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| **INVITATION TO APPLY FOR GATESHEAD COUNCIL MOBILE CONCESSIONS APPROVED SUPPLIER LIST**  **PERIOD: Opened on 28th June 2018 for a Period of 60 months** |

**THE BOROUGH COUNCIL OF GATESHEAD**

**INVITATION TO TENDER**

**CONTENTS**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  | | **Page** |
| A | SUMMARY INSTRUCTIONS AND DETAILS OF CONTRACT | | | 3 |
| B | TIMETABLE | | | 5 |
| C | CHECKLIST FOR CONCESSIONAIRES | | | 6 |
| D | SPECIFICATION | | | 7 |
| E | INFORMATION AND INSTRUCTION TO CONCESSIONAIRES | | | 25 |
|  | 1 | GENERAL | | 25 |
| 2 | CONTRACT DOCUMENTS | | 25 |
| 3 | TENDER SUBMISSION REQUIREMENTS | | 26 |
| 4 | CONSORTIUM BIDS | | 26 |
| 5 | TENDER QUESTIONAIRE | | 27 |
| 7 | TENDER EVALUATION | | 28 |
| 8 | CONTRACT REBATE | | 28 |
| **SCHEDULES** | | | | |
| 1 | TENDER QUESTIONNAIRE | | | 29 |
| 2 | FORM OF TENDER | | | 53 |
| 3 | CERTIFICATE OF NON-COLLUSION AND NON-CANVASSING | | | 55 |
| 4 | CONTRACT REBATE FORM | | | 57 |
| 5 | TERMS AND CONDITIONS | | | 59 |
|  | PART 1 | | CONTRACT PARTICULARS |  |
| PART 2 | | CONCESSION AGREEMENT |  |
| PART 3 | | SPECIAL TERMS AND CONDITIONS |  |
| 6 | FREEDOM OF INFORMATION SCHEDULE | | | 60 |
| **SEPARATE APPENDICES** | | | | |
| 1 | INFORMATION TO CONCESSIONAIRES | | |  |
| 2 | SCORING MATRIX | | |  |
| 3 | SITE RESTRICTIONS | | |  |
| 4 | PUBLIC HEALTH GUIDANCE | | |  |
| 5 | HEALTHIER CATERING GUIDANCE | | |  |

**A. SUMMARY INSTRUCTIONS AND DETAILS OF CONTRACT**

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| --- | --- |
| **ITEM** | **CONTRACT DETAILS** |
| NEPO Portal Reference: | **DN315899** |
| Council | The Borough Council of Gateshead |
| Contract Description | The Council have an Approved List for Mobile Concession opportunities to cover future events in Gateshead.  Concessionaires must meet the mandatory criteria set out within this ITT to be considered for trading at future events.  The Approved Supplier List (Contract) will be split in to 10 Lots (Concession Categories) as detailed below;  Lot 1 – General Mobile Concession Requirement  Lot 2 – Food Concessions  Lot 3 – General Confectionary, Ice Cream, Bakery and Desserts  Lot 4 – Non-alcoholic Refreshments  Lot 5 - Alcoholic Refreshments  Lot 6 – Wrapped Food  Lot 7 - Products  Lot 8 - Children’s Events/Activities  Lot 9 – Fairground and Circus Concessions  Lot 10 – Concession/Event Management Solutions  Concessionaires may apply for one or more Lots however; they must only apply for the Lot(s) relevant to their own business activities.  Further Lots may be added, or, Lots may be amended during the contract duration. All Concessionaires are welcome to apply to be on any additional Lots as and when they become available.  The Council is unable to give an indication of, if, or, when, any additional Lots may be available however, they will operate in line with the duration of the overarching contract.  Details of the requirements of each Lot will be included within the Specification. New/updated specifications and tender questions may be provided for any Lots which are added during the life of the Contract. |
| Period of Contract | 21st June for a period of 60 months. The Approved List may be extended after this time. |
| Procuring Officer | The Officer responsible for this procurement is Andrew Thompson [andrewthompsonprocurement@gateshead.gov.uk](mailto:andrewthompsonprocurement@gateshead.gov.uk), 0191 4335961. If Concessionaires have any queries regarding the tender or if they believe that they are unable to submit a tender through the electronic system all queries/issues must be raised through the Messaging section within the Project on: <https://procontract.due-north.com>. This is to allow for any queries to be investigated and resolved. |
| Submission Instructions | **Electronically via the e-tender system.**  **Concessionaires must submit one copy of their tender electronically, with any additional documents required or requested. Documents must be compatible with Microsoft Office or Adobe/PDF.**  The Council communicate through the NEPO Portal e-tendering system; therefore, all correspondence regarding this Tender will be issued to the named person registered on the NEPO Portal. It is the Concessionaires responsibility to ensure the correct named person is registered on the NEPO Portal. |
| Tenders to be submitted via | <https://procontract.due-north.com>  Tenders must be submitted using the link above. Tenders must not be submitted via postal or email methods.  **Technical Support Availability (Monday – Friday 9.00am–5.30pm**  If you require time critical assistance on submitting your Tender, please contact the System Support Team on 0330 0050352.  For non-time critical issues, such as passwords, general account queries and location of information etc. please contact Proactis Supplier Support Helpdesk Ticketing System (<http://proactis.kayako.com>) and select ProContract V3 support. You will then need to log in or submit a ticket to register your issue.  Alternatively, you can email [ProContractSuppliers@proactis.com](mailto:ProContractSuppliers@proactis.com) this will automatically log a support ticket on the Proactis Supplier Support Helpdesk. |
| Date and Time for Tender return | **The Approved List remains open for 60 months with effect from 28th June 2018 and Concessionaires may submit tenders at any time during the lifespan of the Approved List.**  Please refer to Supplier Guidance at <https://supplierhelp.due-north.com> |

**B. TIMETABLE**

The key dates for this procurement are currently anticipated to be as follows:

|  |  |
| --- | --- |
| **Event** | **Date** |
| Approved List Commencement Date | 28th June 2018 |
| Tender Submissions | At any time up to 12 noon on 28th June 2023 |

This timetable is indicative only. The Council reserves the right to change it at its discretion.

Any changes to the procurement timetable shall be notified to all Concessionaires as soon as practicable.

**C. CHECKLIST FOR CONCESSIONAIRES**

Failure to provide all the items in the following checklist may cause your tender to be non-compliant and not considered.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| No | Item | Included in Tender Pack | Location | To be returned as part of submission |
| 1 | Tender Questionnaire (Schedule 1) | Yes/No | Insert Filename | Yes  Yes |
| 2 | Form of Tender (Schedule 2) | Yes/No | Insert Filename | Yes |
| 3 | Certificate of non-canvassing and non-collusion (Schedule 3) | Yes/No | Insert Filename | Yes |
| 4 | Contract Rebate Form (Schedule 4) | Yes/No | Insert Filename | Yes |
| 5 | Freedom of Information Schedule (Schedule 6) | Yes/No | Insert Filename | Yes |

**D. GENERAL SPECIFICATION**

**Definitions**

|  |  |
| --- | --- |
| **Authorised Officer** | *An Officer of the Council authorised to undertake the relevant role* |
| **Certification** | *Official document attesting to status or level of achievement which has been requested.* |
| **Concession** | *Unit or Vehicle from which the Concessionaire will operate their business.* |
| **Concessionaire** | *Business applying to be on the Approved Supplier List and/or Business Appointed to the Approved Supplier List* |
| **Consented Location** | *Pitch granted by Licencing (subject to successful bid at further competition stage)* |
| **Council** | *The Borough Council of Gateshead and their partner organisations* |
| **Event** | *Gateshead Council planned Public Event, Adhoc or Individual Events e.g. Funfairs, Concerts, Festivals etc.* |
| **List** | *Approved Supplier List* |
| **Location Manager** | *An Officer of the Council who will be responsible for each site* |
| **Non-compliant** | *Failing to provide necessary documentation in line with the specification.* |
| **Pitch** | *Area awarded at a site or Event as part of further competition process* |
| **Sites** | *Various areas throughout Gateshead borough which utilise the Approved Supplier List* |
| **Specialism** | *Concession’s primary fare - area in which they specialise e.g. Alcohol, Coffee, European Foods, Vegan Foods, Crafts, etc.* |
| **Statutory Changes** | *A change in the law which effects requested Documentation/Requirements of the Approved Supplier List.* |
| **Supplier** | *Means Concessionaire and / or Trader* |
| **Trader** | *Means Concessionaire and / or Supplier* |

**Background**

The Council hold a wide range of Events throughout the Borough of Gateshead on both a short term and long-term basis. As part of the Council’s strategy to enable everyone to Thrive, it aims to ensure there are a variety of quality Events that local people can enjoy, which are well managed and comply with health and safety and other legislative requirements,

The Council may require Concessions to support some of these Events, therefore, it has put in place an Approved Supplier List (List) from which the Council will be able to undertake call-offs for their specific Concession requirements by way of undertaking further competitions with the Concessionaires appointed to the List.

Entry onto this list is not a guarantee of business. Those Concessionaries who are successfully awarded a place on the List may then be invited to participate in a further competition (relevant to their Lot(s)) when requirements arise.

The Council in no way guarantees the value or volume of work that may be placed under this List.

