

Qualification Questionnaire (Single Procurement Document)

38 & 40 Bridge street, 6 Pool Street and 34 High street, Caernarfon.

Architect

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**Company Details**

**Official Name:** Galeri Caernarfon

**Country:** Cymru

Notice Details

Procurement Procedure

**Title:** Consultancy services for the design, refurbishment and adaptation of upper floors for residential use at 38 & 40 Bridge street, 6 Pool street and 34 High street, Caernarfon.

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| i) | Please provide your name and contact details: including the registered address and company name of the company you are submitting this tender on behalf of. | *Provide the name and contact details of the person you would like the buyer to liaise with regarding this tender.* |  |

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| **SECTION A**  **Bidder Information** | | | |
|  | **Question** | **Answer** | **Any further comments from bidder** |
| 1 | **SME**  Are you a Small, Medium or Micro Enterprise (SME)? |  |  |
| 2 | **Supported Business**  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 |  |  |
| 3 | **Form of participation**  Are you bidding as the lead contact for a group of economic operators? |  |  |
| **4** | **Subcontracting** Are you or, if applicable, the group of economic operators proposing to use sub-contractors? |  |  |
| **5** | **Enrolment in a relevant professional register** If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? |  |  |
| **6** | **Authorisation of a particular organisation needed** Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? |  |  |
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| **SECTION B**  **Exclusion - Grounds for Mandatory Exclusion** | | | |
|  | **Question** | **Answer** | **Any further comments from bidder** |
| **1** | **The Common Law Offence of Conspiracy**  Has the bidder been found to be guilty of a participation offence as defined by section 45 of the Serious Crime Act 2015 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? |  |  |
| **2** | **Corruption**  Has the bidder been found guilty of 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; The common law offence of bribery; 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? |  |  |
| **3** | **Fraud**  Has the bidder been found guilty of 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:  - the common law offence of cheating the Revenue;  - the common law offence of conspiracy to defraud;  - 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;  - 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;  - 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;  - an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;  - 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;  - fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006;  - 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; |  |  |
| **4** | **Terrorist offences or offences linked to terrorist activities**  Has the bidder been found guilty of any offence:  -listed in section 41 of the Counter Terrorism Act 2008;  - listed in schedule 2 to that Act where the court has determined that there is a terrorist connection;  - under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by the previous two points? |  |  |
| 5 | **Money laundering or terrorist financing**  Has the bidder been found guilty of money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;  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 |  |  |
| 6 | **Child labour and other forms of trafficking in human beings**  Has the bidder been found guilty of:  - an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;  - an offence under section 59A of the Sexual Offences Act 2003  - an offence under section 71 of the Coroners and Justice Act 2009;  - 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  - an offence under section 2 or section 4 of the Modern Slavery Act 2015 |  |  |
| **7** | **Payment of taxes**  Regulation 57(3) - Has it been established, for your organisation 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 the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax? |  |  |
| **8** | **Payment of social security** Regulation 57(3) - Has it been established, for your organisation 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 the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of social security contributions? |  |  |
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| **SECTION C**  **Exclusion - Grounds for Discretionary Exclusion** | | | |
|  | **Question** | **Answer** | **Any further comments from bidder** |
| **1** | **Breaching of obligations in the fields of environmental law** Has the bidder, to its knowledge, breached its obligations in the fields of environmental law? |  |  |
| **2** | **Breaching of obligations in the fields of social law** Has the bidder, to its knowledge, breached its obligations in the fields of social law? |  |  |
| 3 | **Breaching of obligations in the fields of labour law**  Has the bidder, to its knowledge, breached its obligations in the fields of labour law? |  |  |
| 4 | **Bankruptcy**  Is the bidder bankrupt? |  |  |
