



Northampton General Hospital
NHS Trust

Document 2

Shortlisting Questionnaire (SQ) for the provision of:

Winter Maintenance & Gritting Services

OJEU Reference Number: 2018/S XXX-XXXXXX

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FOR INFORMATION

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FOR INFORMATION

1 INTRODUCTION AND BACKGROUND

- 1.1 Northampton General Hospital NHS Trust and Kettering General Hospital NHS Foundation Trust (the "**Authorities**") are issuing this shortlisting questionnaire ("**SQ**") in connection with the competitive procurement of Winter Maintenance & Gritting Services. This document contains important information about the procurement process and the contract that the Authorities intend to award.
- 1.2 Due to the high volume of expressions of interest, the Authorities will shortlist a maximum of 10 (ten) bidders based on the highest ranking evaluated scores who will then be issued with an invitation to tender (ITT), further detail shown in Section 4.
- 1.3 The contract will be based on the NHS Terms and Conditions. Those Bidders who are successful at the shortlisting stage will be provided with a copy of these terms and conditions at the ITT stage.
- 1.4 The Authorities are using the Pro-Contract e-tendering portal to conduct the procurement process ("**the e-Tendering Portal**"). The e-Tendering Portal can be accessed www.supplying2nhs.org . All communications (including submission of SQ responses) should be carried out via the e-Tendering Portal.
- 1.5 Contents of the SQ

Instructions and information	
1	Introduction and background
2	Procurement timetable
3	Instructions to Bidders
4	SQ Selection criteria and weighting
Annex: SQ questions (to be returned by Bidders)	
Section 1	Supplier Information
Section 2	Grounds for mandatory exclusion
Section 3	Grounds for discretionary exclusion
Section 4	Economic and Financial Standing
Section 5	Economic and Financial Standing Supplementary
Section 6	Technical and Professional Ability
Section 7	Project specific questions to assess your ability to meet the requirements.
Section 8	Additional Questions
Section 9	Service Specific Questions
Section 10	Declaration

- 1.6 As part of the SQ response, Bidders must complete all relevant sections in the Annex. All SQ responses must be returned no later than the deadline for receipt of SQ responses specified on the front cover of this SQ.

Introduction to the procurement

- 1.7 The contract will carry a maximum three (3) year term, expected contract start date will be 1st July 2019, maximum period up to 30th June 2022, until the option of the extensions.

SME's

The Authorities are committed to supporting the Government's small and medium-sized enterprise (SME) initiative; its aspiration is that 25% of spend, direct and through the supply chain. Suppliers are encouraged to work with the Authorities to support the wider SME initiative.

Questions about this SQ

- 1.8 You may submit, by no later than **12 noon on 15th February 2019**, any queries that you have relating to this SQ. Please submit such queries via the e-Tendering Portal.
- 1.9 Any specific queries should clearly reference the appropriate paragraph in the SQ documentation and, to the extent possible, should be aggregated rather than sent individually. The Authorities may decline to answer queries received after the above deadline.
- 1.10 Answers to the questions received by the Authorities will be circulated to all Bidders via the e-Tendering Portal. Answers will not reveal the identity of the individual Bidder that asked a particular question. The Authorities may decide not to disclose answers, or parts of answers, which would reveal confidential or commercially sensitive information in relation to a particular Bidder.

2 PROCUREMENT TIMETABLE

Key dates

- 2.1 The procurement will follow a clear, structured and transparent process to ensure a fair and level playing field so that all Bidders are treated equally.
- 2.2 The key dates for this procurement are shown in Document 4, part of the shortlisting document pack.
- 2.3 Whilst the Authorities do not intend to depart from the timetable, it reserves the right to do so at any stage.

Deadline for receipt of SQ responses

- 2.4 Bidders must submit their SQ responses in the manner prescribed in Section 3, no later than the date and time specified in 1.8.
- 2.5 Any SQ responses received after the deadline or by any other method than via the e-Tendering Portal may not be considered. The Authorities may at its discretion extend the deadline and in such circumstances the Authorities will notify all Bidders of any change.

