

# DPS Entry and Operation Guide Part 1 - DPS Overview, Entry Criteria and Evaluation Methodology

## 1. Introduction

The London Borough of Haringey (“Haringey Council” or “the Council”) has worked with *adam* to introduce a web-based system, SProc.Net, to manage the Council’s Dynamic Purchasing System (DPS). The Council will use this system for the procurement of **Supported Living Services** for the Council’s Adult Services Directorate.

The local authorities set out below shall also be permitted to award contracts under the DPS for the provision of services in its own geographical area upon entering an access agreement with Haringey Council.

- The following local authorities: London Borough of Barking & Dagenham, London Borough of Barnet, London Borough of Bexley, London Borough of Brent, London Borough of Bromley, London Borough of Camden, London Borough of Croydon, London Borough of Ealing, London Borough of Enfield, Royal Borough of Greenwich, London Borough of Hackney, London Borough of Hammersmith and Fulham, London Borough of Harrow, London Borough of Havering, London Borough of Hillingdon, London Borough of Hounslow, London Borough of Islington, Royal Borough of Kensington and Chelsea, Royal Borough of Kingston upon Thames, London Borough of Lambeth, City of London, London Borough of Lewisham, London Borough of Merton, London Borough of Newham, London Borough of Redbridge, London Borough of Richmond upon Thames, London Borough of Southwark, London Borough of Sutton, London Borough of Tower Hamlets, London Borough of Waltham Forest, London Borough of Wandsworth, London Borough of Westminster; and
- Any local authority in the following counties: Hertfordshire, Essex, Bedfordshire and Berkshire

The DPS shall be divided into service categories.

The service categories shall be structured to take account of the following characteristics (each being a "Service Category Characteristic"): (i) care specialism; and (ii) need level of service user. The following options shall apply in relation to each Service Category Characteristic:

### Care Specialism:

- Physical disability
- Learning disability
- Mental health
- Positive Behavioural Support

Each service category of the DPS shall be made up of one option from each of these

## Service Template Characteristics.

The full list of Service Categories under the DPS shall be:

### Care Specialism + Need level of service user:

- A) Physical disability:
  - (i) Core support plus additional 1:1 as defined in the support plan
- B) Learning disability:
  - (i) Core support plus additional 1:1 as defined in the support plan
- C) Mental Health:
  - (i) Core support plus additional 1:1 as defined in the support plan
- D) Positive Behavioural Support
  - (i) Accommodation Based 18yrs+
  - (ii) Community Based 18yrs+
  - (iii) Community Based under 18yrs

When applying for membership of the DPS, potential suppliers will be invited to select which options within each of the Service Category Characteristics they wish to apply for. There is no limit on the number of options that a supplier may choose – this is entirely at the discretion of the supplier, however they must be prepared to deliver services in those categories.. Suppliers that are appointed to the DPS will be appointed to the service category/categories as determined by their selections in relation to the Service Category Characteristics.

When a contract is going to be awarded under the DPS, the council shall select which service category applies to that contract, and the suppliers that are registered to the relevant service category shall be invited to submit an offer.

This DPS Entry and Operation Guide, which consists of 2 Parts, will give you as a potential supplier an overview of what a DPS is and will outline the Entry Criteria you must meet to join the DPS and the evaluation methodology the Council will use to assess your capability

to deliver **Supported Living Services** to the Council. It will also explain how the Council will manage their procurement and invoicing processes using SProc.Net.

## 2.0 What is a DPS?

A DPS is a completely electronic system established by a contracting authority to purchase commonly used goods, works or services.

A DPS does not operate in the same way as a contract/framework in that it is an 'open market' product designed to provide access to a pool of suppliers or supply base which can be constantly refreshed. Interested suppliers will have to apply to be admitted to the DPS. When the contracting authority needs to procure specific services, it will then follow a further bidding process amongst the suppliers admitted to the DPS in order to award a contract (called a Service Agreement) to provide the services.

## 2.1 How the DPS works

A supplier that wishes to provide **Supported Living Services** to Haringey Council will have to join the DPS by registering and by submitting Accreditation and Enrolment information (an Entry Submission) online via [www.sproc.net](http://www.sproc.net).

As part of the Accreditation and Enrolment process, the Supplier will be required to indicate for which of the Service Categories it is able to provide services (please see section 1.0 above for further information regarding the selection of Service Categories).

The Supplier's Entry Submission will then be evaluated to establish the supplier's general capability offering against a number of pre-set selection criteria, the Entry Criteria.

The Accreditation and Enrolment process will encompass the evaluation of suppliers' capability (financial and technical) to provide the services described in Haringey Council's Specification (the Services), which can be viewed at <http://demand.sproc.net>, against the Entry Criteria which will be evaluated on a pass / fail basis or such other basis as is explained further below.

All successful and unsuccessful suppliers will be notified of the outcome of the evaluation of their Entry Submissions applying for Accreditation and Enrolment. A supplier will either be accepted onto the DPS or rejected and provided with feedback in order to enable it to re-

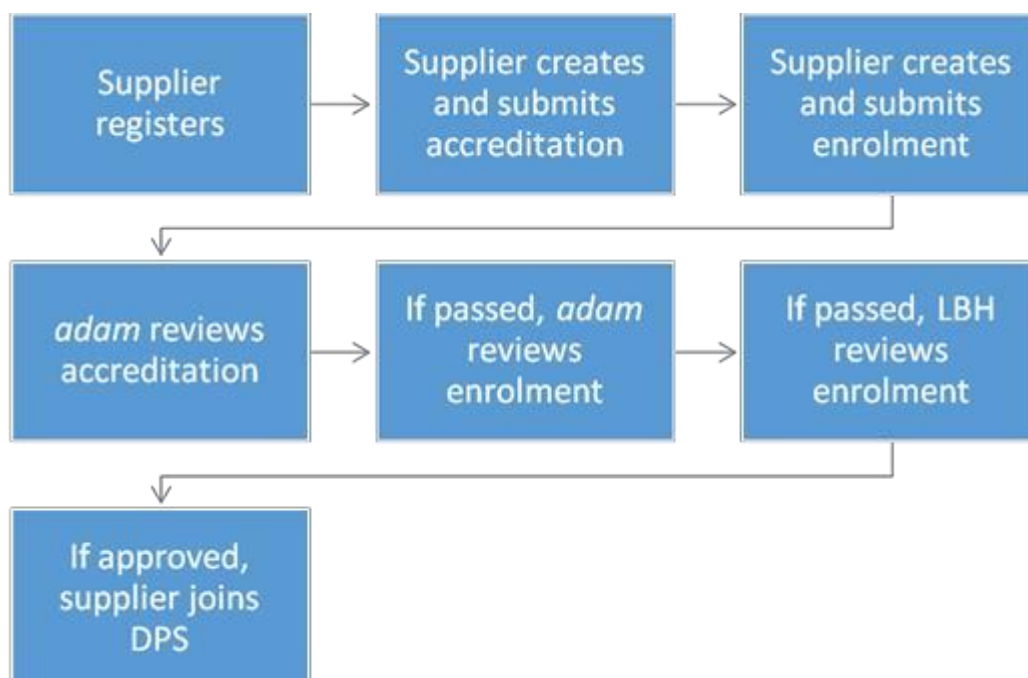
apply at a later date should it wish to do so. The feedback to unsuccessful suppliers will outline the areas in which they need to make improvements in order to submit a successful Entry Submission in the future. The process of applying to join the DPS is explained further in a step by step manner below.