| **5** | **Insolvency** Is the bidder the subject of insolvency or winding-up proceedings? |  |  |
| **6** | **Assets being administered by liquidator** Is the bidder in a situation that its assets are being administered by a liquidator or by the court? |  |  |
| **7** | **Arrangement with creditors** Is the bidder in an arrangement with creditors? |  |  |
| **8** | **Business activities are suspended** Is the bidder in a situation that its business activities are suspended? |  |  |
| **9** | **Analogous situation like bankruptcy under national law** Is the bidder in any analogous situation arising from a similar procedure under national laws and regulations? |  |  |
| **10** | **Guilty of grave professional misconduct** Is the bidder guilty of grave professional misconduct? |  |  |
| **11** | **Agreements with other economic operators aimed at distorting competition** Has the bidder entered into agreements with other economic operators aimed at distorting competition? |  |  |
| **12** | **Conflict of interest due to its participation in the procurement procedure** Is the bidder aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? |  |  |
| **13** | **Direct/indirect involvement in preparation of this procurement procedure** Has the bidder or an undertaking related to it advised the organisation or contracting entity or otherwise been involved in the preparation of the procurement procedure? |  |  |
| **14** | **Early termination** Has the bidder 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? |  |  |
| **15** | **Blacklisting** Have you, or has your organisation, been found to have employed the practice of 'blacklisting' in the last three years? |  |  |
| **16** | **Misrepresentation**  Please answer the following statements:  1) The organisation is 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.  2) The organisation has withheld such information.  3) The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  4) The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. |  |  |
|  | **Additional Questions to be answered** |  |  |
| **17** | Are you (if an individual) or any of your directors, partners, shareholders, owners, officers, employees, agents or associates (if an organisation) related or connected to any elected officials of the buyer or any officers of the buyer involved in the procurement? |  |  |
| **18** | Have any of your organisation’s tax returns submitted on or after 1 October 2012;  a) Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion; or  b) Been found to be incorrect as a result of:   * HMRC successfully challenging your organisation 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 in which your organisation was involved 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 your organisation is established. |  |  |
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| **SECTION D**  **Economic and Financial Standing** | | | |
|  | **Question** | **Answer** | **Any further comments from bidder** |
| **1** | **Audited Accounts** Are you able to provide a copy of your audited accounts for the last two years, if requested? |  |  |
| **2** | **Minimum level of economic and financial standing** Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering **Yes** or **No** that you meet the requirements set out. |  |  |
| **3** | **Parent Accounts** If you have indicated in the Selection Questionnaire [Section A, Question 3] that you are part of a wider group, please provide further details |  |  |
|  | **Additional Questions to be answered** |  |  |
| **4** | Are you registered for VAT?  If so, please provide registration number |  |  |
| **5** | Is your organisation (please indicate the option that applies):   1. a public limited company 2. a limited company 3. a limited liability partnership (LLP) 4. other partnership 5. a sole trader 6. a consortium   other (please specify). |  |  |
| **6** | Provide your company or LLP registration number (if applicable). |  |  |
| **7** | Provide your Dun & Bradstreet (DUNS) registration number.  *If you are not currently registered you must obtain a free DUNS number for your business by visiting* [*http://www.dnb.co.uk/Forms/DUNS\_Request.asp*](http://www.dnb.co.uk/Forms/DUNS_Request.asp)*.* |  |  |
| **8** | If analysis of your financial position shows that further measures are necessary to provide adequate assurance of your financial strength, could you provide at least one of the following?  • A parent company guarantee  • A performance guarantee bond  • Bank guarantee  • Advance payment bond |  |  |
| **9** | Provide the name and contact details of the person you would like the Buyer to liaise with regarding any queries about the financial position of your organisation. |  |  |
| **10** | Has your organisation been \*profitable in each of the last two financial years?  \* Your profitability is defined as Earnings Before Interest and Tax (EBIT).  Please note. If you are successful you must be in a position to provide evidence if required, without delay, to confirm this prior to contract award. If you are bidding as, or on behalf of a consortium your profitability should take account of all consortium members and if successful you will be required to explain how you have arrived at your answer  If your organisation was not profitable in either of the last two financial years (i.e. reported a negative EBIT) please explain why, and provide evidence of how your organisation will be able to continue trading.  Details you may like to provide include:  • Explanation of why the reported EBIT is affected by exceptional items e.g. changes to accounting practice  • Projected profit / loss  • Availability of assets to meet continued loss  • Projected cash flow |  |  |
