

Crewe Town Council

Crewe Town Centre Arts Trail and Arts Development

Appendix B – Selection Questionnaire Template

Please ensure that you read this document carefully and fully

Selection and Award Questionnaire

Selection Questionnaire

Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusion grounds. Consequently, we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example, these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay we reserve the right to amend the contract award decision and award to the next compliant bidder.

Consequences of misrepresentation

If you seriously misrepresent any factual information in filling in the Selection and Award Questionnaire, and so induce the Authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

Notes for completion

1. The “Authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 as amended (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified annex.
4. The Authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the Authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The Authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.
6. For answers to Part 3 - If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and declaration.

The Authority 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 Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent Authority or body where the Authority is under a legal or regulatory obligation to make such a disclosure.

Selection Questionnaire

Part 1: Potential supplier Information

## Supplier Information

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| --- |
| Scoring Criteria - Information only  Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.  A supplier may be excluded on the grounds of providing insufficient or false information. |

|  |  |  |  |
| --- | --- | --- | --- |
| Supplier details | | Response | |
| a) | Full name of the potential supplier submitting the information. |  | |
| b) i) | Registered office address (if applicable) |  | |
| b) ii) | Registered website address (if applicable) |  | |
| c) | Type of Organisation  Please mark ‘X’ in the relevant box to indicate your trading status |  | Public limited company |
|  | Limited company |
|  | Limited liability partnership |
|  | Other partnership |
|  | Sole trader |
|  | Third sector |
|  | Other (please specify your trading status): |
| d) | Date of registration in country of origin |  | |
| e) | Company registration number (if applicable) |  | |
| f) | Charity registration number (if applicable) |  | |
| g) | Head office DUNS number (Dun and Bradstreet) (if applicable) |  | |
| h) | Registered VAT number |  | |
| i) i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? |  | Yes |
|  | No |
|  | Not applicable |
| i) ii) | If yes, please provide the relevant details, including the registration number(s). | Details  Registration number: | |
| j) i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? |  | Yes |
|  | No |
| Details | |
| j) ii) | If yes, please provide additional details of what is required and confirmation that you have complied with this. |
| k) | Trading name(s) that will be used if successful in this procurement |  | |
| l) | Relevant classifications  Please mark ‘X’ in the relevant box to indicate whether you fall within one of these classifications |  | Voluntary, Community and Social Enterprise (VCSE) |
|  | Sheltered workshop |
|  | Public service mutual |
| m) | Are you a Small, Medium or Micro Enterprise (SME)? |  | Yes |
|  | No |

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| --- | --- | --- | --- |
| n) | Details of Persons of Significant Control (PSC), where appropriate:  (Please enter N/A if not applicable). A PSC is a person who holds:   * more than 25% of shares in the company * more than 25% of voting rights in the company * the right to appoint or remove the majority of the board of directors   You should check your company’s register of members for information on shareholders and voting rights.  Your company’s constitution and articles of association may also contain information on voting and other rights associated with ownership of shares in the company. | | |
| - Name |  | |
| - Date of birth |  | |
| - Nationality |  | |
| - Country, state or part of the UK where the PSC usually lives |  | |
| - Service address |  | |
| - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used); |  | |
| - Which conditions for being a PSC are met |  | Over 25% up to (and including) 50%, |
|  | More than 50% and less than 75% |
|  | 75% or more. |

|  |  |  |
| --- | --- | --- |
| o) | Details of immediate parent company:  (Please enter N/A if not applicable) | |
| - Full name of the immediate parent company |  |
| - Registered office address (if applicable) |  |
| - Registration number (if applicable) |  |
| - Head office DUNS number (Dun and Bradstreet) (if applicable) |  |
| - Head office VAT number (if applicable) |  |

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| --- | --- | --- |
| p) | Details of ultimate parent company:  (Please enter N/A if not applicable) | |
| - Full name of the ultimate parent company |  |
| - Registered office address (if applicable) |  |
| - Registration number (if applicable) |  |
| - Head office DUNS number (Dun and Bradstreet) (if applicable) |  |
| - Head office VAT number (if applicable) |  |

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| Please note: A criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them. |

