

# Pre-Qualification Questionnaire Bidder Guidance



**February 2016**

## 1 PURPOSE AND ORGANISATION OF THIS DOCUMENT

To complete the PQQ you will have needed to have registered on the Commissioner's e-procurement system.

This document is intended to be read in conjunction with the Commissioner's Memorandum of Information (the MOI), which was made available to Bidders as part of the advert stage.

The terms of participation as set out throughout this and other preceding and subsequent documents will apply throughout this procurement. By downloading this PQQ the Bidder agrees to be bound by and to comply with the requirements and provisions of this PQQ and the various terms of participation.

This procurement is being managed by the NHS South, Central & West Commissioning Support Unit procurement team on behalf of NHS Bath & North East Somerset CCG and Bath & North East Somerset Council. NHS Bath & North East Somerset Council is the "Commissioner" / contracting authority for the purposes of this procurement.

Please refer to the MOI for further background information on the Procurement. All information provided within the MOI remains applicable unless varied within this document or subsequent documents.

## 2 INTRODUCTION AND OVERVIEW

This PQQ relates to the Commissioner's tender process for the provision of a Strategic Partner for the delivery of Community Health & Care Services.

Please note that this timetable is offered to Bidders for information only, and all dates are subject to change.

Bidders should refer back to the MOI for an explanation of the procurement stages.

### Procurement timetable

No.	Procedure	Dates
1	Advert placed	25/02/16
2	PQQ issued	25/02/16
3	PQQ submissions closing date	29/03/16
4	Completion of PQQ evaluation and short list	14/04/16
5	Issue of first round Tender documents (ISOP)	18/04/16
6	Mid-tender clarification meetings	02/05/16
7	ISOP submissions closing date	18/05/16
8	ISOP evaluation and dialogue process	19/05/16 – 06/06/16
9	Issue of Final tender documents	09/06/16
10	Final tender submissions closing date	29/06/16
11	Final tender evaluation process	01/07/16 – 13/07/16
12	Preferred bidder period	15/07/16 – 31/08/16
13	Formal award	01/10/16
14	Contract start date	01/04/17

## **Commercial framework**

Please refer to the Memorandum of Information document for further information on the proposed contractual and commercial arrangements.

## **3 THE PQQ PROCESS**

### **Communication**

All information for bidders will be published through the Commissioner's e-procurement system.

All communication concerning the tender process should be made through the e-procurement messaging system. Where this is legitimately not possible, bidders should contact Becky Harris, at [rebecca.harris@swcsu.nhs.uk](mailto:rebecca.harris@swcsu.nhs.uk).

### **PQQ Clarification Questions and Answers**

A clarification question and answer process will operate during the PQQ stage.

The objective of the PQQ clarification process is to give Bidders the opportunity to submit questions to the Commissioner where they require clarification on the information contained in the PQQ or regarding the PQQ stage.

Bidders should submit clarification questions via the Commissioner's e-procurement system messaging system. Clarification questions received by any other method will not receive a response.

The period in which Bidders can raise clarification questions commences on the day the PQQ is issued. Any queries arising from this PQQ (and other supporting procurement documents) that may have a bearing on the PQQ responses to be made should be raised. Bidders are urged to review the PQQ immediately upon receipt and identify and submit any clarification questions as soon as possible and in any event no later than 12pm on 14<sup>th</sup> March 2016. Any clarification questions received after this time may not be answered.

In order to treat Bidders fairly, the Commissioner will normally provide an anonymised copy of any clarification questions, and the answers to those questions, to all Bidders. This will be provided in digest form, periodically updated and circulated to all organisations registered under the PQQ on the e-procurement system.

Provision will be made for Bidders to request clarification in confidence, but in responding to such requests the Commissioner will reserve the right to act in what it considers a fair manner and in the best interests of the procurement, which may include circulating the response to all Bidders.

