

LT14



South West Smart Applications Ltd

Framework Lot 14:

Consultancy Services for
Concessionary Travel Schemes

Pre-Qualification Questionnaire

OJEU Procurement of ITSO Services and Goods by South West Smart Applications Ltd on behalf of its Local Authority, other Public Sector and Operator Members 2020 – 2026

Procurement in partnership with

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Definitions

2015 Regulations	means the Public Contracts Regulations 2015
Authority	means South West Smart Applications Ltd, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable Suppliers to participate in this procurement process.
ITT	means the Invitation to Tender
Member Partner	means any party forming part of the Lead Supplier's consortium or joint venture, whether through a special purpose vehicle or otherwise, including any major service providers or identified sub-contractors
PQQ	means the Pre-Qualification Questionnaire
SWSAL Member	means all third parties described in the OJEU Notice for this Lot who are present or future members of SWSAL having signed SWSAL's membership agreement and whose admission has been approved by SWSAL's then current membership
"You"/ "Your" "Supplier" or "Lead Supplier"	means the body completing these questions either individually; as the body leading a submission using 3 rd parties; or as the body leading a consortium submission i.e. the legal entity 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 as defined by the Public Contracts Regulations 2015 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

Introduction

South West Smart Applications Ltd (SWSAL) is a not-for-profit Company limited by guarantee – incorporated in England and Wales with reg. no: 7205882. For trading purposes SWSAL was rebranded as Smart Applications Management (SAM) in 2018, but retains the use of SWSAL for all contract related activity such as procurement. SWSAL was established to provide a range of managed support services to SWSAL Members to enable them to deliver Smart and Integrated Ticketing. Launched by the Transport Minister in 2010, SWSAL is owned by SWSAL Members: Unitary and County Local Transport Authorities; major bus operators and other public sector bodies. Membership is not restricted by geography and is open to any local authority, bus operator, or other public sector body as defined within the Memorandum and Articles of Association. The Company has 4 Local Authority and 4 Bus Operator Directors and an independent Chairman. Full details about SWSAL are available at www.talktosam.co.uk.

In undertaking this OJEU procurement process, SWSAL is committed to an open and transparent process, compliant with best practice in public purchasing, which will deliver framework contracts that are both effective and offer best value. This will allow both SWSAL and SWSAL Members to implement ITSO based smart ticketing schemes in a cost efficient, timely and effective manner, either through the managed service and supported delivery we provide or by SWSAL Members procuring some or all elements of their scheme directly from the framework agreements themselves. This PQQ is an important part of this process, and has been devised to align with the 2015 Crown Commercial Service standard PQQ guidance.

This PQQ is for Framework Lot 14 – the provision of Consultancy Services for Concessionary Travel. There is a requirement for an experienced professional(s) or Company(ies) to work in a range of roles supporting SWSAL and its members. Consultants will be expected to provide specialist ITSO technical advice and project delivery support as it relates to the reimbursement of operators and scheme operation across the UK.

Notes for Completion

1. The “authority” means South West Smart Applications Ltd, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable Suppliers to participate in this procurement process.
2. “You”/ “Your” “Supplier” or “Lead Supplier” means the body completing these questions either individually; as the body leading a submission using 3rd parties; or as the body leading a consortium submission i.e. the legal entity 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 as defined by the Public Contracts Regulations 2015 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 award stage of the process and be issued with the ITT.

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 **1 completed printed version and 1 version on electronic media** (USB, CD or similar) of this document and associated appendices to:

Named procurement officer	Mr James Bloor – Programme Director
Name of contracting authority	South West Smart Applications Ltd
Contact e-mail address	procurement@talktosam.co.uk
Postal address	South West Smart Applications Ltd Ground Floor 3 The Crescent Plymouth PL1 3AB
Deadline for receipt of PQQ (UK date and time)	February 17th 2020 at 17.00 hours

Please ensure the envelope is not branded with any company identifying logos or images, and that the envelope is clearly marked, stating that the content is confidential, and relates to SWSAL PQQ LT14.