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| **SECTION E**  **Technical and Professional Ability** | | | |
|  | **Question** | **Answer** | **Any further comments from bidder** |
| 1 | Please provide a brief description of up to 5 relevant commissions you have successfully delivered in the last 10 years in respect of works centred on retail properties in Wales that demonstrate your experience of working in the field of adapting retail properties with accommodation on upper floors. Please provide references to support from previous clients. Please provide a portfolio of previous work. If you are bidding on behalf of a consortium, please provide examples from the consortium member(s) which would deliver each relevant part of the requirements if you were successful. |  | |
| **2** | **Subcontracting proportion** 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) Evidence should include, but is not limited to, details of your supply chain management tracking systems to ensure performance of the contract and including prompt payment or membership of the UK Prompt Payment Code (or equivalent schemes in other countries) |  |  |
| **3** | **Justification for no relevant examples**  If you cannot provide at least one example for [SECTION E, Question 1], in no more than 500 words please provide an explanation for this. e.g. Your organisation is a new Start-up or you have provided services in the past but not under a contract |  |  |
|  | **Additional questions to be answered** |  |  |
| **4** | Please can you confirm that you will, at contract commencement, have the necessary numbers of qualified staff to service the requirement as set out in the guidance to this question? If you are successful you must be in a position to provide evidence if required, prior to contract award, and without delay. |  |  |
| **5** | Has your organisation had a contract cancelled, or not renewed, for breach of contract or failure to meet requirements within the last 3 years?  If you answered "yes" please provide details including name of customer, reasons for cancellation and any action taken to avoid this happening again. |  |  |
| **6** | Have you had to pay any damages (whether liquidated (LADs) or unliquidated) for a failure to complete a contract on time or to requirements in the last three years? |  |  |
| **7** | 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) and/or  • 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? |  |  |
| **8** | If you answered ‘yes’ to 7 provide a summary of the nature of the investigation and an explanation of the outcome to date. If the investigation upheld the complaint against your organisation, please explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. |  |  |
| **9** | Please provide a copy of your equal opportunities policy, which details how your organisation complies with its obligations under the Equality Act 2010 and accordingly protects people from discrimination, whether in relation to recruitment, training, promotion or otherwise, on the grounds of age, disability, sex, sexual orientation, pregnancy and maternity, marriage or civil partnership, gender reassignment, religion, belief, or race (including colour, nationality or ethnic origin). |  |  |
| **10** | Please confirm that your organisation has the following policies in place, or will have these in place by the start of the contract?  *You do not need to submit the policies at this time but the buyer may ask you, at any time, for these policies.*   * Anti-Discriminatory Policy * Recruitment and Selection Policy * Disciplinary and Grievance Policy * Whistle Blowing Policy * Do all staff undergo an induction programme on joining organisation? * Do all staff have up-to-date and accurate job descriptions? * All staff are/will be Enhanced DBS checked and approved (Successful providers found not to be complying with this during the contract period may have the contract terminated)   Is there a written policy, in line with relevant legislation that is used in practice for the areas below?     * Wales Safeguarding Procedures 2019 * Confidentiality Policy * Record Management Policy * Data Protection Policy * Complaints / Compliments Policy * Welsh Language Policy * Code of Conduct * Personal Boundaries Policy * Lone Working Policy * Risk Assessment Policy * Needs Assessment Policy * Support Planning Policy |  |  |
| **11** | Does your organisation have a Business Continuity Plan that is ready for use in an incident to enable you to continue to deliver your services and products?  Can you confirm that the Business Plan includes the following:- -   * an analysis of the weaknesses and threats to your organisation and plans for dealing with these? * Financial projections looking forward at least one year? * cash flow forecast looking forward at least one year? |  |  |