From time to time, when Haringey Council requires specific **Supported Living Services** it will notify suppliers accepted onto the DPS of the opportunity and will run a tender over SProc.Net, during which interested suppliers will be able to submit Offers to provide the Services required. At the end of the tender, Haringey Council will normally award a Service Agreement for provision of the Services. The award will be to the supplier that best meets Haringey Council's requirements based on an evaluation of the Offers submitted. This process is more fully explained in the DPS Entry and Operation Guide – Part 2 (Requirements Process and DPS Management).

## 2.2 How to join the DPS

Suppliers who wish to join Haringey Council's DPS for supply of **Supported Living Services** will need to show that they meet the Council's Entry Criteria by applying online at [www.sproc.net](http://www.sproc.net). It is a simple two step application process consisting firstly of Registration and secondly of Accreditation and Enrolment.

Step by Step process to be completed online:



### Step 1: Registration

You must register your business on the system ([www.sproc.net](http://www.sproc.net)). An email will then be sent to you with a username and password to access the system and complete the remaining two stages. To complete your registration, you will need to provide, at an absolute minimum, the following information:

- Full Business Name
- Trading Name (if different from above)
- Business Tax/VAT Number
- Charity Registration Number (Charities only)
- Company Registration Number (Companies only)
- Unique Taxpayer Reference (UTR) Number (if a sole tenderer)
- Registered Business Address: line 1, City, County, Post Code
- Trading business address (if different from above)
- Telephone Number
- Email address

The business name you register will be the name shown on the system. You must then create your first administrative user by providing:

- First Name
- Last Name
- Job Title
- Email address

This user will be an administrator on the system and have the ability to create other users for your business at all additional locations you may have. For further details on how to complete this registration process, please see the Registration, Accreditation and Enrolment User Guide available at [www.sproc.net](http://www.sproc.net) in the Help Library.

The administrator will then receive a username and temporary password. Upon logging into SProc.Net, the administrator will be prompted to change the password.

### Step 2: Accreditation and Enrolment

At the Accreditation and Enrolment stages, your business must show that you meet Haringey Council's Entry Criteria to be admitted onto the DPS as one of the Council's **Supported Living Services** suppliers. You must do so by completing an Entry

Submission (your application) by providing responses on SProc.Net to a series of questions and uploading documents to provide information about your organisation. The tables in sections 3.2 to 4.5 below set out a copy of the questions that a supplier will have to respond to when completing your Entry Submission on [www.SProc.Net](http://www.SProc.Net) and they also indicate what documents you need to upload. Some questions will only have to be answered depending on the response to another question. The Entry Criteria you have to meet and how they are evaluated are also explained below in sections 3 and 4.

### **2.3 Entry Submission – notes for completion**

2.3. In these notes for completing the Entry Submission, the “Council” means the public sector contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable Suppliers to join this DPS.

2.3.1 In these notes for completing the Entry Submission, “You”/ “Your” or “Supplier” means the body completing the Entry Submission i.e. the legal entity seeking to join the DPS and be invited to submit Offers to provide Services required and which is responsible for the information provided. The ‘Supplier’ is intended to cover any economic operator as defined by the Public Contracts Regulations and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

3. The Entry Submission to be completed has been designed to assess the suitability of a Supplier to deliver the Council’s contract requirement(s). If you are successful at this Accreditation and Enrolment stage of the DPS process, you will be selected for the subsequent Requirements stage of the process.

4. Please ensure that all questions are completed in full on SProc.Net by creating and submitting an Accreditation and Enrolment via the tabs on the system and in the format requested. Failure to do so may result in your Entry Submission being disqualified. If a question does not apply to you, please state clearly ‘N/A’.

5. Where you are required to upload documents, this should be done to the location and / or in the manner indicated further on in this document.

## **Verification of Information Provided**

6. Whilst reserving the right to request information at any time throughout the DPS process, the Council may enable the Supplier to self-certify that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the Supplier can meet specified requirements the Council may only obtain such evidence after the decision on final evaluation of Offers i.e. from the winning Supplier only.

## **Sub-contracting arrangements**

7. Where the Supplier proposes to use one or more sub-contractors to deliver some or all of the contract requirements, the supplier will be required to provide, in the relevant space for this on SProc.Net, details of the proposed bidding model that include members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.

8. The Council recognises that arrangements in relation to sub-contracting may be subject to future change and may not be finalised until a later date. However, Suppliers should be aware that where information provided to the Council indicates that sub-contractors are to play a significant role in delivering key contract requirements, any changes to those sub-contracting arrangements may affect the ability of the Supplier to proceed with the DPS procurement process or to provide the supplies and/or services required. Suppliers should therefore notify the Council immediately of any change in the proposed sub-contractor arrangements. The Council reserves the right to withdraw its acceptance of the Supplier onto the DPS prior to any award of a Service Agreement, based on an assessment of the updated information.

## **Consortia arrangements**

9. If the Supplier completing the Entry Submission is doing so as part of a proposed consortium, the following information must be provided:

- names of all consortium members.
- the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and

- if the consortium is not proposing to form a legal entity, full details of proposed arrangements must be detailed in response to the question in SProc.Net.

10. Please note that the Council may require the consortium to assume a specific legal form if awarded a Service Agreement, to the extent that a specific legal form is deemed by the Council as being necessary for the satisfactory performance of the Service Agreement.

11. All members of the consortium will be required to provide the information required in all sections of the Entry Submission as part of a single composite response to the Council i.e. each member of the consortium is required to complete the Entry Submission.

12. Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), suppliers will be required to provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity in the relevant space for this on SProc.Net.

13. The Council recognises that arrangements in relation to a consortium bid may be subject to future change. Suppliers should therefore respond on the basis of the arrangements as currently envisaged. Suppliers are reminded that the Council must be immediately notified of any changes, or proposed changes, in relation to the bidding model so that a further assessment can be carried out by applying the Entry Criteria to the new information provided. The Council reserves the right to withdraw its acceptance of the Supplier onto the DPS prior to the award of a Service Agreement, based on an assessment of the updated information.

### **Confidentiality**

14. When providing details of contracts in answering question 31 in the Enrolment section of the Entry Submission (Technical and Professional Ability), the Supplier agrees to waive any contractual or other confidentiality rights and obligations associated with these contracts.

