



Portsmouth  
CITY COUNCIL

# Guidance notes

Supplier Requirements Questionnaire

## Table of contents

<b>Part 1 - General instructions .....</b>	<b>3</b>
1. Introduction .....	3
2. Completion instructions.....	3
3. Verification of information provided .....	4
4. Sub-contracting arrangements .....	4
5. Consortium arrangements .....	4
6. Confidentiality.....	5
7. Clarification questions .....	5
8. SRQ submission.....	5
9. Acceptance of SRQ and evaluation.....	6
<b>Part 2 - Supplier Requirements Questionnaire (SRQ).....</b>	<b>7</b>
10. Selection criteria .....	<b>Error! Bookmark not defined.</b>
11. SRQ section 1 - Supplier information .....	7
12. SRQ section 2 - Grounds for mandatory exclusion .....	8
13. SRQ section 3 - Grounds for discretionary exclusion .....	8
14. SRQ section 4 - Economic and financial standing .....	9
15. SRQ section 5 - Bidding model .....	15
16. SRQ section 6 - Technical and professional ability.....	15
17. SRQ section 7 - Requirements under the Modern Slavery Act 2015 .....	17
18. SRQ section 8 - Additional questions .....	17
19. SRQ section 9 - Declarations .....	18

# Part 1 - General instructions

## 1. Introduction

- 1.1. The Supplier Requirements Questionnaire (SRQ) is a self-declaration, made by you (the supplier), that you do not meet any of the grounds for exclusion.
- 1.2. If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).
- 1.3. A completed declaration of part 1 (Supplier information) and part 2 (Exclusion grounds) of the SRQ provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. We require all the organisations that you will rely on to meet the selection criteria to provide a completed SRQ. For example these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria.
- 1.4. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations.
- 1.5. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

## 2. Completion instructions

- 2.1. 'We' / 'our', 'council' or 'authority' means the public sector contracting authority as defined by the Public Contract Regulations 2015, or anyone acting on behalf of the contracting authority, that is inviting suppliers to participate in this procurement.
- 2.2. 'You' / 'your', 'supplier', 'candidate' or 'tenderer' means the organisation answering these questions, ie the legal entity seeking to be invited to the next stage of the procurement and responsible for the information provided. These words are intended to cover any economic operator as defined by the Public Contract Regulations 2015 and could be a registered company; charitable organisation; voluntary community and social enterprise (VCSE); special purpose vehicle (SPV); or other form of entity.
- 2.3. When completing the Standard Selection Questionnaire (SRQ) only provide information which relates to the economic operator or legal entity which, if successful, would enter into contract with the council. With regard to completing documentation on behalf of a consortium, you should refer to section 5 (consortium arrangements).
- 2.4. 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'.

- 2.5. Should you need to provide additional appendices in response to the questions, these should be numbered clearly and listed as part of your declaration.
- 2.6. Where a word limit has been indicated for a specific response, please do not exceed this. Any words exceeding the limit stated in the question will not be read and therefore will be disregarded from the evaluation.
- 2.7. Unless expressly asked for, supporting documents (eg statements, policies) should not be submitted with your return.

### **3. Verification of information provided**

- 3.1. While reserving the right to request information at any time, the council may enable the supplier to self-certify that there are no mandatory or discretionary grounds for excluding their organisation.
- 3.2. Suppliers are also able to upload documents such as accounts and insurance certificates into their supplier record within In-tend thus making these available without further submissions from you (apart from keeping them updated) when expressing interest in subsequent procurements. Guidance on how to upload documents into your supplier record can be found in Supplier Guidance (available on In-tend).

### **4. Sub-contracting arrangements**

- 4.1. Where the supplier proposes to use one or more sub-contractors to deliver some or all of the requirements, a separate appendix should be used to provide details of the proposed bidding model that includes details 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.
- 4.2. The council recognises that arrangements in relation to sub-contracting may be subject to change, and may not be finalised until a later date. However, suppliers should be aware that where information provided to the council indicates that sub-contractors are to play a significant role in delivering key 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 services, works or supplies required. Suppliers should therefore notify the council immediately of any change in the proposed sub-contractor arrangements. The council reserves the right to de-select the supplier prior to any award of contract, based on an assessment of the updated information.