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| Bidding model | | | |
| Please provide the following information about your approach to this procurement: | | | |
| a) i) | Are you bidding as the lead contact for a group of economic operators? |  | Yes |
|  | No |
| If yes, please provide details listed in questions 1.2 a) ii), a) iii) and to 1.2 b) i), b) ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2 a) ii) for reference purposes, and complete 1.3, Section 2 and 3. | | | |
| a) ii) | Name of group of economic operators (if applicable) |  | |
| a) iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  | |
| b) i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? |  | Yes |
|  | No |
| b) ii) | If you responded yes to 1.2 b) i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well. | | |
| |  |  | | --- | --- | |  | Sub-Contractor # | | Name |  | | Registered address |  | | Trading status |  | | Company registration number |  | | Head Office DUNS number (Dun and Bradstreet) (if applicable) |  | | Registered VAT number |  | | Type of organisation |  | | SME (Yes/No) |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  | | The approximate % of contractual obligations assigned to each sub-contractor |  | | | | |
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| --- | --- |
| Contact Details and Declaration | |
| I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.  I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.  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.  I understand that the Authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section. I am aware of the consequences of serious misrepresentation. | |
| Contact Name |  |
| Name of Organisation |  |
| Role in Organisation |  |
| Phone number |  |
| E-mail address |  |
| Postal address |  |
| Signature (electronic is acceptable) |  |
| Date |  |

Part 2: Exclusion Grounds

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| Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration. |

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| Section 2 Grounds for mandatory exclusion | | | |
| 2.1 (a) | Regulations 57(1) and (2)  The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation has been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf).  (Please indicate your answer by marking ‘X’ in the relevant box) | | |
|  | Yes | No |
| Participation in a criminal organisation |  |  |
| Corruption |  |  |
| Fraud |  |  |
| Terrorist offences or offences linked to terrorist activities |  |  |
| Money Laundering or terrorist financing |  |  |
| Child labour and other forms of trafficking in human beings |  |  |
| 2.1 (b) | If you have answered yes to question 2.1 (a), please provide further details.   * Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction, * Identity of who has been convicted * If the relevant documentation is available electronically please provide the web address, issuing Authority, precise reference of the documents. | | |
| Details | | |

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| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) |  | Yes |
|  | No |
| 2.3 (a) | Regulation 57(3) | | |
|  | Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? |  | Yes |
|  | No |
| 2.3 (b) | If you have answered yes to question 2.3 (a), 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. | | |
| Details | | |

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| Please Note: The Authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions. |

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| Section 3 Grounds for discretionary exclusion | | | |
| 3.1 | Regulation 57 (8)  The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.  (Please indicate your answer by marking ‘X’ in the relevant box) | | |
|  | | Yes | No |
| 3.1 (a) | Breach of environmental obligations? |  |  |
| 3.1 (b) | Breach of social obligations? |  |  |
| 3.1 (c) | Breach of labour law obligations? |  |  |
| 3.1 (d) | Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? |  |  |
| 3.1 (e) | Guilty of grave professional misconduct? |  |  |
| 3.1 (f) | Entered into agreements with other economic operators aimed at distorting competition? |  |  |
| 3.1 (g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? |  |  |
| 3.1 (h) | Been involved in the preparation of the procurement procedure? |  |  |
| 3.1 (i) | 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 (j) | Please answer the following statements? |  |  |
| (i) The organisation is 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. |  |  |
| (ii) The organisation has withheld such information. |  |  |
| (iii) The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015. |  |  |
| (iv) The organisation has influenced the decision-making process of the contracting Authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award. |  |  |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) | | |
| Explanation | | |

Part 3: Selection Questions

This section is not an included aspect of this tender.

