**11February 2019** **Pre-Qualification Questionnaire….**

“For inclusion in the shortlist to tender for the

provision of S4C’s coverage of the World Rugby Under 20 Championship 2019”

Closing Date for receipt of questionnaires responses:

18:00 Tuesday, February 19th, 2019

[tendr.chwaraeon@s4c.cymru](mailto:tendr.chwaraeon@s4c.cymru)

THIS DOCUMENT IS ALSO AVAILABLE IN WELSH

**1. Introduction and Background**

S4C is the only Welsh television channel in the world and one of the UK's five public service television broadcasters. It is an independent broadcasting authority established under the Broadcasting Act 1981, and regulated by the Communications Act 2003 and the Broadcasting Act 1990.

S4C provides a broad range of high quality and diverse programming. The channel broadcasts over 115 hours of Welsh language programmes each week. S4C’s programmes are available to watch on live on the S4C website via broadband and the on demand catch up service on the s4c.cymru website, through the BBC iPlayer and on YouView, smart TV, Sky, Freeview and many other platforms.

S4C is uniquely funded through a mixture of grant in aid, advertising and commercial revenue, and in addition ten hours a week of Welsh Language programming funded by the licence fee is provided to S4C by the BBC.

For further background information about S4C, please refer to the Annual Report 2017/18, available on the S4C website (s4c.cymru), or contact:

Viewers’ Hotline

S4C

Parc Tŷ Glas

Llanishen

Cardiff

CF14 5DU

Tel: 0370 600 4141

**Contract Background**

S4C has secured the television broadcast rights to the 2019 World Rugby Under 20 Championship (www.world.rugby/u20) which will be held in Argentina in June.

The coverage will follow the same pattern as in recent years - live coverage of each of Wales’ five matches, plus the final. The games will take place between June 4th– 22nd 2019. S4C is looking to appoint an experienced production company to provide quality Welsh language programmes to S4C as part of its Under 20 Championship service.

Production companies who have direct experience in delivering live sports programming are invited to apply by completing a PQQ (Pre-qualification questionnaire) and returning via email to [tendr.chwaraeon@s4c.cymru](mailto:tendr.chwaraeon@s4c.cymru) by 18:00 February 19th 2019.

Companies who are successful at the PQQ stage will be invited to tender via email and we intend to award the contract by the 15th March.

**2. The Tender Process**

The purpose of this Pre-Qualification Questionnaire (PQQ) is to enable S4C to assess the suitability of Applicants to provide the required services, following assessment of all completed PQQs in accordance with section 6 below, in terms of technical experience and capability.

S4C is seeking to short-list between 3 and 6 Applicants (numbers permitting).

Completion and submission of this PQQ in accordance with the conditions and instructions detailed herein is the first stage of this tender process. Following this stage, those Applicants who are short-listed will be issued with an invitation to tender. Tender responses will need to be completed in accordance with the instructions set out in the invitation to tender and submitted to S4C by the deadline set out in the invitation to tender. S4C will review all completed tender responses received by S4C in compliance with the invitation to tender.

Please note that Applicants who are short-listed and invited to tender, may be required to take part in an interview with S4C at S4C’s offices in Carmarthen. The interview may be conducted in Welsh or English. Please note your language choice on the PQQ. If you choose a Welsh interview, we will provide a translation service from Welsh to English if necessary.

S4C will select the successful Applicant on the basis of the tender response judged by S4C to be the most economically advantageous using the criteria set out in the invitation to tender.

**3. Instructions for Completion of this PQQ**

Applicants must answer each and every question in the PQQ and must provide all of the information requested in this PQQ. Failure to provide any such information may result in exclusion from this tender process. If an Applicant considers that a particular question is not applicable it should mark it as “not applicable” or similar.

Further instructions appear at relevant sections in the PQQ.