### **5. Consortium arrangements**

- 5.1. If the supplier completing this SRQ is doing so as part of a proposed consortium, the following information must be provided:
  - names of all consortium members
  - the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created)

- if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate appendix
- 5.2. Please note that the council 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 the council as being necessary for the satisfactory performance of the contract.
- 5.3. The consortium lead should complete all of the questions on behalf of the consortium and/or any sub-contractors. All members of the consortium will be required to provide the information required in all sections of the SRQ as part of a single composite response to the council.
- 5.4. 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 members within the new legal entity in a separate appendix.
- 5.5. The council recognises that arrangements in relation to a consortium bid may be subject to change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the council must be notified immediately 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. The council reserves the right to de-select the supplier prior to any award of contract, based on an assessment of the updated information.

## **6. Confidentiality**

- 6.1. When providing details of contracts in answering the section of the SRQ on technical and professional ability, the supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.
- 6.2. The council reserves the right to contact the customer contact regarding the contracts detailed in the section of the SRQ on technical and professional ability. The named customer contact does not owe the council any duty of care or have any legal liability, except for in the case of any deceitful or maliciously false statements of fact.
- 6.3. The council 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 as defined by the Public Contract Regulations or pursuant to an order of the court or demand made by any competent authority or body where the council is under a legal or regulatory obligation to make such a disclosure.

## **7. Clarification questions**

- 7.1. Not used

## **8. SRQ submission**

8.1. Not used

## **9. Acceptance of SRQ and evaluation**

- 9.1. Your submitted SRQ will be assessed in accordance with the Public Contracts Regulations 2015, and the council will treat all applications in line with the principles of transparency, equality of treatment and non-discrimination.
- 9.2. Although the regulations do not apply in full to services below threshold or those defined as Social and other specific services the council may still choose to adopt a procedure which reflects those described in the regulations without being bound to follow the regulations in part or in full. In all eventualities the council will comply with the fundamental principles of transparency, equality of treatment and non-discrimination.

## Part 2 - Supplier Requirements Questionnaire (SRQ)

### 10. Minimum requirements assessment criteria

10.1. This section sets out the council's general policies for the scoring of the Supplier Requirements Questionnaire (SRQ). For the specific criteria to be applied refer to SRQ issued.

10.2. The table below shows an example of selection criteria included within the SRQ, these being assessed on a 'pass/fail' basis.

**The selection criteria for the procurement project in question will be stated within the procurement documentation.**

10.3. A pass mark may also be applied, either on an overall or on an individual question basis. Suppliers who do not achieve this score or higher will be assessed as 'fail'.

10.4. If a 'fail' score is obtained on any of these areas, it will result in a submission being rejected and you will not progress any further in this procurement.

Questions	Scoring approach	
<b>PART 1 - SUPPLIER INFORMATION</b>		
Section 1 - Supplier information	For information only	
<b>PART 2 - EXCLUSION GROUNDS</b>		
Section 2 - Grounds for mandatory exclusion	Pass/fail	
Section 3 - Grounds for discretionary exclusion	Pass/fail	
<b>PART 3 - SELECTION QUESTIONS</b>		
Section 4 - Economic and financial standing	Pass/fail	
Section 5 - Bidding model	For information only	
Section 6 - Technical and professional ability	Pass/fail or % pass mark	
Section 7 - Requirements under the Modern Slavery Act 2015	Pass/fail	
Section 8 - Additional questions	8a Project specific questions	Pass/fail (if used)
	8b Insurance	Pass/fail
	8c Skills and apprenticeships	Pass/fail (if used)
	8d Equality	Pass/fail (if used)
	8e Environmental management	Pass/fail (if used)
	8f Health and safety	Pass/fail (if used)
Declarations	Pass/fail	

### 11. SRQ section 1 - Supplier information

- 11.1. The purpose of these questions is to collect background information and contact details about the organisation with which the council may contract. All questions within this section must be completed. Failure to do so may result in an application being regarded as a 'fail'. As the information requested in this section is for our information only, this part of the questionnaire is not scored.

