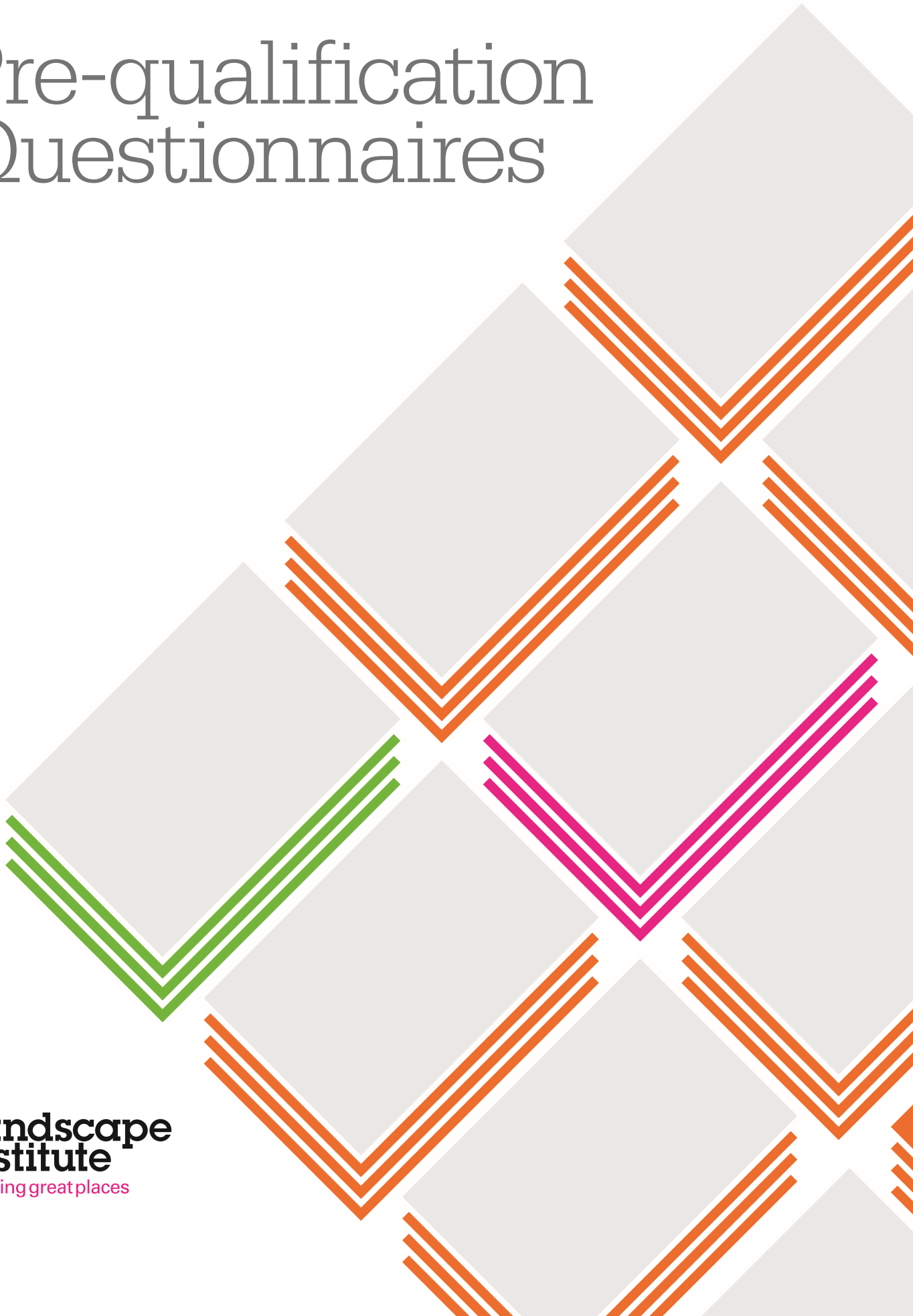


Digital Practice Series: 1

Pre-qualification Questionnaires



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Pre-qualification questionnaires

Landscape Institute DP1: 2017

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Foreword

This document is intended for Practices that generate, complete and review pre-qualification questionnaires (PQQs). It is based on the questions shown in PAS 91:2013 and provides guidance to users of PQQs as to how information may be sought, generated and reviewed, so as to add value to the procurement chain.

It is not intended to be an exhaustive or definitive document and it will be necessary for users of the guidance given to exercise their own professional judgement when deciding whether to abide by or depart from it, particularly as it has been developed as an adaptation of an original document.

A definition of what a Publicly Available Specification (PAS) is, is shown later in the text. The standing of such a document should be considered.

The concept of a pre-qualification questionnaire is a buyer requesting information from potential suppliers for the purpose of evaluation and comparison. If this information is well structured, then it will be simpler for the buyer to compare suppliers.

For the writers of pre-qualification questionnaires, it is important those questions posed are answerable in as simple a way as possible and that the method by which answers will be assessed is as clear and transparent as possible, to ensure fair tendering.

For the respondents to a PQQ, it is important to give clear and concise answers and that these are verified by including examples, certificates and other supporting documents.

The PQQ process is there to make bidding for work simpler and more affordable to small and medium size enterprises, as well as being able to properly assess the larger companies. It should be an exercise in reducing the amount of work done, not adding another layer of administration.

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Introduction

Pre-qualification is now an integral part of seeking new contracts and ensuring that those that are bidding for work are competent, capable and have the capacity to perform the tasks asked of them.

