

Volume Two (2) Applicant’s Offer

Invitation to Tender

|  |
| --- |
| Catering Concession for: |
| Poltair Park, St Austell |

Closing time and date for return of submission:

By 15:00 hrs 12/04/2020

|  |
| --- |
| Name of Applicant: |

This document must be completed and returned in the published format. Failure to comply with this instruction may result in your Submission being discounted.

|  |
| --- |
| Contents |

Contents

[1. General Notes 3](#_Toc14008301)

[2. Specification 3](#_Toc14008302)

[3. Price Schedule 4](#_Toc14008303)

[Pricing Schedule Declaration 4](#_Toc14008304)

[4. Certificates 5](#_Toc14008305)

[Conditions of Tender 5](#_Toc14008306)

[Certificate of Undertaking and Absence of Collusion or Canvassing 6](#_Toc14008307)

[Certificate of Confidentiality 7](#_Toc14008308)

[Commercially Sensitive Information 7](#_Toc14008309)

[Conflict of Interest 7](#_Toc14008310)

## General Notes

This document should be read in conjunction with the supporting information contained within Volume 1 “Invitation to Tender - Background Information, Instructions and Conditions of Tender” and associated documents also referenced.

This document and associated documents will form the basis of the Applicants formal tender response. Care should be taken to ensure that it is completed accurately, and all information required to submit a compliant tender is done ahead of submitting any final response.

## Specification

The Tender is accompanied with associated Specification (Schedule 1). The below are pass fail questions, and in the event that you answer “no” to any of the questions then we will not evaluate your tender any further and will not be able to contract with you.

|  |  |  |
| --- | --- | --- |
| **Ref** | **PASS / FAIL QUESTIONS – Confirmation that Tender is submitted on the following understanding:** | **Please delete as appropriate** |
|  |  |  |
| 1 | The Concession will be in line with all issued documents and accompanying schedules issued with this Tender opportunity | Yes / No |
| 2 | You will be willing to contract with the Council under the Headline Terms as set out in Schedule 3 | Yes / No |
| 3 | Any additional Capital Costs will be covered by the Concessionaire | Yes / No |

The Tenderer is required to provide responses to the Method Statements as outlined below. The Tenderer is asked to clearly reference the response to each Method Statement and clearly reference any supporting documents.

1. **Method Statements (MS)**

|  |
| --- |
| 1. **MS1 Supporting the Objectives** |
| 1. **The Tenderer’s response to this Method Statement:** is for the Tenderer to provide a detailed method statement that focuses on how they would support the Council in delivering the Contract objectives as set out in the Specification and the role that the Tenderer would play, particular attention should be taken to the following sections of the Specification:  * Section 1 Contract Objectives; * Section 2 Background; * Section 3 Introducing Poltair Park; * Section 4 The Tender;  1. providing details around how they will meet the requirements and would be looking for the Tenderer to provide details around:  * How through their delivery of a Concession they would create the offer and environment set out in the Specification that would achieve the objectives for the Council. |
| 1. **WHAT DOES A STRONG RESPONSE LOOK LIKE?** 2. A strong submission would clearly demonstrate an understanding of the requirements as set out and what is necessary to deliver high quality successful outcomes against the Objectives. In supporting and evidencing a strong submission this could include:  * Overall vision for how the Tenderer’s proposal would meet the specific Objectives as set out in Section 1 (Contract Objectives); * Clarity on a partnered ethos to support the Council in achieving these; * The understanding that the opportunity is both for delivery of Catering but the importance to create a valued community asset; * Clarity on the role which the Tenderer would play in doing this and provide assurances on how they would go about doing this * Approach to be applied in staff recruitment, retention and training from junior to senior staff; * Details on the logistics around resourcing the Concession and how they would go about efficiently and effectively managing the resources, through to the equipment and products to be used; * An understanding of what it takes to balance the competing demands around delivering catering and how this would be applied in this setting; * A credible and clear link to the supporting business model |

|  |
| --- |
| 1. **MS2 Commercial considerations – operational delivery** |
| **The Tenderer’s response to this Method Statement:** is for the Tenderer to provide a detailed method statement that focuses on the approach to Operational Delivery of the Catering as set out in the Specification. In particular, the Tenderer would be responding to:   * Section’s 2 to 17 of the Specification   providing details around how they will meet the requirements and would be looking for the Tenderer to provide details around:   * How their proposal would achieve the objectives for the Council. |
| 1. **WHAT DOES A STRONG RESPONSE LOOK LIKE?**   A strong response would really focus on the specifics on how the Concessionaire would deliver against the specific sections as listed above in the Specification.  As an example, some areas this may simply be an acknowledgement to the requirement as set out by the Council in the Specification, for example, acknowledgement around working within the permitted hours for operations.  Equally under that very same Section (e.g. Entry and Opening Hours) the Council would also be wanting more details and clarity on how the Concessionaire would look to approach Seasonal opening and peak times, in a way that affords the Concessionaire commercial income and revenue but also supports the importance of having an open and active community asset within the park.  A strong response would clearly demonstrate an understanding of the requirements as set out and what is necessary to deliver high quality outcomes and make this a successful venture. In supporting and evidencing a strong submission this would include:   * Details around how as part of your operational delivery you would support positive approaches towards Environmental Management, Waste Management, Recycling food waste, Fats, Oils and Grease / Other recyclates, and disposable Products * Indicative menus / range of food to be offered and tariffs * How the venture would look to appeal to a range of customers including families, children and students; * Options for people with specific dietary requirements – e.g. gluten free; * Proposed operating hours winter / summer / weekdays / weekends: * Where relevant lessons learned and experience from similar venues or operations and how these would be applied here; * Proposed approach to resourcing the site in regard to staffing, training and pay arrangements; * A credible and clear link to the supporting business model that is able to be evidenced in regard to actual operational delivery. * Details on proposals to positively exploit the wider potential of the park and considerations to compliment the opportunity with use of Approved Events. |