**Scope and General Requirements**

* 1. The Council’s requirement for Concessions is wide ranging including but not limited to those detailed within the Lot structure below.
  2. Concessionaires must only apply for inclusion on the Approved List for the Lot(s) in which their Specialism relates.
  3. The Council understand that in certain instances there will be a requirement for food and non-alcoholic refreshments to be sold by a single Concessionaire. Should a Concessionaire’s main Specialism be food, however they also sell non-alcoholic refreshments, then they should register under Lot 2. It would only be appropriate for the Concessionaire to register under Lot 4 if the sale of non-alcoholic refreshments is their main Specialism. Please refer to the further competitions which will be carried out for each opportunity to see if there are any restrictions placed on the sale of cold drinks.
  4. Concessionaires must provide full details of their proposed product range for each Lot(s) for which they are applying within their tender submission, product range and menu’s must reflect the Concession Category/Lot for which they are applying as detailed in the table below.

|  |  |  |
| --- | --- | --- |
| **LOT No** | **LOT TITLE** | **DESCRIPTION** |
| Lot 1 | **General Mobile Concession Requirement** | This Lot will be used when there is a requirement for multiple mixed Concessions adaptable to a variety of events including large crowds.  **Please Note that ALL Concessionaires who are appointed to any Lot within the Approved List will automatically be included within this Lot.** |
| Lot 2 | **Food Concessions** | This Lot may include but is not limited to:-  Traditional Fast Food:  Food typically classed as traditional fast food e.g., chip shop foods, burgers, chicken, pizza slices, non- specialist.  BBQ/Hog Roast/Outdoor Cooking:  Food that specialises in cooking over fire/coals/outdoor specialist cooking  Snacks, Sandwiches, Baguettes & Wraps:  Bread based products and those that require no cutlery/plates/containers snacks traditionally eaten by hand  World Foods:  Foods from Europe, Asia, Africa, Australia, North America and South America  Artisan/Authentic/Local:  Food made in a traditional or non-mechanised way using high quality ingredients in smaller batches. Concessions of this type feature specialist stalls which reflect their craft and can be differentiated from more general sales.  Health Choices:  Food that offers reduced calorie and lower fat options e.g., baked potatoes, pasta, salads, vegetables.  Vegan/Vegetarian:  Food suitable for a vegetarian or vegan diet, non-meat/animal/fish products.  Specialist Dietary:  Foods suitable for wheat and lactose intolerance, nut allergies, diabetic etc.  Any other Food Concession not included above. |
| Lot 3 | **General Confectionary, Ice Cream, Bakery and Deserts** | This Lot may include but is not limited to:-  Sweets, popcorn, handmade sweets, sweet carts etc.  Bakery items or desserts including ice cream, breads, patisserie, cakes, donuts etc. |
| Lot 4 | **Non-Alcoholic Refreshments** | This Lot may include but is not limited to:-  Hot drinks, Coffee specialists, Smoothie/Milkshake and other Soft Drinks |
| Lot 5 | **Alcoholic Refreshments** | This Lot may include but is not limited to:-  Bar services, suppliers of alcohol for events, mixologists and other alcohol drinks service. |
| Lot 6 | **Wrapped Food** | This Lot may include but is not limited to:-  Sweet Wrapped Foods e.g., cakes, biscuits, bakery products designed to take away wrapped  Savoury Wrapped Foods  Preserves and Liquids e.g., preserves, alcohol, sauces, marinades, spices, rubs  Wrapped Chilled Produce e.g., cheeses, meats, vegetables, fruits and cured products  Other wrapped food items not included above |
| Lot 7 | **Products** | This Lot may include but is not limited to:-  Products for children e.g., Toys, games, books, activities, clothes  Craft/Art/Jewellery e.g., clothes, handcrafted items, art, jewellery and ceramics  Seasonal crafts and decorative items and gifts  Homestyle and lifestyle products  Any other crafted products not included above |
| Lot 8 | **Children's Events / Activities** | This Lot may include but is not limited to:-  Crafting, hair braiding, face painting etc. |
| Lot 9 | **Fairground and Circus**  **Concessions** | This Lot includes but is not limited to:-  Individual fairground / funfair rides and associated concessions, circuses, bouncy castles, inflatables, stalls etc., which must be aimed at children and families.  Complete provision and management of a funfair / fairground / circus solution. |
| Lot 10 | **Concession / Event Management Solution** | This Lot includes the provision of a complete management solution for Concession requirements at Events or within Council premises or on Council sites including but not limited to:-  Concerts  Festivals  On-site Concession Management |

1.5 The List will remain open for 60 months with effect from June 2018, allowing Concessionaires to apply at any time during this period.

1.6 Should any of the required Certification undergo statutory changes during the period of the List, then all Concessionaires successfully added to the List will have to be re-assessed to the new levels and be able to provide the Council with the most up to date Certifications.

1.7 Documentation may be updated over the life of the Contract to reflect any Legislative changes.

1.8 There may be an addition of Lots over the life of the Contract should the Council’s requirements change.

1.9 Full details relating to each individual Council requirement will be provided to the Concessionaires at the time of call-off by way of a further competition.

1.10 There is no maximum to the number of Concessionaires who may be appointed to the List.

1.11 It should be noted that the Council reserves the right not to use this List for all Concession requirements if it is deemed more appropriate to use a different arrangement.

**2. Licencing Requirements**

**Licencing – Street Trading Consent**

2.1      Each Concession opportunity will come with its own set of licencing requirements. This will be identified within the further competition documents and as detailed within points 2.3 to 2.14.

2.2 A Street Trading Consent is generally not required where trading is part of a travelling fair where permission for the event has already been granted by the Council.

**Block Consent – Street Trading within Managed Locations/Events**

2.3 To facilitate street trading and market activity within managed locations such as Baltic Square, and potentially others, the location manager (a member of the Events or Catering Team) may apply to the Council Licencing department for a Block Consent. This will authorise street and market trading within the managed location in accordance with the conditions imposed by the Council and will be managed by the location manager, therefore Concessionaires will not have to apply for individual street licences in this instance.

2.4 The location manager shall ensure that no one is permitted to street or market trade in the consented location without having first obtained all necessary licences, approvals, certificates, etc. relevant to the specific activity and that all street or market trading is in accordance with this policy. All required information will be highlighted within the further competition documentation.

**Street Trading Consent – Ad hoc Events**

2.5 In certain instances the Council may arrange ad hoc events in areas which are not governed by a Block Consent. In these instances, Concessionaires must apply for a Street Trading Consent.

2.6 Once a further competition has been advertised Concessionaires will be required to apply for a Street Trading Consent and or Premises Consent prior to submitting their bid for an opportunity, **this licence must be in place prior to submission of the Concessionaires bid**. If the Concessionaire is unsuccessful the cost of the licence will be returned minus an administration fee. A consent pack can be obtained by contacting the Council’s Development & Public Protection Section, Development & Enterprise (0191 4333000) or via the Council web site; associated costs are included in the pack and should be taken into consideration when submitting bids.

2.7 A person seeking to obtain a consent from the Council must make an application to the Licensing Section. An application form can be obtained by contacting the Licensing Section on 0191 4334741 or by email [licensing@gateshead.gov.uk](mailto:licensing@gateshead.gov.uk).

2.8    In respect of Street Trading Consents, the Local Government (Miscellaneous Provisions) Act 1982 requires that no person under the age of seventeen years shall be granted consent and persons under the age of sixteen shall not be employed as an assistant.

2.9 Applications must be received by the Council’s Licensing Section not less than 20 working days prior to the proposed date of the Street Trading Consent or Market Consent coming into effect. A completed application form must be accompanied by:

* The Licence fee must be paid in full with the application in cleared funds. This must be done in anticipation of being awarded the pitch in which the Concessionaire is bidding as part of the call for further competition (further competitions).
* If the Concessionaire is not awarded the pitch or the Licencing Manager is not satisfied that Consent may be granted, then the fee will be returned to the Concessionaire minus a £50 administration charge (this fee may be subject to change over the life of the List).
* Location plan setting out any fixed location (or in the case of Street Trading Consents for mobile trading, a list of all the streets) where the proposed trading is to take place This document will be supplied as part of each advertised further competition and should be included within your Licencing submission.
* The plan should be 1:1250 scale and should show all residential and commercial premises in a 100m radius of the proposed site. The Licensing Section may require applicants to provide a further plan if necessary detailing the exact position of vans, carts, barrows etc on sites where necessary. This document will be supplied as part of each advertised further competition and should be included within your Licencing submission.
* Photographs of the van, cart, barrow, other vehicle or stall from which the trading is intended to take place clearly showing the front, side and rear views of the van, cart, etc, in colour and A4 in size.
* Written details of how the applicant is to promote all  the street trading objectives (outlined in part 4 of the Street Trading Policy)
* Confirmation the trader will comply with the standard conditions set out in appendix 3 of the Street Trading Policy. If the trader wishes for any of the standard conditions to be disapplied then they would need to state this in their application.

2.10    In the event the Licensing Manager is not satisfied that the Consent may be granted, the applicant must contact the Licensing Manager in writing to appeal the decision within ten working days of receipt of the notice of intention to refuse their application, if not, the fee will be returned to the Concessionaire minus a £50 administration charge (this fee may be subject to change over the life of the List).

**Trading at Council ran Events**

2.11 The Council organises a number of events throughout the year, such as fireworks displays and Spring shows. In order to ensure street trading at Council events remains safe any trader wishing to trade at or in the vicinity of such an event must first obtain the written agreement of the Council’s Events Team. A copy of this agreement must then form part of an application for Street Trading Consent and be forwarded to the Licensing Section. A Street Trading Consent must be obtained prior to any participation in the event (and any agreement by the Council to such participation is conditional trader is caught trading at a Council run event without a Street Trading Consent they must cease trading and may face legal action.

2.12 If the Council runs an event in a place where a Consent Holder has consent to street trade from a static site, the Consent Holder may continue trading throughout the Council event unless the nature of the street trading conflicts with the nature of the Council run event, and in which case then the Licensing Manager may suspend the Consent on application from the Council’s Events team. The organisers of the event and the Consent Holder(s) are encouraged to discuss any potential conflicts in advance of making an application to try to reach agreement. Before deciding to suspend a Street Trading Consent for this reason, the Consent Holder will be notified by the Licensing Manager of the Events team’s application and will be given the opportunity to respond. The Licensing Manager will then provide written reasons for their decision. As above, there is no right of appeal of such suspension, but the Consent Holder can apply for a Judicial Review and/or make a complaint to the Local Government Ombudsman.

**Alcohol Licencing – Applies only to the sale of Alcohol**

2.13 The retail sale of alcohol is a licensable activity which is regulated under the Licensing Act 2003. The Licensing Act provides for 4 different types of authorisation permission to carry out licensable activity, they are:

* Premises licence
* Club Premises Certificate
* Temporary event Notice
* Personal licence- for the authorising the sale of alcohol in conjunction with a premises licence.

Further information about the authorisation can be obtained by contacting the Licensing Section.

2.14 Please note the following timescales for licensing act applications:

* There is a 28 day consultation period for a Premises licence or a Club Premises Certificate. If any objections are received, then the matter may need to be referred to a Licensing Sub-Committee for decision. A hearing of the Licensing Sub-Committee would take place within 20 working days after the last date in the consultation period.
* There are two types of Temporary Event Notice: a standard and a late. These are subject to different processes: a standard notice is given no later than ten working days before the event to which it relates; and a late notice is given not before nine and not later than five working days before the event. Ten working days exclude the day the notice is received and the first day of the event.

**3. Site Restrictions**

3.1 Various sites may utilise the List, these sites include (but are not limited to); Saltwell Park, Angel of the North, Performance Square, Baltic Square, South Shore Road, South Shore Road Carpark and Gateshead Stadium. Please note site requirements are subject to change. Several of these sites have restrictions in place as outlined in Appendix 3. These restrictions may be subject to change and should be taken in to account when Concessionaires respond to further competitions.