## **12. SRQ section 2 - Grounds for mandatory exclusion**

- 12.1. You will be excluded from the procurement 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, eg only minor amounts involved).
- 12.2. If you have answered yes to question 2.2 of the SRQ 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 council for advice before completing this form.

## **13. SRQ section 3 - Grounds for discretionary exclusion**

- 13.1. Should any of the discretionary exclusion grounds stated in section 3 of the SRQ apply the council is entitled to exclude an organisation from the procurement but may decide, having considered all the relevant circumstances, to allow them to proceed further. If a supplier answers yes to any question they must provide full details of the relevant incident and any subsequently remedial action taken. Where this is considered to be of a high risk the supplier's application will be regarded as a 'fail'.
- 13.2. The council is also entitled to exclude suppliers in the event that they are guilty of serious misrepresentation in providing any information referred to within regulation 23, 24, 25, 26 or 27 of the Public Contracts Regulations 2015 or they fail to provide any such information requested by the council.

### **Conflicts of interest**

- 13.3. In accordance with question 3.1(e) of the SRQ, the council 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 project.
- 13.4. 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 council, 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 council should not represent a conflict of interest for the supplier.

### **Taking account of suppliers' past performance**

- 13.5. The council may assess the past performance of a supplier (through a certificate of performance provided by a customer or other means of evidence). The council may take into account any failure to discharge obligations under the previous principal relevant contracts of the supplier completing this questionnaire. The council may also assess whether specified minimum standards for reliability for such contracts are met.
- 13.6. In addition, the council may re-assess reliability based on past performance at key stages in the procurement project (ie 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'**

- 13.7. Any supplier that answers yes to questions 2.1, 2.2 and 3.1 of the SRQ 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 council in each case.
- 13.8. If such evidence is considered by the council (whose decision will be final) as sufficient, the supplier will be allowed to continue in the procurement process.
- 13.9. 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
- 13.10. 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 council to be insufficient, the supplier will be given a statement of the reasons for that decision.

## **14. SRQ section 4 - Economic and financial standing**

- 14.1. These SRQ questions provide the council with background information on the financial stability of the supplier. The more information a supplier is able to provide the better the council will be able to assess that supplier's financial standing.

- 14.2. The council requires suppliers to make available at least one of the options in SRQ question 4.1.
- 14.3. If a supplier qualifies as an SME and produces and submits abbreviated statutory accounts, the council will require copies of the supplier's detailed profit and loss account for the last two years or, if the supplier has been trading for less than two years, the period for which they are available. The supplier will be required to attach these to their In-tend supplier record. Failure to do so may result in the council being unable to evaluate the financial standing of a supplier which may lead to the submission being excluded.

#### **Credit scoring**

- 14.4. A risk assessment will have been carried out for the procurement in question which will have determined the risk status for the project.
- 14.5. The risk status for the procurement project in question will be stated within the SRQ. Dependent upon the risk level identified one of the three models set out below will be applied.
- 14.6. **LOW RISK** - Annual turnover compared to the annual contract value is not considered to be relevant and will not be evaluated. The council will however obtain a credit score which will be used to assess a supplier's financial standing. If this information is not available, the council will carry out a financial risk assessment of a supplier to determine a risk score in accordance with the model detailed in section 14.9 below.
- 14.7. **MEDIUM RISK** - The annual contract value of this procurement must not exceed 50% of a supplier's annual turnover reported within its latest financial accounts.
- 14.7.1. If suppliers are unable to meet the minimum turnover test, as stated above, they will not automatically be disqualified. However they will need to provide alternative evidence of stability and financial capacity.
- 14.7.2. On passing the turnover test the council will obtain a credit score which will be used to assess a supplier's financial standing. If this information is not available, the council will carry out a financial risk assessment of a supplier to determine the risk score in accordance with the model detailed in section 14.9 below.
- 14.8. **HIGH RISK** - The annual contract value of the procurement must not exceed a percentage to be determined by the council's corporate financial service of a supplier's annual turnover reported within its latest financial accounts.
- 14.8.1. For contracts of this nature the percentage amount will be detailed within the SRQ document.
- 14.8.2. If suppliers are unable to meet the minimum turnover test, as stated above, they will not automatically be disqualified. However they will need to provide alternative evidence of stability and financial capacity.

