

Supplier User Guide

ESPD



Contents

| | |
|---|----|
| Introduction | 2 |
| ESPD Module Activation | 2 |
| Respond to an ESPD Request..... | 3 |
| Submit ESPD Evidence | 9 |
| ESPD Profile – Edit/Update | 11 |
| Supplier Representatives – Edit/Update..... | 12 |
| Further information | 12 |

Note - This document is intended as practical information and guidance for users of the ESPD module within Mytenders. If you have a query relating to a specific procurement exercise, you should contact the buyer in the first instance. This user guide is not a substitute for legal advice, which users are advised to seek if they have any queries regarding the processes and procedures described.



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Introduction

The ESPD module on Mytenders follows an easy-to-use process, allowing buyers to choose which questions they'd like answered in an electronic format. As the ESPD module is self-contained, it means that buyers no longer need to enter the selection criteria in the contract notice and can enter it beside the relevant selection question.

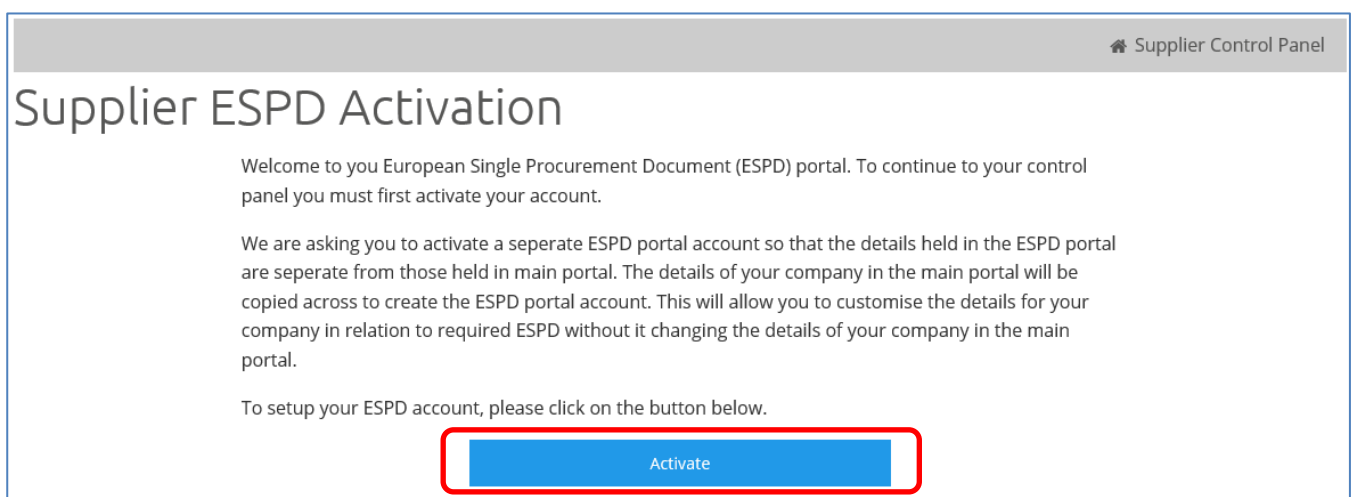
Buyers will be able to link their ESPD request to the electronic postbox and this will allow you to complete the ESPD response electronically. Functionality will also allow you to recall answers from your supplier profile to reduce duplication of effort.

Your ESPD response will then be submitted to the buyer via the postbox. The new functionality also allows buyers to request relevant ESPD evidence or means of proof electronically.

You can access your ESPD module through the [Supplier Control Panel](#).

ESPD Module Activation

The first time you access the ESPD Module you will be asked to activate your account, which you can do by selecting "Activate".



