

Papworth Hospital NHS Foundation Trust (“the Authority”)

Independent Tester Appointment

PRE-QUALIFICATION QUESTIONNAIRE

24 September 2014

This pre-qualification questionnaire (“PQQ”) is divided into two parts:

- Part 1 provides information about the procurement process for the award of the contract by the Authority and in particular the pre-qualification process and evaluation.
- Part 2 sets out (in the form of a questionnaire, statement and checklist) the information which Candidates must submit to the Authority.

Glossary of Terms	
Candidate	The bidder (or potential bidder) applying to compete for the award of the contract. A Candidate may be (i) an individual organisation or (ii) a Consortium.
Consortium	A group of organisations coming together to form a bidding entity (which may include partners and/or a lead contractor with sub-contractors).
Consortium Member	A member organisation of a Consortium.
Lead Organisation	The lead organisation of a Consortium that is expected to enter into the contract with the Authority and the PFI Provider and co-ordinate bid responses from Consortium Members.
Project Agreement	The contract to be entered into between the Authority and the preferred bidder referred to in para 1.3 in relation to the PFI scheme to build and maintain a new state-of-the-art hospital on a biomedical campus in Cambridge.
Project Company	The special purpose vehicle set up by the preferred bidder referred to in para 1.3 for the delivery of the project.

Please note the Authority reserves the right to require groupings of contractors to take a particular legal form or to require a single contractor to take primary liability or to require that each party undertakes joint and several liability in the award and performance of the contract.

PART 1

1 Overview of the Document and Procurement Process

- 1.1 The Authority is seeking to appoint a contractor to award a contract for Independent Tester Services in relation to the PFI scheme to build a new state-of-the-art hospital on a biomedical campus in Cambridge with a capital value of circa £150m.
- 1.2 The successful bidder for the Independent Tester Services will be expected to enter an agreement for services with the Authority and also the successful PFI provider.¹ Further details will be provided to candidates shortlisted and invited to the tender stage.
- 1.3 The procurement to award the contract for the PFI contract (being conducted under competitive dialogue) has yet to reach a final award decision by the Authority. However, the Skanska / Equitix Consortium is currently the preferred bidder that the Authority is working with in that procurement process.
- 1.4 The responsibility of the service provider will be to undertake the services of Independent Tester as described in the Project Agreement, which may include:
 - ascertaining whether the Works (as defined in the Project Agreement) satisfy certain criteria for their completion, by, for example, verifying that it is satisfied with: the persons performing the tests on completion of the Works; each relevant testing and commissioning method statement and proposed structure and content of the test report; the content of each submitted test report, and that the results confirm the testing and commissioning has been completed in such a way that the relevant criteria on completion have been achieved; and as appropriate, by witnessing sufficient randomly selected individual tests, or by carrying out sufficient test, relevant to the specified criteria to be satisfied that the process has been carried out in accordance with the relevant method statement and that the test result is valid
 - notifying the awarding authority and the Project Company of outstanding matters which need to be attended to before the Works can be considered to satisfy the criteria for completion referred to above
 - issuing certificates under the Project Agreement in relation to such matters as completion of the Works, snagging matters and completion of commissioning, and
 - becoming familiar with the Project Agreement and with other relevant project documents, and liaising with the awarding authority and the Project Company (and other relevant project participants) to the extent necessary to discharge services of the nature referred to above. The full scope of the services will be set out in the Contract documents.
- 1.5 Papworth Hospital is to be co-located with the Addenbrookes Hospital. The project is a greenfield development on a developer's site adjacent to the CUH Campus. There

¹ The funder for the project will also be a party to the appointment and the construction and FM contractors will require a duty of care.

is no intention to undertake early works and there is no retained estate element to the project.

