

Weston Hall, Weston-on-Trent Derbyshire

Pre-Qualification Questionnaire

1.0 Introduction

This Pre-Qualification Questionnaire (“PQQ”) is being issued in connection with a competitive procurement conducted in accordance with the Restricted Procedure under the Public Contract Regulations 2006. These procedures apply as a significant proportion of the funding for the works is from the Historic England, and therefore public funds. The Client Body itself is Mrs Victoria Cooper and not a public sector body.

This PQQ sets out the information which is required in order to assess the suitability of potential main contractors in terms of their technical knowledge and experience, capability/capacity, organisational and financial standing to meet the requirement. During the PQQ stage, the intention is to arrive at a Short List of up to six potential main contractors who will be invited to submit tenders based on a formal tendering procedure.

No information contained in this PQQ, or in any communication made between Mrs Victoria Cooper (the “Client Body”) or its agents and any contractor in connection with this PQQ, shall be relied upon as constituting a contract, agreement or representation that any contract shall be offered in accordance with this PQQ. The Client Body reserves the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time. Under no circumstances shall the Client Body incur any liability in respect of this PQQ or any supporting documentation. The Client Body will not reimburse any costs incurred by potential contractors in connection with preparation and submission of their responses to this PQQ or subsequent tendering processes.

Direct or indirect canvassing of any public official or employee, agents or representatives of the Client Body by any potential bidder concerning this requirement, or any attempt to procure information from aforementioned persons concerning this PQQ may result in the disqualification of the contractor from consideration for this project.

In assessing the answers to the following questions, the Client Body will be seeking evidence of the potential contractor’s suitability to perform the services in terms of economic and financial standing, technical and professional ability. Qualification criteria will be a combination of both financial and non-financial factors and will be in accordance with Regulations 23 to 26 of the Public Contract Regulations 2006.

1.1 Background Information

Mrs Victoria Cooper is seeking tenders for the carrying out of repairs to the fabric of Weston Hall. The building is grade II* listed and repairs will need to be carried out by contractors and craftspeople in accordance with best practice conservation. The appointed contractor would be required to manage and execute the repair works in accordance with the requirements of the JCT Standard Form of Building Contract employing only people with appropriate skills and experience. The purpose of this PQQ is to allow the assessment of potential main contractors in terms of their experience and capabilities in order to allow a shortlist of tenderers to be prepared.

The proposed works will include (list not exhaustive):

- Scaffolding, temporary roof and enabling works;
- Re-tiling/slating of pitched roofs; reforming of lead parapet and valley gutters;
- Repairs to windows and other external joinery;
- Brickwork and stonework repairs to elevations and rebuilding chimneys;
- Installation of new steel beams to strengthen floor structures;
- Carpentry repairs and strengthening of roof and floor structures;
- Repairs to gypsum plaster floors, including opening-up to allow timber repairs;

The work is being grant aided by Historic England. Within the contract documents there will be special conditions associated with grant conditions that may relate to quality standards, approval mechanisms and payment provisions.

The lower floors of the building are a public house and events venue and will remain in used during the works although brief periods of closure may be permissible. It is important that works are commenced early in 2019 and completed as quickly as feasible to minimise impact on the operation of the business in the Hall.

Owing to the complexity of the project, it is envisaged that the tendering process will be undertaken on the basis of a ‘best value’ process: contractors will be required to submit method statements to demonstrate an understanding of the project and in particular how to plan the works to mitigate impact on the operation of the business. Preferred

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tenderers will then be interviewed prior to confirmation of appointment. The likely weighting of elements is: tender price 60%; method statements and key staff experience 20%; interview 20%.

The estimated contract value for the works is £350-400,000.

1.2 The Requirement

Parties interested in acting as the main contractor for the works as outlined above and willing to submit a tender should complete the attached PQQ. The purpose of the PQQ is to allow assessment of the capabilities of interested parties and to allow the preparation of a shortlist of no more than 6 contractors to whom tender documents will be issued. In order to be included on the tender list contractors will need to be able to demonstrate that they have the appropriate skills and track record in carry out historic building restoration projects.