FOR INFORMATION

3 INSTRUCTIONS TO BIDDERS

Formalities for submission of SQ responses

- 3.1 Bidders must make their SQ responses by completing the relevant information requested that is shown within the Annexes to this document. Responses must be submitted using the e-Tendering Portal.
- 3.2 Bidders should ensure that they allow plenty of time to upload their SQ response, particularly where there are any large supporting documents. If Bidders have any problems with the e-Tendering Portal, they should raise a case on the Proactis Helpdesk (www.proactissupport.com). As noted above, any SQ responses received after the deadline may not be considered.

Please contact myself Daryl Read via the portal or directly if this is the case, so that if necessary we can extend any deadline in extreme circumstances.

- 3.3 The Authorities do not guarantee that you will be able to upload files up to the maximum size, particularly at busy times. For this reason it is recommended that Bidders should ensure files are well below the maximum stated and allow plenty of time to upload, so they have opportunity to resolve any technical difficulties before the deadline.
- 3.4 Bidders must adhere to the following standard requirements when submitting their SQ response:
- 3.4.1 Do not embed documents within other non-Authority documents. Instead provide separate electronic copies of the documents, clearly labelled and referenced if necessary.
- 3.4.2 The SQ response must be in English and drafted in accordance with the drafting guidance set out in this SQ guideline.
- 3.5 Where a word count limit is specified, Bidders should state how many words their response contains. The Authorities reserve the right not to consider any part of a response exceeding the word limit. Words included within diagrams or other graphic representations will count towards the word limit.
- 3.6 The SQ response must be clear, concise and complete. The Authorities reserve the right to mark Bidders down or exclude them from the procurement if their SQ responses are ambiguous or lack clarity. Bidders should submit only such information as is necessary to respond effectively to this SQ. unless specifically requested, do not include extraneous presentation materials.
- 3.7 SQ responses will be evaluated on the basis of information submitted by the deadline. Where information or documentation submitted appears to be incomplete or erroneous or specific documents are missing, the Authorities reserve the right to request the Bidder to submit, supplement, clarify or complete the information or documentation.
- 3.8 The SQ response must be signed by a duly authorised representative of the Bidder.

Warnings and disclaimers

- 3.9 Neither the issue of this SQ, nor any of the information presented in it, should be regarded as a commitment or representation on the part of the Authorities (or any other person) to enter into a contractual arrangement.

Freedom of Information Act 2000 and Environmental Information Regulations 2004

- 3.10 As a public body, the Authorities are subject to, and must comply with, the Freedom of Information Act 2000 ("**FOIA**") and the Environmental Information Regulations 2004 ("**EIR**"). The Authorities may therefore be required to disclose information submitted by the Bidder.
- 3.11 If a request is made under FOIA or the EIR, the Authorities will ask Bidders to make submissions if they consider that any information they have provided at the SQ stage is confidential or commercially sensitive.
- 3.12 Where a Bidder identifies information as commercially sensitive, the Authorities will take those views into account. Bidders should note, however, that, even where information is identified as commercially sensitive, the Authorities may be required to disclose such information in accordance with the FOIA or the EIR. Accordingly, the Authorities cannot guarantee that it will withhold information marked 'confidential', 'commercially sensitive' or otherwise exempt.

Publicity

- 3.13 No publicity regarding the award of any contract will be permitted unless and until the Authorities have given express written consent to the relevant communication. For example, no statements may be made to the media regarding the nature of any tender, its contents or any proposals relating to it without the prior written consent of the Authorities.

Bidder conduct and conflicts of interest

- 3.14 Any attempt by Bidders or their advisors to influence the contract award process in any way may result in the Bidder being disqualified. Specifically, Bidders shall not directly or indirectly at any time:
- 3.14.1 devise or amend the content of their SQ response in accordance with any agreement or arrangement with any other person, other than in good faith with a person who is a proposed partner, supplier, consortium member or provider of finance;
 - 3.14.2 enter into any agreement or arrangement with any other person as to the form or content of any other SQ response, or offer to pay any sum of money or valuable consideration to any person to effect changes to the form or content of any other SQ response;
 - 3.14.3 enter into any agreement or arrangement with any other person that has the effect of prohibiting or excluding that person from submitting a SQ response;
 - 3.14.4 canvass the Authorities or any employees or agents of the Authorities in relation to this procurement; and/or