15. The Council reserves the right to contact the named customer contact in section 4.4 regarding the contracts included in question 31. The named customer contact does not owe the Council any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.



16. The Council confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Crown Commercial Service and/or contracting authorities defined by the Public Contracts Regulations.

### **3.0 Part 1 - Accreditation**

At the Accreditation stage, the questions you will be required to provide responses to and documents you need to upload are grouped into the following sections: Supplier Information; Insurances; and Document Upload - Accreditation.

At the Accreditation stage, you will also be required to download and confirm your business's acceptance of a contractual document, the Supplier Agreement, that can be found at <http://demand.sproc.net>.

The Supplier Agreement signs you up to the terms and conditions of transacting business with Haringey Council through the DPS and to delivering any Services required in accordance with the Council's Specification in the event that you are successful in being awarded work through the DPS.

The Supplier Agreement includes Self-Billing Procedure terms in Schedule 2. By accepting the Supplier Agreement, you will be agreeing to these terms including that you will submit weekly invoices (Service Receipts) to the Council via SProc.Net in relation to each Service Agreement you are awarded and to being paid by *adam* on behalf of Haringey Council.

You will need to accept the Supplier Agreement electronically via SProc.Net, by ticking the relevant box on the application, in order to proceed.

### **3.1 Supplier Information**

These questions are for Haringey Council's information only. Your responses to these questions will not be scored and therefore do not impact on your ability as an organisation to become an approved supplier to the Council:

	Question	Question Trigger
1	Can your organisation confirm that it has read and understood the DPS Entry and Operation Guide Parts 1 and 2 which are located at <a href="http://demand.sproc.net">http://demand.sproc.net</a> ? These are very important documents to read prior to applying to join the DPS as a supplier.	
2	If applicable, please enter the name of your organisation's immediate parent company. If this is not applicable, please enter N/A.	
3	If applicable, please enter the name of your organisation's ultimate parent company. If this is not applicable, please enter N/A.	
4	Please specify what legal entity your organisation is.	
5	Please enter your company registration number. If this is not applicable, please enter N/A.	
6	Is your organisation a Voluntary, Community and Social Enterprise (VCSE)?	
7	Does your organisation consider itself to be a small and medium-sized enterprise (SME), based on the European Union definition - <a href="http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/index_en.htm">http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition/index_en.htm</a> ?	
8	Is your organisation a Sheltered Workshop?	
9	Is your organisation a Public Service Mutual?	
10	Is your organisation bidding as a Prime Contractor and will deliver 100% of the key contract deliverables itself?	
11	Is your organisation bidding as a Prime Contractor and will use third parties to deliver some of the services?	Dependent on your response to Q10
12	Please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.	Dependent on your response to Q11
13	Is your organisation bidding as a Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services?	Dependent on your response to Q11
14	Please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.	Dependent on your response to Q13
15	Is your organisation bidding as a consortium but not proposing to create a new legal entity?	Dependent on your response

		to Q13
16	Please include details of your consortium including the consortium Members and Lead Member.	Dependent on your response to Q15
17	Please explain the consortium's alternative arrangements, i.e. why a new legal entity is not being created.  Note that the Council may require the consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.	Dependent on your response to Q15
18	Is your organisation bidding as a consortium and does it intend to create a Special Purpose Vehicle (SPV)?	Dependent on your response to Q15
19	Please include details of your consortium (including Consortium Members and current lead member) and of the intended Special Purpose Vehicle (including its name).	Dependent on your response to Q18
20	Please provide details of your proposed bidding model that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.	Dependent on your response to Q18
21	Is your organisation registered with a professional body?	
22	If applicable, is your organisation registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state.	
23	Is it a legal requirement in the state where your organisation is established for your organisation to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement?	

### 3.2 Insurances

In order to supply services to the Council, the Council requires you to have particular insurance cover. The questions below are arranged in such a way that you do not need to have the required level of insurance at the time of your submission of the Accreditation, but if you do not you must commit to having the correct levels once you begin delivering services to the Council. If you have the required cover, you must upload the insurance schedule as part of your application.

	Question	Question Trigger
24	Please self-certify whether your organisation already has Employer's Liability Insurance to the level of £10million for any one occurrence or series of occurrences arising out of any one event?	Dependent on your response to Q23
25	Please confirm that your organisation will commit to obtain, prior to the commencement of the contract, Employer's Liability Insurance to the level of £10m for any one occurrence or series of occurrences arising out of any one event?	Dependent on your response to Q24
26	Please self-certify whether your organisation already has Public Liability Insurance to the level of £5m for any one occurrence or series of occurrences arising out of any one event?	
27	Please confirm that your organisation will commit to obtain, prior to the commencement of the contract, Public Liability Insurance to the level of £5m for any one occurrence or series of occurrences arising out of any one event?	Dependent on your response to Q26
28	Please self-certify whether your organisation already has Professional Indemnity Insurance to the level of £2m for any one occurrence or series of occurrences arising out of any one event?	
29	Please confirm that your organisation will commit to obtain, prior to the commencement of the contract, Professional Indemnity Insurance to the level of £2m for any one occurrence or series of occurrences arising out of any one event?	Dependent on your response to Q28

### 3.3 Document Upload – Accreditation

The below documents must be uploaded onto SProc.Net as part of your Accreditation submission:

	Document	What is required to pass review?
1	Evidence of Employer's Liability	Your company name, level of cover and the insurance expiry date must be visible within the uploaded document.
2	Evidence of Public Liability	Your company name, level of cover and the insurance expiry date must be visible within the uploaded document.

### 3.4 Evaluation Methodology - Accreditation

Your Accreditation submission on the questions in Section 3.3 (Insurances) will be assessed on a Pass / Fail basis.

Once you have done your Accreditation submission, you should move straight onto completing the Enrolment part of your application. However, moving onto the Enrolment part does not mean that you have passed the Accreditation stage.

In due course all suppliers will receive an email notification confirming whether or not your application has been approved.

If your application has been failed at the Accreditation stage, you will be notified by *adam* who will provide feedback to allow you to rectify any issues and reapply if appropriate.

Self-Certification – All organisations who have self-certified will be required to upload all supporting documentation upon request by the Council which will be reviewed prior to any Service Agreement/s being awarded for any Services through the DPS.

#### **4.0 Part 2 – Enrolment**

At the Enrolment stage, you will need to provide responses to a series of questions and upload documents in SProc.Net relating to the supplier's capabilities. The Council will use the responses and documents provided to assess the capability of your organisation to provide **Supported Living Services** to the Council.

Upon commencement of the Enrolment section you will be required to select which of the Service Categories you can provide services for and you will want to receive requirements for. Further information regarding the selection of Service Categories is set out at section 1.0 above.

Once you have selected from the above Service Categories, you will then need to submit answers to questions and documents under the following sections: Grounds for Mandatory Exclusion, Grounds for Discretionary Exclusion, Economic and Financial Standing, Project Specific Questions on Technical and Professional Ability (Trade Registration, Compliance with Legislation, Experience Statements and Document Upload - Enrolment.)