- 1.6 The Authority is running this process under the EU Procurement Rules, following the Public Contracts Regulations 2006 (as amended) ("**the Regulations**") and intends to conduct a competition following the restricted procedure in order to identify the most economically advantageous tender for its requirement.
- 1.7 Part 1 of this document sets out background information about the process that the Authority will be using.
- 1.8 This document has been produced to enable the Authority to obtain information from potential bidders about:
 - 1.8.1 their economic and financial standing; and
 - 1.8.2 their technical and/or professional ability to perform the proposed services.
- 1.9 Part 2 of this PQQ includes a questionnaire that asks for financial and technical information from you. The financial information which we are asking you to provide allows the Authority to be satisfied that a Candidate has adequate financial and other resources and will be in a position to continue to deliver the services throughout the contract period. The technical information allows the Authority to assess whether a Candidate has the relevant skills and experience to be capable of performing the proposed contract to meet the Authority's needs.
- 1.10 Part 2 contains a statement relating to good standing which you are required to sign confirming that:
 - 1.10.1 you are not guilty of committing certain specified offences which would make you ineligible to tender; and
 - 1.10.2 various listed circumstances which could result in your exclusion from the process do not apply to you.
- 1.11 In addition, Part 2 contains a checklist for you to use to check that you have included the correct information and which you should complete and return with the PQQ submission responses and the statement.
- 1.12 The Authority intends to review the responses provided by Candidates and evaluate those responses that comply with the requirements of this PQQ using the selection stage criteria and weightings in the Selection Evaluation Matrix set out at Part 1 of this document below.
- 1.13 Following the evaluation exercise, the Authority will draw up a shortlist of up to **5** Candidates that will be invited to tender. An Invitation to Tender document ("**ITT**") will be issued to those short-listed Candidates.
- 1.14 Following the receipt of the tenders from the shortlisted Candidates, the Authority intends to evaluate the tenders received and appoint the contractor offering the most economically advantageous tender.

2 The Procurement Timetable

2.1 The Authority is using the restricted procedure under the Public Contracts Regulations 2006 (as amended) for the appointment of a contractor for the contract.

2.2 The main stages of the procurement process and the timetable are as follows:

Date	Stage
19 September 2014	Dispatch of the OJEU Notice by the Authority.
19 September to 21 October 2014	PQQ available to Candidates upon request from the Authority.
21 October 2014 01:00 pm	Deadline for PQQ to be returned by Candidates to the Authority.
22 to 23 October 2014	Review and evaluation by the Authority and the PFI preferred bidder of the PQQs.
24 October 2014	Debrief unsuccessful bidders.
27 October 2014	Invitation to Tender ("ITT") issued by the Authority to up to 5 shortlisted Candidates.
8 December 2014	Deadline for tenders to be returned from shortlisted Candidates to the Authority.
15 December 2014	Bidder Interviews.
18 December 2014 onwards	Evaluation of ITT, selection of successful candidate, and the Award Decision to be ratified by the Authority and the PFI preferred bidder.
Circa 21 December 2014	Independent Tester Preferred Tenderer to be informed prior to appointment
9 January 2015	Notification by the Authority of the award decision and commencement of the 10- day standstill period.
Midnight 19 January 2015	Expiry of standstill period.
Circa 2 February 2015	Joint Appointment entered into on financial close of the PFI project.
Circa 1 st March 2015	Commencement of Construction.
Approximately November 2017	Construction Completion.

2.3 The Authority reserves the right to vary and update this timetable at any time and will notify the relevant Candidates if it decides to do so.

3 Enquiries and Further Information

- 3.1 All queries in relation to this pre-qualification process must be made in writing and submitted by e-mail for the attention of **Ken Brewer** via:

sam.mayo@papworth.nhs.uk

to be received by the Authority no later than **1pm on Tuesday 14th October 2014.**

- 3.2 The Authority intends to copy both the query raised and the Authority's responses to all Candidates except where in its opinion the response relates to information that is commercially confidential.
- 3.3 Any queries arising from this PQQ document that may have a bearing on the PQQ responses to be made should be raised.

4 Right to Reject and/or Disqualify

- 4.1 The Authority reserves the right to reject or disqualify a Candidate where:
- 4.1.1 the PQQ submission response, statement and checklist are submitted late, completed incorrectly, are incomplete or fails to meet the Authority's submission requirements which have been notified to Candidates;
 - 4.1.2 the Candidate must or may be excluded under Article 45 of Directive 2004/18/EC at any stage during the pre-qualification selection and evaluation process or the subsequent tender evaluation process (see Part 2, Section 3 below in relation to the *Statement of Good Standing*);
 - 4.1.3 the Candidate is guilty of serious misrepresentation in relation to its pre-qualification application, tender submissions, and/or its conduct in the procurement process; or
 - 4.1.4 there is a change in identity, control, financial standing or other factor impacting on the selection and/or evaluation process affecting the Candidate.
- 4.2 Please note that following the submission of PQQ responses by Candidates, Candidates continuing in the competition process are required to immediately notify the Authority of any changes (or foreseeable potential changes) to the PQQ submission responses (including the *Statement of Good Standing*) information submitted.