- 3.14.5 attempt to obtain information from any of the employees or agents of the Authorities or their advisors concerning another Bidder or SQ response (except for debrief information requests made through the e-Tendering Portal).
- 3.15 Bidders are responsible for ensuring that no conflicts of interest exist between the Bidder and its advisers, and the Authorities and its advisors. Bidders should notify the Authorities promptly of any possible conflict and the proposed steps that the Bidder believes can be taken to avoid the conflict. Any Bidder who fails to comply with these requirements may be excluded from the procurement at the discretion of the Authorities.

Authority's rights

- 3.16 Subject to its obligations to act in a transparent, proportionate and non-discriminatory manner, the Authorities reserve the right to:
- 3.16.1 waive or change the requirements of this SQ from time to time;
 - 3.16.2 seek clarification or documents in respect of a Bidder's submission;
 - 3.16.3 disqualify any Bidder that does not submit a compliant SQ response in accordance with the instructions in this SQ;
 - 3.16.4 disqualify any Bidder that is guilty of serious misrepresentation in relation to its expression of interest, the SQ response or the procurement process;
 - 3.16.5 choose not to award any contract as a result of the current procurement process; and
 - 3.16.6 make whatever changes it sees fit to the timetable, structure or content of the procurement process.

Bid costs

- 3.17 The Authorities will not be liable for any bid costs, expenditure, work or effort incurred by a Bidder in proceeding with or participating in this procurement, including if the procurement process is terminated or amended by the Authorities.

Language

- 3.18 SQ responses, all documents and all correspondence relating to the SQ must be written in English.

Transparency

- 3.19 In accordance with the Public Contracts Regulations 2015 and the Government's policy on transparency, Bidders should be aware that the Authorities intend to make the SQ and details of any subsequent contract publicly available, by publication on the Government's Contracts Finder portal.

Governing Law and Jurisdiction

- 3.20 This SQ and any disputes concerning it (including non-contractual disputes or claims) shall be governed by English law and subject to the jurisdiction of the English courts.

4 SQ SELECTION CRITERIA AND WEIGHTING

Overview

- 4.1 This section of the SQ sets out the criteria that the Authorities will use to evaluate SQ responses.
- 4.2 Bidders are required to submit a SQ response strictly in accordance with the requirements set out in this SQ, to ensure the Authorities have the correct information to make the evaluation. If a SQ response is equivocal or unclear, the Authorities may deduct marks when scoring it or it may treat the SQ response as non-compliant and reject it.

Selection criteria and weightings

- 4.3 The selection criteria at the SQ stage are:

SQ Section	Selection criteria	Weighting
1. Supplier information	For information only	N/A
2. Grounds for mandatory exclusion	Pass or Fail	N/A
3. Grounds for discretionary exclusion	Pass or Fail	N/A
4. Economic and Financial Standing	Scored based on your Dun and Bradstreet Report - Risk Assessment Score.	15%
5. Economic and Financial Standing	For information only	N/A
6. Technical and Professional Ability	Pass or Fail	N/A
7. Project specific questions to demonstrate your ability to meet the requirements.	Pass or Fail	N/A
8. Additional Questions	Pass or Fail	N/A
9. Service Specific Questions	Scored based on submitted information	85%
10. Declaration	Pass or Fail	N/A

4.4 Where a Bidder scores a "fail" for any question, it will not be issued with an invitation to tender.

4.5 Shortlisting Detail

Bidders will be evaluated based on a weighting of 100% and the highest ranked bidders will be taken forward to the Invitation to Tender stage, with a maximum of ten (10).

