|  |  |
| --- | --- |
|  | Procurement Specific QuestionnaireAppendix 4A |
|  |  |

## Glossary

| **Term** | **Definition** |
| --- | --- |
| Associated person | A supplier may be an excluded supplier or an excludable supplier if any exclusion ground applies to either the supplier or an associated person (see the references to ‘associated person’ in section 57 of the Act) and if the circumstances giving rise to the ground are continuing or likely to occur again.An associated person for these purposes is defined in section 26(4) as a person the supplier is relying on in order to satisfy the conditions of participation (other than a guarantor).Associated persons are likely to be within the first tier of sub-contractors, but may be further down the supply chain, for example in procurements of contracts with highly technical elements. |
| Central digital platform | The online system referenced in the Procurement Act 2023 (Act) and defined in the Procurement Regulations 2024 as the central digital platform. It is available at [www.gov.uk/find-tender](https://www.gov.uk/find-tender)The central digital platform will enable:* contracting authorities and suppliers to register and receive a unique identifier
* contracting authorities to publish notices and other information as required under the Act for covered and below-threshold procurements
* suppliers to submit and store certain core organisational information as required by the regulations to participate in a covered procurement. This information will only be available to those contracting authorities that a supplier chooses to share it with; it cannot be freely accessed
* anyone to view the notices and access related public procurement data
 |
| Conditions of participation | The Procurement Act 2023 includes rules on conditions of participation under a competitive tendering procedure and a competitive selection process under a framework.Contracting authorities are allowed to set conditions of participation only if they are a proportionate means of ensuring that suppliers have: a. legal and financial capacity; or b. technical ability, to perform the contract. Suppliers must satisfy these conditions if they are to be awarded the contract. The conditions must be proportionate having regard to the nature, complexity and cost of the public contract.Whereas compared with award criteria (section 23) which are used to assess the tender, conditions of participation are used to assess the supplier. Contracting authorities must make these conditions clear in the tender notice, supplemented (where necessary) by the tender documents. |
| Connected persons | A connected person is defined in paragraph 45 of Schedule 6 to the Act. In summary, it covers:1. a person with ‘significant control' over the supplier (within the meaning given by section 790C(2) of the Companies Act 2006 (CA 2006))
2. a director or shadow director of the supplier
3. a parent undertaking or a subsidiary undertaking of the supplier
4. a predecessor company
5. any other person who it can reasonably be considered stands in an equivalent position in relation to the supplier as a person within paragraph a to d.
6. any person with the right to exercise, or who actually exercises, significant influence or control over the supplier
7. any person over which the supplier has the right to exercise, or actually exercises, significant influence or control
 |
| Competitive tendering procedures | There are two competitive tendering procedures set out in section 20 of the Procurement Act 2023: the open procedure and the competitive flexible procedure, and both are commenced via publication of a tender notice. |
| Core supplier information | The core supplier information defined in the regulation 6(9) of the Procurement Regulations 2024 is divided into four key categories of information and covers (in summary):* basic information – this includes (and is not limited to) the supplier’s name, unique identifier, address, VAT number (if applicable), legal form and date of company registration (if applicable), details of qualifications/trade associations and classification, for example whether the supplier is an SME and/or a public service mutual
* economic and financial standing information – as set out in the supplier’s most recent financial accounts
* connected person information – this includes (but is not limited to) information relating to relevant connected persons such as names, date of birth and nationality, service address and legal form
* exclusion grounds information – this includes information relating to relevant convictions and events that form either a mandatory or discretionary exclusion ground under the Act
 |
| Debarment | Debarment is a mechanism under which a Minister of the Crown can put a supplier on the centrally-published debarment list. This must be following an investigation, whereby the minister is satisfied that a supplier is an excluded supplier or an excludable supplier and should be added to the debarment list. Depending on why a supplier is on the debarment list, contracting authorities either must exclude them or may exclude them from procurements. The list will be managed by the Procurement Review Unit (PRU) and published on GOV.UK |
| Excluded supplier | A supplier is an ‘excluded supplier’ where the contracting authority considers, firstly, that a **mandatory exclusion** ground applies to the supplier or an associated person and, secondly, that the circumstances giving rise to the exclusion ground are continuing or likely to occur again. A supplier will also be an excluded supplier where a Minister of the Crown has already determined this – i.e. where the supplier or an associated person is on the debarment list because of a mandatory exclusion ground. |
| Excludable supplier | A supplier is an ‘excludable supplier’ where the contracting authority considers, firstly, that a **discretionary exclusion** ground applies to the supplier or an associated person and, secondly, that the circumstances giving rise to the exclusion ground are continuing or likely to occur again. A supplier will also be an excludable supplier where a Minister of the Crown has already determined this – i.e. where the supplier or an associated person is on the debarment list because of a discretionary exclusion ground. |
| Exclusions | The Procurement Act sets out a list of mandatory (schedule 6) and discretionary (schedule 7) exclusion grounds and places a duty on contracting authorities to consider both whether any of these apply to suppliers (including by virtue of a connected person), as well as whether the circumstances are continuing or likely to occur again. Contracting authorities must exclude an excluded supplier and may exclude an excludable supplier from procurements. |
| Intended sub-contractors | As part of a competitive tendering process, contracting authorities must ask for details of all sub-contractors a supplier intends to use as part of the procurement (as required by section 28(1)(a) of the Act). This is not restricted to sub-contractors that the supplier is relying on to meet conditions of participation (who will in any event be associated persons) but applies to all sub-contractors (of all tiers) the supplier intends to sub-contract the performance of all or part of the contract to.A contracting authority must check whether any of the intended sub-contractors are on the debarment list (as required by section 28(1)(b) of the Act).A contracting authority may also request information for the purpose of determining whether any intended sub-contractor is an excluded or excludable supplier. |
| Unique identifier | Unique identifiers are defined in regulation 8 of the Procurement Regulations 2024. In the case of a supplier, it is the unique code which is submitted to the central digital platform and is recognised by that platform or, where no such code is submitted and recognised, it is the unique code which is allocated by that platform when the supplier registers on that platform. |

