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**Digital  
Engineering  
Series**



**DE1T**Pre-qualification Questionnaire Template

Pre-qualification Questionnaire Template

CIBSE DE1T: 2016



The Chartered Institution of Building Services Engineers

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# Foreword

This template is intended for those that generate, complete and review pre-qualification questionnaires (PQQs). It is based on the questions shown in PAS 91:2013 and provides users of PQQs a template from which to form their questionnaires.

It is not intended to be an exhaustive or definitive document and it will be necessary for users of the template to exercise their own professional judgement when deciding whether to abide by or depart from it.

The concept of a pre-qualification questionnaire is a buyer requesting information from potential suppliers for the purpose of evaluation and comparison. If this information is well structured, then it will be simpler for the buyer to compare suppliers.

For the writers of pre-qualification questionnaires, it is important those questions posed are answerable in as simple a way as possible and that the method by which answers will be assessed is as clear and transparent as possible, to ensure fair tendering.

For the respondents to a PQQ, it is important to give clear and concise answers and that these are verified by including examples, certificates and other supporting documentation.

The PQQ process is there to make bidding for work simpler and more affordable to small and medium size enterprises, as well as being able to properly assess the larger companies. It should be an exercise in reducing the amount of work we do, not adding another layer of administration.

# Index of Tables

[Table 1 - Core Question Module C1: Supplier identity, key roles and contact information 1](#_Toc454348962)

[Table 2 – Core Question Module C2: Financial information 2](#_Toc454348963)

[Table 3 – Core Question Module C3: Business and professional standing 3](#_Toc454348964)

[Table 4 – Core Question Module C4: Health and safety policy and capability 8](#_Toc454348965)

[Table 5 – Optional Question Module O1: Equal opportunity and diversity policy and capability 10](#_Toc454348966)

[Table 6 – Optional Question Module O2: Environmental management policy and capability 11](#_Toc454348967)

[Table 7 – Optional Question Module O3: Quality management policy and capability 13](#_Toc454348968)

[Table 8 – Optional Question Module O4: Building information modelling, policy and capability 14](#_Toc454348969)

[Table 9 – Core Question Module C3 for Public Sector procurement – Mandatory exclusion 16](#_Toc454348970)

[Table 10 – Core Question Module C3 for Public Sector procurement – Discretionary exclusion 18](#_Toc454348971)

[Table 11 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Part 4 Regulation 23(1) – Mandatory exclusion 22](#_Toc454348972)

[Table 12 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Part 4 Regulation 23(1) – Discretionary exclusion 24](#_Toc454348973)

[Table 13 - Supplementary questions 24](#_Toc454348974)

# Template use

This template may be used as the basis for a pre-qualification questionnaire for any type of construction project. It includes all questions shown in PAS 91:2013 and space to answer or link associated documents to.

The questions included here are suitable for general construction projects, public sector and defence or security projects. Not all the tables provided are to be used for each of these project types. The table below indicates which tables should be excluded in each case.

|  |  |
| --- | --- |
| Project type | Tables to exclude |
| Private sector | Tables 9, 10, 11 & 12 |
| Public sector | Tables 3, 11 & 12 |
| Defence/security | Tables 3, 9 & 10 |

Questions may be added to any table and supplementary tables added as required. Supplementary questions should not duplicate any requirements from elsewhere and should be numbered in the form:

O2-Q7-SUP

Where this is an addition to optional table 2 and the question is numbered sequentially after the last existing question in this section.

A supplementary table should be added to the end of the questionnaire and be numbered from 13 onwards, to avoid duplication with existing tables, even if they are not used. The supplementary questions should be numbered in the form:

Sn-Qn

Where “n” are sequential numbers, in the same way as the Core and Optional questions have been numbered.