Traditionally, a pre-qualification questionnaire (PQQ) was a bespoke form sent by the prospective Employer or their representative to the bidders. This takes time and resources to complete on a project by project basis, so PAS 91 was written to streamline this.

The purpose of completing a PAS 91 compliant questionnaire is to compile all the data that is necessary to answer the relevant questions an Employer may ask, this is done once and once only, until the data needs to be revised, thus saving the bidding company time and money on future project bids.

This Guidance Note is intended to help Practices and their prospective Employers to understand the process, what is relevant and what is not and how to write a questionnaire and how to answer it. This guidance note should be read in conjunction with the PAS.

For a more generalised view, please refer directly to PAS 91:2013, which is available to download free from the BSI website, here: <http://shop.bsigroup.com/forms/PASs/PAS-91-2013/>.

Scope

This Guidance Note is intended to outline the specific requirements for completing a pre-qualification questionnaire, what documents should be attached and how these questionnaires should be stored and discovered.

It is not intended to imply any change on the PAS 91:2013 document in any way.

PAS 91:2013

A PAS (Publicly Available Specification) is a document produced by the British Standards Institution (BSI) that standardises aspects of a product, service or process. PASs are commissioned by industry clients of BSI, who can be individual companies, SMEs, trade associations or government departments. PAS 91 was commissioned by the Department of Business, Innovation and Skills to set an agreed level of good practice for the production of pre-qualification questionnaires (PQQs) for public sector purchasers.

This document is a Publicly Available Specification, not a British Standard, and it should be regarded as such. A PAS is intended to be a quick method of fulfilling an immediate industry requirement, without the extended time periods necessary to produce a full standard.

Sections 1 and 2 cover the Scope and the Terms and Definitions that you would expect to see in any standard and are a useful reference source.

Section 3 of the PAS refers to the rules by which the questions should be set out and applied and what the purpose of each topic will be. The main thrust is to remove superfluous questioning that adds no value or additional information for the Employer.

Section 4 breaks down into three distinct sections of question types. These are Core, Optional and Supplementary questions. Each of the question blocks then subdivides the questions into topic areas, to help with the thought processes required to answer them fully.

Core modules

The core modules and all their questions need to be included in all compliant pre-qualification questionnaires. These cover the topics of; Supplier identity, Financial information, Business and professional standing and Health and safety policy.

Likewise, a compliant completed PQQ will need to have a suitable response for each of the core questions, with a few notable exceptions, which will be documented below.

Module C1 - Supplier identity

The questions here are to establish the identity of the entity completing the questionnaire. None of these questions are particularly difficult and do not require any additional documents to verify them.

C1-Q1 - Name of legal entity or sole-trader

This is simply the name of your company or your actual name if you are completing this as a sole trader. Do note though, that if information is being sought as part of a consortium, then reference needs to be made to your consortium and the partners therein, as far as can be ascertained.

This consortium requirement will have to be met on a project by project basis, so do not complete the form as a consortium to a PQQ database company, unless you intend to work in that consortium on multiple projects.

C1-Q2 - Registered office address

This is the address that you have registered with Companies House and/or HMRC, as applicable.

It is a legal requirement that a UK company must provide a registered office address which is the official address for all correspondence from Companies House and HMRC. The address is publicly available and has legally to be displayed on company correspondence and websites.

The sub-questions, C1-Q2-1 to 6 are to break the information down into simple data chunks. There does not have to be a value in every space, but some are obviously more important than others.

C1-Q3 - Contact Details for enquiries

This is the place to name your principal contact within the company when being contacted by potential Employers. It is important that the person named here is of sufficient seniority to field questions about potential projects, but the Managing Director may not be the best choice.

A company secretary or business development manager may well be a better choice. The required email address and telephone numbers should always be available, so using a personal email address may not be ideal. Either have a generic email address that is always monitored or a group address. The phone number should probably be your main switchboard or company phone number.

It is also worth noting that the address that a project is to be administrated from is also required. If this PQQ is being submitted to an online database, then this may be difficult to complete if you have multiple offices. It would be possible to have a compliant PQQ for each office, if you have more than one, but this may cause confusion for prospective clients.

C1-Q4 - Registration number

There are two ways in which to complete this question, dependent upon your location within the United Kingdom. For companies registered in England or Wales, the "Companies House" option (C1-Q4-1) should be used.

For companies in Scotland or Northern Ireland, the second option should be completed (C1-Q4-2) and, although it is not stated, it would probably be a good idea to include which nation's registration scheme is used.

C1-Q5 - Charity registration number

If your company is registered as a charity, the registration number should be entered here. Charities are registered in a similar way to companies, with each country within the United Kingdom having their own systems.

It is not required to list the commission through which the charity has been registered, as this information can be ascertained from the registration number.

C1-Q6 - VAT registration number

If you or your company are registered for VAT, then this is the place to show your registration number.

C1-Q7 - Name of immediate parent company

Only relevant if your company is a member of a group of companies. If so, then the company that is the immediate antecedent is required here.

If there is no such structure of ownership, then "N/A" is a suitable response.

C1-Q8 - Name of ultimate parent company

For companies with more complex ownership structures, this is seeking to find the company at the top of the ownership chain, irrespective of the layers of ownership between the immediate parent and the ultimate parent companies.

If there is no such structure of ownership, then "N/A" is a suitable response.