|  |
| --- |
| 1. **MS3 Delivering Social Value outcomes** |

|  |
| --- |
| **The Tenderer’s response to this Method Statement:** is for the Tenderer to provide details around how they would action and deliver Social Value outcomes. In particular the Tenderers response to:   * Section 1 Council Objectives; * Section 4 The Tender (and in particular reference to Approved Events); plus * Section 9 Concessionaire Team (local employment and training / apprenticeships); and * Section 21 Social Value.   The main areas of focus and reference made in the Specification document under Section 21 Social Value are:   * Workforce, including supporting apprenticeships, ensuring staff are fairly recompensed for work undertaken. * Social benefits to communities within the area which would increase social inclusion and breaking down social exclusion * Supporting positive environmental outcomes as well as making a positive contribution to the Council’s pledge around removing use of “single use plastics”. * Social outcomes that support community initiatives and / or work to make a positive outcome within the wider community   The above are indicative and not exhaustive around what or how the Tenderer could do around Social Value.  The Council is seeking clear commitment to Social Value outcomes from how the Concession arrangement is set up from any successful concessionaire; |
| **WHAT DOES A STRONG RESPONSE LOOK LIKE?**  A strong submission would clearly demonstrate an understanding of the requirements as set out and what is necessary to deliver high quality outcomes against the Objectives. In supporting and evidencing a strong submission this could include:   * Clarity on what Social Value would be committed as part of any overall awarded Contract, and in providing clarity on what is to be provided by the Concessionaire linking this to tangible and measurable outputs and outcomes. * Provide clear methodology in how these are measured and a value that is attributable to what is to be provided as part of any awarded contract. * Would be credible in what is set out, what is achievable and deliverable around Social Value plus is commensurate with the overall value, scale and expectations from the Concession. * Clearly link to the strategic outcome for this project and / or wider strategic plans of the Council (e.g. the Town Plan). * Provide certainty around what is proposed in regard to contractual commitments to deliver the stated outcomes. * Confidence and assurance around how the Concessionaire would support the wider partnering ethos sought by the Council in respect of the Concessionaire appointment. |

## Price Schedule

Applicants are required to complete the Schedule 2 - Pricing Schedule accompanying this Tender. These costs will form the basis of the Bid submission. All prices shall be stated in pounds sterling and exclusive of VAT. If there is no charge for an item, please state none.

## Pricing Schedule Declaration

I/We offer to supply the Works as per the submitted pricing schedule above, in accordance with the Specification, terms and conditions and all other documents forming the Contract.

|  |  |
| --- | --- |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of:  *(State official position, i.e. Director, Manager, etc.)* | |
| Organisation name and postal address: | |
| Telephone No: | Fax No: |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which he/she signs or is employed).* | |

## Certificates

## Conditions of Tender

|  |  |  |
| --- | --- | --- |
| **<INSERT NAME OF AUTHORITY>**  **CONDITIONS OF TENDER** | | |
| **Title of Contract:** Shall be as per Title of Contract as detailed on page one (1) of this Volume Two (2) Applicant’s Offer | | |
| 1. | By submitting a Tender, Applicants are agreeing to be bound by the terms and conditions without further negotiation or amendment.  I/We fully accept the terms and conditions of contract for the provision of goods/works/services | |
| 2. | Having examined the tender documents for the provision of the above goods/works/services, we offer to provide the said goods/works/services in conformity, without qualification, therewith for the sum/sums enclosed at Schedule 5 of this Bid. | |
| 3. | The Authority does not bind itself to accept the lowest or highest or any Tender, and reserves the right to accept a Tender either in whole or in part, for such item or items specified in the Invitation to Tender, and for such place or places of delivery as it thinks fit, each item and establishment being for this purpose considered as tendered for separately. | |
| 4. | I/We the undersigned DO HEREBY UNDERTAKE on the acceptance by the Authority of my/our Tender either in whole or in part, to supply (*or perform the services*), on such terms and conditions and in accordance with such specifications *(if any)*, as are contained or incorporated in the Invitation to Tender. I/We agree and declare that the acceptance of this Tender by letter on behalf of the Authority, whether for the whole or part of the items included therein, will constitute a Contract for the supply of such items, I/We agree to enter into a further agreement for the due performance of the Contract, and I/We declare that I am/We are acting as the Delegated Authority for the purposes of signing off this Tender, and therefore, the Contract. | |
| Signed\*: | | Date: |
| Name *(in block capitals)*: | | |
| In the capacity of:  *(State official position, i.e. Director, Manager, etc.)* | | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they sign or are employed).* | | |

