



SMEs have no chance of winning public sector contracts? - Wrong, times they are a'changing.

Despite the coalition government announcing in 2010 that it intended to have more public sector contracts awarded to the SME sector, there is still a perception that these public sector contracts are the preserve of the 'big boys'.

The new government have now set even more ambitious targets and expect that by 2020 that £1 of every £3 on public sector contracts will be either directly with SMEs or via the supply chain. In order to do this the whole procurement process has been overhauled to make it simpler. It has, but it is still not a 'walk in the park' with, among other things, confusing portals to tackle.

Some things that you need to consider when looking at developing your bid strategy for the huge public sector market:

1. Build below the threshold – start with low value opportunities

The quickest way to build up a government customer base is to start with low value procurements. To start with, aim for opportunities under £100,000 where government has abolished Pre-Qualification Questionnaires (PQQs). Building up your base this way is a great foundation for competing for bigger sales in the future.

It would be a good idea, at this stage, to start building up your bid library to enable you to complete PQQs in the future. All PQQs are fundamentally the same format so much of what you produce will be reusable. To view typical PQQ information click [here](#)

2. Be part of the conversation.

If the first time you spot the opportunity, it's already formally gone to the market, you are behind the game. Pre-market engagement is your opportunity to shape the formal tender. This is especially important if you have an innovative product/service as the tender will have been constructed based on existing knowledge. You may



then be forced to submit a non-compliant bid even though the outcome may match or exceed what is being looked for.

- sign up for email alerts on [Contracts Finder](#)
- monitor PINs (Prior Information Notices) and register your interest in future procurements. PINs are not mandatory but are considered 'best practice'.
- attend information days and public sector 'product surgeries'. Signing up to PIN could well lead on to this.
- register with the [eSourcing tool](#) for future opportunities

3. Play to your strengths.

Recent studies of public sector procurers show that they see SMEs as flexible, quicker to react and able to offer better prices. Use the pre-market engagement to show this by reacting quickly to questions, offering options and evidence of where you've responded to change in the past. Recognise that you are likely to be cheaper than bigger players and show evidence that you offer value for money.

4. Look good in the exam

Understand that no matter how good you are you will not win unless you make your strengths clear on paper too. Think of it as an exam - answer the question, don't elaborate and think about getting advice ([Contact TyrrellCooper](#)) if it's your first time. Quick piece of advice: If the question invites a 'closed response' i.e. Yes/No, explain also why you have submitted that answer.

The public sector is making the process simpler but remember that it will rightly be held accountable for the procurement decisions it makes, in a way the private sector is not. Take the exam seriously.

5. Evidence matters

Cite evidence in your bid. If you say your system will show or do something, prove it: include a screen shot of how it works or other tangible evidence.

For further information or support please contact TyrrellCooper Ltd on info@tyrrellcooper.com or 0116 430 0020



TYPICAL PQQ QUESTIONS

This document does not purport to be a complete review of all PQQ questions but is representative of many that are asked. Authorities will also include any questions that could be pertinent to their specific requirement.

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or 0116 430 0019

SECTION 1: Organisation and Contact Details

Full name of organisation tendering (or of the organisation acting as lead contact where a consortium bid is being submitted)		
ORGANISATION DETAILS		
Registered office address	Company or charity registration number	
	VAT registration number	
	Name of immediate parent company	
	Name of ultimate parent company	
Type of organisation	i) a public limited co.	
	ii) a limited company	
	iii) a limited liability partnership	
	iii) other partnership	
	iv) sole trader	
	v) other (please specify)	

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CONTACT DETAILS	
Contact details for enquiries about this PQQ	
Name	
Address	
Post Code	
Country	
Phone	
Mobile	
Email	

Consortia and Sub-Contracting	(a) Your organisation is bidding to provide the goods and/or services required itself	
	(b) Your organisation is bidding in the role of Prime Contractor and intends to use third parties to provide some of the goods and/or services	
	(c) The Potential Supplier is a consortium or Special Purpose Vehicle	
If your answer is (b) or (c) please indicate in a separate annex (by inserting the relevant company/organisation name) the composition and governance of the supply chain, indicating which member of the supply chain will be responsible for the elements of the requirement.		

QUESTIONS 1.1 and 1.2 FOR COMPLETION BY NON-UK BUSINESSES ONLY		
1.1	Registration with professional body 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 Annexes IX A-C of Directive 2004/18/EC) under the conditions laid down by that member state).	
1.2	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? If yes, please provide details of what is required and confirm that you have complied with this.	

SECTION 2 - Grounds for mandatory rejection

Important Notice:

In some circumstances the Authority is required by law to exclude you from participating further in a procurement. If you cannot answer 'no' to every question in this section it is very unlikely that your application will be accepted, and you should contact us for advice before completing this form.

Please state 'YES' or 'NO' to each of the questions.

Has your organisation or any directors or partner or any other person who has powers of representation, decision or control been convicted of any of the following offences?	Answer
(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;	
(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; where the offence relates to active corruption;	
(c) the offence of bribery, where the offence relates to active corruption;	
(d) bribery within the meaning of section 1 or 6 of the Bribery Act 2010;	
(e) fraud, 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, within the meaning of:	
(i) the offence of cheating the Revenue;	

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(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) making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of the Fraud Act 2006;	
(f) money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;	
(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; or	
(ii) 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	



<p>(iii) any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State.</p>	
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FORM SECTION 3 - Grounds for discretionary rejection

Important Notice.

The Authority is entitled to exclude you from consideration if any of the following apply but may decide to allow you to proceed further. If you cannot answer ‘no’ to every question it is possible that your application might not be accepted. In the event that any of the following do apply, please set out (in a separate Annex) full details of the relevant incident and any remedial action taken subsequently. The information provided will be taken into account by the Authority in considering whether or not you will be able to proceed any further in respect of this procurement exercise.