Bidders should note that no further information in addition to that provided in the MOI and this PQQ will be provided about the Commissioner's procurement at this time. More detailed information on the requirements will be made available in the tender stage documentation. Under no circumstances should Bidders approach the Commissioner, NHS South, Central & West CSU, NHS England or any other relevant commissioning organisation or their staff or advisers seeking further

information in relation to the procurement. Any such approaches (direct or indirect) may result in the Bidder's exclusion from further consideration in the procurement.

### **Submission format**

Documents submitted as attachments must be in a format that is readable in the Microsoft Office 2003 suite, Microsoft Office Picture Viewer or Adobe Acrobat. All attached spreadsheets must be fully available for manipulation (i.e. not locked for editing or presented as a PDF document).

Images within documents should be appropriately compressed to ensure document sizes do not become unmanageable. Bidders are advised to keep the size of individual file attachments at under 5mb where possible.

All electronic files submitted should be clearly and logically named, including the bidder's name and the question number to which that electronic file relates.

Serious failures to provide PQQ responses in the required format may lead to a Bidder's submission being rejected without evaluation, and the Bidder's exclusion from further consideration. Any such rejection will be solely at the Commissioner's discretion.

All questions are to be answered in English and in the same order that the questions appear in the PQQ using the same numbering format. Where the Bidder believes a question is not applicable, or cannot be answered, this should be clearly stated and an explanation must be provided. Bidders should not include any information beyond that requested in the PQQ.

Responses to each of the question sections are required as set out in the Commissioner's e-procurement system. This allows Bidders to attach documentation/evidence if required.

### **Submission notes**

"You"/"Your" or the "Bidder" means the body completing these questions i.e. the legal entity seeking to be invited to the next stage of the procurement process and responsible for the information provided. The 'Bidder' is intended to cover any economic operator as defined by the Public Contract Regulations 2006 and could be a registered company; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.

This Pre-Qualification Questionnaire (PQQ) has been designed to assess the suitability of a Bidder to deliver the Commissioner's contract requirement(s). If you are successful at this stage of the procurement process, you will be shortlisted to the next stage of the process.

Please ensure that all questions are completed in full, and in the format requested. Failure to do so may result in your submission being disqualified. If the question does not apply to you, please state clearly 'N/A'.

Should you need to provide additional Appendices in response to the questions, these should be numbered clearly and listed as part of your declaration. A template for providing additional information is provided at the end of this document.

Please return a completed version of this document through the In-Tend e-procurement portal no later than **12 noon on 29<sup>th</sup> March, 2016.**

Failure to return a completed PQQ by the deadline above may result in the disqualification of the Bidder from participating further in the Procurement. The Commissioner may accept submissions received after the deadline, however this will only be considered in exceptional circumstances, or where the missed deadline can be evidenced as being outside of the Bidder's control.

## **4 GOVERNANCE AND ADMINISTRATION**

### **Freedom of Information Act and Environmental Information Regulations**

The Commissioner is subject to the requirements of the Freedom of Information Act 2000 (the "Act") and the Environmental Information Regulations 2004 ("EIR"). Accordingly, all information submitted to it may need to be disclosed by the Commissioner in response to a request under either the Act or the EIR (a "Request").

In making any submission during this procurement process, each Bidder acknowledges and accepts that information contained therein may be disclosed by the Commissioner under the Act or EIR without consulting the Bidder, although the Commissioner will endeavour to consult with the Bidder and consider its views before doing so.

If Bidders consider that any information made available to the Commissioner is commercially sensitive, they should identify it and explain (in broad terms) what harm may result from disclosure, and the time period applicable to that sensitivity. Even where information made available to the Commissioner is marked commercially sensitive, the Commissioner shall be entitled (acting in its sole discretion) to disclose it pursuant to a Request. Please also note that information marked "confidential" or equivalent by Bidders does not bind the Commissioner to any duty of confidence by virtue of that marking.

Exemptions to disclosure pursuant to a Request do exist and the Commissioner reserves the right to determine (acting in its sole discretion) whether there is any available exemption and whether to disclose any information made available to it by Bidders pursuant to any Request. If you are unsure as to the Commissioner's obligations under the Act or EIR regarding the disclosure of sensitive information please seek independent legal advice.

