

DIGITAL SWITCHOVER HELP SCHEME
Pre-Qualification Questionnaire

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PRE-QUALIFICATION QUESTIONNAIRE

BACKGROUND

Digital Switchover is the process of converting the terrestrial transmission networks from analogue to digital and encouraging everyone to convert or upgrade their TV and recording equipment to receive digital television, by one platform or another. In September 2005, the Department for Culture, Media and Sport (“DCMS”) confirmed the phased timetable for Digital Switchover, detailed below. In addition and prior to this, it is the intention of the Contracting Authority to run a digital switchover flagship project in Whitehaven, Cumbria commencing in October 2007.

Digital Switchover

Region	Start Date
Border	2008 Q4
West Country	2009 Q2
Wales	2009 Q3
Granada	2009 Q4
West	2010 1st half
Grampian	2010 1st half
Scottish Television	2010 2nd half
Yorkshire	2011 1st half
Anglia	2011 1st half
Central	2011 1st half
Meridian	2012 1st half
London	2012 1st half
Tyne Tees	2012 2nd half
Ulster	2012 2nd half

As part of the Digital Switchover, the Secretary of State for Culture, Media and Sport announced support to vulnerable sections of the public who would find the switch to digital TV most challenging. In March 2006, in the BBC White Paper (which can be accessed at www.bbccharterreview.org.uk), the Government announced that this would be achieved through a help scheme which they proposed that the BBC would help to establish and fund.

INTRODUCTION

The Digital Switchover Help Scheme (DSHS) will be available from the first switchover in 2008/9 as well as throughout the flagship project in Whitehaven and is expected to run until at least 2012, when the final switchover takes place.

The DSHS will be rolled out by ITV region with switchover taking place in 60 smaller transmitter areas. The DSHS will need to follow the regional order of switchover. This may mean overlapping boundaries between ITV regions and therefore, the absence of a single switch-off date in many ITV regions.

A description of the scheme can be found at

http://www.digitaltelevision.gov.uk/pdf_documents/publications/2006/Summary_DSHS.pdf

For convenience, some of the key features are set out below but potential bidders are advised to familiarise themselves with the more detailed characteristics found in the linked document.

Eligibility

The DSHS will cover:

- All households with at least one person aged 75 or over. Households where the qualifying person is coming up to 75 will be invited to claim help if their 75th birthday is on or immediately before the date of final analogue switch-off in their area.
- All households with at least one person with a severe disability. This is defined as being eligible for Disability Living Allowance (DLA) (any of the mobility or care components), Attendance Allowance (AA) (both care components), Constant Attendance Allowance (CAA) under the Industrial Injuries Disablement Benefit Scheme and CAA and War Pensioners Mobility Supplement under the pre-2005 War Pensions Scheme (note there is no CAA/or Mobility Supplement in the new post 2005 War Disablement Scheme). This includes households where the qualifying person for DLA (Care or Mobility) is a dependent child.
- All households with at least one person who is registered blind or partially sighted.

Help will be available free of charge to all qualifying households who are also in receipt of an income related benefit (Income Support or Jobseeker's Allowance) or either Pension Credit. Other qualifying households will pay £40.

The criteria for eligibility to receive assistance under the DSHS are subject to change.

PROCESS

The DSHS will be provided in two distinct phases as follows:

1. The flagship project covering switchover in Whitehaven (Cumbria) commencing in October 2007 (known as 'Whitehaven'). Whitehaven will be awarded as one lot (Lot 1) to a single supplier required to provide a managed service covering the complete customer proposition. The contract relating to this phase is expected to commence in June 2007 and is expected to end in December 2007.
2. The main phased switchover process across the UK and the Isle of Man between 2008 and 2012 (known as the 'Main Scheme'). The Main Scheme will be awarded as 2 lots:
 - (a) Main Scheme – Customer Contact and Fulfilment (Lot 2); and
 - (b) Main Scheme – Equipment Supply and Installation (Lot 3).

The contract(s) relating to Lots 2 and 3 are expected to commence in 2007 and are expected to end in 2013.