The screenshot shows a web interface for 'Supplier ESPD Activation'. At the top right, there is a breadcrumb trail: 'Supplier Control Panel'. The main heading is 'Supplier ESPD Activation'. Below the heading, there is a welcome message: 'Welcome to you European Single Procurement Document (ESPD) portal. To continue to your control panel you must first activate your account.' This is followed by a paragraph explaining the activation process: 'We are asking you to activate a seperate ESPD portal account so that the details held in the ESPD portal are seperate from those held in main portal. The details of your company in the main portal will be copied across to create the ESPD portal account. This will allow you to customise the details for your company in relation to required ESPD without it changing the details of your company in the main portal.' Below this text, there is a line of instructions: 'To setup your ESPD account, please click on the button below.' At the bottom center, there is a blue rectangular button with the text 'Activate' inside it. The button is highlighted with a red rectangular border.

Respond to an ESPD Request

Once you have expressed interest in a particular contract notice, you will be able to access the ESPD document through your Postbox Response Workspace. Find the relevant contract notice in your list, and click **Create** to start a new response.

Postbox Response Workspace

[Supplier Control Panel](#) > Postbox Response Workspace

Your Postbox Response Workspace allows you to manage all of your responses to notices which have the postbox function activated and for which you have recorded an interest.

Notice Response List
Dispatched List

Listed below are current notices which you have recorded an interest in and which have the postbox activated. Please select the appropriate *response action* to continue.

2 records found. Jump to page 1 of 1 Go ⏪ ⏩ ⏴ ⏵

| Notice Details | Response Status | Response Action |
|--|-----------------|--|
| <p>Fruit & Vegetables</p> <p>Published By: Millstream (with pro) Deadline: 23/05/2018 12:00</p> | Not Created | Create |
| <p>LOTS Test</p> <p>Published By: Millstream (with pro) Deadline: Expired</p> | Not Dispatched | View Delete |

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Within the Create Postbox Response page you'll find the **Generate ESPD Response** button.

Contact Details

Your contact details are automatically copied from the information you provided in your registration. If you wish to edit these details please do so below.

| | |
|--|---|
| <p>* Organisation: <input type="text" value="Millstream Associates"/></p> <p>Department: <input type="text"/></p> <p>Address Line 2: <input type="text"/></p> <p>Postal Code: <input type="text" value="AB15 4ZT"/></p> <p>Telephone: <input type="text" value="+44 1224650763"/></p> <p>* Email Address: <input type="text" value="anton@millstream.eu"/></p> | <p>* Contact: <input type="text" value="Anton Kossmann"/></p> <p>* Address Line 1: <input type="text" value="10 Queens Road"/></p> <p>* Town: <input type="text" value="Aberdeen"/></p> <p>Country: <input type="text" value="United Kingdom (GB)"/></p> <p>Fax: <input type="text"/></p> |
|--|---|

ESPD Response

Please create your ESPD Response using the button below. Once created, you will be able to edit the Response up until you lock it, at which point it will be deemed completed, and you will be able to Dispatch your postbox response. On dispatching your Postbox response, a PDF version of the ESPD response will be added to the collection of supporting documents.

[Generate ESPD Response](#)

Create your ESPD Response

Creating an ESPD response involves completing 3 main steps, each divided into relevant sections.

Step 1: Procurement Details

This is broken down in to 4 sections. Clicking **NEXT** saves the current section and progresses you to the next section. Step 1 provides you with information as to who is running the procurement exercise, the procedure chosen, and the details of your company and the representative details.

ESPD Response

Step 1: Procurement Details

Fruit & Vegetables

| Authority Details | Procurement Procedure | Company Details | Representative Details |
|---|-----------------------|-----------------|------------------------|
| <p>Authority Details</p> <p>The below details have been provided by the contracting authority (buyer) and cannot be amended.</p> <p>Official Name: <input type="text" value="Millstream (with pro)"/></p> <p>Country: <input type="text" value="United Kingdom"/></p> <p><input type="button" value="Save and Exit"/> <input type="button" value="Next"/></p> | | | |

The authority details and procurement procedure areas will be completed by the buyer. The company details are prepopulated from your Mytenders profile but you can update them if required.

The next step requires you to select your supplier representative, if applicable. If required, you can add new representatives using the Create New Representative option and completing the relevant fields. Further information on this can be found on page 12 of this guide.

