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**Procurement for an Operator for the Great Yarmouth Winter Gardens – Re-imagining the People’s Palace**

**Procurement Specific Questionnaire**

**GYBC REFERENCE: GYBC/ 2583-PPT-R**

This document, the electronic Procurement Specific Questionnaire Guidance and the Draft Tender Documents have been uploaded to Great Yarmouth Borough Council’s e-Tendering system Intend which can be accessed on:

[East Suffolk Council Electronic Tendering Site - Home (in-tendhost.co.uk)](https://url.avanan.click/v2/___https:/in-tendhost.co.uk/eastsuffolk/aspx/Home___.YXAxZTpzaGFycGVwcml0Y2hhcmQ6YTpvOmMxNGIyNjZlNzVkNjY3ZWU0ZjRjOTdlOWY3NWRkZTk4OjY6MjA2MjoyMDZlZTRhM2YzYzI4ODNiMTZiNWIxZDFkZjdmODRiZDMwNTVkOTU1MTFiODRlYWUzZGQ5Zjk5NTlmMDE0ZTM4Omg6VA)

## Introduction

1. Words in this Procurement Specific Questionnaire (PSQ) with an initial capital letter not defined in this PSQ shall have the meanings given in Appendix C (Glossary) of the PSQ Guidance.
2. Public procurement is governed by regulations to ensure that procurement delivers value for money, competition, transparency and integrity.
3. The 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:

**Part 1 - Confirmation of core supplier information**: Suppliers participating in procurements are expected to register on the Central Digital Platform (CDP) Find a Tender. 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.

**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) 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.

1. As part of a procurement, Applicants 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 Person’ 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).
2. 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.
3. 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.

**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.

1. 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).
2. 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 Persons 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.

## PSQ actions

1. We would suggest that the prime/main supplier completes the following steps prior to the earliest submission deadline for this procurement;

**Action 1**

* Register on the CDP;
* Submit their most up to date core supplier information on the CDP, this includes the suppliers;
  + basic information
  + economic and financial standing information
  + Connected Persons information
  + exclusion grounds information (this includes exclusion information about the supplier and its Connected Persons)

**Action 2**

Where the prime/main supplier intends to rely on other suppliers to meet a Conditions of Participation, those other suppliers should submit and share their basic information, Connected Persons information, exclusion ground information via the CDP.

**Action 3**

Where the prime/main supplier intends to sub-contract the performance of all or part of the contract, then a list should be provided of all those sub-contractors. This is to enable the contracting authority to check those sub-contractors against the published Debarment List

|  |  |
| --- | --- |
| **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) |
| **[attach information to a separate appendix]** |
|  | Please confirm which lot you wish to bid for? |
| **[Lot 1] [Lot 2]** |
|  | 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]** |

|  |  |
| --- | --- |
| 6A | Is your Connected Person on the Debarment List? |
| **[Insert Yes or No]**  **[If yes, insert details]** |

### 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).  If so, please complete **Q8, Q9 & Q10** (otherwise **Q8, Q9 & Q10** 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 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 name of supplier and reference / file name]** |
|  | Are any of your Associated Persons on the Debarment List? |
| **[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 Q12** 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 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 <https://www.gov.uk/guidance/procurement-review-unit#debarment-list> |
| **[Insert Yes or No]**  **[If yes, insert sub-contractor(s) name and provide details]** |

### Part 3 – Questions relating to Conditions of Participation

#### Part 3A – standard questions

##### Financial capacity

|  |  |
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|  | If documentary evidence of economic and financial standing for the last two financial years in the form of full financial statements is available electronically please provide:   * the web address * issuing authority * precise reference of the documents |
| **[Response]** |
|  | If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your full financial statements for the last two years (audited if required by law).  Also, for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing, please provide a copy of their full financial statements for the last two years (audited if required by law). |
| **[Response]** |
|  | If you are not able to provide a response to questions 13 or 14, please provide any of the following alternatives.  15 (a) Your latest management accounts and current year forecasts and budgeted spend  15 (b) A statement of your annual turnover, Profit and Loss Account/Income statement, Balance Sheet/statement of Financial Position and Statement of Cash Flow for the most recent year(s) of trading and a bank letter outlining the current cash and credit facility position.  15 (c) Alternative information to evidence economic and financial standing (e.g. forecast financial statements and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). |
| **[Response]** |
|  | Where we have specified a minimum level of economic and financial standing and/or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. |
| **[Insert Yes or No]** |
|  | 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. |
| **[Response]** |