Lot 1, 2 and 3 may be awarded to one or more suppliers. The Contracting Authority's

preference would be for Lots 2 and 3 (i.e. the contracts for the Main Scheme) to be awarded to a single supplier. However, the Contracting Authority reserves the right to award separate contracts for each of Lots 2 and 3.

Throughputs

The Main Scheme

It is expected that the number of eligible households for the DSHS under the Main Scheme will be approximately 7 million.. Based on independent research, it is estimated that approximately 4.7 million households may choose to use the DSHS. This is broken down as follows:

2007/8	6,000
2008/9	95,000
2009/10	1,400,000
2010/11	1,250,000
2012/13	900,000

It should be noted that these figures are estimates only.

Whitehaven

It is expected that the number of households who will utilise the DSHS in Whitehaven will be approximately 6,000.

OBJECTIVE EVALUATION CRITERIA

The Contracting Authority will evaluate the information provided by bidders in response to the Pre-Qualification Questionnaire to determine which bidders will be invited to participate in the Competitive Dialogue. Evaluation will be based on the following criteria:

- Previous Experience
- Capability to Meet the Requirements
- Financial Stability
- Organisational Policies
- Partnership Experience

REQUIREMENTS

Whitehaven

The successful supplier will be required to provide a fully managed service for the complete customer proposition for Whitehaven. At a high level, the complete customer proposition will include but are not limited to:

1. Customer Contact, Management and Fulfilment
2. Equipment Supply and Installation

1. Customer Contact, Management and Fulfilment

The successful supplier will be required to communicate the scope of the assistance available under the DSHS to those eligible, working closely with Digital UK who will manage the generic communications relating to DSHS and provide guidance on the targeted communications strategy, and provide support and assistance to those eligible under the DSHS. .

Generic Communications

The objective of the overall communications strategy will be to raise awareness of the DSHS as well as ensure that eligible members of the public fully understand what support is available to them and how to access that help (including how to access help through satellite, cable and broadband TV platforms).

Generic communications will be managed by Digital UK and are not covered by this procurement.

Specific Communications

The targeted communications strategy will be tailored to the needs of those eligible. Key stakeholder groups (e.g. registered charities) will need to be involved in raising awareness amongst those eligible for the duration of the DSHS. The successful supplier will be required to work with Digital UK who are working with various charities and voluntary bodies to determine the role the charity and voluntary sector play under the DSHS.

The successful supplier will communicate directly with those eligible giving them information as to their choices (ensuring platform neutrality) and how to access help. The Department of Work and Pensions (DWP) and other relevant Departments will disclose data (following the passage of the Digital Switchover (Disclosure of Information) Bill) to the supplier to enable the supplier to provide help to those eligible under DSHS. The supplier will have to demonstrate that they have adequate procedures in place to ensure that the data handling complies with the requirements of the Bill, any additional requirements set by DWP and any other applicable data security measures.

A response mailing will also be required for « unknown customers » (i.e. those not already identified as being eligible), who are most likely to be found through responses to the generic communications. Provision will also need to be made for managing problems, complaints and appeals for those who are not eligible.

It is envisaged that Customer Management will be dealt with via a contact centre capable of handling telephone calls, letters and web based communication. The contact centre will deal with both known (those who have been identified as eligible for the DSHS)) and unknown (those who have not been identified as being eligible for the DSHS) customers. The customer management requirement will include:

- Identification of customer
- Eligibility checks
- Data capture
- Confirming equipment requirements/special needs (it should be noted that the DSHS will operate on a platform neutral basis). Therefore, those entitled will have four choices :
 - A Digital Terrestrial Television (DTT) set-top box (STB) which complies with the core receiver requirements, which can be found at:

http://www.digitaltelevision.gov.uk/pdf_documents/publications/2006/Core_Receiver_Requirements.pdf

- A trade up from the DTT set-top box to a integrated Digital Television (iDTV) or STB with Personal Video Recorder (PVR) functionality
 - A trade up within the DSHS to a free satellite service
 - To opt for an alternative platform e.g. ntl:Telewest, Sky, or a broadband TV offering
- Charge and collection provisions.
 - Booking visits and/or delivery and installation dates (NB this and the next step will not be carried out by the supplier where the customer chooses a different service provider such as Sky or ntl:Telewest.)
 - Post installation support, which may include technical support and liaison with Digital UK who are working with the charity and voluntary sector to determine their role in post installation support.

