

**PARTICIPATION REQUIREMENTS AND**

**SELECTION QUESTIONNAIRE GUIDANCE**

**CAMPAIGN SOLUTIONS**

**REFERENCE NUMBER**

**RM 3774**

**ATTACHMENT 2**

**Contents**

Introduction page 3

Section 1 – Framework Agreement Essentials (evaluated) page 4

Section 2 – Grounds for Mandatory Exclusion (evaluated) page 7

Section 3 - Grounds for Discretionary Exclusion (evaluated) page 11

Section 4 – Working with Government page 17

Section 5 – Framework Specific Questions (evaluated) page 20

Section 6 – Potential Agency Details (evaluated) page 22

Section 7 – Economic and Financial Standing (evaluated) page 27

Section 8 – Technical and Professional Ability (evaluated) page 28

Introduction

1.1 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 Emptoris system.

1.2 This document is the overview of the methodology which will be adopted by the Authority to evaluate your response to each question set out within the Selection Questionnaire.

1.3 For the avoidance of doubt in the Participation Requirements questions “we” refers to the Potential Agency (Lead Contact for a Consortium).

1.4 For the avoidance of doubt in the Selection questions “you” / “your” refers to the Potential Agency (Lead Contact for a Consortium).

1.5 If you cannot provide a response to a question your Tender will be deemed non-compliant.

1.6 If a Tender is deemed to be non-compliant, the Tender may be rejected and excluded from further participation in this Procurement. See the ITT (Attachment 1) for further details.

|  |
| --- |
| **SECTION 1 - FRAMEWORK AGREEMENT ESSENTIALS**  **Guidance:** You must answer the following questions in relation to the Campaign Solutions Framework Tender. You can change your answers at any time on the Emptoris system (provided you follow the process in the Emptoris guidance document) before the Tender Submission Deadline. You must be able to answer 'yes' to every question from 1 to 7 in the ‘Framework Agreement Essentials’ section for your Tender to be considered eligible. If you can't answer 'yes' to every question in this section, you will not be able to participate in this procurement. |

|  |  |
| --- | --- |
| **Question 1: Do you agree to comply with the Campaign Solutions Framework ITT document, the Terms of Participation and Declaration of Compliance?** | |
| **Guidance** | You are required to answer **YES** to confirm you comply with the Campaign Solutions Framework ITT document (specifically: Terms of Participation and Declaration of Compliance). **If you do not answer Yes to this question you cannot participate in this Procurement.** |
| **Response** | You must select **Yes** or **No** in the Emptoris system |

|  |  |
| --- | --- |
| **Question 2: Do you accept the Campaign Solutions Framework Agreement and Call-Off Contract documents?** | |
| **Guidance** | You are required to answer **YES** to confirm you accept the Campaign Solutions Framework Agreement and Call-Off Contract documents in their issued form. **If you do not answer Yes to this question you cannot participate in this Procurement.** |
| **Response** | You must select **Yes** or **No** in the Emptoris system |

|  |  |
| --- | --- |
| **Question 3: If you are awarded a place on the Campaign Solutions Framework do you agree to sign and return the final Framework Agreement, without changing it, within 10 working days of it being issued by Crown Commercial Service (CCS)?** | |
| **Guidance** | You are required to answer **YES** to confirm you agree to sign and return the final Framework Agreement, without changing it, within 10 working days of it being issued by CCS. **If you do not answer Yes to this question you cannot participate in this Procurement.** |
| **Response** | You must select **Yes** or **No** in the Emptoris system |

|  |  |
| --- | --- |
| **Question 4: Do you agree to inform CCS as soon as possible if there are any changes to the information you are providing in this Selection Questionnaire?** | |
| **Guidance** | You are required to answer **YES** to confirm you agree to inform CCS as soon as possible if there are any changes to the information you have provided in this Selection Questionnaire. **If you do not answer Yes to this question you cannot participate in this Procurement.** |
| **Response** | You must select **Yes** or **No** in the Emptoris system |

|  |  |
| --- | --- |
| **Question 5: Do you have the authority to apply for this Framework on behalf of your organisation?** | |
| **Guidance** | You are required to answer **YES** to confirm you have the authority to apply for this Framework on behalf of your organisation. **If you do not answer Yes to this question you cannot participate in this Procurement.** |
| **Response** | You must select **Yes** or **No** in the Emptoris system disgust |

