

London Borough of Brent / Non-HRA Housing and Social Services PFI Project

Pre-Qualification Questionnaire

Appendix 1

INTRODUCTION

This Pre-Qualification Questionnaire (PQQ) has been produced to enable the Council to evaluate the economic and financial standing, and the ability and technical capacity of organisations that have responded to the OJEU Notice. The PQQ should be read in conjunction with the accompanying Market Brief, which provides Bidders with appropriate information about the Council and the Project.

The resources, range and depth of skills needed to provide the services to the Council under this PFI project are such that it is thought likely that organisations may wish to collaborate to form a consortium, with a lead organisation or Special Purpose Vehicle ultimately contracting with the Council. This does not preclude a single organisation offering all the services. The Council does not require the consortium to form a legal entity at this stage, although it will be required to do so prior to awarding any Contract. For the purposes of evaluation, the Council needs information about each of the members of any proposed consortium, and each is required to complete the relevant questions in this PQQ.

The term 'Relevant Organisation' in this PQQ refers to all consortium members and significant sub-contractors. Each Relevant Organisation is required to complete the relevant questions in this PQQ. In some cases, a Relevant Organisation may not be able to give all of the information requested. In these circumstances, please identify clearly where a Relevant Organisation is providing information on behalf of another.

Collectively, each entity that wishes to bid (whether it is a single organisation or a consortium) is referred to as a Bidder.

The questionnaire has been split into 8 sections, A - H.

Section A of the Questionnaire requests details of the Bidder, how it is organised and, where appropriate, what the relationship is between the Relevant Organisations. Information is sought regarding court actions and/or industrial tribunals, and confirmation regarding eligibility to tender under the Procurement Regulations. **Section B** asks for financial and economic information for each Relevant Organisation.

Section C, supplemented by **Section D** and **Section E**, asks for information that will be used in determining whether the Relevant Organisation meets the Local Authority's minimum standards of ability and technical capacity. The Relevant Organisation should detail its experience in PFI/PPP and technical experience in undertaking its designated role within the Bidder's proposals. **Section D** asks for details of the experience of each Relevant Organisation of working on similar

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projects, and **Section E** asks for details of the experience and capacity of key individuals proposed by the Bidder, and methods of working.

Section F is included to inform the Council on the experience of the Bidder in raising project finance and/or corporate finance, and the proposed approach for this project.

Section G is included to inform the Council regarding the Bidder's approach to Equal Opportunities. **Section H** is included to inform the Council regarding the Bidder's approach to Health & Safety.

INSTRUCTIONS

1. Please complete the application in English.
2. All sections should be produced as stand alone documents to allow for ease of assessment.
3. Requested documents, **but no further information**, should be inserted at the end of the appropriate section rather than at the end of the whole document.
4. Please submit 3 hard copies and 5 electronic copies via CD Rom in Microsoft Word to:

Joe Kwateng Democratic Services Manager, London Borough of Brent, Brent Town Hall, Room 106 (Ref JK), Forty Lane, London HA9 9HD
5. The completed application must be returned to the Council by 16:00 hours on 12th August 2005. Any applications received after that time and date will not be opened or considered.
6. Please note that failure to provide a completed response to this PQQ, in the correct format, or failure to provide any additional information that may be requested, may result in your not proceeding to the next stage.
7. Please note that if any of the information supplied in this PQQ changes in the ensuing evaluation period, the Relevant Organisation is required to notify the Council accordingly.

QUERIES

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In the event that any Relevant Organisation has any question, or needs clarification of any aspect of the project, the process or this PQQ, please direct all inquiries electronically to: stevefreeborn@btconnect.com

A. General Information

Questions A1 to A6, to the extent applicable, are to be completed by the lead Bidder, or if the Bidder is a sole organisation, that organisation

A1 – Name of the organisation that will act as lead Bidder for this project, and the name of each of the Relevant Organisations:

Lead Organisation:
Relevant Organisations:
1.
2.
3.
4.
5.
6.

A2 – Name and contact details for principal contact:

Name:
Position:
Address:
E-mail:

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Telephone:
Facsimile:

A3 – Registered Office and registered number and date of registration if a company:

Registered Office:
Registered Number:
Date of registration:

A4 – Specify the services that each Relevant Organisation will deliver:

Relevant Organisation	Services to be delivered
1.	
2.	
3.	
4.	
5.	
6.	