Detailed weighting as follows:

- Economic & Financial Stability – 15%
- Will the contractor be outsourcing the service to a third party provider – 25%
- Does the contractor have enough equipment to service both sites – 25%
- Can the contractor provide 24/7 callout response – 10%
- Can the contractor meet the 1 hour response time (we will need details of proximately of depot to ratify this) – 25%

Scoring System

4.6 Scored questions will be allocated a score out of 10 using the following marking scheme

Definition	Score
Very Good or Fully Compliant Submission - which meets all requirements and is fully explained in comprehensive detail.	9 - 10
Good or Fully Compliant Submission - which meets all the requirements and is explained in reasonable detail.	7 - 8
Satisfactory or Compliant Submission - which meets the essential requirements and is explained in adequate detail.	5 - 6
Weak or Partially Compliant (Minor issues) Submission - which in some areas falls short of requirements and is poorly explained.	3 - 4
Un acceptable or Non-Compliant (Major issues) Submission - which fails to meet requirements and is not explained.	1 - 2
Totally unacceptable, fails to provide evidence of ability to meet specified requirements	0

Annex A

Standard Selection Questionnaire

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

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for 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).

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

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

Supplier Selection Questions: Part 3

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

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

Consequences of misrepresentation

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

WINTER MAINTENANCE & GRITTING SERVICES

2018/S 193-436528

RESTRICTED PROCEDURE

Notes for completion

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

The authorities confirm that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authorities or body where the authorities are under a legal or regulatory obligation to make such a disclosure.

Part 1: Potential supplier Information

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

Section 1		
Potential supplier information		
Question number	Question	Response
1.1(a)	Full name of the potential supplier submitting the information	
1.1(b) – (i)	Registered office address (if applicable)	
1.1(b) – (ii)	Registered website address (if applicable)	
1.1(c)	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)	
1.1(d)	Date of registration in country of origin	
1.1(e)	Company registration number (if applicable)	
1.1(f)	Charity registration number (if applicable)	
1.1(g)	Head office DUNS number (if applicable)	
1.1(h)	Registered VAT number	
1.1(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"/> N/A <input type="checkbox"/>
1.1(i) - (ii)	If you responded yes to 1.1(i) - (i), please provide the relevant details, including the registration number(s).	
1.1(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"/>
1.1(j) - (ii)	If you responded yes to 1.1(j) - (i), please provide additional details of what is required and confirmation that you have complied with this.	
1.1(k)	Trading name(s) that will be used if successful in this procurement	
1.1(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	
1.1(m)	Are you a Small, Medium or Micro Enterprise (SME) ² ?	Yes <input type="checkbox"/> No <input type="checkbox"/>
1.1(n)	<p>Details of Persons of Significant Control (PSC), where appropriate:</p> <ul style="list-style-type: none"> - Name; - Date of birth; - Nationality; - Country, state or part of the UK where the PSC usually lives; - Service address; - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used); - Which conditions for being a PSC are met; <ul style="list-style-type: none"> - Over 25% up to (and including) 50%, - More than 50% and less than 75%, - 75% or more. <p>(Please enter N/A if not applicable)</p>	
1.1(o)	<p>Details of immediate parent company:</p> <ul style="list-style-type: none"> - 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) <p>(Please enter N/A if not applicable)</p>	
1.1(p)	<p>Details of ultimate parent company:</p> <ul style="list-style-type: none"> - 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) <p>(Please enter N/A if not applicable)</p>	

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		Bidding model				
Question number	Question	Response				
1.2(a) - (i)	Are you bidding as the lead contact for a group of economic operators?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3. If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3.				
1.2(a) - (ii)	Name of group of economic operators (if applicable)					
1.2(a) - (iii)	Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure.					
1.2(b) - (i)	Are you or, if applicable, the group of economic operators proposing to use sub-contractors?	Yes <input type="checkbox"/> No <input type="checkbox"/>				
1.2(b) - (ii)	If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.					
	Name					
	Registered address					
	Trading status					
	Company registration number					
	Head Office DUNS number (if applicable)					
	Registered VAT number					
	Type of organisation					
	SME (Yes/No)					
	The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables					

	The approximate % of contractual obligations assigned to each sub-contractor					
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Contact details and declaration

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement.