Please note that you are permitted to upload a completed European Single Procurement Document (see question Enrolment question 1 at section 4.1) instead in submitting answers and documents required in response to any or all of Enrolment questions 2 to 30 inclusive provided that the response and/or document for the relevant Enrolment question is provided in the completed European Single Procurement Document.

## 4.1 Grounds for Mandatory Exclusion

A supplier will be excluded from becoming or continuing to be an approved supplier if there is evidence of convictions relating to specific criminal offences including, but not limited to, bribery, corruption, conspiracy, terrorism, fraud and money laundering, or if you have been the subject of a binding legal decision under the laws of your organisation's country of establishment or of any UK jurisdiction which found a breach of legal obligations to pay tax or social security obligations (except either, on an exceptional basis, for overriding reasons relating to the public interest such as public health or protection of the environment or where an exclusion is disproportionate e.g. only minor amounts involved).

Any supplier that answers 'Yes' to questions 2, 4, 6, 8 10 or 12 below should provide, in the relevant space for this on SProc.Net, sufficient evidence that provides a summary of the circumstances and of any remedial actions that it has taken which are sufficient to demonstrate its reliability as a supplier despite the conviction in question. The supplier has to demonstrate it has taken such remedial action to the Council's satisfaction in each case.

If such evidence is considered sufficient by the Council (whose decision will be final), the supplier concerned shall be allowed to continue in the DPS process.

In order for the evidence referred to above to be sufficient, the supplier shall, as a minimum, prove that it has:

- paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct.
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Council to be insufficient, the supplier shall be given a statement of the reasons for that decision.

If you answer 'Yes' to question 12 below on the non-payment of taxes or social security contributions, and have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligations since learning of the exact amount due. If your organisation is in that position, please provide details in the relevant section for this on SProc.net.

	<b>Enrolment Question</b>	<b>Question Trigger</b>
1	Has your organisation completed the European Single Procurement Document? Please upload	
2	Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), or a member of the administrative, management or supervisory body of your organisation, such as a Director or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences? (a) 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 on the fight against organised crime; (b) 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; (c) the common law offence of bribery; (d) 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;	Dependent on your response to Q1
3	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q2
4	Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), or a member of the administrative, management or supervisory body of your organisation, such as a Director or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences? (e) any of the following offences, 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 Communities: (i) the offence of cheating the Revenue; (ii) the offence of conspiracy to defraud; (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	Dependent on your response to Q1

	<p>(Northern Ireland) Order 1978.</p> <p>(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.</p> <p>(v) 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.</p> <p>(vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993.</p> <p>(vii) 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.</p> <p>(viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or</p> <p>(ix) the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;</p>	
5	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q4
6	<p>Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), or a member of the administrative, management or supervisory body of your organisation, such as a Director or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?</p> <p>(f) any offence listed—</p> <p>(i) in section 41 of the Counter Terrorism Act 2008; or</p> <p>(ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection;</p>	Dependent on your response to Q1
7	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q6
8	<p>Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), or a member of the administrative, management or supervisory body of your organisation, such as a Director or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?</p> <p>(g) any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f);</p> <p>(h) money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002.</p> <p>(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.</p> <p>(j) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004.</p> <p>(k) an offence under section 59A of the Sexual Offences Act 2003.</p> <p>(l) an offence under section 71 of the Coroners and Justice Act 2009</p>	Dependent on your response to Q1



	(m) 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	
9	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q8
10	<p>Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), or a member of the administrative, management or supervisory body of your organisation, such as a Director or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?</p> <p>(n) any other offence within the meaning of Article 57(1) of the Public Contracts Directive—</p> <p>(i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or</p> <p>(ii) created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland.</p>	Dependent on your response to Q1
11	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q10
12	Has it been established by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?	
13	Please provide further details and confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines?	Dependent on your response to Q12

## 4.2 Grounds for Discretionary Exclusion

The Council may exclude any supplier who answers 'Yes' to questions 14, 16, 18 or 20 below. Any supplier that answers 'Yes' to questions 14, 16, 18 or 20 below should provide, in the relevant space for this on SProc.Net, sufficient evidence that provides a summary of the circumstances and of any self-cleaning measures that it has taken which are sufficient to demonstrate its reliability as a supplier despite the situation in question. The supplier has to demonstrate it has taken such remedial action to the Council's satisfaction in each case.

If such evidence is considered sufficient by the Council (whose decision will be final), the supplier concerned shall be allowed to continue in the DPS process.

In order for the evidence referred to above to be sufficient, the supplier shall, as a minimum, prove that it has:

- paid or undertaken to pay compensation in respect of any damage caused by the criminal offence or misconduct.
- clarified the facts and circumstances in a comprehensive manner by actively collaborating with the investigating authorities; and
- taken concrete technical, organisational and personnel measures that are appropriate to prevent further criminal offences or misconduct.

The measures taken by the supplier shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Council to be insufficient, the supplier shall be given a statement of the reasons for that decision.

	Question	Question Trigger
14	Have any of the following situations applied to your organisation within the past three years or do they currently apply: (a) your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contracts Regulations 2015 in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Public Contracts Directive as amended from time to time; (b) your organisation is bankrupt or is the subject of insolvency or winding-up proceedings, where your assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State; (c) your organisation is guilty of grave professional misconduct, which renders its integrity questionable; (d) your organisation has entered into agreements with other economic operators aimed at distorting competition;	Dependent on your response to Q1
15	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q14
<b>Conflicts of Interest</b>		
16	Please note that the Council may exclude the Supplier, if it has a conflict of interest which cannot be effectively remedied. The concept of a conflict of interest includes any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to	Dependent on your response to Q1

	<p>compromise their impartiality and independence in the context of the DPS procurement procedure.</p> <p>Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Supplier to inform the Council, detailing the conflict in the relevant space for this on SProc.net. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by the Council should not represent a conflict of interest for the Supplier.</p> <p>Have any of the following situations applied to your organisation within the past three years or do they currently apply:</p> <p>(e) your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contracts Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;</p> <p>(f) the prior involvement of your organisation in the preparation of the DPS procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures;</p>	
17	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q16
<b>Taking into Account of Suppliers' Past Performance</b>		
18	<p>In relation to question 16(g) below, the Council may assess the past performance of a Supplier (through a Certificate of Performance provided by a customer or other means of evidence). The Council may take into account any failure to discharge obligations under the previous principal relevant contracts of the Supplier completing this Entry Submission. The Council may also assess whether specified minimum standards of reliability for such contracts are met.</p> <p>In addition, the Council may re-assess reliability based on past performance at key stages in the DPS procurement process (i.e. Supplier Accreditation and Enrolment, Offer evaluation, Service Agreement award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).</p> <p>Have any of the following situations applied to your organisation within the past three years or do they currently apply:</p> <p>(g) your organisation has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions;</p> <p>(h) your organisation—</p> <p>(i) has been guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or</p> <p>(ii) has withheld such information or is not able to submit</p>	Dependent on your response to Q1

	supporting documents required under regulation 59 of the Public Contracts Regulations 2015; or	
19	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q18
20	Have any of the following situations applied to your organisation within the past three years or do they currently apply: (i) your organisation has undertaken to (aa) unduly influence the decision-making process of the contracting authority, or (bb) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or (j) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. (k) your organisation is in breach of obligations related to the payment of tax or social security contributions.	Dependent on your response to Q1
21	Please provide a summary of the circumstances and any remedial action that has taken place subsequently.	Dependent on your response to Q20

### 4.3 Economic and Financial Standing

For the purpose of assessing your organisation's financial viability you are required to provide the information set out below, and, in addition, a credit check will be carried out by the Council. The methodology for evaluating your organisation's financial viability is set out in section 4.6.2.