|  |  |
| --- | --- |
| **Question 6: Does your organisation have the skills and resources to provide the services required under the Campaign Solutions Framework?** | |
| **Guidance** | You are required to answer **YES** to confirm you have the skills and resources to provide the services required under the Campaign Solutions Framework. Your organisation includes your Sub-Contractors, members of your Consortia \* and their proposed Sub-Contractors \*\*.  **If you do not answer Yes to this question you cannot participate in this Procurement.**  However in order to tender for a particular Specialist Service you must be able to provide that Specialist Service in-house which means your own organisation must be able to demonstrate that, as the prime Agency, you can deliver the requisite expertise to deliver a fully integrated end-to-end campaigns using your own resources, experience and capability (and not rely on any Sub-Contractors for the provision of that Specialist Service).  At the Further Competition stage an Agency shall be required to demonstrate how they will deliver the fully integrated solution, including whether the services will be delivered solely by their in-house capability or whether they intend to Sub-Contract some elements of their solution.  \_\_\_\_\_\_\_\_\_\_\_\_  \* **please refer to paragraph 7.6 of the ITT (Attachment 1) which provides important information about consortia proposals.**  **\*\* except for the purposes of demonstrating experience and capability of a Specialist Service pursuant to the second to last paragraph above, where the definition of ‘organisation’ in that paragraph shall not include Sub-Contractors or the Sub-Contractors of members of your Consortium** |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |  |
| --- | --- |
| **Question 7: Please confirm that your organisation will take direct contractual responsibility and full accountability for delivering the services you are offering on the framework** | |
| **Guidance** | You are required to answer YES to confirm that your organisation will take direct contractual responsibility and full accountability for delivering the services you are offering on the framework  **If you do not answer Yes to this question you cannot participate in this Procurement.** |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |
| --- |
| **SECTION 2 - GROUNDS FOR MANDATORY EXCLUSION**  **Guidance:**  You are required to select Yes or No in the Emptoris system for every question 8 to 13.  References in questions 8 to 13 to “anyone who represents your organisation” includes members of your Consortium, proposed Sub-Contractors, and any directors, partners, or any other person who has powers of representation, decision or control in relation to any of these. You must check that your organisation complies with Regulation 57(1) of the Public Contracts Regulations 2015 (to which these questions relate).  If you answer 'yes' to any of the questions 8 to 13 you are required to provide sufficient evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction that provides a summary of the circumstances and any remedial action taken., please refer to question 16 which describes the evidence and information required, which should be applied when responding to self cleaning questions under this section. .  If you cannot provide evidence of ‘self-cleaning’ which is acceptable to CCS (whose decision will be final) you will be excluded from further participation in this procurement. |

|  |  |
| --- | --- |
| **Question 8: Please confirm whether, within the past 5 years, anyone who represents your organisation or a partner organisation has been convicted of:**  **- conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 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 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 - section 113 of the Representation of the People Act 1983 - any other offence within the meaning of article 57(1) of the Public Contracts Directive as defined by the law of any jurisdiction outside England and Wales and Northern Ireland** | |
| **Guidance** | If you answer 'yes' to any of the above you are required to provide sufficient evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction. |
| **Response** | You must select **Yes** or **No** in the Emptoris system. If you answer ‘yes’ please provide evidence of ‘self-cleaning’ in the text field in Emptoris. |

|  |  |
| --- | --- |
| **Question 9: Please confirm whether, within the past 5 years, anyone who represents your organisation or a partner organisation has been convicted of any offence that 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, including:**  **- the common law offence of cheating the Revenue (HMRC) - 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** | |
| **Guidance** | If you answer 'yes' to any of the above you are required to provide sufficient evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction that provides a summary of the circumstances and any remedial action taken. |
| **Response** | You must select **Yes** or **No** in the Emptoris system. If you answer ‘yes’ please provide evidence of ‘self-cleaning’ in the text field in Emptoris. |

|  |  |
| --- | --- |
| **Question 10: Please confirm whether, within the past 5 years, anyone who represents your organisation or a partner organisation has been convicted of any offence listed in: - section 41 of the Counter Terrorism Act 2008 - schedule 2 of the Counter Terrorism Act 2008 where the court has determined that there is a terrorist connection** | |
| **Guidance** | If you answer 'yes' to any of the above you are required to provide sufficient evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction that provides a summary of the circumstances and any remedial action taken. |
| **Response** | You must select **Yes** or **No** in the Emptoris system. If you answer ‘yes’ please provide evidence of ‘self-cleaning’ in the text field in Emptoris. |

|  |  |
| --- | --- |
| **Question 11: Please confirm whether, within the past 5 years, anyone who represents your organisation or a partner organisation has been convicted of: - any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f) - 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 - 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; or any other offence within the meaning of article 57(1) of the Directive** | |
| **Guidance** | If you answer 'yes' to any of the above you are required to provide sufficient evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction that provides a summary of the circumstances and any remedial action taken. |
| **Response** | You must select **Yes** or **No** in the Emptoris system. If you answer ‘yes’ please provide evidence of ‘self-cleaning’ in the text field in Emptoris. |