5 Canvassing and Non-Collusion

- 5.1 Except as specifically authorised by the Authority, Candidates shall not approach or canvass the Authority with a view to providing information in respect of any part of their PQQ submission or attempting to support or enhance their prospects of being selected to be invited to submit a tender.

- 5.2 Any collusion between Candidates, combining of Candidates or transfer of any key partner, adviser or Consortium Member from one Candidate to another may lead to the exclusion of the Candidate(s) involved at the discretion of the Authority.
- 5.3 Candidates must not collude with their approach or share information with any other Candidate in the preparation of their PQQ submissions with a view to enhancing their or such other Candidates' prospect of being selected to be invited to submit a tender in relation to the proposed contract (or as such on any other contract, project, scheme or opportunity).

6 Right to Cancel or Vary the Process

- 6.1 The Authority reserves the right to:
 - 6.1.1 cancel the selection and evaluation process at any time; and/or
 - 6.1.2 require a Candidate to clarify its submission in writing and/or provide additional or updated information at any time during the tendering process (failure to respond adequately may result in the Candidate not qualifying or being disqualified); and/ or
 - 6.1.3 permit a Candidate to correct or amplify its submission in writing; and/or
 - 6.1.4 vary or change all or any part of the procedures or requirements for this procurement process at any time.
- 6.2 The publication of the PQQ document in no way commits the Authority to award any contract and the Authority reserves the right not to proceed with the procurement process at any time.

7 Costs and Expenses

- 7.1 All Candidates are solely responsible for their costs and expenses incurred in connection with participating in all stages of the procurement process including (but not limited to) the preparation and submission of the PQQ responses and tenders. Under no circumstances will the Authority (or any of its advisers) be liable for any costs or expenses borne by the Candidate (or any of its advisers) in this process.

8 The Pre-qualification Questionnaire

- 8.1 The PQQ has been prepared by the Authority for the purpose of providing an application procedure for individuals or organisations interested in tendering for these services and to assist Candidates in making their own evaluation of the potential opportunity.
- 8.2 Whilst prepared in good faith, the PQQ is intended only as a preliminary background explanation of the Authority's activities and plans and is not intended to form the basis of any decision on whether to enter into any contractual relationship with the Authority. The PQQ does not purport to be all-inclusive or to contain all of the information that a potential Candidate may require.

- 8.3 Any persons considering making a decision to participate in this procurement competition process with the Authority following receipt of the PQQ (with a view of entering into a contract with the Authority if successful) should make their own investigations and their own independent assessment of the Authority and its requirements for the services and should seek their own independent professional financial and legal advice.
- 8.4 Neither the Authority nor its advisers, directors, officers, members, partners, employees, other staff, agents (or advisers of any such body or person):
- 8.4.1 makes any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the PQQ (and supporting information);
 - 8.4.2 accepts any responsibility for the information contained in the PQQ (and supporting information) or for its fairness, accuracy or completeness;
 - 8.4.3 shall be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.
- 8.5 Only the express terms of any written contract relating to the subject matter of the contract as and when it is executed shall have any contractual effect in connection with the matters to which it relates. English law will govern any such contract.
- 8.6 Nothing in the PQQ (or other procurement and contract documents) is, or should be, relied upon as a promissory or a representation as to Authority's ultimate decisions in relation to the scope of services which may be awarded by the Authority at the conclusion of the procedure.

9 Confidentiality

- 9.1 The information in the PQQ and any associated documents is made available on condition that it is treated as confidential by the Candidate and is not disclosed, copied, reproduced, distributed or passed to any other person at any time except for the purpose of enabling a submission to be made: for example disclosure by a Candidate to its insurers who are directly involved in the bid, is permitted provided they have each given an undertaking at the time of receipt of the relevant information (and for the benefit of the Authority) to keep such information confidential.

10 Freedom Of Information

- 10.1 The Authority is subject to the requirements of the Freedom of Information Act 2000 and the Environmental Regulations 2004, the subordinate legislation made under the Act/Regulations and any guidance and/or codes of practice issued (from time to time) in relation to such legislation. Candidates are required to:
- 10.1.1 specify (with reasons) those parts of their PQQ submission responses which they regard as falling within any of the exemptions from disclosure specified under the Freedom of Information Act 2000 and/or the Environmental Regulations 2004 including (without limitation) information provided in confidence; and

10.1.2 state which provisions of the Freedom of Information Act 2000 and/or the Environmental Regulations 2004 apply to the information identified under paragraph 10.1.1.