Section 4 Economic and Financial Standing

| Supplier guidance:  This section will be used to assess the overall financial stability of your organisation. The threshold for each question is that the requested information is provided. The threshold for the whole of section 4 is that the authority is satisfied with your organisation’s financial stability.  In assessing an organisation’s financial stability, the Authorities will review the accounts and any relevant accompanying financial information submitted. They will calculate profit and working capital ratios and net worth and review turnover levels, observing trends over recent years. The Authorities require a minimum turnover threshold of £100,000 per annum in order to pass the economic and financial standing test. If the turnover threshold is not passed then the Authority will disqualify the organisation and the organisation will be rejected from the procurement process.  Financial references and internal credit checks will be undertaken to analyse your organisation’s financial position and determine the level of risk it would represent to the authority, having regard to the contract requirement and value, criticality, and the nature of the market. The assessment of risk is based on sound business judgement rather than just a mechanistic application of financial formulae. If the authority deems the financial position of the organisation to be acceptable, the threshold is passed. If the threshold is not passed then the Authority will disqualify the organisation and the organisation will be rejected from the procurement process.  Depending on timescales, further financial checks may be carried out by the authority between receipt of tenders and contract award which may impact on the contract award decision.  The organisation that is expected to enter into the contract with the Authority ("the Lead Organisation") will be subject to the Economic and Financial Standing pass/fail evaluation.  Where the Lead Organisation is seeking to rely on the economic and financial standing of a parent company (or other organisation) to satisfy the pass/fail test then the Supplier should state this explicitly; provide a letter of commitment from the parent company (or other organisation) to provide a guarantee; additionally provide the financial information in respect of the guarantor and also complete question 4.1 to 4.3 below. In such cases, reliance on the other body to satisfy this test will be subject to providing a guarantee which is satisfactory to the Authority. The Authority also reserves the right to require that entity to be jointly liable for the execution of the contract. |
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|  | | Yes | No |
| --- | --- | --- | --- |
| 4.1. | Are you able to provide a copy of your audited accounts for the last two years, if requested? If no, can you provide one of the following (answer with Y/N in the relevant box): |  |  |
| 1. A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of 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). |  |  |
| 4.2. | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. |  |  |

Section 5

| 5. | If you have indicated in the Selection Questionnaire question 1.2 that you are part of a wider group, please provide further details below: | | | |
| --- | --- | --- | --- | --- |
| Name of Organisation |  | | |
| Relationship to the Supplier completing these questions: | | Yes | No |
| 5.1. | Are you able to provide parent company accounts if requested to at a later stage? | |  |  |
| 5.2. | If yes, would the parent company be willing to provide a guarantee if necessary? | |  |  |
| 5.3. | If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)? | |  |  |

Section 7 Modern Slavery Act 2015

| 7. | Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015 | | |
| --- | --- | --- | --- |
| Commercial organisations are defined as business or part of business in the UK, supply goods or services and have an annual turnover of £36M or more. | | | |
|  | | Yes | No |
| 7.1. | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? |  |  |
| 7.2. | If you have answered yes to question 7.1 are you compliant with the annual reporting requirement contained within Section 54 of the Act 2015? |  |  |
| If yes, please provide relevant URL: | | |
| If no, please provide an explanation.  Response | | |

Section 8 Additional Questions

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| Suppliers who self-certify that they meet the requirements below will be required to provide evidence of this if they are successful at contract award stage |

| 8.1 – Insurance | | | |
| --- | --- | --- | --- |
| Please self-certify whether you already have the following: | | | |
| Please indicate your answers by marking ‘X’ in the relevant box | | Yes | No |
|  | Employer’s (Compulsory) Liability Insurance = £5,000,000  It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5,000,000 as a minimum.  Please note this requirement is not applicable to Sole Traders. |  |  |
|  | Public Liability Insurance = £10,000,000 |  |  |
|  | Professional Indemnity Insurance = £1,000,000 |  |  |
|  | Product Liability Insurance = £250,000 |  |  |
|  | If your current cover is less than the minimum indicated above, CONFIRM you would be prepared to increase your level of cover accordingly if awarded the contract. |  |  |

| 8.5 – Health and Safety |
| --- |
| All UK employers with more than five employees are obliged to have a health and safety policy, signed and dated and updated regularly. The contracting authority should allow potential providers to self-certify that they have a health and safety policy in place and should not require a company with less than five employees to have a health and safety policy unless this is relevant to the procurement.  Additional contract-specific questions may be asked where relevant. Care should be taken to ensure these are asked at the appropriate stage of the procurement.  Examples might include questions related to:   * induction and training of employees; * drug and alcohol misuse; * control of substances hazardous to health; * risk assessments; or * monitoring the track record and health and safety * competence of subcontractors. |

|  |  |  |  |
| --- | --- | --- | --- |
| Please indicate your answers 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 Authority 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?  If N/A tick both ‘Yes’ and ‘No’. |  |  |