C1-Q9 - Type of organisation

This question looks to find out what sort of company is being described in this PQQ. There are essentially two types, Incorporated and Unincorporated legal forms of organisation. These break down into the actual types that should be entered here.

Unincorporated legal forms:

e.g. Sole Trader, Unincorporated Association, Partnership, Limited Partnership or Trust.

Incorporated legal forms:

e.g. Limited Company, Limited Liability Partnership (LLP), Community Interest Company (CIC), Charitable Incorporated Organisation (CIO), Industrial and Provident Society (Co-operative Society (Co-op) or Community Benefit Society (BenCom)) or Financial Mutuals (Building Society, Credit Union or Friendly Society).

Module C2 - Financial information

This module seeks to obtain the information needed to assess the financial stability of the bidder and ascertain if they are of sufficient scale to carry out the works requested. Also, it looks to insured values against certain types of situation.

C2-Q1 – Accounts

This question requires that one of five possible questions is answered by selection of a check-box. Supporting documents will be required in each case and a unique identifier used to name the attached document(s).

There is no standard (stated or implied) for the naming of the supporting documents. Whatever naming convention is used for supporting information, it should be clear and unambiguous. It is highly advisable to provide an index of supporting documents.

The options for answering this question are:

1. Financial information for a start-up business that has not reported accounts to the Revenue or Companies House.
2. Accounts for an unincorporated business (sole traders and partnerships).
3. Accounts for a small company or limited liability partnership with a turnover of below the audit threshold (currently £6.5 million) that is not required to prepare audited accounts.
4. Accounts for a medium to large incorporated entity and all other organisations that are required to prepare audited accounts.
5. Accounts for other organisation types (e.g. not for profit entities, local authorities, housing associations, charities).

The attached information will be different in each of the cases above and is clearly stated in the PAS. A note for those reviewing the PQQ; there may be a temptation to secure the most financially stable companies by having a high threshold for turnover. This may unfairly discriminate against smaller companies and SMEs, which may actually provide a better and cheaper service, see Note 2 to Table 2 in the PAS for more details.

The PQQ process, if well managed, should actually help to enable smaller businesses to bid for work against larger opposition. This is to be encouraged by fostering a more competitive bidding process and using the market to gain best value.

C2-Q2 – Insurance

It is important that a company carries the correct levels of suitable insurances to be considered for work. This section deals with this requirement. It is divided into four sections and each section should only be completed as necessary.

It may be useful to attach copies of your insurance certificates to demonstrate your cover for the insurances claimed.

C2-Q2-1 - Employers' liability insurance

This is a legal requirement in the UK for any company that employs one or more people. A sole trader who does not employ anyone does not have to have this cover, so may respond with "N/A".

C2-Q2-2 - Public liability insurance

This is not a legal requirement, but most companies will have it. It is likely that not having this cover will exclude you from the qualification procedure.

C2-Q2-3 - Professional indemnity insurance

Registered Practices will have this cover.

For non-consultancy based roles, a response of "N/A" is appropriate.

C2-Q2-4 - Product liability insurance

This cover is mainly required if your company is supplying physical products to the supply chain. Most Manufacturers will have this cover, not having it may affect your qualification. Companies that do not provide physical products do not need this cover and a response of “N/A” will be appropriate.

It should be noted that you might be liable if your business name is on the product, if your business has repaired or made changes to the product, if you imported it from outside the EU, if you can't clearly identify the manufacturer or if the manufacturer has gone out of business. So Suppliers and Contractors may require this cover.

Module C3 - Business and professional standing

This section requires information pertaining to civil or criminal actions taken against your company and any that are currently outstanding. This section relates to private sector, not public sector or defence (e.g. MoD) or security (e.g. security services) related works.

If your company is seeking public sector or defence and/or security related contracts, then the questions in clauses 4.3 (Tables 9 and 10) and 4.4 (Tables 11 and 12) respectively, need to be completed.

If this PQQ is to be submitted to a database system, make sure that all the relevant sections are completed for all the types of work that you are seeking.

C3-Q1 - Criminal or civil court action

This question relates to court actions that have been completed in relation to your company or its Directors or Executive Officers. If there has been court action that has been found against your company or its Officers, this does not necessarily mean that you will be excluded from the bidding process.

If there has been action against you, provide all relevant details, as this can help the reviewer understand if the actions were relevant or not to the bidding process.

C3-Q2 – Pending criminal or civil court action

This question seeks to understand if there are any outstanding cases, yet to be resolved, against your company, its Directors or Executive Officers. Again, this may not exclude you from the bidding process, if the case is not pertinent to the project.

Be careful in providing detail of any outstanding case, as this may prejudice the outcome. In case of doubt, seek professional legal advice.

C3-Q3 - Enforcement/remedial orders

This question only seeks to understand any unresolved orders. You do not need to specify any actions that have been satisfactorily resolved. There is also a time limitation on this question; matters that are over three years old do not need to be mentioned.

Module C4 - Health and safety policy

This module looks to understand not only your health and safety policy, but also your capability.

There are a lot of questions, but these do not all need to be answered and, if you have the relevant accreditation, it may be that only one needs to be answered.

C4-Q1-1a-c Exemptions

If you are the current holder of *any one* of the following accreditations, you can claim the exemption and do not need to complete questions C4-Q2 – 17.

- Within the last twelve months successfully completed a prequalification application undertaken by an assessment provider able to demonstrate that its information gathering process conforms to PAS 91.
- Registered membership of the Safety Schemes in Procurement (SSIP) forum.
- UKAS or equivalent, accredited independent third party certificate of compliance with BS OHSAS 18001.

