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Commercial
Service

**PARTICIPATION REQUIREMENTS AND SELECTION QUESTIONNAIRE AND
GUIDANCE**

**TECHNOLOGY EXPENSE MANAGEMENT (TEM)
REFERENCE NUMBER**

**RM3802
ATTACHMENT 2**

Notes for completion

1. This document provides representations of the online 'participation requirements' and the online 'selection questionnaire'. You cannot submit your responses using this document – you must complete and submit only the online version of the participation requirements questionnaire and selection questionnaire in the eSourcing suite.
2. This document provides an overview of the methodology which will be adopted by the Authority to evaluate your response to each question set out within the Participation Requirements and Selection Questionnaire.
3. For the avoidance of doubt “You” / “Your” refers to the Potential Provider completing this Participation Requirements and Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “Potential Provider” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (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.
4. The Authority/Agent recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a Group of Economic Operators 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. 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'.
6. The Authority recognises that arrangements set out in section 1.2 of this Selection Questionnaire, in relation to a Group of Economic Operators 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. The Authority will make a revised assessment of the submission based on the updated information.
7. If you are tendering on behalf of a Group of Economic Operators, or you intend to use Sub-Contractors, you should complete all of the questions on behalf of the Group of Economic Operators and/or any Sub-Contractors, providing one composite response and declaration.

Standard Selection Questionnaire

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

This Selection Questionnaire is a self-declaration, made by you (the Potential Provider), that you do not meet any of the grounds for exclusion¹. 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). If you are bidding on behalf of a Group of Economic Operators or you intend to use Sub-Contractors, you should complete all of the selection questions on behalf of the Group of Economic Operators and/or any Sub-Contractors.

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 exclusions grounds. For example these could be parent companies, affiliates, associates, or essential Sub-Contractors, if they are relied upon to meet the selection criteria.

Selection Questions: Part 3

If you are bidding on behalf of a Group of Economic Operators or you intend to use Sub-Contractors, you should complete all of the selection questions on behalf of the Group of Economic Operators 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.

Participation Requirements (you must complete and submit the online version)

Below is a representation of the Participation Requirements in the eSourcing Suite.

You must complete the online version. You cannot submit your responses using this document.

¹ For the list of exclusion please see
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

For the avoidance of doubt in the Participation Requirements questions “we” refers to the Potential Provider (Lead Contact for a Group of Economic Operators).

PARTICIPATION REQUIREMENTS		
PART A - Conditions of Participation		
PR1	We accept the Attachment 6 - Terms of Participation	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR2	We accept the draft Terms and Conditions as set out in Attachment 4 – Framework Agreement, Attachment 4 – Framework Schedule 2: Part A Services Specification and Attachment 5 – Call Off Contract	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR3	We accept and comply with all the statements in Attachment 7 - Certificate of Compliance.	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>PR1 - PR3 Response Guidance</p> <p>You are required to respond Yes to confirm your acceptance of the conditions set out in these documents. If you do not answer Yes to these questions you cannot participate in this Procurement.</p> <p>If you respond No to these questions your Tender will be deemed to be non-compliant. If a Tender is deemed to be non-compliant, the Tender may be rejected and excluded from further participation in this Procurement.</p>		
PART B - eSourcing Suite Tool Guidance		
PR4	We have read the document ‘eSourcing Suite Supplier Guidance Part B - Tendering and Further Competitions’ https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers (select the eSourcing Suite guidance: how to respond to Tenders and Further Competitions)	<input type="checkbox"/> Yes <input type="checkbox"/> No
PR5	We understand that it is essential to press the red ‘Submit all Draft Bids’ button to correctly submit our completed Tender and confirm we have read and understood the instructions on where and how to do this in paragraph 8.9 of the ‘eSourcing Suite Guidance Part B - Tendering and Further Competitions’ https://www.gov.uk/government/publications/esourcing-tool-guidance-for-suppliers (select the eSourcing Suite guidance: how to respond to Tenders and Further Competitions)	<input type="checkbox"/> Yes <input type="checkbox"/> No

PR6	We understand that to send a message to the CCS Procurement team we must ensure that the name of the Procurement is in the context field and 'ALL HOSTS' is selected in the 'TO' box	<input type="checkbox"/> Yes <input type="checkbox"/> No
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PR4 – PR6 Response Guidance

You are required to respond **Yes** to confirm your understanding of how to use the eSourcing tool appropriately in this Procurement.

If you respond **No** to these questions your Tender will be deemed to be non-compliant. If a Tender is deemed to be non-compliant, the Tender may be rejected and excluded from further participation in this Procurement.

PR7 Statement of Need (Scope of Services)

Please indicate by selecting either option **YES** or **NO**, that in the event you are awarded a contract, whether you will or will not, unreservedly deliver in full, all the minimum requirements as set out in Annex 1 of Attachment 1a – Statement of Need.

Providing a **YES** response means you will, unreservedly deliver in full, all the minimum requirements as set out in Annex 1 of Attachment 1a – Statement of Need.

Providing a **NO** response means you will not, or cannot deliver in full, all the minimum Service requirements as set out in Annex 1 of Attachment 1a – Statement of Need.

PR7 Response Guidance

This is a **PASS / FAIL** question.

If you cannot or are unwilling to select YES to this question, you will be excluded from further participation in this Procurement.

You are required to select either option **YES** or **NO** from the drop down list associated with this question.

Providing a **YES** response means the Potential Provider will, unreservedly deliver in full, all the minimum requirements as set out in Annex 1 of Attachment 1a – Statement of Need.

If the Potential Provider selects **NO** (or does not answer the question) to indicate that they will not, or cannot, deliver in full, all the minimum requirements as set out in Annex 1 of Attachment 1a – Statement of Need then the Potential Provider will be excluded from further participation in this Procurement.

Marking Scheme	Evaluation Guidance
PASS	The Potential Provider has selected YES to confirm that they will, unreservedly deliver in full, all the minimum requirements as set out in Annex 1 of Attachment 1a – Statement of Need.
FAIL	<p>The Potential Provider has selected NO to confirm that they will not, or cannot, deliver in full, all the minimum requirements as set out in Annex 1 of Attachment 1a – Statement of Need.</p> <p>OR</p> <p>The Potential Provider has not selected either YES or NO.</p>

Selection Questionnaire

Part 1: Potential Providers information (you must complete and submit the online version)

Below is a representation of the online **Selection Questionnaire** in the eSourcing Suite.

You must complete the online version. You cannot submit your responses using this document.

Please answer all questions in full.