| **12** | Do you operate in accordance with a Quality Management System that is certified by a UKAS-accredited (or national equivalent) third party against ISO 9001 or an equivalent standard? If you are successful you must be in a position to provide evidence prior to contract award and without delay. |  |  |
| **13** | Do you have a formal quality management policy, linked to your business plan and customer needs, that is understood and followed by all employees? |  |  |
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| **SECTION F**  **Modern Slavery Act 2015** | | | |
|  | Question | **Answer** | **Any further comments from bidder** |
| **1** | **Modern Slavery Act** Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? |  |  |
|  | **Additional questions to be answered** |  |  |
| **2** | What steps have you taken/do you plan to take to tackle modern slavery and human rights abuses within your organisation and supply chains?    Can you confirm you are not subject to any ongoing investigations or charges in relation to modern slavery and/or human rights abuses?    Can you confirm you are not aware of any ongoing investigations or charges within your supply chain in relation to modern slavery and/or human rights abuses?    Do you provide training on modern slavery and human rights abuses for your staff involved in supply chain management?    How many workers do you employ, and on what basis (e.g. direct, agency staff etc.)?    How do you ensure that all of your workers are aware of their rights?  Can you confirm that all your workers have the right to work in the U.K?  Do all of your workers have employment contracts in place?    Can you confirm that all workers are paid in line with relevant national pay rates (these are the National Minimum/Living Wage rates in the UK)?  Are you compliant with the annual reporting requirements contained within Section 54 of the 2015 Act? |  |  |
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| **SECTION G**  **Insurance** | | | |
|  | **Question** | **Answer** | **Any further comments from bidder** |
| **1** | **Insurance – Employers (Compulsory) Liability** Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of Employer's (Compulsory) Liability Insurance cover indicated below:  **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.** |  |  |
| **2** | **Insurance - Public Liability** Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of Public Liability Insurance cover indicated below:   | **Minimum Amount (£)** |  | | --- | --- | | **£5,000,000** |  | |  |  |
| **3** | **Insurance - Professional Indemnity** Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of Professional Indemnity Insurance cover indicated below:   | **Minimum Amount (£)** |  | | --- | --- | | **£1,000,000** |  | |  |  |
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| **Additional Section to be answered**  **SECTION H**  **Health and Safety** | | | |
|  |  | **Answer** | **Any further comments from bidder** |
| **1** | Has your company been served with a Prohibition or Improvement notice for any breaches of Health & Safety legislation in the last three years? |  |  |
| **2** | If your answer to Q1 was "yes" provide details of the convictions or notice(s) served and give details of any remedial action or changes to procedures you have made as a result of the prosecution or notice(s) served. |  |  |
| **3** | Please confirm that your company has a Health and Safety Policy signed and dated within the last two years?  Do you also have access to competent Health & Safety Advice? If so please provide details including their qualifications  If you are successful you must be in a position to provide evidence if required, prior to contract award, and without delay.  If you wish you may attach a copy of your Health and Safety Policy. |  |  |
| **4** | You must have a Safeguarding Policy that complies with the Council’s policy and provides a commensurable level of protection to be selected to tender. A copy of the Council’s policy can be found on the Council’s web page. |  |  |
| **5** | Galeri Caernarfon has adopted the Welsh Government’s Code of Practice on Ethical Procurement in Supply Chains. This is designed to ensure that high-quality publicly funded services are delivered throughout Wales by a workforce that is treated legally, fairly and safely, and is well rewarded.  We are encouraging our suppliers to sign up to this Code of Practice to help ensure that ethical employment practices are carried out throughout the supply chain.  Please confirm whether your organisation has adopted, or will consider adopting, the Code of Practice. |  |  |

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| Please confirm that you have signed and uploaded the ‘Certificate of Non-Collusion’ that can be found in the additional attachments area. The buyer will not select you to tender if you do not sign and upload this document. We will accept an electronic signature on this form. |  |

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| Do you agree to the Terms & Conditions of this contract, including the data processing agreement? |  |