2. Equipment Supply and Installation

This will include:

- Supply of equipment and stock maintenance where necessary. The DSHS needs to be easy to access and be designed around specific needs of those who will require assistance. The equipment provided will be critical to this. Therefore, the successful supplier will be required to:
 - Supply equipment that meets the Core Receiver Requirements as far as is practical. The Core Receiver Requirements can be found at http://www.digitaltelevision.gov.uk/pdf_documents/publications/2006/Core_Receiver_Requirements.pdf.

The Contracting Authority and/or the relevant company reserve the right to source the equipment separately (or have the equipment sourced separately on its behalf) if this is not achievable. In the event of this, the successful supplier(s) will be required to work with the chosen equipment supplier.

- Offer those eligible for assistance under the DSHS an upgrade to iDTV or PVR, for which the customer will have to pay more.
- Repair, reposition and/or install external aerials supported by necessary warranties and insurance.
- Provide a Visit Management service to ensure that, if the initial visit is unsuccessful, a remedy is identified and actioned as soon as possible. It is expected that the supplier should use Registered Digital Installers (RDI), or Associate Registered Digital Installers (ARDI) to install aerial subject to there being sufficient RDI/ARDIs available in the relevant areas at the relevant time.
- Maintain a fleet of vehicles that can provide appropriate coverage as required.

- Put in place arrangements for collecting payments from those for whom the service is not free.
- Have a broad range of consumer protection procedures in place including, but not limited to, the provision of suitably qualified and vetted staff across Whitehaven with the capability of installing digital terrestrial and satellite equipment, external antenna and internal wiring.
- Provide full logistical support to ensure that equipment and fitting services, including after care, are fully coordinated working closely with Digital UK, where applicable.

Where customers choose other platforms, such as subscription satellite or cable services, the other platform operators will be responsible for installation.

Main Scheme

The Contracting Authority's preference would be for Lots 2 and 3 (i.e. the contracts for the Main Scheme) to be awarded to a single supplier as a fully managed service. However, proposals from suppliers for one Lot only, will be considered. The Contracting Authority reserves the right to award separate contracts for each of Lots 2 and 3.

At a high level, the services required across the regions (in accordance with the phased timetable) will include but are not limited to:

1. Customer Contact, Management and Fulfilment
2. Equipment Supply and Installation

1. Customer Contact, Management and Fulfilment

The successful supplier will be required to communicate the scope of the assistance available under the DSHS to those eligible, working closely with Digital UK who will manage the generic communications relating to DSHS and provide guidance on the targeted communications strategy, and provide support and assistance to those eligible under the DSHS.

Generic Communications

The objective of the overall communications strategy will be to raise awareness of the DSHS as well as ensure that eligible members of the public fully understand what support is available to them and how to access that help (including how to access help through satellite, cable and broadband TV platforms).

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Specific Communications

The targeted communications strategy will be tailored to the needs of those eligible. Key stakeholder groups (e.g. registered charities) will need to be involved in raising awareness amongst those eligible for the duration of the DSHS. The successful supplier will be required to work with Digital UK who are working with various charities and voluntary bodies to determine the role the charity and voluntary sector play under the DSHS.

The successful supplier will also communicate directly with those eligible giving them information as to their choices (ensuring platform neutrality) and how to access help. The Department of Work and Pensions (DWP) and other relevant Departments will disclose data (following the passage of the Digital Switchover (Disclosure of Information) Bill) to the supplier to enable the supplier to provide help to those eligible under DSHS. The supplier

will have to demonstrate that they have adequate procedures in place to ensure that the data handling complies with the requirements of the Bill, any additional requirements set by DWP and any other applicable data security measures.

A response mailing will also be required for « unknown customers » (i.e. those not already identified as being eligible), who are most likely to be found through responses to the generic communications. Provision will also need to be made for managing problems, complaints and appeals for those who are not eligible.