**Additional Appendices**

Some of the questions in the PQQ require the Applicant to provide additional information in separate Appendices. The Applicant should attach, where appropriate, any supporting documents or additional Appendices to this PQQ clearly marked with the name of the Applicant and the number of the question in this PQQ to which the document relates. Any such additional Appendices should be listed as part of your declaration. A template for providing additional information is provided at the end of the PQQ.

**Verification of Information Provided**

Whilst reserving the right to request information at any time throughout the procurement process, S4C may enable the Applicant to self-certify that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the Applicant can meet the specified requirements (such as the questions in Section 4 of this PQQ relating to Technical and Professional Ability etc) S4C may only obtain such evidence after the final tender evaluation decision i.e. from the winning Applicant only.

**Sub-contracting arrangements**

Where the Applicant proposes to use one or more sub-contractors to deliver some or all of the contract requirements, a separate Appendix should be used to provide details of the 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.

S4C recognises that arrangements in relation to sub-contracting may be subject to future change, and may not be finalised until a later date. However, Applicants should be aware that where information provided to S4C 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 Applicant to proceed with the procurement process or to provide the supplies and/or services required. Applicants should therefore notify S4C immediately of any change in the proposed sub-contractor arrangements. S4C reserves the right to deselect the Applicant prior to any award of contract, based on an assessment of the updated information.

**Consortia arrangements**

If the Applicant completing this PQQ 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);
* if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix;
* what resources are being made available from each member of the consortium in order to deliver the contract being tendered.

All members of the consortium will be required to provide the information required in all sections of the PQQ as part of a single composite response to S4C i.e. each member of the consortium is required to complete the form.

If a consortium is short-listed, an invitation to tender will be issued to the lead member of the consortium only. Please note that if a consortium is invited to tender and its tender response is ultimately successful S4C may require: (i) the consortium to form a legal entity before entering into the contract; and/or (ii) joint and several liability of all consortium members; and/or (iii) guarantees and/or undertakings by some or all of the consortium members in respect of some or all other consortium members.

Where you are proposing to create a separate legal entity, such as a Special Purpose Vehicle (SPV), you should provide details of the actual or proposed percentage shareholding of the constituent members within the new legal entity in a separate Appendix.

S4C recognises that arrangements in relation to a consortium bid may be subject to future change. Applicants should therefore respond on the basis of the arrangements as currently envisaged. Applicants are reminded that S4C 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 selection criteria to the new information provided. S4C reserves the right to deselect the Applicant prior to any award of contract, based on an assessment of the updated information.

**Confidentiality**

S4C reserves the right to contact the named customer contact in Section 4 regarding the contracts included in Section 4. The named customer contact does not owe S4C any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

S4C 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 Cabinet Office and/or contracting authorities defined by the Public Contracts Regulations.

**Data Protection**

By submitting a PQQ, the Applicant confirms that it has informed all individuals identified in the PQQ that it will share their personal data in this way. The Applicant acknowledges that S4C will process all personal data provided as part of the PQQ in accordance with applicable data protection legislation (including the General Data Protection Regulation 2016 and the Data Protection Act 2018). The S4C Privacy Notice is available on www.s4c.cymru and Applicants hereby confirm that they will notify all individuals whose personal data is provided to S4C of this paragraph. S4C will process any personal data provided in PQQs on the basis that it is in the Applicant and S4C’s legitimate interests to process all personal data provided as part of the PQQ for the purposes of evaluating the PQQ and contacting Applicants as part of this process.

**4. Instructions for Submission of the Completed PQQ**

The completed PQQ must be scanned and submitted in electronic format only, by email addressed to: chwaraeon.tendr@s4c.cymru and must be received by S4C no later than 18:00 Tuesday, February 19th 2019.

Separate continuation sheets may be added should you experience insufficient space to provide your response to any question.

The e-mail containing the completed PQQ should be clearly marked “PQQ – S4C’s coverage of the World Rugby Under 20 Championship 2019”

PQQs may be submitted in Welsh or English. A PQQ submitted in Welsh will be treated no less favourably than a PQQ submitted in English.

