Document 2

Return Document

Minimum Standards

ECO 4

Co-Badging Licence Agreement

**Upon review of the website, if the Organisation is interested in agreeing to the Co-Badging Licence Agreement, the Organisation must complete and return this document (Document 2 – Return Document – ECO 4 Minimum Standards) to the Borough Council in accordance with the instructions on the website for review and assessment.**

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Company Name

|  |  |
| --- | --- |
| Company Name |  |

Please confirm which Territory you applicable is for:

|  |  |
| --- | --- |
| Nuneaton and Bedworth Borough Council | Yes / No |
| North Warwickshire Borough Council | Yes / No |

Guidance

The Council advises prospective Organisations prior to the completion of this document to read and satisfy themselves with the instructions and guidance available in on the website page and **Document 1 – Selection Questionnaire – Guidance** to ensure correct completion. Guidance has been provided in a separate document to allow the guidance to be reviewed alongside this Document (**Document 2 – Return Document**).

Please note, no alternations to the documents are permitted other than inserting your answers or responses to questions. If any alteration is made to any of the declarations the response may be rejected.

Introduction

1. As part of the Council’s assessment of a prospective Company’s suitability for the provision of the requirement, a prospective Company is required to provide responses to the questions in the Selection Questionnaire (SQ).
2. Compliant SQ Responses will then be assessed on a pass/fail basis against the Minimum Standards described for the following sections of the SQ as further described in the information below.
3. A prospective Company considered as unsuitable during the assessment and evaluation stage of the process shall be deemed non-compliant and unsuitable for the purposes of the Co-Badging agreement.
4. A prospective Company shall be declined who are constituted or organised under the law of Russia or Belarus, or whose ‘Persons of Significant Control’ information states Russia or Belarus as the place of residency, unless the prospective Company (or any member of their supply chain they rely on to deliver ECO4 measures):
5. is registered in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access UK opportunities; and/or
6. has significant business operations in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access to UK opportunities.

For the avoidance of any doubt, substantive business operations means having a registered office, factory or other permanent base in the relevant country from which meaningful business operations are being conducted.

1. Standard Selection Questionnaire

### Part 1: Declarations

Prospective Companies are required to review and sign each Declaration listed below. Failing to sign each Declaration shall result in your submission being deemed non-compliant.

## **Acceptance of Co-Badging Agreement**

To: Nuneaton and Bedworth Borough Council,

I/We the undersigned do HEREBY UNDERTAKE, on acceptance of our Return Document, shall comply with the requirements and standards outlined in the Co-badging Licence Agreement.

|  |  |
| --- | --- |
| **Organisation Name** |  |
| **Organisation Address** | |
|  | |
|  | |
|  | |
| **Post Code** |  |
|  | |
| **Company Name** |  |
| **Post Held** |  |
| **Signature\*** |  |
| **Date Signed** |  |
|  | |
| **Landline Telephone** |  |
| **Mobile Telephone** |  |
| **Email** |  |

**Please note that this section is a PASS/FAIL part of the assessment.**

Any applicant who fails to complete this section will have failed the assessment.

**\*If unable to provide an electronic signature please type in name again.**

**For the purposes of the Co-Badging Agreement, please confirm the details for the following gaps:**

|  |  |
| --- | --- |
| **Employee Title (Clause 27.1 (a) and (b)** |  |
| **Senior Officer Title (Clause 27.1 (b) and (c)** |  |
| **Name of Director (Signing Page – last page)** |  |

## **Non-Collusion**

In the declaration below “persons” includes any persons and any body of persons corporate or unincorporated, and “agreement” includes any arrangement whether formal or informal and whether legally binding or not.

1. **We certify that this is a bona fide submission and that we have not:**
2. Entered into any agreement with any other person with the aim of preventing submissions or any other return for a Co-Badging Licence Agreement being made.
3. Informed any other person, other than the person calling for these submissions, of the contents of the submission, except where the disclosure, in confidence was necessary to obtain insurance premium quotations required for the preparation of the submission.
4. Caused or induced any person to enter into such an agreement as is mentioned in paragraph (a) above or to inform us of the contents of any rival submission for the Co-Badging Licence Agreement.

We also undertake that we will not do any of the Acts mentioned in paragraphs (a), (b) and (c) during the term of the Co-Badging Licence Agreement.

|  |  |
| --- | --- |
| **Name** |  |
| **Post Held** |  |
| **Signature\*** |  |
| **Date Signed** |  |

|  |  |
| --- | --- |
| 1. Is any government entity, Public Official or Relevant Person a Principal of your organisation or do they exert any control over your organisation\*\*? | Yes  No |
| 1. Does any Public Official or Relevant Person stand to benefit in any way as a result of your organisation if your organisation is successful in this procurement process? | Yes  No |
| 1. Do you have an Anti-Bribery and Corruption policy?   If yes, please provide a copy of your anti-bribery and corruption policy approved by the appropriate company director that is regularly reviewed (within the last 36 months).  *If you are a SME business, you may provide a statement rather than a policy. If this applies to your organisation, select the SME option.* | Yes  No  SME |
| 1. Do you have a whistleblowing policy\*\*\*? If yes, please provide a copy of your whistleblowing policy.   *If you are a SME business, you may provide a statement rather than a policy. If this applies to your organisation, select the SME option.* | Yes  No  SME |

\*\*Guidance can be found [here](https://www.gov.uk/government/publications/bribery-act-2010-guidance).

\*\*\*Guidance can be found [here](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of%20practice.pdf).

**Please note that this section is a PASS/FAIL part of the assessment.**

Any applicant who fails to complete this section will have failed the assessment.

Any applicant who answers ‘Yes’ to question two and/or three will have failed the assessment.

Any applicant who answers ‘No’ to question four and/or five will have failed the assessment. Please note, if answering “SME” for question 4 and/or 5, you will be required to provide a statement to ensure compliance.

**\*If unable to provide an electronic signature please type in name again.**

## **LG Transparency and FOIA**

Freedom of Information Schedule

The Council undertakes to use its best endeavours to keep confidential any information provided by the prospective Company, subject to the Council's obligations under law, including the [Freedom of Information Act 2000](http://www.legislation.gov.uk/ukpga/2000/36/contents). If the prospective Company considers that any information communicated to the Council should not be disclosed because of its sensitivity **then this should be stated below**, together with the reason for considering it sensitive. The Council will then use reasonable endeavours to consult with the prospective Company in considering any request received under the [Freedom of Information Act 2000](http://www.legislation.gov.uk/ukpga/2000/36/contents) before replying to such a request. It should be noted, however, that the Council does not have discretion in responding to such requests under the Act. Please note that even if your organisation is unsuccessful as a result of this Procurement, the Council may be required to disclose details relating to the tendering process, such as your organisation name, address, and contact details.