1.3 Timetable

Set out below is the proposed procurement timetable. This is intended as a guide and, whilst the Client Body does not intend to depart from the timetable, it reserves the right to do so at any time.

| Target Date | Activity |
|-------------|---|
| 28/08/2018 | Notice with PQQ made available to potential contractors. |
| 21/09/2018 | Deadline for expressions of interest and submission of PQQs |
| 08/10/2018 | Invitation to tender issued to qualified potential contractors |
| 07/11/2018 | Tender Return Date |
| 14/11/2018 | Evaluation of tenders and review of method statements and supporting information completed. |
| 23/11/2018 | Contractor Interviews |
| 14/12/2018 | Notification to contractor |
| 07/01/2019 | End of the CDM Planning Period |
| 07/01/2019 | Anticipated commencement of Works |

1.4 Client Body Named Contact Point

The Client Body's named contact point for the procurement is: Peter Rogan of Peter Rogan & Associates Limited, 46 St. Mary's Gate, The Lace Market, Nottingham, NG1 1QA T 0115 950 8047 E peter@pr-architects.net

1.5 Instructions for Completion

Recipients are invited to complete the PQQ and to submit it, together with any requested supporting information, to the Client Body by the due date for return in accordance with the procedures set out in the paragraph below entitled "Submission of Completed Pre-Qualification Questionnaires".

Potential contractors should answer all questions as accurately and concisely as possible in the same order as the questions are presented. Where a question is not relevant to the potential contractor's organisation, this should be indicated, with an explanation. The information supplied will be checked for completeness and compliance with the instructions before responses are evaluated.

Failure to provide the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that a potential contractor is not invited to participate further. In the event that none of the responses are deemed satisfactory or fewer than four potential contractors are deemed to meet the required criteria to tender for the restoration works, the Client Body reserves the right to terminate the procurement process and where appropriate re-advertise the procurement.

Potential contractors must be explicit and comprehensive in their responses to this PQQ as this will be the single source of information on which responses will be scored and ranked. Potential contractors are advised neither to make any assumptions about their past or current supplier relationships with the Client Body nor to assume that such prior business relationships will be taken into account in the evaluation procedure.

1.6 Queries about the procurement

All requests for clarification or further information in respect of this PQQ should be addressed to the Client Body's named contact point. *If the Client Body considers any question or request for clarification to be of material significance, both the question and the response will be communicated, in a suitably anonymous form, to all potential contractors who have responded; have expressed an interest; or those that show an interest before the closing date for the submission of the PQQ.*

1.7 Consortia and sub-contracting

Where a consortium or sub-contracting approach is proposed, all information requested should be given in respect of the proposed main contractor or consortium leader. Relevant information should also be provided in respect of consortium members or sub-contractors who will play a significant role in the delivery of services or products under any ensuing contract. Responses must enable the Client Body to assess the overall service proposed.

Where the proposed prime contractor is a special purpose vehicle or holding company, information should be provided about the extent to which the SPV/holding company will call upon the resources and expertise of its members to fulfil the Requirement.

The Client Body recognises that arrangements in relation to consortia and sub-contracting may be subject to future change. Service providers/suppliers should therefore respond in the light of such arrangements as are currently envisaged. Potential contractors are reminded that any future change in relation to consortia and sub-contracting must be notified to the Client Body so that it can make a further assessment by applying the selection criteria to the new information provided. Any sub-contracts should be on the basis of the appropriate JCT 2011 sub contract agreements.

1.8 Freedom of Information

In accordance with the obligations and duties placed upon public authorities by the Freedom of Information Act 2000 (the 'FoIA'), all information submitted to the Client Body may be disclosed in response to a request made pursuant to the FoIA.

In respect of any information submitted by a Potential Contractor that it considers to be commercially sensitive the Potential Contractor should: clearly identify such information as commercially sensitive; explain the potential implications of disclosure of such information; and provide an estimate of the period of time during which the Potential Contractor believes that such information will remain commercially sensitive.

Where a Potential Contractor identifies information as commercially sensitive, the Client Body will endeavour to maintain confidentiality. Potential Contractors should note, however, that, even where information is identified as commercially sensitive, the Client Body might be required to disclose such information in accordance with the FoIA. Accordingly, the Client Body cannot guarantee that any information marked 'commercially sensitive' will not be disclosed.

