FOL17/224: Serpentine Kitchen

Catering Concession Contract

Section A

Instructions to Tenderers

1. Contract Duration
   1. The contract for Serpentine Kitchen in Hyde Park (currently known as The Serpentine Bar and Kitchen) is offered for an initial 5 year period commencing 23rd January 2018, with an option to extend by 5 years by mutual agreement but entirely at the discretion of TRP and subject to the needs of TRP, the Concession Holder’s satisfactory performance and agreement being reached on the terms of the extension.
2. The Tender Process
   1. TRP will use a two stage tendering process comprising an initial selection questionnaire to assess supplier capability and experience followed by a tender stage. Only the top four highest scoring suppliers at selection stage will progress to tender.
   2. **Tender documentation:** the tender pack comprises the following documents:

* Selection Questionnaire
* Caterer Reference Form
* Section A Instructions to Tenderers
* Section B Evaluation Criteria
* Section C Background Information
* Section D Contract and Schedules (including Specification of Requirements)
* Section E Tender Submissions (including Form of Tender and Submission Pro Forma)
* Section F Appendices
  1. **Return of selection questionnaires:** completed selection questionnaires must be emailed to [procurement@royalparks.gsi.gov.uk](mailto:procurement@royalparks.gsi.gov.uk) **no later than 14:00 on Monday, 29th May, 2017**. Caterer Reference forms must be completed and emailed by referees to this same email address no later than the above deadline.
  2. **Clarifications:** if tenderers require answers to queries raised during the tender period, they must be emailed to: procurement@royalparks.gsi.gov.uk. All questions and answers will be forwarded by email to all tenderers via the Contracts Finder web site. Tenderers must therefore check this site frequently for updates to the Q&A log. The deadline for submission of clarification questions will be ten working days before the tender submission deadline.
  3. **Alterations:** the tenderer may not alter any of the documents.
  4. **Address label:** this is enclosed in the tender pack and must be used. Envelopes/packages should be plain and bear no reference to the tenderer's name - franking machines which automatically print the company name should not be used. Tenders without the label or in envelopes which in any way identify the tenderers will not be considered.
  5. **Return of tenders:** tenderers must ensure that their tender is delivered no later than the appointed time. Tenders received after this time will automatically be rejected. Tenders are to be delivered to:

**The Procurement Office**

**The Royal Parks**

**The Old Police House**

**Hyde Park**

**London**

**W2 2UH**

BY 14:00 on Friday, 7th July, 2017

NOTE: couriers sometimes have difficulty locating our offices in the middle of Hyde Park, which must be approached from West Carriage Drive.

* 1. **Number of tenders:** six hard copies and one electronic copy (our systems are compatible with Office 2007) of your tender should be submitted. Individual electronic files sizes should be kept below 10Mb wherever possible.
  2. **Email and fax:** tenders will not be considered if despatched by email or fax.
  3. **Highest scoring tender:** TRP does not bind itself to accept the highest scoring or any tender.
  4. **Basis of prices:** all prices must be quoted on the basis indicated in the accompanying documents and should exclude VAT. Tenderers should also include any assumptions they have made when assessing costs.
  5. **Award criteria:** the contract will be awarded to the tenderer who makes the Most Economically Advantageous Tender. Tenders will be assessed using the criteria and weightings as detailed in Section B of the tender pack.
  6. **Confidentiality of tenders:** please note the following requirements, any breach of which will invalidate your tender:

1. You must not tell anyone else, even approximately, what your tender price is or will be, before the time limit for delivery of tenders. The only exception is if you need an insurance quotation to calculate your tender price: you may give your insurance company or brokers any essential information they ask for, so long as you do so in strict confidence.
2. You must not try to obtain any information about anyone else's tender, or proposed tender, before the tender submission deadline.
3. You must not make any arrangements with anyone else about whether or not they should tender, or about their or your tender price.
   1. **Extension of tender period:** any request for an extension of the tender period must be received at least seven working days before the tender submission deadline, but no undertaking can be given by TRP that an extension will be granted.
   2. **Tender expenses and losses:** TRP will not be responsible for or pay any expenses or losses incurred by any tenderer in preparing its tender.
   3. **Freedom of Information Act:** we are committed to open government and to meeting our legal responsibilities under the Freedom of Information Act 2000. Accordingly, all information submitted to us may need to be disclosed by us in response to a request under the Act. We may also decide to include certain information in the publication scheme, which we maintain under the Act. If you consider that any of the information included in your tender is commercially sensitive, please identify it and explain (in broad terms) what harm may result from its disclosure if a request is received, and the time period applicable to that sensitivity.
   4. **Trading names/invoicing:** where invoices will be rendered by or payments are required to be made to an entity whose title differs in any respect from the title in which the tender is submitted, full details must be provided in a letter accompanying the tender. Successful tenderers who fail to provide this information at tender stage may well experience delays in settlement of their account.
   5. **Serpentine Kitchen Site Survey:** tenderers are invited to a site survey on either Tuesday 20th or Wednesday 21st June, 2017. During this visit there will be an opportunity to see the back of house facilities. A maximum of four representatives from each tenderer may attend. Attendees should meet at the Serpentine Bar & Kitchen, Serpentine Road, Hyde Park, W2 2UH. Your contact is Andrew Varnava, Catering Contract Manager, e: avarnava@royalparks.gsi.gov.uk
   6. **Terms & Conditions:** the terms and conditions for the supply of the services specified are contained in the ‘Conditions of Contract & Schedules’ attached. Many of the T&Cs that used to be in the service specification are now embedded in the contract clauses. Tenderers should read the contract thoroughly to ensure they fully understand the requirements of the contract as agreement to the contractual terms is an integral element of the tender process.

Tenderers are required to raise concerns regarding any contractual clause prior to the tender submission deadline. Any material amendments to the contract shall not be considered by TRP. The successful bid will be annexed to and form part of the final contract.

Any indication from TRP of preferred supplier status during the tender evaluation process shall be strictly subject to a signed contract and TRP expressly reserves the right to revoke such status in the event that a satisfactory contract cannot be agreed.

* 1. **TUPE:** TUPE may apply should a change of supplier be made. Current staff details are attached in Appendix “A”. For the purpose of this tender exercise, it should be assumed that all staff will transfer. Any substantive changes proposed to the current staff establishment including positions no longer required, any additional positions introduced or changes to hours of work should be highlighted within the tender submissions.
  2. **Planning:** tenderers are explicitly requested NOT to make any approaches to the planning authorities. Any approach to the planning authorities either formally or informally will result in the tender being invalidated.
  3. **Tender clarification interviews:** following submission of the tenders, tenderers may be invited to an interview. The purpose of this interview will be to probe areas of the tender requiring further clarification. No new material may be presented at this interview. Tenderers may be asked to make a short presentation to the tender panel covering specific aspects of their bid. They will be required to answer questions relating to their bid. TRP is not obliged to hold interviews or invite all tenderers to the clarification interview. If interviews are held these will take place on Monday 14th & Tuesday 15th August, 2017. Tenderers should ensure that they are available on this date. An appointment time will be allocated nearer the time.

1. Timetable
   1. The provisional tender timetable is set out below. Whilst it is the intention of the tender panel to keep to the tender timetable, TRP reserves the right to alter this timetable.

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| Action | Due date |
| Tender pack published | Wednesday, 26th April, 2017 |
| Selection questionnaire/caterer reference forms submission deadline | Monday, 29th May, 2017 |
| Short listed tenderers informed | Wednesday, 14th June, 2017 |
| Site survey | Tuesday, 20th or Wednesday, 21st June, 2017 |
| Tender submission deadline | Friday, 7th July, 2017 |
| Tender clarification interviews | Monday 14th & Tuesday 15th, August, 2017 |
| Provisional contract award | Thursday, 7th September, 2017 |
| Standstill period ends | Monday, 18th September, 2017 |
| Contract award | Tuesday, 19th September, 2017 |
| Contract start | Tuesday, 23rd January, 2018 |