Local Government Transparency Code

Prospective Companies should be aware that, in compliance with its [Local government transparency code](https://www.gov.uk/government/publications/local-government-transparency-code-2015) obligations, the Council publishes details of its Contracts/Framework Agreements, including the description, value, duration and the identities of its suppliers on its website. We are also obligated to publish details of invoices received with a value of over £500, including the supplier name and purchase description.

|  |  |
| --- | --- |
| **I have read and considered the above, and understand the Authorities obligations to share information under The Freedom of Information Act and Local Authority Transparency Code, and consent to relevant information being shared for this purpose.** | |
| **Name** |  |
| **Post Held** |  |
| **Signature\*** |  |
| **Date Signed** |  |

**Please note that this section is a PASS/FAIL part of the assessment.**

Any applicant who fails to complete this section will have failed the assessment.

**\*If unable to provide an electronic signature please type in name again.**

## **Commercially Sensitive Information Request**

The following section is not Pass/Fail.

|  |
| --- |
| **I declare that I wish the following information to be designated as commercially sensitive:** |
|  |
|  |
| **The reason(s) it is considered that this information should be exempt under FOIA is:** |
|  |
|  |
| **The period of time for which it is considered this information should be exempt is:** |
|  |

|  |  |
| --- | --- |
| **Name** |  |
| **Post Held** |  |
| **Signature\*** |  |
| **Date Signed** |  |

**\*If unable to provide an electronic signature please type in name again.**

## **Data Protection**

Where the prospective Company is processing Personal Data (as defined by Data Protection legislation, the prospective Company shall only use the Personal Data in accordance with the delivery of the ECO4 obligation.

Therefore, the purpose of this document is for the Council to clearly describe what information may be processed, how, why and whom else it may be shared with.

Types of Personal Data  
  
The Personal Data categories potentially in scope of the Co-Badging Licence Agreement may include, but might not be limited to:

|  |  |  |  |
| --- | --- | --- | --- |
| Name | YES | Address/Post Code | YES |
| Telephone No. | YES | Date of Birth / Age | YES |
| Gender | YES | Employment Status and/or Benefit Status | YES |
| Dependent Details | NO | Income | YES |
| Racial/Ethnic origin | NO | Political opinions | NO |
| Religious or philosophical beliefs | NO | Whether a member of a trade union | NO |
| Health data | YES | Sexual life or sexual orientation | NO |
| Criminal convictions & offences | NO | Genetic or biometric data | NO |

How the Company will be provided with the information

The information will be:

|  |  |  |  |
| --- | --- | --- | --- |
| Provided by the Company | NO | Collected by the Company | YES |

How the Company will use the information

The information shall be used by the prospective Company for the following purpose(s):

* + To contact and/or receive applications from Residents to undertake ECO4 measures to deliver energy efficiency and heating measures to homes in Great Britain;
  + To provide ongoing support for the Resident including but not limited to, on-going servicing and maintenance support (if the Resident is entitled to said support);
  + Undertake any warranty and/or defect responsibilities.
  + To provide the Council with details as to the outcomes and achievements as a result of the Co-Badging Licence Agreement.

Data Storage, Retention and Compliance with GDPR

|  |
| --- |
| Please provide details of the technical facilities and measures (including systems and processes) you have in place to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects. Your response should include, but should not be limited to facilities and measures:   * to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services; * to comply with the rights of data subjects in respect of receiving privacy information, and access, rectification, deletion and portability of personal data; * to ensure that any consent based processing meets standards of active, informed consent, and that such consents are recorded and auditable; * to ensure legal safeguards are in place to legitimise transfers of personal data outside the EU (if such transfers will take place); * to maintain records of personal data processing activities; and * to regularly test, assess and evaluate the effectiveness of the above measures. |
| To be completed by the Company |

The information will be stored for a maximum period of either 12 months (in line with workmanship warranty) or no longer than the warranty period provided for any of the ECO4 measures installed (whichever is longest) upon which the Company must then ensure all data is securely deleted.

The Company shall implement appropriate technical and organisational measures in such a manner that processing will meet the requirements of data protection legislation and ensure the rights of the data subject. In particular the Company will:

* not engage any sub-contractors without prior specific written authorisation;
* ensure that persons authorised to process personal data have committed themselves to confidentiality;
* at the choice of the Council, delete or return all of the personal data to the council after the end of the provision of services and delete all other copies;
* make available to the Council all information necessary to demonstrate compliance with data protection legislation and contribute to audits or other inspections conducted by the council or another auditor mandated by the council;
* notify the Council immediately should the prospective Company become aware of any breach of data protection legislation or any loss, disclosure or other unauthorised processing of personal data;
* not transfer any personal data to “third countries” as defined by the EU, without prior specific written authorisation;
* assist the Council to comply with the rights of data subjects.

|  |  |
| --- | --- |
| 1. I confirm that we shall follow the above instructions, and at all times abide by the General Data Protection Regulation (*(EU) 2016/679*) and any national implementing laws, regulations, secondary legislation and other Acts of Parliament relating to data protection, as amended or updated from time to time, in the UK. | |
| **Name** |  |
| **Post Held** |  |
| **Signature\*** |  |
| **Date Signed** |  |

|  |  |
| --- | --- |
| 1. Please confirm that you have in place, or that you will have in place by acceptance, the human and technical resources to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects. | Yes  No |

**Please note that this section is a PASS/FAIL part of the assessment.**

Any applicant who fails to complete this section will have failed the assessment.

Any applicant who answers ‘No’ to question 2 will have failed the assessment.

**\*If unable to provide an electronic signature please type in name again.**

### Part 2: Your information

Part 2: Your information

You must answer all questions in parts 2 and 3.