# Procurement Specific Questionnaire

## PSQ Explainer (for suppliers)

1. Public procurement is governed by regulations to ensure that procurement delivers value for money, competition, transparency and integrity.
2. The Procurement Specific Questionnaire (PSQ) has been designed to help contracting authorities ensure that suppliers share the right information when participating in a procurement. This is separate from the formal tender submission (on how the supplier proposes to meet the tender requirements). The PSQ consists of three parts:
3. **Part 1 - confirmation of core supplier information**: suppliers participating in procurements will now be expected to register on a central digital platform (CDP). Suppliers can submit their core supplier information and, where a procurement opportunity arises, share this information with the contracting authority via the CDP. It is free to use and will mean suppliers should no longer have to re-enter this information for each public procurement but simply ensure it is up to date and subsequently shared. The CDP is available at https://www.gov.uk/find-tender. Part 1 provides confirmation that suppliers have taken these steps.
4. **Part 2 - additional exclusions information**: procurement legislation provides for an ‘exclusion regime’ and a published ‘debarment’ list to safeguard procurement from suppliers who may pose a risk (for example, due to misconduct or poor performance). Suppliers must submit their own (and their connected persons[[1]](#footnote-1)) exclusions information via the CDP. This includes self-declarations as to whether any exclusion grounds apply to them and, if so, details about the event or conviction and what steps have been taken to prevent such circumstances from occurring again.
5. As part of a procurement, a supplier will need to also share additional exclusions information for any suppliers that they are relying on to meet the procurement’s conditions of participation. These could either be consortium members or key sub-contractors (but excludes any guarantors). These suppliers are ‘associated persons’ and their exclusions information must be shared with the contracting authority. We recommend this is done by ensuring that associated persons register, submit and share their information via the CDP (like the prime/main supplier).
6. In addition to the sub-contractors who are being relied on to meet the conditions of participation (who are associated persons), suppliers will need to share an exhaustive list of all their intended sub-contractors, which will be checked against the debarment list.
7. If a sub-contractor is unknown at the start of the procurement (or brought in during it), this should be made clear by the supplier and relevant details of the sub-contractor should be provided once their identity and role is confirmed. This information should be shared with the contracting authority as soon as possible and at least by final tenders.
8. **Part 3 - conditions of participation**: contracting authorities may set conditions of participation which a supplier must satisfy in order to be awarded a public contract. They can relate to the supplier’s legal and financial capacity or their technical ability.
9. Some of the information requested in the PSQ will be for information purposes only. Other information will be assessed by the contracting authority. This might include a pass or fail mechanism, or a threshold which the supplier must meet. Under certain procurement processes, a contracting authority might use the information shared via the PSQ as part of a selection process to limit the number of participating suppliers. For example, inviting the five suppliers that submitted the highest scoring responses. Where this is the case, the contracting authority will outline the maximum number of suppliers, and the criteria used to select the limited number of suppliers, in their tender notice (section 20(4)(a) of the Procurement Act and regulation 19(2)(d) of the Procurement Regulations 2024).
10. Suppliers should note that contracting authorities have legislative duties to publish certain information which relate to the supplier in their contract award notices. This information includes, but is not limited to:
* details of the winning supplier’s associated persons
* details of the winning supplier’s connected person information
* for certain procurements over £5 million, details of unsuccessful bidders
1. Where a supplier is unsure or requires any clarification, they should check with the contracting authority (**by raising a clarification question via the portal**).