I understand that the authorities 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	
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	

Part 2: Exclusion Grounds

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

Section 2		Grounds for mandatory exclusion
Question number	Question	Response
2.1(a)	<p>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.</p> <p>Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the webpage.</p>	
	Participation in a criminal organisation.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Corruption.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Fraud.	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Terrorist offences or offences linked to terrorist activities	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(b)
	Money laundering or terrorist financing	Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please provide details at 2.1(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 2.1(b)
2.1(b)	<p>If you have answered yes to question 2.1(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 authorities, precise reference of the documents.</p>	
2.2	If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-	Yes <input type="checkbox"/> No <input type="checkbox"/>

	Cleaning)	
2.3(a)	<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>
2.3(b)	<p>If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines.</p>	

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

Section 3		Grounds for discretionary exclusion
	Question	Response
3.1	<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>	
3.1(a)	Breach of environmental obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (b)	Breach of social obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1 (c)	Breach of labour law obligations?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(d)	Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation's assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(e)	Guilty of grave professional misconduct?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(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 3.2
3.1(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 3.2
3.1(h)	Been involved in the preparation of the procurement procedure?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(i)	Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions?	Yes <input type="checkbox"/> No <input type="checkbox"/> If yes please provide details at 3.2
3.1(j)	Please answer the following statements	
3.1(j) - (i)	The organisation is guilty of serious	Yes <input type="checkbox"/> No <input type="checkbox"/>

3.1(j) - (ii)	<p>misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.</p> <p>The organisation has withheld such information.</p>	<p>If Yes please provide details at 3.2</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
3.1(j) –(iii)	<p>The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>
3.1(j)-(iv)	<p>The organisation has influenced the decision-making process of the contracting authorities to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If Yes please provide details at 3.2</p>

3.2	<p>If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self-Cleaning)</p>	
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Part 3: Selection Questions

Section 4	Economic and Financial Standing – Weighting 15%	
	Question	Response
Request	<p>Please register on https://supplierregistration.cabinetoffice.gov.uk to enable the Authorities to demonstrate your economic/financial standing;</p> <p><i>Please note your financial stability will be scored according to your Dun and Bradstreet Report - Risk Assessment Score.</i></p> <p><i>This information will be accessed independently via Gov.UK</i></p>	
4.1	<p>Are you able to provide a copy of your audited accounts for the last two years, if requested? If no, can you provide one of the following: answer with Y/N in the relevant box.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
	(a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
	(b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
	(c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
4.2	Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out.	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></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:	
	Name of organisation	
	Relationship to the Supplier completing these questions	

5.1	Are you able to provide parent company accounts if requested to at a later stage?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.2	If yes, would the parent company be willing to provide a guarantee if necessary?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5.3	If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 6	Technical and Professional Ability
6.1	<p>Relevant experience and contract examples</p> <p>Please provide details of up to three contracts, in any combination from either the public or private sector; voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years.</p> <p>The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.</p> <p>Consortia bids should provide relevant examples of where the consortium has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the main intended provider(s) or sub-contractor(s) who will deliver the contract.</p> <p>If you cannot provide examples see question 6.3</p>

	Contract 1	Contract 2	Contract 3
Name of customer organisation			
Point of contact in the organisation			
Position in the organisation			
E-mail address			
Description of contract			
Contract Start date			
Contract completion date			

Estimated contract value			
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6.2	<p>Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s)</p> <p>Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries)</p>

6.3	<p>If you cannot provide at least one example for questions 6.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.</p>

Section 7	Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015	
7.1	<p>Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")?</p>	<p>Yes <input type="checkbox"/></p> <p>N/A <input type="checkbox"/></p>
7.2	<p>If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?</p>	<p>Yes <input type="checkbox"/></p> <p>Please provide the relevant url ...</p> <p>No <input type="checkbox"/></p> <p>Please provide an explanation</p>

8. Additional Questions

Suppliers 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 contract award stage.