No PQQ submitted in any medium other than that detailed in this section 4 or received after the closing date and time detailed in this section 4 will be considered.

It is the responsibility of the Applicant to ensure that its completed PQQ is actually received by S4C by the closing date and time detailed in this section. S4C accepts no responsibility for the shortcomings of any delivery system for any lost, delayed or defective PQQ. It is up to the Applicant to ensure that its PQQ (and all related attachments) is completed in good time (taking into account the possibility of staff absences or technical failures) and is submitted by the closing date and time detailed above in section 4.

Please note that 20Mb is the maximum email size that S4C can accept and permissible file formats are Word, Excel, PDF and Jpeg. These file formats are acceptable as Zip Files. Applicants should be aware that their own ISP (Internet Service Provider) may impose lower limits on the maximum email capacity and as such are advised to check the size limit with their own ISP or IT department well in advance of despatch and deadline.

Proof of despatching will not be deemed to be proof of delivery and Applicants are advised to seek an acknowledgement of receipt in a separate email.

**5. Further Information and Guidance**

Please note that no queries or requests for information relating to this tender process should be addressed to any individual officer, employee or representative of S4C.

Useful information can be found at: www.s4c.cymru/en/tenders/

**6. Short-Listing Applicants**

A panel of S4C representatives will assess all PQQs submitted in accordance with the conditions and instructions detailed in this PQQ as follows:

Stage 1: PQQs submitted by the deadline referred to in section 4 will be checked for completeness and compliance before they are evaluated.

Stage 2: All completed and compliant PQQs will be evaluated by the S4C panel as follows:

|  |  |  |
| --- | --- | --- |
| **Information Requested** | **Weighting** | **Evaluation Methodology / Assessment Factors** |
| SECTION 1 (Supplier Information) | Pass/Fail | Not scored but must be completed |
| SECTION 2 (Grounds for Mandatory Exclusion) | Pass/Fail | **Acceptable** – Completed with all responses as “Yes” or “No” with evidence of acceptable remedial action  **Unacceptable** – Not completed or any one or more responses “No” without evidence of acceptable remedial action. |
| SECTION 3 (Grounds for Discretionary Exclusion) | Pass/Fail | **Acceptable** – Completed with all responses as “Yes” or “No” with evidence of acceptable remedial action  **Unacceptable** – Not completed or any one or more responses “No” without evidence of acceptable remedial action. |
| SECTION 4 (Technical and Professional Ability)  4.1-4.2 - Relevant Experience  4.3 a)-c) – Staff and Available Resources | **45 %**  **55 %** | The applicant’s experience of delivering similar programmes.  Details of the production resources including key production personnel. The production personnel’s experience including the Director, Producer and the production team responsible for administrative and financial management of the production. The producer’s capability to manage any sub-contractors. |
| SECTION 5 (Additional modules) | Pass/Fail | Not scored but must be satisfactorily completed |
| SECTION 6 (Declaration) | Pass/Fail | Not scored but must be completed |

