documents have been prepared in good faith, the University does not warrant that it is comprehensive or that it has been independently verified.
		2. Neither the University, nor its respective advisors, directors, officers, members, partners, employees, other staff or agents:
* Makes any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the PQQ, or of any other written or oral communication transmitted (or otherwise made available) to any Respondent;
* Accepts any liability for the information contained in the PQQ or in any other written or oral communication transmitted (or otherwise made available) to any Respondent, or for the fairness, accuracy or completeness of that information; or
* Shall be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.
	+ 1. Any party considering entering into contractual relationships with the University following receipt of the PQQ, should make its own investigations and independent assessment of the University and its requirements for the goods and/or services and should seek its own professional financial and legal advice.
		2. Neither the issue of the PQQ nor any of the information presented in it should be regarded as a commitment or representation on the part of the University to enter into a contractual arrangement. Nothing in the PQQ or in any other communication made between the University and any other party should be interpreted as constituting a contract, agreement, or representation between the University and any other party (save for a formal award of contract made in writing), or as constituting a contract, agreement or representation that a contract shall be offered.

**1.10. Evaluation Criteria and Scoring Matrix**

* + 1. Completed PQQs will be assessed against the following criteria and scoring matrix (or specific scoring guidance for some individual questions):

|  |  |  |
| --- | --- | --- |
| **Section** | **Scoring** | **Weighting** |
| **3** | **Grounds for Mandatory** **Exclusion** | Pass / Fail. Failure to satisfy the requirements detailed in this section will prevent your submission from being considered further. | Pass / Fail Only |
| **4** | **Grounds for** **Discretionary Exclusion** |
| **5** | **Economic and Financial** **Standing** | The data provided in section 5 will be used to assess the following:* Turnover: This is a high risk/critical procurement for the University, therefore Supplier’s minimum annual turnover must be not less than 3 times the proposed contract value (the figure used will be the latest year’s turnover), not meeting this requirement may result in a fail.

Please assume for this purpose that the total Design Team cost will be 12% of the total anticipated build cost of £15m (**i.e. £1.80m**). So bidders will need to demonstrate a turnover of at least £4.68m.Note that the turnover of each member of a proposed consortium can be taken into account and should be aligned with the estimated share of fees.If this requirement is failed your submission may not be considered further. | Pass/Fail Only |

|  |
| --- |
| **Each question in Section 6 will be evaluated accordingly.** |
| **Section** | **Scoring** | **Weighting** |
|  |  | **0****Unacceptable** | **1 – 2****Serious Reservations** | **3 – 4****Minor Reservations** | **5 – 6****Acceptable** | **7 – 8****Good** | **9 – 10****Excellent** |  |
| **6** | **Technical and Professional Ability** | Does not meet the requirement.Does not comply and / or there is insufficient information provided to demonstrate that the Supplier has the ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no evidence to support the response. | Satisfies the requirement with major reservations.Considerable reservations about the Supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no evidence to support the response. | Satisfies the requirement with minor reservations.Some minor reservations about the Supplier's relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with little or no evidence to support the response. | Satisfies the requirement.Demonstration by the Supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services, with evidence to support the response. | Satisfies requirement with minor additional benefits.Above average demonstration by the Supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with evidence to support the response. | Exceeds the requirement.Exceptional demonstration by the Supplier of the relevant ability, understanding, experience, skills, resource and quality measures required to provide the goods / services. Response identifies factors that will offer potential added value, with evidence to support the response. | 100% |
| **7** | **Insurance** | Pass / Fail. Failure to satisfy the requirements detailed in this section will prevent your submission from being considered further. | Pass / FailOnly |
| **8** | **Compliance with Equality Legislation** |
| **9** | **Environmental****Management** |
| **10** | **Health and****Safety** |

**2.0 Supplier Information**

**For Information Only (not scored).**

Please complete all of the following sections in full:

