SOUTH HAMS DISTRICT COUNCIL

**Volume 2: Procurement Specific Questionnaire**

**Contract Name: Woolwell, Totnes and Dartington play area renewals**

**Contract Reference No.: RQ/400**

**Deadline Date/Time: 17/11/2025 - 12:00**

**Applicant Name:**

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| **Version control** |
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| **Version number** | **Author** | **Date** | **Changes** |
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\*Add rows as required

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| Procurement Specific Questionnaire |
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| Information for Potential Suppliers |
| Public procurement is governed by regulations to ensure that procurement delivers value for money, competition, transparency and integrity.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: |
| **Pa****rt 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.**P****art 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 persons14) 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.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). 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.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.**Pa****rt 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. 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). 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

Where a supplier is unsure or requires any clarification, they should check with the contracting authority. |

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| Questionnaire |
| You must answer all questions in parts 1 and 2. If you are the supplier, you must answer all questions in part 3 as well*. [Contracting Authorities to change this instruction if all members of the group or required to submit a completed part 3]*Bidders must ensure that every organisation on which they will rely to meet the selection criteria completes and submits their own answers and declaration for part 1 and 2.For guidance on completing your Central Digital Platform (Find a Tender Service) registration, please see the Cabinet Office Guidance and videos here: Information and guidance for suppliers - GOV.UK |
| Preliminary Questions |
| **Question** | **Response** |
| 1 | What is your name? (supplier name)  | [Insert name] |
| 2 | *You must be registered on the central digital platform (CDP) also known as* Find a Tender ServiceWhat is your central digital platform unique identifier? | [Insert unique identifier] |
| 3 | 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] |
| 4 | Are you on the debarment list? | Choose an item.[If yes, insert details] |

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| Part 1 Confirmation of Core Supplier Information |
| **Question** | **Response** |
| 5 | You must submit up-to-date core supplier information on the CDP and share this information with us via the CDP 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] |

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|  Additional Exclusions Information |
| Part 2A Associated Persons |
| **Question** | **Response** |
| 6 | 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 **Q8, Q9 & Q10** (otherwise **Q8, Q9 & Q10** are not applicable). | Choose an item. |
| 7 | 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] |
| 8 | For each associated person, you must confirm they are registered on the CDP and have shared with us their information via a 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] |
| 9 | Are any of your associated persons on the debarment list? | Choose an item.[If yes, insert details] |

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| Part 2B List of All Intended Sub-Contractors |

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| **Question** |
| 10 | **Please provide:**  |
| a. | 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) |
| b. | Their unique identifier (if they are registered on the CDP), or otherwise, a Companies House number, charity number, VAT registration number, or equivalent |
| c. | 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. |
| **Response** |
|  | **Sub-contractor 1** | **Sub-contractor 2** | **Sub-contractor 3** | **Sub-contractor 4** |
| **Name** |  |  |  |  |
| **Unique Identifier** |  |  |  |  |
| **Brief Description** |  |  |  |  |

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| **Question** | **Response** |
| 11 | Please confirm if any intended sub-contractor is on the debarment list. The debarment list can be found here [Procurement Review Unit - GOV.UK](#debarment-list) | Choose an item.[If yes, insert sub-contractor(s) name and provide details] |

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| Part 3 Questions Relating to Conditions of Participation |
| Part 3A Standard Questions |

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| **Financial Capacity Conditions of Participation** |
| **Question** | **Response** |
| 12a | If documentary evidence of economic and financial standing is available electronically (e.g. financial statements filed with Companies House), please provide: |
| * the web address
 | [Insert] |
| * issuing authority
 | [Insert] |
| * precise reference of the documents
 | [Insert] |
| 12b | If documentary evidence of economic and financial standing is not available electronically, please provide a copy of your detailed accounts for the last two years (audited if required by law) | Provided:Choose an item. |
| 12c | Also please provide for any other person or entity on whom you are relying to meet the selection criteria relating to economic and financial standing a copy of their detailed accounts for the last two years (audited if required by law) | Provided:Choose an item. |
| 12d | If you cannot provide an electronic link to your audited accounts, and cannot provide a copy, please provide any of the following alternatives: |
| 1. 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.
 | Provided:Choose an item. |
| 1. Alternative information to evidence economic and financial standing if any of the above are not available (e.g. forecast financial statements and a statement of funding provided by the owners and/or bank, charity accruals accounts or an alternative means of demonstrating financial status)
 | Provided:Choose an item. |
| 13 | Are you relying on another supplier to act as a guarantor?If so, please provide their name and evidence of their economic and financial standing. | Choose an item.[If yes, insert reference / file name] |
| 14 | 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\* = [£5m]
2. Public Liability Insurance = [£5m]
3. Professional Indemnity Insurance = [£5m]
4. Product Liability Insurance = [£5m]