14.8.3. On passing the turnover test the council will obtain a credit score which will be used to assess a tenderer's financial standing. If this information is not available, the council will carry out a financial risk assessment of a tenderer to determine the risk score in accordance with the model detailed in section 14.9 below.

## Financial risk assessment

14.9. Where a risk score from a commercial credit checking service is not available, then an alternative method of assessing financial standing will be used. The tables below detail the evaluation process that will apply.

14.9.1. Assessment criteria for commercial organisations:

Criterion	Weighting	Excellent (100%)	Good (75%)	Satisfactory (50%)	Unsatisfactory (0)%	Definition of unsatisfactory/fail
Percentage of change in net worth	11%	11%	8%	5%	0%	Trend suggests liabilities will exceed net worth within the term of contract (unless there is an acceptable reason).
Net worth (% by which net worth exceeds liabilities)	6%	6%	4%	3%	0%	Liabilities exceed net worth.
Interest cover	11%	11%	8%	5%	0%	Less than 2
Change in interest cover	6%	6%	4%	3%	0%	Trend suggests Interest Cover will fall below 2 within the term of the contract unless there is an acceptable reason
Net debt divided by earnings before interest, tax, depreciation and amortisation (EBITDA)	11%	11%	8%	5%	0%	Net debt exceeds 4 times EBITDA
Percentage of change in net debt / EBITDA	6%	6%	4%	3%	0%	Trend suggests net debt / EBITDA will exceed 4 times EBITDA within the term of the contract (unless there is an acceptable reason).

Net profit as a percentage of shareholder funds	16%	16%	12%	8%	0%	Less than 3% unless there is a trend of increasing profitability
Change in net profit as a percentage of shareholder funds	16%	16%	12%	8%	0%	Trend suggests that net profit as a percentage of shareholder funds will fall below 3% within the term of the contract (unless there is an acceptable reason).
Current ratio	11%	11%	8%	5%	0%	Less than 1 unless there is an acceptable reason
Percentage change in current ratio	6%	6%	4%	3%	0%	Trend suggests current ratio will be less than 1 within the term of the contract (unless there is an acceptable reason).

#### 14.9.2. Assessment criteria for not-for-profit organisations

Criterion	Weighting	Excellent (100%)	Good (75%)	Satisfactory (50%)	Unsatisfactory (0)%	Definition of unsatisfactory/fail
Percentage of change in net worth	11%	11%	8%	5%	0%	Trend suggests liabilities will exceed net worth within the term of contract (unless there is an acceptable reason).
Net worth (% by which net worth exceeds liabilities)	6%	6%	4%	3%	0%	Liabilities exceed net worth
Interest cover	11%	11%	8%	5%	0%	Less than 2
Change in interest cover	6%	6%	4%	3%	0%	Trend suggests interest cover will fall below 2 within the term of the contract (unless there is an acceptable reason).

Net debt divided by earnings before interest, tax, depreciation and amortisation (EBITDA)	11%	11%	8%	5%	0%	Net debt exceeds 4 times EBITDA
Percentage of change in net debt / EBITDA	6%	6%	4%	3%	0%	Trend suggests net debt / EBITDA will exceed 4 times EBITDA within the term of the contract (unless there is an acceptable reason).
Surplus as a percentage of net worth less long term liabilities	16%	16%	12%	8%	0%	Must be positive surplus unless there is a trend of increasing profitability
Change in surplus as a percentage of net worth less long term liabilities	16%	16%	12%	8%	0%	Trend suggests that surplus will become a deficit within the term of the contract (unless there is an acceptable reason).
Current ratio	11%	11%	8%	5%	0%	Less than 1 (unless there is an acceptable reason).
Percentage change in current ratio	6%	6%	4%	3%	0%	Trend suggests current ratio will be less than 1 within the term of the contract (unless there is an acceptable reason).