1.9 Submission of Completed Pre-Qualification Questionnaires

You must submit your completed PQQ with any supporting information either electronically or paper form to the contact identified in 1.4 **no later than 5pm on 21/09/2018**. Completed PQQs may be submitted at any time before the closing date. Completed PQQs received after the closing date will be rejected. Potential Contractors must keep their contact details up to date or they may be unable to receive communications from the Client Body. PQQ's and supporting documents may be submitted either electronically by email (PDF or Word Documents) or in paper format to the addresses named in 1.4. Please try to keep supporting documents as concise as possible whilst providing all necessary information.

1.12 Contractor Selection

The Client Body may disqualify any Potential Contractor who fails to:

1. Comply with the requirements of Regulation 23 and/or fails to certify on the Statement of Good Standing that it has fulfilled these requirements
2. Does not hold or cannot obtain public liability insurance of at least £5,000,000 for each and every claim
3. Provide a satisfactory response to any questions in the PQQ or inadequately or incorrectly completes any question

The Potential Contractors who are not disqualified in accordance with the above grounds shall be evaluated on the qualification criteria which take into account the economic and financial standing and the technical or professional ability of the Potential Contractor and are in accordance with [Regulations 23-26 of the Public Contracts Regulations 2006](#) (as amended from time to time). A shortlist of Potential Contractors will be drawn up and they will be eligible to participate further in the procurement process.

Weighting of assessment will use the following as a guide:

A Evidence of management capability

20/100

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| | | |
|----------|--|---------------|
| B | General conservation experience | 15/100 |
| C | Directly relevant experience (including knowledge of local materials/building techniques) | 20/100 |
| D | Quality/appropriateness of in-house skills and trades | 10/100 |
| E | Skills and experience of named subcontractors (score 10 where all trades are in-house) | 15/100 |
| F | Financial standing (note: references and credit ratings may be checked) | 20/100 |

The Client Body may seek independent financial and market advice to validate information declared or to assist in the evaluation. Reference site visits or demonstrations and/or presentations are unlikely to be requested at this stage but the Client Body reserves the right to request the same as a part of the PQQ process.

If Potential Contractor has a valid reason for being unable to provide information requested in relation to economic, financial and insurance matters, alternate information considered appropriate by the Client Body may be accepted.

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Pre-Qualification Questionnaire for Project

1. Organisation Details

- 1.1. Full legal name, address and website of the Potential Contractor in whose name the tender will be submitted (the Prime or Single contractor):

| | |
|-------------------------|--|
| Company Name | |
| Address | |
| Town/City | |
| Postcode | |
| Country | |
| Website (if any) | |

- 1.2. Name, position, telephone number and e-mail address of main contact for this project.

| | |
|----------------------------------|--|
| Name | |
| Position | |
| Telephone Number | |
| Fax Number (if available) | |
| E-mail (if available) | |

- 1.3. Current legal status of the Potential Contractor (e.g. partnership, private limited company, etc.)

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| | | |
|--------------------------------|----------------------------------|--|
| | Please (tick one box) | |
| Sole Trader | | |
| Partnership | | |
| Public Limited Company | | |
| Private Limited Company | | |
| Other (please state) | | |

1.4. Date and place of formation of the Potential Contractor and, if applicable, registration under the Companies Act 2006. Please provide copies of Certificates of Incorporation (where appropriate) and any changes of name, registered office and principal place of business.

| | |
|------------------------------------|--------------------------|
| Date of formation | |
| Place of formation | |
| Date of registration | |
| Company registration number | |
| Certificates enclosed | YES / NO (please delete) |
| Registered Office | |
| Principal place of business | |

1.5. Ownership structure

a) Full legal name and address of Parent Company if applicable:

| | |
|---------------------|--|
| Company Name | |
| Address | |
| Town/City | |
| Postcode | |
| Country | |

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| | |
|------------------------------------|--|
| Company registration number | |
|------------------------------------|--|

- b) If applicable, please provide a one-page chart illustrating the ownership structure of the Potential Contractor including relations to any parent or other group or holding companies.

| | |
|---|--|
| Ownership structure enclosed (please mark X) | |
|---|--|

- 1.6. Please provide a brief history of the Potential Contractor's organisation.

