



Education
Funding
Agency

Education Funding Agency

Pre-Qualification Questionnaire

Funding Advisory Services to provide advice on the structuring of a capital markets or other financing solution to support the delivery of the Priority School Building Programme

Volume 1: Introduction and Background

13 September 2012

1. Introduction

- 1.1 This Pre-Qualification Questionnaire (“**PQQ**”) is for use by Funding Advisors (“**Advisors**”) who are interested in the opportunity to tender to the Education Funding Agency (“**EFA**”) for the opportunity to supply funding advisory services (“**Funding Advisory Services**”) in connection with the Priority School Building Programme (“**PSBP**”). The EFA is an executive agency of the Department for Education (“**DfE**”) and is procuring the Funding Advisory Services on behalf of the Secretary of State for Education. References to the “EFA” therefore include DfE and the Secretary of State for Education.
- 1.2 This PQQ sets out the information which is required by the EFA in order to assess the suitability of Advisors in terms of their technical knowledge and experience, capability, organisational and financial standing to meet the EFA’s requirements. During the PQQ stage, the intention is to arrive at a short list of five qualified Advisors who will be invited to tender against the contract requirement as advertised in the Official Journal of the European Union (“**OJEU**”), reference number 2012-125326-F02-EN on 10 September 2012.
- 1.3 No information contained in this PQQ, or in any communication made between the EFA and any Advisor in connection with this PQQ, shall be relied upon as constituting a contract, agreement or representation that any contract shall be offered in accordance with this PQQ. The EFA reserves the right, subject to the appropriate procurement regulations, to change without notice the basis of, or the procedures for, the competitive tendering process or to terminate the process at any time. Under no circumstances shall the EFA incur any liability in respect of this PQQ or any supporting documentation.
- 1.4 Direct or indirect canvassing of any Minister, public sector employee or agent by any Advisor concerning the PSBP, the Funding Advisory Services, or any attempt to procure information from any Ministers, public sector employee or agent concerning this PQQ may result in the disqualification of the Advisor from consideration for this requirement.
- 1.5 The object of the qualification process is to assess the responses to the PQQ and select Advisors to proceed to the next stage of the procurement.
- 1.6 In assessing the answers to the following questions, the EFA will be seeking evidence of the Advisor’s suitability to perform the services in terms of economic and financial standing, technical ability and professional ability. Qualification criteria will be a combination of both financial and non-financial factors and will be in accordance with Regulations 23 to 26 of the Public Contracts Regulations 2006 (as amended).
- 1.7 The EFA will not reimburse any costs incurred by Advisors in connection with preparation and submission of their responses to this PQQ.
- 1.8 The contents of this PQQ and that of any other documentation sent or provided to you in respect of this tender process are provided on the basis that they remain the property of the EFA and must be treated as confidential.
- 1.9 If any Advisor is unable or unwilling to comply with this requirement you are required to destroy this PQQ and all associated documents immediately and not to retain any electronic or paper copies.

- 1.10 No Advisor will undertake any publicity activities with any part of the media in relation to the PSBP, the Funding Advisory Services procurement or this PQQ process without the prior written agreement of the EFA, including agreement on the format and content of any publicity.
- 1.11 This PQQ is made available in good faith. No warranty is given as to the accuracy or completeness of the information contained in it and any liability for any inaccuracy or incompleteness is therefore expressly disclaimed by the EFA and its advisors.
- 1.12 The EFA reserves the right to reject PQQs which are not submitted in accordance with the instructions given.
- 1.13 The EFA reserves the right to change without notice the procedure for awarding the Funding Advisory Services contract, to reject any or all bids for the contract, to terminate discussions with any or all Advisors and/or to stop the process and not award a contract at any time without any liability on its part. Nothing in this process is intended to form any express or implied contractual relationship between the parties unless and until a contract is awarded.
- 1.14 Advisors are deemed to understand fully the processes that the EFA is required to follow under relevant European and UK legislation, particularly in relation to the Public Contracts Regulations 2006 (as amended).
- 1.15 The procurement process will be structured according to the Accelerated Restricted Procedure as defined by the Public Contracts Regulations 2006 (as amended). This is in accordance with the rules contained in regulations 16(7) and 16(17) of the Public Contracts Regulations 2006, in that the minimum timescales under the Restricted Procedure are rendered impractical due to reasons of urgency. The schools included in the PSBP have urgent condition needs. Changes in the long-term debt markets mean that an alternative funding solution is needed. EFA requires advice on scoping and developing the alternative funding solution, and because of the urgency of the PSBP this advice is required urgently. Further information about this is set out in the tender documents.