### **Right to Cancel or Vary the Process**

The Commissioner reserves the right to:

- cancel the selection and evaluation process at any time; and/or
- require a Bidder to clarify or amplify its submission in writing and/or provide additional or updated information at any time during the tendering process (failure to respond adequately may result in the Bidder not qualifying or being disqualified); and/ or

- vary or change all or any part of the procedures or requirements for this procurement process at any time.

The publication of the PQQ document in no way commits the Commissioner to award any contract and the Commissioner reserves the right not to proceed with the procurement process at any time.

This PQQ is not intended to form the basis of any decision on the terms upon which the Commissioner will enter into any contractual relationship.

## **Costs and Expenses**

All Bidders are solely responsible for their costs and expenses incurred in connection with participating in all stages of the procurement process including (but not limited to) the preparation and submission of the PQQ responses and tenders. Under no circumstances will the Commissioner (or any of its advisers) be liable for any costs or expenses borne by the Bidder (or any of its advisers) in this process.

## **The PQQ**

The PQQ has been prepared by the Commissioner for the purpose of providing an application procedure for individuals or organisations interested in tendering for these services and to assist Bidders in making their own evaluation of the potential opportunity. The PQQ takes the form of a Crown Commercial Service standardised PQQ question set, with additional questions added by the Commissioner.

Whilst prepared in good faith, the PQQ (and supporting information) is intended only as a preliminary background explanation of the Commissioner's activities and plans and is not intended to form the basis of any decision on whether to enter into any contractual relationship with the Commissioner. The PQQ does not purport to be all-inclusive or to contain all of the information that a potential Bidder may require.

Any persons considering making a decision to participate in this procurement competition process with the Commissioner following receipt of the PQQ (with a view of entering into a contract with the Commissioner if successful) should make their own investigations and their own independent assessment of the Commissioner and its requirements for the services and should seek their own independent professional financial and legal advice.

Neither the Commissioner, NHS South, Central & West CSU, NHS England, the Department of Health nor its advisers, directors, officers, members, partners, employees, other staff, agents (or advisers of any such body or person):

- makes any representation or warranty (express or implied) as to the accuracy, reasonableness or completeness of the PQQ (and supporting information);
- accepts any responsibility for the information contained in the PQQ (and supporting information) or for its fairness, accuracy or completeness;
- shall be liable for any loss or damage (other than in respect of fraudulent misrepresentation) arising as a result of reliance on such information or any subsequent communication.

- Only the express terms of any written contract relating to the subject matter of the contract as and when it is executed shall have any contractual effect in connection with the matters to which it relates. English law will govern any such contract.

Nothing in the PQQ (or other supporting information) is, or should be, relied upon as a promissory or a representation as to Commissioner's ultimate decisions in relation to the scope of services which may be awarded by the Commissioner at the conclusion of the procedure.

In this section, references to this PQQ include all information contained in it and any other information (whether written, oral or in machine-readable form) or opinions made available by or on behalf of the Commissioner, NHS South, Central & West CSU, NHS England or any of their advisers or consultants in connection with this PQQ or any other pre-contract documentation.

### **Verification of Information Provided**

Whilst reserving the right to request information at any time throughout the procurement process, the authority may enable the Bidder to self-certify that there are no mandatory/ discretionary grounds for excluding their organisation. When requesting evidence that the Bidder can meet the specified requirements, the authority may only obtain such evidence after the final tender evaluation decision (i.e. from the winning Bidder only).

### **Sub-contracting arrangements**

Where the Bidder proposes to use one or more sub-contractors to deliver some or all of the contract requirements, the PQQ only needs to be submitted once in the name of the lead Bidder, but a separate Appendix should be used to provide details of the proposed bidding model that includes key sub-contractors, the proportion of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor is planned to be responsible for.