It is envisaged that Customer Management will be dealt with via a contact centre capable of handling telephone calls, letters and web based communication. The contact centre will deal with both known (those who have been identified as eligible for the DSHS)) and unknown (those who have not been identified as being eligible for the DSHS) customers. The customer management requirement will include:

- Identification of customer
- Eligibility checks
- Data capture
- Confirming equipment requirements/special needs (it should be noted that the DSHS will operate on a platform neutral basis). Therefore, those entitled will have four choices :
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 - To opt for an alternative platform e.g. ntl:Telewest, Sky, or a broadband TV offering
- Charge and collection provisions.
- Booking visits and/or delivery and installation dates (NB this and the next step will not be carried out by the supplier where the customer chooses a different service provider such as Sky or ntlTelewest.)
- Post installation support, which may include technical support and liaison with Digital UK who are working with the voluntary sector to determine their role in post installation support.

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This will include:

- Supply of equipment and stock maintenance. The DSHS needs to be easy to access and be designed around specific needs of those who will require

assistance. The equipment provided will be critical to this. Therefore, the successful supplier will be required to:

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- Maintain a fleet of vehicles that can provide appropriate coverage as required.
- Put in place arrangements for collecting payments from those for whom the service is not free.
- Have a broad range of consumer protection procedures in place including, but not limited to, the provision of suitably qualified and vetted staff across Whitehaven with the capability of installing digital terrestrial and satellite equipment, external antenna and internal wiring.
- Provide full logistical support to ensure that equipment and fitting services, including after care, are fully coordinated working closely with Digital UK, where applicable.

Where customers choose other platforms, such as subscription satellite or cable services, the other platform operators will be responsible for installation.

INSTRUCTIONS FOR COMPLETION:

E-mail Responses

Please complete all parts of this questionnaire fully. The completed questionnaire should be returned, together with a signed copy of Appendix A by e-mail to the following address:

dshs@culture.gsi.gov.uk

Any supplementary information you may wish to provide should be sent as attachments in an appropriate format (e.g. JPEG, GIF, PDF etc.). The total size of your e-mail submission (including the questionnaire) should not exceed 500kb.

The completed questionnaire must be returned by Midday on Wednesday 28th February 2007 to the above e-mail address **only**.

All responses

1. Any assumptions made when answering any question should be stated.
2. Section A should be completed by your organisation or lead organisation if part of a consortium.
Section B should be completed by **all** organisations, including all members of a consortium, where applicable.
Section C should be completed on by your organisation or in the case of a consortium by those members that can demonstrate relevant knowledge and/or experience.
3. Responses which refer to corporate information packages will not be accepted. Where information is held in this manner it is the responsibility of the respondent to ensure that the relevant information is extracted.
4. Any information provided within the pre-qualification questionnaire may be used at the discretion of the Contracting Authority when undertaking tender evaluation.
5. The Contracting Authority cannot be held responsible for the non-receipt of any pre-qualification questionnaires.
6. If any of this information has been provided to the Contracting Authority previously for reasons unrelated to this procurement, it is still necessary to complete this pre-qualification questionnaire in full. Failure to provide all information may result in rejection of your application.
7. If the space allocated for your response is insufficient, please continue on a separate sheet ensuring that each sheet is clearly marked with the appropriate question.

8. As a public authority, the Contracting Authority is required to comply with the Freedom of Information Act 2000 (FOIA) which came into force on 1st January 2005. As such we have a legal obligation to disclose any information given in this Pre-qualification questionnaire if requested by a member of the public and subject to an exemption not applying.
9. The Contracting Authority reserves the right to reject or disqualify an Organisation in any of the following circumstances, where:
 - the PQQ, statement and checklist are submitted late, is completed incorrectly, is incomplete or fails to meet the PQQ submission requirements which have been notified to Organisations;
 - the Organisation must or may be excluded under Regulation 23 Public Contracts Regulations 2006 (Article 45 of Directive 2004/18/EC) (*see Appendix A*);
 - the Organisation is guilty of serious misrepresentation in relation to its application and/or the process;
 - there is a change in identity, control, financial standing or other factor impacting on the selection and/or evaluation process affecting the Organisation.
10. All Organisations are solely responsible for their costs and expenses incurred in connection with the preparation and submission of the PQQ, statement and checklist and all future stages of the selection and evaluation process.
11. The Contracting Authority reserves the right to cancel or vary the tender process at any stage.
12. The Contracting Authority reserves the right not to award a contract under this tender process.