2. EFA Requirements

- 2.1 The EFA intends to appoint one Advisor to provide advice to the EFA on the structuring of a capital markets or other financing solution to support the delivery of the PSBP. The background and scope of this procurement is set out in the Memorandum of Information ("MoI").

3. Timetable

Set out below is the indicative procurement timetable. This is intended as a guide and, whilst the EFA does not intend to depart from the timetable, it reserves the right to do so at any time.

Procurement Activity	Date
Issue Contract Notice in OJEU	10 September 2012
Deadline for receipt of tender queries	12 noon on 21 September 2012
Deadline for return of PQQs	12 noon on 24 September 2012
Evaluation of PQQs	24 September – 28 September 2012
Issue Invitation to Tender	1 October 2012
Deadline for receipt of tender queries	12 noon on 12 October 2012
Deadline for return of Tenders	12 noon on 15 October 2012
Evaluation of Tenders and internal approvals	15 October 2012 – 19 October 2012
Tenderer clarification interviews (if required – see below)	18 October 2012

Issue of standstill letters	19 October 2012
Standstill period	20 October 2012 – 29 October 2012
Contract Award	30 October 2012

3.1 The EFA may require clarification of the PQQs during the evaluation process and may conduct clarification meetings if they are deemed to be necessary.

3.2 For the avoidance of any doubt, any clarification interviews are not a scored element of this shortlisting process. The purpose of such interviews would be to confirm the EFA's understanding of the Advisors' PQQ submissions. However, the EFA does reserve the right to adjust the scores given to Advisors depending on the outcome of clarification interviews.

4. **EFA Contact Point**

4.1 The EFA's named contact point for the procurement is Amanda Noble. Any queries relating to this procurement should be sent to: FundingAdvisors.PSBP@education.gsi.gov.uk

5. **Instructions for Completion**

5.1 Advisors are invited to complete Volume 2 of this PQQ and to submit it, together with any requested supporting information, to the EFA by the due date and time for return, in accordance with the procedures set out in the paragraph below entitled "*Submission of Completed Pre-Qualification Questionnaires*".

5.2 Advisors must follow the instructions outlined in this section 5 when completing this PQQ.

5.3 Advisors should answer all questions as accurately and concisely as possible in the same order as the questions are presented. Where a question is not relevant to the Advisor's organisation this should be indicated, with an explanation provided. Advisors should also note the submission instructions detailed at paragraphs 11.3 to 11.5.

5.4 Questions should be answered in English.

5.5 The information supplied will be checked for completeness and compliance with the instructions before responses are evaluated.

5.6 Failure to provide the required information, make a satisfactory response to any question, or supply documentation referred to in responses, within the specified timescale, may mean that an Advisor is not invited to participate further. In the event that none of the responses are deemed satisfactory, the EFA reserves the right to terminate the procurement and where appropriate re-advertise the procurement.

5.7 Advisors must be explicit and comprehensive in their responses to this PQQ as this will be the single source of information on which responses will be scored and ranked. Advisors are advised neither to make any assumptions about their past or current Advisor relationships with the EFA nor to assume that such prior business relationships will be taken into account in the evaluation procedure.

6. **Queries about the procurement**

6.1 All requests for clarification or further information in respect of this PQQ should be addressed to the EFA named contact point. No approach of any kind in connection with this PQQ should be made to any other person within, or associated with, the EFA.

- 6.2 This PQQ is being provided on the same basis to all Advisors.
- 6.3 The EFA will not enter into detailed discussion of the requirements at this stage.
- 6.4 Any questions about the procurement should be submitted in writing by email, for the attention of Amanda Noble at the e-mail address given in paragraph 4 above.
- 6.5 If the EFA considers any question or request for clarification to be of material significance, both the question and the response will be communicated, in a suitably anonymous form, to all Advisors. Such responses will be made available by the EFA on the following web page:

<http://www.education.gov.uk/schools/adminandfinance/schoolscapital/a00209336/priority-school-building-programme>

- 6.6 All responses received and any communication from Advisors will be treated in confidence but will be subject to 6.5 above.