3.2 If a Concession conflicts with the site restrictions in place for the site for which they are applying those bids will be rejected and deemed non-compliant.

3.3 The Concessionaire must ensure drivers of the Concession vehicles are advised and adhere to speed restrictions, and that due care is taken when entering any of the Council’s sites.

3.4 Please Note that site restrictions may apply to any site as appropriate to the Event being held. Full details of all site restrictions will be provided within the documentation for further competition.

**4. Site Access**

4.1 Access to the site and management of this will be agreed in advance as this will differ for each location.

**5. Site Re-Instatement**

5.1 The Site/Pitch shall be re-instated following the end of an Event and a damage deposit may be taken to cover any damage not made right by the Concessionaire to the full satisfaction of the Council. The deposit will be refunded once an inspection has taken place by the Council and the Council is satisfied that no damage has been incurred. If Concessionaires fail to re-instate the site and remove all waste etc., then the Council will undertake the necessary re-instatement works, paid for through the deposit. Any remaining deposit after this work will be refunded. The Concessionaire shall be responsible for payment of any re-instatement works that exceed the amount held in deposit.

**6. Security**

6.1 Concessionaires will be responsible for security including overnight security. The Council cannot be held liable for damage or loss.

7. **Appearance of Concession(s)**

7.1 Concessionaires must ensure that their Concession is clean, presentable and of an attractive appearance both internally and externally. There should be no signs of damage or rust to the Concession and any paint work should be clean and tidy and not in any state of disrepair. Concessions should be maintained regularly and be appropriate to the Lot for which the Concessionaire is applying.

7.2 As part of the application, photographs should be submitted showing each of the concession units the Concessionaire would intend to use if successfully added to the List. The Council reserve the right to request an updated photograph of the Concession being offered at any time.

**8. Mobile Stalls/Awnings/Tents/Marquees etc.**

8.1 The structure must be assembled in accordance with the manufacturer’s instructions and erected by a competent person.

8.2 The structure must be stable once erected and capable of coping with the weather conditions on the day.

8.3 A wind management plan must be in place for all Concessions that are susceptible to wind conditions e.g. inflatables, tents, awnings, marquees etc.

8.4 Arrangements must be in place to ensure that any measures required to keep the structure safe during use are implemented.

8.5 All operators must know what to do with the structure in adverse weather conditions to protect its stability and be aware of when to evacuate.

**9. Trading Standards**

9.1 Concessionaires must agree to comply with the industry standards as per Trading Standards guidelines [www.businesscompanion.info](http://www.businesscompanion.info) . Please note spot checks may be carried out by Trading Standards at each awarded opportunity.

**10. Fair Trade & Ethical Products**

10.1 Where possible, Concessions are required to offer Fair Trade or Ethical products as an option.

**11 Public Health**

11.1 Concessionaires MUST, where possible, follow the national guidelines set out by Public Health England and demonstrated within Appendix 4 and the Healthier Catering Guidance document attached at Appendix 5. Further information regarding the specific requirements may be included within the Further Competition documentation.

**12 Environmental**

12.1 Concessionaires MUST keep all sites clean and tidy and clear of rubbish. All awarded Pitches should be left in the same clean and tidy condition; free of furniture, equipment, waste, goods and chattels.

12.2 In accordance with Gateshead Council’s Environmental Policy, Concessionaires MUST consider using environmentally friendly wrapping, cutlery, cups and cleaning materials where at all possible. Concessionaires must avoid the use of single use plastics including cutlery, straws, plates etc.

12.3 Concessionaires MUST be responsible for litter and waste generated through their activities. There must be adequate provision for waste disposal, both for Concessionaires and Public use i.e. bins to allow for the separation of recyclable products from food waste products and they must ensure these are emptied frequently. All rubbish from the designated area must be bagged and disposed of in the correct manner as appropriate to the site and to comply with all current waste legislation.

**13 Noise Pollution**

13.1 Concessionaires or their activities shall not cause any nuisance or annoyance to any other users of the Event/Pitch or occupiers of neighbouring land or buildings or to the Council. Requirements are likely to differ for each site and agreement will be needed between the Council and the Concessionaire on the specific actions needed.

13.2 Concessionaires will ensure that sound levels generated by the unit are reasonable and do not cause any noise nuisance to other occupiers of land or buildings in the vicinity. If a complaint is received immediate corrective action must be taken.

13.3 The use of loud hailers for an event activity will not be permitted, unless specifically agreed with the Council in advance. This does not apply to an emergency situation, where use is permitted.

**14 Clothing and Identification**

14.1 The Concessionaire must ensure that all employees/sub-contractors, whilst engaged in the provision of Service are properly and presentably dressed to the satisfaction of the Council.

14.2 The Concessionaire shall ensure that no unauthorised person or animal accompanies the Concessionaire or sub-contractors (if applicable) whilst providing the Event Service.

14.3 The Concessionaire and sub-contractors (if applicable) shall provide identification passes with information (including photographic identification and signature) at all times when engaged in the provision of the service. Failure to produce such identification passes may lead to the Council’s Nominated Officer refusing access to the Event site/pitch.

**15. Fees**

15.1 The fee for operating an Event at the site shall be agreed with the Concessionaire and paid for in advance, the timing of which will be set by the Council.

**16. Other Terms**

16.1 The Council does not guarantee attendance figures at any Event, nor will it be liable for any losses whatsoever incurred by the Concessionaire in respect of any Event.

**Lot Specific Requirements – ALL Lots**

**17. Compliance with Specification**

17.1 **Concessionaires must ensure that all points listed within this Specification are adhered to at all times, as applicable and appropriate to the Concession(s) being offered.**

17.2 **Any Concessionaire that intends to sub-contract any part of the business is fully responsible and liable for their sub-contractors and MUST confirm that the Concession belonging to the sub-contractor fully complies with and adheres to this Specification.**

**18. Food Hygiene Rating**

18.1 Food Concessionaires must have attained a level 4 or above from their Food Hygiene Inspection for each Concession. If a Concession Food Hygiene falls below level 4 their Food Hygiene report will be reviewed and they may be removed from the List. Concessionaires will be allowed to re-apply to be added to the Approved List subject to their food hygiene rating returning to a level 4 or above. Evidence will be required to support this. The Council may seek evidence from the relevant Local Authority in order to confirm Concessionaires Food Hygiene rating.

18.2 Concessionaires must ensure that for each Concession their Staff are fully aware of the food safety management requirements and carry out their daily tasks in adherence to these requirements.

**19. Food Regulations and Additives**

19.1The Concessionaire will ensure that all produce supplied complies in all respects with the Food Safety Act 1990 (as amended) and any revisions and also UK and EU food safety legislation in force at the time. Where possible all produce must be supplied without artificial flavouring or colouring.

**20. Food Labelling**

20.1 All food supplied must comply with the Food Information Regulations 2014 and any relevant UK and/or EU regulations specific to all of the products supplied. In addition, all food delivered must be marked or labelled and comply with any relevant Weights and Measures legislation.

20.2 All food must be marked or labelled with:

* Name of the food
* List of ingredients
* Best before date or use by date
* Special storage conditions or conditions of use
* QUID Quantitative Ingredients Declaration
* Allergen information
* Health / Identification Marks
* Traceability information
* Name or Business name and an address or registered office of the manufacturer or packer, or of a seller established within the European Community.
* Instructions for use if it would be difficult to make an appropriate use of the food in absence of such instructions.

20.3 The Concessionaire must ensure they provide clear information containing allergenic foods listed in the EU Food Information for Consumers Regulation EU1169/2011. Please see below links for more information:

<http://ec.europa.eu/food/food/labellingnutrition/foodlabelling/index_en.htm>

[www.food.gov.uk/sites/default/files/food-allergen-labelling-technical-guidance.pdf](http://www.food.gov.uk/sites/default/files/food-allergen-labelling-technical-guidance.pdf)

**21.** **Gas Safety**

21.1 All gas appliances and the gas installation must be inspected at least annually by a GAS SAFE registered engineer and be serviced in accordance with the manufacturer’s instructions.

21.2 All gas appliances and the gas installation must be maintained in a safe condition.

21.3 A clearly labelled master on/off gas valve must be positioned inside the vehicle, which can shut off all gas appliances in the vehicle.

**22      Generators**

22.1     Electrical generators must run on diesel fuel and be silent running. Petrol fuelled generators must not be used.

22.2 Generators must be protected from inclement weather, but good ventilation must be maintained at all times. The generator must be sited away from the public and/or in a secured protective cage on hard standing or firm ground.

22.3 Small generators must be fitted with a residual current device and all circuits protected with a 30mA device

**23.     Liquid Petroleum Gas (LPG)**

23.1   LPG cylinders must be stored in a safe place outside the vehicle or be stored in a compartment that is separate from the rest of the unit.

10.1 (a) Storage compartment:  If an LPG cylinder is stored inside a trailer it must be secured in an upright position with half an hour fire protection from the inside of the unit. Where pipes exit the storage compartment into the unit, any gaps must be suitably fire stopped. Access must be from the outside of the unit and there must be adequate ventilation at both high and low levels. The cylinder must be securely fastened during transit.

10.1 (b) Storage outside the unit: LPG cylinders must be positioned in a safe location out of reach from the public and safe from impact and secured to prevent tampering.

23.2 Ignition sources must be kept a minimum of 1 metre away from any cylinder.

23.3 Storage of liquid petroleum gas (LPG) at each catering unit must not exceed 75kg.

23.4 LPG cylinders must be fitted with pressure relief valves and an emergency shut off valve.

23.5 LPG pipes must terminate with a readily accessible shut-off valve or tap immediately before the appliance.

**24 Pipework and fittings**

24.1 All pipework should be as short and accessible as possible and supported as required. Where practicable the pipework should be made of solid drawn copper tube, steel tube or stainless steel tube, used with a suitable fitting and jointing compound.

24.2 Where flexible hose is used, it is subject to the following restrictions:

* The length must not exceed 0.5 m.
* Its use is restricted to where it passes through walls and partitions.
* It should be protected against abrasion where it passes through walls
* Its use is restricted to where temperatures are unlikely to exceed 50°C.
* It must conform to BS3212, be marked accordingly and be renewed every two years

**25 Electrical safety & Electrical Tests/Certification**

25.1 All fixed electrical installations must be fully inspected 3-yearly by a competent electrician and routinely checked annually by a competent electrician.

25.2 Portable electrical appliances must be tested in accordance with a frequency determined by a competent person, and a portable appliance register maintained.