|  |  |
| --- | --- |
| **Question 12:**  **Regulation 57 (3) –**  **Has it been established, for your organisation and/or any of your or the Consortium’s proposed Sub-Contractors and/or members of your Consortium, 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, if applicable, is in breach of obligations related to the payment of tax or social security contributions?** | |
| **Guidance** | Answer 'yes' if anyone who represents your organisation or partner organisation has been convicted of any of the above. |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |  |
| --- | --- |
| **Question 13: If you have answered Yes to question number 12 please provide further details to confirm whether you and/or any of your or the Consortium’s proposed Sub-Contractors and/or members of your Consortium have paid, or have entered into a binding arrangement with a view to paying, including where applicable any accrued interest and/or fines?** | |
| **Guidance** | If you have answered ‘yes’ to question 12 please provide evidence of ‘self-cleaning’ in the text field in Emptoris. |
| **Response** | If you answer ‘yes’ please provide evidence of ‘self-cleaning’ in the text field in Emptoris. |

|  |
| --- |
| **SECTION 3 - GROUNDS FOR DISCRETIONARY EXCLUSION**  **Guidance:** If you answer 'yes', to any of questions 14, 15, 17 and 18, you must provide full details of any subsequent event or remedial action that you think CCS should take into consideration.  CCS will use the information you provide to consider whether or not you will be able to proceed any further with this Procurement. In questions 14 to 19 references to 'partner organisations' include members of your Consortium or any proposed Sub-Contractors. CCS can also exclude you if you are guilty of serious misrepresentation in providing any information referred to within regulations 23, 24, 25, 26 or 27 of the Public Contracts Regulations 2015 (<http://www.legislation.gov.uk/uksi/2015/102/contents/made>) or if you fail to provide any such information it requests. |

|  |  |
| --- | --- |
| **Question 14: Have any members of your organisation or a partner organisation been Legally Found to be in breach of tax payments or social security contributions?** | |
| **Guidance** | In this question “Legally Found” means any judicial or administrative decision, which has final or binding effect in the UK or the country in which your organisation or the relevant partner organisation has been established. Check that your organisation complies with Regulation 57(3) of the Public Contracts Regulations 2015 to which this question relates.  (<http://www.legislation.gov.uk/uksi/2015/102/regulation/57/made>). |
| **Response** | You must select **Yes** or **No** on the Emptoris system.  If you respond Yes please provide details of the breach and evidence of remedial action taken in the text box in question 16. |

|  |  |
| --- | --- |
| **Question 15: Please confirm whether, within the past 3 years, your organisation or any of your partner organisations has: - violated EU obligations referred to in Regulation 56(2) of the Public Contracts Regulations 2015 (http://www.legislation.gov.uk/uksi/2015/102/part/2/chapter/2/crossheading/conduct-of-the-procedure-choice-of-participants-and-award-of-contracts/made) in the fields of environmental, social and labour law - been made bankrupt or the subject of insolvency or winding-up proceedings - been guilty of grave professional misconduct - entered into agreements with other economic operators aimed at distorting competition - had a conflict of interest within the meaning of Regulation 24 of the Public Contracts Regulations 2015 (http://www.legislation.gov.uk/uksi/2015/102/regulation/24/made) - distorted competition through prior involvement in the procurement procedure as described in Regulation 41 of the Public Contracts Regulations 2015 (http://www.legislation.gov.uk/uksi/2015/102/regulation/41/made) - 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 the contract, damages or other comparable sanctions - been guilty of serious misrepresentation of the information required for the fulfilment of the selection criteria - withheld such information or failed to submit supporting documents required under Regulation 59 of the Public Contracts Regulations 2015 (http://www.legislation.gov.uk/uksi/2015/102/regulation/59/made) - unduly influenced the decision-making process of the contracting authority - obtained confidential information that may give you undue advantages in the procurement procedure - provided misleading information that may have an influence on decisions concerning framework exclusion, selection or award** | |
| **Guidance** | Check that your organisation complies with Regulation 57(8) in the Public Contracts Regulations 2015  (<http://www.legislation.gov.uk/uksi/2015/102/regulation/57/made>) |
| **Response** | You must select **Yes** or **No** on the Emptoris system.  If you respond Yes please provide evidence of ‘self-cleaning’ in the text box in question 16. |

|  |  |
| --- | --- |
| **Question 16: If you responded yes to any part of questions 14 and 15, please provide details of any mitigating factors that you think should be taken into consideration.** | |
| **Guidance** | If you answer **Yes** to any of the questions in this section you are required to provide evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.  **If you cannot provide evidence of ‘self-cleaning’ which is acceptable to CCS you may be excluded from further participation in this Procurement.**  If you answer ‘**Yes’** to any element of questions 14 and 15 you are required to provide sufficient evidence, in the text field in Emptoris, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleanse” the situation referred to in that question. You have to demonstrate it has taken such remedial action, to the satisfaction of CCS in each case.  If such evidence is considered by CCS (whose decision will be final) as sufficient, the Potential Agency concerned shall be allowed to continue in the Procurement process.  In order for the evidence referred to above to be sufficient, you shall, as a minimum, prove that you have;   * 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.   The measures taken by you shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct and in relation to question 14, the proportionality of exclusion in view of the breach. Where the measures are considered by the CCS to be insufficient, you shall be given a statement of the reasons for that decision.  **CCS may exclude Potential Agencies that do not provide full and accurate information.** |
| **Response** | If you responded **Yes** to questions 14 and 15**,** please provide details, in the text field on the Emptoris system.  Please insert **N/A** if this question is not applicable. |