|  |  |  |
| --- | --- | --- |
| **Section 1 - Your information** | | |
| Question No | Question | Response |
| 1.1(a) | Name (if registered, please give the registered name) |  |
| 1.1(b) – (i) | Registered address (if applicable) or head office address |  |
| 1.1(b) – (ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status  a) - public limited company  b) - private 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 (if applicable) or date of formation. |  |
| 1.1(e) | Registration number (company, partnership, charity, etc if applicable). |  |
| 1.1(f) – (i) | Registered VAT number. |  |
| 1.1(f) – (ii) | Registered UTR number (if applicable) |  |
| 1.1(g) - (i) | Are you registered with the appropriate professional or trade register(s) specified for this procurement in the Member State where your organisation is established? | Yes  No  N/A |
| 1.1(g) - (ii) | If you responded yes to 1.1(g) - (i), please provide the relevant details, including the name of the register and registration number(s), and if evidence of registration is available electronically, please provide   * + the website address,   + issuing body,   + reference number. |  |
| 1.1 (h) – (i) | For procurements for services only, is it a legal requirement in the country where you are established for you to:   1. possess a particular authorisation, or 2. be a member of a particular organisation,   to provide the requirements specified in this procurement? | Yes  No  N/A |
| 1.1(h) - (ii) | If you responded yes to 1.1(hj) - (i), please provide additional details of what is required, confirmation that you have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number. |  |
| 1.1(i) | 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(j) | Are you a Small, Medium or Micro Enterprise (SME)[[1]](#footnote-1)? | Yes  No |
| 1.1(k) | Details of Persons with Significant Control (PSC)[[2]](#footnote-2), where appropriate[[3]](#footnote-3):   * + 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 ;   + Which conditions for being a PSC are met:   + Over 25% up to (and including) 50%   + More than 50% and less than 75%   + 75% or more   (Please enter N/A if not applicable) |  |
| 1.1(l) | Details of your immediate parent company:   * + Full name of immediate parent company,   + Registered or head office address,   + Registration number (if applicable),   + VAT number (if applicable),   Please enter N/A if not applicable) |  |
| 1.1(m) | Details of ultimate parent company:   * + Full name of ultimate parent company,   + Registered or head office address,   + Registration number (if applicable),   + VAT number (if applicable),   (Please enter N/A if not applicable) |  |
| Please note: A criminal record check for relevant convictions may be undertaken for the prospective Company and all relevant persons and entities (as described above). | | |
| 1.1(n) | Is your organisation constituted or organised under the law of Russia or Belarus, or whose ‘Persons of Significant Control’ information states Russia or Belarus as the place of residency?  *Answering ‘Yes’ will result in your submission being deemed non-compliant unless the prospective Company (or any member of their supply chain they rely):*  *● is registered in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access to public procurement; and/or*  *● has significant business operations in the UK or in a country the UK has a relevant international agreement with reciprocal rights of access to public procurement.*  *Question raised following the publication of* [*PPN 01/22*](https://www.gov.uk/government/publications/procurement-policy-note-0122-contracts-with-suppliers-from-russia-and-belarus)*.* | Yes ☐  No ☐ |

Please provide the following information about your approach to this procurement:

|  |  |  |
| --- | --- | --- |
| **Section 1.2 - Bidding model** | | |
| Question No | Question | Response |
| 1.2 | Please indicate if you are bidding as a single company or as part of a group or consortium?  *If you are bidding as a single company please go to Q 1.3.*  If you are bidding as part of a group or consortium, please tell us:   1. The name of the group/consortium. 2. The proposed structure of the group/consortium, including the legal structure where applicable. 3. The name of the lead member in the group/consortium. 4. Your role in the group/consortium (e.g. lead member, consortium member, subcontractor).   If you are the lead member in the group/consortium, whether you are relying on other consortium members to meet the selection criteria (i.e. are you relying on other consortium members for economic and technical standing and/or technical and professional ability?) and, if so, which criteria you are relying on them for |  |
| 1.3 | If you are proposing to use subcontractors please provide the details for each subcontractor[[4]](#footnote-4).   * + Name   + Registration number   + Registered or head office address,   + Trading status   a. Public limited company  b. Private limited company  c. Limited liability partnership  d. Other partnership  e. Sole trader  f. Third sector  g. Other (please specify your trading status)   * + Registered VAT number   + SME (Yes/No)   + The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables - if known   + The approximate % of contractual obligations assigned to each subcontractor, if known   + Is the subcontractor being relied upon to meet the selection criteria (i.e. are you relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are you relying on them for? |  |

### Part 3: Exclusion Grounds

Please answer the following questions in full. Note that every organisation that forms part of your bidding group/consortium, as well as every organisation that is being relied on (including subcontractors being relied on) to meet the selection criteria must complete and submit responses to part 2 and the declarations in part 3.

|  |  |  |
| --- | --- | --- |
| **Section 2 – Exclusion Grounds** | | |
| Question No | Question | Response |
| 2.1(a) | Within the past five years, anywhere in the world, have you or any person who:   * is a member of the Company’s administrative, management or supervisory body or * has powers of representation, decision or control in the Company[[5]](#footnote-5),   been convicted of any of the offences within the summary below and listed in full on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf)? | |
|  | Participation in a criminal organisation. | Yes  No |
|  | Corruption. | Yes  No |
|  | Terrorist offences or offences linked to terrorist activities. | Yes  No |
|  | Money laundering or terrorist financing. | Yes  No |
|  | Child labour and other forms of trafficking in human beings. | Yes  No |
|  | Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland. | Yes  No |
|  | Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland. | Yes  No |
| 2.1(b) | **If you have answered yes to any part of question 2.1(a), please provide further details,** including:   * date of conviction and the jurisdiction, * which of the grounds listed the conviction was for, * the reasons for conviction, * the identity of who has been convicted.   If the relevant documentation is available electronically please provide:   * the web address, * issuing authority,   precise reference of the documents. |  |
| 2.1(c) | If you have answered yes to any part of the question above please explain what measures have been taken to demonstrate your reliability despite the existence of relevant grounds for exclusion. (Self cleaning). |  |

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

|  |  |  |
| --- | --- | --- |
| **Section 3 - Mandatory and discretionary grounds relating to the payment of taxes and social security contributions** The detailed grounds for mandatory and discretionary exclusion of a prospective Company for non-payment of taxes and social security contributions, are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf),[[6]](#footnote-6) and should be referred to before completing these questions. | | |
| Question No | Question | Response |
| 3.1(a) | Please confirm that you have met all your obligations relating to the payment of taxes and social security contributions, both in the country in which you are established and in the UK.  If documentation is available electronically please provide:   * the web address, * issuing authority,   precise reference of the documents | Yes  No |
| 3.1 (b) | If you have answered no to 3.1(a) please provide further details including the following:   * Country concerned, * what is the amount concerned * how the breach was established, i.e. through a judicial or administrative decision or by other means. * if the breach has been established through a judicial or administrative decision please provide the date of the decision,   if the breach has been established by other means please specify the means. | Yes  No |
| 3.3 | Please also confirm whether 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. | Yes  No |
| Please Note: We reserve our right to use our discretion to exclude your submission where we can demonstrate by any appropriate means that you are in breach of your obligations relating to the payment of taxes or social security contributions | | |