25.3 A generator should not be used as an addition to the use of sockets in a unit without consulting an electrician to ensure earthing arrangements are adequate.

25.4 Generators and electric sockets must not be overloaded by connecting appliances that require higher wattage than can be delivered.

25.5 Mobile catering units connected to the mains supply must be protected by a 30mA Residual Current Device (RCD) and all exposed metal parts (e.g. worktops or the walls of the vehicle) must be bonded and earthed.

**26. Ventilation**

26.1 The Concession must be well ventilated at high and low level and the vents must not be obstructed. Towing vehicle or portable generators should be placed to prevent exhaust fumes being drawn into the unit.

**27.** **Equipment**

27.1 Appliances must be fixed securely on a firm non-combustible heat insulating base and be surrounded by shields of similar material on 3 sides.

27.2 All gas appliances must be fitted with a flame failure device.

27.3 All fryers should be fitted with an automatic high temperature-limiting device.

27.4 All equipment must be installed and maintained in accordance with the manufacturer’s instructions and be maintained in a safe condition. Ventilation must be provided for equipment in accordance with manufacturer’s instructions.

**28. Risk Assessments and training**

28.1   Concessionaires must carry out a fire risk assessment and a comprehensive risk assessment of each of their Concessions. Risk assessments should be in a written format and a copy retained on the Concession.

28.2 Risk assessments must be brought to the attention of all employees, and employees

28.3 Employees must be given appropriate health and safety training which includes the use of equipment and emergency procedures.

**29. Fire fighting**

29.1 Each Concession must have fire-fighting equipment as appropriate to the risk which is compliant to the current BS EN 3 standard (where LPG is used, a powder fire extinguisher must be provided).

29.2 All firefighting equipment must be checked and certified annually

29.3 Concessionaires who are using frying appliances over 3 litres in capacity, or over 300mm in diameter are required to have a Class F, 6 litre wet chemical extinguisher which is compliant to the current BS EN 3 standard, for each of their Concessions.

**30.** **Coffee machines**

30.1 The Pressure Systems (Safety) Regulations 2000 (PSSR) require pressure systems to be tested in accordance with a written scheme of examination.

30.2 Any equipment which operates under pressure and contains steam at any pressure falls under these Regulations. This includes barista style coffee machines.

30.3 PSSR safety inspections are required to be carried out by a competent person in accordance with a written scheme of examination. This should also be drawn up by the competent person.

30.4 PSSR inspections are generally required every 14 months unless otherwise stated in the written scheme examination.

**31.**      **First Aid Provision**

31.1 A Catering First Aid Kit which is compliant to the current BS8599 -1 standard must be provided for each Concession.

**32. Health and Safety Requirements for Inclusion on the List**

32.1 The Concessionaire shall ensure they and any sub-contractors comply with all relevant legislation, regulations and codes of practice at all times and documentation should be in date.

32.2 An Event Management Plan may be required for an Event, this will be advised within the further competition documentation. If required, the Event Management Plan will be considered and validated by the Safety Advisory Group before an event can take place.

32.1 Concessionaires who are applying for inclusion on the List within the following Lots MUST complete the High-risk Health and Safety questionnaire (section 8 A.1 of this document). Please note this will also require the return of 3 risk assessments (as appropriate to the Lot(s) for which you are applying) as stipulated in section 8 A.1, question 11.

Lot 2 Food Concessions which have cooking facilities.

Lot 9 Fairground and Circus Concessions

Lot 10 Concession Management Solutions

32.2 All other Concessionaires MUST complete the Low risk Health and Safety Questionnaire (section 8.4 of this document).

**Additional Lot Specific Requirements for Lots 9 and 10**

**33.** **Alcohol and Gambling**

33.1 Sale of alcohol, tobacco or other age-related products will not be permitted for any Concession required under Lot 9.

33.2 At specific Events gambling may be permitted if deemed appropriate by the Council however, facilities for gambling MUST not amount to more than ancillary amusement. The Council will require any Concessionaire wanting to run an event that includes gambling activity to provide information about their activities within their further competition submission.

33.3 The Council is a licensing authority and is responsible for deciding whether, where gaming machines and/or equal chance prize gaming without a permit is to be made available for use, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement are met.

33.4 Provision that includes gambling will only be permitted if it is in line with the Council’s Gambling Act 2005 Statement of Principles. Concessionaires must demonstrate how these principles are met at the further competition stage.

**34. Utility Supplies**

34.1 Concessionaires are responsible for provision of gas, electrical and water supply for their event. These must comply with Health and Safety Legislation and requirements set out by the Council.

34.2 Should a site or pitch have a utility supply available, this may be made available to the Concessionaire only by prior agreement with the Council. Use of these utilities will be chargeable to the Concessionaire.

**35. Insurance Levels**

35.1 All Concessionaires must have Public Liability Insurance cover to be appointed to the List as detailed in section 8.1 of the tender questionnaire, however, the amount of cover required for Concessionaires who are applying for inclusion on Lots 9 and 10 is higher than for other Lots. Concessionaires applying for inclusion on Lots 9 and 10 MUST have Public Liability Insurance cover to the amount of £10 million. The Council will require evidence of this cover to be appointed to the List and at the time of each call-off.

**36. Health and Safety - Fairground Concessions**

Where applicable:-

36.1 The advice and guidance in the HSE publication HSG175 ‘Fairgrounds and Amusement Parks: Guidance on safe practice must be complied with by all Fairground Concessionaires.

36.2 All circus concessionaires must be members of the Association of Circus Proprietors of Great Britain.

36.3 Fairground and circus Concessionaires who are operators of amusement devices must have valid ADIPS registration.

36.4 Fairground and circus Concessionaires who are operators of amusement devices must hold copies of the current ADIPS and Electrical Test certificates for each device and provide them on request.

36.5 Fairground and circus Concessionaires must keep up to date ride log books, daily inspection records and operating instructions for each device and provide them on request.

36.6 Should overnight accommodation be permitted, caravans must be at least 1.5m apart and positioned away from the fairground/circus devices, with easy access for pulling them away in event of fire. The Council will advise if overnight accommodation is permitted as part of the documentation issued at further competition.

36.7 Concessionaires who are operators of inflatable play equipment must be PIPA registered. All equipment must have a current PIPA certificate, and Concessionaires must provide this on request by the Council.

36.8 Concessionaires who are operators of inflatable play equipment must follow the HSE guidance “Bouncy Castles and Other Play Inflatables”.

36.9 Operators of all fairground and inflatable play equipment must be at least 18 years of age (inflatable play equipment, side shows (except shooting ranges) and catering attendants may be aged 16) and wear high visibility vests or jackets so they are easily identifiable to the public.

All ride attendants must have received adequate training in the following;

• The method of operating the device

• Safe entry/exit for users;

• Safe methods of assembly/dismantling, where applicable;

• How to make a daily check;

• Safe anchoring of the inflatable;

• Crowd control measures, and barriers;

• Measures to be taken in the event of power failure;

• Procedures for reporting accidents, defects or breakdowns.

• Emergency evacuation of ride and site procedures

• Fire Extinguisher selection and use

• Basic First Aid

A written record of ride/sideshow attendant training should be available for

Inspection~~.~~

**Call-Offs Under the List**

**37. Further Competition Process**

37.1 Further competition documentation will be issued electronically via the NEPO Portal. Concessionaires are required to return their bids and relevant documentation via the NEPO Portal.

37.2 Further competitions will be carried out by an Authorised Officer from the Council.

37.3 Concessionaires who are appointed to the Lot(s) for which they have applied on the List, will receive an automatic e-mail from the NEPO portal notifying them when a new further competition is available. It will be the responsibility of the Concessionaires to download the Further Competition documentation from the NEPO portal and submit their bid for each Concession before the further competition submission deadline date. The further competition will be evaluated as follows:-

|  |  |
| --- | --- |
| Evaluation Criteria | % Weighting |
| Price | (0 – 100%) |
| Quality | (0 – 100%) |

37.4 At Further Competition stage if two or more bids are received that are identical in overall score i.e. price and/or quality, a further competition will be carried out. The respective bidders will be asked to re-bid and the Concessionaire who offers the most economically advantageous bid will be the one awarded the Pitch.

37.5 If a Concessionaire wins more than 1 individual Pitch and is unable to fulfil all of the opportunities they are offered then they must advise the Council of the Pitches they are able to fulfil at the time of award so that the Council can go to the next highest ranked bidder to award the remainder of the Pitches.

**Contract Management and Payment**

**38. Contract Management and Performance**

38.1 The Concessionaires appointed Contract Manager must be contactable by both telephone and electronic communication (e-mail and internet) so that the Council can carry out electronic business when required.

38.2 The Contract Manager must be available to meet with the Council as and when requested.

38.3 Once appointed to the List, it is the responsibility of the Concessionaire to ensure all documents are kept up to date and in line with regulations/industry standards. Concessionaires are not expected to re-submit these documents after initial evidence is provided and approved. The Council does however reserve the right to request updated documentation at any point over the period of the List. If these documents are not provided upon request, then it could lead to the suspension of the Concessionaire from the List until the requested evidence is provided and approved by the relevant Council Officer.

38.4 The Council reserves the right to remove a Concessionaire from the List if there are concerns and evidence of non-compliance and/or unsafe working practices. The Concessionaire may re-apply for inclusion on the List once corrective measures have been put in place which are deemed to be acceptable by the Council.

**39. Payment Terms**

39.1 In some instances, it may be deemed necessary by the Council to include pre-payment terms for certain sites. This will be made clear within the further competition documents at the time of further competition. If successful at further competition stage, the Concessionaires will be required to adhere to the payment terms as set out within the further competition documents.

39.2 Payment of any undisputed invoice shall be made by the Concessionaire no later than thirty (30) days from the date of the invoice unless pre-payment is stipulated. This will be made clear within the terms of the further competition.

39.3 Should there be any outstanding Invoices owing to the Council then it may impact upon the Concessionaires ability to bid for Concession opportunities. Concessionaires may be suspended from the Approved List until outstanding Invoices have been settled.

**E. INFORMATION AND INSTRUCTION TO CONCESSIONAIRES**

1. **GENERAL**

Other than the person(s) identified within this Tender document, no Council employee or member of the Council has the authority to give any information or make any representation (express or implied) in relation to this ITT or any other matter relating to the Contract.

Please note that the Council’s responses to any queries or clarification requests may, at the Council’s discretion, be circulated to all Concessionaires.

The Council reserves the right to issue supplementary documentation at any time during the tendering process to clarify any issue or amend any aspect of the ITT. All such further documentation that may be issued shall be deemed to form part of the ITT and shall supplement and/or supersede any part of the ITT to the extent indicated.