|  |  |
| --- | --- |
| **Question 17: From 1 April 2013 onwards, for your organisation and/or any of your or the Group of Economic Operators’ proposed Sub-Contractors and/or members of your Group of Economic Operators, have any of the organisation’s tax returns submitted anywhere in the world on or after 1 October 2012:**   * **Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion;** | |
| **Guidance** | If you answer **Yes** to any of the questions in this section you are required to provide evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.  **If you cannot provide evidence of ‘self-cleaning’ which is acceptable to CCS you may be excluded from further participation in this Procurement.**  If you answer ‘**Yes’** to any element of question 17 you are required to provide sufficient evidence, in the box provided in question 19, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleanse” the situation referred to in that question. You have to demonstrate it has taken such remedial action, to the satisfaction of CCS in each case.  If such evidence is considered by CCS (whose decision will be final) as sufficient, the Potential Agency concerned shall be allowed to continue in the Procurement process.  In order for the evidence referred to above to be sufficient, you shall, as a minimum, prove that you have;   * 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.   The measures taken by you shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the CCS to be insufficient, you shall be given a statement of the reasons for that decision.  CCS **may exclude Potential Agencies that do not provide full and accurate information.** |
| **Response** | You must select **Yes** or **No** on the Emptoris system.  If you respond Yes please provide evidence of ‘self-cleaning’ in the text box in question 19. |

|  |  |
| --- | --- |
| **Question 18: From 1 April 2013 onwards, for your organisation and/or any of your or the Group of Economic Operators’ proposed Sub-Contractors and/or members of your Group of Economic Operators, have any of the organisation’s tax returns submitted anywhere in the world on or after 1 October 2012:**  **Been found to be incorrect as a result of:**   * **HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the “Halifax” abuse principle; or** * **a tax authority in a jurisdiction in which the Potential Agency is established successfully challenging it  under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the “Halifax” abuse principle; or** * **the failure of an avoidance scheme which the Potential Agency was involved in and which was, or should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the Potential Agency is established?** | |
| **Guidance** | If you answer **Yes** to any of the questions in this section you are required to provide evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.  **If you cannot provide evidence of ‘self-cleaning’ which is acceptable to CCS you may be excluded from further participation in this Procurement.**  If you answer ‘**Yes’** to any element of question 18 you are required to provide sufficient evidence, in the text field in question 19, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleanse” the situation referred to in that question. You have to demonstrate it has taken such remedial action, to the satisfaction of CCS in each case.  If such evidence is considered by CCS (whose decision will be final) as sufficient, the Potential Agency concerned shall be allowed to continue in the Procurement process.  In order for the evidence referred to above to be sufficient, you shall, as a minimum, prove that you have;   * 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.   The measures taken by you shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the CCS to be insufficient, you shall be given a statement of the reasons for that decision.  CCS **may exclude Potential Agencies that do not provide full and accurate information.** |
| **Response** | You must select **Yes** or **No** on the Emptoris system.  If you respond Yes please provide evidence of ‘self-cleaning’ in the text box in question 19. |

|  |  |
| --- | --- |
| **Question 19: If you responded yes to either question 17 or question 18, please provide details of any mitigating factors that you think should be taken into consideration.** | |
| **Guidance** | If you answer **Yes** to any of the questions in this section you are required to provide evidence of ‘self-cleaning’ (see Regulation 57 (13) of the Regulations) against the relevant conviction.  **If you cannot provide evidence of ‘self-cleaning’ which is acceptable to CCS you may be excluded from further participation in this Procurement.**  If you answer ‘**Yes’** to any element of question questions 17 and 18 you are required to provide sufficient evidence, in the text field in this question, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self-cleanse” the situation referred to in that question. You have to demonstrate it has taken such remedial action, to the satisfaction of CCS in each case.  If such evidence is considered by CCS (whose decision will be final) as sufficient, the Potential Agency concerned shall be allowed to continue in the Procurement process.  In order for the evidence referred to above to be sufficient, you shall, as a minimum, prove that you have;   * 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.   The measures taken by you shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the CCS to be insufficient, you shall be given a statement of the reasons for that decision.  **CCS may exclude Potential Agencies that do not provide full and accurate information.** |
| **Response** | If you responded **Yes** to questions 17 or 18**,** please provide details, in the text field on the Emptoris system.  Please insert **N/A** if this question is not applicable. |