Section 1.1	Potential Provider information	
Question number	Question	Response
SQ1.1(a)	Full name of the Potential Provider submitting the information	Complete table in eSourcing Suite
SQ1.1(b) – (i)	Registered office address (if applicable)	Complete table in eSourcing Suite
SQ1.1(b) – (ii)	Registered website address (if applicable)	Complete table in eSourcing Suite
SQ1a & SQ1b (i- ii) Response Guidance <p>This is the legal entity with whom the Authority will contract if successful (where there is no Group of Economic Operators).</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must insert the Lead Contact's own details.</p> <p>Please note, the organisation name; office address and internet address that you provide may be published on Tenders Electronic Daily (TED) and/or Contracts Finder, if you are successful in this Procurement. Please refrain from using Personal Details.</p>		
SQ1.1(c) – (i)	Trading status a) public limited company b) limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify your trading status at	Use Pick list

	SQ 1.1 (c) – (ii) below	
SQ-1.1(c) – (ii)	If you selected (g) at question SQ 1.1(c) – (i) above please specify in the following text field, your trading status	Character limit 255
SQ1c & SQ1c (i) Response Guidance If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must select the applicable option from the drop-down selection list provided to describe your organisation. If you selected Other to the options provided in SQ1c, please provide details in SQ1c (ii).		
SQ1.1(d)	Date of registration in country of origin	Complete table in eSourcing Suite
SQ1.1(e)	Company registration number (if applicable)	
SQ1.1(f)	Charity registration number (please enter N/A if not applicable)	
SQ1.1(g)	Head office DUNS number	
SQ1.1(h)	Registered VAT number	
SQ1.1(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 <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
SQ1.1(i) – (ii)	If you responded yes to SQ 1.1(i) – (i), please provide the relevant details, including the registration number(s). (Please enter N/A if not applicable)	Complete text box in eSourcing Suite (character limit 255)
SQ1.1(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 <input type="checkbox"/> No <input type="checkbox"/>
SQ1.1(j) – (ii)	If you responded yes to SQ 1.1(j) – (i), please provide additional details of what is required and confirmation that you have complied with this.	Complete text box in eSourcing Suite (character limit 255)

	(Please enter N/A if not applicable)	
SQ1.1(i) - (i) – SQ1.1(j) - (ii) Response Guidance Guidance on Professional and Trade Registers can be found at Link below: http://www.legislation.gov.uk/ukxi/2015/102/schedule/5/made If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must, select the applicable option from selection list provided to describe your organisation.		
SQ1.1(k)	Trading name(s) that will be used if successful in this procurement	Complete text box in eSourcing Suite (character limit 255)
SQ1.1(l)	Relevant classifications (state whether you fall within one of these, and if so which one) a) Voluntary Community Social Enterprise (VCSE) b) Sheltered Workshop c) Public service mutual d) N/A (Please enter N/A if not applicable)	Use Pick List
SQ1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) ² ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
SQ1(m) Response Guidance Guidance on definition of a Small Medium Enterprise (SME) can be found at: <u>What is an SME? - European Commission</u> If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must answer this question in respect of the size of your organisation (and not the size of the Group of Economic Operators).		
SQ1.1(n)	Details of Persons of Significant Control (PSC), where appropriate: - Name; - Date of birth; - Nationality; - Country, state or part of the UK where the PSC	Complete table in eSourcing Suite

² See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

	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. (Please enter N/A if not applicable)	
SQ1.1(n) Response Guidance UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. See PSC guidance.		
SQ1.1(o)	Details of immediate parent company: - Full name of the immediate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	Complete table in eSourcing Suite
SQ1.1(o) Response Guidance If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide the name(s) and details of the immediate Parent Company for each and every Economic Operator Group member(s) in the table provided, where applicable.		
SQ1.1(p)	Details of ultimate parent company: - Full name of the ultimate parent company - Registered office address (if applicable) - Registration number (if applicable) - Head office DUNS number (if applicable) - Head office VAT number (if applicable) (Please enter N/A if not applicable)	Complete table in eSourcing Suite

SQ1.1(p) Response Guidance

If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide the name and details of the Ultimate Parent Company in the table provided, where applicable.

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.

Please provide the following information about your approach to this procurement:

Section 1.2	Bidding model	
Question number	Question	Response
SQ1.2(a) - (i)	Are you tendering as the lead contact for a Group of Economic Operators?	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If yes, please provide details listed in questions SQ1.2 (a) parts (ii) and (iii) and SQ1.2, (a) (iv) and parts 1.2 (b) (i) and (ii), SQ1.3, Section 2 and 3.</p> <p>If no, and you are a supporting tenderer please provide the name of your group at SQ1.2(a) (ii) for reference purposes, and complete SQ1.3, Section 2 and 3.</p>
SQ1.2(a) - (ii)	Name of Group of Economic Operators (if applicable) (Please enter N/A if not applicable)	Complete text box in eSourcing Suite (character limit 255)
SQ1.2(a) - (iii)	Proposed legal structure if the Group of Economic Operators intends to form a named single legal entity prior to signing a Framework Agreement/Contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.	Complete text box in eSourcing Suite (character limit 4096)
SQ1.2(a) – (iv)	<p>If you responded Yes to SQ1.2(a) – (i), please provide additional details for each Group of Economic Operator members in following table:</p> <ul style="list-style-type: none"> - Name - Registered office address - (if applicable) - Trading status - Company registration number – (if applicable) - Head office DUNS number - Registered VAT number 	Please complete table in the eSourcing Suite

	<ul style="list-style-type: none"> - SME - The role each Group of Economic Operator member(s) will take in providing the Goods and Services - The approximate % of contractual obligations assigned to each Group of Economic Operator member(s) <p>Enter N/A in the first table cell if Not Applicable</p>	
<p>SQ1.2(a)-(i) to (a)-(iv) Response Guidance</p> <p>If you are Tendering as a Group of Economic Operators and you are the Lead Contact, as the Lead Contact, you must provide all the information required on behalf of the Group of Economic Operators.</p>		
SQ1.2(b) - (i)	Are you or, if applicable, the Group of Economic Operators proposing to use Key Sub-Contractors?	Yes <input type="checkbox"/> No <input type="checkbox"/>
SQ1.2(b) - (ii)	<p>If you responded yes to SQ1.2(b)-(i) please provide additional details for each Key Sub-Contractor in the following table:</p> <ul style="list-style-type: none"> - Full name - Head office VAT number (if applicable) - Type of Organisation - SME - 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 - Registered office address (if applicable) - Trading Status - Registration number (if applicable) - Head office DUNS number (if applicable) 	Complete table in eSourcing Suite
<p>SQ1.2(b)-(i) to (b)-(ii) Response Guidance</p> <p>If you or, if applicable, the Group of Economic Operators are proposing to use Key Sub-Contractors, you must answer the remaining questions in this Selection Questionnaire and provide any evidence requested in respect of your organisation or, if applicable, the Group of Economic Operators and each of the proposed Key Sub-Contractors.</p>		

Section 1.3 - 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.

