

Supplier Questionnaire

To all applicants:

Please complete the attached questionnaire. It has been designed to assess the suitability of a Supplier to deliver the Council’s contract requirement(s).

All questions should be completed in full, and in the format requested. If the question does not apply to you, please state clearly ‘N/A’.

Please return this questionnaire along with your tender application.

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| **1. Supplier Information** | | | |
| **1.1 Supplier Details** | **Answer** | | |
| Full name of the Supplier completing the  Selection Questionnaire |  | | |
| 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 |  | |
| ii. a limited company |  | |
| iii. a limited  liability partnership |  | |
| iv. other partnership |  | |
| v. sole trader |  | |
| vi. other (please specify) |  | |
| 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) |  | |
| ii. Small or  Medium Enterprise (SME) |  | |
| iii. Sheltered workshop |  | |
| |  |  | | --- | --- | | iv. Public service mutual |  | | |  |  | | --- | --- | |  |  | | |
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| **1.2 Bidding Model** | | | |
| **Please mark ‘X’ in the relevant box to indicate whether you are:** | | | |
| i. Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself |  | | |
| ii. 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. |  | | |
| iii. 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. |  | | |
| iv. Bidding as a consortium but not  proposing to create a new legal entity.  If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why  a new legal entity is not being created.  Please note that the Council 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**  **Lead member** | | |
| v. 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 in the next column and provide full details of the biding model using a separate Appendix. | **Consortium members**  **Current lead member**  **Name of Special Purpose Vehicle** | | |
| **1.3 Contact Details** | | | |
| Supplier contact details for enquiries about this Selection Questionnaire | | | |
| Name |  | | |
| Postal address |  | | |
|  |  | | |
| Country |  | | |
| Phone |  | | |
| Mobile |  | | |
| E-mail |  | | |
| **1.4 Licensing and Registration** | | | |
| Registration with a professional body  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). | **Please indicate your answer by marking ‘X’**  **in the relevant box.** | | |
| **Yes** | **No** | |
|  |  | |
| If Yes, please provide the name of the professional body and number  the registration number in this box. | | |
| 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 within this box of what is required and confirmation that you have complied with this. | | |
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| **2. Grounds for Mandatory Exclusion** | | | |
| 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 to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved). | If you have answered “yes” to question 2.2 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 only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position, please provide details using a separate Appendix. You may contact the Council for advice before completing this form. | | |
| **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?** | **Please indicate your answer by marking ‘X’ in**  **the relevant box.** | | |
| **Yes** | **No** | |
| **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; |  |  | |
| **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; |  |  |
| **c.** the common-law offence of bribery; |  |  |
| **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; |  |  |
| **e.** 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; |  |  |
| **f.** 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; |  |  |
| **g.** any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f); |  |  |
| **h.** money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002; |  |  |
| **i.** 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; |  |  |
| **j.** an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004; |  |  |
| **k.** an offence under section 59A of the  Sexual Offences Act 2003; |  |  |
| **l.** an offence under section 71 of the  Coroners and Justice Act 2009 |  |  |
| **m.** 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 |  |  |
| **n.** any other offence within the meaning of Article 57(1) of the Public Contracts Directive |  |  |

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| 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**  **2.2 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? |  |  |

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| **3. Insurance:**   |  |  | | --- | --- | | Please detail what levels of insurance you currently hold in each of the following: | **No** | | £ Level | N/A | |
| **a.** Employer’s (Compulsory) Liability Insurance (not required for sole traders) |  |  | |
| **b.** Public Liability Insurance |  |  |
| **c.** Professional Indemnity Insurance |  |  |
| **d.** Product Liability Insurance |  |  |

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| **4. Compliance with Equality Legislation** | | |
| For organisations working outside of the UK please refer to equivalent legislation in the country that you are located. (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| 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)? |  |  |
| 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?  If you have answered “yes” to one or both of the questions in this module, please provide, as a separate Appendix, a summary 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 Appendix 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 Council’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. |  |  |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? |  |  |
| **5. Environmental Management** | | |
| (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| 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 Council)?   |  |  | | --- | --- | | If your answer to this question is “Yes”, please provide details in  a separate Appendix 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 Council will not select bidder(s) that have been prosecuted  or served notice under environmental legislation in the last 3  years, unless the Council is satisfied that appropriate remedial  action has been taken to prevent future occurrences/breaches. | | | 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. Health and Safety** | | |
| (Please indicate your answer by marking ‘X’ in the relevant box): | **Yes** | **No** |
| Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. |  |  |
| 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?  If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.  The Council will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. |  |  |
| If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? |  |  |

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| **7. Conflicts of interest** | | |
| The Council 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.  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 Council, 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 Council should not represent a conflict of interest for the Supplier. | | |
| **8.. Declaration** | | |
| 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 Council 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 Council’s requirement.  The following appendices form part of our submission; | | |
| **QUESTIONNAIRE COMPLETED BY** | | |
| 3.1 | Name |  |
| 3.2 | Role in organisation |  |
| 3.3 | Date |  |
| 3.4 | Signature |  |