The Commissioner recognises that arrangements in relation to sub-contracting may be subject to future change, and may not be finalised until a later date. However, Bidders should be aware that where information provided to the Commissioner 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 Bidder to proceed with the procurement process or to provide the supplies and/or services required. Bidders should therefore notify the authority immediately of any change in the proposed sub-contractor arrangements. The Commissioner reserves the right to deselect the Bidder prior to any award of contract, based on an assessment of the updated information. The Commissioner reserves the right not to permit changes to sub-contractors that play a significant role in delivering key contract requirements.

## **Consortia arrangements**

If the Bidder completing this PQQ is doing so as part of a proposed consortium, they are only required to submit one PQQ on behalf of the entire consortium, however the following information must be provided;

- names of all consortium members;
- the lead member of the consortium who will be contractually responsible for delivery of the contract (if a separate legal entity is not being created); and
- if the consortium is not proposing to form a legal entity, full details of proposed arrangements within a separate Appendix.

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

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.

The Commissioner recognises that arrangements in relation to a consortium bid may be subject to future change. Bidders should therefore respond on the basis of the arrangements as currently envisaged. Bidders are reminded that the Commissioner 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. The Commissioner reserves the right to deselect the Bidder prior to any award of contract, based on an assessment of the updated information. The Commissioner reserves the right not to permit changes to consortium members that play a significant role in delivering key contract requirements.

## **Confidentiality**

When providing details of contracts in answering section 6 of this PQQ (Technical and Professional Ability), the Bidder agrees to waive any contractual or other confidentiality rights associated with these contracts.

The Commissioner reserves the right to contact the named customer contact in section 6 regarding the contracts included in section 6. The named customer contact does not owe the Commissioner any duty of care or have any legal liability, except for any deceitful or maliciously false statements of fact.

The Commissioner 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 Contract Regulations.

## **Conflicts of interest**

The authority may exclude the Bidder (or any member of your proposed consortium, or sub-contractor with a significant role in delivering key contract requirements if applicable) if there is a material 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 Bidder to inform the authority, 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 the Commissioner should not represent a conflict of interest for the Bidder (or any member of your proposed consortium, or sub-contractor with a significant role in delivering key contract requirements if applicable).

## **Non-canvassing**

Each organisation forming part of a bid submission must not canvass, solicit or offer any gift or consideration whatsoever as an inducement or reward to any officer (or their partner) or employee (or their partner) of the Commissioner or NHS England or to a person (or their partner) acting as an adviser to in connection with the selection of bidders in relation to this procurement.

Bidders are required to confirm their understanding of non-canvassing requirements, (please see declaration at the end of the PQQ document).

Without limitation to the generality of the above obligation, any organisation that directly or indirectly attempts to obtain information from, or directly or indirectly attempts to contact, or directly or indirectly attempts to influence, or directly or indirectly canvasses, any member, employee, agent or contractor of the Commissioner or NHS England concerning the process leading to the award of the contract (save as expressly provided for in the PQQ or ITT) may be disqualified from the procurement process by the Commissioner in its absolute discretion. Where any organisation forming part of a bid submission is disqualified the entire bid submission may be disqualified.

## **Collusive Practices**

Other than to the extent that such disclosure or discussion is required to effectively participate in a consortium, any organisation forming part of a bid submission must neither disclose to, nor discuss with any other potential or actual bidder or bidding consortium (whether directly or indirectly), any aspect of any response to any procurement documents (including the PQQ, ITT or others).

Without limitation to the generality of the above obligation, any organisation that:

- fixes or adjusts the price included in its response to the ITT by or in accordance with any agreement or arrangement with any other bidder other than a consortium member in relation to a joint bid; or
- communicates to any person other than the Commissioner or its consortium members the price or approximate price to be included in its response to the ITT or information that would enable the price or approximate price to be calculated (except where such disclosure is made in confidence in order to obtain quotations necessary for the preparation of the response to the ITT or for the purposes of obtaining insurance or for the purposes of obtaining any necessary security); or
- enters into any agreement or arrangement with any other potential or actual bidder that has the effect of prohibiting or excluding that potential or actual bidder from submitting a response to the PQQ or ITT or as to the price to be included in any response to be submitted; or
- offers or agrees to pay or give or does pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done any act or omission in relation to any other response to the PQQ or ITT or proposed response to the PQQ or ITT; or
- where a bid includes material sub-contractors, enters into any agreement or arrangement with other parties to that bid which has the effect of prohibiting or excluding a sub-contractor from participating in any other bid or submitting (or potentially submitting) an individual bid in this process (unless otherwise stipulated by the Commissioner; that organisation

may be disqualified from the procurement process by the Commissioner in its absolute discretion. Where any organisation forming part of a bid submission is disqualified the Commissioner reserves the right to disqualify the entire bid submission.