Section 1	Contact details and declaration	
Question number	Question	Response
1.3(a)	Contact name	Please complete table in eSourcing Suite.
1.3(b)	Name of organisation	
1.3(c)	Role in organisation	
1.3(d)	Phone number	
1.3(e)	E-mail address	
1.3(f)	Postal address	
1.3(g)	Signature (electronic is acceptable)	
1.3(h)	Date	

SQ1.4(a)	Lot Selection Please indicate which Lot(s) you are tendering for by selecting the relevant option from the drop down menu:	Select from available Lots <input type="checkbox"/> Lot 1
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	<p>Lot 1 - TEM for Central Government Departments</p> <p>Lot 2 - TEM for Wider Public Sector</p> <p>Please refer to Attachment 1a Invitation to Tender paragraph 3.2 for information around Lot structure.</p>	<input type="checkbox"/> Lot 2
SQ1.5	<p>Framework Population Template</p> <p>Please select Yes or No to confirm whether you have populated and uploaded, using the paperclip icon aligned to this question, an attachment of your Framework Population Template – Attachment 12.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

Part 2: Exclusion Grounds

Please answer the following questions in full.

Section 2	Grounds for mandatory exclusion	
Question number	Question	Response
SQ2.1(a)	Regulations 57(1) and (2) The detailed grounds for mandatory exclusion of an organisation are set out on this webpage , which should be referred to before completing these questions. Please indicate if, within the past five (5) years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage .	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ2.1(b)
	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ2.1(b)
	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ2.1(b)
	Child labour and other forms of trafficking in human beings	Yes <input type="checkbox"/> No <input type="checkbox"/>

		If Yes please provide details at SQ2.1(b)
SQ2.1(b)	<p>If you have answered yes to question SQ2.1 (a), please provide further details.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents.</p>	Complete text box in eSourcing Suite (character limit 4096)
SQ2.1(c)	<p>If you have answered Yes to any of the points in SQ2.1 (a), please tick yes and as an attachment to this question please detail what measure you have taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
<p>SQ2.1(a) – (c) Response Guidance</p> <p>If you answer Yes to question SQ2.1 (a) you are required to provide evidence of 'self-cleaning' at SQ2.1 (b) and SQ2.1(c) (see Regulation 57(13) or the Regulations) against the relevant conviction.</p> <p>If you cannot provide evidence of 'self-cleaning' which is acceptable to the Authority you will be excluded from further participation in this Procurement</p>		
SQ2.1(d)	<p>Regulation 57(3)</p> <p>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?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

SQ2.1(e)	<p>If you have answered yes to question SQ2.1 (d), 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.</p> <p>Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction,</p> <p>Identity of who has been convicted</p> <p>(Please enter N/A if not applicable)</p>	Complete text box in eSourcing Suite (character limit 4096)
<p>SQ2.1(d) to (e) Response Guidance</p> <p>If you answer Yes to question SQ2.1 (d) you are required to provide evidence of 'self-cleaning' at SQ2.1 (e) (see Regulation 57(13) or the Regulations) against the relevant conviction.</p> <p>If you cannot provide evidence of 'self-cleaning' which is acceptable to the Authority you will be excluded from further participation in this Procurement.</p>		

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

Section 3	Grounds for discretionary exclusion	
Question Number	Question	Response
SQ3.1	<p>Regulation 57 (8)</p> <p>The detailed grounds for discretionary exclusion of an organisation are set out on this webpage, which should be referred to before completing these questions.</p> <p>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.</p>	
SQ3.1(a)	Breach of environmental obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(b)	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(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?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2

SQ3.1(f)	Entered into agreements with other economic operators aimed at distorting competition?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(g)	Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(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?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at SQ3.2
SQ3.1(j)	Please answer the following statements	
SQ3.1(j) - (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.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ3.2
SQ3.1(j) - (ii)	The organisation has withheld such information.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ3.2

SQ3.1(j) – (iii)	The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ3.2
SQ3.1(j)-(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.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at SQ3.2
SQ3.2	If you have answered Yes to any of the above questions, SQ3.1 (a) – SQ3.1 (j)-(iv), please explain what measures have been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning) (Please enter N/A if not applicable)	Complete text box in eSourcing Suite (character limit 4095)
<p>SQ3.1 to SQ3.2 Response Guidance</p> <p>If you answer Yes to question any of the questions above you are required to provide evidence of 'self-cleaning' at SQ3.2 (see Regulation 57(13) or the Regulations) against the relevant conviction.</p> <p>If you cannot provide evidence of 'self-cleaning' which is acceptable to the Authority you will be excluded from further participation in this Procurement.</p>		

Part 4: Selection Questions

Section 4 Economic and Financial Standing		
Question number	Question	Response
SQ4.1	<p>For your organisation and, if applicable, each member of your Group of Economic Operators, The Authority will use the organisation's details provided in Section 1 'Potential Provider details' and Section 1.2 'Bidding Model' to obtain financial risk assessments.</p> <p>If you and/or members of your Group of Economic Operators would prefer to have this financial assessment carried out in respect of a Framework Guarantor, such as a parent company, then each member may elect to choose this option on the understanding that, if awarded a Framework Agreement, a Framework Guarantee as laid out in Framework Schedule 13 must be completed by each Framework Guarantor and accepted by the Authority prior to Framework Agreement Award.</p>	
SQ4.1(a)	Do you or, if applicable, any members of your Group of Economic Operators, wish the financial risk assessment to be carried out in respect of a Framework Guarantor?	Yes <input type="checkbox"/> No <input type="checkbox"/>
SQ4.1(b)	<p>If you responded Yes to question SQ4.1a, please provide details of the Framework Guarantor:</p> <ul style="list-style-type: none"> - Full name of the Framework Guarantor - Registered office address (if applicable) - Company registration number (if applicable) - Head office DUNS number <p>Please enter N/A in first table cell if not applicable.</p>	Complete table in the eSourcing Suite
SQ4.1(c)	<p>If you responded Yes to question SQ4.1a and if you or, if applicable, any members of your Group of Economic Operators have elected to have financial risk assessment carried out in respect of a Framework Guarantor, please provide evidence in the form of authorised minutes from the Organisations Board Meeting that they have agreed to be the Framework Guarantor prior to Framework Agreement Award.</p> <p>Please confirm whether or not you have provided the required authorised minutes as an attachment by</p>	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>

	<p>selecting Yes or No. Select N/A if question is not applicable.</p> <p>Framework Schedule 13 will need to be completed and returned before a Framework Agreement is awarded.</p>	
<p>SQ4.1(a)-(c) Response Guidance</p> <p>This information is used with that from section SQ1 to evaluate the economic and financial standing of those organisations involved in your Tender and Framework Guarantor(s).</p> <p>Refer to paragraph 9.3 of Attachment 1a - Event 1 Invitation to Tender for more information about how the financial assessment will be conducted.</p>		