| | |
|---|--|
| Brief history of the Potential Contractor's organisation, no more than 400 words, including details of any parent and associated companies and any changes of ownership over the last 5 years including details of significant pending developments, changes in financial structure or ownership, prospective take-over bids, buy-outs and closures, etc which are currently in the public domain. | |
|---|--|

- 1.7. Is the Potential Contractor a consortium joint venture or other arrangement? If so, and if it is available, please provide separately the details of the constitution and percentage shareholdings.

| | |
|-------------------|---------------------------------|
| Consortium | YES / NO <i>(please delete)</i> |
|-------------------|---------------------------------|

- 1.8. VAT registration number

| | |
|--------------------------------|--|
| VAT Registration number | |
|--------------------------------|--|

2. Subcontracting and consortia

All Potential Contractors should answer question 2.1. Where a Potential Contractor at this stage of the process intends to sub-contract work but cannot at this stage name those subcontractors they should also answer questions 2.2.. Where a Potential Contractor becomes aware of the intention to subcontract at later stages in the procurement they are required to notify the Client Body of this and provide the information requested below at that time. Where a Potential Contractor is a consortium they should indicate which members are proposing to deliver the services.

- 2.1. Please indicate in the table below those works that are likely to be carried out using in-house labour/skills and those works that are likely to be subcontracted. Insert "yes" into the "In-house" column if the work described is likely to be carried out using skills within the main contractor organisation without use of subcontractors, otherwise insert "no". Where possible, please also name the intended subcontractors or list the subcontractors that you intend to approach in situations where you are likely to tender subcontract packages *(the appropriateness of subcontractors and inhouse skills are important assessment issues)*.

| Project Requirement | In-house | Subcontractor |
|---------------------|----------|---------------|
| Management | Yes/No | |

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| | | |
|-------------------------------|--------|--|
| Conservation carpentry | Yes/No | |
| Lead Roofing | Yes/No | |
| Brick/Stone Repairs | Yes/No | |
| Joinery Work | Yes/No | |
| Electrical Work | Yes/No | |

2.2. If you are unable to confirm all sub-contractors (complete supply chain) at this stage, you will need to demonstrate a satisfactory methodology and track record of delivering a supply chain. Please give a brief outline on policy regarding the use of sub-contractors, and, if applicable, the extent to which it is envisaged they may be used in any contract.

| |
|--|
| Methodology for procuring subcontractors ([300] words or fewer) |
| |

2.3. All sub-contractors should be appointed on the basis of appropriate JCT sub contract agreements and it will be assumed that this is provided for in subsequent tenders including any costs that may be incurred as a result. Evidence that JCT sub contracts are in place may be requested. If there are circumstances where it will not be possible to appoint a sub contractor on the basis of a JCT sub contract, state this below.

| |
|---|
| JCT sub contract forms: confirm that all sub-contractors will be appointed on the basis of JCT sub contract forms. |
| JCT sub contract forms will be used in all cases: Yes / No |
| If the answer to the above question is “No” then explain any exceptions and reasons for this below: |
| |

3. Capability

3.1. Please provide details of the Potential Contractor’s principal areas of business activity, main products and services

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| | |
|---|--|
| Brief Description of the Potential Contractor's primary business and main products and services. | |
|---|--|

3.2. Please provide details of the Potential Contractor's staff numbers. Please provide details of the average annual numbers of both staff and managerial staff over the previous 3 years.

| | | | | |
|----------------------------|-----|--------|--------|--------|
| Total staff numbers | Now | Year 1 | Year 2 | Year 3 |
| Managerial Staff | | | | |

3.3 Please provide information relating to the Potential Contractor's experience of contracts for similar goods, services or works.

Potential Contractors should provide details of up to three significant private or public sector contracts for the supply of goods, services or works which it has performed within the last five years. The contracts should have been for goods, services and/or works similar to those outlined in the Requirement, namely where the Contractor has acted as main contractor for restoration works to historic buildings or structures.

Potential Contractors should ensure that the companies listed would be willing to provide a reference for them and be willing to discuss the Potential Contractor's performance with the Client Body. The Client Body reserves the right to contact any or all of these companies for a reference and may wish to visit their premises.