Bidders are required to confirm non-collusion (please see declaration at the end of the PQQ document).

Bidding partnerships will not be required to have any formal legal character at the tender stage; however it must be made clear at that stage how the bidders intend to formalise their relationship to become party to the contract. The Commissioner would expect to see a Heads of Terms or letter of intent between the bidding parties at tender stage.

### **Taking Account of Bidders' Past Performance**

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

In addition, the authority may re-assess reliability based on past performance at key stages in the procurement process (i.e. Bidder selection, tender evaluation, contract award stage etc.). Suppliers may also be asked to update the evidence they provide in this section to reflect more recent performance on new or existing contracts (or to confirm that nothing has changed).

### **‘Self-cleaning’**

Any Bidder 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-cleanse” the situation referred to in that question. The Bidder has to demonstrate it has taken such remedial action, to the satisfaction of the authority in each case.

If such evidence is considered by the Commissioner (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 Commissioner 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 Commissioner shall be evaluated taking into account the gravity and particular circumstances of the criminal offence or misconduct. Where the measures are considered by the Commissioner to be insufficient, the Bidder shall be given a statement of the reasons for that decision.

## **5 PQQ EVALUATION**

### **Preliminary Compliance Review**

The information supplied in the PQQ by each Bidder will be checked for completeness and compliance with the requirements of the PQQ before responses are substantively evaluated.

The preliminary compliance review will check that submissions:

- Answer all questions (or explain satisfactorily if considered not applicable);
- Are made in the format and medium requested, including compliance with items such as (but not limited to) word count, file attachments and the completion of declarations.

Where, in the opinion of the Commissioner a response is incomplete, the Bidder may be excluded from further consideration.

The Commissioner may ask clarification questions of the Bidder in accordance with the procedure set out in this document. Irrespective of whether clarifications are

asked of a Bidder, the Preliminary Compliance Review may result in the Commissioner not proceeding further with that Bidder.

### **Selection Evaluation**

Subsequent to the successful completion of the preliminary compliance review, submissions will be fully evaluated by the PQQ evaluation panel.

Bidders will be marked either on a PASS / FAIL basis or by numeric scoring for each section of the PQQ, as per the table below. Full details of the marking protocol can be found within the In-Tend online questionnaire.

	<b>Section</b>	<b>Weighting</b>
1	Bidder details	n/a
2	Grounds for mandatory exclusion	Pass/Fail
3+4	Grounds for discretionary exclusion	Pass/Fail
5	Economic and Financial Standing	risk based assessment high/med/low
6	Technical and Professional Ability	Pass/Fail
7	Non-core questions	Pass/Fail
8	Social Value	10%
9	Project specific questions <ul style="list-style-type: none"> <li>• Topic 1 – 15%</li> <li>• Topic 2 – 15%</li> <li>• Topic 3 – 15%</li> <li>• Topic 4 – 15%</li> <li>• Topic 5 – 10%</li> <li>• Topic 6 – 10%</li> <li>• Topic 7 – 10%</li> </ul>	90%
10	Declaration	n/a

For PASS / FAIL questions, a PASS must be achieved for each area within the question to be deemed successful. Any Bidder that receives a FAIL on any question will not be invited to the next stage of the procurement.