7. **Additional Information**

- 7.1 The EFA expressly reserves the right to require an Advisor to provide additional information supplementing or clarifying any of the information provided in response to the requests set out in this PQQ.
- 7.2 The EFA may seek independent financial and market advice to validate information declared, or to assist in the evaluation.

8. **Consortia and sub-contracting**

- 8.1 Where a consortium approach is proposed, the following information must be provided:
- 8.1.1 Full details of the consortium; and
 - 8.1.2 The information sought in the PQQ in respect of each of the consortium's constituent members as part of a single composite response.
- 8.2 Advisors should provide details of the actual or proposed percentage shareholding of the constituent members within the consortium in a separate Annex. If a consortium is not proposing to form a corporate entity, full details of alternative proposed arrangements should be provided in the Annex. However, please note that the EFA reserves the right to require a successful consortium to form a single legal entity in accordance with regulation 28 of the Public Contracts Regulations 2006.
- 8.3 The EFA recognises that arrangements in relation to consortia may (within limits) be subject to future change. Advisors should therefore respond in the light of the arrangements as currently envisaged. Advisors are reminded that any future proposed change in relation to consortia must be notified to the EFA so that it can make a further assessment by applying the selection criteria to the new information provided.
- 8.4 Where a subcontracting approach is proposed, all information requested should be given in respect of the proposed prime contractor. Where sub-contractors will play a significant role in the delivery of the services or products under any ensuing contract, please indicate in a separate annex (by inserting the relevant company/organisation name) the composition of the supply chain, indicating which member of the supply chain will be responsible for the elements of the requirement.

8.5 It is recognised that arrangements in relation to sub-contracting may be subject to future change. However, Advisors should be aware that where sub-contractors are to play a significant role, any changes to those sub-contracting arrangements may constitute a material change and therefore may affect the ability of the Advisor to proceed with the procurement process or to provide the goods and/or services.

8.6 Where the proposed prime contractor is a special purpose vehicle or holding company, information should be provided about the extent to which the SPV or holding company will call upon the resources and expertise of its members to fulfil the EFA's requirements.

9. **Advisor contact point**

9.1 Advisors are asked to include a single point of contact in their organisation for their response to the PQQ. The EFA will not be responsible for contacting the Advisor through any route other than the nominated contact. The Advisor must therefore undertake to notify any changes relating to the contact promptly.

10. **Freedom of Information**

10.1 In accordance with the obligations and duties placed upon public authorities by the Freedom of Information Act 2000 (the 'FoIA') and The Environmental Information Regulations 2004 ("EIR"), all information submitted to the EFA may be disclosed in response to a request made pursuant to the FoIA.

10.2 In respect of any information submitted by a Advisor that it considers to be commercially sensitive the Advisor should:

10.2.1 clearly identify such information as commercially sensitive;

10.2.2 explain the potential implications of disclosure of such information; and

10.2.3 provide an estimate of the period of time during which the Advisor believes that such information will remain commercially sensitive.

10.3 Please submit responses to 10.2 as an Annex with the completed PQQ.

10.4 Where an Advisor identifies information as commercially sensitive, the EFA will endeavour to maintain confidentiality. Advisors should note, however, that even where information is identified as commercially sensitive, the EFA might be required to disclose such information in accordance with the FoIA or EIR. Accordingly, the EFA cannot guarantee that any information marked 'commercially sensitive' will not be disclosed.

11. **Submission of Completed Pre-Qualification Questionnaires**

11.1 You must submit your completed PQQ to FundingAdvisors.PSBP@education.gsi.gov.uk **no later than 12:00pm noon on 24 September 2012.**

11.2 Completed PQQs may be submitted at any time before the closing date. Please note that completed PQQs received after the closing date may be rejected.

11.3 Advisors must follow the following response guidelines:

11.3.1 A completed questionnaire (Volume 2).

11.3.2 Separate documents answering questions where a space has not been provided.

11.3.3 To ensure a fair and even handed assessment please answer each question using no smaller than 11 point fonts. Answers should not exceed the page limits indicated. Any additional information in excess of the page allowance or word count allowed will be removed prior to evaluation or ignored.

11.4 Each document should be named with the question reference within the file name of the submitted document, for example “D1 – Experience - Phase 1”. Please ensure that you include square brackets around each question reference within the file name.