|  |
| --- |
| **SECTION 4 - WORKING WITH GOVERNMENT**  **Guidance:**  For Question 20 you must be able to truthfully answer 'no'. If you answer 'yes', you must provide full details of any subsequent event or remedial action that you think CCS should take into consideration. CCS will use the information you provide to consider whether or not you will be able to proceed any further with this Procurement.  For Question 21 you must be able to truthfully answer 'Yes' If you answer 'no', you must provide full details of any subsequent event or remedial action that you think CCS should take into consideration. CCS will use the information you provide to consider whether or not you will be able to proceed any further with this Procurement.  For Questions 22 to 25 inclusive you must be able to truthfully answer 'Yes' to every question for your Tender to be considered eligible. If you answer ‘No’ your Tender may not be accepted. |

|  |  |
| --- | --- |
| **Question 20: Has your organisation or Consortium and/or any proposed Sub Contractors or members of your Consortium been convicted of breaching environmental legislation?** | |
| **Guidance** | If you responded **Yes** please provide details in the text field in Emptoris of any environmental legislation breach, conviction or notice and any details of any remedial action or changes you have made as a result of conviction of notices served. |
| **Response** | You must select **Yes** or **No** on the Emptoris system. |

|  |  |
| --- | --- |
| **Question 21: Please confirm that your organisation complies and will continue to comply with legal equality and diversity obligations relating to: - age - disability - gender reassignment - marriage and civil partnership - pregnancy and maternity - race - religion or belief - sex - sexual orientation** | |
| **Guidance** | You are required to answer **YES** to confirm that your organisation complies with legal equality and diversity obligations.  If you responded No please provide details in the text field in Emptoris of any equality and diversity breach, conviction or notice and any details of any remedial action or changes you have made as a result of conviction of notices served. |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |  |
| --- | --- |
| **Question 22: Please confirm you will support the Civil Service Values**  **(**[**https://www.gov.uk/government/publications/civil-service-code/the-civil-service-code**](https://www.gov.uk/government/publications/civil-service-code/the-civil-service-code)**)**  **and, if asked, provide evidence of how you do it.** | |
| **Guidance** | You are required to answer **YES** to confirm that you support the Civil Service Values. |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |  |
| --- | --- |
| **Question 23: Are you prepared to publish contracts according to government policy? (https://www.gov.uk/government/publications/procurement-policy-note-1315-increasing-the-transparency-of-contract-information)** | |
| **Guidance** | You are required to answer **YES** to confirm that you accept the government’s transparency policy and are prepared to publish contracts in accordance with that policy. |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |  |
| --- | --- |
| **Question 24: Do you agree to comply with government security classifications (**[**https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/251480/Government-Security-Classifications-April-2014.pdf**](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251480/Government-Security-Classifications-April-2014.pdf)**)**  **and protect government information,** | |
| **Guidance** | You are required to answer **YES** to confirm you agree to respect government security classifications. |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |  |
| --- | --- |
| **Question 25 Do you agree to protect personal data in accordance with the government guidance on data protection and your business?**  **(**[**https://www.gov.uk/data-protection-your-business**](https://www.gov.uk/data-protection-your-business)**)** | |
| **Guidance** | You are required to answer **YES** to confirm you agree to protect personal data according to the government guidance on data protection and your business. |
| **Response** | You must select **Yes** or **No** on the Emptoris system |

|  |
| --- |
| **SECTION 5 – FRAMEWORK SPECIFIC QUESTIONS**  Question 26 is for Information Only.  You must answer ‘yes’ to either question 27 or 28. If you cannot answer ‘yes’ to one of these questions then your Tender will be excluded from further participation in this procurement.  Question 29 if you select ‘no’ then your tender will be excluded from further participation of this procurement. |

|  |  |
| --- | --- |
| **Question 26: Please indicate which Specialist Service you are tendering for by selecting the relevant option(s) from the drop down menu.** | |
| **Guidance** | Please indicate which Specialist Service you are tendering for, by selecting the relevant option(s) from the drop down menu.  You can tender for one, some or all of the Specialist Services.  Agencies must be able to manage and deliver fully integrated end to end campaigns by delivering services, however in order to tender for a particular Specialist Service you must be able to provide that Specialist Service in-house which means your own organisation\* must be able to provide that Specialist Service using its own resources, experience and capability (and not rely on any Sub-Contractors for the provision of that Specialist Service).  \* For the purposes of demonstrating experience and capability of a Specialist Service, the definition of ‘organisation’ shall not include Sub-Contractors or the Sub-Contractors of members of your Consortium |
| **Response** | Please select the specialist Service from the drop down box in Emptoris |

