

# **HOCS1a/00009 - External Support for DARA**

## **1. Supplier Information**

### **1.1. Supplier Details**

#### **1.1.1. Full Name of the Supplier Completing the PQQ**

#### **1.1.2. Registered Company Address**

#### **1.1.3. Registered Company Number**

#### **1.1.4. Registered Charity Number**

#### **1.1.5. Registered VAT Number**

#### **1.1.6. Name of Immediate Parent Company**

#### **1.1.7. Name of Ultimate Parent Company**

#### **1.1.8. Please Select the Relevant Option to Indicate Your Trading Status**

- i) a public limited company
- ii) a limited company
- iii) a limited liability partnership
- iv) other partnership
- v) sole trader

#### **1.1.9. If other, please specify**

#### **1.1.10. Please select the relevant options to indicate whether any of the following classifications apply to you**

- i) Voluntary, Community and Social Enterprise (VCSE)
- ii) Small or Medium Enterprise (SME)
- iii) Sheltered workshop
- iv) Public service mutual
- v) None of the Above

**1.1.11. If You Have Answered 'Yes' to 1.2.6, Please Include Details of your Consortium (Consortium Members and Lead Member) below. You should also, in a separate Appendix within Section 8 of this PQQ, explain the alternative arrangements i.e Why a New Legal Entity is not Being Created. PLEASE NOTE that the Authority 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.**

## **1.2. Bidding Model**

### **1.2.1. Are You Bidding as a Prime Contractor and Will Deliver 100% of the Key Contract Deliverables Yourself**

### **1.2.2. Are You Bidding as a Prime Contractor and Will Use Third Parties to Deliver Some of the Services**

**1.2.3. If You have Answered 'Yes' to 1.2.2, 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.**

**1.2.4. Are You Bidding as a Prime Contractor but Will Operate as a Managing Agent and Will Use Third Parties to Deliver all of the Services**

**1.2.5. If You have Answered 'Yes' to 1.2.4, 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.**

**1.2.6. Are You Bidding as a Consortium But Not Proposing to Create a New Legal Entity.**

**1.2.7. If You Have Answered 'Yes' to 1.2.6, Please Include Details of your Consortium (Consortium Members and Lead Member) below. You should also, in a separate Appendix within Section 8 of this PQQ, explain the alternative arrangements i.e Why a New Legal Entity is not Being Created. PLEASE NOTE that the Authority 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.**

**1.2.8. Are You Bidding as a Consortium and Intend to Create a Special Purpose Vehicle (SPV)**

**1.2.9. If You Have Answered 'Yes' to 1.2.8, Please Include Details of Your Consortium (Consortium Members, Current Lead Member and Name of the Special Purpose Vehicle) below. You should also provide full details of the Bidding Model in a separate Appendix within Section 8 of this PQQ.**

## **1.3. Contract Details**

**1.3.1. Name**

**1.3.2. Postal Address**

**1.3.3. Phone**

**1.3.4. Mobile**

**1.3.5. Email**

## **1.4. Licensing and Registration**

**1.4.1. If 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)**

**1.4.2. If You Have Answered 'Yes' to 1.4.1, please provide the registration number in this box**

**1.4.3. 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?**

**1.4.4. If You Have Answered 'Yes' to 1.4.3, Please Provide Additional Details Within This Box of What is Required and Confirmation That You Have Complied With This**

## **2. Grounds for Mandatory Exclusion**

**2.1. 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?**

**2.1.1. (a) 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;**

**2.1.2. (b) 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;**

**2.1.3. (c) the common law offence of bribery;**

**2.1.4. (d) 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**

**2.1.5. (e) the offence of cheating the Revenue, 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;**

**2.1.6. (f) the offence of conspiracy to defraud, 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;**

**2.1.7. (g) 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, 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;**

**2.1.8. (h) 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, 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;**

**2.1.9. (i) 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, 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;**

**2.1.10. (j) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993, 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;**

**2.1.11. (k) 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, 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;**

**2.1.12. (l) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006, 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;**

**2.1.13. (m) 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;**

**2.1.14. (n) any offence listed in section 41 of the Counter Terrorism Act 2008**

**2.1.15. (o) any offence listed in Schedule 2 to that Act where the court has determined that there is a terrorist connection**

**2.1.16. (p) any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f)**

**2.1.17. (q) money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;**

**2.1.18. (r) 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;**

**2.1.19. (s) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;**

**2.1.20. (t) an offence under section 59A of the Sexual Offences Act 2003;**

**2.1.21. (u) an offence under section 71 of the Coroners and Justice Act 2009**

**2.1.22. (v) 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**

**2.1.23. (w) any offence within the meaning of Article 57(1) of the Public Contracts Directive, as defined by the law of any jurisdiction outside England and Wales and Northern Ireland**