A5 – Provide an organisation chart and details of the relationship between the Relevant Organisations and, where relevant, whether this may change during the design, construction and operational phases of the contract.

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A6 – Provide details of the likely share holding of each Relevant Organisation in the service delivery vehicle for this project (where relevant).

Questions A7 to A12 are to be completed by each Relevant Organisation on separate sheets, if applicable

A7 – Name of Organisation:

A8 – Provide details of registered office and registered number and date of registration of company. If not a company, provide status of organisation, including details of the trading address.

Registered Office:

Registered Number:

Date of registration:

A9 – If the Relevant Organisation is a limited company, whether it is a subsidiary of another company. If so, provide details of the name of the holding or parent company.

A10 – Provide details of any court actions and/or industrial tribunal hearings in which the Relevant Organisation has been involved over the last three years

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A11 – Provide details of any such court actions and/or industrial tribunal hearings that are currently outstanding against the Relevant Organisation.

A12 – Provide confirmation that there are no grounds applicable to the Relevant Organisation pursuant to which a Bidder may be rejected under Regulation 14 of the Public Services Contracts Regulations 1993 (SI 1993/3228), namely:

Neither it nor any of its directors and partners (where relevant) are not (or have not been)

- in a state of bankruptcy, insolvency, compulsory winding up, administration, receivership, composition with creditors or any analogous state, or subject to relevant proceedings
- convicted of a criminal offence relating to business or professional conduct
- committed an act of grave misconduct in the course of its business or profession
- failed to fulfil its obligations relating to the payment of social security contributions
- failed to fulfil obligations relating to the payment of taxes
- been guilty of serious misrepresentation in providing information required as set out in the preceding requirements and/or information required to be provided in response to the pre-qualification questionnaire;
- or is in breach of other provisions of Article 29 of Directive 92/50 EC/ Regulation 14 Public Services Contracts Regulations 1991 No. 2680

The Council may seek evidence at a later date, in confirmation of your answer.

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B. Financial and Economic Information for each Relevant Organisation

Questions B1 to B5 are to be completed by each Relevant Organisation on separate sheets, if applicable

B1 – Name of the Relevant Organisation:

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B2 – Provide copies of the audited accounts for each of the previous three financial years. Where the most recent (interim/final) accounts remain to be signed, draft accounts for that year should be provided.

Accounts Attached	Yes / No

B3 – Provide details of the Relevant Organisation's overall turnover and the turnover for housing and / or residential care projects for the previous three financial years.

	Year:	Year:	Year:
Overall Turnover			
Housing and / or Residential care projects			

B4 – Provide a statement, as at the last reporting date, of any contingent liability or loss (where not otherwise reported) that would require disclosure in accordance with International Accounting Standard 10.

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B5 – Provide similar financial/economic information (i.e. in accordance with questions B1to B4 above) in relation to the ultimate holding company of the Relevant Organisation, or where a third party organisation may act as a guarantor, in respect of that guarantor.

(a) Name:

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(b) Provide copies of the audited accounts for each of the previous three financial years. Where the most recent accounts remain to be signed, draft accounts for that year should be provided.

Accounts Attached	Yes / No

(c) Turnover information:

	Year:	Year:	Year:
Overall Turnover			
Housing and / or Residential care projects (it is acknowledged that this may be a nil response for the guarantor, if for example, the guarantor is a bank)			

(d) Contingent liabilities or loss:

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B6 – Provide evidence of the employers’ liability insurance, public liability insurance and professional liability or indemnity insurance for the Relevant Organisation. The evidence should include the name of the insurers, policy numbers, expiry date, and limits for any one accident and the excesses under the policy.

	Employers Liability Insurance	Public Liability Insurance	Professional Liability or Indemnity Insurance
Name of Insurers:			
Policy Numbers:			
Expiry Date:			
Limits for any one accident:			
Excess Limit:			

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C. Technical Capacity and Ability of Relevant Organisations

Questions C1 to C6 are to be completed by each Relevant Organisation, on separate sheets, if applicable

C1 – On no more than 2 sides of A4 paper provide a description of the Relevant Organisation’s experience obtained in the past three years in:

- Project Management
- Design and Construction of Housing and / or Residential schemes
- Long-term maintenance and operation of Social Housing or Residential Services schemes
- Working with public sector bodies, particularly Local Authorities, including any relevant work for the London Borough of Brent
- PFI/PPP projects for Local Authorities generally, and for Housing or Residential Services or other similar schemes.