| Table 1 – Core Question Module C1: Supplier identity, key roles and contact information | | | |
| --- | --- | --- | --- |
| Ref: | Information required | Question | Response |
| C1-Q1 | **Name of legal entity or sole-trader** | Unique name of legal entity or name of individual |  |
| C1-Q2 | **Registered office address** | C1-Q2-1 Address line 1 |  |
| C1-Q2-2 Address line 2 |  |
| C1-Q2-3 Address line 3 |  |
| C1-Q2-4 Town |  |
| C1-Q2-5 County |  |
| C1-Q2-6 Post code |  |
| C1-Q3 | **Contact Details for enquiries** | C1-Q3-1 Title |  |
| C1-Q3-2 Forename |  |
| C1-Q3-3 Family name |  |
| C1-Q3-4 Job title |  |
| C1-Q3-5 e-mail |  |
| C1-Q3-6 Telephone number |  |
| C1-Q3-7 Fax number |  |
| C1-Q3-8 Address line 1 |  |
| C1-Q3-9 Address line 2 |  |
| C1-Q3-10 Address line 3 |  |
| C1-Q3-11 Town |  |
| C1-Q3-12 County |  |
| C1-Q3-13 Post Code |  |
| C1-Q4 | **Registration number** | C1-Q4-1 Registration number with Companies House. |  |
| C1-Q4-2 Registration number with equivalent body. |  |
| C1-Q5 | **Charity registration number** |  |  |
| C1-Q6 | **VAT registration number** |  |  |
| C1-Q7 | **Name of immediate parent company** |  |  |
| C1-Q8 | **Name of ultimate parent company** |  |  |
| C1-Q9 | **Type of organisation** |  |  |

Table 1 - Core Question Module C1: Supplier identity, key roles and contact information

| Table 2 – Core Question Module C2: Financial information | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| C2-Q1 | **Financial information** | C2-Q1-1 Financial information for a start-up business. |  |  |
| C2-Q1-2 Accounts for an unincorporated business. |  |  |
| C2-Q1-3 Accounts for a small company or limited liability partnership. |  |  |
| C2-Q1-4 Accounts for a medium to large incorporated entity. |  |  |
| C2-Q1-5 Accounts for other organisation types. |  |  |
| C2-Q2 | **Insurance statement and Certificates - Employers' liability insurance** | C2-Q2-1-1 Policy No. |  |  |
| C2-Q2-1-2 Limit of Indemnity |  |  |
| C2-Q2-1-3 Excess |  |  |
| C2-Q2-1-4 Limit for a single event |  |  |
| C2-Q2-1-5 Expiry Date |  |  |
| **Insurance statement and Certificates - Public liability insurance** | C2-Q2-2-1 Policy No. |  |  |
| C2-Q2-2-2 Limit of Indemnity |  |  |
| C2-Q2-2-3 Excess |  |  |
| C2-Q2-2-4 Limit for a single event |  |  |
| C2-Q2-2-5 Expiry Date |  |  |
| **Insurance statement and Certificates – Professional indemnity insurance** | C2-Q2-3-1 Policy No. |  |  |
| C2-Q2-3-2 Limit of Indemnity |  |  |
| C2-Q2-3-3 Excess |  |  |
| C2-Q2-3-4 Expiry Date |  |  |
| **Insurance statement and Certificates – Product liability insurance** | C2-Q2-4-1 Policy No. |  |  |
| C2-Q2-4-2 Limit of Indemnity |  |  |
| C2-Q2-4-3 Excess |  |  |
| C2-Q2-4-4 Expiry Date |  |  |

Table 2 – Core Question Module C2: Financial information

| Table 3 – Core Question Module C3: Business and professional standing | | | | | |
| --- | --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Yes | No | Response or Document Reference |
| C3-Q1 | **Criminal or Civil convictions** | Has your company or any of its Directors and Executive Officers been the subject of criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in, for which the outcome was a judgement against you or them? |  |  |  |
| C3-Q2 | **Pending Criminal or Civil actions** | If your company or any of its Directors and/ or Executive Officers are the subject of ongoing or pending criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in, have all claims been properly notified in accordance with the suppliers Product  Liability Insurance policy requirements and been accepted by insurers? |  |  |  |
| C3-Q3 | **Enforcement actions** | Has your company or any of its Directors and Executive Officers been in receipt of enforcement/remedial orders that are still unresolved (such as those in relation to: Environment Agency or Office of Rail Regulation enforcement), in the last three years? |  |  |  |