|  |  |
| --- | --- |
| **Question 27: Please confirm by selecting 'yes or no' that (if you are successful) upon the award of your first Call-Off Contract you will have a current and valid Cyber Essentials Plus certificate that has been awarded by a government approved Cyber Essentials accreditation body.** | |
| **Guidance** | You must have upon the award of your first Call-Off Contract a current and valid Cyber Essentials Plus certificate which has been awarded by one of the government approved Cyber Essentials accreditation bodies within the most recent 12 months.  In addition, 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 must have in place a current and valid Cyber Essentials Plus certificate by the commencement date of the first Call Off Contract where your organisation proposes to use the Sub-Contractor.  Do not submit any Cyber Essentials Plus documentation at this stage. |
| **Response** | You must select **Yes** or **No** on the Emptoris system or N/A. |

|  |  |
| --- | --- |
| **Question 28: Please confirm by selecting ‘yes’ or ‘no’ that, if your organisation is exempt from complying with the requirements of the Cyber Essentials Plus certificate because your organisation conforms with the ISO27001 standard and the Cyber Essentials Plus requirements have been included in the scope of that standard, you will have a valid ISO27001 certificate upon the award of your first Call-Off contract.** | |
| **Guidance** | If your organisation is exempt from complying with the requirements of the Cyber Essential Plus certificate because your organisation conforms with the ISO27001 standard and the Cyber Essentials Plus requirements have been included in the scope of that standard, you must have upon award of your First-Call Contract a current and valid verification such from the certification bodies carrying out this verification is approved to issue a Cyber Essentials Plus certificate by one of the government approved Cyber Essentials accreditation bodies.  Do not submit any ISO27001 documentation at this stage. |
| **Response** | You must select **Yes** or **No** on the Emptoris system or N/A. |

|  |  |
| --- | --- |
| **Question 29: Does your organisation have, or will it have prior to the framework commencement date, the following insurances in place for the benefit of the framework agreement:**  **- Employer’s liability insurance of at least £5 million?**  **- Public Liability Insurance of at least £2 million?**  **- Professional Indemnity Insurance of at least £1 million?** | |
| **Guidance** | This question is evaluated PASS/FAIL  You must indicate whether you have all of the three insurances listed above and be able to provide a valid in-date certification as evidence of the insurances being in place prior to Framework Award.  Employer’s Liability is a legal requirement that all companies except for businesses employing only the owner/close family members or if employing someone based abroad.  Please note that (Not Applicable) N/A will therefore only apply if your organisation and/or your Consortium members, employs only the owner/close family members or employs someone based abroad.  You must indicate whether your organisation has or will have the insurance(s) listed and be able to provide valid in-date certification as evidence of all the insurance(s) being in place prior to Framework Award.  To achieve a PASS you must select ‘yes’ you have, or will have in place, prior to the commencement of the Framework Award, all of the three insurances listed. You will not be able to commence work under the Framework Award until you have evidenced to CCS that you have valid in-date certification all of the three insurances listed.  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. |
| **Response** | Yes – your organisation has, or will have in place all three (or two if you are exempt for Employer’s Liability Insurance) of the insurances listed and you will provide certification of each one prior to framework award.  No - your organisation does not have, and will not have in place all three of the insurances listed prior to framework award. |

|  |  |
| --- | --- |
| **SECTION 6 – POTENTIAL AGENCY DETAILS** | |
| **Question 30: What is the full name of the organisation tendering for the Campaign Solutions Framework Agreement?** | |
| **Guidance** | Enter details of the full name of the organisation applying to the Campaign Solutions Framework Agreement. This will be the legal entity with whom CCS will contract if successful. |
| **Response** | Complete text field in the Emptoris system |

|  |  |
| --- | --- |
| **Question 31: What is your organisation’s registered office address?** | |
| **Guidance** | These are the address details of the registered office of the organisation tendering for the Campaign Solutions Framework Agreement. This will be the legal entity with whom CCS will contract if successful. |
| **Response** | Complete the table in the Emptoris system |

|  |  |
| --- | --- |
| **Question 32: What is the trading status of your organisation?** | |
| **Guidance** | Please select one of the below:   1. Public limited company 2. Limited company 3. Limited liability partnership 4. Other partnership 5. Sole trader 6. Established consortium 7. To be formed consortium 8. Special purpose vehicle 9. Other |
| **Response** | Select from drop down menu in Emptoris |

|  |  |
| --- | --- |
| **Question 33: Describe your trading status if you answered ‘other’ to question 32** | |
| **Guidance** | If you responded OTHER to question 32 please specify, in the text field, your trading status. If you are a Consortium lead you must provide all the information required to describe your organisation. |
| **Response** | Complete the text field in the Emptoris system |

|  |  |
| --- | --- |
| **Question 34: What is the primary contact’s name, telephone number and email address?** | |
| **Guidance** | This is the name, telephone number and email address of the primary contact for your organisation the tender. |
| **Response** | Please complete text field |

|  |  |
| --- | --- |
| **Question 35: What trading name will be used if successful in this procurement?** | |
| **Guidance** | If you are Tendering as a Consortium Lead, as the Lead Contact, you must insert the Trading Name of the Consortium in this field. |
| **Response** | Complete text field in the Emptoris system |