	Enrolment Question	Question Trigger
22	Has your organisation been operating for more than three years?	
23	Please confirm that you have uploaded audited or independently examined financial accounts that provide figures for at least the past two years of trading.	Dependent on your response to Q22
24	Has your organisation been operating for between two and three years?	Dependent on your response to Q22

25	<p>Please confirm that you have uploaded audited or independently examined financial accounts that provide figures for at least the past two years of trading.</p> <p>If you are unable to upload the information required above, please confirm that you have uploaded audited or independently examined financial accounts that provide figures for at least one year of trading;</p> <p>AND</p> <p>Cash flow forecast for the next 3-5 years and projected profit and loss;</p> <p>AND</p> <p>Projected year-end balance sheet position for the current year of trading, both of which must have been certified by a qualified accountant or independent auditor.</p>	Dependent on your response to Q24
26	Has your organisation been operating for less than two years?	Dependent on your response to Q22
27	<p>Please confirm that you have uploaded audited or independently examined financial accounts that provide figures for at least the past one year of trading;</p> <p>AND</p> <p>A statement of the turnover, profit and loss and cash flow position for the most recent full year (or part year, if the full year is not applicable) trading and a year-end balance sheet, which must have been certified by a qualified accountant or independent auditor.</p> <p>If you are unable to upload the information required above, please confirm that you have uploaded a statement of the turnover, profit and loss and cash flow position for the most recent full year (or part year, if the full year is not applicable) trading and a year-end balance sheet;</p>	Dependent on your response to Q26
28	Please self-certify whether your organisation is part of a wider group (e.g. a subsidiary of a holding/parent company)?	
29	What is the relationship of the organisation to your organisation?	

30	Please confirm that, if necessary, your organisation's ultimate / parent company would be willing to provide a guarantee.	Dependent on your response to Q28
31	Would your organisation be able to obtain a guarantee elsewhere (e.g. from a bank)?	Dependent on your response to Q29

#### 4.4 Technical and Professional Ability

Haringey Council wants to ensure the capability of all suppliers admitted onto the DPS. Your response to these questions in section 4.4 will not be evaluated. However, to the extent that your responses elsewhere in the Enrolment process refer to these previous contracts, the Council may contact the relevant customers to verify your responses.

32	<p>Please confirm that your organisation has provided details of up to three contracts, in any combination from either the public or private sector that are relevant to the authority's requirement. Contracts for services should have been performed during the past three years.</p> <p>The named customer contact provided should be prepared to provide written evidence to the authority to confirm the accuracy of the information.</p> <p>Consortia bids should provide relevant examples of where the consortium has delivered similar requirements; if this is not possible (e.g. the consortium is newly formed or a Special Purpose Vehicle will be created for this contract) then three separate examples should be provided between the principal member(s) of the proposed consortium or Special Purpose Vehicle (three examples are not required from each member).</p> <p>Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the services, the information requested should be provided in respect of the principal intended provider(s) or sub-contractor(s) who will deliver the services.</p> <p>For each contract please provide:</p> <ul style="list-style-type: none"> <li>• The name of the customer organisation</li> <li>• Point of contact in the customer organisation (including position in the organisation and e-mail address)</li> <li>• Contract start date, contract completion date and estimated contract value</li> </ul>	
33	If you cannot provide at least one example for question 32, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up.	Dependent on your response to Q32

## 4.5. Project Specific Questions on Technical and Professional Ability

### 4.5.1 Trade Registrations

Your organisation must be registered and hold a Good or Outstanding rating with the Care Quality Commission

### 4.5.2 Compliance with legislation

	<b>Equalities</b>	
34	Will your organisation be using sub-contractors to deliver any element of the contract?	
35	In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)?	Dependent on your response to Q1
36	Please provide a summary of the nature of the investigation and an explanation of the outcome of the investigation to date. If the investigation upheld the complaint against your organisation, please explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.	Dependent on your response to Q34
37	In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?	Dependent on your response to Q1
38	Please provide a summary of the nature of the investigation and an explanation of the outcome of the investigation to date. If the investigation upheld the complaint against your organisation, please explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring. You may be excluded if you are unable to demonstrate to the authority's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.	Dependent on your response to Q37
39	Do you have processes in place to check whether these organisations have had any findings of unlawful discrimination made against them by an Employment Tribunal, an Employment Tribunal or any court (or in comparable proceedings in any jurisdiction other than the UK), or had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable proceedings in any jurisdiction other than the UK)?	Dependent on your response to Q34
40	Please provide a summary of the processes you have in place for checking any such findings against these organisations.  You may be excluded if you are unable to demonstrate to the authority's satisfaction that you have appropriate processes for monitoring and preventing these types of occurrences from reoccurring.	Dependent on your response to Q39
	<b>Environmental Management</b>	



41	Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?	
42	Please provide details of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.	Dependent on your response to Q41
	<b>Health and Safety</b>	
43	Do you have more than 5 employees?	
44	Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last three years?	Dependent on your response to Q1
45	Please provide details of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.	Dependent on your response to Q44
46	Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements including: <b>Organisations with 5 or more employees (including managers)</b> <ul style="list-style-type: none"> <li>- Clear details of organisational delegation or responsibilities</li> <li>- Description/Evidence of how health and safety is communicated within the organisation</li> <li>- Evidence of commitment to review policies and supporting details showing how this is done</li> </ul> Demonstrate requirement for sub- contractors to evidence their Health & Safety policies including the requirement to undergo training in Health & Safety	
47	If your organisation does not have a policy that complies with the requirements set out in question 46 is your organisation willing to sign up to adhering to the Council's Health and Safety Policy? This can be found at <a href="https://demand.sproc.net">https://demand.sproc.net</a> under the London Borough of Haringey page.	Dependent on your response to Q46
	<b>Safeguarding</b>	
48	Please self-certify that your organisation has a Safeguarding Policy that complies with the following: How your organisation intends to keep service users' safe? <ul style="list-style-type: none"> <li>- Whom the policy applies and relates to (e.g. all staff and volunteers, service users)</li> <li>- Brief definitions of abuse categories and how they might manifest in the service users your organisation works with</li> <li>- Brief outline of the main law and guidance that relates to the policy</li> <li>- Acknowledgement of difference in needs and a commitment to anti-discriminatory practice</li> </ul>	