Table 3 – Core Question Module C3: Business and professional standing

| Table 4 – Core Question Module C4: Health and safety policy and capability | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| C4-Q1 | **Exemptions** | C4-Q1-1a) You have within the last twelve months successfully completed a prequalification application undertaken by an assessment provider able to demonstrate that its information gathering process conforms to PAS 91. |  |  |
| C4-Q1-1b) you have within the last twelve months, successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum. |  |  |
| C4-Q1-1c) You hold a UKAS or equivalent, accredited independent third party certificate of compliance with BS OHSAS 18001. |  |  |
| C4-Q2 | **Role identified** | C4-Q2-a) Contractor or Sub-Contractor (respond to unshaded questions C4-Q3 to C4-Q14) |  |  |
| C4-Q2-b) Designer (respond to red shaded question C4-Q15 to C4-Q17) |  |  |
| C4-Q2-c) CDM–Coordinator (respond to green shaded questions V4-Q17 to C4-Q20) |  |  |
| C4-Q3  Contractors | **Health and safety policy** | Are you able to demonstrate that you have a policy and organization for health and safety (H&S) management? |  |  |
| C4-Q4  Contractors | **Health and safety effectiveness** | Are you able to describe your arrangements for ensuring that your H&S measures are effective in reducing/preventing incidents, occupational ill-health and accidents? |  |  |
| C4-Q5  Contractors | **Health and safety advice** | Do you have access to competent H&S advice/assistance – both general and construction/sector related? |  |  |
| C4-Q6  Contractors | **Health and safety training** | Do you have a policy and process for providing your staff/workforce with training and information appropriate to the types of activity that your organization is likely to undertake? |  |  |
| C4-Q7  Contractors | **Health and safety qualifications** | Does your staff/workforce have H&S or other relevant qualifications and experience sufficient to implement your H&S policy to a standard appropriate to the activity that your organization is likely to undertake. |  |  |
| C4-Q8  Contractors | **Health and safety performance review** | Do you check, review and where necessary improve your H&S performance? |  |  |
| C4-Q9  Contractors | **Health and safety staff engagement** | Do you have procedures in place to involve your staff/workforce in the planning and implementation of H&S measures? |  |  |
| C4-Q10  Contractors | **Accident reporting** | Do you routinely record and review accidents/ incidents and undertake follow-up action? |  |  |
| C4-Q11  Contractors | **Supplier’s health and safety** | Demonstrate and provide evidence on request, that your organization has and implements, arrangements for ensuring that H&S performance throughout the whole of your organization’s supply chain is appropriate to the work likely to be undertaken. |  |  |
| C4-Q12  Contractors | **Risk assessment** | Demonstrate and provide evidence on request, that your organization has in place and implements procedures for carrying out relevant risk assessments and for developing and implementing safe systems of work (‘method statements’). You should be able to provide indicative examples. The identification and control of any significant occupational health (not just safety) issues should be prominent. |  |  |
| C4-Q13  Contractors | **Co-operation and co-ordination** | Provide explanation of how co-operation and co-ordination of the work is achieved in practice, and how other organizations are involved in drawing up method statements/safe systems of work etc. including arrangements for response to emergency situations. This should include details of how comments and input from your suppliers will be taken into account and how external comments including any complaints, will be responded to. |  |  |
| C4-Q14  Contractors | **On-site welfare** | Demonstrate and provide evidence on request about how you ensure suitable welfare facilities will be in place before starting work on site, whether provided by a site-specific arrangement or your own organizational measure |  |  |
| C4-Q15  Designers | **Legal duties under health and safety legislation** | Provide evidence of your CPD programme and/or examples of training and development plans (which may include in-house training) Please provide evidence of how your organization obtains H&S information, including how you maintain your technical knowledge and understanding of developments in construction. Provide commentary on how you match individual capabilities with the work undertaken. |  |  |
| C4-Q16  Designers | **Construction Design and Management Regulations** | Please provide evidence showing how you address C4-Q16-1 to C4-Q16-4 below. Please provide examples for each showing how risk was reduced through design. |  |  |
| C4-Q16-1 ensure co-operation and co-ordination of design work within the design team and with other designers/contractors. |  |  |
| C4-Q16-2 ensure hazards are eliminated and show how remaining risks are managed (with reference to buildability, maintainability and use). |  |  |
| C4-Q16-3 ensure that any structure that will be used as a workplace will meet relevant requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. |  |  |
| C4-Q16-4 manage design changes. |  |  |
| C4-Q17  Designers | **Check, review and improve your H&S performance** | Provide evidence that your organization has in place and implements, an ongoing system for monitoring H&S procedures and for periodically reviewing and updating that system as necessary for example through project design review (during and post-completion). |  |  |
| C4-Q18  CDM | **Knowledge and experience** | Provide evidence of:  • Professionally Qualified to Chartered level.  • Membership of a relevant construction institution, e.g. CIAT; CIBSE; CIOB; ICE; IET; IMechE; IStructE; RIBA; RICS. |  |  |
| C4-Q19  CDM | **Knowledge and experience of H&S** | Provide examples of actual attainments which should indicate competence as in the case of validated CPD in this field, and typical additional qualifications. |  |  |
| C4-Q20  CDM | **Review and develop delivering the coordination role** | Provide evidence that your organization has in place and implements an ongoing system for monitoring performance, including post project review. |  |  |