|  |  |
| --- | --- |
| **No.** | **Question** |
| Preliminary questions |
|  | What is your name? (supplier name) |
| **[Insert name]** |
|  | *You must be registered on the central digital platform (CDP).*What is your central digital platform unique identifier? |
| **[Insert unique identifier]** |
|  | Please confirm if you are bidding as a single supplier (with or without sub-contractors) or as part of a group or consortium.If you are bidding as part of a group or consortium (including where you intend to establish a legal entity to deliver the contract), please provide: 1. the name of the group/consortium
2. the proposed structure of the group/consortium, including the legal structure where applicable
3. the name of the lead member in the group/consortium
4. your role in the group/consortium (e.g. lead member, consortium member, sub-contractor)
 |
| **[Insert information]** |
|  | Are you on the debarment list? |
| **[Insert Yes or No]****[If yes, insert details]** |
| Part 1 – confirmation of core supplier information |
|  | You must submit up-to-date core supplier information on the CDP and share this information with us via the CDP (either a share code or PDF download).This includes:1. basic information
2. economic and financial standing information
3. connected person information (these are persons with the right to exercise, or who actually exercise, significant influence or control over the supplier, or over whom the supplier has the right to exercise, or actually exercises, significant influence or control over, for example: directors, majority shareholders and parent and subsidiary companies)
4. exclusion grounds information

Please confirm you have shared this information with us. |
| **[Insert reference / file name]** |
| Part 2 – additional exclusions information  |
| Part 2A – associated persons |
|  | Are you relying on any associated persons to satisfy the conditions of participation? (these are other suppliers who might be sub-contractors or consortium members but not a guarantor).[The conditions of participation are outlined in Part 3]If so, please complete **Q7, Q8 & Q9** (otherwise **Q7, Q8 & Q9** are not applicable). |
| **[Insert Yes or No]** |
|  | For each supplier/associated person, please confirm which condition(s) of participation you are relying on them to satisfy. |
| **[Insert ‘N/A’]; or** **[Insert name of supplier and brief description]****[Insert name of supplier and brief description]** |
|  | For each associated person, you must confirm they are registered on the CDP and have shared with us their information (either a share code or PDF download):1. basic information
2. economic and financial standing information (if they are being relied upon to meet conditions of participation regarding financial capacity)
3. connected person information
4. exclusion grounds information
 |
| **[Insert ‘N/A’]; or** **[Insert name of supplier and reference / file name]** |
|  | Are any of your associated persons on the debarment list? |
| **[Insert ‘N/A’]; or** **[Insert Yes or No]****[If yes, insert details]** |
| Part 2B – list of all intended sub-contractors |
|  | Please provide: 1. a list of all suppliers who you intend to sub-contract the performance of all or part of the contract to (either directly or in your wider supply chain)
2. their unique identifier (if they are registered on the CDP), or otherwise, a Companies House number, charity number, VAT registration number, or equivalent
3. a brief description of their intended role in the performance of the contract

