

Invitation to Tender - General, Capability, Competency and Economic and Financial Standing

Question Area	Question	Answers
General	<ol style="list-style-type: none"> 1) Registered Company / Organisation Number 2) Where relevant, name of parent company 3) Type of Company <ol style="list-style-type: none"> i) Public Limited Company ii) Limited Company iii) Limited Liability Partnership iv) Other Partnership v) Sole Trader vi) Other (please specify) 4) Which of the following apply to you <ol style="list-style-type: none"> i) Voluntary, Community and Social Enterprise (VCSE) ii) Small or Medium Enterprise (SME) iii) Sheltered Workshop iv) Public Service Mutual 	
Capability / Competency	<ol style="list-style-type: none"> 1) Is your business registered with the appropriate trade or professional register(s)? 2) If it is a legal requirement for your business to be licenced or a member of a relevant organisation in order for you to provide the requirement in this procurement, then have you fully complied with this requirement? 3) The Council will assess the past performance of your organisation and take into account any 	

failure to discharge obligations under any previous contracts awarded to you.

To enable the Council to carry out this assessment, please provide details of previous contracts (in last 5 years) you have won and delivered that are relevant to the Council's requirements (please include organisation name and contact details wherever possible).

- 4) Please confirm whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:

Employer's Liability Insurance = £5m
Public Liability Insurance = £10m
Professional Indemnity Insurance = £5m

- 5) Does your organisation have a Health and Safety Policy that complies with current legislative requirements.
- 6) Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?

If your answer to this question is "Yes", please provide details in of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.

	<p>The Council will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the authority's satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.</p> <p>If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?</p>	
<p>Economic /Financial Standing</p>	<p>Please provide the following financial information for the most recent year of trading:</p> <ol style="list-style-type: none"> 1) Turnover 2) Annual Profit or Loss 3) Current Liabilities 4) Current Assets 5) Other means of demonstrating financial status where relevant e.g. charity accounts or funds provided by owners / external body <p>Please also state the name of your Auditors who would be able to confirm the above.</p>	

The next section sets out questions which could, on a 'pass/fail' basis, exclude you from any further evaluation as part of the Council's procurement processes

	Please indicate your answer by marking 'X' in the relevant box.	
	Yes	No
Has your organisation or its directors or any other person who has powers of representation, decision or control of the economic operator been convicted of any of the following offences		
a) conspiracy within the meaning of section 1 of the Criminal Law Act 1977(1) where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA(2);		
b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889(3) or section 1 of the Prevention of Corruption Act 1906(4);		
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— (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(5) and the Theft Act 1978(6); (iv)fraudulent trading within the meaning of section 458 of the Companies Act 1985(7); (v)defrauding the Customs within the meaning of the Customs and Excise Management Act 1979(8) and the Value Added Tax Act 1994(9); (vi)an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993(10); 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(11)		
(f)any other offence within the meaning of Article 45(1) of the Public Sector Directive as defined by the national law of any relevant State.		
If you as an economic operator:		
are an individual are you bankrupt or have had a receiving order or administration order or bankruptcy restrictions order made against you or has made any composition or arrangement with or for the benefit of your creditors or has made any conveyance or assignment for the benefit of your creditors or appears unable to pay, or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986(12), or article 242 of the Insolvency (Northern Ireland) Order 1989(13), or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of your estate, or is the subject of any similar procedure under the law of any other state;		
are a partnership constituted under Scots law have you been granted a trust deed or become otherwise apparently insolvent, or are the subject of a petition presented for sequestration of its estate;		
are a company or any other entity within the meaning of section 255 of the Enterprise Act 2002(14) and have passed a resolution or is the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or has had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is the subject of the above procedures or is the subject of similar procedures under the law of any other state;		

If you have answered 'yes' to any of the above but have taken remedial action etc. then please provide additional details as necessary.