Table 4 – Core Question Module C4: Health and safety policy and capability

| Table 5 – Optional Question Module O1: Equal opportunity and diversity policy and capability | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| O1-Q1 | **As an Employer, do you meet the requirements of the positive equality duties in relation to the Equalities Act 2010?**  **Applies to both public and private procurement** | O1-Q1-1 relevant instructions or written statement/evidence of relevant actions. |  |  |
| O1-Q1-2 relevant guidance or written statement/ evidence of relevant actions. |  |  |
| O1-Q1-3 relevant policies/ literature or written statement/evidence of relevant actions. |  |  |
| O1-Q1 4 evidence of where you believe these policies have made a difference. |  |  |
| O1-Q2 | **Comply with anti-discrimination legislation** | Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others? |  |  |
| O1-Q3 | **Findings of unlawful discrimination** | In the last three years has any finding of unlawful discrimination been made against your organization by any court or industrial or employment tribunal or equivalent body? Provide details of any findings. |  |  |
| O1-Q4 | **Compliance action by the Equality and Human Rights Commission** | In the last three years has your organization been the subject to a compliance action by the Equality and Human Rights Commission or an equivalent body on grounds of alleged unlawful discrimination? Provide details of any investigations. |  |  |
| O1-Q5 | **Remedial action** | If the answer to O1-Q3 or O1-Q4 is “Yes”, what steps did your organization take as a result of that finding or investigation? |  |  |
| O1-Q6 | **Ensure that equality and diversity is embedded within your organization** | Provide copies of any relevant policies or written statement/evidence of relevant actions. |  |  |
| O1-Q7 | **Promote good practice in terms of eliminating discrimination** | O1-Q7-1 written guidance to your employees/suppliers concerned with recruitment, training and promotion. |  |  |
| O1-Q7-2 written guidance or policy documents concerning how the organization embeds equality and diversity available to employees/sub-contractors, recognised trade unions or other representative groups of employees. |  |  |
| O1-Q7-3 policies on appropriate recruitment advertisements or other literature. |  |  |

Table 5 – Optional Question Module O1: Equal opportunity and diversity policy and capability

| Table 6 – Optional Question Module O2: Environmental management policy and capability | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| O2-Q1 | **Exemption** | The questions in this module need not be completed if your organization holds a UKAS (or equivalent) accredited independent third party certificate of compliance with BS EN ISO 14001 or a valid EMAS certificate, and can provide the supporting evidence requested. |  |  |
| O2-Q2 | **Documented policy for the management of environmental issues** | Provide evidence that you or your organization has an environmental management policy authorized by the Chief executive or equivalent and regularly reviewed. The policy should be relevant to the nature and scale of the activity and set out the responsibilities for environmental management throughout the organization. |  |  |
| O2-Q3 | **Environmental management procedures effectiveness** | Provide evidence how your organization discharges relevant legal responsibilities and how these arrangements are communicated to the workforce including:  • sustainable materials procurement  • waste management  • energy management  This should include the arrangements for responding to, monitoring and recording environmental incidents and emergencies and complaints. |  |  |
| O2-Q4 | **Training and information on environmental issues** | Provide evidence that your organization has in place and implements, training arrangements to ensure that its workforce has sufficient skills and understanding to carry out their various duties.  This should include a programme of refresher training that will keep the workforce updated on relevant legal requirements and good environmental management practice. |  |  |
| O2-Q5 | **Environmental management performance** | Provide evidence that your organization has a system for monitoring environmental management procedures on an ongoing basis and for updating them at intervals. |  |  |
| O2-Q6 | **Suppliers environmental protection measures** | Provide evidence that your organization has procedures for monitoring supplier’s environmental management arrangements and ensuring that environmental performance appropriate for the activity to be undertaken is delivered throughout the whole of your organizations supply chain. |  |  |