Step 1: Procurement Details

Fruit & Vegetables

| | | | |
|-------------------|-----------------------|-----------------|-------------------------------|
| Authority Details | Procurement Procedure | Company Details | Representative Details |
|-------------------|-----------------------|-----------------|-------------------------------|

Representative Details

A representative is a person who is empowered to represent your organisation in a procurement process. Please add the relevant representatives to your response by highlighting their name and using the arrow to move them into the "selected representatives" section. If you want to amend the details of your representatives you can do so on your [Supplier Representative List](#).

| | | |
|----------------------------|------------------|---------------------------|
| Available Representatives: | | Selected Representatives: |
| Anton Kossmann | → ← » « | |

[Create New Representative](#)

| | | |
|------|---------------|------|
| Prev | Save and Exit | Next |
|------|---------------|------|

Step 2

Step 2 is broken down into 4 sections, each with its own subsection. Clicking **NEXT** saves the current section and progresses you to the next question.

Procedure

Step 2: Criteria Answers

Fruit & Vegetables

| Important | Bidder Information | Exclusion | Selection |
|-----------|--------------------|-----------|-----------|
|-----------|--------------------|-----------|-----------|

Failure to disclose relevant information or misrepresentation in relation to the information disclosed may result in exclusion of the bidder from this procurement process or the termination of any subsequent contract that is be awarded to them.

The bidder may be asked to provide the relevant documentation or to state where the extract from the relevant register, for example judicial records, is available electronically to the public body so that it may retrieve this information. By indicating this information, the bidder agrees that the public body may retrieve the documentation subject to the national rules implementing Directive 95/46/EC on the processing of personal data, and in particular of special categories of data such as on offences, criminal convictions or security measure.

The bidder uses the ESPD response as a self-declaration that they have not breached any of the mandatory and discretionary exclusion grounds (or, if they have, they can demonstrate to the public bodies satisfaction that they have taken self-cleansing measures) and that they meet the relevant selection criteria.

For further information regarding regulated procurements of OJEU threshold and above, please refer to [Regulations 58 and 59 of The Public Contracts \(England\) Regulations 2015](#), Regulation 78 of [the Utilities Contracts \(England\) Regulations 2016](#).

Regarding regulated procurements which are between £50k and OJEU threshold, please refer to Regulations 8, 9 and 10 of [The Procurement \(England\) Regulations 2016](#).

**Information
about Lots**

Please provide additional information about lots.

[C63] Requirements on lots

Please provide further information about the lots on this contract.

Please indicate the lots for which you intend to bid

Fruit

Vegetables

Prev

Save and Exit

Next

This contains important information from the buyer regarding the ESPD and should be read before proceeding. If the procurement exercise involves lots, you will also be able to answer questions regarding this.

Bidder Information

Each question within the section should be completed.

Collaborative Bidding

The ESPD system only allows for one ESPD document to be submitted per bidder. If you are required to submit ESPD responses on behalf of other organisations - such as sub-contractors, consortia members or organisations on which you will rely to carry out the contract – you must download the ESPD file in Excel format and ask your partner organisations to complete the relevant sections and return it to you offline. You should then attach their ESPD responses as additional documents within your postbox response.

Exclusion

Complete each question as required. If the information is available electronically, you will be able to enter further details such as the name and URL. If you need to add information to a question, make sure to click **Add** to add this data to your response.

| | | | |
|-----------|--------------------|-----------|-----------|
| Important | Bidder Information | Exclusion | Selection |
|-----------|--------------------|-----------|-----------|

Exclusion Questions

- Grounds for Mandatory Exclusion
- Grounds for Discretionary Exclusion

Regulations 57(1) and (2)

The detailed grounds for mandatory exclusion of an organisation are set out on this [webpage](#), which should be referred to before completing these questions.

Please indicate if, within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of any of the offences within the summary below and listed on the [webpage](#).

Any question the buyer has selected in this section will appear below. If there are no questions, this means the buyer has not chosen to use any questions in this section of the ESPD.

[3A1a] The Common Law Offence of Conspiracy

Has the bidder been found to be guilty of a participation offence as defined by section 45 of the Serious Crime Act 2015

Conspiracy 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 on the fight against organised crime?