SECTION A

1. Name of organisation/consortium.

Please give the name of the organisation or, in case this response is submitted by a consortium, the lead organisation who will be the counterparty to the Contracting Authority.

2. If submitting as a consortium please:

a) list all member organisations;

Please also include any major service providers identified who may not be equity holding consortium members.

b) outline any previous experience the group has of working together;

c) give a breakdown of the relative proposed shareholdings of individual member organisations.

3. Legal Status/Constitution of organisation/consortium.

If not yet established please indicate likely status.

4. Please provide an organisation chart showing how the organisation or consortium, together with its subcontractors, is expected to be structured.

SECTION B

1. Organisation Information

1.1 Please indicate organisation type:

Is your organisation:	Tick	Please Complete
Public or Private Limited Company	<input type="checkbox"/>	1A
Partnership	<input type="checkbox"/>	1B
Other	<input type="checkbox"/>	1A

If other, please provide details:

If part of a consortium, role in the consortium and the bidding process:

1A. Limited Company Information

a) Please indicate below your company type:

Private Public

b) Company trading name:

c) Contact name:

d) Company head office address:

e) Telephone number:

f) Fax number:

g) Email address:

h) Website address:

- i) VAT number:
- j) How long has the company been established:
- k) Company registration number:
- l) Date of registration:
- m) If applicable, registration name if different from the trading name above:
- n) If applicable, address of registered office if different from above:
- o) If applicable, is your organisation part of a group?

Yes No

If yes please give details of the other members in the group:

- p) Are there any court actions and/or industrial tribunal hearings outstanding against your company? If so, please give details:

1B. Partnership Information

- a) Please indicate below your partnership's liability status:

Limited Liability
 Unlimited Liability

- b) The trading name of the partnership:
- c) Contact name:
- d) The partnership address:

- e) Telephone number:
- f) Fax number:
- f) Email address:
- g) If applicable, Website address:
- h) If applicable, VAT number:
- i) How long has the partnership been established?
- j) If applicable, please provide details of any other names that the partnership has traded under.
- k) Are there any court actions and/or industrial tribunal hearings outstanding against your partnership? If so, please give details:

1.2 Has board or relevant approval been sought to be involved in a bid with the Contracting Authority?

1.3 Please indicate whether your organisation has been convicted of any offences comprising grounds for mandatory and voluntary exclusion by completing the form in Appendix A

2. Previous Experience

2.1 Please list your current top 5 customers and how long you have been trading with them

Name of Customer

How long you have traded with them

- 1.
- 2.
- 3.
- 4.

3. Financial

3.1 Please indicate the annual turnover of your organisation over the last 3 years. If your organisation is part of a group, please give figures for both your own organisation and the group.

3.2 Organisation

For Year	Annual Turnover	Pre-tax Profit (Loss)
	£	£
	£	£
	£	£

3.3 Group

For Year	Annual Turnover	Pre-tax Profit (Loss)
	£	£
	£	£
	£	£

3.4 You are required to provide one copy of the audited Report & Accounts for your organisation for the last three complete financial years and, if part of a Group, the same information for the parent company.

3.5 If these are not available appropriate information should be provided to support your organisation's financial standing, such as Bank / Accountant's references and income tax returns for the last three years.

SECTION C

1. Lots for Which You Wish To Be Considered

1.1 In accordance with the description of services set out in the Requirements section of this document and the divisional lots set out in the Contract Notice, please indicate below the Lots that your organisation/consortium is interested in providing

Lots	✓
Lot 1 – Whitehaven	
Lot 2 – The Main Scheme Customer Contact, Management and Fulfilment	
Lot 3 - The Main Scheme Equipment Supply and Installation	

2. Meeting the Contracting Authority’s Requirements

2.1 Please summarise your knowledge, skills and experience that are relevant to the provision of the services required by the Contracting Authority.

