Notes for completion

1. The “authority” means the public sector contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable Suppliers to participate in this procurement process.

2. “You”/ “Your” or “Supplier” means the body completing these questions i.e. the legal entity seeking to be invited to the next stage of the procurement process and responsible for the information provided.

3. This Supplier Capability Questionnaire has been designed to assess the suitability of a Supplier to deliver the authority’s contract requirement(s). If you are successful at this stage of the procurement process, you will be selected for the subsequent award stage of the process.

4. Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply to you, please state clearly ‘N/A’.

5. Should you need to provide additional Appendices in response to the questions, these should be numbered clearly and listed as part of your declaration. A template for providing additional information is provided at the end of this document.

6. Please return a completed version of this document to:

|  |  |
| --- | --- |
| Named procurement officer | [REDCATED INFORMATION – PERSONEL] |
| Name of contracting authority | Ministry of Defence |
| Contact e-mail address | [REDCATED INFORMATION – PERSONEL] |
| Postal address | [REDCATED INFORMATION – PERSONEL] |
| Deadline for receipt of PQQ | 22/06/2015 |
| (UK date and time) | 12:00pm |

Verification of Information Provided

7. Whilst reserving the right to request information at any time throughout the procurement process, the authority may enable the supplier to self-certify

that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the supplier can meet the specified requirements (such as the questions in section 7 of this Supplier Capability Questionnaire relating to Technical and Professional Ability) the authority may only obtain such evidence after the final tender evaluation decision i.e. from the winning Supplier only.

Sub-contracting arrangements

8. Where the Supplier proposes to use one or more

sub-contractors to deliver some or all of the contract requirements, a separate Appendix should be used to provide details of the proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.

9. The authority recognises that arrangements in relation to sub-contracting may be subject to future change, and may not be finalised until a later date. However, Suppliers should be aware that where information provided to the authority indicates that sub- contractors are to play a significant role in delivering key contract requirements, any changes to those sub- contracting arrangements may affect the ability of the Supplier to proceed with the procurement process

or to provide the supplies and/or services required. Suppliers should therefore notify the authority immediately of any change in the proposed sub- contractor arrangements. The authority reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

Consortia arrangements

10. If the Supplier completing this Supplier Capability Questionnaire is doing so as part of a proposed consortium, the following information must be provided;

* names of all consortium members;
* the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and
* if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix.

11. Please note that the authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific legal form is deemed by the authority as being necessary for the satisfactory performance of the contract.

12. All members of the consortium will be required to provide the information required in all sections of the Supplier Capability Questionnaire as part of a single composite response to the authority i.e. each member of the consortium is required to complete the form.

13. Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity in a separate Appendix.

14. The authority recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the authority must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the selection criteria to the new information provided.

The authority reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

Confidentiality

15. When providing details of contracts in answering section 6 of this Supplier Capability Questionnaire (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.

16. The authority reserves the right to contact the named customer contact in section 6 regarding the contract included in section 6. The named customer contact does not owe the authority any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

17. The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Crown Commercial Service and/or contracting authorities defined by the Public Contract Regulations.

|  |  |  |
| --- | --- | --- |
| 1.1 Supplier details | Answer | |
| Full name of the Supplier completing the Supplier Capability Questionnaire |  | |
| Registered company address |  | |
| Registered company number |  | |
| Registered charity number |  | |
| Registered VAT number |  | |
| Name of immediate parent company |  | |
| Name of ultimate parent company |  | |
| Please mark ‘X’ in the relevant box to indicate your trading status | i) a public limited company | o Yes |
| ii) a limited company | o Yes |
| iii) a limited liability partnership | o Yes |
| iv) other partnership | o Yes |
| v) sole trader | o Yes |
| vi) other (please specify) | o Yes |
| Please mark ‘X’ in the relevant boxes to indicate whether any of the following classifications apply to you | i)Voluntary, Community and Social  Enterprise (VCSE) | o Yes |
| ii) Small or Medium Enterprise (SME) 1 | o Yes |
| iii) Sheltered workshop | o Yes |
| iv) Public service mutual | o Yes |