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|  | Where you are relying on another member of your bidding group / consortium or any subcontractor or other security in order to meet the Conditions of Participation relating to economic and financial standing, please confirm that the relevant person or entity is willing to provide a guarantee or other security?  If so, please provide their name and evidence of their economic and financial standing. |
| **[Insert Not Applicable or Yes or No]**  **[If yes, insert reference / file name]** |
|  | 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\* = £10,000,000 2. Public Liability Insurance = £5,000,000 3. Professional Indemnity Insurance = £5,000,000   \*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)]** |

##### Legal capacity - Data Protection

|  |  |
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|  | 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]** |

##### Technical ability

|  |  |
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|  | **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 procurement documents for the Lot you are expressing an interest in, in any combination from either the public or private sectors (which may include samples of grant-funded work), voluntary, charity or social enterprise (VCSE) that are relevant to our requirement.  Where this procurement is for goods or services, the examples 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 one example of previous contracts, please provide an explanation for this and how you meet the Conditions of Participation relating to technical ability. |
| |  |  |  |  | | --- | --- | --- | --- | |  | **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 one example 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. |
| **[Insert information]** |
|  | **Experience of sub-contractor management**  Where you intend to sub-contract a proportion of the contract, please demonstrate how you have previously maintained healthy supply chains with your sub-contractor(s) (which may be the intended sub-contractor(s) for this procurement or any others used previously).  The description should include the procedures you use to ensure performance of the contract. |
| **[Insert information]** |
|  | **Not Used** |
|  |
|  | **Health and safety**  Please describe the arrangements you have in place to manage health and safety effectively and control significant risks relevant to the contract (including risks from the use of contractors, where relevant). Please use no more than 500 words. |
| **[Insert information]** |
| 1. XX | **Project Specific Question 1: Lot 1 only.**  Once completed, the Winter Gardens will offer free to access public areas, designed to encourage year-round visitors and local people to visit, dwell and enjoy the planting, atmosphere and interpretive elements of the building.  With reference to the case studies that you have provided in response to Question 23, please set out, with supporting evidence, how you attracted visitors to the:   * commercial activities; and * free to access areas and activities   that took place at the venue/building.  Your response should include, with supporting examples, the programme of events/activities that you provided to attract visitors both from the local community and more widely  ***Responses to this question must not exceed 3 (three) sides of A4 paper when created using Microsoft Word, Arial font size 11 and with margins fixed at 1.5cm top, bottom and sides***  ***Weighting – 25%***  xxxx |
| **[insert response]** |

|  |  |
| --- | --- |
| 1. XX | **Project Specific Question 2: Lot 1 only**  With reference to case studies that you have provided in response to Question 23, please set out, with supporting evidence how you ensured that:   * the food, beverage and events that you offered at the venue or building aligned with the non-commercial activities that took place; and * a seamless customer experience was provided to visitors across both the food and beverage and events that were offered and the non-commercial activities that took place.   ***Responses to this question must not exceed 3 (three) sides of A4 paper when created using Microsoft Word, Arial font size 11 and with margins fixed at 1.5cm top, bottom and sides***  ***Weighting – 25%***  xxxx |
| **[insert response]** |

|  |  |
| --- | --- |
| 1. XX | **Project Specific Question 3: Lot 1 only**  With reference to the case studies you have provided in response to Question 23, please demonstrate your experience, with supporting evidence, of:   * providing facilities management services including health and safety compliance; and * maintaining and operating the public realm and equipment   at the venue/building that you operated.  Ideally, your response should set out your experience of providing these activities within a listed building / heritage asset.  ***Responses to this question must not exceed 3 (three) sides of A4 paper when created using Microsoft Word, Arial font size 11 and with margins fixed at 1.5cm top, bottom and sides***  ***Weighting – 25%***  xxxx |
| **[insert response]** |