|  |  |
| --- | --- |
| **Question 36: In which country was your organisation first registered?** | |
| **Guidance** | Enter details of the country your organisation was first registered in |
| **Response** | Complete text field in the Emptoris system |

|  |  |
| --- | --- |
| **Question 37: What is your organisation’s company registration number?** | |
| **Guidance** | If you weren't established in the UK and don’t have a Companies House number, provide an equivalent company registration number. |
| **Response** | Complete text field in the Emptoris system or enter N/A. |

|  |  |
| --- | --- |
| **Question 38: What is your organisation’s registered VAT number?** | |
| **Guidance** | There are typically either 9 or 12 characters in a VAT number. Enter N/A if you don't have a VAT number. |
| **Response** | Complete text field in the Emptoris system or enter N/A. |

|  |  |
| --- | --- |
| **Question 39: Was your business established in the UK?** | |
| **Guidance** | You are required to answer **YES** or **NO** to confirm you if your organisation was established in the UK |
| **Response** | Select ‘yes’ or ‘no’ from the Emptoris system |

|  |  |
| --- | --- |
| **Question 40: If your business was not established in the UK, is it registered with the appropriate professional or trade register(s) in the EU member state where it’s established?** | |
| **Guidance** | Check that your organisation complies with Schedule 5, Regulation 58(5) of the Public Contracts Regulations 2015. (<http://www.legislation.gov.uk/uksi/2015/102/regulation/58/made>). |
| **Response** | Complete text field in the Emptoris system or enter N/A. |

|  |  |
| --- | --- |
| **Question 41: If you answered ‘no’ to question 39, please provide details including your organisation’s registration number.** | |
| **Guidance** | If your business was not established in the UK please provide address details and location. |
| **Response** | Complete text field in the Emptoris system |

|  |  |
| --- | --- |
| **Question 42: What is the size of your organisation?** | |
| **Guidance** | Check the size of your organisation (<http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/index_en.htm>)   1. Micro 2. Small 3. Medium 4. Large |
| **Response** | Use drop down list on the Emptoris system |

|  |  |
| --- | --- |
| **Question 43: Please confirm how you will provide Campaign Solutions Framework services:** | |
| **Guidance** | Choose one that will apply.  Only include Sub-Contractors whose products or services will be integral to the Campaign Solutions Framework services that you intend to provide.   1. as a prime contractor using no third parties (Sub-Contractors) to provide some services 2. as a prime contractor, using third parties (Sub-Contractors) to provide some services 3. as part of a consortium or special purpose vehicle, using members only to provide all services 4. as part of a consortium or special purpose vehicle, using third parties (Sub-Contractors) to provide some services |
| **Response** | Use drop down list in the Emptoris system |

|  |  |
| --- | --- |
| **Question 44: If you are acting as the Lead Contact for a Consortium please provide the name of all members of the Consortium and the proposed legal structure of the consortium.** | |
| **Guidance** | Please provide the proposed legal structure of the Consortium it intends to form prior to signing the Framework Agreement, if awarded, along with the following information for each member:  Please provide the following information for each Consortium member:  Description of the legal structure  Name  Registered office address - (if applicable)  Trading status  Company registration number – (if applicable)  Head office DUNS number  Registered VAT number  SME  The role each Consortium member will take in providing the Services  The approximate % of contractual obligations assigned to each Consortium. |
| **Response** | Complete table in the Emptoris system |

|  |  |
| --- | --- |
| **Question 45: If you are acting as the Lead Contact for a Consortium and you are proposing to use Sub-Contractors you must provide the name of each Sub-Contactor plus their required details:** | |
| **Guidance** | Please provide the following information for each Sub-Contractor:  Name  Registered office address - (if applicable)  Trading status  Company registration number – (if applicable)  Head office DUNS number  Registered VAT number  SME  The role each Sub-Contractor will take in providing the Services  The approximate % of contractual obligations assigned to each Sub-Contractor. |
| **Response** | Complete table in the Emptoris system |

|  |
| --- |
| **SECTION 7 - ECONOMIC AND FINANCIAL STANDING**  For your organisation and, if applicable, each member of your Consortium, CCS will use the organisation’s details provided in the “Potential Agency Details” in section to obtain financial risk assessments.  If you and/or members of your Consortium 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 9 must be completed by each Framework Guarantor and accepted by CCS prior to Call Off Contract.  This information is used to evaluate the economic and financial standing of those organisations involved in your Tender and/or any Framework Guarantor(s).  Refer to paragraph 11.4 of Attachment 1 (Invitation to Tender) for more information about how the financial assessment will be conducted. |