Your Answer

Yes No

| Date of conviction | Reason | Who has been convicted | Length of the period of exclusion |
|------------------------------------|--------|------------------------|-----------------------------------|
| You have not added any information | | | |

Date of conviction

Reason

Who has been convicted

Length of the period of exclusion

From To

Add

If yes, has the bidder taken measures to demonstrate its reliability despite the existence of this ground for exclusion (Self-Cleansing)?

Yes No

Selection

Complete each question, paying attention to any criteria provided by the Authority. After adding information to the Criteria text boxes, make sure to click **Add** to add this data to your response (If the Add button is not present, make sure you have entered a response in the text field provided).

Step 3: Finish

The **Summary** section provides an overview of all information provided by you in the process of creating your ESPD.

The **Concluding Statements** section highlights the electronically signed declaration that all suppliers will have to electronically sign upon completing an ESPD response.

Step 3: Finish

Fruit & Vegetables

Export



You can now click on one of the 'Export' options to download and save the ESPD file on your computer.

| | |
|---------|------------------------------|
| Summary | Concluding Statements |
|---------|------------------------------|

Concluding statements

The undersigned formally declare that the information stated under Parts II - V above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declare to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:

- a) The contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a national database in any Member State that is available free of charge (on condition that the economic operator has provided the necessary information (web address, issuing authority or body, precise reference of the documentation) allowing the contracting authority or contracting entity to do so. Where required, this must be accompanied by the relevant consent to such access), or
- b) As of 18 October 2018 at the latest (depending on the national implementation of the second subparagraph of Article 59(5) of Directive 2014/24/EU), the contracting authority or contracting entity already possesses the documentation concerned.

The undersigned formally consent to [identify the contracting authority or contracting entity as set out in Part I, Section A], gaining access to documents supporting the information, which has been provided in [identify the Part/Section/Point(s) concerned] of this European Single Procurement Document for the purposes of [identify the procurement procedure: (summary description, reference of publication in the Official Journal of the European Union, reference number)].

I declare that these concluding statements are true and accurate.

Name:

At this point you may export your ESPD response to one of *MS Word, XML, MS Excel* or *PDF* formats.

If this is your first ESPD response, you are also able to save this as a supplier profile. This will enable you to reuse these answers in a future response.

Once you have completed your ESPD, You can **Save** or **Save & Lock** the document. Saving the ESPD at this point will allow you to edit it at a later point. **Save & Lock** will allow you to attach the completed document to your Postbox response, after which you will no longer be able to edit the ESPD response.

The screenshot shows the 'ESPD Response' interface at 'Step 3: Finish'. A modal dialog titled 'Lock ESPD Response' is open, asking 'Would you like to lock this ESPD response?'. Below the question, it states: 'Locking the ESPD response will prevent any further changes being made to it, and will allow you to use the response as part of the tender process.' There are two buttons: 'Save Only' and 'Save and Lock'. The background shows the 'Export' section with 'Previous' and 'Export Excel' buttons, and a 'Summary' tab. Below the summary, there are 'Concluding statements' and a text area with the following content:

The undersigned formally declare that the information stated under Parts II - V above is accurate and correct and that it has been set out in full awareness of the consequences of serious misrepresentation.

The undersigned formally declare to be able, upon request and without delay, to provide the certificates and other forms of documentary evidence referred to, except where:

a) The contracting authority or contracting entity has the possibility of obtaining the supporting documentation concerned directly by accessing a

If you need to edit the ESPD response before attaching it to your postbox, you are able to access it via the Supplier ESPD Control panel or via your postbox response.

Contact Details

Your contact details are automatically copied from the information you provided in your registration. If you wish to edit these details please do so below.

| | |
|--|---|
| * Organisation: <input type="text" value="Millstream Associates"/> | * Contact: <input type="text" value="Anton Kossmann"/> |
| Department: <input type="text"/> | * Address Line 1: <input type="text" value="10 Queens Road"/> |
| Address Line 2: <input type="text"/> | * Town: <input type="text" value="Aberdeen"/> |
| Postal Code: <input type="text" value="AB15 4ZT"/> | Country: <input type="text" value="United Kingdom (GB)"/> |
| Telephone: <input type="text" value="+44 1224650763"/> | Fax: <input type="text"/> |
| * Email Address: <input type="text" value="anton@millstream.eu"/> | |

ESPD Response

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[Edit ESPD Response](#)

Submit ESPD Evidence

Evidence or means of proof can be submitted in in two ways:

- The first option is to provide a hyperlink to a website where the information is stored electronically in your ESPD response, or to upload a document directly into the response. Select **Yes** and you will be provided with options to include this information.