|  |  |  |
| --- | --- | --- |
| **Section 4 - Grounds for Discretionary Exclusion** The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf),[[7]](#footnote-7) and should be referred to before completing these questions. | | |
| Question No | Question | Response |
| 4.1 | Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full on the [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf) applied to you? |  |
| 4.1(a) | Breach of environmental obligations?  To note that environmental law obligations include Health and Safety obligations. See [webpage](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | Yes  No |
| 4.1(b) | Breach of social law obligations? | Yes  No |
| 4.1(c) | Breach of labour law obligations? | Yes  No |
| 4.1(d) | Bankruptcy or subject of insolvency? | Yes  No |
| 4.1(e) | Guilty of grave professional misconduct? | Yes  No |
| 4.1(f) | Distortion of competition? | Yes  No |
| 4.1(g) | Conflict of interest? | Yes  No |
| 4.1(h) | Been involved in the preparation of the procurement procedure? | Yes  No |
| 4.1(i) | Prior performance issues? | Yes  No |
| 4.1(j) | Fraud including grave professional misconduct? | Yes  No |
| 4.1 (k)  4.1(k) - (i)  4.1(k) - (ii)  4.1(k) –(iii)  4.1(k)-(iv) | Do any of the following statements apply to you?  You have 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.  You have withheld such information.  You are not able, without delay, to submit documents if/when required.  You have undertaken to unduly influence the decision-making process of the contracting authority to obtain confidential information that may confer upon you 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. | Yes  No  Yes  No  Yes  No  Yes  No |
| 4.2 (i) | You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.  If you are a relevant commercial organisation please -   * confirm that you have published a statement as required by Section 54 of the Modern Slavery Act. * confirm that the statement complies with the requirements of Section 54 and any guidance issued under Section 54. | Yes  No  Yes  No |
| 4.2 (ii) | If your latest published statement is available electronically please provide:   * the web address, * precise reference of the documents. |  |
| 4.3 | If you have answered YES to any of the questions in 4.1, or NO to question 4.2 (i), please explain what measures have been taken to demonstrate your reliability despite the existence of a relevant ground for exclusion. (Self cleaning) |  |
| 4.4 (a) | **Regulation 57(3)**  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? | Yes  No |
| 4.4 (b) | If you have answered yes to question 4.4(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. |  |

### Part 4: Selection Questions

|  |  |  |
| --- | --- | --- |
| **Section 5 – Not Used** | | |
| **Section 6 – Not Used** | | |
| **Section 7 – Not Used** | | |
| **Section 8 – Modern Slavery Act 2015** Requirements under Modern Slavery Act 2015 | | | |
| **8.1** | | Regardless of your answer to 4.2 (i) and 4.2 (ii) above, do you have a policy describing your approach and commitment to addressing modern slavery within the organisation?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | Yes  No |
| **8.2** | | Regardless of your answer to 4.2 above, will you produce (or do you have) a modern slavery action plan describing how the organisation intends to work with the supply chain including a commitment to producing a risk assessment to identify areas of high risk.  Modern slavery action plan to include:   * training, supply chain engagement, measurement and continuous improvement plans. * Toolbox talks conducted with organisational employees to raise awareness including site teams   *Answering ‘No’ will result in your submission being deemed non-compliant.* | Yes  No |

### Part 5: Additional Questions

Prospective Companies who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this prior to acceptance.

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| --- | --- | --- | --- | --- | --- | --- |
| **Section 9 - Additional Questions** | | | | | | |
| **9.1** | **Insurance** | | | | | |
| a. | Please confirm whether you already have the levels of insurance cover indicated below:  Employer’s (Compulsory) Liability Insurance = £10m minimum  Public Liability Insurance = £10m minimum  Professional Indemnity Insurance = £1m minimum  Product Liability Insurance = £10m minimum  Should any certificate be provided in a currency other than UK Sterling (such as US Dollars), the Council will use the currency exchange rate confirmed on the Tender Submission Deadline for the purposes of converting to UK Sterling. Furthermore, the insurance certificate or policy must confirm that it extends cover into the UK in order to be deemed a pass.  \*There is a legal requirement for certain employers to hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information: <http://www.hse.gov.uk/pubns/hse39.pdf>  *Answering ‘No’ will result in your submission being deemed non-compliant. Evidence of insurance certification from your sub-contractor(s) may also be requested.* | | | Yes ☐  No ☐ | | |
| b. | Please confirm by selecting one of the two options listed, whether you’ll commit to obtain Contractors All Risk Insurance?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | | |
| **9.2** | **Maintaining healthy supply chains** | | | | | |
| a. | Please briefly summarise how you source/procure a sub-contractor and how you manage their performance.  *If you do not intend to sub-contract please ignore this question (9.2. a) but please answer the remaining sub-questions under.* | | | | | |
|  | | | | | |
| b. | Please confirm that you have systems in place to pay those in your supply chain promptly and effectively, i.e. within your agreed contractual terms.  Evidence may be requested in the form of a copy of your standard payment terms for all of your supply chain contracts.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | | |
| c. | Please confirm you have procedures for resolving disputed invoices with those in your supply chain promptly and effectively.  *Evidence may be requested in the form of a copy of your procedures for resolving disputed invoices promptly and effectively. Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | | |
| **9.3** | **Social Value** | | | | | |
| a. | The Council encourages a diverse and competitive supply market, including small firms, social enterprises, ethnic minority businesses and voluntary and community sector suppliers as defined in the National SME friendly business concordat. In addition, prospective Companies are encouraged work with the local community to stimulate and boost economic and social benefits.  Please declare in the space provided below, what social value commitments you will make and/or undertake during the term of the agreement if successful in this procurement exercise. Evidence of previous social value undertakings and/or policy/strategy may be requested. | | | | | |