10.2 The Authority however, shall be responsible for determining, at its absolute discretion, whether such exemption should apply and Candidates agree to comply with any such decision taken by the Authority.

11 Government Transparency Requirement

11.1 In December 2010 the United Kingdom government published a requirement for all new central government contracts to be published in full from 1st January 2011. This includes all Invitation to Tender documents for procurements over £10,000 in value, and covers all central government departments including the NHS.

11.2 The requirements state that contracts awarded as of the 1st January 2011, and Invitations to Tender published as of the 1st of December must be published in full on a new government website, known as "Contracts Finder". Documents comprising a contract would be expected to include at a minimum:

- The specification
- Terms and conditions
- Overall pricing (and potentially the pricing breakdown if known)
- Associated schedules (which may include the winning tenderer's bid where this forms part of the contract)

11.3 Bidders are advised that there are very limited provisions for excluding information from publication, and that any contract awarded by the Authority from the 1st of January 2011 will become publically available. The requirements do not extend to bids themselves except where they form part of the final contract, and the Authority will continue to publish information contained in bids only where required to do so under the FOIA.

11.4 Please note that confidentiality clauses to prevent publication of contracts will not be accepted and that participation by Candidates in any PQQ application will be taken as acknowledgement and acceptance of these requirements.

12 Conflicts Of Interest

12.1 The Authority is concerned to avoid conflicts of interest. Candidates should note that the Authority reserves the right to disqualify Candidates where there is an actual or potential conflict of interest. Candidates are therefore advised to review carefully the prior or current involvement of the Candidate with the Authority and to contact the named contact in paragraph 3 of the PQQ prior to submission of the completed PQQ to discuss actual or potential conflicts they have identified.

13 Selection Evaluation Matrix

- 13.1 In completing their PQQ submissions, Candidates should not assume that the Authority has any prior knowledge of the Candidate, its practice, reputation or its involvement in existing services, projects or procurements. In evaluating PQQ submissions, the Authority will only consider information provided in response to this PQQ.
- 13.2 The Authority will first assess PPQ submission responses to ascertain that their minimum pass/fail compliance requirements have been met. Those PQQ responses that meet these minimum requirements will then be evaluated in accordance with the matrix below.

Level 1 Criteria	Level 1 Criteria Weightings	Level 2 Criteria Question No.	Level 2 Criteria	Level 2 Criteria Sub-Weighting	Available Scores
Economic and Financial Standing	30%		See <i>Economic and Financial Standing Evaluation Methodology</i>		
		3.1-3.8	Financial Standing Risk Assessment	30 %	0-10
		SUB-TOTAL		30%	
Technical and Professional Ability	70%		See <i>Technical and Professional Ability Evaluation Methodology</i>		
		4.1.1	Healthcare PFI Independent Tester Experience	40%	0-10
		4.1.2	Other PFI Independent Tester Experience		
		4.1.3	Healthcare Experience (non PFI)		
		4.1.4	Other Relevant Experience		
		4.2	Contract Performance – failure to complete		
		4.3.1	Quality Standards Certification	5 %	0-10
		4.3.2	Health and Safety	5 %	0-10
		4.4.1	Employment and Staff – company policies	2 %	0-10
		4.4.2	Employment and Staff – staff numbers	3 %	0-10
		4.4.3	Employment and Staff – CV's	15 %	0-10
		SUB-TOTAL		70%	
OVERALL TOTAL: 100%					

Economic and Financial Standing Evaluation Methodology

The financial information requested and submitted in response to Part 2 Section 2 will be evaluated and assessed by the Authority in the following way:

Score	Commentary	Risk Rating Category
0 to 3	Poor	Category 3: Unsuitable Financial Standing and Unacceptable Risk
4 to 7	Meets Expectations	Category 2: Adequate Financial Standing and Acceptable Risk
8 to 10	Good to Excellent Financial Standing	Category 1: Good to Excellent Financial Standing and Low Risk

In determining the Financial Standing score, the Authority will take a holistic view of the financial information submitted including the right to take into account independent credit checks and publicly available share performance (where applicable) and other financial market information as part of its overall assessment. Financial information, independent credit checks and publicly available share performance (where applicable) and other financial market information may also be sought and taken into account in relation to other organisations whose capacity is made available and relied upon by the Candidate.