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

|  |  |
| --- | --- |
| 1.2 Bidding model | |
| Please mark ‘X’ in the relevant box to indicate whether you are; | |
| a) Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself | o Yes |
| b) Bidding as a Prime Contractor and will use third parties to deliver some of the services  If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. | o Yes |
| c) Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services  If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. | o Yes |
| d) Bidding as a consortium but not proposing to create a new legal entity.  If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements  i.e. why a new legal entity is not being created.  Please note that the authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract. | o Yes  Consortium members  Lead member |
| e) Bidding as a consortium and intend to create a Special Purpose  Vehicle (SPV).  If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix. | o Yes  Consortium members  Current lead member  Name of Special Purpose Vehicle |

|  |  |
| --- | --- |
| 1.3 Contact details | |
| Supplier contact details for enquiries about this Supplier Capability Questionnaire | |
| Name |  |
| Postal address |  |
| Country |  |
| Phone |  |
| Mobile |  |
| E-mail |  |

|  |  |  |
| --- | --- | --- |
| 1.4 Licensing and registration (please mark ‘X’ in the relevant box) | | |
| 1.4.1 | Registration with a professional body  If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of  directive 2014/24/EU) under the conditions laid down by that member state). | o Yes  o No  If Yes, please provide the registration number in this box. |
| 1.4.2 | Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? | o Yes  o No  If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this. |

2. Grounds for mandatory exclusion

You will be excluded from the procurement process if

there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or

if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

If you have answered “yes” to question 2.2 on the

non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is

in that position please provide details using a separate Appendix. You may contact the authority for advice before completing this form.

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| --- | --- | --- |
| 2.1 Within the past five years, has your organisation  (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences? | Please indicate your answer by marking ‘X’ in the relevant box. | |
| Yes | No |
| (a) 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; |  |  |
| (b) 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; |  |  |
| (c) the common law offence of bribery; |  |  |
| (d) 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; |  |  |

|  |  |  |
| --- | --- | --- |
| (e) 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: |  |  |
| (i) the offence of cheating the Revenue; |  |  |
| (ii) the offence of conspiracy to defraud; |  |  |
| (iii) 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; |  |  |
| (iv) 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; |  |  |
| (v) 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; |  |  |
| (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |  |
| (vii) 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; |  |  |
| (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |  |
| (ix) 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; |  |  |
| (f) any offence listed— |  |  |
| (i) in section 41 of the Counter Terrorism Act 2008; or |  |  |
| (ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection; |  |  |
| (g) any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f); |  |  |
| (h) money laundering within the meaning of sections 340(11) and 415 of the  Proceeds of Crime Act 2002; |  |  |
| (i) 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; |  |  |
| (j) an offence under section 4 of the Asylum and Immigration (Treatment of  Claimants etc.) Act 2004; |  |  |
| (k) an offence under section 59A of the Sexual Offences Act 2003; |  |  |
| (l) an offence under section 71 of the Coroners and Justice Act 2009 |  |  |
| (m) 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 |  |  |
| (n) any other offence within the meaning of Article 57(1) of the Public Contracts  Directive— |  |  |
| (i) as defined by the law of any jurisdiction outside England and Wales and  Northern Ireland; or |  |  |
| (ii) created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland. |  |  |

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| --- | --- | --- |
| Non-payment of taxes  2.2 Has it been established 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 your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?  If you have answered Yes to this question, please use a separate Appendix to provide further details. Please also use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines? |  |  |

3. Grounds for discretionary exclusion – Part 1

The authority may exclude any Supplier who answers ‘Yes’ in any of the following situations set out in paragraphs (a) to (h);

|  |  |  |
| --- | --- | --- |
| 3.1 Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your  organisation. | Please indicate your answer by  marking ‘X’ in the relevant box. | |
| Yes | No |
| a) Being an individual,is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of creditors or has made any conveyance or assignment for the benefit of creditors or appears unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of Section 268 of the Insolvency Act 1986, or Article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other State. |  |  |
| b) Being a partnership constituted under Scots law, has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate. |  |  |
| c) Being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company’s winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or has had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company’s business or any part of the company’s business or is the subject of similar procedures under the law of any other State? |  |  |
| d) Been convicted of a criminal offence relating to the conduct of its business or profession |  |  |
| e) Committed an act of grave misconduct in the course of its business or profession |  |  |
| f) Failed to fulfil obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the member State in which it is established. |  |  |
| g) Failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the member State in which it is established. |  |  |
| h) Been guilty of serious misrepresentation in providing any information required of you under Regulation 23 of the Public Contracts Regulations 2006? |  |  |