**SECTION 1 – Supplier Information**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **1.1 Supplier details** | | **Answer** | | | |
| Full name of the Supplier completing the PQQ | |  | | | |
| Registered company address | |  | | | |
| Registered company number | |  | | | |
| Registered charity number | |  | | | |
| Registered VAT number | |  | | | |
| Name of immediate parent company | |  | | | |
| Name of ultimate parent company | |  | | | |
| *Please mark ‘X’ in the relevant box to indicate your trading status* | | i) a public limited company | ▢ Yes | | |
| ii) a limited company | ▢ Yes | | |
| iii) a limited liability partnership | ▢ Yes | | |
| iv) other partnership | ▢ Yes | | |
| v) sole trader | ▢ Yes | | |
| vi) other (please specify) | ▢ Yes | | |
| *Please mark ‘X’ in the relevant boxes to indicate whether any of the following classifications apply to you* | | i)Voluntary, Community and Social Enterprise (VCSE) | ▢ Yes | | |
| ii) Small or Medium Enterprise (SME) [[1]](#footnote-1) | ▢ Yes | | |
| iii) Sheltered workshop | ▢ Yes | | |
| iv) Public service mutual | ▢ Yes | | |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| **1.2 Bidding Model** | | | | |  |
| **Please mark ‘X’ in the relevant box to indicate whether you are:** | | | | |  |
| a)  Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself | | | | ▢ Yes |  |
| b)  Bidding as a Prime Contractor and will use third parties to deliver some of the services  *If yes, 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.* | | | | ▢ Yes |  |
| c)  Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services  *If yes, 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.* | | | | ▢ Yes |  |
| d)  Bidding as a consortium but not proposing to create a new legal entity.  *If yes, please include details of your consortium in the next column and use a separate Appendix to explain the alternative arrangements i.e. why a new legal entity is not being created.*  *Please note that S4C 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.* | | | | ▢ Yes  Consortium members  Lead member |  |
| e)  Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV).  *If yes, please include details of your consortium, current lead member and intended SPV in the next column and provide full details of the bidding model using a separate Appendix.* | | | | ▢ Yes  Consortium members  Current lead member  Name of Special Purpose Vehicle |  |

|  |  |
| --- | --- |
| **1.3 Contact details** | |
| Applicant contact details for enquiries about this PQQ | |
| Name |  |
| Postal address |  |
| Country |  |
| Phone |  |
| Mobile |  |
| E-mail |  |
| Interview language choice (if applicable) | Welsh ▢  English ▢ |

|  |  |  |
| --- | --- | --- |
| **1.4 Licensing and registration (please mark ‘X’ in the relevant box)** | | |
| 1.4.1 | Registration with a professional body  If applicable, is your business 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). | ▢ Yes  ▢ No  *If Yes, please provide the registration number in this box.* |
| 1.4.2 | Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement? | ▢ Yes  ▢ No  *If Yes, please provide additional details within this box of what is required and confirmation that you have complied with this.* |

**SECTION 2 – Grounds for Mandatory Exclusion**

*You will be excluded from the procurement process 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 which found a breach of legal obligations to pay tax or social security obligations (except where this is disproportionate e.g. only minor amounts involved).*

*If you have answered “yes” to question 2.2 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 using a separate Appendix. You may contact S4C for advice before completing this form.*

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| **2.1 Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?** | **Please indicate your answer by marking ‘X’ in the relevant box.** | |
| **Yes** | **No** |
| 1. 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; |  |  |
| 1. 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; |  |  |
| 1. the common law offence of bribery; |  |  |
| 1. bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983; |  |  |
| 1. 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 (Northern Ireland) Order 1978; |  |  |
| (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; |  |  |
| (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; |  |  |
| (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993; |  |  |
| (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; |  |  |
| (viii) fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or |  |  |
| (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; |  |  |
| 1. any offence listed— |  |  |
| (i) in section 41 of the Counter Terrorism Act 2008; or |  |  |
| (ii) in Schedule 2 to that Act where the court has determined that there is a terrorist connection; |  |  |
| 1. any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subparagraph (f); |  |  |
| 1. money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002; |  |  |
| 1. 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; |  |  |
| 1. an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004; |  |  |
| 1. an offence under section 59A of the Sexual Offences Act 2003; |  |  |
| 1. an offence under section 71 of the Coroners and Justice Act 2009 |  |  |
| 1. 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 |  |  |
| 1. any other offence within the meaning of Article 57(1) of the Public Contracts Directive— |  |  |
| (i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or |  |  |
| (ii) created, after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland. |  |  |
| **Non-payment of taxes**  **2.2 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?**  *If you have answered Yes to this question, please use a separate Appendix to provide further details. Please also use this Appendix to 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?* |  |  |