Table 6 – Optional Question Module O2: Environmental management policy and capability

| Table 7 – Optional Question Module O3: Quality management policy and capability | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| O3-Q1 | **Exemption** | The questions in this module need not be completed if your organization holds a UKAS (or equivalent) accredited independent third party certificate of compliance with BS EN ISO 14001 or a valid EMAS certificate, and can provide the supporting evidence requested. |  |  |
| O3-Q2 | **Quality management policy** | Provide evidence that your organization has and implements a quality management policy that is authorised by the Chief Executive or equivalent and periodically reviewed at a senior management level. The policy should be relevant to the nature and scale of the work to be undertaken and set out responsibilities for quality management throughout the organization. |  |  |
| O3-Q3 | **Quality management effectiveness** | Provide evidence that your organization keeps copies of documentation setting out quality management organization and procedures that meet currently agreed good practice. These should include the arrangements for quality management throughout the organization. They should set out how the company will carry out its policy, with a clear indication of how the arrangements are communicated to the workforce. |  |  |
| O3-Q4 | **Quality related training and information** | Provide evidence that your organization has in place and implements, training arrangements to ensure that its workforce has sufficient skills and understanding to discharge their various responsibilities. These arrangements should include a programme of training that will keep the workforce up to date with required knowledge about quality related issues, including copies of job profiles; training manuals and training records. |  |  |
| O3-Q5 | **Periodic review of quality performance** | Provide evidence that your organization has a system for monitoring quality management procedures on an on-going basis. Your organization should be able to provide evidence of systematic, periodic review and improvement of quality in respect of construction output and general performance. |  |  |
| O3-Q6 | **Suppliers quality management** | Provide evidence that your organization has arrangements for monitoring supplier’s quality management arrangements and ensuring that quality performance appropriate for the work to be undertaken is delivered throughout the whole of your organizations supply chain. |  |  |

Table 7 – Optional Question Module O3: Quality management policy and capability

| Table 8 – Optional Question Module O4: Building information modelling, policy and capability | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| O4-Q0 | **Exemption** | The questions in this module need not be completed if your organization holds a third party certificate of compliance with PAS 1192:2:2013 from an organisation with a related UKAS accreditation, or equivalent. |  |  |
| O4-Q1 | **Common Data Environment capability** | Demonstrate that your organization understands the concept of a “Common Data Environment” and is able to exchange information in an efficient and collaborative manner. If you have delivered a project in this way, you may use this to demonstrate your capability. |  |  |
| O4-Q2 | **Policy, systems and procedures to achieve “Level 2 BIM”** | Provide evidence that you or your organization has a policy authorized by the Chief Executive or equivalent and regularly reviewed. |  |  |
| O4-Q3 | **Developing and delivering, or working to, a BIM Execution Plan** | Demonstrate that your organization understands the requirements of PAS 1192:2:2013, in particular with respect to a BEP. If you have delivered a project in this way, you may present an example BEP. |  |  |
| O4-Q4 | **Training employees in BIM related skills** | Demonstrate that your organization has in place training arrangements to ensure that its staff/ workforce have sufficient skills and understanding to implement and deliver projects in accordance with the policy and procedures established to achieve “Level 2 BIM”. |  |  |

Table 8 – Optional Question Module O4: Building information modelling, policy and capability

