

National Highways Limited

Social Enterprise Dynamic Purchasing System (SEDPS)

SUPPLIER PACK Part B B1 - Selection Questionnaire

Selection Questionnaire

This document is for information only and the application to join the SEDPS needs to be fully completed on the National Highways E-Sourcing Portal; Jaggaer, which can be accessed via the link below.

<https://nationalhighways.ukp.app.jaggaer.com/esop/ogc-host/public/nationalhighways/web/login.jst? ncp=1668156695442.1319654-1>

Please note that every organisation that is being relied on to meet the selection criteria must complete and submit the self-declaration in Part 1 and Part 2.

This document should be read, and the questions answered in conjunction with the following document:

- **A3 – How to complete the Selection Questionnaire** – This document will provide additional guidance to answer the questions contained in this document and how we assess Your answers to the questions contained in this document.

All applicants are advised there are three methods of submission for Eligibility Question 3. This can be done in either a:

1. Written submission (where You complete the application in the form of a written submission).
2. Pre-recorded video (where You record a video answering Eligibility Question 3 and issue National Highways a link to your video using a video transfer site e.g. WeTransfer.com).
3. An Interview (where National Highways conduct an interview so You can give a verbal response to Eligibility Question 3).

For further information on these methods please see section 3.4 of the **A1 – Overview of the SEDPS** document. All applications are to be submitted on the National Highways E-Sourcing Portal. National Highways cannot complete the application on behalf of a Supplier.

The “Authority” means the contracting Authority, or anyone acting on behalf of the contracting Authority, that is seeking to invite suitable candidates to participate in this procurement process.

“You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “Regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

The Selection Questionnaire template includes a self-declaration, made by You (the potential supplier), that none of the grounds for exclusion apply¹. If any of the grounds for exclusion do apply, there is an opportunity to explain any measures You have taken to demonstrate Your reliability notwithstanding the existence of a ground for exclusion (we call this self-cleaning).

¹For the list of exclusions please see

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

Standard Selection Questions

Part 1 Questions (General Information)

Questions
Name (if, registered, please give the registered name).
Registered address (if applicable) or head office address
Registered website address (if applicable)
<p>Trading status</p> <ul style="list-style-type: none"> a) public limited company b) private limited company c) limited liability partnership d) other partnership e) sole trader f) third sector g) other (please specify Your trading status)
Date of registration (if applicable) or date of formation
Registration number (company, partnership, charity, etc - if applicable)
Registered VAT number
<p>Are You registered with the appropriate professional or trade register(s) specified for this procurement and as set out in the procurement documents in the member state where Your organisation is established?</p> <p>If YES please provide the relevant details, including the name of the register and registration number(s) and, if evidence of registration is available electronically, please give the website address, issuing body and reference number.</p>
<p>For procurements for services only, is it a legal requirement in the country where You are established for You to:</p> <ul style="list-style-type: none"> a) possess a particular authorisation, or

b) be a member of a particular organisation,
to provide the requirements specified in this procurement?

If YES, please provide additional details of what is required and confirmation that You have complied with this and, if evidence of compliance is available electronically, please give the website address, issuing body and reference number.

Relevant classifications (state whether You fall within one of these, and if so which one)

- a) Voluntary Community Social Enterprise (VCSE)
- b) Sheltered Workshop
- c) Public service mutual

Are You a Small, Medium or Micro Enterprise (SME)²?

Details of Persons with Significant Control (PSC)³, where appropriate⁴:

- Name
- Date of birth
- Nationality
- Country, state or part of the UK where the PSC usually lives
- Service address
- The date he or she became a PSC in relation to the company ;
- Which conditions for being a PSC are met:
 - Over 25% up to (and including) 50%
 - More than 50% and less than 75%
 - 75% or more

(Please enter N/A if not applicable)

Details of Your immediate parent company:

²See EC definition of SME https://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

³UK companies, Societates European (SEs) and limited liability partnerships (LLPs) are required to identify and record the people who own or control their company. Companies, SEs and LLPs are required to keep a PSC register, and must file the PSC information with the central public register at Companies House. See [PSC guidance](#). Overseas bidders are required to provide equivalent information.

⁴Only information that relates to the persons with powers of representation, decision or control within the meaning of regulation 57(2) can be considered in relation to the mandatory exclusion grounds and other details are requested for information only.