Section 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:	
Question Number	Question	Response
SQ5.1	<p>Please provide details</p> <ul style="list-style-type: none"> - Name of organisation - Relationship to the Potential Provider completing these questions. 	<p>Complete text box in the eSourcing Suite.</p> <p>Character Count Limit: 4096</p>
SQ5.2	Are you able to provide parent company accounts if requested to at a later stage?	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
SQ5.3	If yes, would the parent company be willing to provide a guarantee if necessary?	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
SQ5.4	If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

Section 6	Technical and Professional Ability – Previous Supply (Evaluated)	
Question Number	Question	Response
SQ 6.1/6.2 /6.3 -Technical and Professional Ability - Proof of Previous Supply (Evaluated)		
SQ6.1(a-b), SQ6.2(a-b), SQ6.3(a-b) Please provide details of three (3) contracts, from the public or private sector, where similar requirements to those sought under this Procurement have been performed as set out in Framework Agreement Schedule 2 Services and Key Performance Indicators.		
SQ6.1(a)	Contract Example 1 <ul style="list-style-type: none"> - Name of customer organisation - Name of the organisation which signed the contract with the customer organisation - Point of contact in customer organisation <ul style="list-style-type: none"> o Position in the organisation o Email address - Contract start date - Contract completion date - Estimated Contract Value 	Complete table in the eSourcing Suite.
SQ6.2(a)	Contract Example 2 <ul style="list-style-type: none"> - Name of customer organisation - Name of the organisation which signed the contract with the customer organisation - Point of contact in customer organisation <ul style="list-style-type: none"> o Position in the organisation o Email address - Contract start date - Contract completion date - Estimated Contract Value 	

SQ6.3(a)	<p>Contract Example 3</p> <ul style="list-style-type: none"> - Name of customer organisation - Name of the organisation which signed the contract with the customer organisation - Point of contact in customer organisation <ul style="list-style-type: none"> o Position in the organisation o Email address - Contract start date - Contract completion date - Estimated Contract Value 	
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SQ6.1(a), SQ6.2(a), SQ6.3(a) Response Guidance

- The customer contacts provided must be warned that they may be contacted by the Authority, as the Authority reserves the right to verify the accuracy of the contract details provided.
- The customer contacts provided must not be employed or appointed by your organisation or from within your associated group of companies within the past three (3) years prior to the publication of the OJEU notice.
- Customer contacts **MUST NOT** be confidential.
- If the customer contact does not wish to be named in the Tender submission then the Potential Provider is advised to cite a different customer contact/use a different contract example.
- Failure to provide customer contact information may mean your examples will not be evaluated and will **FAIL**.
- You must state your role in the delivery of the Contract and that other parties – e.g. Sub-Contractor.
- Character Count Limit: 4096

SQ6.1(b)	<p>Contract Example 1</p> <p>Please describe the contract and how its performance demonstrates the necessary technical and professional ability as set out in Framework Agreement Schedule 2 Services and Key Performance Indicators.</p> <p>Your contract example MUST</p> <ul style="list-style-type: none"> A. Be a large mobile phone estate B. With a minimum of 5,000 mobile devices (as described in Primary Services 1 and 2) C. Involve a single Customer who is on-boarded to the TEM Service to a stage where benefits are being reported. D. Describe how you have previously managed the key resource/implementation risk associated with delivering a secure Service for this specific Contract Example. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data. E. Describe the security resources, including premises, platforms, software, personnel, process, procedure or other facilities delivered to ensure the protection of customer information assets. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data. 	[Pass/Fail]
SQ6.2(b)	<p>Contract Example 2</p> <p>Please describe the contract and how its performance demonstrates the necessary technical and professional ability as set out in Framework Agreement Schedule 2 Services and Key Performance Indicators.</p> <p>Your contract example MUST</p> <ul style="list-style-type: none"> A. Be for a large single fixed line estate (as described in Primary Service 1 and 2) B. Involving a single Customer who is on-boarded to the TEM Service to a stage where benefits are being reported. C. Describe how you have previously managed the key resource/implementation risk associated with delivering a secure Service for this specific Contract Example. Your response should make 	[Pass/Fail]

	<p>reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.</p> <p>D. Describe the security resources, including premises, platforms, software, personnel, process, procedure or other facilities delivered to ensure the protection of customer information assets. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.</p>	
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SQ6.3(b)	<p>Contract Example 3</p> <p>Please describe the contract and how its performance demonstrates the necessary technical and professional ability as set out in Framework Agreement Schedule 2 Services and Key Performance Indicators.</p> <p>Your contract example MUST:</p> <ul style="list-style-type: none"> A. Be for a customer where you realised the highest ratio of return to the total estate cost (as described in Primary Service 3). B. Must describe the personnel/skills used and activities undertaken to achieve this. C. Describe how you have previously managed the key resource/implementation risk associated with delivering a secure Service for this specific Contract Example 3. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data. D. Describe the security resources, including premises, platforms, software, personnel, process, procedure or other facilities delivered to ensure the protection of customer information assets. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data. 	[Pass/Fail]
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SQ6.1(b) - 6.2(b) - 6.3(b) Response Guidance

NOTE – These are PASS/FAIL questions.

You must populate the table and text boxes within the e-Sourcing Suite with examples of three contracts from the public or private sector that covers the scope of Services within scope of this Framework and provide:

Three (3) different contract examples must be provided in total.

The examples provided must relate to contracts performed (the Authority will also accept contract examples where they have yet to be completed as long as you are able to report significant results from the performance of said contract in your description) in the past three (3) years prior to the publication of the OJEU Notice to be valid.

The contracts provided must clearly and unambiguously fall within the scope of the requirement. The contract examples provided must be for the Service relevant to each of the three (3) contract examples, as detailed below

Contract Example 1 - Large mobile phone estate

- A. Your contract example MUST:
- B. Be a large mobile phone estate
- C. With a minimum of 5,000 mobile devices (as described in Primary Services 1 and 2)
- D. Involve a single Customer who is on-boarded to the TEM Service to a stage where benefits are being reported.
- E. Describe how you have previously managed the key resource/implementation risk associated with delivering a secure Service for this specific Contract Example. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.
- F. Describe the security resources, including premises, platforms, software, personnel, process, procedure or other facilities delivered to ensure the protection of customer information assets. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.

