

FOL17/224: SERPENTINE KITCHEN, HYDE PARK

CATERING CONCESSION CONTRACT

**SELECTION QUESTIONNAIRE**

**Notes for completion**

1. The “authority” means the contracting authority, or anyone acting on behalf of the contracting authority, that is seeking to invite suitable candidates to participate in this procurement process.
2. “You” / “Your” refers to the potential supplier completing this standard Selection Questionnaire i.e. the legal entity responsible for the information provided. The term “potential supplier” is intended to cover any economic operator as defined by the Public Contracts Regulations 2015 (referred to as the “regulations”) and could be a registered company; the lead contact for a group of economic operators; charitable organisation; Voluntary Community and Social Enterprise (VCSE); Special Purpose Vehicle; or other form of entity.
3. Please ensure that all questions are completed in full, and in the format requested. If the question does not apply to you, please state ‘N/A’. Should you need to provide additional information in response to the questions, please submit a clearly identified Annexe.
4. The authority recognises that arrangements set out in section 1.2 of the standard Selection Questionnaire, in relation to a group of economic operators (for example, a consortium) and/or use of sub-contractors, may be subject to change and will, therefore, not be finalised until a later date. The lead contact should notify the authority immediately of any change in the proposed arrangements and ensure a completed Part 1 and Part 2 is submitted for any new organisation relied on to meet the selection criteria. The authority will make a revised assessment of the submission based on the updated information.
5. For Part 1 and Part 2 every organisation that is being relied on to meet the selection must complete and submit the self-declaration.

The authority confirms that it will keep confidential and will not disclose to any third parties any information obtained from a named customer contact, other than to the Cabinet Office and/or contracting authorities defined by the regulations, or pursuant to an order of the court or demand made by any competent authority or body where the authority is under a legal or regulatory obligation to make such a disclosure.

**Part 1: Potential supplier Information**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

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| **Section 1** | **Potential supplier information** | |
| **Question number** | **Question** | **Response** |
| 1.1(a) | Full name of the potential supplier submitting the information |  |
| 1.1(b)(i) | Registered office address (if applicable) |  |
| 1.1(b)(ii) | Registered website address (if applicable) |  |
| 1.1(c) | Trading status:   1. public limited company 2. limited company 3. limited liability partnership 4. other partnership 5. sole trader 6. third sector 7. other (please specify your trading status) |  |
| 1.1(d) | Date of registration in country of origin |  |
| 1.1(e) | Company registration number (if applicable) |  |
| 1.1(f) | Charity registration number (if applicable) |  |
| 1.1(g) | Head office DUNS number (if applicable) |  |
| 1.1(h) | Registered VAT number |  |
| 1.1(i)-(i) | If applicable, is your organisation registered with the appropriate professional or trade register(s) in the member state where it is established? | Yes  No  NA |
| 1.1(i)-(ii) | If you responded yes to 1.1(i)-(i), please provide the relevant details, including the registration number(s). |  |
| 1.1(j)-(i) | Is it a legal requirement in the state where you are established for you to possess a particular authorisation, or be a member of a particular organisation in order to provide the services specified in this procurement? | Yes  No |
| 1.1(j)-(ii) | If you responded yes to 1.1(j)-(i), please provide additional details of what is required and confirmation that you have complied with this. |  |
| 1.1(k) | Trading name(s) that will be used if successful in this procurement |  |
| 1.1(l) | Relevant classifications (state whether you fall within one of these, and if so which one):   1. Voluntary Community Social Enterprise (VCSE) 2. Sheltered Workshop 3. Public service mutual |  |
| 1.1(m) | Are you a Small, Medium or Micro Enterprise (SME)[[1]](#footnote-1)? | Yes  No |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate:[[2]](#footnote-2)  - Name;  - Date of birth;  - Nationality;  - Country, state or part of the UK where the PSC usually lives;  - Service address;  - The date he or she became a PSC in relation to the company (for existing companies the 6 April 2016 should be used):  - Which conditions for being a PSC are met:  - Over 25% up to (and including) 50%,  - More than 50% and less than 75%,  - 75% or more.[[3]](#footnote-3)  (Please enter N/A if not applicable) |  |
| 1.1(o) | Details of immediate parent company:    - Full name of the immediate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |
| 1.1(p) | Details of ultimate parent company:  - Full name of the ultimate parent company  - Registered office address (if applicable)  - Registration number (if applicable)  - Head office DUNS number (if applicable)  - Head office VAT number (if applicable)  (Please enter N/A if not applicable) |  |

Please note: a criminal record check for relevant convictions may be undertaken for the preferred suppliers and the persons of significant in control of them.