If you are not intending to sub-contract the performance of all or part of the contract, then this **question and Q11** are not applicable.If a sub-contractor is unknown at the start of the procurement (or brought in during it), this should be made clear by the supplier and relevant details of the sub-contractor should be provided once their identity and role is confirmed. This information should be shared with the contracting authority as soon as possible and at least by final tenders. |
| **[Insert ‘N/A’]; or****[Insert name of supplier – unique identifier – brief description]****[Insert name of supplier – unique identifier – brief description]** |
|  | Please confirm if any intended sub-contractor is on the debarment list.The debarment list can be found here [insert link] |
| **[Insert Yes or No]****[If yes, insert sub-contractor(s) name and provide details]** |
| Part 3 – questions relating to conditions of participation |
| Financial capacity |
|  | Please specify whether your organisation's minimum financial threshold meets the minimum requirements for this procurement. Please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. Note: The economic and financial standing information on the central digital platform will be used to assess a Tenderers' economic and financial standing in accordance with the standards set out in the attached mechanism.**[Insert Yes or No]** |
| **Pass/Fail – The Pass/Fail criteria for this question are set out in the ‘PSQ Economic & Financial Standing Mechanism’. The ‘PSQ Financial Standing Guide’ can be used to test compliance by inserting the relevant figures from your accounts.** |
|  | Are you relying on another organisation/supplier to act as a guarantor?Where you are relying on another member of your bidding group/consortium or any subcontractors or other security in order to meet the selection criteria relating to economic and financial standing, please confirm that the relevant person or entity is willing to provide a guarantee or other security if required, and please provide 1) the name of the organisation; and 2) the relationship to the Tenderer completing these questions.**[Insert Yes or No]****[If Yes, in addition to above, you must also provide an answer to the following:** **3) Are you able to provide parent company accounts if requested to at a later stage? 3A) If yes, would the parent company be willing to provide a guarantee if necessary?; OR 3B) If no, would you be able to obtain a guarantee elsewhere (e.g. from a bank)?]** |
| **Pass/Fail - Please note that where a parent company is being relied on to pass the financial threshold, these details must be provided to the questions above.****Where the Contracting Authority's analysis of an organisation's financial position shows that further measure is necessary to provide adequate assurance of its financial strength and the organisation answers No to question 3A and 3B, the organisation will receive a "fail" for this question and will be disqualified.****Failure to offer a parent company guarantee or other guarantee on the terms set out by the Contracting Authority will result in a "fail".** |
|  | Please confirm whether you already have, or can commit to obtain, prior to the award of the contract, the levels of insurance cover indicated below:1. Employer’s (Compulsory) Liability Insurance\* = £5,000,000
2. Public Liability Insurance = £10,000,000
3. Professional Indemnity Insurance = £1,000,000

