

Annex A: Pre-Qualification Questionnaire Core Questions

This Pre-Qualification Questionnaire (“PQQ”) has been issued by the Authority in connection with a competitive procurement conducted under the Public Contract Regulations 2006 (“the Regulations”).

Notes for completion:

Please answer every question. Many procurements generate a great deal of interest from potential suppliers, so please ensure that you complete the questionnaire as requested. Failure to do so may result in your application being disqualified. If the question does not apply to you please write N/A; if you don't know the answer please write N/K.

“Authority” means the purchasing organisation that is seeking to award a contract.

“You”/ “Your” or “Potential Supplier” means the business or company which is completing this PQQ.

Please return this form to:

[Name].....

[Organisation].....

[Address].....

Not later than: [*time and date*]

We will contact you again by: [*date*] to let you know whether you have been successful. If so, you will then be invited to tender for the contract.

Verification of Information Provided:

The higher the risk of the procurement, the higher the level of verification is likely to be required. Not all questions require supporting documents up front at this stage (for example certificates, statements with this questionnaire.) **However, the purchasing organisation may ask to see these documents at a later stage, so it is advisable you ensure they can be made available upon request.** You may also be asked to clarify your answers or provide more details about certain issues.

Sub Contracting Arrangements

Where a sub-contracting approach is proposed, all information requested should be given in respect of the prime contractor.

Where sub-contractors will play a significant role in the delivery of the services or products under any ensuing contract, please indicate in a separate annex (by inserting the relevant company/organisation name) the composition of the supply chain, indicating which member of the supply chain will be

responsible for the elements of the requirement, noting that ultimate responsibility will always rest with the prime contractor.

It is recognised that arrangements in relation to sub-contracting may be subject to future change. However, Potential Suppliers should be aware that where sub-contractors are to play a significant role, any changes to those sub-contracting arrangements may constitute a material change and therefore may affect the ability of the Potential Supplier to proceed with the procurement process or to provide the goods and/or services.

Consortia Arrangements

If the Potential Supplier bidding for a requirement is a consortium, the following information must be provided:

- full details of the consortium; and
- the information sought in this PQQ in respect of each of the consortium's constituent members as part of a single composite response.

Potential Suppliers should provide details of the actual or proposed percentage shareholding of the constituent members within the consortium in a separate Annex. If a consortium is not proposing to form a corporate entity, full details of alternative proposed arrangements should be provided in the Annex. However, please note the Authority reserves the right to require a successful consortium to form a single legal entity in accordance with regulation 28 of the Public Contracts Regulations 2006.

The Authority recognises that arrangements in relation to consortia may (within limits) be subject to future change. Potential Suppliers should therefore respond in the light of the arrangements as currently envisaged. Potential Suppliers are reminded that any future proposed change in relation to consortia must be notified to the Authority so that it can make a further assessment by applying the selection criteria to the new information provided.

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FORM A: Organisation and Contact Details

Full name of organisation tendering (or of the organisation acting as lead contact where a consortium bid is being submitted)		
ORGANISATION DETAILS		
Registered office address	Company or charity registration number	
	VAT registration number	
	Name of immediate parent company	
	Name of ultimate parent company	
Type of organisation	i) a public limited co. ii) a limited company iii) a limited liability partnership iv) other partnership v) sole trader vi) other (please specify)	

CONTACT DETAILS	
Contact details for enquiries about this PQQ	
Name	
Address	
Post Code	
Country	
Phone	
Mobile	
Email	

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Consortia and Sub-Contracting	<ul style="list-style-type: none"> a) Your organisation is bidding to provide the goods and/or services required itself b) Your organisation is bidding in the role of Prime Contractor and intends to use third parties to provide some of the goods and/or services c) The Potential Supplier is a consortium or Special Purpose Vehicle 	
<p>If your answer is (b) or (c) please indicate in a separate annex (by inserting the relevant company/organisation name) the composition and governance of the supply chain, indicating which member of the supply chain will be responsible for the elements of the requirement.</p>		

QUESTIONS 1.1 and 1.2 FOR COMPLETION BY NON-UK BUSINESSES ONLY

1.1	<p>Registration with professional body</p> <p>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 <i>Annexes IX A-C of Directive 2004/18/EC</i>) under the conditions laid down by that member state).</p>	
1.2	<p>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? If yes, please provide details of what is required and confirm that you have complied with this.</p>	

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FORM B - Grounds for mandatory rejection

Important Notice:

In some circumstances the Authority is required by law to exclude you from participating further in a procurement. If you cannot answer 'no' to every question in this section it is very unlikely that your application will be accepted, and you should contact us for advice before completing this form.