The methodology that the Authority will apply in its appraisal of financial standing performance will focus on (but will not be limited to) considering the follow Key Indicators of Financial Stability. The appraisal will also be informed by, and take into account, the consideration of various Financial Ratios. The Financial Standing score will be reached by a rounded review of the information considered and the Trust's business judgement rather than a strict consideration of financial formulae in isolation.

The Key Indicators and Financial Ratios to be considered are:

Key Indicator	Performance Ratio taken into account within the holistic assessment of information	Calculation of Performance Ratio
Financial Structure		
Liquidity	Acid Test (also known as Quick Ratio)	$(\text{current assets} - \text{stock}) / \text{current liabilities}$
Gearing	Long-term Leverage Ratio	$(\text{long-term debt} / \text{net worth}) \times 100 = \%$
	Bank Leverage Ratio	$(\text{bank debt} / \text{net worth}) \times 100 = \%$
Interest payments	Interest Cover	$\text{operating profit} / \text{interest charges}$
Operating Performance		
Efficiency	ROCE (also known as Primary Ratio)	$(\text{operating profit} / \text{capital employed}) \times 100 = \%$
	Return on Total Assets	$(\text{operating profit} / \text{total assets}) \times 100 = \%$
Profit Margins	Gross Profit Ratio (also known as Gross Margin)	$(\text{sales less cost of sales} / \text{turnover}) \times 100 = \%$

	Operating Profit Ratio (also known as Operating Margin)	(profit before interest and tax / turnover) × 100 = %
Debtors	Collection Period (also known as Debtor Days Ratio)	(average debtors × no. of days in period) / turnover
Creditors	Payments Period (also known as Creditor Days Ratio)	(average creditors × no. of days in period) / cost of sales

Other Key Indicators	
Resources	
The availability and capacity of resources made available to the Candidate (e.g. financial guarantor or parent company guarantor).	
Risk Factors and Indicators	
<p>In assessing financial standing and risk performance the Authority may also take into account (but not limited) unexplained indicators such as:</p> <ul style="list-style-type: none"> • falling cash levels • falling profit margins • increasing overdraft with static turnover • • changes in liquidity and working capital movements• • high gearing • increasing pension liabilities (FRS17 / IFRS19) • qualified accounts • profit warnings • County Court Judgements • poor credit ratings • debt rating downgrades/alerts 	

Technical and Professional Ability Evaluation Methodology

The Authority will apply the following scoring scale in assessing each Level 2 Criteria Question in relation to the Technical and Professional Ability section responses.

SCORING SCALE	
Score	Commentary
0	Unacceptable
1	Very weak - almost unacceptable
2	Weak - well below expectations
3	Poor - below expectations
4	Satisfactory but below expectations
5	Meets expectations
6	Slightly exceeds expectations
7	Good - well above expectations
8	Very good
9	Outstanding
10	Exceptional

- 13.3 The Authority proposes to invite the Candidates with the **5** highest scoring compliant PQQ submissions to the tender stage of the competition process.

PART 2

INFORMATION TO BE PROVIDED TO THE AUTHORITY

1 Return of Pre-qualification/Short-listing Information Requested in Part 2

1.1 A Candidate wishing to participate must provide:

- All of the background information requested in Section 1
- All of the financial and technical information requested in Section 2
- the *Statement of Good Standing* at Section 3 (fully completed and signed)
- the pre-qualification checklist at Section 4 (fully completed)

To

**FAO Ken Brewer
Papworth Hospital NHS Foundation Trust
Papworth Everard
Cambridge
CB23 3RE**

By: 1pm on Tuesday 21st October 2014.

- 1.2 Candidates must submit **1 hard copy** and **1 copy in electronic format on CD-ROM**. In the event of discrepancy the hard copy will take precedence. The CD is to include any necessary reports and accounts, which should be in pdf format or Microsoft Word.
- 1.3 Submissions must be contained in a sealed envelope bearing the following words **“CONFIDENTIAL - PQQ for Papworth PFI Independent Tester Contract”** and not bear on the envelope any name or mark indicating the sender.
- 1.4 When providing its response to this PQQ, Candidates must follow the order set out in this Part 2. Any additional information provided (not requested in this PQQ) as supplemental sheets will not be evaluated by the Authority.
- 1.5 **Checklist:** There is a checklist at the end of this PQQ at Section 4 which Candidates can use to check that they have answered all the questions required and which must be completed and returned as part of the PQQ submission.