Contract Example 2 - Large single fixed line estate

Your contract example MUST:

- A. Be for a large single fixed line estate (as described in Primary Service 1 and 2)
- B. Involving a single Customer who is on-boarded to the TEM Service to a stage where benefits are being reported.
- C. Describe how you have previously managed the key resource/implementation risk associated with delivering a secure Service for this specific Contract Example. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.
- D. Describe the security resources, including premises, platforms, software, personnel, process, procedure or other facilities delivered to ensure the protection of customer information assets. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.

Contract Example 3 - Highest ratio of return to the total estate cost

Your contract example MUST:

- A. Be for a customer where you realised the highest ratio of return to the total estate cost (as described in Primary Service 3).
- B. Must describe the personnel/skills used and activities undertaken to achieve this.
- C. Describe how you have previously managed the key resource/implementation risk associated with delivering a secure Service for this specific Contract Example 3. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.
- D. Describe the security resources, including premises, platforms, software, personnel, process, procedure or other facilities delivered to ensure the protection of customer information assets. Your response should make reference to cloud hosting services, the delivery of secure portal and the protection of bulk data.

Examples of contracts awarded under Framework Agreements through the Call-Off contracts will be considered valid, but Framework Agreements themselves will NOT be considered valid.

The response may cover situations where your organisation was acting as a prime contractor,

a Sub-Contractor or part of a Consortium but where your organisation played a major part in the delivery of the service. If you are providing a consortium bid, you may wish to refer to paragraph 6.3 of Attachment 1a Invitation to Tender.

Marking Scheme	Evaluation Guidance
Pass	You have provided three contract examples which fully comply with the response guidance
Fail	<p>You have not provided three contract examples which fully comply with the response guidance.</p> <p>OR</p> <p>This question has not been answered.</p>

Section 7	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
Question Number	Question	Response
<p>If you meet the minimum turnover requirements, as stipulated in the Regulations under section 54, you are required to answer 'Yes' to question SQ7.1a and are required to provide a response to question SQ7.1b.</p> <p>If you answer 'Yes' to question SQ7.1b you are required to provide the relevant URL in response to question SQ7.1c.</p> <p>If you answer 'No' to question SQ7.1b you are required to provide an explanation in response to question SQ7.1d.</p> <p>If you answer 'No' to question SQ7.1(a) please enter N/A for questions SQ7.1(b), SQ7.1(c) and SQ7.1(d)</p>		
SQ7.1(a)	Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") ³ of the Modern Slavery Act 2015 ("the Act")?	Yes <input type="checkbox"/> No <input type="checkbox"/>
SQ7.1(b)	If you have answered Yes to question 7.1a are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015 www.legislation.gov.uk/ukpga/2015/30/section/54/enacted Please enter N/A from the pick list if not applicable	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
SQ7.1(c)	If you have answered Yes to question 7.1a please provide the relevant URL.	character limit 4096
SQ7.1(d)	If you have answered No to question 7.1b please provide an explanation.	character limit 4096

³ Guidance can be found here:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/471996/Transparency_in_Supply_Chains_etc__A_practical_guide__final_.pdf

SQ7.1(a-d) Response Guidance

This is evaluated PASS/FAIL

Since October 2015, commercial organisations that carry on a business or part of business in the UK, supply Services and have an annual turnover of £36 million or more (relevant commercial organisations) have been required under Section 54 of the Act to prepare a slavery and human trafficking statement as defined by section 54 of the Act.

If you select Yes to SQ7.1b, you are compliant with the annual reporting requirements contained within Section 54 of the Act 2015

To achieve a PASS you must select Yes or N/A. If you select Yes to SQ7.1b, you must provide a valid URL web address link to your organisations website showing your statement

OR

If you select Yes to SQ7.1b but you do not have a website. You must provide a copy of your Slavery and Human Trafficking statement upon written request.

If you select No to SQ7.1b and/or fail to satisfactorily explain why in SQ7.1d then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance
Pass	<p>By selecting Yes, to SQ7.1a and SQ7.1b you have confirmed that you are a relevant commercial organisation as defined by section 54 (Transparency in supply chains etc.) of the Modern Slavery Act 2015 (the Act), you are compliant with the annual reporting requirements contained within Section 54 of the Slavery Act 2015 and you are willing to provide your website URL address link to your organisations website showing your statement. If you do not have a website you are willing to provide a copy of your Slavery and Human Trafficking statement</p> <p>Upon written request.</p> <p>OR</p> <p>You have selected N/A from the drop down list.</p>
Fail	<p>You have confirmed that you are a relevant commercial organisation as defined by section 54 (Transparency in supply chains etc.) of the Modern Slavery Act 2015 (the Act) but you are not compliant with the annual reporting requirements contained within Section 54 of the Slavery Act 2015 and you are not able to provide your website URL address link to your organisation's website showing your statement.</p>

	<p>OR</p> <p>you have failed to provide the relevant URL requested in SQ7.1(c)</p> <p>OR</p> <p>you fail to provide a copy of your Slavery and Human Trafficking statement upon written request.</p> <p>OR</p> <p>have not provided a website URL address link to your organisation's website showing your statement and the explanation in response to SQ7.1 (d) of why you responded to SQ7.1 (b) in this way is unsatisfactory.</p>
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Section 8	Insurance Potential Providers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at Framework Agreement Award Stage.	
Question Number	Question	Response
SQ8.1(a)	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the Framework Agreement, the levels of insurance cover indicated below:</p> <p>Employer's (Compulsory) Liability Insurance = £5,000,000</p> <p>*It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please see the following link for guidance: http://www.hse.gov.uk/pubns/hse40.pdf</p>	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
SQ8.1(a) Response Guidance This question is evaluated PASS/FAIL You must indicate whether you currently have, or will have prior to the commencement of the Framework Agreement, Employer's Liability insurance of at least £5,000,000. To achieve a PASS you must select Yes to confirm that your organisation has, or will have prior to the commencement of the Framework Agreement, the level of insurance cover listed		

and will be able to provide valid in-date certification as evidence of all the insurance being in place prior to the commencement of the Framework Agreement.

OR

You must select **N/A** if your organisation, and/or your Group of Economic Operators, employs only the owner/close family members or employs someone based abroad.

If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance	
Pass	<p>By selecting Yes, you have indicated that your organisation has, or will have prior to the commencement of the Framework Agreement, the level of insurance cover listed and will be able to provide valid in-date certification as evidence of all the insurance being in place prior to the commencement of the Framework Agreement.</p> <p>OR</p> <p>You have selected option N/A as your organisation, and/or your Group of Economic Operators, employs only the owner/close family members or employs someone based abroad.</p>	
Fail	<p>By selecting No, you have indicated that your organisation does not have, and will not have, the insurance listed prior to Framework Agreement Award Stage.</p>	
SQ8.1(b)	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the Framework Agreement, the levels of insurance cover indicated below:</p> <p>Public Liability Insurance = £1,000,000</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

SQ8.1b Response Guidance

This question is evaluated PASS/FAIL

You must indicate whether you currently have, or will have prior to the commencement of the Framework Agreement, Public Liability insurance of at least £1,000,000.