(Where the Potential Contractor is a special purpose vehicle and not intending to be the main contractor of the goods or services, the information requested should be provided in respect of the principal intended contractor of the goods or services.)

| | <i>Contract date</i> | <i>Project name and description</i> | <i>Key Subcontractors</i> | <i>Contact details of reference</i> |
|-----------|----------------------|-------------------------------------|---------------------------|-------------------------------------|
| 1. | | | | |
| 2. | | | | |
| 3. | | | | |

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3.3. Please provide a description of your experience in the conservation of historic buildings including those skills and qualities that you feel may be appropriate to this project, eg. conservation work on listed buildings, experience in work on places of worship, community projects, grant aided work etc.

| | |
|--|--|
| Description of the Potential Contractor's experience in relevant past projects (max 500 words). | |
|--|--|

3.4. Where possible, please provide a details of the proposed management team including their experience in historic building conservation work and any appropriate professional or academic qualifications in related subjects, training, craft skills, certification (eg, Heritage CSCS cards) or special interests. Please only include only details of team members that will or are likely to be directly involved in this project.

| | |
|--|--|
| Description of the Potential Contractor's management experience the skills and qualifications of key staff members (max 500 words). | |
|--|--|

3.5. It is a condition of the project grant funding that main contractors are registered with the CITB Construction Skills scheme and paying the appropriate levy. This is to ensure that public funds are used to promote training and of skills in historic building conservation and construction methods. It is therefore a requirement that the contractor be registered with the CITB scheme. Please indicate whether you are already within the scheme or agree to register with the scheme, paying the appropriate levy during the contract period as a minimum requirement.

| | |
|---|---|
| Indicate if you already have in place or will apply to the CITB Construction Skills scheme and pay the appropriate levy during the project | In place / Will apply and pay levy (delete as applicable) |
|---|---|

3.7 The work will be notifiable in accordance with the CDM Regulations 2007 and therefore the Contractor will become the Principal Contractor in accordance with these Regulations. In order to check competence will you please provide information and evidence on how your company meets the standards set out in the Stage 1 Assessment criteria in Appendix 4 of the Approved Code of Practice to the CDM Regulations, "Managing health and safety in construction" (L144).

| | |
|---|---|
| Supporting information and evidence to demonstrate competence in respect of the CDM Regulations and Stage 1 Assessment criteria in Appendix 4 of the Approved Code of Practice | Attached: Yes / No (delete as applicable) |
|---|---|

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If the evidence allow assessment of competence under the CDM Regulations is not or cannot be provided then it may be necessary to reject the Potential Contractor's application.

Please indicate whether your company has previous experience in the last five years of acting as a 'principal contractor' as defined by the Construction (Design & Management) Regulations 2007.

| | |
|--|---------------------------------|
| Indicate if you already have previously acted as a 'principal contractor' as defined by the CDM Regulations | Yes / No (delete as applicable) |
|--|---------------------------------|

Please outline your management procedures in respect of control of works on site, management of subcontractors, communication, safety procedures, record keeping etc.

4 Financial

4.1 Please provide the following financial information or an explanation as to why the Potential Contractor cannot provide this information

- i. A statement of the organisation's turnover, Profit & Loss and cash flow position for the last three years including most recent full year of trading (or part year if full year not applicable) and an end period balance sheet.
- ii. Where (i) cannot be provided, a statement of the organisation's cash flow forecast for the current year and a bank letter outlining the current cash and credit facility position
- iii. A separate statement of the proportion of the organisation's turnover that relates to historic building conservation work.
- iv. Identify the largest single contract value undertaken by the organization in the last 5 years.

| | |
|---|----------|
| Confirm that the financial information identified above is attached. | Yes / No |
|---|----------|

4.2 Parent company and/or other guarantees of performance and financial standing may be required if considered appropriate as well as confirmation of the organisation's willingness to arrange for a guarantee or a performance bond

Where the potential contractor is dependant financially on a parent company to support its application for this procurement, it must indicate in the box below whether a Parent Guarantee is available if requested.

| | |
|--|--|
| Where required, Parent Guarantee Available? | Yes / No / Not Applicable (<i>please delete</i>) |
|--|--|

4.3 Name and address of principal banker.

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| | |
|------------------|--|
| Bank Name | |
| Address | |
| Town/City | |
| Postcode | |

| | |
|--|--------|
| If requested, would you be willing to provide a Banker's reference? | YES/NO |
|--|--------|

5 Insurance

Please provide evidence of the employers' liability, public liability insurance [and professional liability or indemnity if appropriate] insurance held by the potential contractor. The evidence should include the name of the insurers, policy numbers, expiry dates and limits for any one incident and annual aggregate caps and the excesses under the policies.