| |  |  | | --- | --- | | Use of local Nuneaton and Bedworth business/suppliers | ☐ | | Use of SME or Voluntary Sector organisations | ☐ | | Use of local employment hubs for any recruitment | ☐ | | To work with supply chain to increase resilience and capacity | ☐ | | Create new jobs and new skills | ☐ | | Requirement to take on apprentices | ☐ | | Supporting local community schemes including volunteering commitments | ☐ | | Supporting local communities to manage and recover from the impact of Covid-19 | ☐ | | Working with local schools and colleges | ☐ | | Development of an employment and skills plan for the duration of the Licence Agreement. | ☐ | | Support of initiatives such as Women in Construction | ☐ | | Living Wage commitments | ☐ | | Increase representation of disabled people in workforce | ☐ | | Engage with the Community and resident groups | ☐ |   *Any applicant who fails to indicate at least one social value commitment (either from the list provided above or a social value commitment disclosed which isn’t listed (item b. below)) will fail the assessment and be excluded from the award process.* | | | | | |
| b. | If you intend to implement any additional social value commitments or the social value commitments listed do not cover your commitments, please outline these below. | | | | | |
|  | | | | | |
| **9.4** | **Health and Safety**  **Evidence from your organisation and your sub-contractor(s) may be requested for review.** | | | | | |
| **a.** | Please self-certify that your organisation (and any sub-contractors physically undertaking any part of the works or services (or provision of goods)) has a Health and Safety Policy that complies with current legislative requirements and the following requirements:     * Statement of Intent, Organisation and Arrangements; * Provide safe and healthy working conditions for your employees; * That all employees shall be Competent to undertake all the activities expected of them- and how this shall be maintained; * Ensure that any work undertaken by your employees does not adversely affect the health and safety of others; * Identify risks concerned with the activity with suitable mitigating actions and responsibilities; * Compliance with the Health and Safety at Work Act 1974; * Compliance with CDM Regulations 2015 (The Construction Design and Management Regulations) if applicable dependent on the activity; * Identify the individual/Officer responsible for Health and Safety in relation to the Council’s requirement. * Include review dates as well as the Officers involved in the review of the policy. * Compliance with Government guidance to maintain a safe environment for Council tenants, residents, members of the public, Council officers and the prospective Company’s employees which must also include fire prevention and fire safety for any work or service which may generate sparks/flames/ignition sources/fires in or around open spaces. * Restrictions: Storing, handling and refuelling: On hard standing or other approved areas. Keep away from watercourses, drains, soil, planting and grassed areas. * Vehicles and equipment: Ensure there is no leakage or spillage. If spillage occurs, inform immediately and take appropriate emergency action. * Smoking on site: Not permitted. * Burning on site: Not permitted. * Implementation of a Covid risk assessment which covers the employees of the prospective Company. * Hold or working towards ISO 45001. * Implement the provisions of the Deming Cycle (Plan Do Check Act).   Whilst at this stage, the Council does not require your policy, it reserves the right, at any time, to examine your full Health and Safety policy which must:   * State your general policy on health and safety; * Be brought to the attention of all your employees/residents/visitors/contractors * Be revised when appropriate and each revision communicated to all stakeholders.   If deemed capable, your policy may be requested. This will be assessed by the Councils Health and Safety Officer for approval prior to mobilisation. Please note, you may be required to provide details and evidence of the below from your sub-contractors where relevant.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | | | Yes ☐  No ☐ |
| **b.1** | | Has your Organisation been served with either an Improvement Notice, Fire Service Breach, Trading Standards breach or a Fee for Intervention (FFI) or similar or been prosecuted in the past 3 years for breaches of Fire or Health and Safety legislation? (usually from the Fire Service, HSE, EHO or Environment Agency) | | | | Yes ☐  No ☐ |
| **b.2** | | Have any of your sub-contractors been served with either a Prohibition Notice similar or been prosecuted in the past 3 years for breaches of Fire or Health and Safety legislation? (usually from the Fire Service, HSE, EHO or Environment Agency) | | | | Yes ☐  No ☐ |
| *Answering ‘Yes’ to the to either b.1 or b.2 above will result in an automatic fail unless the remedial or corrective measures you have put in place are deemed satisfactory by the Council when considering the project scope of this procurement exercise. For the avoidance of any doubt, any remedial or corrective measures disclosed below (9.4 C.) must be deemed satisfactory in relation to the scope of this procurement exercise to be deemed a ‘Pass’.*  *If answering “Yes” above, please provide detail of your remedial/corrective measure (along with evidence if needed) in the box below together with the mitigations you would enforce to ensure no issue occurs of a similar nature during delivery. Alternatively, please clearly label and attach a separate document with the relevant information.*  *If you have answered “Yes” and subsequently failed to provide all information requested, your submission will be deemed a fail.*  *Any Applicant that states “No” but is later found to have received a notice in the time period stated shall automatically fail due to misrepresentation.* | | | | | | |
| **c.** | | Details of Remedial/Corrective actions taken (or attachment document title)  Only answer if “Yes” has been selected in 9.4.b above. | | | | |
|  | | | | |
| **d.** | | Are you able to show your arrangements for ensuring that your H&S measures are effective in reducing/ preventing work-related incidents, occupational ill-health and accidents (and take Near-Miss reports into account)? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **e.** | | Do you have a process for providing your employees/other workforce with training and other information appropriate to the activities that your organisation is likely to undertake? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **f.** | | Do your employees/other workforce have H&S and other relevant knowledge, experience and skills to carry out activities that your organisation is likely to undertake? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **g.** | | Do you check, review and, where necessary, improve your H&S performance, including carrying out inspections and audits? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **h.** | | Do you have procedures for involving your employees/other workforce in the planning and implementation of H&S measures? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **i.** | | Do you routinely record and review accidents/incidents and near misses and undertake follow-up action? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **j.** | | Do you have arrangements for ensuring that your suppliers also apply H&S measures that are appropriate to the activities that your organisation is likely to undertake? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **k.** | | Do you operate a process of risk assessment, capable of supporting safe systems of work? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | Yes ☐  No ☐ | |
| **l.** | | Please confirm the role of the individual responsible for all Health and Safety across your Organisation together with the role competency requirements |  | | | |

