**Procurement Pre-Qualification Questionnaire (PQQ)**

**Notes for completion**

1. The “Authority” means the Port of London Authority as the contracting entity, or anyone acting on behalf of the contracting entity, that is seeking to invite suitable Suppliers to participate in this procurement process.

2. “You”/ “Your” or “Supplier” means the body completing these questions **i.e. the legal entity or entities seeking to be invited to the next stage of the procurement process and responsible for the information provided.** The ‘Supplier’ is intended to cover any economic operator and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

3. This Pre-Qualification Questionnaire (PQQ) has been designed to assess the suitability of a Supplier to deliver the Authority’s contract requirement(s). If you are successful at this stage of the procurement process, you will be selected for the subsequent Tendering stage of the process.

4. Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply to you, please state clearly ‘N/A’.

5. Should you need to provide additional Appendices in response to the questions, these should be numbered clearly and listed as part of your declaration. A template for providing additional information is provided at the end of this document.

6. Please return a completed version of this document to:

|  |  |
| --- | --- |
| Named Contact | Mr D J Fallows |
| Name of contracting entity | Port of London Authority |
| Contact e-mail address | Dave.fallows@pla.co.uk |
| Postal address | Marine House, Denton Wharf, Mark Lane, Gravesend, Kent, DA12 2QA, UK. |
| Deadline for receipt of PQQ  |  |
| (UK date and time) |  |

**Verification of Information Provided**

7. Whilst reserving the right to request information at any time throughout the procurement process, the Authority may elect (at its sole discretion) to enable the Supplier to self-certify that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the Supplier can meet the specified requirements (such as the questions in section 7 of this PQQ relating to Technical and Professional Ability) the Authority may elect (at its sole discretion) to only obtain such evidence after the final tender evaluation decision i.e. from the winning Supplier only.

**Sub-contracting arrangements**

8. Where the Supplier proposes to use one or more sub-contractors to deliver some or all of the contract requirements, a separate Appendix should be used to provide details of the proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.

9. The Authority recognises that arrangements in relation to sub-contracting may be subject to future change, and may not be finalised until a later date. However, Suppliers should be aware that where information provided to the Authority indicates that sub-contractors are to play a significant role in delivering key contract requirements, any changes to those sub-contracting arrangements may affect the ability of the Supplier to proceed with the procurement process or to provide the supplies and/or services required. Suppliers should therefore notify the Authority immediately of any change in the proposed sub-contractor arrangements. The Authority reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.

**Consortia arrangements**

10. If the Supplier is bidding on behalf of a consortium, the following information must be provided:

- full details of the consortium including whether there is an intention to form a separate legal entity; and

- the information sought in this PQQ in respect of each consortium member as part of a single composite response.

Where Suppliers are proposing to create a separate corporate entity, they should provide details of the actual or proposed percentage shareholding of the constituent members within the consortium in a separate annex. If a consortium is not proposing to form a corporate entity, full details of alternative proposed arrangements should be provided in the annex. However, please note the Authority reserves the right to require a successful consortium to form a single legal entity in accordance with regulation 28(3) of the Utilities Contracts Regulations 2006.

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

**Confidentiality**

11. When providing details of contracts in answering section 6 of this PQQ (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.

12. The Authority reserves the right to contact the named customer contact in section 6 regarding the contracts included in section 6. The named customer contact does not owe the Authority any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

13. The Authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact.

**1 - Supplier information**

|  |  |
| --- | --- |
| **1.1 Supplier details** |  **Answer** |
| Full name of the Supplier completing the PQQ  |  |
| Registered company address |  |
| Registered company number |  |
| Registered charity number |  |
| Registered VAT number |  |
| Name of immediate parent company |  |
| Name of ultimate parent company |  |
| Please mark ‘X’ in the relevant box to indicate your trading status | 1. a public limited company

  | Yes  | No |
| 1. a limited company
 |  Yes | No |
| 1. a limited liability partnership
 |  Yes | No |
| 1. other partnership
 |  Yes | No |
| 1. sole trader
 |  Yes | No |
| 1. other (please specify)
 |  Yes | No |
| Please mark ‘X’ in the relevant boxes to indicate whether any of the following classifications apply to you | i)Voluntary, Community and Social Enterprise (VCSE) |  Yes | No |
| ii) Small or Medium Enterprise (SME)  |  Yes | No |
| iii) Sheltered workshop |  Yes | No |
| iv) Public service mutual |  Yes | No |