11.5 The declaration page must be signed and scanned for the submission.

12. Evaluation of PQQs

12.1 The completed PQQs will be scored in accordance with the following criteria and weightings.

Section	Criteria	Compliance only	Score available	Weighting	
A	Advisor profile	Yes	n/a	n/a	
B	Grounds for exclusion	Yes	Pass/Fail	n/a	
C	Financial Evaluation		Pass/Fail	n/a	
	C1	Financial Information	No	Pass/Fail	n/a
	C2/C3	Experian Report/ Financial Confirmations	No	Pass/Fail	n/a
D	Technical Assessment		100	100%	
	D1	Experience	No	100	100%
E	E1	Employer’s liability Insurance	Yes	Pass/Fail	n/a
	E2	Public Liability Insurance	Yes	Pass/Fail	n/a
	E3	Professional Indemnity Ins.	Yes	Pass/Fail	n/a
F	Advisor’s declaration	Yes	Pass/Fail	n/a	
			Total	100%	

12.2 The PQQs will be evaluated as follows:

12.2.1 Stage 1 – Compliance Check

The information in:

Section A – Advisor Profile

Section B – Grounds for exclusion

Section E – Insurance

Section F – Advisor's declaration will be reviewed for completion and compliance on behalf of the Advisor and any consortium members. Any Advisor whose response fails this compliance check may not have their PQQ response considered further. A failure by any consortium member to comply may result in disqualification of the whole consortium.

12.2.2 **Stage 2 - PQQ Evaluation**

Completed PQQs that pass the compliance check will then have their PQQ submissions evaluated as follows:

- (1) Each question in Section C (Financial Evaluation) will be assessed as a pass or fail; AND
- (2) Each question in Section D (Technical Assessment) will be scored in accordance with the methodology set out in Section D.

12.2.3 The five highest scoring compliant submissions will be shortlisted and invited to tender.



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Volume 2: Pre-Qualification Questionnaire

13 September 2012

PRE QUALIFICATION QUESTIONNAIRE

Please provide the following information only. Do not provide any general corporate or marketing literature or further material. Only the information requested below will be evaluated.

SECTION A: Organisation and Contact Details

Full name of organisation tendering (or of 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 company. ii) a limited company iii) a limited liability partnership iii) other partnership iv) sole trader v) other (please specify)	

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

Email	
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Consortia and Sub-Contracting	a) Your organisation is bidding to provide the Funding Advisory Services required itself	
	b) Your organisation is bidding in the role of Prime Contractor and intends to use third parties to provide some Funding Advisory Services	
	c) The Advisor is a consortium	

If your answer is (b) or (c) please indicate in a separate annex (by inserting the relevant company/organisation name) the composition of the supply chain, indicating which member of the supply chain (which may include the Advisor solely or together with other providers) will be responsible for the elements of the requirement.

THE FOLLOWING QUESTIONS FOR COMPLETION BY NON-UK BUSINESSES ONLY	
<p>Registration with professional body</p> <p>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).</p>	
<p>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.</p>	

SECTION B. GROUND FOR EXCLUSION

B1: Grounds for mandatory rejection

Important Notice:

In some circumstances the EFA 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 PQQ.

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

<p>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?</p>	<p>Answer</p>
<p>(a) 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 (as amended);</p>	
<p>(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 (as amended) where the offence relates to active corruption;</p>	
<p>(c) the offence of bribery where the offence relates to active corruption</p>	
<p>(ca) bribery within the meaning of section 1 or 6 of the Bribery Act 2010;</p>	
<p>(d) 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:</p>	
<p>(i) the offence of cheating the Revenue;</p>	
<p>(ii) the offence of conspiracy to defraud;</p>	
<p>(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;</p>	
<p>(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;</p>	
<p>(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;</p>	
<p>(vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;</p>	
<p>(vii) destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968 or section</p>	

	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;	
(e)	money laundering within the meaning of section 340(11) of the Proceeds of Crime Act 2002;	
(ea)	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	
(eb)	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	
(f)	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.	

B2. Grounds for discretionary rejection

Important Notice.

The EFA 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 EFA in considering whether or not you will be able to proceed any further in respect of this procurement exercise.