To achieve a **PASS** you must select **Yes** to confirm that your organisation has, or will have prior to the commencement of the Framework Agreement, the level of insurance cover listed and will be able to provide valid in-date certification as evidence of all the insurance being in place prior to the commencement of the Framework Agreement.

If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance
Pass	By selecting Yes , you have indicated that your organisation has, or will have prior to the commencement of the Framework Agreement, the level of insurance cover listed and will be able to provide valid in-date certification as evidence of all the insurance being in place prior to the commencement of the Framework Agreement.
Fail	By selecting No , you have indicated that your organisation does not have, and will not have, the insurance listed prior to Framework Agreement Award Stage.

SQ8.1(c)	Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the Framework Agreement, the levels of insurance cover indicated below: Professional Indemnity Insurance = £1,000,000	Yes <input type="checkbox"/> No <input type="checkbox"/>
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SQ8.1(c) Response Guidance

This question is evaluated PASS/FAIL

You must indicate whether you currently have, or will have prior to the commencement of the Framework Agreement, Professional Indemnity insurance of at least £1,000,000.

To achieve a **PASS** you must select **Yes** to confirm that your organisation has, or will have prior to the commencement of the Framework Agreement, the level of insurance cover listed and will be able to provide valid in-date certification as evidence of all the insurance being in place prior to the commencement of the Framework Agreement.

If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance
Pass	By selecting Yes , you have indicated that your organisation has, or will have prior to the commencement of the Framework Agreement, the level of insurance cover listed and will be able to provide valid in-date certification as evidence of all the insurance being in place prior to the commencement of the Framework Agreement.

Fail	By selecting No , you have indicated that your organisation does not have, and will not have, the insurance listed prior to Framework Award.
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Section 9	Security Security is one of our core requirements, and you must be able to demonstrate that your solution meets the required levels of Security as detailed in the Schedules 2 and 27 of the Framework Agreement, and that you can maintain the required standard before the Framework Agreement is executed. The Authority needs to understand your maturity in respect of how you manage your infrastructure and the risks associated with it.	
Question Number	Question	Response
SQ9.1	<p>Cyber Essentials As per Cabinet Office Procurement Policy Note 09/14 dated 25 September 2014⁴, is mandatory for Central Government departments to ensure contracts which feature characteristics involving handling of personal information and the provision of certain ICT products and services have fully adopted Cyber Essentials prior to Contract.</p> <p>You are required to have Cyber Essentials prior to the Award of the Framework Agreement (or if you already have Cyber Essentials Plus you can provide this certificate instead) and Cyber Essentials Plus prior to the Framework Commencement Date.</p> <p>You are also required to complete a National Cyber Security Centre (NCSC) approved penetration test prior to the Framework Commencement date.</p> <p>More information on Cyber Essentials may be found at https://www.gov.uk/government/publications/cyber-essentials-scheme-overview and on NCSC penetration testing at https://www.ncsc.gov.uk/scheme/penetration-testing & https://www.ncsc.gov.uk/articles/using-check-provider</p>	Please select an option from the drop down list.

⁴ <https://www.gov.uk/government/publications/procurement-policy-note-0914-cyber-essentials-scheme-certification>

	<p>In relation to the Services, please confirm that you comply with the following criteria:</p> <p>(i) You will have a current and valid Cyber Essentials Plus certificate prior to the Framework Commencement Date. The certificate(s) must be awarded by one of the government approved Cyber Essentials Plus accreditation bodies within the most recent 12 months and where your organisation proposes to use Sub-Contractors to carry out the Services and these Sub-Contractors shall be involved in handling sensitive and personal information with regard to the Services, such Sub-Contractors will also have in place a valid Cyber Essentials Plus certificate by the Framework Commencement Date.</p> <p>(ii) You will complete a National Cyber Security Centre (NCSC) approved penetration test prior to the Framework Commencement date.</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
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SQ9.1 Response Guidance

This question is evaluated PASS/FAIL. If you cannot or are unwilling to select YES to this question, you will be excluded from further participation in this Procurement.

You are required to select '**Yes**' or '**No**' from the drop down list to confirm that you comply with statements (i) and (ii) listed above.

To achieve a **PASS** you must select **Yes** to confirm that your organisation complies with the above statements (i) and (ii).

If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

You will be required to demonstrate that your solution meets the required levels of procedural, policy, data and technical security as detailed in the Framework Agreement Schedule 27.

As per Procurement Policy Note 09/14 dated 25 September 2014, it is mandatory for Central Government departments to ensure contracts which feature characteristics involving handling of personal information and the provision of certain ICT products and services have fully adopted the Cyber Essentials prior to contract.

Marking Scheme	Evaluation Guidance
PASS	By selecting YES , you have indicated that your organisation complies with statements (i) and (ii) above.
FAIL	By selecting NO , you have indicated that your organisation WILL NOT comply with statements (i) and (ii) above.

Question Number	Question	Response
SQ9.2	<p>National Cyber Security Centre (NCSC) - 15 Good practice measures</p> <p>The NCSC have developed 15 NCSC good practice measures to protecting bulk data. These can be located at the following link:</p> <p>Protecting Bulk Personal Data: Introduction</p> <p>https://www.ncsc.gov.uk/guidance/protecting-bulk-personal-data-introduction</p> <p>Please confirm that you have accessed, read, understood and comply or would be willing to undertake their implementation in your organisation and be audited; the requirement specified in the amber and green sections of each of the “15 NCSC good practice measures”</p> <p>Potential Providers must meet the amber/green requirements in the guide, which can be found at the following links:</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

	<p>Bulk Data: 1-3 What are you protecting?</p> <p>https://www.ncsc.gov.uk/guidance/bulk-data-what-are-you-protecting</p> <p>Bulk Data: 4-7 Who has access to your data?</p> <p>https://www.ncsc.gov.uk/guidance/bulk-data-who-has-access-your-data</p> <p>Bulk Data: 8-15 How is your system designed, implemented and operated?</p> <p>https://www.ncsc.gov.uk/guidance/bulk-data-how-your-system-designed-implemented-and-operated</p>	
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SQ9.2 Response Guidance

This question is evaluated PASS/FAIL. If you cannot or are unwilling to select YES to this question, you will be excluded from further participation in this Procurement.

You must indicate whether you have read and meet the requirements laid down in the **amber or green sections** of each of the 15 NCSC Good Practice Measures. Details of these can be located at the following links:

Protecting Bulk Personal Data: Introduction

<https://www.ncsc.gov.uk/guidance/protecting-bulk-personal-data-introduction>

Bulk Data: 1-3 What are you protecting?