C4-Q2 - Role related question selection

This question asks which roles you will perform on a project. The subsequent questions are colour coded to help with identification. It should be noted that there are no questions here for Suppliers or Manufacturers.

Also, the role of CDM Co-ordinator no longer exists since the PAS was written, but CDM 2015 requires a Principal Designer for pre-construction phase health and safety coordination. CDM Principal Designers should complete the green CDM questions as well as the design related questions.

Contractor questions – White section

C4-Q3 - Health and safety policy

If your company has a health and safety management policy, that is endorsed by the Chief Executive, then select the “Yes” box and attach a suitably referenced copy of the plan. It is a legal requirement for companies with more than five employees to have such a plan.

For companies with fewer than five employees, this health and safety plan is not mandated, but the accompanying note does suggest that it may be looked upon favourably if they do.

C4-Q4 - Health and safety management

An opportunity to provide details as to how your company communicates and manages the health and safety policy referred to in the previous question. Attached documents could include a training seminar presentation.

The note relating to small companies, covered above, also applies here.

C4-Q5 - Health and safety advice/assistance

This question details how you access health and safety advice. It is preferred to have a person appointed from within the organisation and it should be demonstrated by attaching a suitably referenced document how they are qualified to provide this advice.

Further health and safety information can be gathered from a variety of sources including:

- Trade associations
- Safety groups
- Trade unions
- Local councils
- Health and safety training providers
- Health and safety equipment suppliers

Alternatively, an external consultant may be employed to provide this help, there is a register of consultants approved by the Health and Safety Executive here; [The Occupational Safety and Health Consultants Register \(OSHCR\)](#).

C4-Q6 - Health and safety training

Provide details of your health and safety training programme, how it reaches through your organisation and how it is administered, be it through CPD training or other methods.

C4-Q7 - Health and safety qualifications

Demonstrate the relevant qualifications held by your health and safety advisor(s) and all staff who should have an understanding of health and safety procedures.

Only qualifications that are relevant to the nature of the work to be carried out are required and it may be useful to attach suitably referenced certificates to demonstrate that the courses have been completed and are up to date.

C4-Q8 - Health and safety performance review

Demonstrate that you have a review process available for your health and safety procedures. This could take the form of a company policy document that schedules such reviews and it may be useful to attach the minutes of one such review.

C4-Q9 - Health and safety workforce planning and implementation

Here we need to show that the flow of health and safety information is not just one way, that staff are actively involved in the planning and implementation of these procedures and that any issues raised are acted upon.

A policy document to show how this is to be carried out should be attached and, as a demonstration of this being implemented, it could be useful to also attach some documentary evidence of an issue being raised and acted upon.

C4-Q10 - Record and review accidents/incidents

Demonstrate how you actually record and act upon accidents and incidents occurring, be this on site or in the office. A copy of a site safety log would be a good way of demonstrating reporting, but this should be followed up with a document showing how a particular incident was acted upon to ensure there was no repetition.

C4-Q11 – Supply chain health and safety

Here you should demonstrate that your entire supply chain has the relevant health and safety procedures in place. This may not be a simple task, but having a pre-qualification questionnaire completed by your supply chain members could be a good way of achieving this.

Gaining all these responses may be a significant task and it is further complicated by the levels of supply to your company; who supplies your suppliers? It is not clear from the PAS how this should be carried out, but if your immediate suppliers perform a PQQ on their suppliers, it should provide a good document chain.

C4-Q12 - Risk assessments

You should now provide evidence of your risk assessment policy and illuminate this with an example of a method statement. The PAS specifically asks for an example of a health related issue as well as safety.

The note relating to small businesses, covered above, also applies here.

C4-Q13 - Co-operating and co-ordinating

This questions seeks to find out how you will work with others on a project, in terms of drawing up method statements and safe ways of working. Further, it looks to understand how you will respond to complaints and emergency situations.

A company policy document showing the procedure recommended and an example of a collaboratively produced method statement should be attached. This should include references to complaints handling and emergency response.

C4-Q14 - On-site welfare provision

Demonstrate your policy on providing on-site welfare provision for your workforce, including the following items:

- Toilet
- Washing facilities
- Drinking water
- A place to warm up
- A place to eat food
- Somewhere to store clothing

This can either be by providing an actual example of a site welfare system provided *or* by attaching your company's policy document covering this issue.

Designer questions – Red section

C4-Q15 - Health and safety capabilities

This question is here to ascertain your health and safety training system. Providing CPD modules related to training and updating your staff on health and safety issues would be appropriate.

Also required is a commentary on how you gain knowledge on health and safety and how you match individuals to specific tasks in this regard.

C4-Q16 - Arrangements for meeting the designer duties

This question breaks down into four parts, which each help to demonstrate how you discharge your duties under the Construction Design and Management regulations. Each answer should be accompanied by an actual example in an attached document.

The focus of this is around risk and risk mitigation, so make sure that your answers are framed around this topic, especially look to provide real scenarios, not generic mitigations.

Remember that these questions are based around the CDM 2007 regulations, so answers may need to be caveated by reference to CDM 2015.

C4-Q16-1 Co-operation and co-ordination of design work

The relevant clause within the 2015 regulations states that:

“8-(4) A person with a duty or function under these Regulations must cooperate with any other person working on or in relation to a project, at the same or an adjoining construction site, to the extent necessary to enable any person with a duty or function to fulfil that duty or function.”

