Pre-Qualification Questionnaire Document

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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 in 17 May 1841, York St John achieved University status in 2006 and Research Degree Awarding Powers in 2015. The University has seen an increase in the range of demand-led courses and a record rise in student numbers. Over 100 degree course options are now available, including new courses in Games Design, Criminology, Policing Studies, Biomedical Science and Allied Health.

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 177 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.

I hope you respond to this PQQ to help us develop new Student accommodation 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 circa 210 bed accommodation development at Peppermill Court as part of existing accommodation site known as The Grange.

YSJU will use a two-stage procurement process to appoint a Contractor to partner with the University on this project. This document outlines Stage 1 and includes a Pre-Qualification Questionnaire (PQQ) which YSJU will use to shortlist four to six contractors, who will then participate in a competitive traditional tender. However, YSJ are open to discussions along a negotiated procurement route due the current exceptional market conditions. We can also be flexible on the programme with you, but once agreed it will form a contractual document.

A draft Invitation to Tender (ITT) is also included as part of this PQQ to provide further information. The final ITT will be released to the shortlisted contractors following the completion of the PQQ stage.

**Project Objectives**

YSJU has set the following objectives for the new Peppermill accommodation:

1. To create first class accommodation responding to the University’s ambitious growth profile, that will support and enhance the existing provision of student facilities at The Grange;
2. A high-quality sustainable development both in construction and use, that will achieve a BREEAM rating of ‘excellent’.;
3. Project delivery both on time and budget.;
4. A scheme that capitalizes on its accessible location near the center of the historic City of York to deliver a car-free development; and
5. To contribute to the University’s strategic objectives and 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 2024, with the building being operational by no later than Summer 2021.

**Project Design Team**

The current project team members are:

|  |  |
| --- | --- |
| **Client** | York St John University |
| **Architect** | Ridge and Partners |
|  |  |
| **Project Manager**  | Ridge and Partners |
|  |  |
| **Structural Engineer** | Ridge and Partners |
|  |  |
| **MEP and Lift Consultant**  | Ridge and Partners |
|  |  |
| **Cost Consultant** | Ridge and Partners |
|  |  |

**Budget**

At present, the construction budget for the project is anticipated to be around £18m including any fit out of the building (i.e white goods, furniture, etc).

**Procurement**

It is proposed that the project will be procured via a Two-stage Design & Build method of procurement utilising the JCT Standard Building Contract without Quantities 2016 any schedule of amendments will be will be issued with the tender information.

**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).

At this stage, we would like you to explain your experience and complete the questionnaire in this document. A shortlist of four to six contractors will progress to Stage 2, the Invitation to Tender (ITT). All bidding contractors will be informed of the University’s decision before the final ITT is released.

**Stage 2 Tender**

Four to six shortlisted contractors will be issued with an ITT which will include all the design information for the new accommodation blocks and will be requested to issue a fully compliant single stage tender. All tender returns will be scored based on the quality and commercial aspects of the tender with all contractors being asked to attend a tender interview. Shortlisted Contractors will be given full access to the campus and the opportunity to discuss the proposals with representatives from the University and Ridge and Partners. At this stage, the University may wish to visit previously completed projects by the shortlisted teams.

The ITT submissions and interviews will be assessed based on 60% quality and 40% price, and more detail on the evaluation process will be provided after the PQQ stage.

A DRAFT ITT document is attached to this document.

**Competition and Delivery Programme**

|  |  |
| --- | --- |
| **Activity** | **Deadline** |
| Issue PQQ | 16th August 2022 |
| PQQ responses received | 14th September 2022 |
| PQQ responses assessed, and 4-6 contractors shortlisted | 30th September 2022 |
| ITT issued | 7th October 2022 |
| ITT return deadline | 25th October 2022 |
| Approve Main Contractor | 28th October 2022 |
| Standstill Period Complete  | 11th November 2022 |
| Contract executed, Mobilisation Period Start | 14st November 2022 |
| Main Contract site possession  | 9th December 2022  |
| Start on Site | TBC  |
| Completed | TBC |
| End of Defects Period | TBC |

**PQQ Completion Notes**

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

One bound and one unbound copy should also be sent to Martin Dougherty, St Anthonys House, 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 12PM, WEDNESDAY 14th SEPTEMBER 2022.**

**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.

**Planning Information**

The current design proposal is about to be submitted for planning with a view to obtaining planning permission by Dec 2022.

**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 contractor 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 contractors 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 addressed FAO Martin Dougherty at procurement@yorksj.ac.uk*.* Please note that the return of this form is not binding upon the returning contractor 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 four to six 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 contractor 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. Contractors should therefore respond on the basis of the arrangements as currently envisaged. Contractors 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 contractor prior to any award of contract, based on an assessment of the updated information.

**Sub-Contracting Arrangements**

* + 1. Where the contractor 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, contractors 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 contractor to proceed with the procurement process or to provide the supplies and/or services required. Contractors should therefore notify the University immediately of any change in the proposed subcontractor arrangements. The University reserves the right to deselect the contractor 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 Martin Dougherty. Please note all completed PQQs must also be returned electronically to the email address below:

|  |  |
| --- | --- |
| **Named recipient** | Martin Douherty |
| **Name of contracting authority** | York St John University |
| **Contact email address** | procurement@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: **12PM, WEDNESDAY 14th SEPTEMBER 2022.** 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 contractors to participate in this procurement process.
		4. “You” / ”Your” / “Supplier” / “Contractor” / “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 ‘contractor’ 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 contractor to self-certify that there are no mandatory / discretionary grounds for excluding their organisation. When requesting evidence that the contractor can meet the specified requirements (such as the questions in Section 7 of the PQQ relating to Insurance), the University may only obtain such evidence after the final tender evaluation decision i.e. from the winning contractor 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 contractor 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 of the PQQ 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 Contractors 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 construction cost will be a cost of £18m. So bidders will need to demonstrate a turnover of at least £54m.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 contractor 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 contractor’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 contractor’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 contractor 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 contractor 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 contractor 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** |

**1.11 Conflicts of Interest**

1.11.1 In accordance with question 4.1 (e), the University may exclude the contractor 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.

1.11.2 Where there is any indication that a conflict of interest exists or may arise, then it is the responsibility of the contractor 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 contractor.

* 1. **Taking Account of Bidders’ Past Performance**

1.12.1 In accordance with question (g), the University may assess the past performance of a contractor (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 contractor 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. contractor selection, tender evaluation, contract award stage etc.). Contractors 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).

* 1. **’Self-cleaning’**

1.13.1 Any contractor that answers ‘Yes’ to questions 3.1 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 contractor has to demonstrate it has taken such remedial action, to the satisfaction of the University in each case.

* + 1. 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.
* In order for the evidence referred to above to be sufficient, the Contractor 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 Contractor 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 Contractor shall be given a statement of the reasons for that decision.

**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 Contractor**).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** |
|  | Name |  |
|  | Role in organisation |  |
|  | Date |  |
|  | Telephone number |  |
|  | Email |  |
|  | 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 New Student Accommodation Development (Peppermill Court) Project at Ramsay Close ‘The Grange’ for York St John University.**

|  |  |  |
| --- | --- | --- |
| Dated this: | day of  | 2022 |
| Signature |  |
| Name and Position (Printed) |  |
| On behalf of: |  |
| Address |  |
|  |  |
|  |  |