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| **9.5** | **Waste Disposal** | | | | | | | |
| **a.** | The Council have a duty to ensure public waste is disposed of appropriately in accordance with the following regulations:   * [Environmental Protection Act (EPA) 1990](http://www.legislation.gov.uk/ukpga/1990/43/contents) * Environmental Protection (Duty of Care) Regulations 1991 * [Environment Act 1995](http://www.legislation.gov.uk/ukpga/1995/25/contents) * [EU Waste Framework Directive](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/218586/l_31220081122en00030030.pdf)   In support of the Council’s Waste Disposal Strategy, The Council is promoting and encouraging the supply chain to recognise and enforce the [Waste Hierarchy](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf).  Please self-certify that your organisation will practice and abide by all legislation, official guidance and codes of practice relating to Waste disposal.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b.** | Suppliers by law have to dispose of waste in compliance with regulations. Waste can be disposed of by the prospective Company or contract a licenced supplier to do it for them. Check to see if the supplier you contract with to dispose of your waste is licenced by the Environmental Agency - <https://environment.data.gov.uk/public-register/view/search-waste-carriers-brokers>  **You only need to complete ONE of the below options.**  **Failing to complete one of the below options (or if requested after the submission deadline due to a genuine error) and/or provide evidence of the licence, will result in your submission being deemed non-compliant.** | | | | | | | |
| **b. (i)** | Option 1: Waste Carriers – Transportation of Waste – In-house  If you dispose of your own waste, please complete the section below.   |  |  |  |  |  | | --- | --- | --- | --- | --- | | **Waste Carrier Licence Number** | |  | | | | **Licence Start Date** |  | | **Licence End Date** |  | | | | | | | | |
| **b. (ii)** | Option 2: Waste Carriers – Transportation of Waste – Outsourced (sub-contracted)  If you use a sub-contractor to dispose of your waste (transportation of waste from site), please complete the section below.   |  |  | | --- | --- | | **Waste Company Name** |  | | **Waste Company Number** (if applicable) |  | | **Waste Carrier Licence Number** |  |   If you have completed Option 2, please ensure you’ve inserted the details in 1.3 | | | | | | | |
| **c.** | To ensure compliance with the Environmental regulations – Waste operations, please complete the section below to provide location details for the drop off of waste produced in connection with any measures as a result of the Co-Badging Licence Agreement:   |  |  | | --- | --- | | **Drop off site location** |  | | | | | | | | |
| **9.6** | **Not Used** | | | | | | | |
| **9.7** | **Warranty/Guarantee/Defect Period** | | | | | | | |
| **a.** | **Product Warranty**  We hereby warrant & guarantee that all goods provided under this agreement are in accordance the manufacturer’s guidelines and authorised modifications thereto, and will be free from defects for a period as stated by the manufacturer and/or in line with your own warranty period (unless specified by a certification body (Trustmark).  Should any defect develop during the warranty period, the defect, including adjacent work displaced, product shall be made good or replaced (if beyond repair) by the undersigned at no expense to the Council or Resident.  Written notice of defective work will be given to the prospective Company. Should the prospective Company fail to correct the defect, the Council may, at their option, terminate the Licence.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | | | | | Yes ☐  No ☐ | |
| **b.** | **Workmanship Warranty**  We hereby warrant & guarantee that all works completed under this agreement are in accordance with the manufacturer’s guidelines and EU/British standards, and will be free from defects for a period of:   |  |  | | --- | --- | |  | from date of practical completion |   Should any defect develop during the warranty period, the defect, including adjacent work displaced, shall be made good or replaced by the undersigned at no expense to the Council or Resident.  Should the prospective Company fail to correct the defect, the Council may, at their option, terminate the Licence.  Nothing in the above shall be deemed to apply to work which has been abused or neglected by the Council.  *Any applicant who does not provide a minimum guarantee and warranty period of 12 months will fail the evaluation.* | | | | | | | |
| **9.8** | **Environmental Sustainability** | | | | | | | |
| **a.** | In support of the Council’s Environmental Sustainability Strategy and commitment, the prospective Company agrees to support the following principals and, if requested, provide supporting evidence and a copy of their environmental policy, specifically addressing the following criteria related to the protection of the environment, as follows:   * + Air pollution – actively reviewing practices and service delivery methods with a view of implementing measures to reduce emissions in line with statutory requirements. Furthermore:   + Protect the site, the Works and the general environment including the atmosphere, land, streams and waterways against pollution.   + Contamination: If pollution occurs inform immediately, including to the appropriate.   + Authorities and provide relevant information.   + Biodiversity and habitats – actively reviewing products, chemicals and working methods to reduce the impact on biodiversity and animal habitats to enhance and protect them.   + Climate change – actively reviewing methods of working and new products available on the market to achieve the Governments goal of achieving net zero emissions by 2050.   + Resource use – actively reviewing ways of working, products being used and the supply chain to ensure water, gas, electricity and their use is sustainable and appropriate to meet environmental sustainability provisions.   + Transport – to consider and when viable implement methods to reduce transport requirements overall but where this is not possible, converting to more environmentally sustainable methods of transport.   + Waste – reviewing and implementing initiatives to reduce waste (including packaging), increase recycling and where viable, re-using and/or recycling waste.   + Energy consumption – reviewing and implementing initiatives to reduce energy consumption throughout business activity and/or during performance during the agreement.   In addition to the above, the prospective Company will support the following aims:   * + Purchase equipment that is energy efficient.   + Apply an efficient procurement, sales and payment process with reduced paper flows and increased electronic transactions.   + Hold or working towards ISO 14001:2015.   + Support and use of Fair Trade products.   + Comply with the Environmental Protection Act 1990 (As amended).   *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **9.9** | **Equality & Diversity** | | | | | | | |
| **a.** | The Council is committed to providing equal opportunities to all our residents and employees irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage or civil partnership, pregnancy and maternity. These are the protected characteristics as identified in the Equality Act 2010.  The prospective Company agrees to comply with all legislation, official guidance and codes of practice relating to equality, including but not limited to the following legislation, guidance & Duties:     * + Equality Act 2010   + Equality & Human Rights Commission statutory and non-statutory guidance for employers and service providers.   + Public Sector Equality Duty   + The Council’s [Equality Policy](https://www.nuneatonandbedworth.gov.uk/downloads/file/2688/equality_policy)   *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **9.10** | **Safeguarding** | | | | | | | |
| **a.** | The Council consider that the welfare of its residents is paramount. All people without exception have the right to protection from abuse; and all suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately. Tenderers must sign the following declaration of intent to comply with the Children’s Act 2004, the Care Act 2014 and the [Council Safeguarding Policy](https://www.nuneatonandbedworth.gov.uk/info/20054/equality_and_diversity/202/safeguarding). The Council’s guiding principles are as below:   * + The welfare of children and adults care and support needs is paramount   + A child is defined as a person under the age of 18 (The Children’s Act 1989).   + An adult with care and support needs is a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.   + All people whatever their protected characteristics have the right to protection from abuse.   + All suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately.   + It is the responsibility of Children’s Services or Adult Social Care to determine whether abuse has taken place but it is everyone’s responsibility to report any concerns.   + Everyone has the right to be safe and to be treated with dignity and respect.   + All employees (whether paid or voluntary) have the right to recourse against any allegation made against them.   It is essential that if Children and Adults are to be given appropriate protection that all employees work together to achieve this and that the Council is able to cooperate with other agencies such as the Police, Children Services and Adult Social Care who have a statutory responsibility in these areas.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **9.11** | **Not Used** | | | | | | | |
| **9.12** | **CDM Regulations** | | | | | | | |