A suitable response here would be to attach a real example of working with design team members to eliminate or reduce risk at the design stage.

*C4-Q16-2 - Eliminating hazards**

This should be a real example of removing a potential hazard during construction, maintenance or use of a facility by designing it out or mitigating it. An example might be modifying the design to avoid excavation near electric cables when utilities information has been received.

* Note that CDM 2007 refers to eliminating hazards but CDM 2015 refers to eliminating risks.

C4-Q16-3 - Structures used as a workplace

This question refers to the Workplace (Health, Safety and Welfare) Regulations 1992. As a Landscape Architect, we should look to provide suitable facilities (including for welfare) for work within the landscape as required. This may include workshops, glasshouses and equipment sheds, among other structures that fall under the design duties of the Landscape Architect. Refer to the regulations in case of doubt.

C4-Q16-4 Manage design changes

This is not the simplest question to answer, even if it is the shortest question. What is sought here is a demonstration of your change management process and how that has mitigated risk in a real project. A commentary piece may be useful to help illuminate the example.

C4-Q17 - Check and review health and safety performance

This will be a reflection of your health and safety procedure and how it has been applied and reviewed. An example of a health and safety policy review meeting minutes and action list should be sufficient here.

It may also be useful to attach an example of how this review helped with a particular situation.

Some examples of health and safety reporting are Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) and the Accident Frequency Rate (AFR).

CDM Co-ordinator questions – Green section

It should be remembered that in CDM 2015 the CDM Co-ordinator no longer exists but the new role of Principal Designer was created instead. This section needs to be completed when the Landscape Consultant will be the Principal Designer.

C4-Q18 - Field of knowledge and experience

This section looks to understand the professional accreditations of your workforce. It should be adequate to provide a list of staff, with the relevant grade of membership of the Landscape Institute and their membership number.

C4-Q19 - Evidence of knowledge and experience of H&S in construction

This question is looking for documentary evidence of attainments in health and safety.

In the absence of any additional formal qualifications this could include evidence of CPD.

Appropriate documents should be suitably referenced and attached.

C4-Q20 - Developing the co-ordination role

This should take the form of a policy document, demonstrating the review process for the CDM co-ordination (Principal Designer) role and a real example of such a review and what the outcomes were.

Optional Modules

The questions in these modules do not need to be included in a pre-qualification questionnaire to be compliant with PAS 91:2013. It is a matter for the prospective employer if they choose to include these.

Module O1 - Equal opportunity and diversity policy and capability

The construction industry is improving, but traditionally has a poor record on equal opportunities and diversity. A prospective employer may help this improving situation by including these questions in a pre-qualification questionnaire.

O1-Q1 - Duties in relation to the Equalities Act 2010

This question is broken down into four sub-questions, each of which is related, but slightly different. The first three (questions O1-Q1-1 – 3) ask for a written document on each of the following:

- Positive equality instructions
- Positive equality guidance
- Positive equality policy

These should also include reference to any relevant actions taken as a result of these documents.

The final part requires a commentary document stating where you think these documents have made a real difference in the workplace and to your company.

O1-Q2 - Compliance with anti-discrimination legislation

This is a simple check-box and requires no further attached information. If you can answer the following question “yes”:

“Is it your policy as an employer to comply with anti-discrimination legislation, and to treat all people fairly and equally so that no one group of people is treated less favourably than others?”

Then you should select the “Yes” check-box.

O1-Q3 - Findings of unlawful discrimination

This question seeks to ascertain whether your company has had any finding made against it in the previous three years in regard to a discrimination case. This may have been brought by either a court, industrial or employment tribunal or an equivalent body. If there have been any findings, then details should be supplied in an attached document.

O1-Q4 - Compliance action by the Equality and Human Rights Commission

This question asks for details of any compliance actions brought by the commission. Only investigations that have resulted in a compliance action need to be detailed.

O1-Q5 - Compliance remedial action

This question only needs to be answered if either or both of questions O1-Q3 and O1-Q4 have been answered “Yes”. If you do need to answer this question, then provide details of the remedial action taken.

O1-Q6 - Ensure that equality and diversity is embedded

Provide policy documents or statements that demonstrate how you embed equality and diversity with your organisation.

O1-Q7 - Eliminating discrimination

This question breaks down into three sub-questions and deals with the removal of all forms of discrimination through employee and supplier engagement, making your policies clear and available to your staff and through recruitment advertisements and other external communications.

In each case, you attach a written guidance note or instruction covering the topic area and, if possible, include actual examples of these policies being put into action.

Module O2 - Environmental management policy and capability

This module is optional, so does not need to be included in a pre-qualification questionnaire that claims compliance with PAS 91:2013. For an environmentally minded prospective employer, this module will help find like-minded consultants, contractors and suppliers.

Exemption for this module can be claimed by holding a certificate issued by UKAS (or equivalent) BS EN ISO 14001 or a valid EMAS certificate. A copy of the certificate should be attached to the submission. If no exemption is claimed, then answering questions O2-Q2 – 6 will be required.

O2-Q2 - Policy for the management of construction-related environmental issues

Simply provide your policy document, which should be approved at chief executive level, for your environmental management procedures. This should be suitably referenced and attached to the submission.

O2-Q3 - Ensuring that environmental management procedures are effective

The response to this question should cover areas of policy and communication, e.g:

- Sustainable materials procurement;
- Waste management; and
- Energy management

It should also document how environmental legal responsibilities are dealt with, along with the communications to the workforce and a procedure for dealing with complaints in this area.