Please state 'Yes' or 'No' to each question.

Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?	Answer
(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;	
(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; where the offence relates to active corruption;	
(c) the offence of bribery, where the offence relates to active corruption;	
(ca) bribery within the meaning of section 1 or 6 of the Bribery Act 2010;	
d) 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, within the meaning of:	
(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;	

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(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) making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006;	
(e) money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;	
(ea) 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; or	
(eb) 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	
(f) any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State.	

FORM C - Grounds for discretionary rejection

Important Notice.

The Authority is entitled to exclude you from consideration if any of the following apply but may decide to allow you to proceed further. If you cannot answer 'no' to every question it is possible that your application might not be accepted. In the event that any of the following do apply, please set out (in a separate Annex) full details of the relevant incident and any remedial action taken subsequently. The information provided will be taken into account by the Authority in considering whether or not you will be able to proceed any further in respect of this procurement exercise.

The Authority is also entitled to exclude you in the event you are guilty of serious misrepresentation in providing any information referred to within regulation 23, 24, 25, 26 or 27 of the Public Contracts Regulations 2006 or you fail to provide any such information requested by us.

Please state 'Yes' or 'No' to each question.

Is any of the following true of your organisation?	
(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 a debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of his creditors or has made any conveyance or assignment for the benefit of his 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) <u>being a partnership constituted under Scots law,</u> has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate; or	
(c) <u>being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002</u> 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 had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is the subject of similar procedures under the law of any other state?	
Has your organisation	
(a) been convicted of a criminal offence relating to the conduct of your business or profession;	
(b) committed an act of grave misconduct in the course of your business or profession;	
(c) 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 relevant State in which you are established; or	

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(d) failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which you are established?	
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<i>[Note to Authority: Please insert any specific criminal offences or misconduct which may be appropriate to draw Potential Suppliers attention to having regard to the specific sector or circumstances of this procurement. (i.e. any offences or misconduct particularly relevant to or prevalent in the sector)]</i>	
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FORM D - Economic and Financial Standing Regulation 24

Potential Supplier's responses to Form D will be used to undertake an assessment of your organisation's economic and financial standing. You will be contacted by the Authority if this assessment identifies that a parent or other type of guarantee is required.

2	FINANCIAL INFORMATION
2.1	<p><i>[Drafting note to purchaser – choose out of the two options below, depending on the level of verification you require up front]</i></p> <p>Please provide one of the following set out below:-</p> <p><i>OR</i></p> <p>Please indicate which one of the following you would be willing to provide:-</p> <p>(please indicate which one by ticking the relevant box)</p>
	<p><i>A copy of your audited accounts for the most recent two years</i></p>
	<p><i>A statement of your turnover, profit & loss account and cash flow for the most recent year of trading</i></p>
	<p><i>A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position</i></p>
	<p><i>Alternative means of demonstrating financial status if trading for less than a year</i></p>

FORM E - Technical and Professional Ability Regulation 25

Responses to Form E will be used to undertake an assessment of your organisation's technical and professional ability to provide the goods/services.

Where the Potential Supplier is a Special Purpose Vehicle and not intending to be the main provider of the goods or services, the information requested should be provided in respect of the principal intended provider of the goods or services.)

3	EXPERIENCE AND CONTRACT EXAMPLES			
	<p>Please provide details of up to three contracts from either or both the public or private sector, that are relevant to the Authority's requirement. Contracts for the supply of goods or services should have been performed during the past <u>three</u> years. (The customer contact should be prepared to speak to the purchasing organisation to confirm the accuracy of the information provided below if we wish to contact them).</p>			
		Contract 1	Contract 2	Contract 3
3.1	Customer Organisation (name):			
3.2	Customer contact name, phone number and email			
3.3	Contract start date Contract completion date Contract Value			
3.4	Brief description of contract (max 150 words) including evidence as to your technical capability in this market.			
If you cannot provide at least one example, please briefly explain why (100 words max)				

4. *Drafting note: insert any project specific questions.*

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5.	<p>I declare that to the best of my knowledge the answers submitted in this PQQ are correct. I understand that the information will be used in the process to assess my organisation's suitability to be invited to tender for the Authority's requirement and I am signing on behalf of my organisation. I understand that the Contracting Authority may reject this PQQ if there is a failure to answer all relevant questions fully or if I provide false/misleading information</p>	
FORM COMPLETED BY		
5.1	Name:	
5.2	Date:	
5.3	Signature:	