**2.1. Supplier Details**

|  |  |
| --- | --- |
| Full name of the Supplier completing the PQQ |  |
| Registered company address |  |
| Registered company 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*** | **YES** | **NO** |
| 1. a public limited company
 |  |  |
| 1. a limited company
 |  |  |
| 1. a limited liability partnership
 |  |  |
| 1. other partnership
 |  |  |
| 1. Sole trader
 |  |  |
| 1. Third Sector
 |  |  |
| 1. Other (please specify)
 |  |  |
| ***Please mark ‘X’ in the relevant boxes to indicate whether any of the following classifications apply to you*** |  |  |
| 1. Voluntary, Community and Social Enterprise (VCSE)
 |  |  |
| 1. Small, Medium or Micro Enterprise (SME)
 |  |  |
| 1. Sheltered workshop
 |  |  |
| 1. Public service mutual
 |  |  |

**2.2. Bidding Model**

|  |
| --- |
| ***Please mark “X” in the relevant box to indicate whether you are:*** |
|  | **YES** | **NO** |
| 1. Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself.
 |  |  |
| 1. Bidding as a Prime Contractor and will use third parties to deliver some of the services.

If “yes”, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. |  |  |
| 1. Bidding as Prime Contractor, but will operate as a Managing Agent and will use third parties to deliver all of the services.

If “yes”, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for |  |  |
| 1. Bidding as a consortium, but not proposing to create a new legal entity.

If yes, please include details of your consortium below and explain the alternative arrangements, i.e. why a new legal entity is not being created. Please note that the University may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.

|  |
| --- |
| Consortium Members |
|  |
| Current Lead Member |
|  |

 |  |  |
| 1. Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV).

If yes, please include details of your consortium, current lead member and intended SPV below and provide full details of the bidding model using a separate Appendix.

|  |
| --- |
| Consortium Members |
|  |
| Current Lead Member |
|  |
| Name of Special Purpose Vehicle |
|  |

 |  |  |
| 1. Regardless of bidding model, please confirm the organisation that will act as Principal Designer, with mandatory Health & Safety responsibilities
 |  |

**2.3. Contact Details**

|  |
| --- |
| Supplier contact details for enquiries about this PQQ |
| Name |  |
| Postal address |  |
| Country |  |
| Phone |  |
| Mobile |  |
| E-mail |  |

**2.4. Licensing and Registration**

|  |  |
| --- | --- |
| **Please mark ‘X’ in the relevant box** |  |
|  | **YES** | **NO** |
| Registration with a professional bodyIf applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state.If yes, please provide the registration number below.

|  |
| --- |
|  |

 |  |  |
| Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement?If yes, please provide additional details below of what is required and confirmation that you have complied with this.

|  |
| --- |
|  |

 |  |  |

**3.0 Grounds for Mandatory Exclusion**

**THIS SECTION IS PASS / FAIL**

You will be excluded from the procurement process 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 (except where this is disproportionate e.g. only minor amounts involved).

If you have answered “yes” to question 3.2 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 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. You may contact the University for advice before completing this form.

**3.1. Grounds for Mandatory Exclusion**

|  |  |  |
| --- | --- | --- |
| **Please indicate your answer by ticking the relevant box** | **YES** | **NO** |
| Within the past five years has your organisation (or member of your consortium, if applicable) or any director(s) or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences? |  |  |
| 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; where the offence relates to active corruption;
 |  |  |
| 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. Fraud, 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’ within the meaning of:
 |  |  |
| (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 933 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. Child labour and other forms of trafficking in human beings. An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004; section 59A of the Sexual Offences Act 2003; section 71 of the Coroners and Justice Act 2009; 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; an offence under section 2 or section 4 of the Modern Slavery Act 2015;
 |  |  |
| 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 (g).
 |  |  |
| 1. money laundering within the meaning of section 340(11) 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 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. |  |  |
| *If you answered “Yes” to any of the above questions in Section 3.1 please provide the details below:* |

**3.2. Non-payment of Taxes**

|  |  |  |
| --- | --- | --- |
|  | **YES** | **NO** |
| 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 question 3.2, please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. |  |  |
| *If you answered ‘Yes’ to question 3.2 please provide further details here.* |