The Authority is also entitled to exclude you in the event you are guilty of serious misrepresentation in providing any information referred to within regulation 23, 24, 25, 26 or 27 of the Public Contracts Regulations 2006 or you fail to provide any such information requested by us.

Please state ‘Yes’ or ‘No’ to each question.

Is any of the following true of your organisation?	
(a) being an individual is a person in respect of whom a debt relief order has been made or is bankrupt or has had a receiving order or administration order or bankruptcy restrictions order or a debt relief restrictions order made against him or has made any composition or arrangement with or for the benefit of his creditors or has made any conveyance or assignment for the benefit of his creditors or appears 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 granted a trust deed for creditors or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of his estate, or is the subject of any similar procedure under the law of any other state;	

<p>(b) <u>being a partnership constituted under Scots law,</u> has granted a trust deed or become otherwise apparently insolvent, or is the subject of a petition presented for sequestration of its estate; or</p>	
<p>(c) <u>being a company or any other entity within the meaning of section 255 of the Enterprise Act 2002</u> has passed a resolution or is 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 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 the subject of similar procedures under the law of any other</p>	
<p>Has your organisation</p>	
<p>(a) been convicted of a criminal offence relating to the conduct of your business or profession;</p>	
<p>(b) committed an act of grave misconduct in the course of your business or profession;</p>	
<p>(c) failed to fulfil 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 you are established; or</p>	
<p>(d) failed to fulfil obligations relating to the payment of taxes under the law of any part of the United Kingdom or of the relevant State in which you are established?</p>	

SECTION 4 – Financial Information

Potential Supplier’s responses to Section 4 will be used to undertake an assessment of your organisation’s economic and financial standing. You will be contacted by the Authority if this assessment identifies that a parent or other type of guarantee is required.

	FINANCIAL INFORMATION	
	Please provide one of the following set out below:- (please indicate which one by ticking the relevant box)	
	A copy of your audited accounts for the most recent two years	
	A statement of your turnover, profit & loss account and cash flow for the most recent year of trading	
	A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position	
	Alternative means of demonstrating financial status if trading for less than a year	

SECTION 5 - Technical and Professional Ability

Responses to Section 5 will be used to undertake an assessment of your organisation's technical and professional ability to provide the goods/services.

Where the Potential Supplier is a Special Purpose Vehicle and not intending to be the main provider of the goods or services, the information requested should be provided in respect of the principal intended provider of the goods or services.)

EXPERIENCE AND CONTRACT EXAMPLES				
Please provide details of up to three contracts from either or both the public or private sector, that are relevant to the Authority's requirement. Contracts for the supply of goods or services should have been performed during the past three years. (The customer contact should be prepared to speak to the purchasing organisation to confirm the accuracy of the information provided below if we wish to contact them).				
		Contract 1	Contract 2	Contract 3
	Customer Organisation (name):			
	Customer contact name, phone number and email			
	Contract start date Contract completion date Contract Value			

	Brief description of contract (max 150 words) including evidence as to your technical capability in this market.			
If you cannot provide at least one example, please briefly explain why (100 words max)				

	OTHER BUSINESS/TECHNICAL CAPABILITIES	
	Please provide details of membership of any appropriate trade associations / federations.	
	Does your company hold;	
	Relevant ISO certification?	
	Please enclose a copy of your policies for:	
	(a) Business Continuity Policy / Plan	
	(b) Policy on Confidentiality	
	(c) Data Protection Policy/procedures for audit trail	

SECTION 6 - Insurances

INSURANCE	
	The Council requires all of its contractors to maintain;
	<p>(a) Employer's Liability insurance to a minimum value of £10,000,000; Proof of Insurance enclosed? If not, explain why?</p>
	<p>(b) Public Liability insurance to a minimum of £5,000,000 per claim; Proof of insurance Enclosed? f not, explain why?</p>
	Please submit copies of cover notes showing that such insurance policies are in place or provide a statement confirming that your company would take out such insurance cover if awarded the contract.

SECTION 7 – Health & Safety

HEALTH AND SAFETY	
	<p>(a) Please enclose a copy of your Health and Safety Policy (covering General Policy, Organisation and Arrangements) as required by Section 2(3) of the Health and Safety at Work Act 1974 and any codes of safe work practices issued to employees</p>
	<p>(b) Please enclose details of prosecutions or notices served on your firm by the Health and Safety Executive (or otherwise) in the last three years</p>

SECTION 8 - Employment Procedures

EMPLOYMENT PROCEDURES	
	Please enclose a copy of your procedures which should include:-
	<p>(a) assurance of checks on the eligibility of prospective employees to work in the UK;</p>
	<p>(b) requirements for employees to disclose criminal convictions</p>

SECTION 9 - Environmental Policy

	ENVIRONMENTAL POLICY
	Please enclose a copy of your environmental policy

SECTION 10 - Equal Opportunities

	EQUAL OPPORTUNITIES POLICY	
	Is it your practice not to discriminate directly or indirectly on the grounds of colour, race, nationality, ethnic or national origins, sex, marital status, gender reassignment, disability. Sexual orientation, religion, belief or age (“unlawful discrimination”) in relation to your decisions to recruit, select, remunerate, train, transfer and promote employees?	
	In the last three years, has any finding of unlawful discrimination in the employment field been made against your company by the employment tribunal, the employment appeal tribunal or any court, or in comparable proceedings in any other jurisdiction?	
	Please provide a copy of your Equal opportunities Policy or provide a statement which covers your position.	