Each Relevant Organisation should specify in their response what experience they have. The description should include the date when the Relevant Organisation’s involvement started. Also state whether each scheme is at bidding stage, at Preferred Bidder, has reached financial close, is under build/construction/installation/refurbishment, is operational, or has been cancelled, or if none of these are applicable, what stage it has reached.

C2 – Provide details of any Contracts to which the Relevant Organisation is a signatory where there has been a failure to complete the contract on time or at all, or where there have been claims for damages, or where damages have been deducted or recovered, in either case only where the amounts exceed £0.5m. Details should also be provided of any contracts terminated or employment determined; an explanatory statement should be provided in relation to each. This statement should only take account of incidents in the past three years.

	Year:	Year:	Year:
Failures to complete the Contract			
Claims for Damages			
Damages deducted or recovered			
Contracts terminated			
Employment determined			

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C3 – Provide details for the Relevant Organisation of the following:

	Permanent Full Time	Permanent Part Time	Casual
<ul style="list-style-type: none"> • Managerial / Supervisory • Operational 			
Total staff employed			
Number of staff currently involved directly in Housing and / or Residential Services or similar projects			

C4 – Provide details of staff turnover as a percentage of workforce for the past three years.

	Year:	Year:	Year:
Staff turnover as a percentage of workforce for the past three years			

C5 – Provide details of the Relevant Organisation’s average annual number of employees and the number of managerial staff over the previous three years (figures should be shown as full time equivalents).

	Year:	Year:	Year:
Average Annual Employees			
Number of Managerial Staff			

C6 – Provide details for the Relevant Organisation of any awards or external quality accreditation schemes subscribed to or achieved.

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D. Experience of Working on Similar Projects relevant to technical capacity and ability

Questions D1 to D4 are to be completed by the lead Bidder, or if the Bidder is a sole organisation, that organisation, and relate to experience over the past three years

D1 – Provide details as to whether the Relevant Organisations have worked or are working together on other similar PFI or PPP projects. Disclose the date when the Relevant Organisation’s involvement started and whether the scheme is at bidding stage, at Preferred Bidder, has reached financial close, is under construction, is operational, has been cancelled, or if none of these are applicable, the stage the scheme has reached.

D2 – If new relationships are being created for this project, provide details as to how the Relevant Organisations are drawing on their experience of similar projects over the last three years to form the new relationships to create a Bidder.

D3 – Identify any potential conflicts of interest that may arise in the light of other current or previous projects if the Bidder were selected (taking into account all Relevant Organisations).

D4 – Provide a statement of any material pending or threatened litigation or other legal proceedings connected with similar projects against any Relevant Organisation that may affect the Bidder’s ability to deliver on this project.

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E. Further details of technical capacity and ability

Questions E1 to E4 are to be completed by the lead Bidder, or if the Bidder is a sole organisation, that organisation

Questions in this Section E are aimed at assessing the Bidder ability to deliver the project taking account of the skills, experience and reliability of the Bidder.

E1 – Provide details of all the key persons who are likely to be involved in the management structure and/or running of the project for the Bidder and state if these are different from those who will be involved in negotiations with the Council. CVs should be attached for the key people.

E2 – Provide details of the Bidder's nominated project director/manager for delivery of the project. A CV for the project director/manager should also be attached, detailing the experience of the project director/manager.

E3 – Provide details of the ability of each key person (as set out in response to question E1) to allocate sufficient time to delivery of the project. Identify any existing or future potential time conflicts for each key person, particularly those prior to financial close and whether this may have an impact on the reliability of each key person.

E4 – Please give a brief outline of the Bidder's policy regarding the use of sub-contractors including details of how the Bidder has optimised value for money through the effective use of the supply chain.

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F. Ability and Approach to Raising Project and/or Corporate Finance

Question F1 is to be completed by the lead Bidder and, where the lead Bidder is a consortium, by each Relevant Organisation within that consortium

F1 – Provide details as to prior experience in raising project finance and/or corporate finance. Information as to the form of that finance (amount, dates and project) and, where the information is being provided by a Relevant Organisation, the role played by that Relevant Organisation in that project (i.e. Bidder, consortium member etc.).