\*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.*This question relates to the Insurance requirements of contract; these include a standard minimum requirement for Employer’s Liability (a) and Public Liability insurances (b). Covers (c) & (d) are optional requirements and should be used under specific circumstances. Figures quoted are Torbay Council standard minimum insurance levels but should be considered on a case-by-case basis within the context of the contract.**It is recommended that these optional requirements are queried with Licensing, Litigation & Insurance Services before the tender opportunity is published.* | Choose an item.[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)] |

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| **Technical Ability Conditions of Participation** |
| **Question** | **Response** |
| 15 | **Relevant experience and contract examples***This section covers evidence of the applicant’s previous experience. They must provide at least one relevant example or provide other evidence in order to achieve a pass. If you are using this as a Pass / Fail question you do not need to amend this section. You can also use this section as a scoreable short listing question if you are running a competitive flexible multi-stage tender. The wording will need to be amended to reflect that this is a scoreable question.*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 sectors (which may include samples of grant-funded work). 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. |
| 16a | 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] |

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

| **Question** | **Response** |
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| 17 | **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] |
| 18 | **Organisational standards**Where conditions of participation have specified organisational qualifications or standards, please provide details of how these are met, or other equivalent standards that equal or exceed what has been requested. | [Insert information] |

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| Part 3B Additional Questions |

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| **Payment in Contracts** |
| 19 | **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. | Choose an item. |
| 20 | **Public and private sector contracts** |  |
| 20(a) | Please provide the percentage of invoices[[1]](#footnote-2) paid by you to those in your immediate supply chain on all contracts for **each** of the two previous six-month reporting periods[[2]](#footnote-3). This should include the percentage of invoices paid within each of the following categories:1. within 30 days2. in 31 to 60 days3. in 61 days or more4. due but not paid by the last date for payment under agreed contractual terms | [Insert information] |
| 20(b) | Please provide the average number of days taken by you to pay an invoice to those in your immediate supply chain on all contracts for **each** of the two previous six-month reporting periods. It is acceptable to cross refer to information that has previously been submitted to government or other bodies or is publicly available (provided it covers the required reporting periods), including data published in accordance with the Reporting on Payment Practices and Performance Regulations 2017. **If you do wish to cross-refer, please provide details and/or insert link(s).** | [Insert information] |

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| **Tackling Modern Slavery in Supply Chains** |
| 21 | **Modern Slavery Statement (or equivalent statement/document)**[Delete as applicable]Supplier is ‘a relevant commercial organisation’[[3]](#footnote-4) 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.*The question may be adapted further, for example, depending on the nature of the procurement. You may also decide to ask this question of organisations who have a turnover of less than £36 million, but only where it is proportionate to do so.* |

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| **Contact Details and 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**Signature (electronic is acceptable)****Date** |
| **Contact details of those making the declaration** |
|  | **Response** |
| Contact Name: |  |
| Name of Organisation: |  |
| Role in Organisation: |  |
| Phone number: |  |
| E-mail Address: |  |
| Postal Address: |  |

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| Glossary |

| **Term** | **Definition** |
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| 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-tenderThe 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. |

1. References to supply chain means suppliers or sub-contractors of any tier that execute any works, supply any products or provide any services that are used wholly or substantially for the purpose of performing (or contributing to the performance of) the whole or any part of the contract [↑](#footnote-ref-2)
2. You should explain in the tender documents what a reporting period is by referring to the DBT Guidance*:* www.gov.uk/government/publications/business-payment-practices-and-performance-reporting-requirements [↑](#footnote-ref-3)
3. 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. [↑](#footnote-ref-4)