The EFA 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) <u>being an individual</u> , 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 not 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 state?</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; or</p>	
<p>(e) been guilty of serious misrepresentation in providing any information required of you under regulation 23, 24, 25, 26 or 27 of the Public Contracts Regulations 2006, or has not provided such information in response to a request by EFA.</p>	

SECTION C. FINANCIAL INFORMATION

C1. Please provide **one** of the following set out below by ticking the relevant box

<i>A copy of your audited accounts for the most recent two years</i>	
<i>A statement of your turnover, profit & loss account and cash flow for the most recent year of trading</i>	
<i>A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position</i>	
<i>Alternative means of demonstrating financial status if trading for less than a year</i>	

C2. All Advisors that are capable of providing a Experian Commercial Delphi report **must** confirm that:

Your organisation has a current Experian Commercial Delphi report score of no less than 48% or an investment grade rating from at least one of Moody's, Standard and Poor's, and Fitch.	YES, copy enclosed?	NO	N/A
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C3. If your organisation is not capable of providing the confirmation requested in C2 above, please provide the following financial information:

Please only complete question C3 if your organisation is not capable of obtaining an Experian Commercial Delphi report or an investment grade rating from one of the three organisations identified in C2.

Has your organisation met the terms of its banking facilities and loan agreements (if any) during the past year?	Yes / No
If "No" what were the reasons, and what has been done to put things right?	
Has your organisation met all its obligations to pay its creditors and staff during the past year?	Yes / No
If "No" please explain why not:	

Evaluation Criteria

EFA will consider the information provided in response to question C1 to assess the Advisor's accounts in relation to the criteria set out below on a **pass/fail** basis.

Supportive of Experian Commercial Delphi score or an investment grade rating or alternatively the answer to C3	Pass/fail
Notes to the accounts reveal no material or exceptional matters	Pass/fail

SECTION D: TECHNICAL CAPACITY

No.	Question	Evaluation Criteria
<p>D1</p>	<p>Phase 1 and 2 Experience: Development of financing solutions and documentation and execution</p> <p>Please provide details of a minimum of two projects from either the public or private sector carried out by the Tenderer and/or the team proposed for the Funding Advisory Services by the Tenderer, relevant to the EFA's Funding Advisory Services requirements for PSBP.</p> <p>This question will require the completion of Annex A and Annex B to the PQQ.</p> <p>The client contact for each project should be prepared to speak to EFA to confirm the accuracy of the information provided if we wish to contact them.</p> <p>Maximum 15 sides of A4 for Question D1</p>	<p>The response should clearly demonstrate the following:</p> <ul style="list-style-type: none"> • a track record in providing financial structuring advice and in the execution of bond issuance in the infrastructure, PPP/PFI or other relevant sectors in the UK; • a rationale for how the Tenderer's previous undertakings have been similar in requirements to those of the EFA as outlined in the scope of services outlined in the MoI; • evidence of specific knowledge of the financial and legal issues involved in structuring and executing large scale financings of this nature; and • a track record of structuring financial vehicles for multiple borrowers. <p>Evaluation methodology for question D1:</p> <p>A score of 61-100 will be awarded where the Tenderer's response has provided a clear, unambiguous and thorough response to the question. The response has a significant number of relevant projects similar in nature to the EFA's requirement and the Tenderer and/or the team proposed by the Tenderer is experienced at structuring and arranging capital markets solutions in the infrastructure and/or PPP/PFI sectors. The Tenderer has provided a convincing rationale for the similarities of the other projects to the EFA's requirement. The Tenderer has stated that the skills/ resources associated with these relevant projects remain within the organisation. The experience is spread widely across the members of the Team.</p> <p>A score of 31-60 will be awarded where the Tenderer's response has addressed the majority of the question requirements. The response has a satisfactory number of relevant undertakings similar in nature to the EFA's requirement and the Tenderer and/or the team proposed by the Tenderer has adequate experience of structuring</p>

		<p>and arranging capital markets solutions in the infrastructure and/or PPP/PFI sectors. There is an adequate level of assurance that the resources involved in the similar projects are retained by the organisation. The response may raise minor concerns with the EFA but could be addressed by additional management and oversight input from the EFA. The experience is spread across the members of the Team.</p> <p>A score of 0-30 will be awarded where the Tenderer's response has addressed less than half of the question requirements in a satisfactory or convincing manner. The Tenderer's response has failed to answer the question or may lead to major concerns by the EFA as to the sufficiency or validity of the track record of the Tenderer and/or the team proposed by the Tenderer in relation to the requirements or its ability to utilise or build upon past experience / resources to deliver the requirements. The experience is not spread across the members of the Team.</p>
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SECTION E. INSURANCE

No.	Insurance	Tick if confirmed	Tick if not confirmed
E1	Employer's liability insurance is a legal requirement (except for businesses employing only the owner/ close family members) and this should be at least £5 million. Please confirm that you have this in place.		
E2	Please also provide confirmation that you have or, if successful will provide, public liability insurance with cover of not less than £5 million per event.		
E3	Please also provide confirmation that you have or, if successful will provide, professional indemnity insurance with cover of not less than £10 million per event.		