PART 2 - SECTION 1 – CANDIDATE INFORMATION

Please provide the following information:

1 Basic Information

- Name of Candidate (or in the case of a Consortium the Lead Organisation)
- VAT Registration Number
- Contact Details:
 - Address for Correspondence
 - Contact Name and Position
 - Telephone Number
 - Fax Number
 - E-Mail Address
- A one-page chart illustrating the ownership structure of the Candidate (or in the case of a Consortium the Lead Organisation) including relations to any parent or other group and holding companies.

In the case of a Company

- Registered Company Number
- Registered Office Address
- Year of Registration
- Country of Registration

In the case of a Partnership

- Total Number of Partners
- Date the Partnership was formed
- Details of any fundamental changes in the composition of the Partnership in the last three years (e.g. partnership dissolution, merger or departure of Partners)
- County of establishment

In the case of a Limited Liability Partnership

- Registered LLP Number
- Registered Office Address

- Country of Registration

In the case of Other Entities then please specify and provide details of:

- The type of organisation
- Period of establishment
- County of establishment

2 Consortium Information (*if applicable*)

Where the Candidate is a Consortium then please *additionally* provide:

- 2.1 the above Basic Information in respect of each key Consortium Member that will play a significant role in the performance of the services under the proposed contract; and
- 2.2 details of the role of each Consortium Member in performing the services under the proposed contract and their relationship with the Lead Organisation and other Consortium Members (including (but not limited to) any proposed contractual arrangements and ownership structures).

PART 2 - SECTION 2 – FINANCIAL AND TECHNICAL INFORMATION

3 FINANCIAL INFORMATION

Candidates must provide the financial information requested in this section.

In the case of a Candidate that is a Consortium then the following financial information should be provided by the Lead Organisation only.

Bankers Statement

- 3.1 Please provide the name and address of the principal banker from which the Authority may obtained upon request a banker's reference for the Candidate if the Authority deems it necessary to further investigate the financial standing of the Candidate.

Statutory Accounts and Statements of Business Turnover

- 3.2 Please provide a statement of the Candidate's overall business turnover in respect of each year in the last three financial years.
- 3.3 Please provide a statement of the Candidate's turnover in respect of each year in the last three financial years in relation to services similar to those to be provided under this procurement.
- 3.4 Candidates are required to evidence the statements of turnover referred to above and provide further financial information by providing the following statutory accounts (as required to be published under the laws of the relevant State in which the economic operator is established) and details for the Candidate:

3.4.1 *In the case of a Company*

Audited accounts for the last three financial years. If the most recent accounts submitted are for a year ended more than 10 months ago then please also enclose the latest set of management accounts.

3.4.2 *In the case of a Partnership*

Two copies of the accounts, audited if available, for the last 3 years. If the accounts submitted are for a year ended more than 10 months ago then please also enclose the latest set of management accounts. The accounts should include:

- Profit and Loss Account;
- Balance Sheet;
- Full notes to the accounts;
- Directors Report/Managing Partners Report (if available); and
- Auditor's Report (if accounts are audited).

Statement of any contingent liability or loss

- 3.5 Please confirm whether the Candidate, as at the last reporting date, have any contingent liability or loss (where not otherwise reported) which would require disclosure in accordance with International Accounting Standard 10.

Details of Litigation

- 3.6 Please provide details of any material, pending or threatened litigation or other legal proceedings (where not otherwise reported) against the Candidate where the claim is of a value in excess of £100,000.

Evidence of Insurance

- 3.7 The Candidate is expected to hold a minimum cover for £10m for professional indemnity liability insurance (in respect of each and every claim) and £5m for each of employer's liability insurance and public liability insurance. The Authority reserves the right to reject Candidates that cannot demonstrate complying with this requirement.

Please provide copies of insurance certificates held.

Other Appropriate Information

- 3.8 A Candidate/Lead Organisation wishing to rely on the capacities of other entities, members in a group or Consortium Members for the purposes of the economic and financial standing assessment should provide *additional* details of those capacities and how they will be made available to the Candidate (e.g. last three financial year audited / signed accounts for any proposed guarantor and parent company guarantee details).

4 TECHNICAL AND PROFESSIONAL ABILITY INFORMATION

4.1 Independent Tester Services Contracts Experience (and References)

4.1.1 Healthcare PFI Independent Tester Experience

Please provide details of previous experience of Healthcare PFI in the last three years. A maximum of 3 Projects should be listed in order of decreasing capital value. Projects which are particularly relevant to the scope of this scheme should be highlighted.