Under the Contract the Council will require compliance with its policies. Concessionaires are advised to satisfy themselves that they understand all of the requirements of the Contract before submitting their Tender.

The Tender must be received in accordance with the relevant instructions no later than the time and date indicated.

**IMPORTANT NOTICE**

**USE OF THE NEPO PORTAL: BROWSER SOFTWARE REQUIREMENTS**

It is a condition of your submission that you use the NEPO Portal at your own risk and follow guidance regarding the use of appropriate browser software including (but not limited to) latest versions of Internet Explorer, Google Chrome, Firefox, Safari and Opera.

The Council will not accept responsibility, or legal liability, whether in contract, tort, (including negligence), breach of statutory duty or otherwise for any loss of profit, loss of opportunity or any direct or indirect or consequential losses or damages arising as a consequence of a failure to comply with currently published software requirements for the use of the NEPO Portal.

1. **CONTRACT DOCUMENTS**

In submitting a Tender, the Concessionaire is agreeing to the Council’s terms and conditions as set out at Schedule 5 to this ITT. Any amendments to the Council’s terms and conditions or alternative terms and conditions to the Council’s terms and conditions submitted by the Concessionaire shall not be acceptable or considered by the Council. To the extent that any part of a Tender is inconsistent with the Council’s terms and conditions then the terms and conditions shall prevail.

Any resulting Contract will consist of:

* The Contract Particulars (to be filled in with the relevant details following appointment to the List);
* The Concession Agreement
* The Special Terms and Conditions and;
* The Invitation to Tender; and
* The successful Tender documentation

The Contract will be subject to English law and the exclusive jurisdiction of the English Courts.

1. **TENDER SUBMISION REQUIREMENTS**

Tenders must be written in the English language. The Invitation to Tender can be made available in other languages or formats that are appropriate for the Concessionaire upon request.

Concessionaires are required to complete:-

* Tender Questionnaire (Schedule 1)
* Form of Tender (Schedule 2)
* Certificate of non-canvassing and non-collusion (Schedule 3)
* Contract Rebate Form (Schedule 4)

Concessionaires must clearly reference and label all documentation submitted as part of their Tender. Failure to do so may result in aspects of your Tender not being fully evaluated.

Only one Tender is permitted from each Concessionaire. If a Concessionaire submits more than one Tender, the Council will evaluate the one with the latest time of submission and the other(s) will be disregarded.

The Tender must not be qualified in any way.

Any signatures must be made by a person who is authorised to commit the Concessionaire to the Contract.

The Council reserves the right to reject any Tender which is not submitted in accordance with the instructions given.

1. **CONSORTIUM BIDS**

If the Organisation is a consortium then Part 1 and Part 2 of the Selection Questionnaire must be completed by each and every member of the consortium. All other sections of this tender must be answered on behalf of all members of the consortium in the form of a combined response.

Where the lead member seeks to rely on the Economic and Financial Standing or Technical and Professional Ability of another organisation, it must demonstrate to the Council that it will have at its disposal the resources necessary, for example by producing an undertaking from the other organisation(s) that the necessary resources will be made available or a guarantee or indemnity in respect of economic or financial risks.

Except for Economic and Financial Standing and Technical and Professional Ability, consortium bids will be evaluated in accordance with the Tender Evaluation Section below on the basis that each individual member of the consortium must meet the Selection criteria.

* In the event that any member of a consortium fails to meet a Selection criterion or criteria, or is subject to compulsory grounds for exclusion, the Council will require the replacement of that member.
* In the event that any member of a consortium is subject to discretionary grounds for exclusion, the Council may require the replacement of that member.

During the procurement process any changes to the composition of the consortium must be notified to the Council immediately. Any new consortium member will be required to complete the Selection Questionnaire which will be assessed in accordance with the rules set out in the Tender and Scoring Matrix.

Any changes to subcontracting arrangements must be notified to the Council.

1. **TENDER QUESTIONNAIRE**

Whilst reserving the right to request information at any time throughout the procurement process, the Authority may elect to obtain evidence that the Concessionaire can meet the specified requirements (such as the questions in Section 8A of the Selection Questionnaire relating to Technical and Professional Ability).

**Please refer to the Scoring Matrix for details of how each section of your Selection Questionnaire will be evaluated.**

Each submission will be checked initially for compliance with all requirements of the Tender.

The Tender must be clear, concise and complete. The Council reserves the right to mark a Concessionaire down or exclude it from the procurement if its tender submission contains any ambiguities, caveats or lack of clarity.

The Selection Questionnaire contains questions relating to your organisation. The Council is looking for evidence of the organisation’s ability to meet the Council’s basic requirements and to understand as much as possible about your organisation and how you operate. The information in your Selection Questionnaire will be evaluated on a pass/fail basis relying on your answers to the self-certification questions and subject to verification by the Council at any time before appointment to the List.

The Concessionaire must complete the Selection Questionnaire to self-certify that they meet the Council’s requirements. Where a Concessionaire is unable to confirm that they meet the Council’s requirements or fails to verify that they meet the Council’s requirements they will be deemed as non-compliant and they will not be included within the List.

1. **TENDER EVALUATION**

The Council will use the Selection Questionnaire to evaluate the Tenders. Suppliers who meet the requirements of the Selection Questionnaire will be appointed to the List.

**The Council’s scoring methodology for this Tender is set out in the Scoring Matrix at Appendix 2.**

An evaluation panel will be made up of Council Officers, anticipated to be from Corporate Commissioning and Procurement, Catering and Cleaning, Events and Health and Safety.

The Council may also include any other Officer it considers appropriate and will carry out the evaluation of tenders in accordance with the criteria set out in the Scoring Matrix. The Council may, in its absolute discretion, make changes to the anticipated evaluation panel e.g. to accommodate personnel changes or issues.

Any changes to the evaluation panel will be confirmed with tenderers before the evaluations take place. This information will be made available via the Discussions page on the NEPO Portal. Tenderers must notify the Council before the tender submission deadline if they have any objections to any member of the evaluation panel.

The Council does not undertake to accept the lowest or any Tender and reserves the right to accept the whole or any part of any Tender submitted.

The Council reserves the right to seek clarification from any Concessionaire during the evaluation period. This may be in writing or by means of a clarification meeting. This is to help the Council in its consideration of their Tenders.

1. **CONTRACT REBATE**

Concessionaires should note that the Council operates a contract rebate arrangement whereby Concessionaires are asked to repay to the Council 1 percent of the total annual invoice in respect of orders placed by the Council for administration purposes. Concessionaires must complete the contract rebate form at Schedule 4**.**

**GATESHEAD COUNCIL**

**ITT SCHEDULE 1**

**TENDER QUESTIONNAIRE**

|  |
| --- |
| **NOTE TO SUPPLIERS**  Each part of the Tender Questionnaire must be completed.  Please refer to the Scoring Matrix for details of how your tender will be evaluated.  The contents of this ITT and of any other documentation sent to you in respect of this tender process are provided on the basis that they remain the property of the Council and must be treated as confidential. If you are unable or unwilling to comply with this requirement you are required to destroy this ITT and all associated documents immediately and not to retain any electronic or paper copies.  No Supplier will undertake any publicity activities with any part of the media in relation to the Contract or this ITT process without the prior written agreement of the Council, including agreement on the format and content of any publicity.  This ITT is made available in good faith. No warranty is given as to the accuracy or completeness of the information contained in it and any liability or any inaccuracy or incompleteness is therefore expressly disclaimed by the Council and its advisers.  The Council reserves the right to cancel the tender process at any point. The Council is not liable for any costs resulting from any cancellation of this tender process or for any other costs incurred by those tendering for this Contract.  **Please note any Registered Office Address, Business Address and Email Address provided within the Tender documentation will be treated by the Council as Business Addresses and Business email addresses unless you specify otherwise. The Council may use the information submitted in your tender for the compliance with any obligation placed upon the Council, e.g. transparency requirements.** |

1. **Selection Questionnaire**

**Standard Selection Questionnaire**

**Potential Supplier Information and Exclusion Grounds: Part 1 and Part 2.**

The standard Selection Questionnaire is a self-declaration, made by you (the potential supplier), that you do not meet any of the grounds for exclusion[[1]](#footnote-2). If there are grounds for exclusion, there is an opportunity to explain the background and any measures you have taken to rectify the situation (we call this self-cleaning).

A completed declaration of Part 1 and Part 2 provides a formal statement that the organisation making the declaration has not breached any of the exclusions grounds. Consequently, we require all the organisations that you will rely on to meet the selection criteria to provide a completed Part 1 and Part 2. For example, these could be parent companies, affiliates, associates, or essential sub-contractors, if they are relied upon to meet the selection criteria. This means that where you are joining in a group of organisations, including joint ventures and partnerships, each organisation in that group must complete one of these self-declarations. Sub-contractors that you rely on to meet the selection criteria must also complete a self-declaration (although sub-contractors that are not relied upon do not need to complete the self-declaration).

When completed, this form is to be sent back to the contact point given in the procurement documents along with the selection information requested in the procurement documentation.

**Supplier Selection Questions: Part 3**

The procurement document will provide instructions on the selection questions you need to respond to and how to submit those responses. If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors.

If the relevant documentary evidence referred to in the Selection Questionnaire is not provided upon request and without delay, we reserve the right to amend the contract award decision and award to the next compliant bidder.

**Consequences of misrepresentation**

If you seriously misrepresent any factual information in filling in the Selection Questionnaire, and so induce an authority to enter into a contract, there may be significant consequences. You may be excluded from the procurement procedure, and from bidding for other contracts for three years. If a contract has been entered into you may be sued for damages and the contract may be rescinded. If fraud, or fraudulent intent, can be proved, you or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation, and you must be excluded from further procurements for five years.

**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 annex.
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.
6. For answers to Part 3 -If you are bidding on behalf of a group, for example, a consortium, or you intend to use sub-contractors, you should complete all of the questions on behalf of the consortium and/ or any sub-contractors, providing one composite response and 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.

|  |  |  |
| --- | --- | --- |
| 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  N/A |
| 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)[[2]](#footnote-3)? | Yes  No |
| 1.1(n) | Details of Persons of Significant Control (PSC), where appropriate: [[3]](#footnote-4)  - 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. [[4]](#footnote-5)  (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.

