

Information Note for Suitability Assessment Questionnaires (Pillar 3)

28 July 2023

The OGP has today commenced publication of an amended suite of template Suitability Assessment Questionnaires (SAQs) and associated documents in Pillar 3 (and Pillar 1) for Works Contractors.

The amended suite of documentation will replace the current Works SAQ suite in Pillar 3 in its entirety.

In summary:

- QW1 (Works Contractors/Reserved Specialists, Restricted), QW2 (Works Contractors, Open), QW3 (Works Specialists/Works Specialists with Design Input) are published in a new format to improve their usability as follows:
 - a) **PART 1- Information for Applicants, Project Particulars and Suitability Assessment Questionnaire**, which the Contracting Authority prepares and issues.
 - b) **PART 2- Applicant/Tenderer Details and Declaration**, which is to be completed and submitted by the Applicant/Tender as part of their response to the SAQ.
- In QW1 and QW2, provisions in relation to conducting the competition have been amended and updated.
- In Part 1, Section 1 an enhanced “Instructions for Applicants/Tenderers” is provided including:
 - a) **Permitting the reliance by an Applicant/Tenderer on resources of another entity for forms of public works contracts PW-CF1 to PW-CF4.**

The provisions permit an Applicant/Tenderers to rely on the resources of an entity for the purpose of meeting suitability assessment criteria that apply in the competition.

A new model form MF 1.7 Reliance Guarantee is published to be used where an Applicant/Tenderer has relied upon an entity for financial/economic selection criteria).

A new model form MF 1.30 Reliance Warranty is published to be used where an Applicant/Tenderer has relied upon an entity for technical capability selection criteria.
 - b) **The Grounds for Exclusion in Regulation 57 of SI 284/2016.**

Two new Model Forms 1.32 [Declaration RE Regulation 57 of SI 284/2016] and 1.33 [Declaration Oath is Still Valid] are published in the Model Form section of Pillar 1, where evidence by means of a sworn declaration of an Applicant’s/Tenderers status in relation to Regulation 57 (Grounds for Exclusion) of SI 284/2016 is required to be provided.
 - c) **Additional grounds for exclusion.**

A new Appendix F is provided for Applicants/Tenderers in above EU threshold competitions to declare their status in relation to the Russian sanctions¹.
 - d) **International Procurement Instrument**

A new Appendix G is provided for Applicants/Tenderers in above EU threshold

¹ Further guidance from the OGP can be found [here](#).

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competitions to declare their status in relation to the Internal Procurement Instrument (where an IPI Measure applies). **Note:** there are no IPI measures in force at the time of publication².

- e) A **Data Protection Notice** is included.
- In Part 1, Section 2, Project Particulars:
 - a) enhanced information tables are provided for Contracting Authorities to provide information in relation to a competition.
- In Part 1, Section 3, Suitability Assessment Questionnaire:
 - a) The response required by Applicants have been amended and there now only 2 options for responses
 - **Declaration Required:**
Where a declaration is required, the Applicant now fulfils this by signing the new declaration in Part 2 of the SAQ;
 - OR
 - **Evidence Required:**
Where evidence is required, the Applicant must submit this in their SAQ response.
 - b) In both QW1 and QW2, two new technical suitability assessment sub-criteria are introduced for Environmental Management Measures (sub-criteria 3.4g), and Supply Chain Monitoring and Tracking Systems (sub-criteria 3.4h).
- The Health and Safety Supplements and Appendices are compatible with the new SAQ templates for either QW1, QW2 or QW3.
- There has been no change to the H&S Supplements, other than to align them with The H&S Supplements have been standardised across QW1, QW2 and QW3. The previous supplements for QW2 and QW3 now align with QW1, meaning the same Supplement is used across the suite.
- The Appendices have been rationalised and the full list is given in Table 2 over.
- QW4 and its associated suite of Health and Safety supplements and appendices are retired in their entirety. Contracting Authorities may now use QW1 when running competitions for Reserved Specialists.

The improved SAQ suite for Contractors is simplified and streamlined to:

- improve user friendliness of the document suite.
- reduce the administrative burden and volume of documents for completion as part of procuring construction projects under the Capital Works Management Framework.
- create a greater pathway for further future digitisation delivery.

Those users of the CWMF who have procured Works Related Services/Consultants (QC- section of Pillar 3), since February 2022 will be familiar with this structure.

² Further guidance from the OGP can be found [here](#).

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Where applicable, for the functionality of the SAQ, the relevant Instructions to Tenderers (ITT-W) will be published week commencing 31 July 2023.

Works Specialist Suitability Assessment Questionnaires (QW3) (for use where the form of contract is wither PW-CF2 or PW-CF4) will be published the w/c 31 July 2023.

Due to the extent of these changes, some of the Guidance Notes and materials in Pillar 4 of the CWMF are inconsistent with the revised documents. The OGP will be updating and amending the necessary Guidance Notes over the coming months.

When using Guidance Notes in Pillar 4, please note the date of publication on any advice or guidance as it may not reflect the current published documents.