Suppliers who do not obtain a minimum satisfactory score in each of the above criteria will result in a 'fail' and the supplier will not proceed any further in the procurement process.

## Business risk score

- 14.9.3. The risk score obtained (by either method) for a supplier will be assessed against the criteria as detailed below:

Risk score	Evaluation outcome
Score of between 0 and 25	Fail
Score of between 26 and 49	Pass – subject to provision of a suitable parent company guarantee or commitment to provide a performance bond if/when deemed appropriate. If you are unable to provide either one of these, this will result in a fail. Please note: a financial appraisal (using the same financial appraisal and evaluation process) will be carried out on the parent company to assess their suitability to act as guarantor.
Score of 50 and over	Pass

- 14.10. If the risk score for a supplier indicates that either a parent company guarantee or performance bond is required (such documents to be in a form approved of by the council), and such documents cannot be provided, this will result in a 'fail' score being awarded. Evidence of the assurance required will be requested prior to contract award. If a supplier is unable to provide the evidence at that point, the council will be unable to proceed with the contract award.

## 15. SRQ section 5 - Bidding model

- 15.1. The purpose of these questions is to collect background information about the supplier's wider corporate group (if the supplier has indicated in question 1.2 that this is the case). If the risk score for an organisation indicates that either a parent company guarantee or performance bond is required (such documents to be in a form approved of by the council), and such documents cannot be provided, this will result in a 'fail' score being awarded.
- 15.2. Evidence of the assurance required will be requested prior to contract award. If a supplier is unable to provide the evidence at that point, the council will be unable to proceed with the contract award.
- 15.3. All questions within this section must be completed. Failure to do so may result in an application being regarded as a 'fail'.

## 16. SRQ section 6 - Technical and professional ability

- 16.1. The criteria for this section will be clearly identified within the SRQ for the contract in question.
- 16.2. Three (or if the SRQ states that a different number is required, the SRQ will supersede this guidance) reference site contract examples must be provided that demonstrate your

ability to provide the work outlined in the SRQ document. These should be of a similar size and scope, which your organisation has provided within the last three years in the case of services or five years for works contracts.

- 16.3. Submitted contract examples will be scored first according to the criteria set out within the SRQ document. Where a supplier fails to score above a zero this will result in a 'fail' and company references will not be scored.
- 16.4. Where a Company Reference Questionnaire (CRQ) has been issued you must issue this to the three (or other number as stated in the SRQ) organisations included within your submission. Each of the three referees nominated will be asked to respond directly to the council using, as an example only, the criteria set out below to score the organisation's performance, or if applicable, the performance of each member of the proposed consortium. The criteria for the contract in question used will be clearly defined within the CRQ.
- 16.5. The responses to the company reference questionnaires will be used to verify the information supplied in the contract examples. Referees will assign judgements for performance as follows:

Judgement	Performance
Excellent	The supplier exceeded the performance levels expected
Good	The supplier fully met the service levels expected
Satisfactory	Overall the supplier generally met the performance levels expected.
Unsatisfactory	The supplier failed to meet expected performance levels to the extent that you would not employ them again.
n/a	The supplier's performance was not monitored in relation to this area.

- 16.6. A score of unsatisfactory on any individual reference may result in 0 points being awarded for the supplier's reference contract example which forms a pass/fail minimum requirement for this procurement project and may result in the whole submission being set aside, subject to further investigation by the project manager.
- 16.7. Where suppliers are unable to provide references because they have yet to commence trading, have only just started trading or are seeking to diversify into a new market, references may be included for work which has not been directly undertaken by the organisation. In such cases these references will only be assessed where the contract manager responsible for delivering the referees requirements is committed to working with the organisation making the application, either as a direct employee or as a secured sub-contractor. The council may request evidence to this effect, which if not provided, may result in the reference being marked as void.
- 16.8. It is the supplier's responsibility to issue, expedite and ensure that the council receives the completed company reference questionnaires by the SRQ submission date, unless otherwise stated within the SRQ document. The company reference questionnaires must

be returned to the council directly from the referees that were nominated and must not be received via the supplier, unless otherwise stated within the SRQ document.