**2.1.24. (x) any offence within the meaning of Article 57(1) of the Public Contracts Directive, created after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland.**

## **2.2. Non-payment of Taxes**

**2.2.1. 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?**

## **3. Grounds for Discretionary Exclusion - Part 1**

**3.1. Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation**

**3.1.1. (a) 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;**

**3.1.2. (b) 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;**

**3.1.3. (c) your organisation is guilty of grave professional misconduct, which renders its integrity questionable;**

**3.1.4. (d) your organisation has entered into agreements with other economic operators aimed at distorting competition;**

**3.1.5. (e) 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;**

**3.1.6. (f) 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;**

**3.1.7. (g) 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;**

**3.1.8. (h) your organisation 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**

**3.1.9. (i) your organisation has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contract Regulations 2015**

**3.1.10. (j) your organisation has undertaken to unduly influence the decision-making process of the contracting authority**

**3.1.11. (k) your organisation has undertaken to obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure**

**3.1.12. (l) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.**

## **4. Grounds for Discretionary Exclusion - Part 2**

**4.1. From 1 April 2013 onwards, have any of your company's tax returns submitted on or after 1 October 2012;**

**4.1.1. Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion;**

**4.1.2. Been found to be incorrect as a result of: HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the "Halifax" abuse principle; or a tax authority in a jurisdiction in which the 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 the failure of an avoidance scheme which the Supplier 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 Supplier is established.**

**4.1.3. If you answered 'Yes' to any of the above questions you should provide details of mitigating factors you find relevant and that you wish the authority to take in to consideration. This can include, for example: Corrective action undertaken by the Supplier to date; Planned corrective action to be taken; Changes in personnel or ownership since the Occasion of Non-Compliance (OONC); or Changes in financial, accounting, audit or management procedures since the OONC.**

## **5. Economic and Financial Standing**

### **5.1. Financial Information**

**5.1.1. Please indicate you can provide one of the following to demonstrate your economic/financial standing;**

- (a) A copy of the audited accounts for the most recent two years
- (b) 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
- (c) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position
- (d) Alternative means of demonstrating financial status if any of the above are not available (e.g. Forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).

**5.1.2. Where the authority 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**

### **5.2. Subsidiary Financial Information**

**5.2.1. Are you part of a wider group (e.g. a subsidiary of a holding/parent company)**

**5.2.2. If you answered 'Yes' to 5.2.1, please provide the below: Name of the organisation  
Relationship to the Supplier completing the PQQ**

**5.2.3. If you answered 'Yes' to 5.2.1, please upload the Ultimate/Parent company accounts if available**

**5.2.4. If you answered 'Yes' to 5.2.1, would the Ultimate/Parent company be willing to provide a guarantee if necessary**

**5.2.5. If you answered 'No' to 5.2.1, would you be able to obtain a guarantee elsewhere (e.g from a bank)**

## **6. Additional PQQ Modules**

**6.1. Further project specific questions relating to the technical and professional ability of the supplier.**

**6.1.1. Experience:1 Please provide details of your organisations experience in developing and implementing enterprise risk frameworks and control and assurance frameworks: i. Brief description of the organisation's approach ii. Brief description of tools and methodologies iii. Experience in public and private sector (35%)**

**6.1.2. Experience: 2. Please provide details of your organisations experience in undertaking fraud**

risk assessments and fraud investigations. i Brief description of the organisation's approach ii. Brief description of tools and methodologies Iii. Experience in fraud investigations (15%)

**6.1.3. Contract Examples: 1** Please provide details of up to three contracts from either or both the public and private sector, that are relevant to the Authority's requirement and have been performed during the past five years. You should provide three contracts that separately cover your experience of developing and implementing: a Enterprise Risk Management b Internal Control and Assurance Frameworks and providing support to in-house Fraud teams in fraud risk assessments and fraud investigations.

**6.1.4. Contract Examples: 2** Please indicate the annual turnover/expenditure of the organisations. MOD is a large and complex organisation and the annual turnover/expenditure will provide evidence of your organisation's experience of working with similar organisations, particularly in the areas of risk management and control and assurance frameworks. As a guideline, we would large and complex organisations to have an annual turnover/expenditure of at least £2bn.

## **6.2. Compliance with equality legislation**

**6.2.1.** 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)

**6.2.2.** 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 or alleged unlawful discrimination

**6.2.3.** If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations

## **6.3. Environmental Management**

**6.3.1.** 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 authority (including local authority)

**6.3.2.** 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?

## **6.4. Health and Safety**

**6.4.1.** Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirement

**6.4.2.** 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 3 years

**6.4.3.** If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations

## **7. Declaration**

### **7.1. Appendices**

**7.1.1. Appendices**

**7.1.2. Supporting Information**

**7.2. PQQ Completed by**

**7.2.1. Name**

**7.2.2. Role in Organisation**

**7.2.3. Date**