Please provide the following information about your approach to this procurement:

|  |  |  |
| --- | --- | --- |
| Section 1 | Bidding model | |
| Question number | Question | Response |
| 1.2(a) - (i) | Are you bidding as the lead contact for a group of economic operators? | Yes  No  If yes, please provide details listed in questions 1.2(a) (ii), (a) (iii) and to 1.2(b) (i), (b) (ii), 1.3, Section 2 and 3.  If no, and you are a supporting bidder please provide the name of your group at 1.2(a) (ii) for reference purposes, and complete 1.3, Section 2 and 3. |
| 1.2(a) - (ii) | Name of group of economic operators (if applicable) |  |
| 1.2(a) - (iii) | Proposed legal structure if the group of economic operators intends to form a named single legal entity prior to signing a contract, if awarded. If you do not propose to form a single legal entity, please explain the legal structure. |  |
| 1.2(b) - (i) | Are you or, if applicable, the group of economic operators proposing to use sub-contractors? | Yes  No |
| 1.2(b) - (ii) | If you responded yes to 1.2(b)-(i) please provide additional details for each sub-contractor in the following table: we may ask them to complete this form as well.   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Name |  |  |  |  |  | | Registered address |  |  |  |  |  | | Trading status |  |  |  |  |  | | Company registration number |  |  |  |  |  | | Head Office DUNS number (if applicable) |  |  |  |  |  | | Registered VAT number |  |  |  |  |  | | Type of organisation |  |  |  |  |  | | SME (Yes/No) |  |  |  |  |  | | The role each sub-contractor will take in providing the works and /or supplies e.g. key deliverables |  |  |  |  |  | | The approximate % of contractual obligations assigned to each sub-contractor |  |  |  |  |  | | |

**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.

|  |  |  |
| --- | --- | --- |
| Section 1 | Contact details and declaration | |
| Question number | Question | Response |
| 1.3(a) | Contact name |  |
| 1.3(b) | Name of organisation |  |
| 1.3(c) | Role in organisation |  |
| 1.3(d) | Phone number |  |
| 1.3(e) | E-mail address |  |
| 1.3(f) | Postal address |  |
| 1.3(g) | Signature (electronic is acceptable) |  |
| 1.3(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.

|  |  |  |  |
| --- | --- | --- | --- |
| Section 2 | Grounds for mandatory exclusion | | |
| Question number | Question | Response | |
| 2.1(a) | **Regulations 57(1) and (2)**  The detailed grounds for mandatory exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), 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](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf). | | |
|  | Participation in a criminal organisation. | | Yes  No  If Yes please provide details at 2.1(b) |
|  | Corruption. | | Yes  No  If Yes please provide details at 2.1(b) |
|  | Fraud. | | Yes  No  If Yes please provide details at 2.1(b) |
|  | Terrorist offences or offences linked to terrorist activities | | Yes  No  If Yes please provide details at 2.1(b) |
|  | Money laundering or terrorist financing | | Yes  No  If Yes please provide details at 2.1(b) |
|  | Child labour and other forms of trafficking in human beings | | 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 who has 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 |
| 2.3(a) | **Regulation 57(3)**  Has it been established, for your organisation by a judicial or administrative decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which the organisation is established (if outside the UK), that the organisation is in breach of obligations related to the payment of tax or social security contributions? | | Yes  No |
| 2.3(b) | If you have answered yes to question 2.3(a), please provide further details. Please also confirm you have paid, or have entered into a binding arrangement with a view to paying, the outstanding sum including where applicable any accrued interest and/or fines. | |  |

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.

|  |  |  |  |
| --- | --- | --- | --- |
| Section 3 | Grounds for discretionary exclusion | | |
|  | Question | Response | |
| 3.1 | **Regulation 57 (8)**  The detailed grounds for discretionary exclusion of an organisation are set out on this [web page](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/551130/List_of_Mandatory_and_Discretionary_Exclusions.pdf), which should be referred to before completing these questions.  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. | | |
| 3.1(a) | Breach of environmental obligations? | | Yes  No  If yes please provide details at 3.2 |
| 3.1 (b) | Breach of social obligations? | | Yes  No  If yes please provide details at 3.2 |
| 3.1 (c) | Breach of labour law obligations? | | Yes  No  If yes please provide details at 3.2 |
| 3.1(d) | 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 |
| 3.1(e) | Guilty of grave professional misconduct? | | Yes  No  If yes please provide details at 3.2 |
| 3.1(f) | Entered into agreements with other economic operators aimed at distorting competition? | | Yes  No  If yes please provide details at 3.2 |
| 3.1(g) | Aware of any conflict of interest within the meaning of regulation 24 due to the participation in the procurement procedure? | | Yes  No  If yes please provide details at 3.2 |
| 3.1(h) | Been involved in the preparation of the procurement procedure? | | Yes  No  If yes please provide details at 3.2 |
| 3.1(i) | Shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior Concession contract, which led to early termination of that prior contract, damages or other comparable sanctions? | | Yes  No  If yes please provide details at 3.2 |
| 3.1(j)  3.1(j) - (i)  3.1(j) - (ii)  3.1(j) –(iii)  3.1(j)-(iv) | Please answer the following statements  The organisation is guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria.  The organisation has withheld such information.  The organisation is not able to submit supporting documents required under regulation 59 of the Public Contracts Regulations 2015.  The organisation has influenced the decision-making process of the contracting authority to obtain confidential information that may confer upon the organisation undue advantages in the procurement procedure, or to negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or award. | | Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  Yes  No  If Yes please provide details at 3.2  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) |  |

**Part 3: Selection Questions**[[5]](#footnote-6)

|  |  |
| --- | --- |
| **Section 4** | **Economic and Financial Standing – NOT USED** |

|  |  |
| --- | --- |
| **Section 5** | **If you have indicated in the Selection Questionnaire question 1.1(o) and/or 1.1(p) that you are part of a wider group, please provide further details below: NOT USED** |

|  |  |
| --- | --- |
| **Section 6** | **Technical and Professional Ability – NOT USED** |

|  |  |  |
| --- | --- | --- |
| **Section 7** | **Modern Slavery Act 2015:** **Requirements under Modern Slavery Act 2015[[6]](#footnote-7)** | |
| **7.1** | 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  N/A |
| **7.2** | 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 url …  No  Please provide an explanation |

**8. 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.

|  |  |  |
| --- | --- | --- |
| **Section 8** | **Additional Questions** | |
| **8.1** | **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:  Employer’s (Compulsory) Liability Insurance = £5 Million  Public Liability Insurance = £5 Million for Lots 2 – 8 and  £10 Million for Lots 9 and 10  Product Liability Insurance = £5 Million  \*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. | Yes  No |

|  |  |
| --- | --- |
| **8.2** | **Skills and Apprentices[[7]](#footnote-8) – (please refer to supplier selection guidance) – NOT USED** |

|  |  |
| --- | --- |
| **8.3** | **Steel[[8]](#footnote-9) – (please refer to supplier selection guidance) – NOT USED** |

|  |  |
| --- | --- |
| **8.4** | **Health and Safety – Low Risk**  *Concessionaires who do not have cooking facilities and do not have a pressurised coffee system should complete this section.*  ***Concessionaires applying for inclusion on Lots 2, 9 and 10 MUST complete questions in section 8.1 A – High Risk Health and Safety*** |

|  |  |  |
| --- | --- | --- |
| 1. | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | Yes  No |
| 2. | Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?  If your answer to this question was “Yes”, please provide details in a separate Appendix of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.    The authority will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the authority’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | Yes  No |
| 3. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | Yes  No  N/A |

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| --- | --- |
| **8.5** | **Environmental Management** |

|  |  |  |
| --- | --- | --- |
| 1. | Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?  If your answer to this question is “Yes”, please provide details in a separate Appendix of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.  The authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | Yes  No |
| 2. | If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation? | Yes  No  N/A |

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| --- | --- |
| **8.6** | **Compliance with Equality Legislation** |

|  |  |  |
| --- | --- | --- |
| For organisations working outside of the UK please refer to equivalent legislation in the country that you are located. | | |
| 1. | In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)? | Yes  No |
| 2. | 1. In the last three years, has your organisation had a complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?   If you have answered “yes” to one or both of the questions in this module, please provide, as a separate Appendix, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.  If the investigation upheld the complaint against your organisation, please use the Appendix to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.  You may be excluded if you are unable to demonstrate to the authority’s satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. | Yes  No |
| 3. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations? | Yes  No  N/A |