## Certificate of Undertaking and Absence of Collusion or Canvassing

|  |  |
| --- | --- |
| **CERTIFICATE OF UNDERTAKING AND ABSENCE OF COLLUSION OR CANVASSING** | |
| The Applicant shall sign the below Certificate of Undertaking and Absence of Collusion clearly indicating whether they sign as a Consortium or Member of Consortium (Box A), or as a single body and/or individual (Box B) by striking through Box A or B, whichever does not apply. | |
| Box A – Consortium  I/We the undersigned do hereby certify that:-   1. the consortium’s tender is bona fide and intended to be competitive; 2. the consortium has not entered into any agreement with any person outside the consortium with the aim of preventing Tenders being made or asked the amount of another Tender of the conditions or which the Tender is made; 3. the consortium has not informed any person outside the consortium other than the person calling for the Tenders the amount or approximate amount of the Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender; 4. the consortium has not caused or induced any person to enter into such an agreement as is mentioned in (b) above or to inform the consortium of the amount or the approximate amount of any rival Tender for the Contract. 5. the consortium has not and will not canvass or solicit any Member, Officer or employee of the Authority in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by the consortium or acting on the consortium’s behalf has done or will do such an act. 6. I/We further undertake that the consortium will not do any of the acts mentioned in (b), (c), (d) and (e) above before the hour and date specified for the return of the Tender. | |
| Box B – Single Body and/or Individual  I/We the undersigned do hereby certify that:-   1. My/our Tender is bona fide and intended to be competitive and I/we have not fixed or adjusted the amount of the Tender by or under in accordance with any agreement or arrangement with any other person; 2. I/we have not indicated to any person other than the person calling for the Tender amount or approximate amount of the proposed Tender except where the disclosure in confidence of the approximate amount of the Tender was necessary to obtain insurance premium or other quotations necessarily required for the preparation of the Tender; 3. I/we shall have not entered into any agreement or arrangement with any other person that they shall refrain from Tendering or asked the amount of any Tender to be submitted; 4. I/we have not offered to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other Tender or proposed Tender for the said work any act or thing of the nature specified and described above. 5. I/we hereby certify that I/we have not and will not canvass or solicit any Member, Officer or employee of the Authority in connection with the preparation, submission and evaluation of this Tender or award or proposed award of the Contract and that to the best of my knowledge and belief, no person employed by me/us or acting on my/our behalf has done or will do such an act. 6. I/we further undertake that I/we will not do any of the acts mentioned in (b), (c) and (d) above before the hour and date specified for the return of the Tender. | |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they signs or are employed).* | |

## Certificate of Confidentiality

|  |  |
| --- | --- |
| **CERTIFICATE OF CONFIDENTIALITY** | |
| I/we hereby agree with the Authority that I/we shall not at any time divulge or allow to be divulged to any person any information, confidential or otherwise, relating to information passed to me regarding this project.  It is appreciated by the parties that in the event of negotiations in respect of the proposed Contract being entered into between the Authority and my organisation that it may be necessary to share information with colleagues within my organisation. In this event this confidentiality clause may be waived to allow such information sharing to take place but not further or otherwise. | |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they signs or are employed).* | |

## Commercially Sensitive Information

The Authority may be obliged to disclose information in or relating to this Bid following a request for information under the Freedom of Information Act (FOIA) or Environmental Information Regulations (EIR). Please outline in the table below items which you consider are confidential and genuinely commercially sensitive and which should not be disclosed in respect of your Bid.

I declare that I wish the following information to be designated as Commercially Sensitive.

|  |
| --- |
|  |

The reason(s) it is considered that this information should be exempt under Freedom of Information Act FOIA) or Environmental Information Regulations (EIR) is:

|  |
| --- |
|  |

## Conflict of Interest

|  |  |
| --- | --- |
| **CERTIFICATE OF CONFLICT OF INTEREST** | |
| I/we hereby notify the Authority that I/we consider the following declaration to be a conflict of interest (Applicant to insert details of the conflict of interest): | |
| I/we hereby understand that in accordance with Article 24 of the Public Contract Regulations 2015 that the Authority is obliged to take appropriate measures to effectively prevent, identify and remedy conflicts of interest arising in the conduct of procurement procedures so as to avoid any distortion of competition and to ensure equal treatment of all economic operators. | |
| Signed\*: | Date: |
| Name *(in block capitals)*: | |
| In the capacity of: *(State official position, i.e. Director, Manager, etc.)* | |
| *\*(It must be clearly shown whether the Applicant is a limited company, statutory corporation, partnership or single individual, trading under his own or another name, and also if the signatory is not the actual Applicant, the capacity in which they sign or are employed).* | |