 See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/

|  |
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| **1.2 Bidding model** |
| **Please mark ‘X’ in the relevant box to indicate whether you are;** |
| a) Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself. |  Yes | No |
| b) Bidding as a Prime Contractor and will use third parties to deliver some of the services.If yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. |  Yes | No |
| c) Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the servicesIf yes, please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for. |  Yes | No |

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| **1.3 Licensing and registration (please mark ‘X’ in the relevant box)** |
| 1.3.1 | Registration with a professional bodyIf applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established under the conditions laid down by that member state). |  Yes | No |
| If Yes, please provide the registration number in this box. |
| 1.3.2 | Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? |  Yes | No |
| If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this. |

**2 - Grounds for mandatory exclusion**

You will be excluded from the procurement process if there is evidence of convictions relating to the criminal offences set out below

|  |  |
| --- | --- |
| **2.1 Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** | **Please indicate your answer by marking ‘X’ in the relevant box.** |
| **YES** | **NO** |
| 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 on the fight against organised crime;
 |  |  |
| 1. 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;
 |  |  |
| 1. the common law offence of bribery;
 |  |  |
| 1. bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010;
 |  |  |
| (i) the offence of cheating the Revenue; |  |  |
| (ii) the offence of conspiracy to defraud; |  |  |
| (iii) fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978; |  |  |
| (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006; |  |  |
| (v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994; |  |  |
| (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |  |
| (vii) destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969; |  |  |
| (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |  |
| (ix) the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act; |  |  |
| 1. money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;
 |  |  |
| 1. 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. 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. any other offence within the meaning of Article 57(1) of the Public Contracts Directive—
 |  |  |
| (i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or |  |  |
| (ii) created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland. |  |  |

**3. Grounds for discretionary exclusion**

The Authority may exclude any Supplier who answers ‘Yes’ in any of the following situations set out below;

|  |  |
| --- | --- |
| 3.1 Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation. | Please indicate your answer by marking ‘X’ in the relevant box. |
| YES | NO |
| (a) your organisation is bankrupt or is the subject of insolvency or winding-up proceedings, where your assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State; |  |  |
| (b) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.  |  |  |

**4 - Economic and Financial Standing**

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| FINANCIAL INFORMATION |
| 4.1 | Please provide one of the following to demonstrate your economic/financial standing; Please indicate your answer with an ‘X’ in the relevant box. |
| (a) A copy of the audited accounts for the most recent two years |  |
| (b) A statement of the turnover, profit & loss account, current liabilities and assets, and cash flow for the most recent year of trading for this organisation  |  |
| (c) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position |  |
| (d) Alternative means of demonstrating financial status if any of the above are not available (e.g. Forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |  |
| 4.2 | Where the Authority has specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria for this PQQ, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out here. | YES | NO |
| 4.3 | a) Are you part of a wider group (e.g. a subsidiary of a holding/parent company)?If yes, please provide the name below:

|  |  |
| --- | --- |
| Name of the organisation |  |
| Relationship to the Supplier completing the PQQ |  |

If yes, please provide Ultimate / parent company accounts if available. | YES | NO |
| The successful tendering economic operator (boat builder) will be required to have in place bank guarantees orother equivalent measures as agreed by the contracting entity (payable in the UK in GB Pounds) to be providedcovering each stage payment, to ensure performance of the boat building project to the agreed programme andquality thus ensuring that the vessel meets the contracting entity's performance specification requirements. Aspayments are made the economic operator will clearly identify and mark paid for items as the property of thePort of London Authority. | YES | NO |
| If no, would you be able to obtain a guarantee elsewhere (e.g from a bank?) | YES | NO |