	<ul style="list-style-type: none"> <li>- Clear practical steps showing how your organisation will respond to concerns</li> <li>- What procedures are in place for referrals including allegations against professionals</li> <li>- How the policy links to other relevant policies (e.g. use of electronic media, Information sharing and recording keeping protocol, whistle blowing, Prevent etc.)</li> <li>- Policy includes name and position of the senior manager operationally responsible for safeguarding within the organisation</li> <li>- Procedures are in place for safer recruitment?</li> </ul>	
49	If your organisation does not have a policy that complies with the requirements set out in question 48 is your organisation prepared to sign up to adhering to the Council's Safeguarding Policy?	Dependant on your response to Q48
50	Business Continuity Plan – Please self-certify that your organisation has a Business Continuity Plan and upload	
51	Are you enrolling to deliver Positive Behavioural Services?	
52	Does your organisation have a minimum of 1 years' experience of delivering Positive behaviour support services (PBS)?	Dependant on your response to Q51
53	Are you willing to deliver interventions to children and young people (14 plus) and adults (18 plus)?	Dependant on your response to Q51
54	Do you have experience of carrying out functional assessments and accompanying Behaviour Support Plans (BSP) for challenging behaviour, irrespective of its severity?	Dependant on your response to Q51
55	Will your workforce have the right skills and knowledge as outlined in the service specification to provide high-quality care and support for people who display, or are at risk of displaying, behaviours which challenge?	Dependant on your response to Q51
56	Does your workforce include PBS senior clinical staff, complex behaviour needs specialist and will staff have access to regular clinical supervision?	Dependant on your response to Q51
57	Please confirm that you are committed to work with multi-agencies and professionals involved in the care and support of an individual to ensure a joined-up and consistent approach?	Dependant on your response to Q51

#### 4.5.4 Document Upload – Enrolment

Subject to the explanation in section 4.1 above about the position on whether or when Suppliers may submit an ESPD, the following document/s should be uploaded to support your responses to the questions in sections 4.1 – 4.5.2.

<b>Document Type</b>	<b>What is required to pass review?</b>
European Single Procurement Document (ESPD)	A completed ESPD document. (please upload)
Declaration Statement	Please sign and upload
Self-Cleaning – Mandatory (a) – (d)	Q2 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Mandatory (e)	Q4 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Mandatory (f)	Q6 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Mandatory (g) – (m)	Q8 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Mandatory (n)	Q10 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Mandatory (Q12)	Q12 response – details of decision of non-payment breach & confirmation of payment or binding arrangement
Self-Cleaning – Discretionary (a) – (d)	Q14 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Discretionary (e) – (f)	Q16 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Discretionary (g) - (h)	Q18 response – evidence of circumstances & satisfactory remedial action
Self-Cleaning – Discretionary (i) – (k)	Q20 response – evidence of circumstances & satisfactory remedial action
Financial Documentation	Upload the required information as set out in questions 22 – 27, as applicable
Contract Details	Upload the completed contract reference document

Self-Cleaning – Discretionary (Q35)	Q35 response – summary of nature & outcome of investigation & of satisfactory preventive action
Self-Cleaning – Discretionary (Q37)	Q37 response – summary of nature & outcome of investigation & of satisfactory remedial action
Self-Cleaning – Discretionary (Q38)	Q38 response – summary of processes in place
Self-Cleaning – Discretionary (Q41)	Q41 response – details of conviction / notice & satisfactory remedial action
Self-Cleaning – Discretionary (Q44)	Q44 response – details of enforcement / remedial orders & satisfactory remedial action
Health and Safety Policy	Either your Health and Safety Policy or confirmation that you will adhere to the Council's Policy.
Safeguarding Policy	Q48 - Please upload your Safeguarding Policy
<b>Business Continuity Plan</b>	<b>Q50 - Please upload your Business Continuity Plan</b>

## 4.6 EVALUATION METHODOLOGY – ENROLMENT

### 4.6.1 Grounds for Mandatory and Discretionary Exclusion

This area is assessed on a Pass / Fail basis in accordance with the evaluation approach set out in sections 4.1 and 4.2. Essentially Suppliers will be excluded where they answer yes to the questions under the section setting out the grounds for mandatory exclusion and they may be excluded where they answer yes to the questions under the section setting out the grounds for discretionary exclusion unless they give explanations that satisfy the Council that they have taken adequate remedial action.

### 4.6.2 Finance

To assess your organisations financial viability a credit check will be undertaken. Any organisation that has a Delphi Score of High, maximum or undetermined risk will have a full evaluation undertaken in accordance with the criteria set out below.

A full financial assessment in accordance with the criteria below may also be carried out in the following instances:

- A. During the monitoring process a significant change occurs to an organisations financial standing
- B. If over the course of the DPS a supplier has 5 or more placements at any one time.

4.6.2.1 This section will be completed based on a risk analysis of financial information provided by the supplier.

The financial information provided will be evaluated in a number of ways. It will be used to calculate a number of financial ratios for evaluating the financial well-being of your organisation and of the organisations seeking to be involved in tendering for Service Agreements with your organisation.

4.6.2.2 Your submitted information will be assessed using the following criteria:

4.6.2.2.1 Where the preferred provider is a subsidiary of a parent company (and will be providing a parent company guarantee) or is a member of a consortium, then all of the information requested in this section is required from both the bidder and the parent company or from each consortium member. Please note that the Financial Statements of the bidder company, parent company and all consortium members are to be provided where applicable.

4.6.2.2.2 If you are applying as a consortium and/or propose to sub-contract any material part of the provision of the services under the Contract, each consortium member (in the case of a consortium bid) and material sub-contractor (in addition to the potential supplier, in the case of a prime contractor/sub-contractor arrangement) will be required to submit its financial information, which will then be assessed in line with the evaluation criteria set out below. The Council reserves the right to exclude the Potential supplier (and so exclude all members of the relevant consortium/both the prime contractor and its sub-contractors) from further participation in this procurement process where (in the case of a consortium bid) any consortium member fails the financial assessment or (in the case of any prime contractor/sub-contractor arrangement) either the Potential supplier as prime contractor or any material sub-contractor fails the financial assessment.

A financial assessment that results in a score of 15 or below will be referred for further review at which your organisation may be required to submit supplementary information.

A decision as to whether your organisation Pass or Fail will be at the sole discretion of the Council. A fail will result in your organisation being eliminated from the process.

Score	Outcome
0-15	Fail
16-40	Pass

Potential suppliers are advised to check their credit report with Experian for any inaccuracies that can be rectified before the Council obtains the report for financial evaluation.