| Table 9 – Core Question Module C3 for Public Sector procurement – Mandatory exclusion | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| C3-QP1 | **Exemption** | Do any of the circumstances as set out in Part 4 Regulation 23(1) of the Public Contracts Regulations 2006 (SI 2006 No:5) as amended by the Public Contracts (Amendment) Regulations 2009 (SI 2009/2992), apply to you as the applicant or to members of any applicant Group or any envisaged sub-contractor? If yes, please supply details in response to relevant question(s) below. |  |  |
| C3-QP1-1 | **If your organisation or any directors or partner or any other person who has powers of**  **representation, decision or control has been convicted of any of the following offences, please provide information.** | C3-QP1-1a) **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. |  |  |
| C3-QP1-1b) **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; where the offence relates to active corruption. |  |  |
| C3-QP1-1c) **bribery**: the offence of bribery, where the offence relates to active corruption. |  |  |
| C3-QP1-1d) **bribery**: within the meaning of section 1 or 6 of the Bribery Act 2010. |  |  |
| C3-QP1-1e) **fraud**: 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 Union, within the meaning of: |  |  |
| C3-QP1-1e) (i) the offence of cheating the Revenue. |  |  |
| C3-QP1-1e) (ii) the offence of conspiracy to defraud. |  |  |
| C3-QP1-1e) (iii) fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) Order 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978 |  |  |
| C3-QP1-1e) (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006. |  |  |
| C3-QP1-1e) (v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 19799 or section 72 of the Value Added Tax Act 1994. |  |  |
| C3-QP1-1e) (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993. |  |  |
| C3-QP1-1e) (vii) destroying, defacing or concealing of documents or procuring the extension 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. |  |  |
| C3-QP1-1e) (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |  |
| C3-QP1-1e) (ix) making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006. |  |  |
| C3-QP1-1f) **money laundering** within the meaning of the Proceeds of Crime Act 2002: |  |  |
| C3-QP1-1f) (i) an offence in connection with the proceeds of criminal conduct within the  meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996; or |  |  |
| C3-QP1-1f) (ii) an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or |  |  |
| C3-QP1-1g) any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant state. |  |  |

Table 9 – Core Question Module C3 for Public Sector procurement – Mandatory exclusion

| Table 10 – Core Question Module C3 for Public Sector procurement – Discretionary exclusion | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| C3-QP2 | **Exemption** | Do any of the circumstances as set out in Part 4 Regulation 23(4) of the Public Contracts Regulations 2006 (SI 2006 No:5) as amended by the Public Contracts (Amendment) Regulations 2009 (SI 2009/2992), apply to the Applicant, members of the Applicant Group or any envisaged sub-contractor? If yes, please supply details below. |  |  |
| C3-QP2-1 | **Is any of the following true of your organisation?** | C3-QP2-1a) being an individual, is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of creditors or has made any conveyance or assignment for the benefit of creditors or appears unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of Section 268 of the Insolvency Act 1986, or Article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other State. |  |  |
| C3-QP2-1b) being a partnership constituted under Scots law, has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate; or |  |  |
| C3-QP2-1c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company’s winding up otherwise than for the purpose of bona fi de reconstruction or amalgamation, or has had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company’s business or any part of the company’s business or is the subject of similar procedures under the law of any other State? |  |  |
| C3-QP2-2 | **Has your organisation** | C3-QP2-2a) been convicted of a criminal offence relating to the conduct of its business or profession. |  |  |
| C3-QP2-2b) committed an act of grave misconduct in the course of its business |  |  |
| C3-QP2-2c) failed to fulfil obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which you are established; or |  |  |
| C3-QP2-2d) failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the member State in which you are established. |  |  |

Table 10 – Core Question Module C3 for Public Sector procurement – Discretionary exclusion