- Full name of immediate parent company
- Registered or head office address
- Registration number (if applicable)
- VAT number (if applicable)

(Please enter N/A if not applicable)

Details of ultimate parent company:

- Full name of ultimate parent company
- Registered or head office address
- Registration number (if applicable)
- Head office VAT number (if applicable)

(Please enter N/A if not applicable)

Are You bidding as a single supplier 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 tell us:

- a) The name of the group/consortium.
- b) The proposed structure of the group/consortium, including the legal structure where applicable.
- c) The name of the lead member in the group/consortium.
- d) Your role in the group/consortium (e.g. lead member, consortium member, subcontractor).
- e) If You are the lead member in the group/consortium, whether You are relying on other consortium members to meet the selection criteria (i.e. are You relying on other consortium members for economic and technical standing and/or technical and professional ability?) and, if so, which criteria You are relying on them for.

If You are proposing to use a supply chain please provide the following details for each subcontractor/supply chain member⁵.

Name

Registration number

Registered or head office address

Trading status

- a) public limited company
- b) private limited company
- c) limited liability partnership
- d) other partnership
- e) sole trader
- f) third sector
- g) other (please specify Your trading status)

Registered VAT number

SME?

The role each subcontractor will take in providing the works and /or supplies e.g. key deliverables.

The approximate % of contractual obligations assigned to each subcontractor

Is the subcontractor being relied upon to meet the selection criteria (i.e. are You relying on the subcontractor for economic and technical standing and/or technical and professional ability?) and, if so, which criteria are You relying on them for?

⁵This applies to all supply chain members and/or subcontractors, where their identity is known at this stage, irrespective of whether You are relying on them to meet the selection criteria. Where a supply chain member and/or subcontractor has been identified in response to this question, any resulting subcontract entered into for that part of the works, services or supplies identified in response to that question will not be subject to the requirement for contracts to advertise the subcontracting opportunity, as set out in PPN 01/18.

Part 2 Questions (Exclusion Grounds Questions)
Grounds for mandatory exclusion
<p>Within the past five years, anywhere in the world, have You or any person who</p> <ul style="list-style-type: none"> • is a member of the supplier’s administrative, management or supervisory body; or • has powers of representation, decision or control in the supplier⁶ <p>been convicted of any of the offences summarised? Please select which answer(s) apply.</p>
Participation in a criminal organisation
Corruption
Terrorist offences or offences linked to terrorist activities
Money laundering or terrorist financing
Child labour and other forms of trafficking in human beings
Any other offence within the meaning of Article 57(1) of the Directive as defined by the law of any jurisdiction outside England, Wales or Northern Ireland.
Any other offence within the meaning of Article 57(1) of the Directive created after 26th February 2015 in England, Wales or Northern Ireland.
<p>If You have answered YES to any of the questions on mandatory exclusion grounds please provide further details, including;</p> <ul style="list-style-type: none"> - date of conviction and the jurisdiction - which of the grounds listed the conviction was for

⁶Note that should be included in e-procurement systems for this question: For the mandatory exclusion grounds only, You must complete the declaration for all relevant persons and entities. There are two categories of persons and entities:

The first category is members of Your administrative, management or supervisory board; secondly, entities and persons who have powers of representation, decision or control. You must decide, depending on the nature and structure of the entity or person who is bidding, which entities and persons this applies to in Your particular circumstances. Clearly, members of Your administrative, management or supervisory board should be easily identifiable and will cover company directors (or equivalent for other types of corporate entities) and members of an executive board.

The second category of those with powers of representation, decision or control, is likely to be more complicated. As an illustration, entities or persons with 25% or more shareholding (or equivalent for other types of corporate entities) are likely to have powers or representation, decision or control, although those with a lower shareholding may still have the relevant powers depending on their particular rights. Similarly, Your ultimate parent company (or equivalent for other types of corporate entities) is likely to have powers of representation, decision or control.

Depending on Your particular structure, intermediate parent companies who do not have a direct shareholding, directors or members of an executive board of Your immediate parent company (for example in the case of an SPV set up specifically to bid for a particular contract), and holders of mortgages or liens may be covered. It isn’t necessary to identify which entities and persons You think are covered but You must be satisfied that Your declaration is made in respect of all of those that are covered.