Your response should provide details of:

- Project Names and Client Names
- The Capital Cost of the Projects (£m)
- The status of the Projects
- The dates of involvement
- The names of the personnel involved
- The role of the named personnel in providing the services
- The role of the Candidate in providing the services and how it is relevant to the scope of this scheme.

4.1.2 Other PFI Independent Tester Experience

Provide details of previous experience of non-healthcare PFI in the last three years. A maximum of 3 Projects should be listed in order of decreasing capital value. Projects which are particularly relevant to the scope of this scheme should be highlighted.

Your response should provide details of:

- Project Names and Client Names
- The Capital Cost of the Projects (£m)
- The status of the Projects
- The dates of involvement
- The names of the personnel involved
- The role of the named personnel in providing the services
- The role of the Candidate in providing the services and how it is relevant to the scope of this scheme.

4.1.3 Healthcare Experience (non PFI)

Provide details of healthcare projects undertaken in the last three years including the extent of the services or works for which the organisation was responsible and the dates of the organisation's involvement. A maximum of 3 Projects which are particularly relevant to the scope of this scheme should be listed.

Your response should provide details of:

- Project Names and Client Names
- The Capital Cost of the Projects (£m)

- The status of the Projects
- The dates of involvement
- The names of the personnel involved
- The role of the named personnel in providing the services
- The role of the Candidate in providing the services and how it is relevant to the scope of this scheme.

4.1.4 Other Relevant Experience

Provide any evidence of non-health projects and non-PFI projects that demonstrate the organisation's experience in the last three years relevant to its proposed role in the PFI project. A maximum of 3 Projects which are particularly relevant to the scope of this scheme should be listed.

Your response should provide details of:

- Project Names and Client Names
- The Capital Cost of the Projects (£m)
- The status of the Projects
- The dates of involvement
- The names of the personnel involved
- The role of the named personnel in providing the services
- The role of the Candidate in providing the services and how it is relevant to the scope of this scheme.

Candidates must provide contact details for 3 client references from projects listed in their responses to Question 4.1 above. The Authority reserves the right to contact the client referees for the purposes of verifying the projects and the quality of service provided and to take those responses into account in the assessment of PQQ responses. Contact details should include contact name, address, telephone and fax number, and e-mail of the three client referees from which references can be sought.

Please limit your response to Question 4.1 to no more than 4 pages (in Arial 10 point font) in total across sections 4.1.1 to 4.1.4.)

4.2 **Contract Performance**

Please give details of any projects for contracts in excess of £1 million in which the organisation has been involved where there has been a failure to complete (by the scheduled completion date) or where there have been claims for damages, or where damages have been deducted or reserved within the last three years and where the amount of damages (claimed or ordered) is greater than £50,000. Include, for each project, reasons for the failure or claim.

4.3 Quality Standards / Health and Safety

4.3.1 Quality Standards Certification

Please provide details of whether the Candidate has (or is seeking), certification under International, European, British or other quality standards (e.g. BS5750, BS EN ISO 9000 etc. or equivalent). Please state the relevant quality standard attained, and if seeking such standards, what details of what stage on the process the Candidate has reached.

4.3.2 Health and Safety

Please state the name and status of the person responsible for the implementation of the organisation's Health and Safety policy.

Please give brief details of safety audits and inspections carried out in similar activities to this Project, including details of frequency, whether records are kept and who is responsible for any remedial action.

Please limit your response to Question 4.3 to no more than 1 page (in Arial 10 point font).

4.4 Employment and Staff

4.4.1 The organisation should provide:

- details of its policies for the training and supervision of staff. This should include, but not be limited to, training and supervision on health and safety matters; and
- details of its policies for the promotion, delivery and monitoring of Equal Opportunities.

4.4.2 How many staff are currently employed directly providing Independent Tester type services and how many in PFI projects.

Staff Type	IT Services	IT Services	PFI only	PFI only
	Full Time	Part Time	Full Time	Part Time
Managerial/ Supervisory				
Professional				
Technical				
Total				

4.4.3 Please provide CV's for staff responsible for carrying out independent tester services.

Please limit your response to Question 4.4.1 and 4.4.2 to no more than 1 page (in Arial 10 point font).

Please limit your response to Question 4.4.3 to 5 CVs per Candidate with 1 page each (in Arial 10 point font) for each CV.

