

DOCUMENT A

Supply and Fitting of Tyres

SELECTION QUESTIONNAIRE

CONTENTS

A.	ORGANISATION PROFILE
B.	GROUNDINGS FOR EXCLUSION
C.	INSURANCE
D.	FINANCIAL INFORMATION
E.	HEALTH AND SAFETY
F.	EQUALITY AND DIVERSITY
G.	TECHNICAL CAPACITY
H.	UNDERTAKING

APPENDIX 1 BANKERS REFERENCE LETTER

You are required to complete all sections of the Selection Questionnaire. Any additional information requested should be submitted on bound A4 paper, with sequential page numbering and clearly refer to the Selection Questionnaire section number.

In line with the Authority's sustainability objectives, the Authority asks that you do not include any of the following with your Tender:

- Lever arch folder, ring binder; any extraneous information that has not been specifically requested including, for example, sales literature, annual reports etc.

Failure to fully complete the questionnaire and/or provide any supporting documentation MAY result in the rejection of your firm's application.

The complete form and supporting documents must be returned to:

Secretariat
West Midlands Fire Service
99 Vauxhall Road,
Nechells,
Birmingham.
B7 4HW.

Form should be received no later than **1200 hours 6th September 2010**

ENCLOSURES

Please check that you have enclosed all of the requested documents with your completed questionnaire:

A. ORGANISATION PROFILE

NOTE TO ORGANISATION:
This section is required for information purposes only.

Please provide the following details:

Business name (or Consortium Name):

Registered or trading name if different:

Type of organisation (e.g. private limited company, partnership, sole trader):

Number of employees:

Registered address:

Correspondence address if different from the above:

Address from which the Contract will be provided if different from the above:

Name of ultimate holding/parent company or subsidiary companies including addresses and an explanation of group structure and internal relationships:

Company Registration Number of ultimate holding/parent company or subsidiary companies:

If you have included details of an ultimate holding/parent company above would this company be willing to guarantee your contract performance and enter into any requisite legal documentation, if required?

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Indication of the principal areas of business activity of your organisation:

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Contact name:	
Contact's position:	
Contact's telephone number:	
Contact's fax number:	
Contact's email address:	
Company/ies registration number(s):	
Place of registration:	
Year established:	
VAT number:	

B. GROUNDS FOR EXCLUSION

NOTE TO ORGANISATION:

This section will be evaluated on a pass/fail basis.

Please confirm that, to the best of your knowledge, the organisation named above is not in breach of the provisions of Regulation 23(1) of the Public Contracts Regulations 2006 as summarised below.

B1. Mandatory Grounds

The organisation (or its directors or any other person who has powers of representation, decision or control of such organisation) has not been convicted of any of the following offences:-

Tick to confirm you have read clause and have not been convicted

Conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA; or	
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; or	
The offence of bribery; or	
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:- <ul style="list-style-type: none">• the offence of cheating the Revenue; or• the offence of conspiracy to defraud; or• fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978; or• fraudulent trading within the meaning of section 458 of the Companies Act 1985; or• defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994; or• an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or	

<ul style="list-style-type: none"> 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 	
Money laundering within the meaning of the Money Laundering Regulations 2003; or	
Any other offence within the meaning of Article 45(1) of the Public Sector Directive.	

If you are unable to confirm any of the above, please give details below, including any action taken to resolve the situation.

B2. Discretionary Grounds

The organisation (or its directors or any other person who has powers of representation, decision or control of such organisation) confirms that:-

Tick to confirm you have read clause and confirm as true

<p>Being an individual he/she is not bankrupt or has not had a receiving order or administration order or bankruptcy restrictions order made against him or has not made any composition or arrangement with or for the benefit of his creditors or has not made any conveyance or assignment for the benefit of his creditors or does not appear able 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 not granted a trust deed for creditors or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of his estate, or is not the subject of any similar procedure under the law of any other state; or</p>	
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Being a partnership constituted under Scottish law it has not granted a trust deed or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of its estate; or	
Being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has not passed a resolution or is not the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or has not had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is not the subject of the above procedures or is not the subject of similar procedures under the law of any other state; or	
It has not been convicted of a criminal offence relating to the conduct of his business or profession; or	
It has not committed an act of grave misconduct in the course of his business or profession; or	
It has fulfilled 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 the organisation is established; or	
It has fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established; or	
It is not guilty of serious misrepresentation in providing any information required of him under this regulation; or	
In relation to procedures for the award of a public services contract, it is licensed in the relevant State in which he/she is established or is a member of an organisation in that relevant State when the law of that relevant State when the law of that relevant State prohibits the provision of the services to be provided under the contract by a person who is not so licensed or who is not such a member; or	
Where applicable, it is registered with the appropriate trade or professional register(s) in the EU Member State where it is established (as set out in Annex IXB of Directive 2004/18/EC) under the conditions laid down by that Member State.	

If you are unable to confirm any of the above, please give details below, including any action taken to resolve the situation.

C. INSURANCE

NOTE TO ORGANISATION:

This section will be evaluated on a pass/fail basis.

Organisations that do not have or are not willing to purchase the required insurance levels will be excluded from this tender.

Please provide confirmation that you have or, if successful, will buy the following minimum levels of insurance:

Certificates must be included with completed SELECTION QUESTIONNAIRE.

	delete as appropriate
Public liability £5 million per claim	YES /NO /WILL OBTAIN
Employers liability £5 million	YES /NO /WILL OBTAIN
Professional indemnity £2 millions	YES /NO /WILL OBTAIN

D. FINANCIAL INFORMATION

NOTES TO ORGANISATION:

- 1. This section will be evaluated on a pass/fail basis.**
- 2. We may seek evidence relating to the questions below, if required and we reserve the right to use the services of an independent third party to assess your financial standing/appraisal.**
- 3. Organisations that do not have a turnover of over £260,000 pa or do not achieve a good credit rating from the independent third party will be excluded from this tender.**

D1. What was your turnover in the last three years (if this applies)?

£ for year ended __ / __ / ____	£ for year ended __ / __ / ____	£ for year ended __ / __ / ____
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D2. Has your organisation met the terms of its banking facilities and loan agreements (if any) during the past year?

YES/NO (delete as appropriate)

D3. If the answer to the above question is **no**, what were the reasons, and what has been done to put things right?

D4. Has your organisation met all its obligations to pay its creditors and employees during the past year?

YES/NO (delete as appropriate)

D5. If the answer to the above question is **no**, please explain why not:

D6. Have you completed the draft Bankers Letter **(which must be submitted on your official letterhead)** attached as Appendix 1?

YES/NO <i>(delete as appropriate)</i>
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D7. The following **must** be provided:

A copy of your most recent accounts, audited if applicable (for the last three years if this applies). Start up companies who have not been trading for three years should provide a statement from their bank providing information of financial backing and estimated turnover for this and the next financial year.

Please tick the box to confirm the above documents are enclosed:	
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NOTES TO ORGANISATION:

- 1. Where the organisation is a subsidiary of a group all questions must be answered for both the subsidiary and the ultimate parent company.***
- 2. Where this SELECTION QUESTIONNAIRE is being submitted as a consortium, the above information is required for each member organisation***

E. HEALTH AND SAFETY

NOTE TO ORGANISATION:

*This section carries a weighting of 15% of the overall scores
Some questions will be evaluated on a pass/fail basis.*

Responsibility & Structure

E1. Please state the name and position of the person with overall responsibility for health and safety in your organisation together with details of experience and any relevant qualifications.

Name	
Position in Organisation	
Experience	
Qualifications	

Policies and Procedures

E2.

Please note that this question is evaluated as PASS/FAIL

Does your organisation have a written Health and Safety Policy (covering General Policy, Organisation and Arrangement) as required by Section 2(3) of the Health and Safety at Work etc Act 1974 and issue any codes of safe working practices to workforce?

YES/NO (*delete as appropriate*)

E3.

Please note that this question accounts for 7% of the overall score

Please complete the following table in respect of accidents and dangerous occurrences as set out below.

Year	Fatal	Major Injury or "Over 3-Day"	Non-Reportable	Dangerous Occurrences	Reportable ill-health	Near Misses
This year						
Last year						
Year before last						

E4.

Please note that this question and further information relating to E5 accounts for 8% of the overall score

During the last five years, has the organisation been subject to formal enforcement (e.g. Prosecution, Prohibition Notice or Improvement Notice) for contravention of the Health and Safety at Work etc Act 1974, or equivalent legislation arising from your conduct of activities similar to those covered by this contract?

YES/NO (*delete as appropriate*)

E5. If the answer is **yes**, please provide full details and explain corrective action taken to prevent re-occurrence.

F. EQUALITY AND DIVERSITY

NOTES TO ORGANISATION:

- 1. This section will be evaluated on a pass/fail basis**
- 2. We will seek evidence relating to the questions below, if required**
- 3. Organisation who answer yes to G3 and can not provide evidence of improvements in G4 will be excluded from this tender.**

The Local Government Act, 1988, empowers Local Authorities to take any 'reasonably necessary' action to secure employment terms which are carried out 'with due regard to the need to eliminate unlawful racial discrimination' under Section 71 of the Race Relations Act, 1976.

The Authority considers it essential and justifiable that all firms wishing to be placed on a Select or Standing List of contractors are able to demonstrate that all reasonably practicable steps are being taken to ensure equal access and equal treatment in employment in relation to race, gender, age, disability, sexual orientation and religion and beliefs.

The West Midlands Fire and Rescue Authority is therefore requesting information in the format approved by Central Government from all firms on various aspects of their employment practices and procedures. This information will enable the Authority to assess a firm's compliance with the Race Relations Amendment Act, 2000, the Disability Discrimination act 1995 and the Sex Discrimination act 1975.

F1. Is it your policy as an employer to comply with your statutory obligations under the Race Relations Act, 1976, the Disability Discrimination act 1995 and the Sex Discrimination act 1975 and, accordingly, your practice not to treat one group of people less favourably than others because of their race, gender or disability in relation to decisions to recruit, train or promote employees?

YES/NO *(delete as appropriate)*

F2. In the last three years, has any findings of unlawful racial discrimination been made against your organisation by any Court or industrial tribunal in relation to gender, race or disability discrimination?

YES/NO *(delete as appropriate)*

F3. In the last three years has your organisation been the subject of formal investigation by the Commission for Racial Equality, the Disability Rights Commission or the Equal Opportunities Commission on the grounds of alleged unlawful discrimination?

YES/NO *(delete as appropriate)*

F4. If the answer to the question F2 is YES or in relation to question F3, the Commission made a finding adverse to your organisation – please give a brief explanation in relation to the circumstances below – what steps did your organisation/company take in consequence of that finding?

F5. Is your policy on race relations set out:

a) in instructions to those concerned with recruitment training and promotion

YES/NO *(delete as appropriate)*

b) in documents available to employees, recognised trade unions or other representative groups of employees

YES/NO *(delete as appropriate)*

c) in recruitment advertisements or other literature?

YES/NO *(delete as appropriate)*

F.5.1 Please detail the evidence that you are submitting in relation to question G.5 as part of this process.

F.6 Do you observe as far as possible the Commission for Racial Equality, the Disability Discrimination Code of Practice 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 women, ethnic minorities and people with disabilities to apply for jobs or take up training opportunities?

YES/NO *(delete as appropriate)*

G. TECHNICAL CAPACITY

SERVICES

Please note that this section accounts for 85% of the overall score

G 1

Please note that this question accounts for 25% of the overall score

Please provide details of existing or recently (within the last 5 years) expired contracts (a minimum 1, a maximum 3) similar in size and nature to those required under this Contract. **Include details of when the services were provided, to whom and the total contract value.**

G2.

Please note that references will account for 30% of the overall score

Tenderers **MUST** arrange for the organisation(s) to whom the above contract(s) are/were delivered to:-

- Confirm the information that you have provided above
- Comment on your performance in delivering the above contract(s)

Tenderers must arrange for responses to be sent directly to

Tina Thomas
WMFS Procurement
99 Vauxhall Road
Birmingham
B7 4HW

RESPONSES MUST BE RECEIVED BY THE TENDER CLOSING DATE

G3

Please note that this question accounts for 20% of the overall score

Please provide a statement of the technicians and technical services available to you and demonstrate how staff are suitably competent to deliver a service of this nature.

G4

Please note that this question is for information only

Please provide a statement of any of the services which you intend to sub-contract to another person identifying the sub-contractor and the relevant services to be sub-contracted expressed both by value and proportion of contract sum, or proposed proportion (%).

Please confirm that any sub-contractor you have identified or intend to identify will comply with the standards/risk assessments/safety method statements set out in this SELECTION QUESTIONNAIRE.

Please note that the use of any proposed sub-contractor(s) is subject to the approval and agreement of WMFRA

G5

Please note that this question is evaluated as PASS/FAIL

Does your firm provide a 24 hour/ 365 day call out and a single point of contact?

YES/NO *(delete as appropriate)*

G6

Please note that this question accounts for 5% of the overall score

Please confirm whether your organisation has in the last 3 years:

- Had a contract terminated?
- **NOT** had a contract renewed for failure to perform to the terms of the contract?
- Has withdrawn from a contract prematurely?

If the answer is **yes**, please provide full details.

G7

Please note that this question accounts for 5% of the overall score

Please confirm whether your organisation has any outstanding claims or had litigation against it in the last 3 years?

YES/NO (*delete as appropriate*)

If the answer is **yes**, please provide full details.

H. UNDERTAKING

When you have completed the SELECTION QUESTIONNAIRE, please ensure that:

- 1. You have answered all the questions;
- 2. You have **provided** all documents requested;
- 3. You have read and signed the undertaking below.

I certify that the information supplied regarding the Organisation is accurate to the best of my knowledge and that I accept the conditions and undertakings requested in the Pre-Qualification Questionnaire. I understand and accept that false information could result in rejection of the application to be selected to take part in the tender process.

I also understand that it is a criminal offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of a public body. I also understand that any such action will result in rejection of our application to take part in the tender procedure and empower the Authority to cancel any contract currently in force.

I understand and agree that if our tender is successful that the Organisation will purchase insurances as required if such insurance is not already held.

NB This undertaking is to be signed by a Partner, Director or authorised representative i.e. in their name on behalf of the Organisation.

Signed for and on behalf of the Organisation:	
Signed:	
Position/Status in the Organisation:	
Organisation's name:	
Organisation's address:	
Date:	

NB TO BE SUBMITTED ON AN OFFICIAL LETTERHEAD

Date: -----
_____ Bank

Dear Sirs,

Re: Bankers Reference

I confirm that, by authority of this letter, I give permission for:

**West Midlands Fire Service
99 Vauxhall Road
Nechells
Birmingham B7 4HW**

To be supplied with a current bank reference in respect of:

Account Name: _____
Account Number: _____ (12345678)
Sort Code: _____ (99-99-99)
Branch: _____

Any costs associated with this reference are to be met by us.

Yours faithfully