**5 – Technical and Professional Ability**

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| --- | --- |
| 5 | References and contract examples |
| Please provide details of up to three contracts, in any combination from either the public or private sector, that are relevant to the Authority’s requirement. Contracts for supplies or services should have been performed during the past three years. Works contracts may be from the past five years, and VCSEs may include samples of grant funded work. The named customer contact provided should be prepared to provide written evidence to the Authority to confirm the accuracy of the information provided below.Consortia bids should provide relevant examples of where the consortium has delivered similar requirements; if this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle will be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member). Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services. |
|  | Contract 1 | Contract 2 | Contract 3 |
| 5.1 | Name of customer organisation |  |  |  |
| 5.2 | Point of contact in customer organisationPosition in the organisationE-mail address |  |  |  |
| 5.3 | Contract start dateContract completion dateEstimated Contract Value |  |  |  |
| 5.4 | In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. |  |  |  |
| 5.5 | If you cannot provide at least one example for questions 5.1 to 5.4, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up. |  |

**6. Additional PQQ modules**

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by marking ‘X’ in the relevant boxes.

**A. Insurance**

|  |  |  |  |
| --- | --- | --- | --- |
| 1. | Please self-certify 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 (Compulsory) Liability Insurance = £5mPublic Liability Insurance = £5mProfessional Indemnity Insurance = £5mProduct Liability Insurance = £5m\* It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | YES | NO |

**B. Environmental Management**

|  |  |  |  |
| --- | --- | --- | --- |
|  1. | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)? If your answer to this question is “Yes”, please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.The Authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | YES | NO |
| 2. | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | YES | NO |
| 3. | Does your organisation have an Environmental Policy?If your answer to this question is “Yes”, please provide details in a separate Appendix of your organisations Environmental Policy. | YES | NO |
| 4. | If your answer to this question is “No” are you prepared to fully adopt the Authority’s policy? The Authority will not select bidder(s) that do not have an environmental policy unless the Authority is satisfied that bidder(s) will fully comply with the Authority’s policy. Evidence of how the bidder(s) intend to comply will be required prior to tendering. | YES | NO |

**C. Health & Safety**

|  |  |  |  |
| --- | --- | --- | --- |
| 1. | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | YES | NO |
| 2. | 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 was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. The Authority 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.  | YES | NO |
| 3. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?  | YES | NO |

**D. Elimination of Modern Slavery**

|  |  |  |  |
| --- | --- | --- | --- |
| 1. | Please self-certify that your organisation has a Modern Slavery Policy that complies with current UK legislative requirements. | YES | NO |
| 2. | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to offences under the prevention of modern slavery legislation? If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. The Authority 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.  | YES | NO |

**7. Declaration**

|  |  |
| --- | --- |
| 7.1 | I declare that to the best of my knowledge the answers submitted to these questions are correct. I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement, and I am signing on behalf of........................................................................ (Insert name of Supplier). I understand that the Authority may reject my submission if there is a failure to answer all relevant questions fully or if I provide false/misleading information. I have provided a full list of any Appendices used to provide additional information in response to questions.I also declare that there is no conflict of interest in relation to the Authority’s requirement.The following appendices form part of our submission; |
|  | **Section of PQQ** | **Appendix number** |  |
|  |  |
|  |  |
|  |  |  |  |
|  |
| **PQQ COMPLETED BY** |
| 7.2 | **Name** |  |
| 7.3 | **Role in organisation** |  |
| 7.4 | **Date** |  |
| 7.5 | **Signature** |  |

**PQQ – Template for Appendices**

|  |  |
| --- | --- |
| **Appendix Number** |  |
| **PQQ section** |  |
| **Question number** |  |
|  |