## Economic and Financial Standing

The Bidder's Financial Response submitted in response to Section 5 - Economic and Financial Standing will be assessed and scored using the following methodology:

<b>Label</b>	<b>Assessment</b>	<b>Score</b>
Deficient	The response provides no assurance concerning the level of financial risk.	0
Limited	There is limited assurance as to the level of financial risk that the Commissioners might be exposed to upon contracting with the Bidder.	1
Acceptable	The response provides sufficient assurance concerning the level of financial risk that the Commissioners might be exposed to upon contracting with the Bidder.	2
Good	The response provides a high level of assurance concerning the level of financial risk that the Commissioners might be exposed to upon contracting with the Bidder.	3
Excellent	The response provides an excellent level of assurance to the Commissioners, and there is no financial risk upon contracting with the Bidder.	4

We require some basic financial information to allow us to assess potential providers' financial resources, their stability to carry out the work and likelihood that the contract will be completed. The financial status of your organisation must, in the view of the Authority, be sufficiently robust as to allow a contract of this magnitude to be taken on and delivered to a satisfactory level throughout the contract term.

## Technical and Professional Ability

For those sections scored numerically, the following system will be used:

Label	Assessment	Score
Deficient	Question not answered, or response to the question significantly deficient. Answer does not provide satisfactory evidence as to the organisation's capability	0
Limited	A response that is inadequate or only partially addresses the question. Answer provides some evidence as to the organisation's capabilities.	1
Acceptable	An acceptable response submitted in terms of the level of detail, accuracy and relevance. Answer provides sufficient evidence as to the organisation's capability.	2
Good	A good response submitted in terms of the level of detail, accuracy and relevance. Answer provides significant evidence as to the organisation's capability.	3
Excellent	A very good response in terms of the level of detail, accuracy and relevance. Accompanying evidence is comprehensive and provides strong assurance as to the organisation's capability.	4

### Evaluation method

The Commissioner reserves the right to verify the responses provided to any question.

In order to ensure consistency and transparency, the Commissioner will deploy a moderated marking procedure. The moderated marking procedure is a two-step process, comprising of:

- Independent evaluation; followed by
- A moderation process

During the independent evaluation process each evaluator will separately (i.e. without conferring with other evaluators) scrutinise the quality of answers given by Bidders in their PQQ Response to a question. Evaluators will apply the criteria applicable to the question as set out in this guidance to determine the overall quality of each answer.

Each evaluator will then allocate a score for the answer in accordance with the marking scheme applicable to that question.

When the independent evaluation process has been completed by all of the evaluators, a moderation process will be coordinated, the purpose of which is to ensure the consistency and appropriateness of each individual evaluator's scores. When the moderation has been completed, a final moderated score will exist for each applicable question; and this will act as the single finalised score for that question.

### **Evaluation panel**

Evaluators will be suitably qualified and trained to ensure a fair and objective evaluation process.

Evaluators will be taken from each of the relevant professional disciplines (commissioning, finance, project management etc.), as well as from a pool of Community Champions who have lived experience of service delivery within BaNES.

### **Shortlisting to the tendering stage(s)**

Following evaluation of responses to the PQQ and the application of question weightings, Bidders will be shortlisted where they:

- Successfully pass the Compliance check, and;
- Pass all PASS / FAIL questions, and;
- Are within the top 4 scoring submissions for the relevant procurement Lot. This is the maximum number of Bidders that will be invited to participate in the next stage of the procurement.

Where there is a tie in the scoring of submissions, shortlisting will be based on bidders' scores on the Relevant Experience section. A tie exists when the overall score (%) of two PQQ submissions is the same when rounded to 1 decimal place.

### **PQQ Clarification Questions from the Commissioner**

The Commissioner reserves the right to require Bidders to clarify their PQQ submissions. Any such request will be made via the Commissioner's e-procurement system messaging system to the Bidder's nominated representative. Such clarification questions will only seek clarity where there is an obvious discrepancy or ambiguity (e.g. something is stated as enclosed when it is not) and it is not intended to elicit additional information to that initially requested in the PQQ, or to give Bidders an opportunity to correct poor, incomplete or otherwise non-compliant submissions.

It is likely that any response to a clarification question will be required within two working days of request.