**Please note: Haringey Council uses Experian BusIQ report (Generation 4) when assessing Delphi scores. Suppliers are advised to check their Delphi score using the same product and version as the Council, to avoid any inconsistencies in Delphi scores across the Experian product range.**

If credit report is unavailable, the Council's Finance Team will carry out assessment based on risk analysis of overall financial statements supplied by the potential suppliers and will apply the scores accordingly.

NHS Trusts, local authorities and public sector organisation tendering for the contract will be treated as government organisations for the purposes of credit scoring and will be awarded maximum points allocated for credit scoring.

#### **4.6.2.3 Established companies set up for longer than 3 years**

Established companies set up for longer than 3 years MUST provide audited or independently examined company financial accounts that provide figures for at least the past two years of trading.

#### **4.6.2.4 New companies trading for 3 years or less.**

Companies trading for 3 years or less are required to provide the following information:

- (a) Companies trading 2-3 years: To provide minimum one year's audited accounts.

If an organisation is unable to provide 2 years of audited trading figures, then they should also provide:

- (i) cash flow forecast for next 3-5 years; projected P&L; and
- (ii) projected year end balance sheet position for the current year of trading

These statements must be certified by a qualified accountant or independent auditor

- (b) Companies trading less than 2 years:

- (i) To submit one year's audited accounts; and
- (ii) A statement of the turnover, profit and loss and cash flow position for the most recent full year (or part year if full year not applicable) trading and a year end balance sheet (these statements must be certified by a qualified accountant or independent auditor).

If no audited accounts, then:

- (iii) A statement of the turnover, profit and loss and cash flow position for the most recent full year (or part year if full year not applicable) trading and a year end balance sheet;
- (iv) Cash flow forecast for next 3-5 years; and
- (v) A bank letter outlining the current cash and credit facility position available to the company

The statements in (i) to (iv) must be certified by a qualified accountant or independent auditor

**4.6.2.5 The following methodology will be used to calculate the scores for established companies set up for longer than 3 years and new companies trading for 3 years or less**

1.	Net Profit Margin %	
	Range	Score
	> 10	5
	9 - 10	4
	7 - 8	3
	5 - 6	2
	3 - 4	1
	0 - 2	0
2.	Current Asset Ratio %	
	Range	Score
	> 2.5	5
	2.1 - 2.5	4
	1.8 - 2.0	3
	1.5 - 1.7	2
	1.1 - 1.4	1
	0 -1.0	0
3.	Return on Capital Employed (ROCE) %	
	Range	Score
	> 20	5
	> 16 - 20	4
	> 11 – 15	3
	> 6 – 10	2
	> 0 – 5	1
	0	0
4.	Gearing %	
	Range	Score

0	5
1 - 5	4
6 - 15	3
16 - 25	2
26 – 40	1
> 40	0
5. Credit Rating / Risk Analysis	
Range	Score
Minimum, low or very low risk	20
Lower than average risk	15
Higher than average risk	10
High, maximum or undetermined risk	0
Definitions	
1. Net profit margin	PBIT / Turnover as a %
2. Current ratio	Current Assets / Current Liabilities
3. ROCE	Profit before Interest & Tax / Total Assets less Current Liabilities
4. Gearing	Total long term debt / Capital Employed
5. Credit Rating	Based on Experian credit report if available; if, unavailable assessed by the Council's Finance Team based on risk analysis of overall financial statements supplied.

#### 4.6.2.6 Not-For-Profit (NFP) organisations

NFP organisations must submit the following:

- (a)** Companies trading 3 years or more  
Must provide audited or independently examined company financial accounts that provide figures for at least the past two years of trading.

- (b)** Companies trading 2-3 years

To provide minimum 1 year's audited accounts.

If this does not indicate 2 years of audited trading figures, then you should also provide a cash flow forecast for next 3-5 years; projected P&L and projected year end balance sheet position for the current year of trading

These statements must be certified by a qualified accountant or independent auditor

- (c)** Companies trading less than 2 years

- (i) To provide minimum of 1 year's audited accounts.

If no audited accounts are available, then you must provide:

- (ii) A statement of the turnover, profit and loss and cash flow position for the most recent full year (or part year if full year not applicable) trading and an end year balance sheet;
- (iii) Cash flow forecast for next 3-5 years; and
- (iv) A bank letter outlining the current cash and credit facility position available to the company.

The statements in (ii) and (iii) must be certified by a qualified accountant or independent auditor).

**4.6.2.7 The following methodology will be used to calculate the scores for Not-For-Profit (NFP) organisations**

<b>1.</b>	<b>Current Asset Ratio</b>	
	Range	Score
	> 2.5	5
	2.1 - 2.5	4
	1.8 - 2.0	3
	1.5 - 1.7	2
	1.1 - 1.4	1
	0 -1.0	0
<b>2.</b>	<b>Gearing %</b>	
	Range	Score
	0	5
	1 - 5	4
	6 - 15	3
	16 - 25	2
	26 – 40	1
	> 40	0
<b>3.</b>	<b>Defensive Interval also known as 'Cash to Expenses' ratio</b>	
	$\frac{\text{Cash} + \text{Marketable Securities} + \text{Receivables}}{\text{Average Monthly Expenses}}$	
	Range	Score
	12	5
	9-11	4
	6-8	3
	3-5	2
	1-2	1
	0	0
<b>4.</b>	<b>Turnover to Net Assets ratio (%)</b>	
	Turnover	



Net Assets	
Range	Score
> 20	5
16 - 20	4
11 - 15	3
6 - 10	2
1 - 5	1
0	0

5. Credit Rating / Risk Analysis	
Range	Score
Minimum, low or very low risk	20
Lower than average risk	15
Higher than average risk	10
High, maximum or undetermined risk	0

**4.6.3 Economical and Financial Standing of those organisations involved in your Tender and/or any Guarantor(s).**

4.6.3.2 The Council will use the information that you provide in this section, to evaluate the economic and financial standing of those organisations involved in your Tender and/or any Guarantor(s).

4.6.3.3 Pass – If you have answered ‘Yes’ to question 72. The preferred provider may be required to submit parent company accounts and guarantee, if requested by the Council.

If you have answered ‘Yes’ to 76, the Council may require you to submit the guarantee.

The Council will carry out financial risk assessment of the parent company or Guarantor(s) and reserve the right to exclude the potential supplier from further participating in this procurement process where parent company or Guarantor(s) fails the financial risk assessment. Please refer to paragraph 4.6.2.1 to 4.6.2.7. for evaluation methodology.

4.6.3.4 Fail - The potential supplier states 'Yes' in response to question 72 or question 75 but fails to provide the relevant information, upon request by the Council;  
Or  
the potential supplier states ‘Yes’ in response to question 72 but states ‘No’ in response to question 75 or vice versa and has not provided a sufficient explanation.

**4.7 Project Specific Questions on Technical and Professional Ability**

The details below stipulate the requirements that constitute a Pass / Fail for each of the following subsections.