SECTION F: ADVISOR'S DECLARATION

When you have completed the PQQ, please ensure that:

- i. You have answered all the questions;
- ii. You have provided all supporting documentation requested; and
- iii. You have read and signed the undertaking below.

I/we certify that the information supplied regarding the Advisor is accurate to the best of my knowledge and that I accept the conditions and undertakings requested in the PQQ. I/we understand and accept that false information could result in rejection of the application to be selected to take part in the tender process.

By signing and returning the enclosed copy of this letter, I/we confirm that I/we have not in relation to this opportunity or the PQQ:

- i. entered into any agreement with any other person with the aim of preventing bids being made or as to the fixing or adjusting of the amount of any bid or the conditions on which any bid is made or the elements or contents of any bid;
- ii. informed any other person, other than the Education Funding Agency, of any confidential information in relation to the contract, except where the disclosure, in confidence, was authorised by Partnerships for Schools and necessary for obtaining competitive tenders from bidding service providers;
- iii. caused or induced any person to enter into such an agreement as is mentioned in paragraphs (i) and (ii) above;
- iv. committed any offence under the Bribery Act 2010;
- v. offered or agreed to pay, give or accept any sum of money, inducement or valuable consideration directly or indirectly to or from any person for doing or having done or causing or having caused to be done in relation to any proposed bid any act or omission;
- vi. offered or agreed to pay, give or accept any sum of money, inducement or valuable consideration directly or indirectly to or from any person bidding for this contract for services from any person in relation to this contract; or
- vii. agreed to undertake work or services for any other person in connection with the contract.

I/we also undertake that I/we shall not procure the doing of any of the acts mentioned in paragraphs (i) to (vii) above before the hour and date specified for the return of the PQQ and any resultant tenders.

I/we also understand that it is a criminal offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of a public body. I/we also understand that any such action will result in rejection of our application to take part in the tender procedure.

I/we understand and agree that if I/we are successful in this procurement, I/we shall not act for/advise the private sector on any of the PSBP batches/schools which form part of the same group.

I/we understand and agree that the Education Funding Agency may contact the organisations detailed at Sections D1 and D2 of Volume 2 of this PQQ for further information in relation to any of the services provided for those organisations for reference purposes.

I/we understand and agree to the conditions set out in the Freedom of Information section at Section 10 of Volume 1.

I/we understand and agree that if I/we are successful in this procurement, I/we shall not act for/advise any private sector entity in connection with a Qualifying Project, as defined in the MoI.

I/we understand and agree that if I/we are successful in this procurement, I/we shall not invest in or lend money to a Qualifying Project, as defined in the MoI.

In this letter the word "*person*" includes any person, body or association, corporate or incorporate and "*agreement*" includes any arrangement whether formal or informal and whether legally binding or not.

This undertaking is to be signed by a Managing Director or authorised representative i.e. in their name on behalf of the Advisor.

Signed for and on behalf of the Advisor:	
Signed:	
Name:	
Position/Status in the Organisation:	
Organisation's name:	
Organisation's address:	
Date:	

ANNEX A: ANSWER FORMAT REQUIRED FOR QUESTION D1

Where the Advisor 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 PROJECT EXAMPLES

Please provide details of a minimum of two projects from either or both the public or private sector carried out by the Tenderer and/or the team proposed by the Tenderer, that are relevant to the EFA's requirement. The nominated client contact for each project should be prepared to speak to EFA to confirm the accuracy of the information provided if we wish to contact them.

Customer organisation (name):

Customer contact name, phone number and email:

Project start date:

Project completion date:

Contract value:

Description of project:

ANNEX B: ANSWER FORMAT REQUIRED FOR QUESTION D1

Please complete the first three rows of the table below for each team member, and then indicate by inserting “yes” or “no” into the subsequent rows which of the team members have relevant experience on the example projects given in Annex A. Please add extra columns and/or rows to the table if necessary.

	First team member (yes/no)	Second team member (yes/no)	Third team member (yes/no)	Fourth team member (yes/no)
Name				
Grade/position				
Key skills				
Experience example 1				
Experience example 2				
Experience example 3				