Verification of Information Provided

7. Whilst reserving the right to request information at any time throughout the procurement process, the authority may 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 6 of this PQQ relating to Technical and Professional Ability) the authority may only obtain such evidence after the final tender evaluation decision i.e. from the winning Suppliers 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 member partners 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 completing this PQQ is doing so as part of a proposed consortium, the following information must be provided;
 - a. names of all consortium member partners;
 - b. name of the lead Supplier of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and
 - c. if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix.
11. Please note that SWSAL may require the consortium to assume a specific legal form if awarded the contract, to the extent that a specific legal form is deemed by SWSAL as being necessary for the satisfactory performance of the contract.
12. Each consortium will be required to provide the information required in all sections of the PQQ as part of a single composite response to SWSAL.
13. Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent member partners within the new legal entity in a separate Appendix.
14. SWSAL recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that SWSAL must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the selection criteria to the new information provided. SWSAL reserves the right to deselect the Supplier prior to any award of contract, based on an assessment of the updated information.
15. Notwithstanding the generality of the foregoing in paragraph 14 above, Suppliers must note that in order to bid as a consortium under this procurement, Suppliers are required to complete the PQQ in full, with the relevant details of their proposed consortium. Suppliers must then successfully pass PQQ stage as a consortium to proceed through the procurement. Newly created consortiums arising after the PQQ stage will not be permitted.

Confidentiality

16. 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.
17. 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.
18. The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the Public Contracts Regulations.

Evaluation

19. The PQQ will be evaluated in two stages:

Stage 1 (PASS / FAIL Evaluation)

A number of PASS / FAIL questions each of which must be passed by the Supplier (or acceptable answers provided where invited) in order to progress to the second stage evaluation.

Stage 2 (Scored Evaluation)

An assessment through a scoring methodology of the responses provided by a Supplier to questions in section 6. Stage 2 will only be evaluated if the Potential Provider is successful in the Stage 1 evaluation i.e. passes are recorded in all of the questions in Stage 1.

20. In grading the relevant pre-qualification questions, SWSAL's evaluation panel will use the following grading system:

Grade	Summary
0 – 2	Very Weak
3 – 4	Poor
5	Average
6 – 7	Good
8 – 9	Very Good
10	Outstanding

The grades are determined by the scores attributed to the responses to the questions in section 6.

21. Questions 2.1 – 5.3 and 7.1 - 7.4 are "Pass/Fail" Questions and therefore are not allocated marks.

Questions 6.4 – 6.6 will be scored according to the scoring system set out in section 6;

As set out in the Introduction, the six highest scoring Suppliers for each Lot, who are required to reach a minimum threshold of 30% of the total marks available, will be invited to tender for that Lot.

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	i) a public limited company	<input type="checkbox"/> Yes
	ii) a limited company	<input type="checkbox"/> Yes
	iii) a limited liability partnership	<input type="checkbox"/> Yes
	iv) other partnership	<input type="checkbox"/> Yes
	v) sole trader	<input type="checkbox"/> Yes
	vi) other (please specify)	<input type="checkbox"/> Yes
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)	<input type="checkbox"/> Yes
	ii) Small or Medium Enterprise (SME) ¹	<input type="checkbox"/> Yes
	iii) Sheltered workshop	<input type="checkbox"/> Yes
	iv) Public service mutual	<input type="checkbox"/> Yes
Please mark 'X' in the relevant boxes to indicate whether any of the following ITSO information apply to you	Are you a Member of ITSO?	<input type="checkbox"/> Yes
	ii) Do you hold an ITSO Certificate of Compliance?	<input type="checkbox"/> Yes If Yes, please provide details

¹ See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

1.2 Bidding Model	
Please mark 'X' in the relevant box to indicate whether you are;	
a) Bidding as a Supplier and will deliver 100% of the key contract deliverables yourself	<input type="checkbox"/> Yes
b) Bidding as a Supplier and will use third parties to deliver some of the services If yes, please provide details of your proposed bidding model that includes member partners 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.	<input type="checkbox"/> Yes
c) Bidding as Supplier but will operate as a Managing Agent and will use third parties to deliver all of the services If yes, please provide details of your proposed bidding model that includes member partners 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.	<input type="checkbox"/> Yes
d) Bidding as the Lead Supplier of a consortium but not proposing to create a new legal entity. If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created. Please note that the authority may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.	<input type="checkbox"/> Yes Lead Supplier Consortium member partners
e) Bidding as the Lead Supplier of a consortium and intend to create a Special Purpose Vehicle (SPV). If yes, please include details of your consortium, current lead Supplier and intended SPV in the next column and provide full details of the bidding model using a separate Appendix.	<input type="checkbox"/> Yes Current Lead Supplier Consortium member partners Name of Special Purpose Vehicle