#### **4.7.1 Trade Registrations**

This part of the evaluation is Pass / Fail

A Suppliers' CQC rating, in line with inspection regulations will be used as part of the admission criteria for getting on to the DPS.

Inspection ratings below 'good' and 'outstanding' will be a Fail.

##### **Suppliers with no inspection score**

New Company:

Where a new supplier is registered with the CQC, is not inspected, but achieves a pass mark on the enrolment evaluation, the Council will approve the enrolment and place the enrolment on suspension. This suspension will remain in force until a CQC inspection has taken place and the rating of 'good' or 'outstanding' is obtained.

Change of address:

If a supplier changes location and holds a previous score of Good or Outstanding, the decision to pass or fail this supplier will be at the discretion of the Council.

#### **4.7.2 Compliance with Legislation**

This part of the evaluation will be on a Pass/Fail basis.

#### **4.7.3 Equalities Questions**

If you answer 'Yes' to these questions you may be excluded if you are unable to demonstrate to the Council's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.

The question regarding whether an organisation has processes in place to check the position in relation to subcontractors shall not be evaluated.

#### **4.7.4 Environmental Management Questions**

The Council will not select any supplier(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the authority is satisfied that appropriate

remedial action has been taken to prevent future occurrences/breaches.

#### **4.7.5 Health and Safety Questions**

The Council will exclude any supplier(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Council's satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.

#### **4.7.6 Policies and Procedures (Health and Safety and Safeguarding)**

In each case (i.e. regarding health and safety and safeguarding), if your organisation agrees to adhere to the Council's policy, you will pass this section.

However, all organisations that have self-certified that they have their own policies that meet the criteria (set out in questions 47 and 49 respectively) will be required to upload all supporting documentation upon request by the Council which will be reviewed prior to any contract/s being awarded for any services via the DPS. The evaluation matrix set out in section 4.6.3.4 would then be used to assess the policy documents and any supplier whose policy scores 2 or below will fail this part of the Enrolment process and would not be awarded any contract/s via the DPS.

##### **4.7.6.1 Quality Assurance Spot checks**

Commissioning will spot check policies as part of their Quality Assurance process, any policy submitted as part of an enrolment that raises concerns to the quality of service delivery the Commissioning team will undertake a full review. If, as part of the review the Council deem the policy to be inadequate or identify potential risk to service users, the Council reserves the right to suspend a supplier from receiving further requirements. The suspension will be lifted once LBH are satisfied the Policy has been updated in accordance with actual services delivered and there is no associated risk to service users.

## **5. Next Steps**

For fuller details on how to create and submit your Enrolment information, please see the Registration, Accreditation and Enrolment User Guide available at [www.sproc.net](http://www.sproc.net) in the Help Library and at <http://demand.sproc.net>.

Once your Enrolment submission has been reviewed by Haringey Council against the

Enrolment evaluation criteria set out in the Evaluation Methodology above, you will receive an email notification confirming whether or not your application has been approved.

If you are rejected at the Enrolment stage, you will not be able to reapply to enter the DPS within a period of 6 months from the date the feedback is given on rejection. This is to ensure that your business has enough time to implement and embed the requirements set out in the feedback for rejection in the first instance.

### **Draft Accreditations and Enrolments**

All draft Accreditations or Enrolments longer than 6 months will be cancelled and you will then be required to submit a fresh application.

### **GLOSSARY**

**Accreditation** – this is the first part of the second step (selection) of the process that a Supplier is required to complete in order to join the DPS. It involves a responding to a series of objective questions and uploading documents.

Adam – *adam* HTT Limited trading as *adam* as the provider of **SProc.Net**, who will also act as Haringey Council’s payment agent.

**DPS** – Dynamic Purchasing System used for the procurement of services.

**Enrolment** – this is the second part of the second step (selection) of the process that a Supplier needs to complete in order to join the DPS. It involves submitting further information based on which the Council makes a subjective evaluation of the capability of your organisation to deliver services to the Council.

**Enrolment** – this is the second part of the second step (selection) of the process that a Supplier is required to complete in order to join the DPS. It involves responding to a series of questions and uploading documents relating to the supplier's capabilities.

**Entry Criteria** – the criteria that a service provider must meet and maintain throughout the duration of the DPS in order to successfully complete and to retain their Accreditation and Enrolment in the DPS.

**Entry Submission** - the Accreditation and Enrolment information and documents which Haringey Council requires a supplier to submit via SProc.Net as part of the Accreditation and Enrolment process.

**Experian UK** – A credit checking service.

**Evaluation Methodology** - the methodology Haringey Council will use to evaluate Entry Submissions against the Council’s Accreditation and Enrolment standards and to evaluate Offers to rank suppliers in the process of awarding a Service Agreement.

**Intermission** – a “hold” on the delivery of a service whilst the Service Agreement remains in force.

**Offer** – your tender against a Requirement confirming that you are able to deliver the Services required and at what price.

**Open for Offers** – the period during which you are able submit an Offer against a Requirement distributed by Haringey Council on the DPS.

**Public Contract Regulations** – The Public Contract regulations 2015, as amended from time to time, that govern how public sector public sector procurements must be carried out.

**Registration** – this is the first step of the process that a Supplier is required to complete when joining the supply chain, it involves uploading onto the DPS certain basic information about the supplier's organisation.

**Requirement** – A request issued by the Council from time to time on the DPS describing the specific Services that the Council requires and for which it is seeking to award a Service Agreement.

**Self-Billing Procedure** – Arrangements you sign up to as part of the Supplier Agreement in order for *adam* to generate invoices billing Haringey Council on your behalf and to process payments to you on behalf of Haringey Council.

**Service Agreement** – this is the contract to deliver a Requirement issued by Haringey Council accepting your Offer and confirming agreement on what Services are going to be delivered and at what price.

**Service Category** – a category of service, as described in section 1.0 of DPS Entry and Operation Guide Part 1 and in the Specification, in relation to which a supplier may be admitted to the DPS to provide Services.

**Service Receipt** – this is a weekly electronic record you must submit via the DPS to confirm the services you have delivered in the specified week. This is instead of sending Haringey Council a paper invoice.

**Specification** – The outline description of the Services Haringey Council may require from time to time via the DPS.

**Services** – These are the Supported Living services that the Service Provider will provide where required by the Council from time to time in accordance with the Supplier Agreement as more fully described in the Service Specification and further detailed by a Requirement.

**SProc.Net** – this is an internet based technology platform through which Haringey Council will be operating the DPS to procure Services (web link is [www.sproc.net](http://www.sproc.net)).

**Supplier Agreement** – This is the overarching agreement between Haringey Council and a supplier setting out how Haringey Council will award Service Agreements via the DPS for the delivery of specific Services and the terms and conditions applicable to such Service Agreements.

**Suspension** – A process where the supplier's enrolment is suspended from receiving any new requirements and all current offers are cancelled.