O2-Q4 - Training and information on construction-related environmental issues

The response to this question could be either a commentary or policy document covering how training is given to employees, including refresher training. If you have a CPD programme in place that covers environmental training and legal requirements, it may be useful to include that.

Training should be assessed and evidence of regular performance and development reviews should be included.

O2-Q5 - Checking environmental management performance

This requires some evidence that your environmental policies are being carried out and are regularly checked and reviewed. An audit schedule for these procedures including any minutes or outcomes from such an audit would be useful.

O2-Q6 - Supplier environmental management performance

Demonstrating your supply chain's environmental management procedures is not simple, due to supply chains being increasingly complex. If your suppliers are certified to BS EN ISO 14001 or hold a valid EMAS certificate, this should be included as an attached document set. If they do not, then a set of PQQ questions, based on this section of PAS 91 will help.

Module O3 - Quality management policy and capability

This module is optional, so does not need to be included in a pre-qualification questionnaire that claims compliancy with PAS 91:2013. For a quality minded prospective employer, this module will help find like-minded consultants, contractors and suppliers.

Exemption for this module can be claimed by holding a certificate issued by UKAS (or equivalent) accredited independent third party certificate of compliance with BS EN ISO 9001. A copy of the certificate should be attached to the submission. If no exemption is claimed, then answering questions O3-Q2 – 6 will be required.

O3-Q2 - Policy for the management and organization for quality management

Simply provide your policy document, which should be approved at chief executive level, for your quality management procedures. This should be suitably referenced and attached to the submission.

O3-Q3 - Ensuring that your quality management is effective

Attach your quality management documents, suitably referenced. This should include methods for carrying out quality management and how it is communicated to your workforce.

O3-Q4 - Arrangements for providing quality related training

Documents related to the quality training regime within your company. This could include a schedule of CPD sessions around this area and refresher courses at periodic intervals. This should also include copies of job profiles, training manuals and training records.

O3-Q5 - Checking quality management performance

This requires some evidence that your quality policies are being carried out and are regularly checked and reviewed. An audit schedule for these procedures including any minutes or outcomes from such an audit would be useful.

O3-Q6 - Supplier quality management performance

Demonstrating your supply chain's quality management procedures is not simple, due to supply chains being increasingly complex. If your suppliers are certified to BS EN ISO 9001, this should be included as an attached document set. If they do not, then a set of PQQ questions, based on this section of PAS 91 will help.

Module O4 - Building information modelling, policy and capability

This module is optional, so does not need to be included in a pre-qualification questionnaire that claims compliancy with PAS 91:2013. For a progressively minded prospective employer, this module will help find like-minded consultants, contractors and suppliers.

Exemption for this module can be claimed by holding a certificate of compliance with PAS 1192:2:2013, issued by an organisation with a related UKAS accreditation, or equivalent. A copy of the certificate should be attached to the submission. If no exemption is claimed, then answering questions O4-Q1 – 4 will be required.

It should be noted that PAS1192-2:2013 has been revised since the publication of PAS 91. While the changes are only minor, it may be worth caveating your answers to this effect.

O4-Q1 - Common Data Environment

A commentary document should be attached showing how your company can and/or has worked in a collaborative manner using a Common Data Environment (CDE), as defined in PAS1192-2.

If you have an actual project example, subject to confidentiality and security considerations, it would be useful to include it in your documents.

O4-Q2 - Level 2 BIM

This question requires documentary evidence of a policy and procedure that your company employs that can achieve compliance with the definition of BIM Level 2. This should be approved at chief executive level and a programme of regular review should be in place.

This question is actually not as simple to answer as it may seem, as there are conflicting definitions as to what constitutes “BIM Level 2”. As this is a process that involves several companies working in collaboration, demonstrating compliance would be simpler at a project level than a company level.

It is assumed that what is required here is a demonstration that there is an understanding and a capability to work with others in this collaborative manner, complying with the following standards:

- PAS1192-2
- PAS1192-3
- BS1192-4
- PAS1192-5

Also, that there is an understanding of the requirements and implications of:

- CIC BIM Protocol
- Government Soft Landings

O4-Q3 - BIM Execution Plan

This question requires the prospective bidder to demonstrate that they are capable of producing or contributing to a BIM Execution Plan (BEP). This is a collaboratively produced document, so demonstration of your ability to author the sections that are relevant to your role will be what is required.

If you have previous project examples of a BEP, subject to confidentiality and security considerations, this may be attached to your documented response. It may be useful to anonymise the project, if a previous example is used, as there may be client sensitive information contained therein.

O4-Q4 - Training in BIM related skills

This module seeks to understand what BIM related training methods you have in place for your staff. This does not refer to software specific training, but training in the principles of the BIM Level 2 procedure.

The description that accompanies the question refers to the CPIx templates. In reality these are rarely used and would add an additional overhead to completing this document set. It is probably simpler to demonstrate what training regimes you have in place, which have been completed and what refresher courses you plan.

Core Modules - Public Sector procurement

This section requires information pertaining to civil or criminal actions taken against your company and any that are currently outstanding. This section relates to public sector, not private sector and non-defence or security related works.

If your company is seeking private sector or defence and/or security related contracts, then the questions in clauses 4.1 (Table 3) and 4.4 (Tables 11 and 12) respectively, need to be completed.