**Contact details and declaration**

I declare that to the best of my knowledge the answers submitted and information contained in this document are correct and accurate.

I declare that, upon request and without delay I will provide the certificates or documentary evidence referred to in this document.

I understand that the information will be used in the selection process to assess my organisation’s suitability to be invited to participate further in this procurement.

I understand that the authority may reject this submission in its entirety if there is a failure to answer all the relevant questions fully, or if false/misleading information or content is provided in any section.

I am aware of the consequences of serious misrepresentation.

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| **Section 1** | **Contact details and declaration** | |
| 1.2(a) | Contact name: |  |
| 1.2(b) | Name of organisation: |  |
| 1.2(c) | Role in organisation: |  |
| 1.2(d) | Phone number: |  |
| 1.2(e) | E-mail address: |  |
| 1.2(f) | Postal address: |  |
| 1.2(g) | Signature (electronic is acceptable): |  |
| 1.2(h) | Date: |  |

**Part 2: Exclusion Grounds**

Please answer the following questions in full. Note that every organisation that is being relied on to meet the selection must complete and submit the Part 1 and Part 2 self-declaration.

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| **Section 2** | **Grounds for mandatory exclusion** | |
| **Question**  **number** | **Question** | **Response** |
| 2.1(a) | **Within the past five years, has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted[[4]](#footnote-4) of any of the following offences?** | |
|  | 1. Conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977(1) or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983(2) 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(3); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. Corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889(4) or section 1 of the Prevention of Corruption Act 1906(5); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. The common law offence of bribery or bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010(6), or section 113 of the Representation of the People Act 1983(7); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 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(8)— | |
|  | 1. the common law offence of cheating the Revenue; | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. the common law offence of conspiracy to defraud; | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. fraud or theft within the meaning of the Theft Act 1968(9), the Theft Act (Northern Ireland) 1969(10), the Theft Act 1978(11) or the Theft (Northern Ireland) Order 1978(12); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. fraudulent trading within the meaning of section 458 of the Companies Act 1985(13), article 451 of the Companies (Northern Ireland) Order 1986(14) or section 993 of the Companies Act 2006(15); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979(16) or section 72 of the Value Added Tax Act 1994(17); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. an offence in connection with taxation in the EU within the meaning of section 71 of the Criminal Justice Act 1993(18); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968(19) or section 19 of the Theft Act (Northern Ireland) 1969(20); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006(21); or | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act; | Yes  No  If Yes please provide details at 2.1(b) |
|  | any offence listed— | |
|  | 1. in section 41 of the Counter Terrorism Act 2008(22); or | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. in Schedule 2 to that Act where the court has determined that there is a terrorist connection; | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. under sections 44 to 46 of the Serious Crime Act 2007(23) which relates to an offence covered by sub-paragraph (f); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002(24); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. 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(25) or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996(26); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. an offence under section 4 of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004(27); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. an offence under section 59A of the Sexual Offences Act 2003(28); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. an offence under section 71 of the Coroners and Justice Act 2009(29); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. an offence under section 2 or 4 of the Modern Slavery Act 2015(30); | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. 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(31); or | Yes  No  If Yes please provide details at 2.1(b) |
|  | 1. any other offence within the meaning of Article 38(4) of the Concessions Directive | Yes  No  If Yes please provide details at 2.1(b) |
| 2.1(b) | If you have answered yes to question 2.1(a), please provide further details.  Date of conviction, specify which of the grounds listed the conviction was for, and the reasons for conviction.  Identity of those who have been convicted.  If the relevant documentation is available electronically please provide the web address, issuing authority, precise reference of the documents. |  |
| 2.2 | If you have answered Yes to any of the points above have measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) | Yes  No |

Please note: the authority reserves the right to use its discretion to exclude a potential supplier where it can demonstrate by any appropriate means that the potential supplier is in breach of its obligations relating to the non-payment of taxes or social security contributions.