1.3 Contact Details	
Supplier contact details for enquiries about this PQQ	
Name	
Postal address	
Country	
Phone	
Mobile	
E-mail	

1.4 Licensing and Registration (please mark 'X' in the relevant box)		
1.4.1	<p>Registration with a professional body</p> <p>If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state).</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If Yes, please provide the registration number in this box.</p>
1.4.2	<p>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?</p>	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this.</p>

2. Grounds for Mandatory Exclusion

You will be excluded from the procurement process if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).

If you have answered "yes" to question 2.2 on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position please provide details using a separate Appendix. You may contact the authority for advice before completing this form.

2.1 Within the past five years, has your organisation (or any member partner 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
a) 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;		
b) 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;		
c) the common law offence of bribery;		
d) bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983;		
e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities:		
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;		
f) any offence listed—		
i. in section 41 of the Counter Terrorism Act 2008; or		
ii. in Schedule 2 to that Act where the court has determined that there is a terrorist connection;		
g) any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f);		
h) money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;		

i) 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;		
j) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;		
k) an offence under section 59A of the Sexual Offences Act 2003;		
l) an offence under section 71 of the Coroners and Justice Act 2009		
m) 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		
n) an offence in connection to a breach associated the General Data Protection Regulations (GDPR) and/or the Data Protection Act 2018 in England or Wales or the equivalent in Scotland.		
o) 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.		

<p>Non-payment of taxes</p> <p>2.2 Has it been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?</p> <p>If you have answered Yes to this question, please use a separate Appendix to provide further details. Please also use this Appendix to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest or fines?</p>		
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3. Grounds for Discretionary Exclusion – Part 1

The authority may exclude any Supplier who answers 'Yes' in any of the following situations set out in paragraphs (a) to (i). Where a 'No' answer is recorded, the Supplier may provide additional explanatory information as an Appendix using the template provided. The authority will consider the explanation but is under no obligation not to exclude on that basis.

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 has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts Regulations 2015 in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Public Contracts Directive as amended from time to time;		
b) 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;		
c) your organisation is guilty of grave professional misconduct, which renders its integrity questionable;		
d) your organisation has entered into agreements with other economic operators aimed at distorting competition;		
e) your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contracts Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;		

f) the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures;		
g) your organisation has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions;		
h) your organisation— i. has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or ii. has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015; or		
i) your organisation has undertaken to		
i. unduly influence the decision-making process of the contracting authority, or		
ii. obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or		
j) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award.		

Conflicts of Interest

In accordance with question 3.1 (e), the authority may exclude the Supplier if there is a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.

Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Supplier to inform the authority, detailing the conflict in a separate Appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the authority should not represent a conflict of interest for the Supplier.

Taking Account of Bidders' Past Performance

In accordance with question (g), the authority may assess the past performance of a Supplier (through a Certificate of Performance provided by a Customer or other means of evidence). The authority may take into account any failure to discharge obligations under the previous principal relevant contracts of the Supplier completing this PQQ. The authority may also assess whether specified minimum standards for reliability for such contracts are met.

In addition, the authority may re-assess reliability based on past performance at key stages in the procurement process (i.e. Supplier selection, tender evaluation, contract award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

'Self-Cleaning'

Any Supplier that answers 'Yes' to questions 2.1, 2.2 and 3.1 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively "self-cleans" the situation referred to in that question. The Supplier has to demonstrate it has taken such remedial action, to the satisfaction of the authority in each case.

If such evidence is considered by the authority (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.

In order for the evidence referred to above to be sufficient, the Supplier shall, as a minimum, prove that it has;

- paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct;
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the Supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the authority to be insufficient, the Supplier shall be given a statement of the reasons for that decision.

4. Grounds for Discretionary Exclusion – Part 2

The authority reserves the right to use its discretion to exclude a Supplier where it can demonstrate the Supplier’s non-payment of taxes/social security contributions where no binding legal decision has been taken.

