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Construction prequalification questionnaires



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Foreword

This Publicly Available Specification (PAS) was sponsored by the Department for Business Energy and Industrial Strategy (BEIS). Its development was facilitated by BSI Standards Limited and it is published under licence from the British Standards Institution.

This amendment to the PAS includes changes to PAS 91: 2013 that are intended to restore its alignment with legislation extant at the time of publication. The amendment was sponsored by BEIS for that purpose and it comes into effect in November 2017.

Acknowledgement is given to the following organizations that were involved in the development of this PAS and/or its amendment, as members of the Steering Group:

- Action Sustainability
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- Build UK
- Cabinet Office
- Chartered Institute of Building
- Contractors Health and Safety Assessment Scheme (CHAS)
- Constructionline
- Construction Products Association
- Crown Commercial Service
- Department of Finance and Personnel Northern Ireland
- East Riding of Yorkshire Council
- Electrical Contractors' Association
- Federation of Master Builders (FMB)
- Highways England
- Health and Safety Executive (HSE)
- Kier Group
- Lafarge Aggregates Limited
- LHC
- Local Government Association
- Ministry of Defence

- National Federation of Builders Limited
- Royal Institute of British Architects (RIBA)
- Safety Schemes in Procurement (SSIP)
- Scape Group Ltd
- Specialist Engineering Contractors' Group

This PAS is not to be regarded as a British Standard.

The PAS process enables a specification to be developed rapidly in order to fulfil an immediate need in industry or in the wider community. A PAS can be considered for further development as a British Standard, or constitute part of the UK input to the development of a European or International Standard.

This PAS will be withdrawn upon publication of its content in or as, a British Standard or if an equivalent European standard is published.

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To facilitate the use of the PAS 91 question modules in organizational prequalification processes, BSI permits the copying of the questions by those wishing to use them. For this purpose, editable copies of the question modules are available on request, from BSI. Potential users are however referred to the 'rules for use of the question modules' provided in clause 3 of this PAS.

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Use of this document

It has been assumed in the preparation of this PAS that the execution of its provisions will be entrusted to a competent person or persons for whose use it has been produced.

Presentational conventions

The provisions of this PAS are presented in roman (i.e. upright) type. Its requirements are expressed in sentences in which the principal auxiliary verb is "shall". Its recommendations are expressed in sentences in which the principal auxiliary verb is "should".

Commentary, explanation and general informative material, e.g. Notes, are presented in italic type, and do not constitute a normative element.

Where words have alternative spellings, the preferred spelling of the Shorter Oxford English Dictionary is used (e.g. "organization" rather than "organisation").

Contractual and legal considerations

This publication does not purport to include all the necessary provisions of a contract. Users are responsible for its correct application.

As the National Standards Body for the United Kingdom, BSI has facilitated the drafting of this specification with the intention that it will be applicable across the United Kingdom. Its use in relation to procurement for works contracts (including the procurement of supplies and services subject to the Construction (Design and Management) Regulations 2015 and needed in relation to the works) in the scope of the Public Contract Regulations 2015 is confirmed in a Procurement Policy Note issued by the Crown Commercial Service in November 2017. However, when working in areas under the jurisdiction of a devolved administration, users of PAS 91 are recommended to confirm the acceptability of the PAS 91 Question Modules with that devolved administration.

Attention is drawn to the principle, applicable in British Standards generally, that they do not specifically require actions that are the subject of legal requirement. Therefore, this PAS does not include, for example, requirement to observe Health and Safety or Building Regulations, with which it is assumed users of this PAS will be in compliance.

Compliance with this PAS does not in itself confer immunity from legal obligations.

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Introduction

BSI PAS 91 is a publicly available specification (PAS) that sets out the content, format and use of questions that are widely applicable to prequalification for construction tendering.

To be eligible for prequalification, it is necessary that suppliers are able to demonstrate that they possess or have access to the governance, qualifications and references, expertise, competence, health and safety/ environmental/financial and other essential capabilities to the extent necessary for them to be considered appropriate to undertake work and deliver services for potential buyers.

The use of this set of common criteria by those who undertake prequalification activity or provide prequalification services helps to streamline tendering processes by:

- reducing the need for the unproductive, repetitive completion of multiple prequalification processes;
- facilitating the identification of suitably qualified and experienced suppliers;
- increasing consistency between various prequalification databases;
- clarifying the distinction between criteria at the prequalification and contract award stages of the procurement process.

Throughout the construction supply chain, many suppliers seeking to demonstrate their suitability for delivering construction projects are required to submit to frequent prequalification processes involving many different questionnaire forms. This leads to considerable unnecessary effort and wastes time and money, not only for those suppliers but also for the buyers and assessment providers who have to read and evaluate the varied information provided in many different formats. This proliferation of questions and question formats is exacerbated by the many procurement officers that choose, for whatever reason, to undertake their own prequalification activity.

For suppliers seeking to establish themselves as prequalified to deliver construction projects, the sheer number and variety of the questionnaires that they are presented with can be a continual drain on resources.