**8A. Project Specific Questions to Assess Technical and Professional Ability**

|  |  |  |
| --- | --- | --- |
| **8A.1** | **High Risk Health and Safety**  *Concessionaires applying for inclusion on Lots 2, 9 and 10 MUST complete this section.* | |
| **NOTE TO SUPPLIERS**  **Safety Schemes in Procurement (SSIP)**  We operate a policy that an organisation which has a valid SSIP or equivalent certificate or in the case of CHAS a valid compliance letter need only complete questions 1-3. An equivalent certificate could include BS OHSAS 18001 issued by a conformity assessment body accredited to provide conformity assessment services to that standard e.g. accredited by UKAS. (The certificate or compliance letter must apply to the office or site that will deliver the service). If you do not participate in the scheme you must complete all questions.  Please note that a failure to participate in the scheme will not by itself constitute grounds for an organisation to be disqualified from this process.  The successful Supplier will be required to submit job / site specific Health and Safety information e.g. risk assessments, method statements, training certificates before commencing any works on site.  Please ensure all evidence submitted is clearly referenced with ‘Health and Safety and the Corresponding Question Number’ and submitted as a separate attachment. If the evidence is contained within a policy/document, please ensure you reference the specific page number and paragraph where the evidence is contained.  **All organisations must complete and sign the declaration in question [1] of this Selection Questionnaire.** | | |
| **Role identified** | | **Complete questions** |
| Questions for Organisations with 5 or more employees | | 1 - 13 |
| Questions for Organisations with less than 5 employees | | 1 – 3 and 14 - 17 |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Question** | **Response** | | | | **Evidence you must supply to support your bid for this work.** |
| 1 | Has your organisation been successfully assessed by a member of the Safety Schemes in Procurement Forum (SSIP, or equivalent) for health and safety in the last 12 months **Tick yes or no.** | Yes | | No | | You must provide a copy of the SSIP or equivalent certificate <http://www.ssip.org.uk/> |
| 2 | Can you confirm that neither your organisation nor any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years?  The Council will exclude supplier(s) that have been in receipt of enforcement/remedial action orders unless the supplier(s) can demonstrate to the Council’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | Yes | | No | | If you have answered no, **you must provide details in a separate Appendix** of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result. |
| 3 | Do you use subcontractors for the activity for which you are being engaged? **Tick yes or no.**  The Council will exclude supplier(s) who use subcontractors but do not provide the requested information to demonstrate to the Council’s satisfaction that appropriate processes and arrangements are in place. | Yes | | No | | You must provide details of the processes you have in place to check whether your subcontractors or any of its Directors or Executive Officers has been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years.  If you use subcontractors, you must also provide a description of your arrangements for assessing health and safety performance relevant to the work activity you will be undertaking. |
| **Questions for Organisations with 5 or more employees**  It is important that the person filling in this questionnaire understands the health and safety management processes and procedures that operate within the Organisation. When completing the questionnaire, it is strongly recommended that Organisations refer to the Health & Safety Executive website through the links provided which will help to understand and complete this application. | | | | | | |
| 4 | Do you have a health and safety policy (that complies with current legislative requirements) and organisation for health and safety (H&S) management? **Tick yes or no.** | | Yes | | No | You must provide a copy of the current policy statement (sometimes called the Statement of Intent) – it is important that it is signed by the most senior person within the organisation and dated as this indicates when it was last reviewed. The policy should be relevant to the anticipated nature and scale of activity to be undertaken and set out responsibilities for health and safety management at all levels in the organisation.  You must also provide a description of how employees are told about the policy.  [Writing a health and safety policy](http://www.hse.gov.uk/toolbox/managing/writing.htm) |
| 5 | Do you have arrangements for ensuring that your health and safety measures are effective in reducing / preventing incidents, occupational ill-health and accidents? **Tick yes or no.** | | Yes | | No | You must provide a selection of your arrangements for health and safety management that are relevant to the nature of the contract and a description of how employees are told about your arrangements.  [Writing a health and safety policy](http://www.hse.gov.uk/toolbox/managing/writing.htm) |
| 6 | Do you have access to competent health and safety advice / assistance as required by Regulation 7 of the Management of Health & Safety Work Regulations 1999? **Tick yes or no.**  This may be an employee of the company or a Consultant acting on the Company’s behalf. | | Yes | | No | You must provide a description of how your organisation obtains access to competent health and safety advice and copies of CVs of named health and safety Advisers.  If competent advice comes from an external consultant a description of the role they play in managing health and safety within your organisation must be provided.  <http://www.hse.gov.uk/managing/competence.htm> |
| 7 | Do you provide employees with appropriate training and information regarding the hazards, risks and controls associated with your work activity? **Tick yes or no.** | | Yes | | No | There should be a competent workforce throughout all levels of the organisation (including senior management).  You must demonstrate and provide evidence that your organisation has in place and implements, training arrangements to ensure that its staff / workforce has sufficient skills and understanding to discharge their various duties. Copies of relevant training records must be provided to demonstrate this and support the application for example: induction training records, training certificates, CPD certificates, suitable professional qualifications and sample toolbox talks.  Examples of training should be recent and relevant to the organisations work activities. Blank record forms will not be considered.  <http://www.hse.gov.uk/simple-health-safety/provide.htm> |
| 8 | Do you check, review and where necessary improve your health and safety performance? **Tick yes or no.** | | Yes | | No | You must demonstrate and provide evidence that routine monitoring of health and safety procedures and performance by managers is implemented such as: audits, inspections, safety tours, investigations and evidence of periodic review of health and safety performance at a board level.  [http://www.hse.gov.uk/managing/delivering/check/index.htm](http://www.hse.gov.uk/managing/delivering/index.htm)  <http://www.hse.gov.uk/managing/delivering/act/review-performance.htm> |
| 9 | Do you have procedures in place to involve the workforce in planning and implementation of health & safety measures? **Tick yes or no.** | | Yes | | No | You must demonstrate and provide evidence of how you consult with the workforce on health and safety matters and include evidence that their comments / complaints have been appropriately considered and where appropriate taken on board. For example, records of safety meetings or committees’  <http://www.hse.gov.uk/involvement/> |
| 10 | Do you routinely record and review accidents/incidents and undertake follow up action? **Tick yes or no.** | | Yes | | No | You must provide a copy of your procedure for accident reporting, recording and investigation  You must also provide details of any enforcement action currently pending.  <http://www.hse.gov.uk/riddor/> |
| 11 | Do you operate a process of risk assessment capable of supporting safe methods of work and reliable project delivery where necessary? **Tick yes or no.** | | Yes | | No | You must provide three completed risk assessments (and where applicable the resultant safe system of work or method statements) which are relevant to the main work activities as below. The three risk assessments we would like to be provided are as follows:  In respect of Lot 2 please provide the following risk assessments:-   * Use of LPG (if applicable, if not then please include another risk assessment related to your work activities) * Manual Handling * Contact with hot substances (food, liquid, equipment etc.) (risks of burns/scalds)   In respect of Lot 9 please provide the following risk assessments:-  Fairground concessions please provide:-   * Erecting and dismantling rides * Manual Handling * General Event Risk Assessment   Circus Concessions please provide:-   * Erecting and dismantling the big top/marque * Manual Handling * General Event Risk Assessment   In respect of Lot 10 you must provide three completed risk assessments (and where applicable the resultant safe system of work or method statements) which are relevant to the main work activities which must cover the most significant risks within the Concession / Event Management Solution you provide.  *Please note that risk assessments specific to the call-off requirement will be requested at the Further Competition stage.*  Please ensure these assessments are suitable and sufficient and take into consideration the requirements of the tender.  <http://www.hse.gov.uk/risk/> |
| 12 | Do you have arrangements for co-operating and co-ordinating your work with others (for example clients, contractors)? **Tick yes or no.** | | Yes | | No | You must provide a statement describing your arrangements for co-operating and co-ordinating your work with others.  <http://www.hse.gov.uk/managing/delivering/do/organising/co-operation.htm> |
| 13 | Do you have arrangements in place for ensuring appropriate welfare is in place for your workforce including those who travel in the community or work at temporary sites? **Tick yes or no.** | | Yes | | No | You must provide your arrangements for ensuring appropriate welfare facilities are in place.  <http://www.hse.gov.uk/simple-health-safety/workplace.htm> |
| **Questions for Organisations with less than 5 employees**  It is important that the person filling in this questionnaire understands the health and safety management processes and procedures that operate within the Organisation. When completing the questionnaire, it is strongly recommended that Organisations refer to the Health & Safety Executive website through the links provided which will help to understand and complete this application. | | | | | | |
| 14 | Do you have arrangements in place for identifying and controlling health and safety risks? **Tick yes or no.** | | Yes | | No | You must provide a statement outlining how you identify and control health and safety risks and include details of the hazards, risks and controls you have identified and have in place relevant to the work activities you will be undertaking.  <http://www.hse.gov.uk/risk/> |
| 15 | Do you have arrangements in place to obtain appropriate health and safety advice? **Tick yes or no.** | | Yes | | No | You must provide a description of how you obtain advice relevant to your company activities. (Please note this does not have to be from an external consultant – it may be internal with reference to freely available advice & guidance on the HSE website).  <http://www.hse.gov.uk/managing/competence.htm> |
| 16 | Do you ensure your workforce has the skills, knowledge and experience to work safely? **Tick yes or no.** | | Yes | | No | You must provide a description of your arrangements and supply evidence to support your statement (for example this could be training records, tool box talk records and/or competence cards).  <http://www.hse.gov.uk/simple-health-safety/provide.htm> |
| 17 | Do you have arrangements in place for recording and investigating accidents and incidents? **Tick yes or no.** | | Yes | | No | You must provide details of your procedure for accident reporting, recording and investigation. You must also provide details of any enforcement action currently pending.  <http://www.hse.gov.uk/riddor/> |

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| **8A.2** | **Safeguarding – NOT USED** |

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| **8A.3** | **Additional Questions - Technical and Professional Ability** |

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| --- |
| **NOTE TO SUPPLIERS**  If your organisation is a Consortium this section only needs to be completed by the lead member on behalf of all members of the Consortium.  Where a question requires information in respect of an organisation the question should be interpreted as meaning “any of the consortia organisations” and the lead member must ensure that the question is responded to dealing with all members of the consortium.  **All questions require a response. Concessionaires MUST clearly label their responses / supporting information with the Question number to which the information applies.**  This section will be evaluated on a PASS/FAIL basis.  **The evaluation methodology is set out in the attached Scoring Matrix.** |

**Concessionaires MUST indicate in the table below which Lot(s) they wish to be appointed to:-**

|  |  |  |
| --- | --- | --- |
| **LOT No** | **LOT TITLE**  (Please refer to Page 8 for a full description of what may be included within each Lot) | **Please indicate below which Lot(s) you wish to be appointed to** |
| Lot 1 | General Mobile Concession Requirement | Please Note that ALL Concessionaires who are appointed to any Lot within the Approved List will automatically be included within this Lot. |
| Lot 2 | Food Concessions | Yes / No (delete as appropriate) |
| Lot 3 | General Confectionary, Ice Cream, Bakery and Deserts | Yes / No (delete as appropriate) |
| Lot 4 | Non-Alcoholic Refreshments | Yes / No (delete as appropriate) |
| Lot 5 | Alcoholic Refreshments | Yes / No (delete as appropriate) |
| Lot 6 | Wrapped Food | Yes / No (delete as appropriate) |
| Lot 7 | Products | Yes / No (delete as appropriate) |
| Lot 8 | Children's Events / Activities | Yes / No (delete as appropriate) |
| Lot 9 | Fairground and Circus Concessions | Yes / No (delete as appropriate) |
| Lot 10 | Concession / Event Management Solution | Yes / No (delete as appropriate) |