|  |  |
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| 1. XX | **Project Specific Question 4: Lot 1 only**  A key ambition of this project is to support the local economy, creating sustainable employment, skills development and working with the local supply chain.  Using the case studies that you have provided in response to Question 23, please set out your experience of the following:   * working in partnership with local organisations; and * providing skills and training to young people, including but not limited to the provision of apprenticeships and paid placements.   Your response should include, with examples, the activities you undertook and the tangible benefits that these brought to the local economy, skills development and the local supply chain with supporting evidence.  ***Responses to this question must not exceed 2 (two) sides of A4 paper when created using Microsoft Word, Arial font size 11 and with margins fixed at 1.5cm top, bottom and sides***  ***Weighting – 25%***  xxxx |
| **[insert response]** |

|  |  |
| --- | --- |
| 1. XX | **Project Specific Question 1: Lot 2 only**  Once completed, the Winter Gardens will offer free to access public areas, designed to encourage year round visitors and to encourage local people to visit, dwell and enjoy the planting, atmosphere and interpretive elements of the building  With reference to the case studies that you have provided in response to Question 23, please set out, with supporting evidence, how you attracted visitors to the:   * food and beverage offering; and * any corporate events   that you provided at the venue/building.  Your response should include, with supporting examples, the programme of events/activities that you provided to attract visitors both from the local community and more widely.  ***Responses to this question must not exceed 3 (three) sides of A4 paper when created using Microsoft Word, Arial font size 11 and with margins fixed at 1.5cm top, bottom and sides***  ***Weighting – 40%***  xxxx |
| **[insert response]** |

|  |  |
| --- | --- |
| 1. XX | **Project Specific Question 2: Lot 2 only**  With reference to case studies that you have provided in response to Question 23, please set out, with supporting evidence how you:   * ensured that the food, beverage and events that you offered at the venue or building aligned with the non-commercial activities that took place; and * worked in partnership with the operator of the venue/building to ensure that a seamless customer experience was provided to visitors.   ***Responses to this question must not exceed 3 (three) sides of A4 paper when created using Microsoft Word, Arial font size 11 and with margins fixed at 1.5cm top, bottom and sides***  ***Weighting – 30%***  xxxx |
| **[insert response]** |

|  |  |
| --- | --- |
| 1. XX | **Project Specific Question 3: Lot 2 only**  A key ambition of this project is to support the local economy, creating sustainable employment, skills development and working with the local supply chain.  Using the case studies that you have provided in response to Question 23, please set out your experience of the following:   * working in partnership with local organisations; and * providing skills and training to young people, including but not limited to the provision of apprenticeships and paid placements.   Your response should include, with examples, the activities you undertook and the tangible benefits that these brought to the local economy, skills development and the local supply chain with supporting evidence.  ***Responses to this question must not exceed 2 (two) sides of A4 paper when created using Microsoft Word, Arial font size 11 and with margins fixed at 1.5cm top, bottom and sides***  ***Weighting – 30%***  xxxx |
| **[insert response]** |

#### Part 3B

##### Payment in Contracts (PPN 015)

|  |  |
| --- | --- |
|  | **Public sector contracts only – Requirement under the Procurement Act 2023 (Sections 68 and 73)**  Please confirm that for public sector contracts awarded under the Procurement Act 2023 you have systems in place to include (as a minimum) 30-day payment terms in all of your supply chain contracts and require that such terms are passed down through your supply chain. |
| **[Yes/No]** |
| **Tackling Modern Slavery in Supply Chains (PPN 009)** | |
|  | **Modern Slavery Statement (or equivalent statement/document)**  You are a relevant commercial organisation subject to section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.  Please confirm whether;   * 1. You are ‘a relevant commercial organisation’; and   2. If you are ‘a relevant commercial organisation’, confirm that you have published a statement as required by section 54 of the Modern Slavery Act; and   3. Confirm that the statement complies with the requirements of section 54 |
|  | **34(a) yes/no**  **34(b) yes/no**  **34(c) yes/no**  **If you have answered “no” to a. then you should answer n/a to b. and c.** |

### 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]** |

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| **Signed** |  |

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