Selection Questions

| | | |
|------------------------------------|---|---|
| Economic and Financial Standing | <p>Any question the buyer has selected in this section will appear below. If there are no questions, this means the buyer has not chosen to use any questions in this section of the ESPD.</p> <p>[4A1] Audited Accounts Are you able to provide a copy of your audited accounts for the last two years, if requested?</p> <p>Lots the requirement applies to Fruit Vegetables</p> | <p>Your Answer:</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> |
| Technical and Professional Ability | | <p>Is this information available electronically?</p> <p><input checked="" type="radio"/> Yes <input type="radio"/> No</p> |
| Modern Slavery Act 2015 | | <p>Evidence Details</p> <div style="border: 1px solid #ccc; height: 40px; width: 100%;"></div> |
| Insurance | | <p><input type="checkbox"/> Confidential</p> |
| Skills and Apprentices | | <p>Name / Verification Code</p> <div style="border: 1px solid #ccc; padding: 2px;">Evidence</div> |
| Steel | | <p>URL</p> <div style="border: 2px solid #A52A2A; padding: 5px;"> <p><input type="text" value="Not specified"/> Or <input type="button" value="Upload"/></p> </div> |
| Suppliers' Past Performance | | |
| | | |

- The second option is for the buyer to request it directly from you at the relevant stage of the process. The buyer will select the relevant evidence required and you will be informed via email, what information is required.

You will then be able to upload relevant evidence and submit it to the buyer electronically.

ESPD Profile – Edit/Update

The first ESPD response you create can be saved as an ESPD profile this will enable you to reuse the response answers in future ESPD responses. You are also able to create a new profile from your Supplier ESPD Control Panel or edit existing profiles, for example, if you wanted to have separate profiles for different areas of your business.

Supplier ESPD Response Profiles

The table below lists the ESPD response profiles that have been previously created. From here, you can view or edit profiles that already exist, or upload a new ESPD response profile.

[Create Profile](#)

Show entries Search:

| Name | Created Date | |
|------------------------------------|----------------------------------|------------------------|
| Response Profile 3 | 16/03/2018 10:30 | Delete |
| Response Profile 4 | 16/03/2018 12:03 | Delete |
| Response Profile 5 | 16/03/2018 12:06 | Delete |
| Response Profile 6 | 16/03/2018 12:02 | Delete |

Showing 1 to 4 of 4 entries Previous **1** Next

Creating & editing existing ESPD profiles can be done through the Response Profiles option. Selecting this will take you to your existing profiles, each of which can be edited by clicking on the name of the Response.

To create a new profile, click on the **Create Profile** button. This will allow you to answer all ESPD CCS questions which can then be used to auto-populate ESPD responses when required.

Supplier Representatives – Edit/Update

Supplier Representatives are those people that are empowered to legally represent the company when submitting an ESPD response.

Clicking on the representatives' name will allow you to edit that persons details. Selecting Create representative will allow you to add another representative.

Supplier ESPD Representatives

The table lists the people you have empowered to represent your company. You can also edit, change or create additional representatives from here.

[+ Create Representative](#)

Show entries Search:

| Full Name | Position |
|---------------------------------|-----------------|
| Anton Kossmann | Account Manager |
| Frank Underwood | Ex-President |

Showing 1 to 2 of 2 entries Previous **1** Next

Further information

If you have any queries or feedback regarding the ESPD module please contact the Mytenders helpdesk on 0800 222 9006 or support@mytenders.co.uk

For information related to the specific procurement exercise, please contact the contracting authority who issued the ESPD. Their contact details can be found in the contract notice.