**SECTION 3 - Grounds for Discretionary Exclusion**

*S4C may exclude any Applicant who answers ‘Yes’ in any of the following situations set out in paragraphs (a) to (j).*

|  |  |  |
| --- | --- | --- |
| **3.1 Within the past three years, please indicate if any of the following situations have applied, or currently apply, to your organisation.** | **Please indicate your answer by marking ‘X’ in the relevant box.** | |
| **Yes** | **No** |
| 1. 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; |  |  |
| 1. 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; |  |  |
| 1. your organisation is guilty of grave professional misconduct, which renders its integrity questionable; |  |  |
| 1. your organisation has entered into agreements with other economic operators aimed at distorting competition; |  |  |
| 1. 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; |  |  |
| 1. the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures; |  |  |
| 1. 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; |  |  |
| 1. your organisation—   (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  (ii) has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015; or |  |  |
| 1. 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. |  |  |

**Conflicts of interest**

*In accordance with question 3.1 (e), S4C may exclude the Applicant if there is 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 compromise their impartiality and independence in the context of the procurement procedure.*

*Where there is any indication that a conflict of interest exists or may arise then it is the responsibility of the Applicant to inform S4C, detailing the conflict in a separate Appendix. Provided that it has been carried out in a transparent manner, routine pre-market engagement carried out by S4C should not represent a conflict of interest for the Applicant.*

**Taking Account of Bidders’ Past Performance**

*In accordance with question (g), S4C may assess the past performance of an Applicant (through a Certificate of Performance provided by a Customer or other means of evidence). S4C may take into account any failure to discharge obligations under the previous principal relevant contracts of the Applicant completing this PQQ. S4C may also assess whether specified minimum standards for reliability for such contracts are met.*

*In addition, S4C may re-assess reliability based on past performance at key stages in the procurement process (i.e. Applicant selection, tender evaluation, contract award stage etc.). Applicants 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).*

**‘Self-cleaning’**

*Any Applicant that answers ‘Yes’ to questions 2.1, 2.2 and 3.1 should provide sufficient evidence, in a separate Appendix, that provides a summary of the circumstances and any remedial action that has taken place subsequently and effectively “self cleans” the situation referred to in that question. The Applicant has to demonstrate it has taken such remedial action, to the satisfaction of S4C in each case.*

*If such evidence is considered by S4C (whose decision will be final) as sufficient, the economic operator concerned shall be allowed to continue in the procurement process.*

*In order for the evidence referred to above to be sufficient, the Applicant 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 Applicant shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by S4C to be insufficient, the Applicant shall be given a statement of the reasons for that decision.*

**SECTION 4 – Technical and Professional Ability**

Please provide details of up to three contracts, in any combination from either the public or private sector, that are relevant to S4C’s requirement including in particular experience of providing the following:

* live sports coverage for linear and non-linear broadcasters; and
* sports content production in the Welsh language.

Contracts for supplies or services should have been performed during the past four years.

The named customer contact provided should be prepared to provide written evidence to S4C to confirm the accuracy of the information provided below.

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).

Where the Supplier is a Special Purpose Vehicle, or a managing agent not intending to be the main provider of the supplies or services, the information requested should be provided in respect of the principal intended provider(s) or sub-contractor(s) who will deliver the supplies and services.

|  |  |  |  |
| --- | --- | --- | --- |
| **4.1 Relevant experience and contract examples** | | | |
|  | Contract 1 | Contract 2 | Contract 3 |
| Name of customer organisation |  |  |  |
| Point of contact in customer organisation  Position in the organisation  E-mail address |  |  |  |
| Contract start date  Contract completion date  Estimated Contract Value |  |  |  |
| In no more than 500 words, please provide a brief description of the contract delivered including evidence as to your technical capability in this market. |  |  |  |

|  |
| --- |
| 4.2 If you cannot provide at least one example for question 4.1, in no more than 500 words please provide an explanation for this e.g. your organisation is a new start-up. |
|  |

**4.3 – Staff and Available Resources**

1. Provide details of the total number of staff employed by the Applicant and the nature of the work they are employed to do.