| Table 11 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Part 4 Regulation 23(1) – Mandatory exclusion | | | | |
| --- | --- | --- | --- | --- |
| Ref: | Information required | Question | Tick | Response or Document Reference |
| C3-QD1 | **Exemption** | Do any of the circumstances as set out in Part 4 Regulation 23(1) of the Defence and Security Public Contracts Regulations 2011 (SI 1848), apply to you as the Applicant or to members of any Applicant Group? If yes, please supply details below. |  |  |
| C3-QD1-1 | **Criminal Activity** | C3-QD1-1 If your organisation or any directors or partner or any other person who has powers of representation, decision or control has been convicted of any of the following offences, please provide information. |  |  |
| C3-QD1-1a) **conspiracy** within the meaning of section 1 or section 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983, or in Scotland the Offence of conspiracy, where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA. |  |  |
| C3-QD1-1b) involvement in **serious organised crime** or directing serious organised crime within the meaning of section28 or 30 of the Criminal Justice and Licensing (Scotland) Act 2010. |  |  |
| C3-QD1-1c) **corruption** within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906 (including any amendments to the legislation identified). |  |  |
| C3-QD1-1d) the offence of **bribery**. |  |  |
| C3-QD1-1e) **bribery** within the meaning of section 1, 2 or 6 of the Bribery Act 2010. |  |  |
| C3-Q1-1f) **bribery** or **corruption** within the meaning of section 68 and 69 of the Criminal Justice (Scotland) Act 2003. |  |  |
| C3-QD1-1g) **fraud**, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of: |  |  |
| C3-QD1-1g) (i) the offence of cheating the Revenue. |  |  |
| C3-QD1-1g) (ii) the offence of conspiracy to defraud. |  |  |
| C3-QD1-1g) (iii) fraud or theft within the meaning of the Theft Act 1968 the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978. |  |  |
| C3-QD1-1g) (iv) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006. |  |  |
| C3-QD1-1g) (v) in Scotland, the offence of fraud. |  |  |
| C3-QD1-1g) (vi) in Scotland, the offence of theft. |  |  |
| C3-QD1-1g) (vii) fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies Act (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006. |  |  |
| C3-QD1-1g) (viii) 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. |  |  |
| C3-QD1-1g) (ix) an offence in connection with taxation in the European Union within the  meaning of section 71 of the Criminal Justice Act 1993. |  |  |
| C3-QD1-1g) (x) 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 or making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006. |  |  |
| C3-QD1-1g) (xi) in Scotland the offence of uttering; or |  |  |
| C3-QD1-1g) (xii) in Scotland, the criminal offence of attempting to pervert the course of justice. |  |  |
| C3-QD1-1h) money laundering within the meaning of section 93A, 93B, or 93C of the Criminal Justice Act 1988, section 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996 or the Money Laundering Regulations 2003 or money laundering or terrorist financing within the meaning of the Money Laundering Regulations 2007. |  |  |
| C3-QD1-1i) terrorist offences or offences linked to terrorist activities, as defined in Articles 1 and 3 of Framework Decision 2002/475/JHA. |  |  |
| C3-QD1-1j) an offence in connection with proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or |  |  |
| C3-QD1-1k) in Scotland, the offence of incitement to commit any of the crimes described in Regulation 23(1). |  |  |
| C3-QD1-1l) any other offence within the meaning of Article 39(1) of the Defence and Security Procurement Directive 2009/81/EC as defined by the national law of any member State. |  |  |

Table 11 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Part 4 Regulation 23(1) – Mandatory exclusion

| Table 12 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Part 4 Regulation 23(4) – Discretionary exclusion | | | | |
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| Ref: | Information required | Question | Tick | Response or Document Reference |
| C3-QD2 | **Exemption** | Do any of the circumstances as set out in Part 4 Regulation 23(4) of the Defence and Security Public Contracts Regulations 2011 (SI 1848), apply to the Applicant or to members of any Applicant Group? If yes, please supply details below. |  |  |
| C3-QD2-1 | **Is any of the following true of your organisation?** | C3-QD2-1a) being an individual, is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of creditors or has made any conveyance or assignment for the benefit of creditors or appears unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of Section 268 of the Insolvency Act 1986, or Article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other State. |  |  |
| C3-QD2-1b) being a partnership constituted under Scots law, has granted a trust deed or become  otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate. |  |  |
| C3-QD2-1c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has passed a resolution or is the subject of an order by the court for the company’s winding up otherwise than for the purpose of bona fi de reconstruction or amalgamation, or has had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company’s business or any part of the company’s business or is the subject of similar procedures under the law of any other State? |  |  |
| C3-QD2-2 | **Has your organisation** | C3-QD2-2a) been convicted of a criminal offence relating to the conduct of its business or profession, including, for example, any infringements of any national or foreign law on protecting security of information or the export of defence or security goods. |  |  |
| C3-QD2-2b) committed an act of grave misconduct in the course of its business or profession, including a breach of obligations regarding security of information or security of supply required by the contracting authority in accordance with Regulation 38 or 39 of the DSPCR during a previous contract. |  |  |
| C3-QD2-2c) been told by a contracting authority, that the Potential Provider does not to possess the reliability necessary to exclude risks to the security of the United Kingdom. |  |  |
| C3-QD2-2d) failed to fulfil obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the member State in  which it is established. |  |  |
| C3-QD2-2e) failed to fulfil obligations relating to the payment of taxes under the law of any  part of the United Kingdom or of the member State in which it is established. |  |  |

Table 12 – Core Question Module C3 for Defence and Security Public Contract Regulations 2011 Part 4 Regulation 23(1) – Discretionary exclusion

| Table 13 – Supplementary questions | | | | |
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| Ref: | Information required | Question | Tick | Response or Document Reference |
| S1-Q1 |  |  |  |  |
| S1-Q2 |  |  |  |  |
| S1-Q3 |  |  |  |  |

Table 13 - Supplementary questions