| **b.** | The following section relates to Construction (Design and Management) (CDM) Duty Holder - Contractor / Principal Contractor. | | | | | | | |
| **b1** | Do you have arrangements for co-operating and co-ordinating your work with others (including other suppliers, notably contractors)? Evidence may be required.  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b2** | Do you have arrangements for ensuring on-site welfare for your employees/other workforce?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b3** | Are you able to provide evidence of the skills, knowledge and experience of H&S in construction in your organisation?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b4** | Do you review and develop your effectiveness in the contractor/principal contractor role?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b5** | Do you implement arrangements to meet the ‘principal contractor’ duties under the Construction (Design and Management) Regulations 2015?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b6** | Please explain in the space provided below your process regarding site inspections and audits as the ‘principal contractor’ during the works to ensure that all the required standards are being maintained.  *Failing to answer this section shall result in your submission being deemed non-compliant. Should it be required, the Council may query your response for additional information should it be necessary.* | | | | | | | |
|  | | | | | | | |
| **b7** | Do you implement arrangements to meet the ‘designer’ duties under the Construction (Design and Management) Regulations 2015?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b8** | Do you review and monitor your design performance, notably in relation to H&S?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b9** | Do you implement arrangements to meet the ‘principal designer’ duties under the Construction (Design and Management) Regulations 2015?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b10** | Are you able to provide evidence of the skills, knowledge and experience of H&S in construction in your organisation?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b11** | Do you review and develop your effectiveness in the principal designer role?  *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **b12** | Please explain in the space provided below your process regarding site inspections and audits as the ‘principal designer’ during the works to ensure that all the required standards are being maintained.  *Failing to answer this section shall result in your submission being deemed non-compliant. Should it be required, the Council may query your response for additional information should it be necessary.* | | | | | | | |
|  | | | | | | | |
| **9.13** | **Certifications and Qualifications** | | | | | | | |
| **a.** | The Council seeks to ensure it’s supply chain, and in this case, a prospective Company, including their sub-contractor(s) have the most relevant and up to date certifications/qualifications. The Council reserves the right to request proof of your qualifications/certification at any time.  Please note, you may be required to provide details and evidence of the below from your sub-contractors where relevant.  **General provisions**  Where applicable - All of the rules and regulations listed below must be adhered to:   * The (most recent) Building Regulations * British Standards and Codes of Practise * The CIBSE Guides, CIBSE codes, CIBSE Technical Memoranda and CIBSE Technical manuals * Latest IEE Regulations * Electricity Supply Regulations * Electricity at work Regulations 1989 * Environmental Protection Act * Fire Safety Act * Building Safety Act * Regulatory Reform (Fire Safety) Order * Personal Protective Equipment at Work Regulations * Control of Vibration at Work Regulations * Control of Noise at Work Regulations * Provision and Use of Work Equipment Regulations * Reporting of Injuries, Diseases and Dangerous Occurrences Regulations * Manual Handling Operations Regulations * Work at Height Regulations * Health and Safety at Work Act * The Workplace (Health, Safety and Welfare Regulations * COSHH Regulations * CDM Regulations * Control of Asbestos Regulations 2012 * Gas Safety (Installation and Use) Regulations 1998 * ACOP Guidance * Management of Health and Safety at Work Regulations * All appropriate rules regulations enshrined in statue   **Competency Requirements**  Insulation and also any other materials which might affect Fire Safety  Please be aware that where there are building materials and similar which are non-combustible (i.e. Euroclass “0”) then these will be used in preference to other materials. Any deviation from this must be clearly approved in writing from the Health and Safety Manager.  Scaffolding and Access Structures  The Council will require any prospective Company (including any sub-contractor) involved in any form of work which may require scaffolding structures (including, but not exclusively, in design, installation, commissioning, carrying out and/or maintenance) to have the specified accreditation as standard.  Scaffolding:   1. CISRS Scaffolder’s card 2. CISRS Advanced Scaffolders   Asbestos  The Council will require any prospective Company (including any sub-contractor) involved in any form of work which may include the analysis of material which may be Asbestos analytical and/or removal works or work which may effect of material known to be, or which may be, asbestos, to be accredited as follows:   1. Analytical:    * Asbestos analysis and measurement: International Standard ISO/IEC 17025. (Control of Asbestos Regulations 2012).    * Asbestos surveying: BS EN ISO/IEC 17020    * all members of staff should be Asbestos Awareness trained 2. Removal:    * HSE – Licence to undertake work with asbestos when required    * all members of staff should be Asbestos Awareness trained 3. Generally:    * P401® - Identification of Asbestos in Bulk Samples (PLM),    * P402® - Surveying and Sampling Strategies for Asbestos in Buildings,    * P402RPT - Report Writing for Asbestos Surveys, P403® - Asbestos Fibre Counting (PCM),    * P404® - Air Sampling of Asbestos and MMMF and Requirements for a Certificate of Reoccupation Following Clearance of Asbestos; and    * P405® or Duty To Manage- Management of Asbestos in Buildings, Duty to Manage Asbestos (Appointed Person).   Electrical Works and/or Services  As a minimum – Relevant electrical legislation must be adhered to for contracts which contains any works or services of an electrical nature on either a domestic or corporate dwelling. All electrical works to comply with current IEE Regulations/current Part P building regulations and layout to the approval of the Client. All works to be carried out by approved electrical contractor who is to issue relevant BS7671 Electrical Installation Certificate/Minor Works Certificate where appropriate to the Client on completion of works. Building Regulation Compliance Certificate and notification to local building control should also be completed (if required).  Installing contractor should comply with relevant NICEIC/ELECSA/ECA (or other approved body) requirements and hold relevant electrical qualifications.  Gas Works and/or Services  As a minimum – You and any subcontractors you may use must be Gas Safe registered, to include the appropriate relevant Competences/parts. Where applicable you should hold all other necessary qualification such as (CCN1) etc.  *Answering ‘No’ will result in your submission being deemed non-compliant.*  *If your intention is to submit an agreed equivalent standard to those listed above, please provide the details separately and explain how it is deemed an equivalent. Please note, if submitting an agreed equivalent standard, it is the responsibility of the* *prospective Company to provide evidence and proof the equivalent standard meets and/or exceeds the standard(s) as a minimum. The Council reserves the right to deem a submission non-compliant if justification provided or standard proposed as an equivalent doesn’t demonstrate it is equal to or better than the standard(s) stated above.* | | Yes ☐  No ☐ | | | | | |
| **b.** | Please confirm if you currently have successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum?  If Yes, please provide the appropriate certification details 9.19 b.  *Information only.* | | Yes ☐  No ☐ | | | | | |
| **9.14** | **Not Used** | | | | | | | |
| **9.15** | **Modern Slavery Act 2015 *(additional requirement to Section 8).*** | | | | | | | |
| **a.** | The Council consider that the ethical treatment of all people is of paramount importance. All people without exception have the right to protection from abuse; and all suspicions and allegations of abuse will be taken seriously and responded to swiftly and appropriately. Prospective Companies must sign the following declaration of intent to comply with the [Modern Slavery Act 2015](http://www.legislation.gov.uk/ukpga/2015/30/contents):   * This organisation warrants that it has thoroughly investigated its labour practices, and those of its direct suppliers, to ensure there is no slavery or forced labour used anywhere in this organisation or by any of the direct suppliers to this organisation and that minimum wage is paid across the organisation. * This organisation has put in place all necessary processes, procedures, investigations and compliance systems to ensure that this situation will continue to be the case at all times from and after the date of the Statutory Declaration.   *Answering ‘No’ will result in your submission being deemed non-compliant.* | | Yes ☐  No ☐ | | | | | |
