

Appendix A

Bidder Information, Exclusions Grounds, (A) Suitability, (B) Economic and Financial Standing and (C) Technical and Professional Ability Questionnaire

Bidder Information

[2A1] Name of bidding organisation

2A1

[2A2] Address

2A2

[2A3] Email

2A3

[2A4] Phone Number

2A4

[2A5] Website

2A5

[2A6] Company registration number

2A6

[2A17] Form of participation

Is the bidder participating in the procurement procedure together with others? (Notably as part of a group, consortium, joint venture or similar)

2A17

[2C1] Reliance

Does the bidder rely on the capacities of other entities in order to meet the selection criteria set out in the selection section or the criteria and rules (if any) set out to reduce the number of candidates?

2C1

[2D1] Subcontracting

Does the bidder intend to subcontract any share of the contract to third parties? (i.e. subcontractors not already listed as entities relied on)

2D1

Exclusion - Grounds relating to criminal convictions

[3A1] The Common Law Offence of Conspiracy

Has the bidder itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment within the last five years for the common law offence of conspiracy; 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 or an offence under sections 28 or 30 of the Criminal Justice and Licensing (Scotland) Act 2010, or any other offence within the meaning of Article 57(1)(a) of the Directive as defined by the law of any EEA state or any part thereof?

3A1

[3A2] Corruption

Has the bidder itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment within the last five years for:

- a) 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, where the offence relates to active corruption as defined in Article 3 of the Council Act of 26th May 1997 and Article 3(1) of Council Joint Action 98/742/JHA;
- b) Bribery or Corruption within the meaning of sections 68 and 69 of the Criminal Justice (Scotland) Act 2003, where the offence relates to active bribery or corruption;
- c) Bribery within the meaning of sections 1 or 6 of the Bribery Act 2010;
- d) Any other offence within the meaning of Article 57(1)(b) of the Directive as defined by the law of any EEA state or any part thereof?

3A2

[3A3] Fraud

Has the bidder itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment within the last five years for fraud, 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

- a) the offence of cheating the Revenue;
- b) the common law offence of fraud;
- c) c) the common law offence of theft or fraud;

- d) d) fraudulent trading within the meaning of section 458 of the Companies Act 1985, or section 993 of the Companies Act 2006;
- e) e) 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;
- f) f) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- g) g) the common law offence of uttering; or
- h) h) the common law offence of attempting to pervert the course of justice;
- i) i) Any other offence within the meaning of Article 57(1)(c) of the Directive as defined by the law of any EEA state or any part thereof.

3A3

[3A4] Terrorist offences or offences linked to terrorist activities

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for terrorist offences or offences linked to terrorist activities; listed in section 41 of the Counter-Terrorism Act 2008; or Schedule 2 to that Act where the court has determined that there is a terrorist connection, or any other offence within the meaning of Article 57(1)(d) of the Directive as defined by the law of any EEA state or any part thereof?

3A4

[3A5] Money laundering or terrorist financing

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for:

- a) Money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;
- b) b) Money Laundering or Terrorist financing; 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;
- c) c) Drugs trafficking, 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;
- d) d) Any other offence within the meaning of Article 57(1)(e) of the Directive as defined by the law of any EEA state or any part thereof?

3A5

[3A6] Child labour and other forms of trafficking in human beings

Has the economic operator itself or any person who is a member of its administrative, management or supervisory body or has powers of representation, decision or control therein been the subject of a conviction by final judgment for child labour and other forms of trafficking in human beings; any offence under Part 1 of the Human Trafficking and Exploitation (Scotland) Act 2015 or under any provision referred to in the Schedule to that Act, or any other offence within the meaning of Article 57(1)(f) of the Directive as defined by the law of any EEA state or any part thereof?

3A6

Exclusion - Grounds relating to the payment of taxes or social security contributions

[3B1a] Payment of taxes

Has the bidder met all its obligations relating to the payment of taxes, both in the UK, and in the country in which it is registered, if that is not the UK?

3B1a

[3B1b] Payment of social security

Has the bidder met all its obligations relating to the payment of social security contributions, both in the UK, and in the country in which it is registered, if that is not the UK?

3B1b

Exclusion - Blacklisting

[3C] Blacklisting

Has the bidder committed an act prohibited under the Employment Relations Act 1999 (Blacklists) Regulations 2010?

3C

Exclusion - Information concerning insolvency

[3D4] Bankruptcy

Is the bidder bankrupt?

3D4

[3D5] Insolvency

Is the bidder the subject of insolvency or winding-up proceedings?

3D5

[3D6] Arrangement with creditors

Is the bidder in an arrangement with creditors?

3D6

[3D7] Analogous situation like bankruptcy under national law

Is the bidder in any analogous situation arising from a similar procedure under national laws and regulations?

3D7

[3D8] Assets being administered by liquidator

Is the bidder in a situation that its assets are being administered by a liquidator or by the court?

3D8

[3D9] Business activities are suspended

Is the bidder in a situation that its business activities are suspended?

3D9

Exclusion - Grave professional misconduct

[3D10] Guilty of grave professional misconduct

Is the bidder guilty of grave professional misconduct?