- 16.9. Where a supplier is an incumbent supplier or has been a supplier to the council within the last three/five years and the contract was of a similar scope and value the council must be approached to provide a reference.
- 16.10. If contract examples are not provided for works of a similar size and scope which you have undertaken for the council the council reserves the right to set the application aside and not consider it any further.

## **17. SRQ section 7 - Requirements under the Modern Slavery Act 2015**

- 17.1. Commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more ('relevant commercial organisations') are required under section 54 of the Act to prepare a slavery and human trafficking statement as defined by section 54 of the Act. Failure to do or provide a sufficient explanation will result in the application being set aside and not considered further.

## **18. SRQ section 8 - Additional questions**

### **8a - Project specific questions to assess technical and professional ability**

- 18.1. In addition to the sections outlined above some projects may (where applicable to the contract in question) require the provision of additional information to assist the council in deciding which suppliers should proceed to be invited to tender. Where this need is identified a separate appropriately titled section will be included within the SRQ. The scoring criteria to be used will be detailed within the SRQ for the contract in question.

### **8b - Insurance**

- 18.2. The council's insurance requirements for the procurement will be stated within the SRQ. Please be aware that the council will require visibility of a supplier's insurance documents prior to entering into contract.
- 18.3. An answer of 'no' to the SRQ question on insurance will result in a 'fail'.

### **8c – Skills and apprenticeships**

- 18.4. If appropriate, selection criteria may be used to assess the skills and apprenticeships provided in bids for relevant contracts with a value of £10 million and above, and a duration of 12 months or more. Non-central government contracting authorities are encouraged to consider skills and apprenticeships where relevant.
- 18.5. Whilst procurement decisions should always be made on a quality/cost/risk basis, this can include taking into account incentivising investment in apprenticeships and skills as part of broader qualitative long-term benefits on the supply side alongside other 'additionality'.

#### **8d – Compliance with equality legislation**

- 18.6. If you have answered yes to questions 1 or 2 of this section, 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.
- 18.7. If an investigation upheld a complaint against your organisation, please use the appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.
- 18.8. You may be excluded if you are unable to demonstrate to the council's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.

#### **8e - Environmental management**

- 18.9. The council will not select supplier that have been prosecuted or served notice under environmental legislation in the last three years, unless the council is satisfied that appropriate remedial action has been taken to prevent future occurrences or breaches.

#### **8f - Health and safety**

- 18.10. Any supplier who wants to contract with the council must hold a health and safety policy that complies with current legislative requirements.
- 18.11. Suppliers must declare if their organisation or any of its directors or executive officers have been in receipt of enforcement or remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last three years. If they have, they will need to provide details of any remedial action or changes to procedures they have made as a result. The supplier will be excluded unless they can demonstrate to the council's satisfaction that appropriate remedial action has been taken to prevent future occurrences and breaches.
- 18.12. Suppliers must indicate whether they have processes in place to check whether any of the above circumstances apply to any sub-contractor organisations. If the processes are not in place the council reserves the right to set the application aside and not consider it any further.

### **19. SRQ section 9 - Declarations**

- 19.1. If an organisation is unable to agree with the SRQ declaration in section 7 their submission will not be scored resulting in a 'fail'.





Portsmouth  
CITY COUNCIL

Procurement Department  
Portsmouth City Council  
Civic Offices  
Guildhall Square  
Portsmouth  
PO1 2AL

Telephone: 023 9268 8235

Email: [procurement@portsmouthcc.gov.uk](mailto:procurement@portsmouthcc.gov.uk)

For enquiries related to live procurement projects  
use the correspondence function in In-tend