5.1 Employers' liability insurance

| | |
|---|--|
| Name of insurer | |
| Address | |
| Type of insurance | |
| Policy numbers | |
| Expiry date | |
| Limits of indemnity <i>(per occurrence and aggregate)</i> | |
| Excess (if any) | |

5.2 Public liability insurance (min. £5,000,000 cover)

| | |
|------------------------|--|
| Name of insurer | |
| Address | |

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| | |
|---|--|
| Type of insurance | |
| Policy numbers | |
| Expiry date | |
| Limits of indemnity <i>(per occurrence and aggregate)</i> | |
| Excess <i>(if any)</i> | |

6. Disputes

6.1 Is there any material pending or threatened litigation or other legal proceedings connected with similar projects against the potential contractor and/or any of its named supply chain members (sub-contractors) that may affect delivery of this project?

a)

| | |
|----------------------------------|---------------------------------|
| Legal proceedings pending | Yes / No <i>(please delete)</i> |
|----------------------------------|---------------------------------|

b) If you have answered 'Yes' to 6.1(a) please give an explanatory statement:

| |
|--|
| Brief statement (300 words or fewer) <i>Either insert required details or state 'None'</i> |
| |

STATEMENT RELATING TO GOOD STANDING

STATEMENT RELATING TO GOOD STANDING — GROUNDS FOR OBLIGATORY EXCLUSION (IN ELIGIBILITY) AND CRITERIA FOR REJECTION OF CANDIDATES in accordance with Regulation 23 of the Public Contracts Regulations 2006 (as amended)

PROJECT TITLE: WESTON HALL

We confirm that, to the best of our knowledge, the Potential Contractor is not in breach of the provisions of Regulation 23 of the Public Contracts Regulations 2006 (as amended) and in particular that:

Grounds for mandatory rejection (ineligibility)

The Potential Contractor or its directors or any other person who has powers of representation, decision or control of the named organisation has not been convicted of any of the following offences:

- (a) conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA (as amended);
- (b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906 (as amended);
- (c) the offence of bribery;
- (d) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:

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- (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 and the Theft Act 1978;
 - (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985 or section 993 of the Companies Act 2006;
 - (v) defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;
 - (vi) an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or
 - (vii) destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968;
- (e) money laundering within the meaning of the Money Laundering Regulations 2003 or Money Laundering Regulations 2007; 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.

| | |
|----------------------------|--|
| Organisation's name | |
| Signed | |
| Position | |
| Date | |

Discretionary grounds for rejection

The Potential Contractor confirms that it:

- (a) being an individual is not bankrupt or has not had a receiving order or administration order or bankruptcy restrictions order made against him or has not made any composition or arrangement with or for the benefit of his creditors or has not made any conveyance or assignment for the benefit of his creditors or does not appear 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 not granted a trust deed for creditors or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of his estate, or is not the subject of any similar procedure under the law of any other state;
- (b) being a partnership constituted under Scots law has not granted a trust deed or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of its estate;
- (c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has not passed a resolution or is not 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, nor 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 not the subject of similar procedures under the law of any other state;
- (d) has not been convicted of a criminal offence relating to the conduct of his business or profession;
- (e) has not committed an act of grave misconduct in the course of his business or profession;
- (f) has fulfilled 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 the organisation is established;
- (g) has fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established;

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- (h) is not guilty of serious misrepresentation in providing any information required of him under this regulation;
- (i) in relation to procedures for the award of a public services contract, is licensed in the relevant State in which he is established or is a member of an organisation in that relevant State when the law of that relevant State prohibits the provision of the services to be provided under the contract by a person who is not so licensed or who is not such a member.

| | |
|----------------------------|--|
| Organisation's name | |
| Signed | |
| Position | |
| Date | |