<ul style="list-style-type: none"> - the reasons for conviction - the identity of who has been convicted
<p>If the relevant documentation is available electronically please provide:</p> <ul style="list-style-type: none"> - the web address - issuing Authority - precise reference of the documents
<p>If You have answered YES to any part of the questions on mandatory exclusion grounds please explain what measures have been taken to demonstrate Your reliability despite the existence of relevant grounds for exclusion (Self-cleaning)</p>
<p>Part 2 Questions (Exclusion Grounds Questions)</p>
<p>Mandatory and discretionary grounds relating to the payment of taxes and social security contributions. Please refer to Annex A</p>
<p>The detailed grounds for mandatory and discretionary exclusion of a supplier for non-payment of taxes and social security contributions, are set out on this webpage⁷, and should be referred to before completing these questions.</p>
<p>Please confirm that You have met all Your obligations relating to the payment of taxes and social security contributions, both in the country in which You are established and in the UK.</p>
<p>If documentation is available electronically please provide-</p> <ul style="list-style-type: none"> - the web address, - issuing Authority, - precise reference of the documents.
<p>If You have answered NO to this question please provide further details including the following-</p> <ul style="list-style-type: none"> - Country concerned, - the amount concerned, - how the breach was established, i.e. through a judicial or administrative decision or by other means, - if the breach has been established through a judicial or administrative decision please provide the date of the decision, - if the breach has been established by other means please specify the means.

⁷https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

Please also confirm whether You have paid, or have entered into a binding arrangement with a view to paying the outstanding sum including, where applicable, any accrued interest and/or fines.

Please note: We reserve our right to use our discretion to exclude Your bid where we can demonstrate by any appropriate means that You are in breach of Your obligations relating to the payment of taxes or social security contributions.

Part 2 Questions (Exclusion Grounds Questions)

Grounds for discretionary exclusion. Please refer to Annex A

The detailed grounds for discretionary exclusion of an organisation are set out on this [webpage](#), and should be referred to before completing these questions.

Within the past three years, anywhere in the world, have any of the situations summarised below and listed in full on the webpage applied to You?

Breach of environmental law obligations?

To note that environmental law obligations include Health and Safety obligations. See [webpage](#)⁸

Breach of social law obligations?

Breach of labour law obligations?

Bankruptcy or the subject of insolvency?

Guilty of grave professional misconduct?

Distortion of competition?

Conflict of interest?

Been involved in the preparation of the procurement procedure?

Prior significant or persistent performance issues?

Do any of the following statements apply to You?

- You have 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?
- You have withheld such information.
- You are not able, without delay, to submit supporting documents if/when required.

⁸

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf

- You have undertaken to unduly influence the decision-making process of the contracting Authority to obtain confidential information that may confer upon You undue advantages in the procurement procedure, or to negligently provide misleading information that may have a material influence on decisions concerning exclusion, selection or award.

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.

If You are a relevant commercial organisation, please confirm:

- You have published a statement as required by Section 54 of the Modern Slavery Act
- that the statement complies with the requirements of Section 54 and any guidance issued under S54.

If Your latest published statement is available electronically, please provide

- the web address.
- precise reference of the documents.

If You have answered **YES** to any of the questions relating to grounds for discretionary exclusion (or **NO** to any of the Modern Slavery Act questions), please explain what measures have been taken to demonstrate Your reliability despite the existence of a relevant ground for exclusion? (Self-cleaning).

Part 3 Social Enterprise Dynamic Purchasing System – Specific Questions

Social Enterprise Dynamic Purchasing System - Eligibility

The term “Social Enterprise” describes the purpose of a business, not its legal form. It is defined (by Government) as *“a business with primarily social objectives whose surpluses are principally reinvested for that purpose in the business or in the community, rather than being driven by the need to maximise profit for shareholders and owners”*.

Question 1:

If You are a Social Enterprise as defined above, **in no more than three (3) A4 pages**, please provide confirmation and evidence to support Your response. For examples of such evidence, please see below. This is not an exhaustive list.

- 1) Your Registration Number with the relevant Registry Body (Community Interest Company (CIC)/Charity, Community Benefit Society, etc.),
- 2) Your Social Enterprise Accreditation mark (i.e. Accreditation of Social Enterprise mark or Gold mark),

- 3) Evidence of Your Membership to Social Enterprise UK or equivalent,
- 4) Evidence of a Social Enterprise award

Or

If You are not a Social Enterprise, please confirm that You can and will deliver the services called-off under the SEDPS with primarily social objectives in mind and in no more than three (3) A4 pages, please provide evidence that demonstrates where in the past three (3) years You have delivered and funded social or community schemes on a "not-for profit" basis and name the nature of those social value activities.

Question 2: To be a Social Enterprise, a business must: re-invest or donate at least half of its profits or surpluses towards their social mission. In order to complete the question below, You will need to download the Instructional Document attached (see Appendix A) to this question and complete, then upload the completed document as an attachment to this question. Please respond to the questions below.