|  |  |
| --- | --- |
| **Question 46: Please confirm if you wish for the financial assessment to be carried out for your organisation, and if applicable, each member of your consortium, the contact details of whom have been provided in response to questions 30, 31, 37 and 44.** | |
| **Guidance** | This information is used to evaluate the economic and financial standing of those organisations involved in your Tender and/or any Framework Guarantor(s).  Refer to paragraph 11.4 of Attachment 1 - Invitation to Tender for more information about how the financial assessment will be conducted. |
| **Response** | You must select **Yes** or **No** in the Emptoris system |

|  |  |
| --- | --- |
| **Question 47: If you or any of your consortium members would prefer to have your financial assessment carried out in respect of a Framework Guarantor, such as a parent company.** | |
| **Guidance** | This information is used to evaluate the economic and financial standing of those organisations involved in your Tender and/or any Framework Guarantor(s).  Refer to paragraph 11.4of Attachment 1 - Invitation to Tender for more information about how the financial assessment will be conducted. |
| **Response** | You must select **Yes** or **No** in the Emptoris system |

|  |  |
| --- | --- |
| **Question 48:** **If you have answered Yes to question 47 please provide details of the Framework Guarantor** | |
| **Guidance** | This information is used to evaluate the economic and financial standing of those organisations involved in your Tender and/or any Framework Guarantor(s).  Refer to paragraph 11.4 of Attachment 1 - Invitation to Tender for more information about how the financial assessment will be conducted. |
| **Response** | You must complete the table in the Emptoris system |

|  |
| --- |
| **SECTION 8 - Technical and Professional Ability - Previous Supply (Evaluated)** |

|  |  |
| --- | --- |
| **Question 49:**  **Potential Agencies are required to deliver fully integrated, end to end campaigns by delivering services in-house or by Sub-Contracting to other Agencies on the Campaign Solutions Framework Agreement or other Agencies within their own supply chains whom the Potential Agency has deemed capable of delivering those services.**  **You are required to provide evidence of your experience of;**   1. **your ability to deliver a fully integrated, end to end campaign**   **and**   1. **your in-house ability to deliver the Specialist Service (s) you have selected in response to question 26.**   **You are required to provide:**   * **one contract example of a fully integrated, end to end campaign that you have delivered**   **and**   * **one contract example for each Specialist Service you have selected in response to question 26.**   **The contract examples can be from the public or private sector, where similar requirements to those sought under this Procurement have been performed.** | |
| **Guidance** | This section is evaluated as PASS/FAIL.  You must demonstrate you have the necessary technical and professional experience to perform the Framework Agreement to the required standard as contained within the Framework Agreement. Agencies and Consortium Lead Contacts must provide:   * one comparable contract example detailing a fully integrated, end to end campaign that you have delivered;   and   * one comparable contract example for each Specialist Service for which you are tendering   Each contract example must:   * have been performed over and at the most within the last three years prior to the publication of the OJEU Notice to be valid and can be from the public or private sector;   and   * provide evidence to demonstrate that you have the necessary technical and professional experience to deliver the Services required under this Framework Agreement;   and   * the contract example that you provide for each Specialist Service for which you are tendering must demonstrate your in-house technical ability in that Specialist Service   You must provide customer contacts for each contract example who have been named and have been made aware that they may be contacted by CCS, to verify the accuracy of the information provided at any time.  Please complete the table in the Emptoris system with the following information for each of the contract examples provided:  -Name of customer organisation who signed the contract with you  -email address and telephone number of the point of contact within that organisation  -Contract start and completion date  - Contract value  CCS may exclude Potential Agencies that do not provide full and accurate information. Customer contacts must not be employed by your organisation or be from within your associated group of companies.  Examples of Call Off Contracts awarded under framework agreements will be considered valid, but citing a framework agreement that you have been awarded will NOT be considered a valid contract example.  CCS will use the information you provide in this section to evaluate whether your organisation has the relevant technical and professional experience to perform the requirement for this Procurement.  Potential Agencies that cannot sufficiently demonstrate they have the technical and professional experience to provide the requirements of the Framework or the applicable Specialist Service(s) (or their Tenders where the Authority has elected under Regulation 56 (3) to examine the Tenders before verifying the absence of grounds for exclusion and the fulfilment of the selection criteria) will be excluded from further consideration for the purposes of this Procurement. |
| **Response** | Complete the table in question 8.1a in the Emptoris system with the required information. |
| **Marking Scheme** | Evaluation Guidance |
| **PASS** | You have provided:   * one contract example of a fully integrated, end to end campaign that you have delivered   and   * one contract example for each Specialist Service you have selected in response to question 26   which demonstrate you have the necessary technical and human resources and experience to perform the Framework Agreement to the required standard. |
| **FAIL** | You have not provided   * one contract example of a fully integrated end to end campaign that you have delivered   and   * one contract example for each Specialist Service you have selected in response to question 26   which demonstrate you have the necessary technical and human resources and experience to perform the Framework Agreement to the required standard  **OR**  You have not provided a response to this question |