2.2 Please summarise your experience in working with 3rd party suppliers and/or in a consortium if applicable.

2.3 Please summarise your experience in delivering similar services to those required across a wide geographical area, similar to the size of the UK and Isle of Man.

2.4 If you intend to use sub-contractors to meet the requirements, please provide details of the relationship with the sub-contractors and what their role will be.

2.5 Please provide details of major contracts you have been awarded for similar services or services of a similar complexity to those required by the Contracting Authority over the past 3 years. Details should include:

Organisation Name (if part of a consortium)	Name of Client	Brief description of goods and or services undertaken, duration of the contract and value.
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Customer Contact, Management and Fulfilment

2.6 Please outline your experience over the last 3 years in providing a range of customer contact, management and fulfilment services.

- 2.7 Please indicate what resources you currently have to provide customer contact, management and fulfilment services and indicate the number of seats that you currently have.
- 2.8 Please give examples of how you manage unpredictable volumes.
- 2.9 What facilities do you have for taking payment from customers?
- 2.10 Please indicate your experience in communicating with your customer base.

Equipment Supply and Installation

- 2.11 Please outline your experience over the last 3 years in providing equipment in line with the Core Receiver Requirements across a wide geographical area similar to the size of the UK and Isle of Man.

- 2.12 Please outline your experience over the last 3 years in providing installation services and/or technical support in line with the requirements across a wide geographical area similar to the size of the UK and Isle of Man.
- 2.13 Please indicate your capacity to deliver large volumes of equipment supply and installation services.
- 2.14 What arrangements do you have in place to ensure that staff are suitably trained and vetted to conduct home visits?

3. E Commerce

- 3.1 Can you receive orders by e-mail?
- Yes No
- 3.2 The Contracting Authority has joined the OB10 Invoice Delivery Network and is encouraging its preferred suppliers to send their invoices electronically. Please indicate whether you would be prepared to invoice the Contracting Authority electronically.
- Yes No
- 3.3 Does your organisation exchange electronic information business to business?
- Yes No

If yes, please provide details of what types of data you exchange (e.g. invoices, orders etc).

3.4 What information standards do you use for data exchange (e.g. EDIFACT)?

4. Insurance

Type of Insurance	Yes	No	N/A	Amount of cover
Public Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	£
Product Liability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	£
Crime/Fidelity Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	£
Third Party Motor Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	£
Property and Business Interruption Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	£
Technology Errors and Omissions Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	£
Professional Indemnity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	£

5. Quality

5.1 Please provide details of any quality assurance accreditation that your organisation holds e.g. BS EN ISO9000 or equivalent standard and specify to which sectors of your organisation such accreditation applies. If no accreditation held, please outline your quality assurance policy:

5.2 Please provide details of any quality assurance accreditations for which you have applied:

5.3 Please describe any quality processes you undertake to ensure customer satisfaction, and describe how it is measured:

6. Staff

6.1 Please provide the number of staff and the full time equivalent staff employed:

_____ Organisation _____ Group (if applicable)

6.2 Please state the number of staff that would be directly involved in the provision of the goods and or services required by the Contracting Authority:

_____ Organisation _____ Group (if applicable)

7. Organisation Policy

7.1 Please indicate if you have the following policies, you may be asked, if successful, for copies at a later stage.

	Yes	No	N/A
Business Continuity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Data Protection	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Health & Safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Security	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Training	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Partnership

8.1 Please indicate with examples drawn from your experience, how you achieve a co-operative rather than an adversarial partnering structure.

Questionnaire Completed by:

Signature:

Name:

Position:

Email address:

Telephone number:

Date:

Thank you for completing this questionnaire. It will be used to determine your suitability for meeting our general requirements for the provision of the goods and or services. Further assessment and short listing may be required before any indication can be given on the success of your application and inclusion on our tender list.

Please provide the name and contact details of the person you wish to receive the tender if you are successful in the pre-qualification stage.

Name:

Position:

Address:

Email address:

Telephone number:

Please ensure that you have fully completed this questionnaire. Forms that are not fully completed may be rejected.