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b) Provide details of the number of staff with relevant experience who would be involved in providing the services. Please note that names of specific members of staff and key personnel should not be provided at this stage, only generic information should be provided.

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c) Where the Applicant has noted in Section 1.2 above that some of the work is to be delivered by a third party, please indicate the type of work to be sub-contracted and information regarding the experience of the Applicant in managing sub-contractors.

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**SECTION 5 – Additional Modules**

*Applicants who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage.*

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| Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:  Public Liability Insurance = £10million  \* *It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.* | ▢ Yes  ▢ No |

**5.1 - Insurance**

**5.2 – Compliance with Equality Legislation**

*For organisations working outside of the UK please refer to equivalent legislation in the country that you are located.*

|  |  |  |
| --- | --- | --- |
| 1. | 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)? | ▢ Yes  ▢ No |
| 2. | 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?  *If you have answered “yes” to one or both of the questions in this module, please provide, as a separate Appendix, 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 use the Appendix to 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 S4C’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring.* | ▢ Yes  ▢ No |
| 3. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | ▢ Yes  ▢ No |

**5.3 –**

**Environmental Management**

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| --- | --- | --- | --- |
| 1. | 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)?  *If your answer to this question is “Yes”, please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.*  *S4C will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless S4C is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches.* | ▢ Yes  ▢ No | |
| 2. | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | ▢ Yes  ▢ No |  |

**5.4 – Health and Safety**

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| --- | --- | --- |
| 1. | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | ▢ Yes  ▢ No |
| 2. | 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 3 years?  *If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.*    *S4C will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to S4C’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.* | ▢ Yes  ▢ No |
| 3. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | ▢ Yes  ▢ No |

**SECTION 6 - Declaration**

I declare that:

1. I have the requisite authority to complete and return this PQQ on behalf of the Applicant;
2. all information provided in this PQQ is complete and accurate to the best of my knowledge and belief; and
3. S4C will promptly be informed upon any person named below becoming aware that any information provided in this PQQ is incomplete or inaccurate in any respect.

I acknowledge and agree on behalf of the Applicant that:

* + - 1. S4C is subject to the provisions of the Freedom of Information Act 2000 (“FOI Act”) and that information supplied by or on behalf of the Applicant to S4C may be disclosable by S4C under the provisions of the FOI Act.  All information supplied by the Applicant to S4C pursuant to this PQQ that is commercially sensitive or confidential in nature, has been identified as such to S4C together with reasons explaining why such information is commercially sensitive or confidential in nature. The Applicant acknowledges that identifying information as confidential or commercially sensitive does not guarantee that such information will be exempt from disclosure. By completing and submitting this PQQ the Applicant accepts that S4C may disclose such information in response to any request under the FOI Act if S4C determines in its discretion that it is appropriate to do so;
      2. by completing and submitting this PQQ, the Applicant authorises S4C to process all information provided as part of the application and confirms that it has obtained all necessary third party consents to enable S4C to do so;
      3. by completing and submitting this PQQ, the Applicant agrees to keep confidential any information which is disclosed or otherwise made available to it by S4C in any medium whatsoever during or in connection with this tender process;
      4. neither this completed PQQ nor any communication between S4C and the Applicant shall constitute a contract or an offer which may be accepted nor a representation that any contract will be awarded and that S4C reserves the right : (a) to withdraw from and/or abandon and/or defer this tender process at any time; and/or (b) not to award any contract as a result of this tender process;
      5. if this PQQ is found to be incomplete, inaccurate or misleading in any respect S4C reserves the right to remove the Applicant from this tender process at whatever stage this tender process has reached; and
      6. there is no conflict of interest in relation to S4C’s requirement.

The following appendices form part of our submission;

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| **Section of PQQ** | **Appendix number** |
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Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Duly authorised

representative

for and on behalf of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dated: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PQQ – Template for Appendices**

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1. See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/ [↑](#footnote-ref-1)