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G. Equal Opportunities

Questions G1 to G9 are to be completed by each Relevant Organisation, on separate sheets, if applicable

Equal Opportunities Questions	
G1 – Does the Relevant Organisation have an equal opportunities policy, to avoid discrimination?	Yes / No
G2 – Is it the Relevant Organisation's policy as an employer to comply with your obligations under the Race Relations Act 1976 (as amended by Race Relations (Amendment) Act 2000) (or EU equivalent), and is it your practise not to treat one group of people less favourably than others because of their colour, race, nationality, or ethnic origin in relation to decisions to recruit, train or promote employees?	Yes / No
G3 – Is it the Relevant Organisations policy to comply with its obligations under the Disability Discrimination Act 1995 (or EU equivalent)?	Yes / No
G4 – Is it the Relevant Organisation's policy to comply with its obligations under The Employment Equality (Religion or Belief) Regulations 2003 and The Employment Equality (Sexual Orientation) Regulations 2003 (or EU equivalents)?	Yes / No
G5 – In the last three years has any finding of unlawful discrimination been made against the Relevant Organisation by any court or industrial / employment tribunal?	Yes / No

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Equal Opportunities Questions	
<p>G6 – In the last three years has the Relevant Organisation been the subject of formal investigation by the Commission for Racial Equality (or EU equivalent) on grounds of alleged unlawful discrimination?</p>	<p>Yes / No</p>
<p>G7 – If the answer to question 15 or 16 is yes, what were the breaches and what steps did the Relevant Organisation take in consequence of that finding or investigation?</p>	
<p>G8 – Is the Relevant Organisation’s policy on race relations and equality set out:</p> <ul style="list-style-type: none"> • In instructions to those concerned with recruitment, training and promotion? • In documents available to employees, recognised trade unions or other representative groups of employees? • In recruitment advertisements or other literature? • If asked, could the Relevant Organisation supply examples of the instructions, documents, recruitment advertisements or other literature? • 	<p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p>
<p>G9 – Does the Relevant Organisation observe as far as possible the Commission for Racial Equality’s Code of Practice for Employment as approved by Parliament in 1983, which gives practical guidance to employers and others on the elimination of racial discrimination and the promotion of equality of opportunity in employment, including the steps that can be taken to encourage members of the ethnic minorities to apply for jobs or take up training opportunities (or EU equivalents)?</p>	<p>Yes / No</p>

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H. Health and Safety

Questions H1 to H8 are to be completed by each Relevant Organisation, on separate sheets, if applicable

Health and Safety Questions	
H1 – Does the Relevant Organisation have a health and safety at work policy**	Yes / No
H2 – Does the Relevant Organisation have a health and safety at work system*	Yes / No
H3 – If no to either H1 or H2, please give reasons.	
<p>H4 – Are copies of the written statement (as required by section 2(3) of the Health and Safety at Work Act 1974 and Regulation 4 of the Management of Health and Safety at Work Regulations 1992, or EU member state equivalent) enclosed of the Relevant Organisation's:</p> <ul style="list-style-type: none"> • General policy on health and safety at work? • Allocation of organisational responsibilities at work? • Adopted preventative and protective measures, such as safety codes of practice and safety instructions, relevant to the type of project proposed, and its adopted arrangements for the effective planning, control, monitoring and review of these preventative and protective measures? 	<p>Yes / No</p> <p>Yes / No</p> <p>Yes / No</p>
H5 – Does the Relevant Organisation have processes and procedures to ensure that these Regulations are followed?	Yes / No
H6 – State the name and status of the person responsible for the implementation of the Relevant Organisation's health and safety policy.	

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Health and Safety Questions	
H7 – Give brief details of safety audits and inspections carried out in similar activities to this project, including details of frequency, whether records are kept and who is responsible for remedial action.	
H8 – Does the Relevant Organisation train staff in health and safety according to their particular job?	Yes / No

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J. Certification

This section is to be completed by all members of the bidding consortium.

I certify that the information provided within this questionnaire is accurate (a director, or other authorised senior member of the organisation should provide this certification).

Name:
Position:
For and on behalf of:
Date: