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**Invitation To Tender Questions**

**v2c25028 – legal services**

Contents

[Section A – Organisation Details 2](#_Toc211262524)

[Section B – Financial Information 6](#_Toc211262525)

[Section C – Quality Systems, Accreditations and Policies 9](#_Toc211262526)

[Section D – Health and Safety 10](#_Toc211262527)

[Section E – Sustainability and Environment 12](#_Toc211262528)

[Section F – Equal Opportunities and Modern Slavery 13](#_Toc211262529)

[Tender Declarations 15](#_Toc211262530)

[1.1 Tender Declaration 15](#_Toc211262531)

[1.2 Form of Tender 15](#_Toc211262532)

[1.3 Certificate of Non-Collusion 16](#_Toc211262533)

# Section A – Organisation Details

Please note: **All Tenderers are required to complete this section.**

**Section A is for information only and will not be scored.**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Question No** | **Description** | | **Answer** | | | | | |
| **A – 1.1** | **Full Legal Name of Organisation** (or lead organisation if bidding as a consortium) | |  | | | | | |
| **A – 1.2** | **Registered Office Address** | |  | | | | | |
| **A – 1.3** | **Central Digital Platform (CDP) Unique Identifier** | |  | | | | | |
| **A – 1.4** | Company / Charity Registration Number (if applicable) | |  | | | | | |
| **A – 1.5** | Registered Website Address (if applicable) | |  | | | | | |
| **A – 1.6** | VAT Registration Number (if applicable) | |  | | | | | |
| **A – 1.7** | Name of Immediate Parent Company (if applicable) | |  | | | | | |
| **A – 1.8** | Name of Ultimate Parent Company (if applicable) | |  | | | | | |
| **A – 1.9** | **Type of Organisation:** | | Public limited company | | | |  | |
| Limited company | | | |  | |
| Limited liability partnership | | | |  | |
| Other partnership | | | |  | |
| Sole trader | | | |  | |
| Third sector organisation | | | |  | |
| Other (please specify): | | | |  | |
|  | | | | | |
| **A – 1.10** | Is your organisation a Small, Medium or Micro Enterprise (SME)? | | Yes | No | | | | |
| **A – 1.11** | Is your organisation one of the following supported businesses (if so, please indicate which)?   * Voluntary Community Social Enterprise (VCSE) * Sheltered Workshop * Public Service Mutual | | Yes | No | | | | |
| If yes, specify: | | | | | |
|  | | | | | |
| **A.2.1 Contact Details**  Please provide contact details for any enquiries regarding the content of your ITT submission. | | | | | | | | | |
| **Name** | |  | | | | | | | |
| **Position in Company** | |  | | | | | | | |
| **Address** | |  | | | | | | | |
| **Post Code** | |  | | | | | | | |
| **Country** | |  | | | | | | | |
| **Phone** | |  | | | | | | | |
| **Email** | |  | | | | | | | |
| **A.2.2 Delivery Structure**  Please indicate which of the following applies to your submission (tick one): | | | | | | | | | |
| 1. We are bidding to provide the goods and/or services directly. | | | | | | | |  | |
| 1. We are bidding as the primary supplier/contractor and intend to use third parties to deliver some goods and/or services. | | | | | | | |  | |
| 1. We are bidding as a consortium or Special Purpose Vehicle (SPV). | | | | | | | |  | |
| If you selected (b) or (c), please attach a separate appendix listing the supply chain members, their roles, governance arrangements, if any of these organisations are on the debarment list and CDP Share Code. This should clearly identify which organisation(s) will be responsible for each element of the requirement. | | | | | | | | | |
| **A.2.3 Conflict of Interest Declaration**  Please confirm the following: | | | | | | | | | |
| Is any principal owner, director, or partner in your organisation related to a current employee or Board Member of Barcud Shared Services or its clients (as specified in the ITT)? | | | | | **Yes** | | | **No** | |
| Has any current employee of your organisation been employed by or served on the Board of Barcud Shared Services or its clients within the last 12 months? | | | | | **Yes** | | | **No** | |
| If you answered **Yes** to either question above, please provide the name(s), position(s), and details of the relationship below: | | | | | | | | | |
|  | | | | | | | | | |
| **A.2.4 Grounds for Mandatory Rejection**  Please confirm the following: | | | | | | | | | |
| Has your organisation (or any of your parent organisation) been added onto the debarment list? | | | | | | Yes | | No | |
| **Under the Procurement Act 2023, we are required to exclude a supplier from this procurement if they, or any person with powers of representation, decision or control in the organisation, have been convicted of any of the following offences.**  **For each statement below, answer “Yes” or “No”. If you answer “Yes” to any question, you must provide full details in a separate appendix, including the incident, date, jurisdiction, and any remedial action taken.**  **Within the last 5 years, has your organisation, or any relevant individual, been convicted of:** | | | | | | | | | |
| 1. **Participation in a criminal organisation** – as described in paragraph 1 of Schedule 6 to the Procurement Act 2023. | | | | | | **Yes** | | **No** | |
| 1. **Corruption** – as described in paragraph 2 of Schedule 6 to the Act, including offences involving bribery, improper advantage, or abuse of position. | | | | | | **Yes** | | **No** | |
| 1. **Bribery** – within the meaning of sections 1, 2 or 6 of the Bribery Act 2010, or section 113 of the Representation of the People Act 1983, or equivalent offences. | | | | | | **Yes** | | **No** | |
| 1. **Fraud** – as described in paragraph 3 of Schedule 6, including:    1. conspiracy to defraud;    2. fraud by false representation, failing to disclose information, or abuse of position;    3. fraudulent trading;    4. theft, including false accounting;    5. offences relating to fraudulent evasion of tax, customs or excise duties; or    6. possession, making, adapting, supplying or offering to supply articles for use in fraud. | | | | | | **Yes** | | **No** | |
| 1. **Terrorism offences** – as described in paragraph 4 of Schedule 6, including commission, incitement, aiding, abetting, or attempting to commit terrorist acts, or offences with a terrorist connection. | | | | | | **Yes** | | **No** | |
| 1. **Money laundering** – within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002, or equivalent overseas offences. | | | | | | **Yes** | | **No** | |
| 1. **Breach of tax or social security obligations** – as described in section 57(2) of the Procurement Act 2023, where the breach has been established by a judicial or administrative decision having final and binding effect. | | | | | | **Yes** | | **No** | |

# Section B – Financial Information

Please note: **All Tenderers are required to answer this section.**

**Section B is ‘Pass/Fail’.**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Question No.** | **Description of Question** | | | | | | | |
| **B – 1.**  **Pass/Fail** | **Credit Rating**  Barcud Shared Services will conduct a financial check through CreditSafe should your bid be successful.  To pass this question, your organisation must have an **overall CreditSafe risk rating of ‘Low’ or ‘Moderate’**.  If your rating is ‘High Risk’ or worse, Barcud Shared Services reserves the right to:   * Seek clarification from you to provide an adequate explanation. * Reject the submission if a satisfactory explanation is not provided. | | | | | | | |
| **Please tick to confirm you understand and accept the above requirement.** | | | | | |  | |
| **B – 2.**  **Pass/Fail** | **Annual Turnover**  The minimum annual turnover requirement has been set at **£1,000,00.00**  Please provide your organisation’s **audited annual turnover** for the last two years. If your business has not traded for two full years, provide figures since incorporation. | | | | | | | |
| **Financial Year** | | From | | | To | Turnover (£) | |
| Year 1 | |  | | |  |  | |
| Year 2 | |  | | |  |  | |
| If your turnover is below the threshold, Barcud Shared Services may, at its sole discretion, accept your bid at risk, subject to satisfactory justification.  If your turnover is below threshold, please provide a justification below. | | | | | | | |
| **Response:** | | | | | | | |
| **B – 3.**  **Pass/Fail** | **Profitability (EBITDA)**  Please state your **net profit or loss** for the last two financial years, calculated as **EBITDA (Earnings Before Interest, Tax, Depreciation, and Amortisation).** | | | | | | | |
| **Financial Year** | From | | | To | | EBITDA (£) | |
| Year 1 | |  | | |  |  | |
| Year 2 | |  | | |  |  | |
| If your EBITDA is negative in either year, please provide a short written explanation to demonstrate your organisation’s financial resilience. This may include:   * Details of exceptional items (e.g. one-off costs or accounting changes) * Cash flow projections or recent financial improvements * Asset availability to cover ongoing costs   Failure to provide a credible explanation may result in a Fail. | | | | | | | |
| **Response:** | | | | | | | |
| **B – 4.**  **Pass/Fail** | **Insurance Requirements**  Please confirm that your organisation holds (or is willing to obtain) the following minimum insurance cover: | | | | | | | |
| **Type of Insurance** | | | **Minimum Cover Required** | | | **Currently Held?** | |
| **Yes** | **No** |
| Employer’s Liability | | | £10,000,000.00 | | |  |  |
| Public Liability | | | £5,000,000.00 | | |  |  |
| Professional Indemnity | | | £2,000,000.00 | | |  |  |
| ~~Product Liability~~ | | | ~~£5,000,000.00~~ | | |  |  |
| If your organisation does not have the minimum requirement as stated above, is your organisation able and willing to increase, or put in place its insurance cover to meet the requirements prior to contract signature?  Failure to meet the above insurance requirements may result in a Fail. | | | | | |  |  |
| **B – 5.**  **Information only** | **30 Day Payment**  Please confirm that you have a system in place to pay all invoices received within relation to this contract within 30 days. | | | | | | **Yes** | **No** |

# Section C – Quality Systems, Accreditations and Policies

Please note: **All Tenderers are required to answer this section.**

**Section C is ‘Pass/Fail’.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Question No.** | **Description of Question** | **Answer** | |
| **Yes** | **No** |
| **C – 1.**  **Pass/Fail** | **Quality Management**  Does your organisation have a Quality Management Policy or documented process?  Please tick to self-certify:  **Note**: Bidders who answer ‘No’ will be disqualified at this stage of the evaluation. |  |  |
| **~~C – 2.~~**  **~~Pass/Fail~~** | **~~Professional Accreditations~~**  ~~This contract requires suppliers to hold up-to-date [~~**~~insert required qualification]~~** ~~accreditation from [~~**~~insert approved bodies]~~** ~~or equivalent.~~  ~~Please confirm that your organisation (and any subcontractors, if applicable) hold such qualifications.~~  **~~Note~~**~~: Bidders who answer ‘No’ will be disqualified at this stage of the evaluation.~~ |  |  |
| **~~C – 3.~~**  **~~Information only~~** | **~~Considerate Constructors Scheme~~**  ~~Is your organisation registered with the~~ **~~Considerate Constructors Scheme~~** ~~(or equivalent)?~~ |  |  |
| **C – 4.**  **Pass/Fail** | **Policies**  Will you comply with all policies as outlined in this ITT?  **Note**: Bidders who answer ‘No’ will be disqualified at this stage of the evaluation. |  |  |
| **C – 5.**  **Pass/Fail** | **UK General Data Protection Compliance**  Please confirm that you have in place, or that you will have in place by the award of the contract, the resources to perform the contract to ensure compliance with the UK General Data Protection Regulation and to ensure the protection of the rights of data subjects. |  |  |
| **C – 6.**  **Pass/Fail** | **Cyber Essentials Plus Certification**  Please confirm that your organisation holds a valid **Cyber Essentials Plus** certification (or equivalent), demonstrating compliance with the UK Government-backed standard for cyber security.  If not currently certified, please confirm that your organisation will obtain certification **prior to contract award** and provide evidence upon request.  **Note:** Bidders who answer ‘No’ will be disqualified at this stage of the evaluation. |  |  |

# Section D – Health and Safety

Please note**: All Tenderers are required to answer this section.**

**Section D is ‘Pass/Fail’.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Question No.** | **Description of Question** | **Answer** | |
| **Yes** | **No** |
| **~~D – 1.~~**  **~~Pass/Fail~~** | **~~Safety Schemes in Procurement (SSIP)~~**  ~~Has your organisation completed a recognised Health & Safety assessment process, demonstrating competence in Stage 1 Health & Safety Management Systems (in line with CDM 2015 core criteria or PAS91 H&S Module), via a Registered Member of the SSIP Forum?~~  ~~Please tick to self-certify:~~  ~~If~~ **~~Yes~~**~~, please provide your SSIP Registration Number below.~~  ~~If~~ **~~No~~**~~, please attach equivalent evidence of H&S competence for review.~~  **~~Note~~**~~: Barcud Shared Services reserves the right to exclude any tenderer who does not meet the required standard or cannot provide sufficient evidence of competence.~~ |  |  |
| **~~SSIP Number:~~** | | |
| **D – 2.**  **Pass/Fail** | **Health and Safety Policy**  Does your organisation have a Health and Safety Policy that includes all of the following?   * A signed and dated **Policy Statement** * Clear definition of **organisational responsibilities** * Documented implementation **arrangements and procedures** * **Internal review within the past 2 years**   Please tick to self-certify:  **Note**: Barcud Shared Services may request a copy of your policy for verification. Bidders who answer ‘No’ will be rejected at this stage. |  |  |
| **D – 3.**  **Pass/Fail** | **HSE Enforcement Action**  In the past 3 years, has your organisation been prosecuted or served with a prohibition notice under the Health and Safety at Work etc. Act 1974 (or equivalent legislation)?  Please tick to self-certify:  If **Yes**, provide a separate document detailing:   * Each incident * Corrective actions taken   **Note:** Failure to provide an adequate explanation or evidence of remedial action may result in rejected. Significant Health and Safety breaches may constitute discretionary exclusion grounds under the Procurement Act 2023, Section 57. |  |  |
| **D – 4.**  **Pass/Fail** | **HSE Investigations**  Has your organisation, in the past 3 years, been the subject of a **formal investigation** by the Health and Safety Executive (HSE) or a similar regulatory body?  Please tick to self-certify:  If **Yes**, provide a separate document detailing:   * Circumstances of the investigation * Corrective or preventative measures taken   **Note:** Failure to provide an adequate explanation or evidence of remedial action may result in rejected. |  |  |
| **~~D – 5.~~**  **~~Pass/Fail~~** | **~~Traffic Management Arrangements~~**  ~~Do you have arrangements in place for the safe provision of~~ **~~Traffic Management~~**~~, where required?~~  ~~Please tick to self-certify:~~  **~~Note~~**~~: Evidence must be available on request prior to contract award. Bidders who answer ‘No’ will be disqualified at this stage of the evaluation.~~ |  |  |

# Section E – Sustainability and Environment

Please note: **All Tenderers are required to answer this section.**

**Section E is ‘Pass/Fail’.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Question No.** | **Description of Question** | **Answer** | |
| **Yes** | **No** |
| **~~E – 1.~~**  **~~Pass/Fail~~** | **~~Sustainability and Environmental Policy~~**  ~~Does your organisation have a Sustainability and Environmental Policy in place?~~  ~~Please tick to self-certify:~~  **~~Note~~**~~: Barcud Shared Services may request a copy of your policy for verification. Bidders who answer ‘No’ will be disqualified at this stage of the evaluation.~~ |  |  |
| **E – 2.**  **Pass/Fail** | **Environmental Breaches**  Has your organisation, in the last 3 years, been subject to **civil or criminal action** for breaching environmental legislation?  Please tick to self-certify:  If **Yes**, please provide a separate document detailing:   * Each occasion * The actions taken to redress any damage * Measures implemented to prevent recurrence   **Note:** Barcud Shared Services reserves the right to exclude any tenderer who fails to provide a satisfactory explanation. |  |  |
| **~~E – 3.~~**  **~~Pass/Fail~~** | **~~Carbon Reduction Plan~~**  ~~Following the Governments 2050 Net Zero Target all suppliers bidding on contracts over £5,000,000.00 per annum must submit a compliant Carbon Reduction Plan (CRP).~~  ~~Please confirm that you have attached your organisation CRP with your tender submission. Your CRP must (as a minimum) meet the points outlined within~~ [~~PPN 006: Taking account of Carbon Reduction Plans~~](https://www.gov.uk/government/publications/ppn-006-taking-account-of-carbon-reduction-plans-in-the-procurement-of-major-government-contracts/ppn-006-taking-account-of-carbon-reduction-plans-html) ~~template.~~ |  |  |

# Section F – Equal Opportunities and Modern Slavery

Please note: **All Tenderers are required to answer this question.**

**Section F is ‘Pass/Fail’.**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Question No.** | **Description of Question** | | | | **Answer** | |
| **Yes** | **No** |
| **F – 1.**  **Pass/Fail** | **Equality and Diversity Policy**  Does your organisation have an Equality and Diversity Policy that complies with the **Equality Act 2010**?  Please tick to self-certify:  **Note:** For organisations operating outside the UK, equivalent local legislation should apply. Bidders without a policy may be asked to adopt Barcud Shared Services' standard policy. If a policy is not in place and cannot be adopted, the bid may be rejected. | | | |  |  |
| **F – 2.**  **Pass/Fail** | **Findings of Unlawful Discrimination**  In the past three years, has your organisation been subject to any finding of unlawful discrimination by a Court or Employment Tribunal?  Please tick to self-certify:  If **Yes**, provide a separate document detailing:   * Each incident * Corrective actions taken * Measures implemented to prevent recurrence   **Note:** Barcud Shared Services reserves the right to exclude any tenderer who fails to provide a satisfactory explanation. | | | |  |  |
| **F – 3.**  **Information only** | **Applicability of Modern Slavery Act 2015**  Are you a relevant commercial organisation as defined by **Section 54** ("Transparency in supply chains") of the **Modern Slavery Act 2015**?  Please tick to self-certify:  **Note:** Only complete F–4 and F–5 if you have answered **Yes** to this question. | | | |  |  |
| **F – 4.**  **Information only** | **Gender Pay Gap Reporting**  Under the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017, employers with **250 or more employees** are legally required to publish gender pay gap information annually.  Please confirm whether your organisation meets this threshold and, if so, provide a link to your most recent published Gender Pay Gap Report.  If your organisation has **fewer than 250 employees**, please indicate whether you collect or monitor gender pay data internally on a voluntary basis. | | | | | |
| As an organisation **over 250 employees** we: | | As an organisation of **under 250 employees** we: | | | |
| **Meet this Requirement** (Link provided below) | **Do not meet this Requirement** | **Voluntarily Collect this Data**  (Link provided below) | **Do not Collect this Data** | | |
| **Link:** | | | | | |
| **F – 5.**  **Pass/Fail** | **Modern Slavery Statement Compliance**  If you answered **Yes** to F–3, are you compliant with the **annual reporting requirements** set out in Section 54 of the Modern Slavery Act 2015?  Please tick to self-certify: | | | |  |  |
| **F – 6.**  **Pass/Fail** | **Statement submission or Explanation**  If you answered **Yes** to F–4, please attach a copy of your most recent modern slavery statement.  If you answered **No** to F–4, please attach an explanation outlining the reasons for non-compliance.  **Note:** Bidders who fail to provide the required documentation or a satisfactory explanation may be **excluded from the procurement process**. | | | | | |
| **Statement attached** | | **Explanation attached** | | | |

# Tender Declarations

**To be completed after all ITT documentation has been filled in.**

|  |  |  |
| --- | --- | --- |
| **On behalf of:** |  | |
| **Full Name of Tenderer:** | |  |
| **Position Held**: |  | |

## 1.1 Tender Declaration

I certify that, to the best of my knowledge, the information provided in this Invitation to Tender (ITT) response is accurate and complete. I understand that the information will be used to assess my organisation’s suitability and that I am authorised to sign on behalf of the organisation.

I acknowledge that Barcud Shared Services may reject this submission if any relevant questions are not fully answered, or if any information provided is found to be false or misleading.

I confirm acceptance of the terms and conditions set out in the Invitation to Tender. I further confirm that we are willing and able to provide copies of all referenced policies, statements, and supporting documents upon request by Barcud Shared Services or its clients.

I understand that it is a criminal offence, punishable by imprisonment, to offer or give any gift, inducement, or reward to any employee of Barcud Shared Services or its clients. I acknowledge that such conduct will entitle Barcud Shared Services to cancel any contract awarded and will result in exclusion from the procurement process.

|  |  |  |
| --- | --- | --- |
| **Signature**: | |  |
| **Date:** |  | |

## 1.2 Form of Tender

I, having read the Invitation to Tender document, hereby offer to execute and complete, in accordance with the contract terms and conditions, the whole of the services described in the Priced Schedule for the sums/rates set out therein.

We undertake, in the event of Barcud Shared Services’ acceptance, to execute a formal contract with Barcud Shared Services embodying all the conditions and terms contained in this offer.

I agree that, should obvious errors in pricing or errors in arithmetic be discovered before acceptance of this offer, the errors in the Priced Schedule submitted by us shall be corrected in accordance with Alternative 2 of the “Code of Procedure for Selective Tendering 1996”.

I understand that Barcud Shared Services does not bind itself to accept the lowest, most economically advantageous, or any other tender.

In consideration of Barcud Shared Services checking and evaluating this Tender, I agree that this Tender shall remain open for acceptance for a period of 120 days and shall constitute a binding contractual commitment.

I agree that, unless and until a formal agreement is prepared and executed, the Tender, together with Barcud Shared Services’ written acceptance, shall constitute a binding contract between us.

|  |  |  |  |
| --- | --- | --- | --- |
| **Lot 1 Total Tender Sum (incl. VAT):** | | | £ |
| **Lot 2 Total Tender Sum (incl. VAT):** | | | £ |
| **Lot 3 Total Tender Sum (incl. VAT):** | | | £ |
| **Signature**: | |  | |
| **Date:** |  | | |

## 1.3 Certificate of Non-Collusion

The essence of selective tendering is that Barcud Shared Services shall receive a bona fide, competitive tender from all companies tendering. In recognition of this principle, I certify that this is a bona fide tender, submitted with the intention of being competitive, and that I have not fixed or adjusted the amount of the tender by, under, or in accordance with any agreement with any other person.

I also certify that I have not done, and will not do at any time before the return date of this tender, any of the following acts:

1. Communicated to any person (other than the person calling for these tenders) the amount or approximate amount of the proposed tender; or
2. Entered into any agreement with any other person that they shall refrain from tendering, or regarding the amount of any tender to be submitted; or
3. Offered, paid, given, or agreed to pay any sum of money or valuable consideration, directly or indirectly, to any person for doing or having done, or causing or having caused to be done, in relation to any other tender for the said work, any act described above.

For the purposes of this certificate, the word *“person”* includes any individual, body, or association, corporate or unincorporated, and *“any agreement or arrangement”* includes any such transaction, formal or informal, whether legally binding or not.

|  |  |  |
| --- | --- | --- |
| **Signature**: | |  |
| **Date:** |  | |