The following documents are now available for Contracting Authorities to use:

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Pillar 3

SAQ

The following SAQs are published:

SAQ	Suitability assessment for	Use /Evaluation
QW1, Part 1	<ol style="list-style-type: none"> 1) Works Contractors + PSCS (for Employer designed Works) 2) Works Contractor + PSCS/PSDP/Designer (for Contractor designed Works); 3) Reserved Specialist³ 4) Reserved Specialists with Design Input 	Restricted Competitions Evaluated by: <ul style="list-style-type: none"> • Pass/Fail + Qualitative • Pass/Fail + Random Selection: • Pass/Fail Only⁴
QW2, Part 1	<ol style="list-style-type: none"> 1) Works Contractors + PSCS (for Employer design Works) 2) Works Contractor + PSCS/PSDP/Designer (for Contractor Designed Works); 	Open Competitions Pass/Fail only
QW, Part 2		Used by Applicants/ Tenderers to respond to either QW1 Restricted or QW2 Open
QW3 , Part 1	<ol style="list-style-type: none"> 1) Works Specialists 2) Works Specialist with Design Input 	QW3 is only used with either QW1 or QW2, where the form of public works contract is either PW-CF2 or PW-CF4 (i.e. Contractor design) and the Contractor is required to name Specialists in the Schedule; or where the Contracting Authority is conducting a suitability assessment of Listed Panel Specialists to propose to a Contractor (PW-CF2 or PW-CF4 only)
QW3, Part 2	<ol style="list-style-type: none"> 1) Works Specialists 2) Works Specialist with Design Input 	Used to respond to QW3

³ Note that Reserved Specialists are appointed under the NN form of sub-contract, where the main contract is any or PW-CF1. PW-CF3 or PW-CF5.

⁴ All Candidates passing the Qualification Criteria must be invited to tender

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SAQ Health and Safety Supplements

The following Health and Safety Supplements are published:

Supplement	Title	Use
H&S Supplement 3.4.1 ⁵	Health and Safety Competence of a Contractor/Reserved Specialist/Works Specialist	Works Contractor/Reserved Specialist/Works Specialist (Must always be completed)
H&S Supplement 3.4.2	Health and Safety Competence of a PSCS	Where PSCS role is required
H&S Supplement 3.4.3	Health and Safety Competence of a Works Specialist with Design Input/ Reserved Specialist with Design Input	Where Works Specialist with Design Input/ Reserved Specialist with Design Input role required

The previous appendices to the Health and Safety Supplements are withdrawn. As with the main Questionnaire, Applicants now declare they meet the requirements of any Health and Safety criteria by signing the declaration in Part 2 of the Questionnaire.

SAQ Appendices

The following SAQ Appendices are published:

Appendix	Title	Use
Appendix A	Applicant/Tenderers Self-declaration regarding Regulation 57 of S.I 284/2016 European Union (Award of Public Contracts) Regulation 2016	Where a self-declaration in relation to Regulation 57 Grounds for Exclusion is required and an eESPD is not required (below-threshold competitions)
Appendix B1	List of Previous Works/Works and PSCS Services/Specialist Works/Specialist Works with Design Input	Where evidence is required for sub-criterion 3.4c , 3.4.1c (H&S), 3.4.2c (H&S), 3.4.3c(H&S)
Appendix B2	Certificate of Satisfactory Project Execution	Where evidence is required for sub-criterion 3.4c , 3.4.1c (H&S), 3.4.2c (H&S), 3.4.3c(H&S)
Appendix B3	Certificate of Satisfactory Delivery of Services	Where evidence is required for sub-criterion 3.4.3 for Works Specialists with Design Input
Appendix C	Bankers Letter	Where a bankers letter is required as evidence for sub-criterion 3.3c
Appendix D1	Letter from Surety re Performance Bond (for use with QW1)	In restricted competitions, where evidence that a bond can be obtained is required for sub-criterion 3.3h
Appendix D2	Letter from Surety re Performance Bond (for use with QW2)	In open competitions, where evidence that a bond can be obtained is required for sub-criterion 3.3h
Appendix E	Declaration in Relation to Russian Sanctions	In all competitions above EU advertising thresholds.

⁵ Note H&S Supplement 3.4.1 must be issued in all cases.

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Appendix F	Declaration in relation to IPI	In all competitions above EU advertising thresholds, and an IPI ⁶ measure applies.
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Note: All other appendices relating to self –declarations have been withdrawn and instead the Tenderer/ Applicant declares by signing the declaration that the meet the requirements in Part 2.

Pillar 1

New Model Forms

In addition, the following documents are published in Pillar 1:

Model Form	Title	Use
MF 1.7	Reliance Guarantee	PW-CF1 to PW-CF4, where the Contractor has relied on an entity for financial and economic criteria
MF 1.30	Reliance Warranty	PW-CF1 to PW-CF4, where the Contractor has relied on an entity for technical capability criteria
MF 1.32	Declaration re Regulation 57 of SI 284/2016	Where evidence of an Applicant/Tenderers personal circumstances in relation to Regulation 57 Grounds for Exclusion is required to be provided
MF 1.33	Declaration Oath is Still Valid	Where sworn evidence of an Applicant/Tenderers personal circumstances in relation to Regulation 57 Grounds for Exclusion pre-dates the date of submission requested.

[END.]

⁶ For information on the IPI, please refer to <link>. There are currently no IPI measures in force.