Question 2A	Yes	No
Confirmation that Your organisation is a Social Enterprise as defined in Question 1		
Question 2B	Yes	No
Confirm that Your organisation distributes less than 50% of post-tax profits and reinvests at least 51% surpluses into pursuing its social mission		

- If You have responded “**Yes**” to Question 2A and Question 2B, You do not need to complete Question 2C and Question 2D – please continue to Question 3.
- If You have responded “**No**” to either Question 2A or Question 2B, please complete Question 2C and Question 2D.

Question 2C	Yes	No
Confirmation that your organisation will donate or re-invest 50% or more of any profits made under any contract awarded		

pursuant to the SEDPS in the community or social schemes		
Question 2D	Response	
To support Your response above, please provide in no more than 500 words an explanation as to how You would reinvest or donate the profits made under any contract award pursuant to the SEDPS.		

Question 3 below can be answered any of the following ways:

1. Written submission, in no more than three (3) A4 pages (where You complete the application in the form via a written submission on the online E-sourcing portal Jaggaer).
2. Pre-recorded video (where You record a video answering the Eligibility Question 3 within 10 minutes). You then need to issue National Highways with a link to your video, and this can be done via WeTransfer.com (or equivalent). Should any video exceed the time limit above, the exceeding footage will not be transcribed.
3. Arrange an Interview (where National Highways conduct an Interview with You). The deadline for the request of the interview is **five working days** before the tender deadline. This interview will be recorded and transcribed by National Highways.

For this option, in the E-sourcing Portal, Jaggaer, please insert a word document stating the following wording to support Your application: “An Interview, to support question 3 was held, and pre-recorded by National Highways”

Question 3: Please provide a **case study** which evidences how your organisation has previously contributed to the key objectives of the SEDPS (as detailed in **Annex B of the A1 – SEDPS Overview Document - SEDPS Social Value Objectives**)

Or

If you cannot provide a case study, please explain how you are committed to, and will contribute towards the SEDPS Social Value Objectives (as detailed in **Annex B of the A1 – Overview of the SEDPS Document – SEDPS Social Value Objectives**)

In your response, please ensure you clearly link your evidence to the SEDPS Social Value Objectives by the use of sub-headings. The scoring criteria can be found in Annex D of the **A3 – How to Complete the Selection Questionnaire** document.

Categories and Regions

Please tick the Categories Your company, organisation, or consortium/joint venture propose to deliver under the Social Enterprise Dynamic Purchasing System:

- Cleaning, Cleaning Products & Hygiene Products
- Construction, Engineering, Assembly and Manufacturing
- Design and Video & Photography
- Event management & Venue Hire
- Food and beverage & Catering
- Furniture
- Landscaping
- Printing, Printers, Document Management Solutions & Scanning
- Professional Services, Consultancy & Training
- Signage
- Waste Management

Please note: Suppliers can pick one or multiple categories from the list

In which regions of England, Wales and Scotland can Your company, organisation, or consortium/joint venture operate and deliver the commercial Categories of Your interest?

- All Regions
- North East
- North West
- Yorkshire and The Humber
- East Midlands
- West Midlands
- East of England
- London
- South East
- South West

- Wales
- Scotland

Please note: if You are applying for more than one category then this question will need to be completed for each category

Economic and Financial Standing

Please provide a statement of Your annual turnover

OR

Your detailed Profit and Loss Account from the most recent year to date. The information You provide will need to match the dates of Your filed accounts contained within Companies House.

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' that you meet the requirements.

The threshold can be found in Page 10-11 (Test 2, Annual Turnover Relative to Contract Value) of the A3 - How to Complete the Selection Questionnaire document.

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.

Technical and Professional Ability

Relevant experience and contract/order examples.

Please provide details of a contract that explains Your technical and professional ability carried out for either the public or private sectors.

The example must be from the past three years.

Please note: if You are applying for more than one category then this question will need to be completed for each category.

The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.

For each contract/order please provide the following information

- Name of customer organisation who signed the contract/order.
- Name of supplier who signed the contract/order.
- Point of contact of the customer.
- Position in the customer's organisation.
- E-mail address.
- Description of contract/order.
- Contract/order Start date.
- Contract/order completion date.
- Estimated contract value.