3D10

[3D11] Agreements with other economic operators aimed at distorting competition

Has the bidder entered into agreements with other economic operators aimed at distorting competition?

3D11

Exclusion - Conflicts of Interest

[3D12] Conflict of interest due to its participation in the procurement procedure

Is the bidder aware of any conflict of interest due to its participation in the procurement procedure?

3D12

[3D13] Direct or indirect involvement in the preparation of this procurement procedure

Has the bidder or an undertaking related to it advised the organisation or contracting entity or otherwise been involved in the preparation of the procurement procedure?

3D13

[3D14] Early termination

Has the bidder experienced that a prior public contract, a prior contract with a contracting entity or a prior concession contract was terminated early, or that damages or other comparable sanctions were imposed in connection with that prior contract?

3D14

[3D15] Misrepresentation

Can the bidder confirm that:

- 1) It has not been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria
- 2) It has not withheld such information
- 3) It has been able, without delay, to submit the supporting documents required by an organisation or contracting entity, and
- 4) It has not undertaken to unduly influence the decision making process of the organisation or contracting entity, to obtain confidential information that may confer upon it undue advantages in the procurement procedure or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award?

3D15

Selection – (A) Suitability

[4A2A] For service contracts: authorisation of a particular organisation needed

Is it a requirement in the bidders country of establishment to hold an authorisation of a particular organisation in order to be able to perform the service in question?

4A2A

Selection – (B) Economic and Financial Standing

[4B5a] Insurance - Professional Risk Indemnity

The Bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated in terms of Professional Risk Indemnity Insurance.

Minimum amount (£)

£5,000,000

4B5a

[4B5b] Insurance - Employers (Compulsory) Liability

The Bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, the levels of Employers (Compulsory) Liability Insurance cover indicated.

Minimum amount (£)

£10,000,000

4B5b

[4B5c] Insurance - All other types listed

The Bidder confirms they already have or can commit to obtain, prior to the commencement of the contract, the levels of all other types of insurance cover indicated.

Minimum amount (£) Type of insurance

£10,000,000

Public Liability

4B5c

Selection - Technical and Professional Ability

This subsection has weighting.

Weighting type: Percent

General method used to score and evaluate the weighted criteria:

Each question provided will be scored:

0 Unacceptable - Nil or inadequate response. Fails to demonstrate an ability to meet the service requirements.

1 Poor - Response is partially relevant but generally poor. The response addresses some elements of the service requirement but contains insufficient/limited detail or explanation to demonstrate how the requirement will be fulfilled.

2 Acceptable - Response is relevant and acceptable. The response addresses a broad understanding of the service requirement but lacks details on how the requirement will be fulfilled in certain areas.

3 Good - Response is relevant and good. The response is sufficiently detailed to demonstrate a good understanding and provides details on how the service requirements will be fulfilled.

4 Excellent - Response is completely relevant and excellent overall. The response is comprehensive, unambiguous and demonstrates a thorough understanding of the service requirement and provides details of how the requirement will be met in full.

[4C.1/4C1.2] Relevant Examples

Please provide relevant examples of services carried out during the last three years as specified (Examples from both public and/or private sector customers and clients may be provided):

Weight allocated to this criteria: 40.00

Complementary information for the evaluation of this criteria:

Please provide a maximum of three relevant case studies of projects that demonstrate your capability to undertake a commission of this nature. Submissions should describe both the approach, design philosophy, final design for each case and the liaison and monitoring of contractors appointed to deliver the design. Where you have worked with the wider professionals, you are proposing, before you should provide case studies that demonstrate your effective working partnership with these professionals.

4C.1/4C1.2

[4C3a] Technical facilities and measures for ensuring quality

Please provide details of the technical facilities and measures for ensuring quality used:

Weight allocated to this criteria: 30.00

Complementary information for the evaluation of this criteria:

Please provide details of your approach to ensuring a high quality service and project delivery to your clients. Emphasis in this section should be placed on your standard management systems, business processes and quality control measures. Incorporate details of any quality accreditations etc. held by yourself and wider professionals proposed to be used. Where you have not worked with the wider professionals, you are proposing, before you should provide details of the measures and checks you have put into place to ensure the suitability of these professionals and the controls you will put into place to ensure their delivery of a high-quality service and project delivery to the client.

4C3a

[4C4] Supply chain management

Please provide a statement of the relevant supply chain management and/or tracking systems used:

Weight allocated to this criteria: 30.00

Complementary information for the evaluation of this criteria:

Please describe how you will commit to fair work practices for workers, including any agency or sub-contractor workers engaged in the delivery of this contract. Please provide details of the systems in place to pay any subcontractors and the wider professionals, you are proposing, promptly and effectively and provide evidence of (a) your standard payment terms (b) =95% of all supply chain invoices being paid on time (in accordance with the terms of contract) in the last financial year. If you are unable to confirm (b) you must provide an improvement plan, signed by their Director, which improves the payment performance.

4C4

Signature _____

For and on behalf of _____

Status of signatory _____

Dated _____