<https://www.ncsc.gov.uk/guidance/bulk-data-what-are-you-protecting>

Bulk Data: 4-7 Who has access to your data?

<https://www.ncsc.gov.uk/guidance/bulk-data-who-has-access-your-data>

Bulk Data: 8-15 How is your system designed, implemented and operated?

<https://www.ncsc.gov.uk/guidance/bulk-data-how-your-system-designed-implemented-and-operated>

To achieve a **PASS** you must select **Yes** to confirm that your organisation has, have read and meet or would be willing to undertake their implementation in your organisation and be audited for the requirements laid down in the amber or green sections of each of the “NCSC 15 good practice measures”

If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance
Pass	By selecting Yes , you have indicated that your organisation has, or will have prior to the commencement of the Framework Agreement, read and meet the requirements laid down in the amber or green sections of each of the “15 NCSC 15 good practice measures”
Fail	By selecting No , you have indicated that your organisation does not have, OR will not have prior to the commencement of the Framework Agreement, read and meet the requirements laid down in the amber or green sections of each of the “NCSC 15 good practice measures”.

SQ9.3	Basic Personnel Security Standard (BPSS) Clearance All staff who have access to Government information must have BPSS clearance. Details on BPSS can be found at the following link: https://www.gov.uk/government/publications/government-baseline-personnel-security-standard Please confirm all such staff (including Key Sub-Contractor staff) have, or will have, BPSS clearance prior to Framework commencement.	Yes <input type="checkbox"/> No <input type="checkbox"/>
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SQ9.3 Response Guidance

This question is evaluated PASS/FAIL. If you cannot or are unwilling to select YES to this question, you will be excluded from further participation in this Procurement.

You must indicate all such staff (including Key Sub-Contractor staff) have, or will have, BPSS clearance. Further information about BPSS can be found in the link below:

<https://www.gov.uk/government/publications/government-baseline-personnel-security-standard>

To achieve a **PASS** you must select **Yes** to confirm all staff who have access to Government information (including Key Sub-Contractor staff) have, or will have, BPSS clearance prior to Framework commencement.

If you select **No** then you will be awarded a **FAIL** and your Tender will be excluded from further consideration for the purposes of this Procurement.

Marking Scheme	Evaluation Guidance
Pass	By selecting Yes , you have confirm all staff who have access to Government information (including Key Sub-Contractor staff) have, or will have, BPSS clearance prior to Framework commencement.
Fail	By selecting No , you have indicated that all staff who have access to Government information (including Key Sub-Contractor staff) do not have, or will not have, BPSS clearance prior to Framework commencement.

Question Number	Question	Response
SQ9.4	<p>Please confirm that where any part of the Service delivery will take place in a location outside of the European Economic Area EEA it is within a country where the European Commission has made positive findings of adequacy as defined at the following link: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm</p> <p>For the avoidance of doubt, service delivery includes the use of equipment or support personnel.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
<p>SQ9.4 Response Guidance:</p> <p>This question is evaluated PASS/FAIL. If you cannot or are unwilling to select YES to this question, you will be excluded from further participation in this Procurement.</p> <p>To achieve a PASS, you must respond by submitting a YES response to confirm that where any part of the Service delivery involves equipment or support personnel located outside of the European Economic Area EEA); it is within a country where the European Commission has made positive findings of adequacy as defined at the following link: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm</p>		
Marking Scheme	Evaluation Guidance	
PASS	<p>By selecting Yes, you have confirmed that where any part of the Service delivery involves equipment or support personnel located outside of the European Economic Area EEA); it IS within a country where the European Commission has made positive findings of adequacy as defined at the following link: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm</p>	
FAIL	<p>By selecting No, you have indicated that any part of the Service delivery involves equipment or support personnel located outside of the European Economic Area EEA); it is NOT within a country where the European Commission has made positive findings of adequacy as defined at the following link: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm</p> <p>or</p> <p>No response had been provided.</p>	

Question Number	Question	Response
SQ9.5	<p>Potential Providers must be able to demonstrate that your solution meets the required levels of security. Therefore please answer the following:</p> <p>A. Please describe what you have already done to implement and manage a robust Service or Services which deliver the security outcomes defined in the Government Cloud security principles located at the following link: https://www.ncsc.gov.uk/guidance/cloud-security-collection</p> <p>B. Please describe what you have already done that addresses risks relating to physical, procedural, personnel and technical/cyber aspects. in relation to the NCSC Security Design Principles located at the following link: https://www.ncsc.gov.uk/guidance/security-design-principles-digital-services-main.</p> <p>C. Please describe how you have implemented enhanced security measures to protect bulk data storage and access stored within Services which you have managed and confirming your compliance with the Bulk Data Security Guidance located at the following link: https://www.ncsc.gov.uk/guidance/protecting-bulk-personal-data-introduction</p>	<p>Please provide a response to the question in no more than 8192 characters</p>

SQ9.5 Response Guidance:

This is a PASS/FAIL question.

Potential Providers should be have answered all three component questions describing clearly and in detail how each of the points were addressed.

- A. Please describe what you have already done to implement and manage a robust Service or Services which deliver the security outcomes defined in the Government Cloud security principles located at the following link:
<https://www.ncsc.gov.uk/guidance/cloud-security-collection>
- B. Please describe what you have already done that addresses risks relating to physical, procedural, personnel and technical/cyber aspects. Your response must be in line with the NCSC Security Design Principles located at the following link:
<https://www.ncsc.gov.uk/guidance/security-design-principles-digital-services-main>.
- C. Please provide a compliance statement against the Bulk Data Security Guidance (Found at <https://www.ncsc.gov.uk/guidance/protecting-bulk-personal-data-introduction>) describing how the data at rest is protected from both internal and external threats.

There will be a continuation question in the eSourcing Suite (to be used if required).