CONTRACTING AUTHORITY USE ONLY

Date Issued:

Date Returned:

APPENDIX A

STATEMENT RELATING TO GOOD STANDING – GROUNDS FOR OBLIGATORY EXCLUSION (IN ELIGIBILITY) AND CRITERIA FOR REJECTION OF CANDIDATES

in accordance with Regulation 23 of the Public Contracts Regulations 2006

Project: Digital Switchover Help Scheme

Contracting Authority:

To be determined but will be one of more of the following and for the purposes of this document shall be known as the Contracting Authority:

1. The British Broadcasting Corporation (the BBC)
2. A company in respect of which one or more of the following hold at least 51% of the issues ordinary share capital or possess at least 51% of the voting rights:
 - a. The BBC
 - b. The Secretary of State for the Department of Culture Media and Sport (DCMS)
 - c. A nominee of the BBC or the DCMS

Any person engaged by the BBC, the DCMS or a company as described in 2.

Name of Organisation (and company registration number if a registered company):

Organisation to Insert Organisation's full and correct name and company registration number (if appropriate)

We confirm that we understand that the Contracting Authority is obliged to exclude from the tender process for the Project all Organisations which meet the Grounds for Obligatory Exclusion (ineligibility) set out in section 1 below and may choose to exclude Organisations which meet the Grounds for Rejection set out in section 2 below.

We confirm that, to the best of our knowledge, the Organisation is not in breach of the provisions of Regulation 23 of the Public Contracts Regulations 2006 and in particular that:

1 Grounds for obligatory exclusion (ineligibility)

The Organisation or its directors or any other person who has powers of representation, decision or control of the Organisation has not been convicted of any of the following offences:

- (a) conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA;
- (b) corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906;
- (c) the offence of bribery;
- (d) fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:
 - (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 and the Theft Act 1978;
 - (iv) fraudulent trading within the meaning of section 458 of the Companies Act 1985;
 - (v) defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;
 - (vi) an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or
 - (vii) destroying defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968;
- (e) money laundering within the meaning of the Money Laundering Regulations 2003; or
- (f) any other offence within the meaning of Article 45(1) of the Public Sector Directive 2004/18/EC.

2 Grounds for Rejection:

The Organisation confirms that the Organisation:

- (a) being an individual is not bankrupt or has not had a receiving order or administration order or bankruptcy restrictions order made against him or has not made any composition or arrangement with or for the benefit of his creditors or has not made any conveyance or assignment for the benefit of his creditors or does not appear unable to pay or to have no reasonable prospect of being able to pay, a debt within the meaning of section 268 of the Insolvency Act 1986, or article 242 of the Insolvency (Northern Ireland) Order 1989, or in Scotland has not granted a trust deed for creditors or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of his estate, or is not the subject of any similar procedure under the law of any other state;

- (b) being a partnership constituted under Scots law has not granted a trust deed or become otherwise apparently insolvent, or is not the subject of a petition presented for sequestration of its estate;
- (c) being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002 has not passed a resolution or is not the subject of an order by the court for the company's winding up otherwise than for the purpose of bona fide reconstruction or amalgamation, or has not had a receiver, manager or administrator on behalf of a creditor appointed in respect of the company's business or any part thereof or is not the subject of the above procedures or is not the subject of similar procedures under the law of any other state.
- (d) has not been convicted of a criminal offence relating to the conduct of his business or profession;
- (e) has not committed an act of grave misconduct in the course of his business or profession;
- (f) has fulfilled obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or of the relevant State in which the Candidate is established;
- (g) has fulfilled obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which the economic operator is established;
- (h) is not guilty of serious misrepresentation in providing any information required of him under this regulation;
- (i) in relation to procedures for the award of a public services contract, is licensed in the relevant State in which he is established or is a member of an organisation in that relevant State when the law of that relevant State when the law of that relevant State prohibits the provision of the services to be provided under the contract by a person who is not so licensed or who is not such a member.

3 Where applicable, the Candidate is registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex IX B of Directive 2004/18/EC) under the conditions laid down by that member state*.

Signed

Name

Position

Date

* In the UK this condition is satisfied by registration with Companies House or a declaration on oath that the Candidate is carrying on business in the trade in question in the UK at a specific place of business and under a specific trading name.