Section 8	Additional Questions
8.1	Insurance
a.	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: Y/N</p> <p>Employer's (Compulsory) Liability Insurance = £x</p> <p>Public Liability Insurance = £x Professional Indemnity Insurance = £x</p> <p>Product Liability Insurance = £x</p> <p>*It is a legal requirement that all companies hold Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.</p>

8.2	Skills and Apprentices³ – (please refer to supplier selection guidance)	
a.	<p>Public procurement of contracts with a full life value of £10 million and above and duration of 12 months and above should be used to support skills development and delivery of the apprenticeship commitment. This policy is set out in detail in Procurement Policy Note 14/15.</p> <p>Please confirm if you will be supporting apprenticeships and skills development through this contract.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
b.	<p>If yes, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills, development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
c.	<p>Do you have a process in place to ensure that your supply chain supports skills, development and apprenticeships in line with PPN 14/15 (see guidance) and can provide evidence if requested?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

8.3	Suppliers' Past Performance - (please refer to supplier selection guidance - this question should only be included by central government contracting authorities)	
a.	Can you supply a list of your relevant principal contracts for goods and/or services provided in the last three years?	Yes <input type="checkbox"/> No <input type="checkbox"/>
b.	On request can you provide a certificate from those customers on the list?	Yes <input type="checkbox"/> No <input type="checkbox"/>
c.	If you cannot obtain a certificate from a customer can you explain the reasons why?	Yes <input type="checkbox"/> No <input type="checkbox"/>
d.	If the certificate states that goods and/or services supplied were not satisfactory are you able to supply information which shows why this will not recur in this contract if you are awarded it?	Yes <input type="checkbox"/> No <input type="checkbox"/>
e.	Can you supply the information in questions a. to d. above for any sub-contractors [or consortium members] who you are relying upon to perform this contract?	Yes <input type="checkbox"/> No <input type="checkbox"/>

FOR INFORMATION

9. Service Specific Questions

9.1	Environmental Management	
a.	<p>Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authorities)?</p> <p>If your answer to the this question is “Yes”, please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.</p> <p>The Authorities will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Authorities is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
b.	<p>If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9.2	Health & Safety	
a.	<p>Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
b.	<p>Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?</p> <p>If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.</p> <p>The Authorities will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Authorities satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
c.	<p>If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9.3	Technical Questions around Service Delivery – Weighting 85%
a.	Will the contractor be outsourcing the service to a third party provider?
b.	Does the contractor have enough equipment to service both sites?
c.	Can the contractor provide a 24/7 callout response?
d.	Can the contractor meet the 1 hour response time (we will need details of proximately of depot to ratify this)?

FOH

10 - Declaration

<p>I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will be used in the selection process to assess my organisation's suitability to be invited to participate further in this procurement, and I am signing on behalf of (Insert name of supplier).</p> <p>I understand that the Authorities may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.</p> <p>I also declare that there is no conflict of interest in relation to both of the Authorities requirements.</p>	
SQ COMPLETED BY	
a.	Name
b.	Role in organisation
c.	Date
d.	Signature

Annex B

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

FOR INFORMATION

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 3 years.
- In the last three 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 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 authorities to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided 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.

ANNEX X 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 authorities 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 authorities 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).

FOR INFORMATION

Annex C

Frequently Asked Questions

What is the European Single Procurement Document (ESPD)?

The ESPD is a list of questions that potential suppliers have to answer to provide a self-declaration that none of the exclusion grounds has been breached, and that they meet the required selection criteria.

It is a standard form that replaces the selection questionnaires, and should make the process of bidding for a public contract easier.

The exclusion grounds are those listed in the EU Directive. As the same exclusion grounds will be used in ESPDs across the EU a potential supplier will be able to re-use a form which it has previously submitted for another competition as long as the information is still correct.

You can evaluate ESPDs submitted by potential suppliers from other countries alongside those submitted by UK suppliers because they have a common reference to the EU Directive exclusion grounds

Only the winner will normally have to submit the certificates as evidence. If available, the certificates can be retrieved by the buyer directly from the respective registers.

What is the difference between the standard Selection Questionnaire and the European Single Procurement Document?

The first two sections of the standard Selection Questionnaire align with the questions asked in the European Single Procurement Document. We have simply made them easier to understand and listed the relevant national laws that fit into the exclusion categories.

In the UK we already operate a system of self-declaration. The main change to the process is that verification of the declarations, of both the exclusion grounds and the selection information, should only take place with the winning suppliers.