Marking Scheme	Evaluation Guidance
PASS	The Potential Providers response has fully satisfied all three component questions. The response in all three component parts describes, clearly and in detail, how each of the points were met.
FAIL	<p>The Potential Providers response has not fully satisfied all three component questions.</p> <p>or</p> <p>The response provided to any of the component questions does not describe, clearly and in detail, how each of the points were met. The evidence provided is weak and/or not relevant.</p> <p>or</p> <p>No response had been provided.</p>

SQ10	Conflict of Interest It is a fundamental requirement of the Solution that it enjoys the full trust of the Authority, Customers and Telecom and Technology Providers alike. It is to the benefit of all our incumbent Telecom Providers that our TEM service remains independent and those suppliers can feel confident that their commercially sensitive information is managed appropriately. Moreover, we do not believe that any 'ethical wall' structure within a Potential Provider's organisation would overcome the perceived conflict of interest, which left unchecked could undermine confidence in the solution and subsequent bidding processes. To this end we are seeking a demonstrably independent and disinterested supply chain to partner with us in this undertaking.	
Question Number	Question	Response
SQ10.1	Does your organisation, or any of your Key Sub-Contractor or Consortium members sell or resell any telecoms and technology services that will be managed by the proposed TEM Service?	Yes <input type="checkbox"/> No <input type="checkbox"/>
SQ10.1 Response Guidance This question is evaluated PASS/FAIL. If you cannot or are unwilling to select NO to this question, you will be excluded from further participation in this Procurement. You are required to select 'Yes' 'or 'No' from the drop down list to confirm whether your organisation, or any of your Key Sub-Contractor or Consortium members sell or resell any technology services that will be managed by the proposed TEM Service.		
Marking Scheme	Evaluation Guidance	
PASS	By selecting NO , you have indicated that your organisation or any of your Key Sub-Contractor or Consortium members DO NOT sell or resell any technology services that will be managed by the proposed TEM Service?	
FAIL	By selecting YES , you have indicated that your organisation or any of your Key Sub-Contractors or Consortium members sell or resell any technology services that will be managed by the proposed TEM Service	

SQ10.2	Is your organisation, or any of your Key Sub-Contractor or Consortium members, an Affiliate of any seller or reseller of any telecoms and technology services that will be managed by the proposed TEM Service?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<p>SQ10.2 Response Guidance:</p> <p>This question is evaluated PASS/FAIL. If you cannot or are unwilling to select NO to this question, you will be excluded from further participation in this Procurement.</p> <p>You are required to select 'Yes' or 'No' from the drop down list to confirm whether your organisation, your Key Sub-Contractor or Consortium members, are Affiliates of any seller or reseller of any technology services that will be managed by the proposed TEM Service.</p>		
<p>Evaluation Guidance</p>		
PASS	By selecting NO , you have indicated that your organisation, your Key Sub-Contractor or Consortium members, ARE NOT an Affiliate of any seller or reseller of any technology services that will be managed by the proposed TEM Service.	
FAIL	By selecting YES , you have indicated that your organisation, your Key Sub-Contractor or Consortium members, are Affiliates of any seller or reseller of any technology services that will be managed by the proposed TEM Service.	

Mandatory Exclusion Grounds

Public Contract Regulations 2015 R57 (1), (2) and (3)

Public Contract Directives 2014/24/EU Article 57(1)

Participation in a criminal organisation

Participation offence as defined by section 45 of the Serious Crime Act 2015

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;

Corruption

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;

The common law offence of bribery;

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;

Fraud

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:

- the common law offence of cheating the Revenue;
- the common law offence of conspiracy to defraud;
- 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;
- 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;
- 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;

- an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- 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;
- fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;
- 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;

Terrorist offences or offences linked to terrorist activities

Any offence:

- listed in section 41 of the Counter Terrorism Act 2008;
- listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;
- under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points;

Money laundering or terrorist financing

Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002

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

Child labour and other forms of trafficking human beings

An offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;

An offence under section 59A of the Sexual Offences Act 2003

An offence under section 71 of the Coroners and Justice Act 2009;

An offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994

An offence under section 2 or section 4 of the Modern Slavery Act 2015

Non-payment of tax and social security contributions

Breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision.

Where any tax returns submitted on or after 1 October 2012 have been found to be incorrect as a result of:

- HMRC successfully challenging the potential supplier under the General Anti – Abuse Rule (GAAR) or the “Halifax” abuse principle; or
- a tax authority in a jurisdiction in which the potential supplier is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or “Halifax” abuse principle;
- a failure to notify, or failure of an avoidance scheme which the supplier is or was involved in, under the Disclosure of Tax Avoidance Scheme rules (DOTAS) or any equivalent or similar regime in a jurisdiction in which the supplier is established

Other offences

Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales and Northern Ireland

Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland

Discretionary exclusions

Obligations in the field of environment, social and labour law.

Where an organisation has violated applicable obligations 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 Directive (see copy below) as amended from time to time; including the following:-

- Where the organisation or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last three (3) years.
- In the last three (3) years, where the organisation has had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination.
- In the last three (3) years, where any finding of unlawful discrimination has been made against the organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or incomparable proceedings in any jurisdiction other than the UK).
- Where the organisation has been in breach of section 15 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has a conviction under section 21 of the Immigration, Asylum, and Nationality Act 2006;
- Where the organisation has been in breach of the National Minimum Wage Act 1998.

Bankruptcy, insolvency

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;

Grave professional misconduct

Guilty of grave professional misconduct

Distortion of competition

Entered into agreements with other economic operators aimed at distorting competition

Conflict of interest

Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure

Been involved in the preparation of the procurement procedure.

Prior performance issues

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.

Misrepresentation and undue influence

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.

Additional exclusion grounds

Breach of obligations relating to the payment of taxes or social security contributions.

Extract from Public Procurement Directive 2014/24/EU**LIST OF INTERNATIONAL SOCIAL AND ENVIRONMENTAL CONVENTIONS REFERRED TO IN ARTICLE 18(2) —**

- ILO Convention 87 on Freedom of Association and the Protection of the Right to Organise;
- ILO Convention 98 on the Right to Organise and Collective Bargaining;
- ILO Convention 29 on Forced Labour;
- ILO Convention 105 on the Abolition of Forced Labour;

- ILO Convention 138 on Minimum Age;
- ILO Convention 111 on Discrimination (Employment and Occupation);
- ILO Convention 100 on Equal Remuneration;
- ILO Convention 182 on Worst Forms of Child Labour;
- Vienna Convention for the protection of the Ozone Layer and its Montreal Protocol on substances that deplete the Ozone Layer;
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention);
- Stockholm Convention on Persistent Organic Pollutants (Stockholm POPs Convention)
- Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (UNEP/FAO) (The PIC Convention) Rotterdam, 10 September 1998, and its 3 regional Protocols.

Consequences of misrepresentation

A serious misrepresentation which induces a contracting authority to enter into a contract may have the following consequences for the signatory that made the misrepresentation:-

- The potential supplier may be excluded from bidding for contracts for three years, under regulation 57(8)(h)(i) of the PCR 2015;
- The contracting authority may sue the supplier for damages and may rescind the contract under the Misrepresentation Act 1967.
- If fraud, or fraudulent intent, can be proved, the potential supplier or the responsible officers of the potential supplier may be prosecuted and convicted of the offence of fraud by false representation under s.2 of the Fraud Act 2006, which can carry a sentence of up to 10 years or a fine (or both).
- If there is a conviction, then the company must be excluded from procurement for five years under reg. 57(1) of the PCR (subject to self-cleaning)