**4.0 Grounds for Discretionary Exclusion**

**THIS SECTION IS PASS / FAIL**

The University may exclude any Supplier who answers ‘Yes’ in any of the following situations

set out in paragraphs (a) to (j)

**4.1. Is any of the following true of your organisation? (within the past three years)**

|  |  |  |
| --- | --- | --- |
| **Please indicate your answer by ticking the relevant box** | **YES** | **NO** |
| 1. Your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts 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 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 Contracts 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 organization -
 |  |  |
| (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 Contracts Regulations 2015. |  |  |

|  |  |  |
| --- | --- | --- |
| 1. Your organisation has undertaken to:
 |  |  |
| 1. Unduly influence the decision-making process of the contracting University, or;
 |  |  |
| (ii) Obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure. |  |  |
| 1. Your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.
 |  |  |
| *If you answered ‘Yes’ to any of the above questions in Section 4.1, please provide details below:* |

**Conflicts of Interest**

* 1. In accordance with question 4.1 (e), the University may exclude the Supplier 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 the procurement procedure.
	2. Where there is any indication that a conflict of interest exists or may arise, then it is the responsibility of the Supplier to inform the University, 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 University should not represent a conflict of interest for the Supplier.

**Taking Account of Bidders’ Past Performance**

* 1. In accordance with question (g), the University may assess the past performance of a Supplier (through a Certificate of Performance provided by a Customer or other means of evidence). The University may take into account any failure to discharge obligations under the previous principal relevant contracts of the Supplier completing this PQQ. The University may also assess whether specified minimum standards for reliability for such contracts are met. In addition, the University may re-assess reliability based on past performance at key stages in the procurement process (i.e. Supplier selection, tender evaluation, contract award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

**’Self-cleaning’**

* 1. Any Supplier that answers ‘Yes’ to questions 3.1, 3.2 and 4.1 should provide sufficient evidence, in the space provided (please note this can be expanded as required) [in a separate Appendix], that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleans” the situation referred to in that question. The Supplier has to demonstrate it has taken such remedial action, to the satisfaction of the University in each case.
	2. If such evidence is considered by the University (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.
	3. In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has;
* 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.
	1. The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the University to be insufficient, the Supplier shall be given a statement of the reasons for that decision.

**5.0 Economic and Financial Standing**

**THIS SECTION IS PASS / FAIL**

This information will be used to assess the financial status of your organisation.

If your organisation is a member of a group, please ensure that the information provided relates to your organisation only. In the case of companies that are conglomerates of business interests, the information supplied should relate to the operating division concerned with the contract requirement.

|  |  |  |
| --- | --- | --- |
| Please provide one of the following to demonstrate your economic/financial standing. Please indicate your answer with an ‘X’ in the relevant box. Failure to submit this financial information may prevent your submission from being considered. | **YES** | **NO** |
| **5.1** | 1. A copy of the audited accounts for the most recent two years.
 |  |  |
| 1. 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.
 |  |  |
| 1. A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.
 |  |  |
| 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).
 |  |  |
| **5.2** | Where the University has specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria for this PQQ, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out here. |  |  |
| **5.3** | 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 Organisation |
| Relationship to the Supplier completing the PQQ |