PART 2 - SECTION 3 – STATEMENT

STATEMENT OF GOOD STANDING – CRITERIA FOR REJECTION OF CANDIDATES - in accordance with Article 45 of Directive 2004/18/EC/Regulation 23 of the Public Contracts Regulations 2006 (as amended)

Name of Candidate ("Contractor"):

.....

In the case of a Consortium, each Consortium Member must complete and return this Statement.

If the Contractor is not in a position to confirm any of the statements below then full details of the relevant incident and circumstances should be provided and set out in a separate Annex as part of your PQQ submission response.

We confirm that, to the best of our knowledge, the Contractor is not in breach of the provisions of Article 45 of Directive 2004/18/EC/Regulation 23 of the Public Contracts Regulations 2006 (as amended) and in particular that:

- 1 The Contractor or its directors or any other person who has powers of representation, decision or control of the Contractor has not been convicted of any of the following offences:
 - 1.1 conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA;
 - 1.2 corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906, where the offence relates to active corruption;²
 - 1.3 the offence of bribery, where the offence relates to active corruption;
 - 1.4 bribery within the meaning of section 1 or 6 of the Bribery Act 2010;
 - 1.5 fraud, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities, within the meaning of:
 - 1.5.1 the offence of cheating the Revenue;
 - 1.5.2 the offence of conspiracy to defraud;
 - 1.5.3 fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;

² "active corruption" means corruption as defined in Article 3 of the Council Act of 26 May 1997 or Article 3(1) of Council Joint Action 98/742/JHA.

- 1.5.4 fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;
- 1.5.5 fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;
- 1.5.6 an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;
- 1.5.7 destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;
- 1.5.8 fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;
or
- 1.5.9 making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006;
- 1.5.10 money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;
- 1.5.11 an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996;
- 1.5.12 an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994;
or,
- 1.5.13 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.

2 None of the following sub-paragraphs 2.1 to 2.9 apply to the Contractor:

- 2.1 being an individual is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or a debt relief restriction order made against him or has made any composition or arrangement with or for the benefit of his creditors or has made any conveyance or assignment for the benefit of his creditors or appears unable to pay, or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other state;

- 2.2 being a partnership constituted under Scots law has granted a trust deed or become otherwise apparently insolvent, or is the subject of petition presented for sequestration of its estate;
- 2.3 being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or 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;
- 2.4 has been convicted of a criminal offence relating to the conduct of his business or profession;
- 2.5 has committed an act of grave misconduct in the course of his business or profession;
- 2.6 has not 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 Contractor is established;
- 2.7 has not 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 Contractor is established;
- 2.8 is guilty of serious misrepresentation in providing any information required of him under Regulation 23, 24, 25, 26 or 27 of the Public Contracts Regulations 2006 (as amended) or has not provided such information in response to a request by the contracting authority;
- 2.9 is not licensed in the relevant State in which he is established or is not a member of an organisation in that relevant State when the law of that relevant State prohibits the provision of services to be provided under the contract by a person who is not so licensed or who is not such a member.

3 Where applicable, the Contractor is registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex IX B of Directive 2004/18/EC) under the conditions laid down by that member state.

Signed

Name

Position

SECTION 4 – CHECKLIST

Candidate's Name.....

BACKGROUND INFORMATION

Question No.		Enclosed	N/A
1	Basic Information		
2	Consortium Information		

FINANCIAL INFORMATION

Submissions in relation to Economic & Financial Standing

Question No.		Enclosed	N/A
3.1	Banker's Details		
3.2 to 3.5	Statutory Accounts and Statements of Business Turnover		
3.5	Statement of any contingent liability or loss		
3.6	Details of Litigation		
3.7	Evidence of Insurance		
3.8	Other Appropriate Information		

TECHNICAL INFORMATION

Submissions in relation to Technical and Professional Ability

Question No.		Enclosed	N/A
4.1.1	Healthcare PFI Independent Tester Experience		
4.1.2	Other PFI Independent Tester Experience		
4.1.3	Healthcare Experience (non PFI)		
4.1.4	Other Relevant Experience		
4.2	Contract Performance – failure to complete experience		
4.3.1	Quality Standards Certification		
4.3.2	Health and Safety		
4.4.1	Employment and Staff – company policies		
4.4.2	Employment and Staff – staff numbers		
4.4.3	Employment and Staff – CV's		

STATEMENT OF GOOD STANDING

	Enclosed	N/A
Signed Statement(s) of Good Standing (including where applicable from all Consortium Members)		
Where applicable, Annex submissions relating to Statement(s) of Good Standing		