If You cannot provide at least one example of a previous contract/order that are relevant to our requirement, in no more than 500 words please provide an explanation for this and how You meet the selection criteria relating to technical and professional ability e.g. Your organisation is a new start-up or You have provided services in the past but not under a contract. Please provide this as a supporting document.

Where You intend to subcontract a proportion of the contract, please demonstrate how You have previously maintained healthy supply chains with Your subcontractor(s).

The description should include, but is not limited to, details of Your supply chain management tracking systems to ensure performance of the contract/order.

Insurance

Please confirm whether You already have, or can commit to obtain, prior to the commencement of the SEDPS Agreement, the levels of insurance cover indicated below:

Employer's (Compulsory) Liability Insurance = £5m*

Public 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: <http://www.hse.gov.uk/pubns/hse39.pdf>.

Please note that insurance levels may vary at call off stage, these will be in relative to the category and value of the contract.

Insurance specific information will be found in Annex B of the Buyer Agreement.

Data Protection

Please confirm that You have in place, or that You will have in place prior to the commencement of the SEDPS Agreement, the human and technical resources to perform the contract to ensure compliance with the General Data Protection Regulation and to ensure the protection of the rights of data subjects.

Health and Safety

Are You able to show that You have a general policy as an organisation which is responsible for ensuring effective health and safety (H&S) management?

Please provide evidence of Your health and safety policy.

The law says that every business must have a policy for managing health and safety.

A health and safety policy sets out Your general approach to health and safety. It explains how You, as an employer, will manage health and safety in Your business. It should clearly say who does what, when and how.

<https://www.hse.gov.uk/simple-health-safety/policy/the-law.htm>

Tackling Modern Slavery (Modern Slavery Act 2015)

As defined in section 54 of the Modern Slavery Act 2015 ("the Act"), an organisation must comply with the Act if they:

- are a body corporate (wherever incorporated) or a partnership;
- carry on a business, or part of a business, in the UK;
- supply goods or services; and
- have an annual turnover of £36m or more

If applicable to Your organisation, do You comply with the Act? **YES/NO**

If You have answered NO, please provide a statement of compliance for Your organisation that provides National Highways with assurance that You take the effects of modern slavery seriously. If You have answered YES, please enter N/A as this is not applicable.

DECLARATION

I declare that to the best of my knowledge the answers submitted and information contained in this complete document are correct and accurate, including parts 1, 2 and part 3.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document except where this documentation can be accessed by the contracting Authority via a national database in any EU Member State free of charge or the contracting Authority already possesses the documentation.

I understand that the information will be used in the selection process to assess my suitability to participate further in this procurement.

I understand that the Authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

Signature (electronic is acceptable)

Date

Contact details of those making the declaration

Contact name

Name of organisation

Role in organisation

Phone number

E-mail address

Postal address

Supplier Directory

National Highways have created a “Supplier Directory” on the [SEDPS website](#) to give Buyers and potential suppliers an idea of who is registered on the SEDPS and the Goods and/or Services they provide.

Please download the attached instructional document “SEDPS Supplier Directory Template”, enter the information requested and attach Your completed form to this response.

Should You be successful in Your application, National Highways will add Your company to our online Supplier Directory which can be found here: <https://nationalhighways.co.uk/suppliers/becoming-a-supplier/social-enterprises/supplier-directory/>

Appendix A

Question 2: To be a Social Enterprise, a business must: re-invest or donate at least half of its profits or surpluses towards their social mission.

Upon completion of this document, please save it to your system and upload it in your response to Question 2 in the SQ application form Technical Envelope (1.5(a) – (ii)).

Please respond to the question 2A, 2B and 2C by placing an “X” in the relevant box.

For Question 2D, please enter your response as Text.

Question 2A	Yes	No
Confirmation that Your organisation is a Social Enterprise as defined in Question 1		
Question 2B	Yes	No
Confirm that Your organisation distributes less than 50% of post-tax profits and reinvests at least 51% surpluses into pursuing its social mission		

- If You have responded “**Yes**” to Question 2A and Question 2B, You do not need to complete Question 2C and Question 2D below – please continue to Question 3 in the application.
- If You have responded “**No**” to either Question 2A or Question 2B, please complete Question 2C and Question 2D below.

Question 2C	Yes	No
Confirmation that your organisation will donate or re-invest 50% or more of any profits made under any contract awarded pursuant to the SEDPS in the community or social schemes		
Question 2D	Response	
To support Your response above, please provide in no more than 500 words an explanation as to how You would reinvest		

or donate the profits made under any contract award pursuant to the SEDPS.	
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