
STATUTORY INSTRUMENTS

1991 No. 2680

The Public Works Contracts Regulations 1991

PART IV

SELECTION OF CONTRACTORS

Information as to technical capacity

16. –

(1) Subject to regulation 18, in assessing whether a contractor meets any minimum standards of technical capacity required of contractors by the contracting authority for the purposes of regulations 11(7), 12(4) and 13(7), and in selecting the contractors to be invited to tender for or to negotiate the contract in accordance with regulations 12(5) and 13(8), a contracting authority shall only take into account any of the following information (and it may require a contractor to provide such of that information as it considers it needs to make the assessment or selection)–

- (a) a list of the contractor's educational and professional qualifications where the contractor is an individual and a list of such qualifications of the contractor's managerial staff if any and those of the person or persons who would be responsible for carrying out the works under the contract;
- (b) a list of works carried out over the past 5 years together with (unless the contracting authority specifies that the following certificate should be submitted direct to the contracting authority by the person certifying) certificates of satisfactory completion for the most important of those works indicating in each case the value of the consideration received, when and where the works were carried out and specifying whether they were carried out according to the rules of the trade or profession and properly completed;
- (c) a statement of the tools, plant and technical equipment available to the contractor for carrying out the work under the contract;
- (d) a statement of the contractor's average annual manpower and the number of managerial staff over the previous 3 years;
- (e) a statement of the technicians or technical services which the contractor may call upon for the carrying out of the work under the contract, whether or not the technicians or persons providing the technical services are independent of the contractor.

(2) The contracting authority shall specify in the contract notice which of the information specified in paragraph (1) above it requires to be provided.