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)? |  |  |

**6.0 Technical and Professional Ability**

**100% OF SCORED QUESTIONS**

|  |
| --- |
| **Question 6.1 is weighted at 50%, maximum unweighted score of 10** |
| **6.1** | Please provide details of up to three contracts, in any combination from either the public or private sector, that are relevant to the University’s requirement. Contracts may be from the past five years. At least two of the contracts provided should be for projects which are post expiry of defects period.The named customer contact provided should be prepared to provide written evidence to the University to confirm the accuracy of the information provided below.Consortia bids should provide relevant examples of where the consortium has delivered similar requirements; if this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle will be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services. |
|  |  | Contract 1 | Contract 2 | Contract 3 |
| 6.1.1. | Name of customer organisation |  |  |  |
| 6.1.2. | Point of contact in customer organisation |  |  |  |
| Position in the organisation |  |  |  |
| E-mail address |  |  |  |
| 6.1.3 | Contract start date |  |  |  |
| Contract completion date |  |  |  |
| Estimated Contract Value |  |  |  |
| Procurement Route |  |  |  |
| Form of Contract |  |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 6.1.4 | For each contract listed, please provide a case study describing the contract delivered, including evidence as to your technical capability in this market. Your response should include:* the nature of the work;
* approximate value;
* BREEAM rating (or demonstrably equivalent approach) achieved at completion and your role / contribution in securing any project specific credits;
* when the project was completed; and
* details of any specific results achieved including innovation, delivery to programme and within the agreed contract sum, how you managed the contractor design development and approval process
* Each case study is limited to 1,000 words and a maximum of 4 sides of A4 to allow for illustrations.
 |  |  |  |
| 6.1.5 | If you cannot provide at least one example for questions 6.1.1. to 6.1.4, in no more than 1,000 words and a maximum of 4 sides of A4 to allow for illustrations, please provide an explanation for this e.g. your organisation is a new start-up. |
| Supplier response: |
| 6.1.6 | In no more than 1,000 words or maximum of 4 sides of A4, please summarise your ethos in relation to sustainable construction, and how this has demonstrably benefitted previous contracts you have delivered. |
| Supplier response: |
| **Question 6.2 is weighted at 20%, maximum unweighted score of 10** |
| **6.2** | We are looking for interesting team collaborations to undertake this project. In no more than 1,000 words, and up to 4 pages of A4 to allow for illustrations, please provide an explanation of how you have assembled competent teams in the past and accessed range of different styles. In addition, please include one-page CVs that reflect the professional standards that you provide on contracts such as these. |
| Supplier response: |
| **Question 6.3 is weighted at 10%, maximum unweighted score of 10** |
| **6.3** | In no more than 500 words and up to a maximum of 2 sides of A4 to allow for illustrations, please give an example of where a major project that your organisation has delivered has not progressed to timescales. Outline the reasons why, the actions carried out to correct this, and how lessons learned from this were applied to future projects to mitigate against repetition (note that the evaluation of this question does not seek to penalize reasons for the issues encountered). |
| Supplier response: |

|  |
| --- |
| **Question 6.4 is weighted at 10%, maximum unweighted score of 10** |
| **6.4** | Outside the usual risks such as cost, programme, contaminated land, and access to site, in no more than 500 words and up to a maximum of 2 sides of A4 to allow for illustrations, please outline what your organisation considers to be the key risks associated with this project? How has your organisation ensured that these or similar risks were successfully mitigated in previous projects? |
| Supplier response: |
| **Question 6.5 is weighted at 5%, maximum unweighted score of 10 (a response of yes here scores 10)** |
|  | YES | NO |
| **6.5** | Do you have externally accredited quality, health & safety and environmental management systems (e.g. ISO or equivalent)? |  |  |
| If you answered ‘No’ to question 6.5, please explain what internal controls / systems are in place (supported by the appropriate evidence) that provide an equivalent level of assurance in all three areas. |  |  |
| Supplier response (word limit of 500 words and maximum of 2 sides of A4 to allow for illustrations): |  |
| **Question 6.6 is weighted at 5%, maximum unweighted score of 10** |
| **6.6** | In no more than 500 words and up to a maximum of 2 sides of A4 to allow for illustrations, please outline how your organisation ensures that your staff are aware of and consistently meet the standards required of these systems and the requirements of current regulation changes such as the new CDM 2015 regulations.How does this legal requirement support successful the design element of project delivery? |  |  |
| Supplier response: |  |  |

**7.0 Insurance**

**THIS SECTION IS PASS / FAIL**

Please provide details of all insurance cover currently in place. If your company’s tender is successful, adequate insurance cover will be required. The required levels are indicated below.