Please note that section 4 relating to tax compliance only applies where the authority has indicated that the contract is over £5million in value, and the authority is a Central Government Department (including their Executive Agencies and Non-Departmental Public Bodies).

“Occasion of Tax Non-Compliance” means:

1. any tax return of the Supplier submitted to a Relevant Tax Authority on or after 1 October 2012 is found to be incorrect as a result of:
 - a. Relevant Tax Authority successfully challenging the Supplier under the General Anti-Abuse Rule or the Halifax Abuse Principle or under any tax rules or legislation that have an effect equivalent or similar to the General Anti-Abuse Rule or the Halifax Abuse Principle;
 - b. the failure of an avoidance scheme which the Supplier was involved in, and which was, or should have been, notified to a Relevant Tax Authority under the DOTAS or any equivalent or similar regime; and/or
2. the Supplier’s tax affairs give rise on or after 1 April 2013 to a criminal conviction in any jurisdiction for tax related offences which is not spent at the Effective Date or to a penalty for civil fraud or evasion

From 1 April 2013 onwards, have any of your company’s tax returns submitted on or after 1 October 2012; (Please indicate your answer by marking ‘X’ in the relevant box).		
4.1	Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion;	<input type="checkbox"/> Yes <input type="checkbox"/> No
4.2	Been found to be incorrect as a result of: HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the “Halifax” abuse principle; or A Tax Authority in a jurisdiction in which the legal entity is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the “Halifax” abuse principle; or the failure of an avoidance scheme which the Supplier was involved in and which was, or should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the Supplier is established.	<input type="checkbox"/> Yes <input type="checkbox"/> No

If answering "Yes" to either 4.1 or 4.2 above, the Supplier may provide details of any mitigating factors that it considers relevant and that it wishes the authority to take into consideration. This could include, for example:

- Corrective action undertaken by the Supplier to date;
- Planned corrective action to be taken;
- Changes in personnel or ownership since the Occasion of Non-Compliance (OONC); or
- Changes in financial, accounting, audit or management procedures since the OONC.

In order that the authority can consider any factors raised by the Supplier, the following information should be provided:

- A brief description of the occasion, the tax to which it applied, and the type of "non-compliance" e.g. whether HMRC or the foreign Tax Authority has challenged pursuant to the GAAR, the "Halifax" abuse principle etc.
- Where the OONC relates to a DOTAS, the number of the relevant scheme.
- The date of the original "non-compliance" and the date of any judgement against the Supplier, or date when the return was amended.
- The level of any penalty or criminal conviction applied.

5. Economic and Financial Standing

Financial Information						
5.1	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 three 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).					
5.2	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.	<input type="checkbox"/> Yes <input type="checkbox"/> No				
5.3	Are you part of a wider group (e.g. a subsidiary of a holding/parent company)? If yes, please provide the name below:					
	<table border="1"> <tr> <td>Name of the organisation</td> <td></td> </tr> <tr> <td>Relationship to the Supplier completing the PQQ</td> <td></td> </tr> </table>		Name of the organisation		Relationship to the Supplier completing the PQQ	
	Name of the organisation					
Relationship to the Supplier completing the PQQ						
If yes, please provide Ultimate / parent company accounts if available. If yes, would the Ultimate / parent company be willing to provide a guarantee if necessary? If no, would you be able to obtain a guarantee elsewhere (e.g from a bank?)		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No				

6. Technical and Professional Ability

Relevant experience and contract examples		Example 1	Example2
<p>Please provide details of up to two 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.</p> <p>The named customer contact provided should be prepared to provide written evidence to the authority to confirm the accuracy of the information provided below.</p> <p>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 separate examples should be provided between the principal member partner(s) of the proposed consortium or Special Purpose Vehicle (examples are not required from each member partner).</p> <p>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.</p> <p>Suppliers should use the PQQ Appendix Template where more space is needed.</p>			
6.1	Name of customer organisation		
6.2	Point of contact in customer organisation Position in the organisation E-mail address		
6.3	Contract start date Contract completion date Estimated Contract Value		
6.4.1	In no more than 500 words, please provide a brief description of a relevant Consultancy contract for concessionary or wider ticketing support you have delivered with particular reference to customer support; working in partnership with the client; value for money; time and budget management.		