The consistent use of a set of common questions in all construction related prequalification activity would not only significantly reduce the resources invested by suppliers in such activity, but would also enable assessment providers and procurement officers to more reliably source suppliers solely on the basis of the level of assurance they provide (i.e. the extent to which the answers to the questions given by the suppliers are checked and evaluated), and facilitate suppliers' access to work where the risk levels are appropriate.



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This PAS therefore specifies a set of questions that enable the acquisition of the essential information required in all prequalification processes in a uniform and commonly usable manner.

The benefits to buyers of the introduction of PAS 91 to procurement prequalification processes can include considerable saving in time and money when compiling, using and comparing prequalification questionnaires, more supply chain certainty about basic prequalification requirements and that more suppliers (notably SMEs) can be encouraged to take part, giving wider choice to clients. In addition, the universal use of this PAS could also help to raise the overall standard of communication, understanding and supplier capability across the construction sector.

The benefits to suppliers can include not only reduced cost of prequalification and an increase in the possibility of participating in additional prequalification processes, but also freeing up often scarce resources to invest in potentially more profitable activity.

For assessment providers, the use of PAS 91 can reduce the time spent developing and refining the questions themselves and make available more time to focus on developing and selling added value services to a better informed procurement client base which understands the benefits of applying PAS 91.

It is important to recognise that the information obtained from applying PAS 91 does not remove a buyer's legal or other requirements to make further enquiries about the supplier's capabilities, beyond the questions in these modules, to satisfy specific requirements for projects, services or other activities. Provision is therefore made in PAS 91 for the inclusion of supplementary questions if necessary, subject to certain restrictions.

It is the intention that through the application of PAS 91 to prequalification services and processes, suppliers obtain more control over the timing and extent of their prequalification activity and that meeting widely accepted prequalification criteria can and will be recognized by all potential buyers. Inclusion on a prequalification database does not necessarily guarantee an invitation to tender or an engagement of services. It is recognized that those seeking to have work done might choose to select pre-qualified tenderers or might decide, or be required, to advertise for tenders or expressions of interest for particular projects. However, with the prevalence of prequalification activity, it is suggested that by applying for prequalification through a scheme that conforms to PAS 91, those seeking to tender for construction contracts can access the tendering processes in a resource efficient manner. For those seeking to have contracts fulfilled, the use of PAS 91 can enhance the effectiveness and efficiency of construction tendering processes, whether it is used directly or through an external prequalification assessment provider. The use of PAS 91 is therefore recommended wherever construction-related prequalification is undertaken.

PAS 91 Module C3 Tables 9 and 10, take account of the European Single Procurement Document (ESPD) as required to comply with the Public Contract Regulations 2015.

The significant benefits from uniform application of the PAS 91 question sets can only be fully realized when secure data exchange can take place between databases holding prequalification data, allowing those seeking prequalification to securely store and manage their prequalification data and those seeking to build a list of suitable suppliers to draw the information they require upon submission of appropriate qualification.

Such a development is beyond the remit of the PAS 91 development but the question sets it provides have been prepared with the intention of facilitating the exchange of data in due course. At the time of publication of this amendment, a full review and possible further revision of this PAS is under consideration.

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1 Scope

This PAS provides a set of questions to be asked by buyers of potential suppliers to enable prequalification of the supply chain for construction-related projects. This PAS also specifies requirements for the consistent use of those questions across projects of varying sizes and types, including in respect of the Official Journal of the European Community (OJEU) procurement thresholds for public sector procurement. It is intended that the questions also be used by assessment providers in their intermediary role between buyers and suppliers.

It is widely recognized that excessive prequalification activity adds unacceptable cost, bureaucracy and confusion to the construction supply chain. Unnecessary bureaucracy associated with prequalification diverts both buyers' and suppliers' resources and attention away from proportionate and effective risk management. It is therefore necessary that buyers and assessment providers pay particular regard to reducing unnecessary documentation requirements for businesses, and in any event only require suppliers to provide information and evidence that is related and proportionate to the subject matter of the contracts likely to be awarded.

- This PAS provides construction sector stakeholders with prequalification questions that:
- are typical of the common questions that are relevant to construction-related procurement;
- increase the scope for cross-recognition between various types of prequalification activity;

help to significantly reduce duplication, unnecessary paperwork and cost for both buyers and suppliers.

The question modules are presented in Clause 4 as a series of tables, each containing questions relating to a particular aspect of supplier capability. These questions are already widely asked across a range of commonly applied construction-related prequalification processes. This PAS collates them and provides for their use in a uniform manner.

This PAS does not include project-specific questions to suppliers, but does make provision for buyers or assessment providers to insert additional project-specific questions into the question modules if necessary, subject to certain restrictions, and it provides a suggested format for their inclusion.

This PAS specifies what is to be asked in prequalification processes for construction-related procurement but not how the enquiry process is to be undertaken. The PAS aims to underpin widely accepted good practice in the construction sector. It is not intended to add to or 'gold plate' prequalification activity or to raise requirements or standards beyond those which are already widely accepted as good practice in the sector.