Suppliers who self-certify that they meet the requirements for this section will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by marking ‘X’ in the relevant boxes.

|  |
| --- |
| **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:** |
|  |  | YES | NO |
| **7.1** | Public Liability**(minimum £2m cover)** |  |  |
| Employer’s (Compulsory) Liability**(minimum £5m cover)** |  |  |
| Professional Indemnity**(minimum £10m cover)** |  |  |
| 7.3 | If you do not hold, or cannot commit to hold, any of the covers listed above, please provide a justification. |
| Supplier response: |

**8.0 Compliance with Equality Legislation**

**PASS/FAIL**

York St John University considers it necessary for all organisations wishing to provide services on behalf of the University to demonstrate that all relevant and proportionate steps have been taken to eliminate discrimination, promote equality of opportunity and promote good relations between different groups in employment and service delivery in respect of:

* Race (including colour, nationality and ethnic or national origins)
* Sex
* Gender reassignment
* Pregnancy and maternity
* Disability
* Sexual orientation (gay, lesbian, bisexual and heterosexual)
* Marriage and civil partnership
* Religion or belief (including atheist beliefs and no religion or belief)
* Age

\*For organisations working outside of the UK, please refer to equivalent legislation in the country that you are located.

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | YES | NO |
| **8.1** | In the last three years has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? |  |  |
| **8.2** | In the last three years has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination? |  |  |
| **8.3** | If you have answered “Yes” to one or both of the questions in this section, please provide a summary below of the nature of the investigation and an explanation of the outcome of the investigation to date.If the investigation upheld the complaint against your organisation, please use the box below to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.You may be excluded if you are unable to demonstrate to the University’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. |
| Supplier response: |

**9.0 Environmental Management**

**PASS/FAIL**

York St John University has adopted a positive stance with regard to the protection of the environment and environmentally sound approaches to service delivery.

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | YES | NO |
| **9.1** | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or University?If your answer to this question is “Yes”, please provide details in the section provided below of the conviction or notice, and details of any remedial action or changes you have made as a result of conviction or notices served.The University will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last three years, unless the University is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. |  |  |
| Please provide information here if you answered “Yes” to the above section: |  |  |
| **9.2** | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? |  |  |

**10.0 Health & Safety**

**PASS/FAIL**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | YES | NO |
| **10.1** | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. |  |  |
| **10.2** | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last three years? |  |  |
| If your answer to this question was “Yes”, please provide details in the box below of any enforcement/remedial orders served, and give details of any remedial action or changes to procedures you have made as a result. |  |  |
| The University will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the University’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches |  |  |
| Please provide information here if you answered “Yes” to the above section: |  |  |
| **10.3** | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? |  |  |

**11.0 Declaration**

|  |  |
| --- | --- |
| **11.1** | I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement, and I am signing on behalf of................................ (**Insert name of Supplier**).I understand that the University may reject my submission if there is a failure to answer all relevant questions fully, or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.I also declare that there is no conflict of interest in relation to the University’s requirement. |
| List of Appendices used: |
| **PQQ COMPLETED BY** |
| **11.2** | Name |  |
| **11.3** | Role in organisation |  |
| **11.4** | Date |  |
| **11.5** | Telephone number |  |
| **11.6** | Email |  |
| **11.7** | Signature |  |

*Where the return will be made electronically, these details may be entered electronically by the authorised signatory and will act as an electronic signature and agreement.*

|  |
| --- |
| Thank you for completing this questionnaire. The information it contains will be held in confidence by the University and used for the purpose of determining your suitability for meeting our general requirements for the provision of the works/services. Further clarification may be required before any indication can be given on the success of your application for inclusion on our tender list. |

**ANNEX 1 – Expression of Interest**

**We confirm our interest in submitting a PQQ for the Creative Centre Project at York St John**

**University.**

|  |  |  |
| --- | --- | --- |
| Dated this: | day of  | 2017 |
| Signature |  |
| Name and Position (Printed) |  |
| On behalf of: |  |
| Address |  |
|  |  |
|  |  |