The European Single Procurement Document developed by the Commission includes supplier selection questions. These questions are not mandatory and we have made the policy decision to substitute these optional selection questions with those in the standard Selection Questionnaire

Do I have to use the standard Selection Questionnaire ?

Yes. Part 1 and Part 2 list the exclusion grounds that apply to public procurements above EU thresholds, and the statutory guidance states that the selection questions in Part 3 should be adopted across all procurement procedures and embedded as needed into your procurement processes.

You must not use a two-stage process for below threshold procurements. But you can use the questions in the standard Selection Questionnaire as a starting point to develop questions in the tender documents for lower value procurements.

Can I add my own questions?

You cannot add your own questions to Part 1 or Part 2 of the standard Selection Questionnaire. These sections gather information about the supplier and include the exclusion questions. This is because the questions in those parts are aligned with the Public Contract Regulations 2015. You cannot delete any of these questions either.

However Part 3, the supplier selection questions, has a section where you can add project specific questions. Additionally, there is a process for reporting deviations to the other questions in this section, and that is explained in the guidance.

How do I shortlist in a restricted procedure ?

The standard Selection Questionnaire is very similar to the previous standard Pre-Qualification Questionnaire so previous practice should be followed.

Potential suppliers' responses should be assessed against the pre-determined criteria that has been published in the procurement documentation.

When can I request proof of self-declarations ?

You must verify that the winning supplier does actually have all the required evidence, or meets the relevant criteria, before you award the contract.

You can ask potential suppliers to submit their evidence at any point in the procurement process if it is necessary to ensure the proper conduct of the procurement.

For multi-stage procurements, we recommend that you verify the evidence before taking potential suppliers on to the next stage.

You cannot require a potential supplier to provide you with evidence when you can obtain it directly and free of charge from a national database.

Can I still use the previous standard PQQ from PPN 3/15 ?

No. The standard Selection Questionnaire replaces the standard PQQ.

The standard PQQ was popular with suppliers because buyers asked questions in the same way. Will that consistency be lost now ?

No. The standard Selection Questionnaire has been drafted so that it incorporates the questions from the European Single Procurement Document and the supplier selection questions from the standard PQQ.

What about sub-contractors?

If a potential supplier proposes to sub-contract part of a contract, and in doing so they rely on the capacity of that sub-contractor to fulfill the selection criteria then a separate

completed standard Selection Questionnaire Part 1 and Part 2 is required from that sub-contractor.

You may also choose to ask for a separate completed standard Selection Questionnaire Part 1 and Part 2 from any other sub-contractor to verify if there are grounds for excluding it or not. If there are grounds for mandatory exclusion then the sub-contractor must be replaced. However if the grounds fall into the discretionary list then you may, at your discretion, require the potential supplier to replace the sub-contractor.

What is Self-Cleaning?

A potential supplier who has been excluded from public procurement can have the exclusion ended if they effectively “self-clean”.

Potential suppliers are required to demonstrate that they have taken remedial action, to the satisfaction of the contracting authorities in each case. In order for the evidence provided to be sufficient it must, as a minimum, prove the supplier has “self-cleaned” as follows:

- 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 actions agreed on deferred prosecution agreements (**DPAs**) may be submitted as evidence of self-cleaning and evaluated by the contracting authorities as described below.

The measures taken shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. If such evidence is considered by the contracting authorities (whose decision will be final) as sufficient, the potential supplier shall be allowed to continue in the procurement process.

If the potential supplier cannot provide evidence of ‘self-cleaning’ that is acceptable to you, they are to be excluded from further participation in the procurement and provided with a statement of the reasons for that decision.

What do I ask the suppliers for in a Light Touch Regime (LTR) procurement?

Use a selection of questions from Part 3 of standard Selection Questionnaire for above-threshold LTR contracts.

While the grounds for mandatory and discretionary exclusion do not apply to procurements under the LTR as a matter of law, you would still normally exclude suppliers that had been found guilty of the mandatory exclusion offences as a matter of routine and sensible business practice. You should also consider the circumstances surrounding breach of the discretionary grounds for exclusion. CCS recommends that you use the standard Selection Questionnaire Part 1 and Part 2 in LTR procurements.