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| **Section 3** | **Grounds for discretionary exclusion** | |
|  | **Question** | **Response** |
| 3.1 | Please indicate if, within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation. | |
|  | 1. Breach of environmental obligations? | Yes  No  If yes please provide details at 3.2 |
|  | 1. Breach of social obligations? | Yes  No  If yes please provide details at 3.2 |
|  | 1. Breach of labour law obligations? | Yes  No  If yes please provide details at 3.2 |
|  | 1. Bankrupt or is the subject of insolvency or winding-up proceedings, where the organisation’s assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State? | Yes  No  If yes please provide details at 3.2 |
|  | 1. Guilty of grave professional misconduct? | Yes  No  If yes please provide details at 3.2 |
|  | 1. Entered into agreements with other economic operators aimed at distorting competition? | Yes  No  If yes please provide details at 3.2 |
|  | 1. Aware of any conflict of interest within the meaning of regulation 35 cannot be effectively remedied by any other, less intrusive, measures; | Yes  No  If yes please provide details at 3.2 |
|  | 1. Entered into agreements with other economic operators aimed at distorting competition; | Yes  No  If yes please provide details at 3.2 |
| 3.2 | If you have answered Yes to any of the above, explain what measures been taken to demonstrate the reliability of the organisation despite the existence of a relevant ground for exclusion? (Self Cleaning) | If yes, please provide details |

**Part 3: Selection Questions**

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| **Section 4** | **Economic and Financial Standing** | |
| 4.1 | Are you able to provide a copy of your audited accounts for the last two years, if requested?  If no, can you provide **one** of the following: answer by checking Yes/No in the relevant box. | Yes  No |
| (a) A statement of the turnover, Profit and Loss Account/Income Statement, Balance Sheet/Statement of Financial Position and Statement of Cash Flow for the most recent year of trading for this organisation. | Yes  No |
| (b) A statement of the cash flow forecast for the current year and a bank letter outlining the current cash and credit position. | Yes  No |
|  | (c) Alternative means of demonstrating financial status if any of the above are not available (e.g. forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status). | Yes  No |
| 4.2 | Where we have specified a minimum level of economic and financial standing and/ or a minimum financial threshold within the evaluation criteria for this procurement, please self-certify by answering ‘Yes’ or ‘No’ that you meet the requirements set out. | Yes  No |

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| **Section 5** | **Technical and Professional Ability** |
| 5.1 | **Relevant experience and contract examples**  Please provide details of up to three contracts, in any combination from either the public or private sector, voluntary, charity or social enterprise (VCSE) that are relevant to our requirement. VCSEs may include samples of grant-funded work. Contracts for services should have been performed during the past three years. **All three examples must be contracts where your client has been paid a form of income either: a fixed guaranteed sum, a percentage of sales or a combination of the aforementioned.**  **At least one contract example must demonstrate the supplier’s capability of running a 364 day/year venue with significant daily/weekly variation in sales volume.**  **At least one contract example must exceed 5.0m annual sales turnover (all catering outlets) and at least one contract example must include a single café/ restaurant with a contract value of £3.0m.**  The named contact provided should be able to provide written evidence to confirm the accuracy of the information provided below.  **The supplier must send the ‘Caterer Reference Form’ to each named customer contact for each contract example below.**  It is the Supplier’s responsibility to ensure that referees return each of the three Caterer Reference Forms directly to the Authority by company email before the SQ submission deadline. Suppliers must verify with the referee that the reference has been sent to and received by the Authority within the SQ deadline. Suppliers should NOT contact TRP to confirm receipt. Completed Caterer Reference Forms will be evaluated as part of this SQ to confirm the accuracy of the information provided below.  Suppliers will score 0 for any Caterer Reference Forms not received by the SQ submission deadline.  45% of total marks available at SQ are allocated to these three contract examples and the corresponding reference forms. |