‘Self-cleaning’

Any Supplier that answers ‘Yes’ to questions 2.1, 2.2 and 3.1 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self cleans” the situation referred to in that question. The Supplier has to demonstrate it has taken such remedial action, to the satisfaction of the authority in each case.

If such evidence is considered by the authority (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.

In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has;

 paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;

 clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and

 taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the authority to be insufficient, the Supplier shall be given a statement of the reasons for that decision.

4. Grounds for discretionary exclusion – Part 2

The authority reserves the right to use its discretion to exclude a Supplier where it can demonstrate the Supplier’s non-payment of taxes/social security contributions where no binding legal decision has been taken.

Please note that Section 4 relating to tax compliance only applies where the authority has indicated that the contract is over £5 million in value, and the authority is a Central Government Department (including their Executive Agencies and Non-Departmental Public Bodies).

“Occasion of Tax Non-Compliance” means:

(a) any tax return of the Supplier submitted to a Relevant Tax Authority on or after 1 October 2012 is found to be incorrect as a result of:

1. a Relevant Tax Authority successfully challenging the Supplier under the General Anti-Abuse Rule or the Halifax Abuse Principle or under any tax rules or legislation that have an effect equivalent or similar to the General Anti-Abuse Rule or the Halifax Abuse Principle;

2. the failure of an avoidance scheme which the Supplier was involved in, and which was, or should have been, notified to a Relevant Tax Authority under the DOTAS or any equivalent or similar regime; and/or

(b) the Supplier’s tax affairs give rise on or after 1 April

2013 to a criminal conviction in any jurisdiction for tax related offences which is not spent at the Effective Date or to a penalty for civil fraud or evasion

|  |  |  |
| --- | --- | --- |
| From 1 April 2013 onwards, have any of your company’s tax returns submitted on or after 1  October 2012; (Please indicate your answer by marking ‘X’ in the relevant box). | | |
| 4.1 | Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion; | o Yes  o No |
| 4.2 | 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 legal entity 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 Supplier 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 Supplier is established. | o Yes  o No |

If answering “Yes” to either 4.1 or 4.2 above, the Supplier may provide details of any mitigating factors that it considers relevant and that it wishes the authority to take into consideration. This could include, for example:

● Corrective action undertaken by the Supplier to date;

● Planned corrective action to be taken;

● Changes in personnel or ownership since the

Occasion of Non-Compliance (OONC); or

● Changes in financial, accounting, audit or management procedures since the OONC.

In order that the authority can consider any factors raised by the Supplier, the following information should be provided:

● A brief description of the occasion, the tax to which it applied, and the type of “non-compliance” e.g. whether HMRC or the foreign Tax Authority has challenged pursuant to the GAAR, the “Halifax” abuse principle etc.

● Where the OONC relates to a DOTAS, the number of the relevant scheme.

● The date of the original “non-compliance” and the date of any judgement against the Supplier, or date when the return was amended.

● The level of any penalty or criminal conviction applied.

5 - Economic and Financial Standing

|  |  |  |
| --- | --- | --- |
| Financial Information | | |
| 5.1 | You are required to provide one of the following to demonstrate your economic/financial standing;  Please indicate your answer with an ‘X’ in the relevant box. | |
| (a) A copy of the audited accounts for the most recent two years |  |
| (b) A statement of the turnover, profit & loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation |  |
| (c) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position |  |
|  | |
| (d) 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). |  |
| 5.2 | Where the authority has specified a minimum level of economic and financial standing and/  or a minimum financial threshold within the evaluation criteria for this Supplier Capability Questionnaire, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out here. | o Yes  o No |
| 5.3 | (a) Are you part of a wider group (e.g. a subsidiary of a holding/parent company)?  If yes, please provide the name below: Name of the organisation  Relationship to the Supplier completing the Supplier Capability Questionnaire  If yes, please provide Ultimate / parent company accounts if available.  If yes, would the Ultimate / parent company be willing to provide a guarantee if necessary? If no, would you be able to obtain a guarantee elsewhere (e.g from a bank?) | o Yes  o No  o Yes  o No  o Yes  o No |