\*There is a legal requirement for certain employers to hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. See the Health and Safety Executive website for more information: [www.hse.gov.uk/pubns/hse39.pdf](http://www.hse.gov.uk/pubns/hse39.pdf). |
| **[Insert Yes or No]****[Insert details of your insurances already in place]****[Insert details of your insurances which would be obtained following contract award (including information on how you will obtain this insurance – e.g. a quote)]** |
| **Pass – Yes****Fail - No** |
|  | Please confirm that you have in place, or that you will have in place by the award of the contract, the human and technical resources to perform the contract to ensure compliance with the UK General Data Protection Regulation and to ensure the protection of the rights of data subjects.Please provide details of the technical facilities and measures (including systems and processes) you have in place, or will have in place by contract award, to ensure compliance with UK data protection law and to ensure the protection of the rights of data subjects. Your response should include, but should not be limited to facilities and measures:* to ensure ongoing confidentiality, integrity, availability and resilience of processing systems and services
* to comply with the rights of data subjects in respect of receiving privacy information, and access, rectification, deletion and portability of personal data
* to ensure that any consent based processing meets standards of active, informed consent, and that such consents are recorded and auditable
* to ensure legal safeguards are in place to legitimise transfers of personal data outside the UK (if such transfers will take place)
* to maintain records of personal data processing activities
* to regularly test, assess and evaluate the effectiveness of the above measures
 |
| **[Insert Yes or No]****[Insert information]** |
|  | **Pass – Yes****Fail - No** |
|  |  |
| Technical ability |
|  | **Relevant experience and contract examples**Please provide details of up to three contracts to meet conditions of participation relating to technical ability set out in the relevant notice or procurement documents, in any combination from either the public or private sector; housing and care environment that demonstrate your organisations experience of the services/works required under this contract. The examples provided must be from the past three years.The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided.For consortium bids, or where you have indicated that you are relying on an associated person to meet the technical ability, you should provide relevant examples of where the associated person has delivered similar requirements. If this is not possible (e.g. the consortium is newly formed or a special purpose vehicle is to be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or members of the special purpose vehicle or sub-contractors (three examples are not required from each member).If you cannot provide at least two examples of previous contracts, please provide an explanation for this and how you meet the conditions of participation relating to technical ability. |
| **[Insert information below]**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| **Name of customer****organisation who****signed the contract** |  |  |  |
| **Name of supplier****who signed the****contract** |  |  |  |
| **Point of contact in****the customer’s****organisation** |  |  |  |
| **Position in the****customer’s****organisation** |  |  |  |
| **Email address** |  |  |  |
| **Description of****contract** |  |  |  |
| **Contract start date** |  |  |  |
| **Contract completion date** |  |  |  |
| **Estimated contract****value** |  |  |  |

|  |
| --- |
| **[If you cannot provide at least two examples of previous contracts that are relevant to the requirement, in no more than 500 words please provide an explanation for this and how you meet the conditions of participation relating to technical ability – e.g. your organisation is a new start-up or you have provided services in the past but not under a contract.]** |

 |
|  | **Relevant experience and contract examples must be evidenced.****Pass/Fail** |
|  | **Service Area Delivery & Mobilisation**Please confirm that you can cover services as detailed within the Pricing Matrix (Appendix 6) and Service Specification (Appendix 7) to the properties across Housing Solution’s estate (see ‘the Contract Area’ in draft JCT Contract – Appendix 10) and able to mobilise and start work within 2-4 weeks from contract signature. **[Insert Yes or No]** |
| **Pass – Yes****Fail – No**  |
|  | **Safeguarding Children and Vulnerable Adults**Please confirm that your company has a Safeguarding Policy for dealing with Children and Vulnerable Adults.Please also confirm that your company will work with Housing Solutions to support a training programme for your key staff to assist them in supporting children, vulnerable adults (including disabled, deaf and hearing/visually impaired people) and addressing equality and diversity issues.*Note: A vulnerable adult is defined as a person who may be in need of services by reason of mental or other disability, age or illness: and who may not be able to take care of him or herself, or is unable to protect him or herself against significant harm or exploitation. Service users outside of this definition may also be vulnerable to abuse due to low self-esteem, social exclusion, drug or alcohol misuse, offending history, homelessness, domestic violence, ethnicity, immigration status, gender or sexuality.***[Insert Yes or No]** |
| **Pass – Yes****Fail – No**  |
|  | **Business Continuity / Risk Management / Disaster Recovery**Please confirm that your organisation has a Business Continuity / Disaster Recovery / Risk Management Plan that ensures that the described services are delivered in the event of a disruption affecting your business and ensures continuity of supply/service from your critical supply-chain.A copy must be submitted with you bid proposal.**[Insert Yes or No]****[Insert details of your attached document or provide explanation]** |
| **Pass – Yes** (providing solutions in place are sufficient) **Fail – No** (unless mitigating circumstances apply or a reasonable explanation is provided) |
|  | **CDM & SSIP Accreditation**Please confirm that your organisation adheres to all requirements under The Construction, Design & Management Regulations 2015 (CDM2015), and that you hold membership to a Safety Schemes in Procurement (SSIS) approved body including, but not limited to CHAS, Constructionline, SafeContractor (or equivalent – must state).**[Insert Yes or No]****[Insert details of your attached document or provide explanation]** |
|  | **Pass – Yes****Fail – No**  |
|  | **Third Party Accreditation** Please confirm that your organisation will be third party accredited for fire door installation under the following schemes (BM TRADA Q-Mark Fire Door Installation or FIRAS Installer Certification Scheme - Fire Doors) or equivalent.  **[Insert Yes or No]** |
|  | **Pass – Yes****Fail – No**  |
| 22. | **Bribery Act** Please confirm that your organisation complies with the requirements of the Bribery Act 2010:**[Insert Yes or No]** |
|  | **Pass – Yes****Fail – No**  |
|  | **Conflict of Interest** Please complete the following 3 questions and supply additional information to address any ‘Yes’ answers provided:

| **Question** | **Response** |
| --- | --- |
| Have any of the Directors or partners been employed by Housing Solutions (in the last 12 months?  | Yes / No |
| Do any of the people named above have a partner or relative who has in the last 12 months been employed by Housing Solutions?  | Yes / No |
| Do any of the people named above have any involvement in any other company that provides goods or services to Housing Solutions?  | Yes / No |
| If you have answered "Yes" to any of the previous three questions, please provide full details and detail how you propose to mitigate the impact of the conflict of interest: |  |

**[Insert Yes or No]****[Insert full details for any ‘Yes’ and proposed mitigation in box provided]** |
|  | **Pass – All No** **Fail – Any Yes** (unless adequate mitigation provided) |
|  | **Approved Contractor Standards** Please confirm that your organisation (and any subcontractors used) agree to deliver all services under this contract inline with Housing Solutions’ Approved Contractor Standards: **[Insert Yes or No]** |
|  | **Pass – Yes****Fail – No**  |
|  | **Modern Slavery Statement (or equivalent statement/document)**Supplier is ‘a relevant commercial organisation’\* and is compliant with the requirements contained within section 54 of the Modern Slavery Act 2015 and associated guidance and their statement includes information relating to: * 1. the organisation’s structure, its business and its supply chains
	2. its policies in relation to slavery and human trafficking
	3. its due diligence processes in relation to slavery and human trafficking in its business and supply chains
	4. the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk
	5. its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate
	6. the training and capacity building about slavery and human trafficking available to its staff

**Or**Supplier is not ‘a relevant commercial organisation’ but has a turnover of more than £36 million and has provided a link to an equivalent statement or document which demonstrates information relating to a to f above.**Or**Supplier is not ‘a relevant commercial organisation’, has a turnover of less than £36 million but confirms that their organisation either has a policy statement in relation to prevention of modern slavery and/or agrees to comply with Housing Solutions’ policy.*\*‘Relevant commercial organisations’ are defined as commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more.***[Insert information as to which of the 3 options applies to your organisation]** |
|  | **Pass – Yes to one****Fail – None applies**  |
| Confirmations |
|  | I confirm that:* to the best of my knowledge the answers submitted and information contained in this document are complete, accurate and not misleading
* upon request and without delay I will provide any additional information requested of us
* I understand that the response to this questionnaire will be used to assess whether our organisation is entitled to participate in, or continue to participate in, this procurement
* I understand that our organisation may be excluded from the procurement if requested information has not been provided, if any of this response or any follow up responses are incomplete, inaccurate or misleading, if confidential information has been accessed or if we have unduly influenced your decision-making in this procurement
 |
| **[Insert Yes or No]** |

|  |  |
| --- | --- |
| **Signed** |  |

|  |  |
| --- | --- |
| **Date** |  |

|  |  |
| --- | --- |
| **Name** |  |

|  |  |
| --- | --- |
| **Role** |  |

|  |  |
| --- | --- |
| **Phone number** |  |

|  |  |
| --- | --- |
| **Email** |  |

|  |  |
| --- | --- |
| **Postal address** |  |

1. Connected persons are persons who exercise (or have a right to exercise) significant influence or control over the supplier and those over which the supplier exercises (or has the right to exercise) significant influence or control. This includes majority shareholders, directors and shadow directors, parent and subsidiary companies and predecessor companies. The majority of the exclusion grounds state that they apply to the supplier or a connected person of the supplier. [↑](#footnote-ref-1)