Public Sector procurement – Mandatory exclusion

The PAS refers the bidder to an amended legal instrument (Public Contracts (Amendment) Regulations 2009 (SI 2009/2992)), this has since been amended again and the clause on grounds for exclusion and exclusions to those exclusion clauses has been significantly changed.

The revised legal instrument is; The Public Contracts Regulations 2015 and the relevant clause is; Chapter 2, Section 5, Clause 57-1 - 8. It should be stated in any questionnaire return that this document is being referred to, as it has been law since February 2015.

C3-QP1 - Part 4 Regulation 23(1) of the Public Contracts Regulations 2006

In reference to the above paragraph, if you can answer this question “No”, then the subsequent questions (C3-QP1-1-a) - C3-QP1-1-g)) need not be responded to.

If you have to answer “Yes” to the question above, respond to the subsequent questions appropriately. They are well referenced and the laws to which they refer are all available online.

Only questions that cause you to respond “Yes” need to be answered in detail, though it may be beneficial to respond “N/A” to the questions that do not fall into this category.

If, under the revised legal instrument, you can claim either mitigation or an exclusion to the question, state this in your response. For public sector procurement, any response in this module that does not satisfy the requirements will result in your company’s exclusion from bidding.

If there is any doubt as to how to respond to any of the questions in this module, refer to a legal professional for advice.

Public Sector procurement – Discretionary exclusion

The PAS refers the bidder to an amended legal instrument (Public Contracts (Amendment) Regulations 2009 (SI 2009/2992)), this has since been amended again and the clause on grounds for discretionary exclusion and exclusions to those exclusion clauses has been significantly changed.

The revised legal instrument is; The Public Contracts Regulations 2015 and the relevant clause is; Chapter 2, Section 5, Clause 57-9 - 10. It should be stated in any questionnaire return that this document is being referred to, as it has been law since February 2015.

C3-QP2 - Part 4 Regulation 23(4) of the Public Contracts Regulations 2006

In reference to the above paragraph, if you can answer this question “No”, then the subsequent questions (C3-QP2-1-a) - C3-QP2-2-d)) need not be responded to.

If you have to answer “Yes” to the question above, respond to the subsequent questions appropriately. The questions in C3-QP2-1 are well referenced and the laws to which they refer are all available online, those under C3-QP2-2 are less well referenced and some research may be required to answer them appropriately.

Only questions that cause you to respond “Yes” need to be answered in detail, though it may be beneficial to respond “No” to the questions that do not fall into this category.

If, under the revised legal instrument, you can claim either mitigation or an exclusion to the question, state this in your response. For public sector procurement, any response in this module that does not satisfy the requirements may result in your company’s exclusion from bidding, but this is discretionary, under the authority of the prospective public sector employer.

If there is any doubt as to how to respond to any of the questions in this module, refer to a legal professional for advice.

Core Modules - Defence and Security procurement

This section requires information pertaining to civil or criminal actions taken against your company and any that are currently outstanding. This section relates to defence or security projects, not private or public sector related works.

If your company is seeking private or public sector related contracts, then the questions in clauses 4.1 (Table 3) and 4.3 (Tables 9 and 10) respectively, need to be completed.

Defence and Security procurement – Mandatory exclusion

The PAS refers the bidder to The Defence and Security Public Contracts Regulations 2011. This legal instrument is similar to the Public Contracts Regulations 2006. While the public contracts regulations have been amended, the defence and security ones have not.

C3-QD1 - Part 4 Regulation 23(1) of the Defence and Security Public Contracts Regulations 2011

In reference to the above paragraph, if you can answer this question “No”, then the subsequent questions (C3-QD1-1-a) - C3-QD1-1-l)) need not be responded to.

If you have to answer “Yes” to the question above, respond to the subsequent questions appropriately. They are well referenced and the laws to which they refer are all available online.

Only questions that cause you to respond “Yes” need to be answered in detail, though it may be beneficial to respond “N/A” to the questions that do not fall into this category.

If there is any doubt as to how to respond to any of the questions in this module, refer to a legal professional for advice.

Defence and Security procurement – Discretionary exclusion

The PAS refers the bidder to The Defence and Security Public Contracts Regulations 2011. This legal instrument is similar to the Public Contracts Regulations 2006. While the public contracts regulations have been amended, the defence and security ones have not.

C3-QD2 - Part 4 Regulation 23(4) of the Defence and Security Public Contracts Regulations 2011

In reference to the above paragraph, if you can answer this question “No”, then the subsequent questions (C3-QD2-1-a) - C3-QD2-2-e)) need not be responded to.

If you have to answer “Yes” to the question above, respond to the subsequent questions appropriately. The questions in C3-QD2-1 are well referenced and the laws to which they refer are all available online, those under C3-QD2-2 are less well referenced and some research may be required to answer them appropriately.

Only questions that cause you to respond “Yes” need to be answered in detail, though it may be beneficial to respond “No” to the questions that do not fall into this category.

For defence and security procurement, any response in this module that does not satisfy the requirements may result in your company’s exclusion from bidding, but this is discretionary, under the authority of the prospective defence or security employer.

If there is any doubt as to how to respond to any of the questions in this module, refer to a legal professional for advice.

Supplementary Questions

The supplementary questions are intended to be just that, an addition for specific reasons or specific projects that require additional criteria to be used when selecting suppliers.

There are a few rules about how these should be included within the pre-qualification questionnaire and these are clearly stated within the PAS.