| **9.16** | **Armed Forces Covenant**  *Information only* | | | | | | | |
| **a.** | The Council have signed up to the Armed Forces Covenant which recognises that those who put their lives on the line to defend our country deserve fair treatment.  The Armed Forces Covenant is our commitment to the men and women who defend this nation at home and abroad. Our pledge to our veterans, our regulars, our reservists and all our service families, that together we will recognise their service and show them our support.  If you wish to get more information on the Armed Forces Covenant please visit: <https://www.armedforcescovenant.gov.uk/get-involved>  As part of our work within the Covenant we would like to know: | | | | | | | |
| **a. (i)** | How many serving or ex-Armed Forces personnel (which includes reservist) do you employ? | |  | | | | | |
| **a. (ii)** | Are you signed up to the Armed Forces Covenant? | | Yes ☐  No ☐ | | | | | |
| **9.17** | **Not Used** | | | | | | | |
| **9.18** | **Not Used** | | | | | | | |
| **9.19** | **Accreditations** | | | | | | | |
| **a.** | Further to **1.1(i) - (i) – trade register /accreditations** and **9.19 c**, do you have any certifications for other accreditations, trade associations, approved installer, or Management Systems (NRFC, ISO 9001 etc)? Evidence will be required.  *Information only.* | | Yes ☐  No ☐ | | | | | |
| Name | | Renewal Date | | | | | |
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| b. | Have you been suspended or expelled from any Trade Association, Professional Body or Trustmark in the last three years?  If yes, please provide statement of reason why and remediation plan below. | | Yes ☐  No ☐ | | | | | |
|  | | | | | | | |
| c. | Do you have the following accreditations? Evidence will be required.  *Information only (but the standards below may be included as a mandatory pass/fail item elsewhere in this document therefore it is the*  *prospective Company’s responsibility to check if any of the below standards di form part of the pass/fail assessment elsewhere in this document).* | | | | | | | |
| Name | Yes / No | Renewal Date | | | | | |
| ISO 9001 Quality Management | Yes ☐ No ☐ |  | | | | | |
| ISO 14001 Environmental Management | Yes ☐ No ☐ |  | | | | | |
| ISO 45001 Occupational Health & Safety Management | Yes ☐ No ☐ |  | | | | | |
| ISO 27001 Information Security Management | Yes ☐ No ☐ |  | | | | | |
| Safe Contractor | Yes ☐ No ☐ |  | | | | | |
| Constructionline | Yes ☐ No ☐ |  | | | | | |
| CHAS | Yes ☐ No ☐ |  | | | | | |
| SMAS | Yes ☐ No ☐ |  | | | | | |
| If no, are you working towards any of these accreditations? If so, which one? | Insert Title: |  | | | | | |
| **9.20** | **PAS91** | | | | | | | |
| **a.** | Please confirm if you have, within the last twelve months, successfully completed a pre-qualification application undertaken by an assessment provider equivalent to PAS 91?  If Yes:   * please provide the appropriate certification details at 9.19 a above; and * If yes, you will be required to provide the certificate as evidence. | | Yes ☐  No ☐ | | | | | |
| **9.21** | **Damp and Mould Prevention** | | | | | | | |
| **a.** | Further to correspondence dated 22 November 2022, issued by the Regulator of Social Housing, the Council takes the risk of damp and mould in tenant’s homes seriously, whether its social and or private rented housing. As such, please confirm you will support the Council its aim to tackle damp and mould by making every contact count.  By agreeing to this declaration, you are willing to support the Council to identify vulnerable people, signs of damp and mould, obvious structural defects such as leaking gutters, air bricks cover over and reporting it accordingly via the Council customer service team to be reported to the relevant department. Alternatively, you may inform the Council via the relevant contact/department that has instructed your work/service. Whilst we appreciate it may not be in the scope of your service/work, the Council believes that by working collaboratively with its supply chain and contractors, we can help prevent the tragic case of the individual who died of a respiratory condition caused by mould in his home. Therefore, by working collaboratively and during any time you spend in the Council’s own- or third-party properties, we can improve conditions for tenants and residents, and as per the correspondence dated 22 November 2022, ensure they are treated equitably and with respect, removing barriers to reporting problems, and that tenant concerns are appropriately addressed.  Answering “No” will result in your submission being deemed non-compliant. | | Yes ☐  No   ☐ | | | | | |
| **9.22** | **Governance Arrangements** | | | | | | | |
| **a.** | Are you legally required to publish a statement on your organisation's governance arrangements?  Guidance can be found [here](https://www.gov.uk/government/publications/corporate-governance-new-reporting-regulations).  If you employ more than 250 employees, you are legally required to publish which corporate governance code, if any, has been applied and how. If your company has departed from the code you must set out the respects in which it did so, and the reasons. If your company has not applied any corporate governance code, the statement must explain why that is the case and what arrangements for corporate governance were applied.  If you have answered yes, you will be expected to provide a copy of your corporate governance statement.  If you employ fewer than 250 employees, please answer N/A. | | | Yes ☐  No   ☐  N/A ☐ | | | |
| **9.23** | **ECO 4 Compliance** | | | | | | |
| **a.** | Please certify you are compliant and will remain to be compliant with ECO4 as published by OFGEM and the Department for Business, Energy & Industrial Strategy  *Answering “No” will result in your submission being deemed non-compliant.* | | | Yes ☐  No   ☐ | | | |
| **9.24** | **Complaints Procedure** | | | | | | | |
| **a.** | Please certify you have a complaints procedure in place with schemes of escalation to senior officers for investigation?  A copy will be requested.  *Answering “No” will result in your submission being deemed non-compliant.* | | | | Yes ☐  No   ☐ | | | |
| **9.25** | **PAS2035, Trustmark Certification and MCS Certification** | | | | | | | |
| **a.** | Please certify you are PAS2035 compliant and will remain to be compliant with PAS2035?  *Answering “No” will result in your submission being deemed non-compliant.* | | | | | Yes ☐  No   ☐ | | |
| **b.** | Please certify you are Trustmark certified and compliant and will remain to be Trustmark certified?  *Answering “No” will result in your submission being deemed non-compliant.* | | | | | Yes ☐  No   ☐ | | |
| **c.** | Please certify you are MCS Certified and compliant and will remain to be MCS compliant?  *Answering “No” will result in your submission being deemed non-compliant.* | | | | | Yes ☐  No   ☐ | | |
| **9.26** | **Policies** | | | | | | | |
| **a.** | Please list all organisational policies in place and enforced as part of service delivery excluding your complaints procedure. | | | | | | | |
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| **DECLARATION** |
| I declare that to the best of my knowledge the answers submitted and information contained in this complete 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 (or any evidential documentation to verify statements and/or answers provided in this complete document) except where this documentation can be accessed by the contracting authority via a national database in any EU Member State free of charge or the contracting authority already possesses the documentation.  I understand that the information will be used in the selection process to assess my suitability to participate further in this procurement.  I understand that the authority 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.  **Signature (electronic is acceptable)**  **Date** |

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| --- | --- |
| Contact details of those making the declaration | |
| Contact name |  |
| Name of organisation |  |
| Role in organisation |  |
| Phone number |  |
| E-mail address |  |
| Postal address |  |

End of Document 2 – Return Document

1. See EU definition of SME <https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en> [↑](#footnote-ref-1)
2. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required to keep a PSC register, and must file the PSC information with the central public register at Companies House. See [PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). Overseas companies are required to provide equivalent information. [↑](#footnote-ref-2)
3. Only information that relates to the persons with powers of representation, decision or control within the meaning of regulation 57(2) can be considered in relation to the mandatory exclusion grounds and other details are requested for information only. [↑](#footnote-ref-3)
4. This applies to all supply chain members and/or subcontractors, where their identity is known at this stage, irrespective of whether you are relying on them to meet the selection criteria. Where a supply chain member and/or subcontractor has been identified in response to this question, any resulting subcontract entered into with that subcontractor for that part of the works, services or supplies identified in response to that question will not be subject to the requirement for contracts to advertise the subcontracting opportunity, as set out in PPN 01/18. [↑](#footnote-ref-4)
5. see Notes for Completion [↑](#footnote-ref-5)
6. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-6)
7. <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf> [↑](#footnote-ref-7)