6. Technical and Professional Ability

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 6 Relevant experience and contract examples | | | | | |
| 6 | Please provide details of up to three contracts, in any combination from either the public or private  sector, that are relevant to the authority’s requirement. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years, and VCSEs may include samples of grant funded work.  The named customer contact provided should be prepared to provide written evidence to the authority to confirm the accuracy of the information provided below.  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  will 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).  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 principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services. | | | | |
|  |  | Contract 1 | Contract 2 | Contract 3 |
| 6.1 | Name of customer organisation |  |  |  |
| 6.2 | Point of contact in customer organisation  Position in the organisation  E-mail address |  |  |  |
| 6.3 | Contract start date Contract completion date Estimated Contract Value |  |  |  |
| 6.4 | In no more than 200 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. |  |  |  |
| 6.5 If you cannot provide at least one example for questions 6.1 to 6.4, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up. | | | | | |
|  | | | | | |

7. Additional Supplier Capability Questionnaire modules

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by marking ‘X’ in the relevant boxes.

A – Project specific questions to assess Technical and Professional Ability

Further project specific questions relating to the technical and professional ability of the Supplier.

|  |  |  |
| --- | --- | --- |
| 1 | How many staff does your organisation (including consortia members or named sub-contractors where appropriate) employ relevant to the carrying out of services and/or delivery of goods similar to those required under this contract? |  |
| 2 | Do you possess the technical equipment and know-how to conduct electronic trading with the Authority by being already connected to the P2P system? | o Yes  o No |
| 3 | If you answered “No” to 2 above, please confirm that you possess the technical ability, and are willing, to take all necessary measures to connect to the P2P system if the Authority decides to award the Contract to you? |  |
| 4 | Do you hold maintenance approvals, EASA Pt 145 or similar, covering the requirement? | o Yes  o No |
| 5 | If you answered “No” to 4 above, please state whether you are currently working towards, or are willing to obtain such approvals. [Please provide your answer in an attached appendix] |  |
| 6 | Detail any links you have with Design organisations (or OEM) for the provision of advice (PDS) type activities. [Please provide your answer in an attached appendix] |  |

B – Insurance

|  |  |  |
| --- | --- | --- |
| 1 | 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:  Employer’s (Compulsory) Liability Insurance = £5,000,000  Product Liability Insurance = £15,000  \*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. | o Yes  o No |

C – Compliance with equality legislation

|  |  |  |
| --- | --- | --- |
| For organisations working outside of the UK please refer to equivalent legislation in the country that you are located. | | |
| 1 | In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? | o Yes  o No |
| 2 | In the last three years, has your organisation 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?  If you have answered “yes” to one or both of the questions in this module, please provide,  as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.  If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.  You may be excluded if you are unable to demonstrate to the authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. | o Yes  o No |

D - Environmental Management

|  |  |  |
| --- | --- | --- |
| 1 | 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 authority)?  If your answer to 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.  The authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | o Yes  o No |

E - Health and Safety

|  |  |  |
| --- | --- | --- |
| 1 | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | o Yes  o No |
| 2 | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/reme- dial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?  If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforce- ment/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.  The authority will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | o Yes  o No |

8 - Declaration

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| --- | --- |
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| --- | --- | --- |
| 2 | 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).  I understand that the authority may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.  I also declare that there is no conflict of interest in relation to the authority’s requirement. The following appendices form part of our submission;  Section of Questionnaire Appendix number | |
| Supplier Capability Questionnaire completed by | |
| 8.1 | Name |  |
| 8.2 | Role in organisation |  |
| 8.3 | Date |  |
| 8.4 | Signature |  |

Supplier Capability Questionnaire – Template for Appendices

|  |
| --- |
| Supplier Capability Questionnaire – Template for Appendices |
| Supplier Capability Questionnaire section - |
| Question number - |
|  |