For those writing supplementary questions, it is important to phrase them well, using closed questions not open ones, as we are seeking a “go – no go” result, opinion will be hard to measure.

It is also important here to consider OJEU compliant PQQs, as they are not fully covered by the Core and Optional questions in the PAS. The example questions do cover this area and may be considered as suitable for inclusion in your PQQ.

The PAS refers the bidder to an amended legal instrument (Public Contracts (Amendment) Regulations 2009 (SI 2009/2992)), this has since been amended again and the clause on selection criteria has been significantly changed.

The revised legal instrument is; The Public Contracts Regulations 2015 and the relevant clause is; Chapter 2, Section 5, Clause 58-1 - 19. It should be stated in any questionnaire return that this document is being referred to, as it has been law since February 2015.

The numbering and position of supplementary questions within a PQQ are also covered. If a Supplementary Question Module is to be included, then question numbers should take the form:

Sn-Qn

Where “n” are sequential numbers, in the same way as the Core and Optional questions have been numbered.

If you wish to include the supplementary questions within the Core and/or Optional modules, then the existing questions must maintain their original numbers and the new questions be added to the

end of the module and numbered with “SUP” at the end to denote the fact that they are supplemental.

An example would be:

02-Q7-SUP

Assessment Criteria

The assessment criteria, or scoring mechanism, *should* be made available to prospective bidders prior to the pre-qualification questionnaire being released and *must* be made available to all bidders prior to completing their PQQ forms.

The scoring mechanism should detail the following:

- The scoring model, including maximum marks and any weightings given to responses.
- Which questions may result in a mandatory exclusion and no further consideration of the bidder will take place.
- Criteria used to limit the number of bidders.

Appendix 1 – Further Reading

- Employers' Liability (Compulsory Insurance) Act 1969
 - <http://www.legislation.gov.uk/ukpga/1969/57/contents>
- SSIP - Safety Schemes In Procurement
 - <http://www.ssip.org.uk/>
- The Construction (Design and Management) Regulations 2015
 - <http://www.legislation.gov.uk/uksi/2015/51/contents/made>
 - <http://www.hse.gov.uk/pubns/books/l153.htm>
- The Construction (Design and Management) Regulations 2007
 - <http://www.legislation.gov.uk/uksi/2007/320/contents/made>
- The Construction (Design and Management) Regulations (Northern Ireland) 2016
 - <http://www.legislation.gov.uk/nisr/2016/146/contents/made>
- The Occupational Safety and Health Consultants Register (OSHCR)
 - <http://www.oshcr.org/>
- National Examination Board in Occupational Safety and Health (NEBOSH)
 - <https://www.nebosh.org.uk/>
- Institution of Occupational Safety and Health
 - <https://www.iosh.co.uk/>
- Organising site welfare
 - <http://www.hse.gov.uk/construction/safetytopics/welfare.htm>
- The Workplace (Health, Safety and Welfare) Regulations 1992
 - <http://www.legislation.gov.uk/uksi/1992/3004/contents/made>
- Association for Project Safety
 - www.aps.org.uk/
- Institute of Construction Safety
 - www.instcs.org/
- Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR)
 - <http://www.hse.gov.uk/riddor/>
- Equality Act 2010
 - www.legislation.gov.uk/ukpga/2010/15/contents
- Equality and Human Rights Commission
 - <https://www.equalityhumanrights.com/>
- EU Eco-Management and Audit Scheme (EMAS)
 - http://ec.europa.eu/environment/emas/index_en.htm
- PAS 1192-2:2013
 - <http://shop.bsigroup.com/navigate-by/pas/pas-1192-22013/>
- PAS 1192-3:2014
 - <http://shop.bsigroup.com/forms/pass/pas-1192-3/>
- BS 1192-4:2014
 - <http://shop.bsigroup.com/forms/PASs/BS-1192-4-2014/>
- PAS 1192-5
 - <http://shop.bsigroup.com/forms/PASs/PAS-1192-5/>
- Construction Industry Council

- <http://cic.org.uk/publications/>
- Government Soft Landings
 - www.bimtaskgroup.org/gsl/
- The Public Contracts Regulations 2006
 - www.legislation.gov.uk/uksi/2006/5/pdfs/uksi_20060005_en.pdf
- The Public Contracts (Amendment) Regulations 2009
 - www.legislation.gov.uk/uksi/2009/2992/pdfs/uksi_20092992_en.pdf
- The Public Contracts Regulations 2015
 - www.legislation.gov.uk/uksi/2015/102/contents/made
- The Defence and Security Public Contracts Regulations 2011
 - www.legislation.gov.uk/uksi/2011/1848/pdfs/uksi_20111848_en.pdf
- The Public Contracts (Scotland) Regulations 2012
 - http://www.legislation.gov.uk/ssi/2012/88/pdfs/ssi_20120088_en.pdf
- The Money Laundering Regulations 2007
 - http://www.legislation.gov.uk/uksi/2007/2157/pdfs/uksi_20072157_en.pdf
- The Bribery Act 2010
 - http://www.legislation.gov.uk/uksi/2011/1441/pdfs/uksi_20111441_en.pdf
- National Audit Office - Government's spending with small and medium-sized enterprises
 - <https://www.nao.org.uk/wp-content/uploads/2016/03/Governments-spending-with-small-and-medium-sizes-enterprises.pdf>

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The Landscape Institute is the chartered body for the landscape profession. It is an educational charity working to promote the art and science of landscape practice.

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