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|  | **CONTRACT 1** | **CONTRACT 2** | **CONTRACT 3** |
| Name of customer organisation: |  |  |  |
| Point of contact in the organisation: |  |  |  |
| Position in the organisation: |  |  |  |
| email address: |  |  |  |
| Description of contract: |  |  |  |
| Contract Start date: |  |  |  |
| Contract completion date: |  |  |  |
| Estimated contract value: |  |  |  |
| 5.2 | **Requirement-specific questions** | | |
| 1. **Please describe three different innovative solutions or practices that you have used to improve the sales turnover and/or the efficiency of services. Describe why you adopted the solution or practice and the outcomes of doing so including the sales uplift / service efficiency that resulted.**   **(250 words per example to a maximum of 750 words)**  **15% of total marks available at SQ are allocated to this question.** | | | |
| *Please type your answer here* | | | |
| 1. **The Royal Parks are visited by millions each year but daily visitor numbers fluctuate considerably dependent upon weather and events in the park. Give one example of where you have delivered a catering services contract where unplanned fluctuations in business were caused by weather or other factors and provide evidence of the approaches and considerations that you took into account to ensure that: services were delivered efficiently and turnover maximised when busy; and costs managed effectively when quiet.**   **(500 words maximum.)**  **15% of total marks available at SQ are allocated to this question.** | | | |
| *Please type your answer here* | | | |
| 1. **Provide a total of three evidenced examples that highlight your role in adopting and delivering environmentally sustainable practices.**   **(250 words maximum per example to a maximum of 750 words.)**  **10% of total marks available at SQ are allocated to this question.** | | | |
| *Please type your answer here* | | | |
| 1. **TRP is regarded nationally as a leader in green space park management. High quality catering provision is of paramount importance. Provide evidence of how you have delivered catering services of exceptional quality in the past, consistent with TRP’s vision for catering as outlined in Section C Briefing and Information Notes.**   **(250 words maximum.)**  **5% of total marks available at SQ are allocated to this question.** | | | |
| *Please type your answer here* | | | |
| 1. **Please identify the location and size of your nearest central production unit and the range of products prepared here. Please state how this central unit would be used to support the limited kitchen facilities at the Serpentine Kitchen and the product range that would be delivered from here.**   **(Maximum 350 words)**  **10% of total marks available at SQ are allocated to this question.** | | | |
| *Please type your answer here* | | | |

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| **Section 6** | **Modern Slavery Act 2015:** **Requirements under Modern Slavery Act 2015[[5]](#footnote-5)** | |
| 6.1 | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes  No |
| 6.2 | If you have answered yes to question 1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes  Please provide relevant the url  No  Please provide an explanation |

**7. Additional Questions**

Suppliers who self-certify that they meet the requirements to these additional questions will be required to provide evidence of this if they are successful at contract award stage.

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| **Section 7** | **Additional Questions** | |
| **7.1** | **Insurance** | |
| a. | Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:  Yes  No  Employer’s (Compulsory) Liability Insurance = £10m  Public Liability Insurance = £10m  Product Liability Insurance = £10m  \*It is a legal requirement that all companies hold Employer’s (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders. | |
| **7.2** | **Skills and Apprentices[[6]](#footnote-6) – (please refer to supplier selection guidance)** | |
| a. | Public procurement of contracts with a full life value of £10 million and above and duration of 12 months and above should be used to support skills development and delivery of the apprenticeship commitment. This policy is set out in detail in Procurement Policy Note 14/15.  Please confirm if you will be supporting apprenticeships and skills development through this contract. | Yes  No |
| b. | If yes, can you provide at a later stage documentary evidence to support your commitment to developing and investing in skills, development and apprenticeships to build a more skilled and productive workforce and reducing the risks of supply constraints and increasing labour cost inflation? | Yes  No |
| c. | Do you have a process in place to ensure that your supply chain supports skills, development and apprenticeships in line with PPN 14/15 (see guidance) and can provide evidence if requested? | Yes  No |

1. See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/ [↑](#footnote-ref-1)
2. UK companies, Societates European (SEs) and limited liability partnerships (LLPs) will be required to identify and record the people who own or control their company. Companies, SEs and LLPs will need to keep a PSC register, and must file the PSC information with the central public register at Companies House. [See PSC guidance](https://www.gov.uk/government/publications/guidance-to-the-people-with-significant-control-requirements-for-companies-and-limited-liability-partnerships). [↑](#footnote-ref-2)
3. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-3)
4. The obligation to exclude an economic operator also applies where the person convicted is a member of the administrative, management or supervisory body of that economic operator, or has powers of representation, decision or control in the economic operator [↑](#footnote-ref-4)
5. https://www.gov.uk/government/publications/transparency-in-supply-chains-a-practical-guide [↑](#footnote-ref-5)
6. [Procurement Policy Note 14/15– Supporting Apprenticeships and Skills Through Public Procurement](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/456805/27_08_15_Skills__Apprenticeships_PPN_vfinal.pdf) [↑](#footnote-ref-6)