6.4.2	If in relation to question 6.4.1 you are unable to provide at least one example, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up.	Explanation	
		Example 1	Example2
6.5.1	In no more than 500 words please outline, where relevant how you engaged with the ITSO process and the wider provision of ETM travel data to deliver successful outcomes.		
6.5.2	If in relation to question 6.5.1 you are unable to provide at least one example, in no more than 500 words please provide an explanation for this e.g. you have worked in similar regulated operating environments.	Explanation	
		Example 1	Example2
6.6.1	In no more than 500 words describe the steps you have taken to overcome an unexpected issue during the delivery of a data/revenue apportionment process for a related project with particular reference to communication with stakeholders; project management; time and budget management		
6.6.2	If in relation to question 6.6.1 you are unable to provide at least one example, in no more than 500 words please provide an explanation for this.	Explanation	

Each example provided for 6.4.1, 6.5.1 and 6.6.1 will be assessed and scored, with up to 50 marks available per example. This will enable a maximum of 300 marks to be awarded. Where an example is not able to be provided, and a response is provided to 6.4.2, 6.5.2 or 6.6.2, the explanation will be assessed and scored, with up to 40 marks available per explanation.

For illustration:

- a) A Supplier provides 2 x examples to 6.4.1; 2 x examples to 6.5.1 but only 1 example to 6.6.1. In this scenario the most marks which could be awarded would be 250 (5 x examples at max 50 marks each).
- b) A Supplier provides 2 x examples to 6.4.1; 1 x example to 6.5.1 and provides an explanation to 6.6.2 as an example to 6.6.1 is not possible. In this scenario the most marks which could be awarded would be 190 (3 x examples at max 50 marks each + 1 explanation at max 40 marks).
- c) A Supplier cannot provide examples to 6.4.1, 6.5.1 or 6.6.1 as they are a new entrant. The Supplier does provide an explanation to 6.4.2, 6.5.2 and 6.6.2. In this scenario the most marks which could be awarded would be 120 (3 x explanations at 40 points each).

Scores & Grades

6.7

PQQ submissions will be scored by up to 3 assessors and the average of the 3 scores will give the single total score. The total scores will be collated and an overall grade provided in accordance with the following table:

Grade	Summary	Thresholds
0 – 2	Very Weak	0 – 60 marks
3 – 4	Poor	> 60 marks
5	Average	> 90 marks
6 – 7	Good	> 150 marks
8 – 9	Very Good	> 210 marks
10	Outstanding	> 270 marks

Each Supplier will be provided with the grade achieved. Any Supplier awarded Grade 0-4 will not be invited to tender for that Lot. Where there are greater than 6 Suppliers awarded Grade 5-10, the 6 Suppliers with the highest number of marks will be invited to tender for that Lot.

7. 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.

7.1 Insurance		
1.	<p>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:</p> <p>Employer's (Compulsory) Liability Insurance = £5m Public Liability Insurance = £1m Professional Indemnity Insurance (where relevant) = £1m Product Liability Insurance (where relevant) = £1m</p> <p>* 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.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

7.2 Compliance with Equality Legislation		
For organisations working outside of the UK please refer to equivalent legislation in the country that you are located.		
1.	<p>In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	<p>In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?</p> <p>If you have answered "yes" to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date. If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. You may be excluded if you are unable to demonstrate to the authority's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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7.3 Environmental Management

1.	<p>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.</p> <p>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.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

7.4 Health and Safety

1.	Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2.	<p>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?</p> <p>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.</p> <p>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.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> 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?	<input type="checkbox"/> Yes <input type="checkbox"/> No

8. Declaration

<p>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).</p> <p>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.</p> <p>I also declare that there is no conflict of interest in relation to the authority's requirement.</p> <p>The following appendices form part of our submission;</p> <table border="1"> <thead> <tr> <th>Section of PQQ</th> <th>Appendix Number</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>		Section of PQQ	Appendix Number				
Section of PQQ	Appendix Number						
<p>PQQ Completed by</p>							
8.1	Name						
8.2	Role in organisation						
8.3	Date						
8.4	Signature						

PQQ – Template for Appendices

Appendix Number -
PQQ section -
Question number -