|  |  |  |
| --- | --- | --- |
| No  1 | Question | Evaluation Criteria |
| 1 | Please provide the proposed product List which is relevant to each Concession you are applying to have added to each Lot of the List.  **Evidence Included ❑** | PASS/FAIL |
| 2 | Please provide internal and external photos of each Concession you are applying to have added to each Lot of the List to demonstrate that they are in line with the requirements of the Specification i.e. in appearance and appropriateness to the Lot in which you are applying.  **Evidence Included ❑** | PASS/FAIL |
| 3 | Please provide a copy of your Public/Employers/Product Insurance Certification  **Evidence Included ❑**  *Please provide evidence for each Concession you are applying to have added to the List if different levels of insurance apply as detailed within the Specification and Section 8.1 of the Selection questionnaire.* | PASS/FAIL |
| 4 | Please confirm the following (as appropriate) for all Concessions you are applying to have added to the List:-   * Each Concession with which you are applying will comply with all requirements laid out within the Specification. * All Mandatory criteria will be kept up to date and in line with statutory requirements (where applicable). * Should any required certification undergo statutory changes during the period of this contract, then all Concessionaires successfully added to this Contract will have to be re-assessed to the new levels and be able to provide the Council with the most up to date certifications   **Select one box Yes ❑ No ❑** | PASS/FAIL |
| 5 | Please confirm you will comply with the requirements set out in Section 11 of the Specification in respect of following national guidelines set out by Public Health England.  **Select one box Yes ❑ No ❑** **N/A ❑**  (If N/A, please provide an explanation as to why?) | PASS/FAIL |
| 6 | Please confirm you will comply with the requirements set out in Section 12 of the Specification and all current legislation in respect of use of environmentally friendly products, reduction in the use of plastic products/materials and disposal of all waste materials.  **Select one box Yes ❑ No ❑** | PASS/FAIL |
| 7 | Please confirm you agree to comply with the industry standards as per Trading Standards guidelines [www.businesscompanion.info](http://www.businesscompanion.info)  **Select one box Yes ❑ No ❑** | PASS/FAIL |
| 8 | Does your organisation agree to adhere to the speed limits on Council premises?  **Select one box Yes ❑ No ❑** | PASS/FAIL |
| 9 | Please confirm that any sub-Contractor you have identified will comply with the standards set out in this Tender documentation.  **Select one box Yes ❑ No ❑ Do Not Use Sub-Contractors ❑** | PASS/FAIL |
| 10 | Please provide evidence of your Food Hygiene Rating which has achieved a rating of 4\* or above.  Please provide certification/evidence demonstrating the hygiene rating given to each Concession you are applying to have added to the List.  *The Council will not accept Food Hygiene Ratings less than 4\*.*  **Evidence Included ❑**  **N/A (Concession is not Food related) ❑** | PASS/FAIL |
| 11 | Please confirm that for all Concessions you are applying to have added to the List you comply (as appropriate to the Equipment within each Concession) with the following:-   * Gas appliances and the gas installation is inspected at least annually by a GAS SAFE Engineer and for each gas-powered Item you have a current Gas Safety Certificate.   **Select one box Yes ❑ No ❑ Not appropriate to Concession ❑**   * Electric appliances are inspected 3 yearly by a competent electrician. For each electrically powered Item you have an Electrical Installation Certificate (if the installation is new) or a Periodic Inspection Report (PIR) if the installation is not new.   **Select one box Yes ❑ No ❑ Not appropriate to Concession ❑**   * Portable appliances are tested in accordance with a frequency determined by a competent person. For each portable appliance listed you have a Test Certificate indicating when equipment was tested and when next due for testing.   **Select one box Yes ❑ No ❑ Not appropriate to Concession ❑**   * Coffee machines with steam boilers and pressurised coffee machines are periodically examined and tested by a competent person in accordance with a written scheme of examination – see guidance in the specification. For each applicable coffee machine, you have a copy of a Thorough Examination Certificate which includes the next date for testing.   **Select one box Yes ❑ No ❑ Not appropriate to Concession ❑**  **Please note the above information must be available for inspection by the Council at any time if requested.** | PASS/FAIL |

**ITT SCHEDULE 2**

**FORM OF TENDER**

|  |
| --- |
| **NOTE TO SUPPLIER**  If you are a Consortium, the Form of Tender must be signed by each member of the Consortium and the lead member must be identified. |

Invitation to Apply for Gateshead Council’s Mobile Concession Opportunities (the ‘Contract’)

Form of Tender

To: Gateshead Council, Corporate Commissioning and Procurement, Civic Centre, Regent Street, Gateshead, NE8 1HH

For the Attention of: Carly Redpath

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dear Sir/Madam

Tender for the Contract

I/We the undersigned, tender and offer to provide the Contract as listed below which is more particularly referred to in the Invitation to Tender supplied to me/us for the purpose of tendering for the provision of the Contract and upon the terms of the Contract.

Attached to this Form of Tender are the following:

1. My/our response to the Tender
2. A signed Certificate of None Collusive Tendering and non-Canvassing.
3. Contract Rebate Form
4. The Concessions Agreement and Special Terms and Conditions
5. Any other documents necessary for return with the Tender

I/We confirm that:

* We accept the Contract as issued with the Invitation to Tender
* In the event of acceptance of our Tender to execute the Contract within 15 business days of acceptance (or otherwise agreed by the Council), and in the interim, provide the Contract in accordance with the Contract if necessary
* The information supplied to you forming part of this Tender; and

(to avoid doubt) any information that I/We supplied to you as part of my/our initial expression of interest in tendering, was true when made and remains true and accurate in all respects.

* This tender will remain valid for 90 days from the date of this Form of Tender.

I/We confirm and undertake that if any such information becomes untrue or misleading that I/We shall notify you immediately and update such information as needed.

I/We confirm that I/We are authorised to commit the supplier to the Contractual obligations contained in the Invitation to Tender and the Contract.

I/We understand that the Council reserves the right to accept or refuse this Tender whether it is the lower, the same, or higher than any other Tender.

|  |  |
| --- | --- |
| Signed By |  |
| Name(s) |  |
| Position |  |
| For and on Behalf of | [Insert Organisation Name] |
| Name(s) |  |
| Position |  |
| For and on Behalf of | [Insert Organisation Name] |

**ITT SCHEDULE 3**

**CERTIFICATE OF NON-COLLUSION AND NON-CANVASSING**

Invitation to Apply for Gateshead Council’s Mobile Concession Opportunities (the ‘Contract’)

Certificate of Non-Collusion and Non-Canvassing

To: Gateshead Council, Corporate Commissioning and Procurement, Civic Centre, Regent Street, Gateshead, NE8 1HH

For the Attention of: Carly Redpath

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

As a public body it is imperative that the Council receives genuine competitive offers from suppliers, and that all suppliers act in a manner that is honest and reflects best practice. Suppliers are therefore required to sign this document to certify that they have not, and will not undertake any acts of canvassing or collusion.

**Statement of Non-Canvassing**

We hereby certify that we have not canvassed any member, officer, representative or adviser of the Council in connection with this Tender, and that no such person employed by us, or acting/advising on our behalf has committed such an act.

We further undertake that we will not canvass any member, officer, representative or advisor of the Council in connection with this Tender or the proposed award of the Contract, and that no person employed by us, or acting/advising on our behalf will do so.

**Statement of Non-Collusion**

We certify that this is a bona fide offer, intended to be competitive, and that we have not fixed or adjusted the amount of the offer in accordance with any agreement or arrangement with any other person (except any subcontractor identified in this offer)

We also undertake that at any time during the tender process, and (in the event of our Tender being successful) while the resulting Contract is in force, we have not, and will not:

1. Enter into an agreement with any other person to the effect that they shall refrain from tendering to the Council, or seeking to fix the amount of any offer submitted by them;
2. Inform any other person than the Council of the details of the submitted Tender, except where such disclosure is essential for insurance purposes, or for any other legitimate legal or regulatory requirements;
3. Cause or induce any other person to enter into such agreement as described in paragraph 1 above; and
4. Commit any offence under either the Competition Act 1998, the Enterprise Act 2002, the Bribery Act 2010, or s117 of the Local Government Act 1972.

*In this certificate, references to a ‘person’ include any person, body, association, or corporate entity, and reference to any ‘agreement’ include any arrangement whether legally binding or not. Words in the singular shall include the plural and vice versa.*

We agree that the Council may rely upon the statements made in this Certificate.

|  |  |
| --- | --- |
| Signed By |  |
| Name(s) |  |
| Position |  |
| For and on Behalf of | [Insert Organisation Name] |

**ITT SCHEDULE 4**

**CONTRACT REBATE FORM**

1. It is a condition of this Contract that the successful supplier must pay the Council 1% retrospective contract rebate.

This will:

* Be based upon invoices paid through the Councils purchase ledger for all business received from the Council, including any public or private entity in which the Council has a shareholding or interest, maintained schools or Academy schools as defined in the Academies Act 2010.
* Include items of goods or services not listed within this ITT which may be provided by the Supplier to the Council during the term of this Contract.

1. The rebate shall be paid at 12 monthly intervals in arrears after the Commencement Date. A statement detailing how the amount has been made up shall together with an invoice be sent by the Authorised Officer to the Supplier and payment should preferably be made by BACS transfer.
2. Non-payment of the Council rebate will be deemed as breach of this Contract. The Council will commence debt recovery action in order to recover the Contract Rebate and the Contract may be terminated for breach of Contract.
3. The Council reserves the right to review copies of, or access to, Contractor documentation to confirm that the rebate received equates to 1% of the business transacted.
4. This agreement for a contract rebate shall be considered confidential and must not be discussed with or disclosed to any other parties.
5. Please provide details of the person who is responsible for the administration of the contract rebate:

|  |  |
| --- | --- |
| Name |  |
| Position |  |
| Telephone No & Ext |  |
| Email Address |  |

|  |  |
| --- | --- |
| Please give the name of the organisation and the address to contact for Contract Rebate correspondence (please note that the name given must be the same as the person, organisation or legal entity submitting the tender). | |
| Name of Organisation |  |
| Address |  |
| Position |  |
| Telephone No |  |
| Fax No |  |
| Email |  |

|  |  |
| --- | --- |
| Concessionaire Declaration  I confirm that I have read and understand the contractual clauses above and that if my/our Tender is successful then I/We shall comply in all respects | |
| Signed By |  |
| Name(s) |  |
| Position |  |
| For and on Behalf of | [Insert Organisation Name] |

**ITT SCHEDULE 5**

**TERMS AND CONDITIONS**

PART 1 Contract Particulars (attached as a separate document)

PART 2 Concession Agreement (attached as a separate document)

PART 3 Special Terms and Conditions (attached as a separate document)

**ITT SCHEDULE 6**

**FREEDOM OF INFORMATION SCHEDULE**

|  |
| --- |
| **NOTE TO SUPPLIERS**  Please ensure you fully document on the table below any information submitted as part of this ITT which is considered by the supplier as confidential/commercially sensitive under the Freedom of Information Act 2000 |

|  |  |
| --- | --- |
|  | To be completed by all Organisations |
| 1. Document Submitted: |  |
| 1. Section/Paragraph of document |  |
| 1. Specify the information/wording considered to be confidential/commercially sensitive |  |
| 1. Reasons/justifications for information being confidential/commercially sensitive |  |
| 1. Timescale which information under (3) shall be confidential |  |
| 1. Specify Exemption Confidential or Commercially Sensitive |  |

|  |  |  |
| --- | --- | --- |
| 4 | If any arrangement exists other than those described in 1 – 3 above please provide full details below |  |

1. For the list of exclusion please see https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/551130/List\_of\_Mandatory\_and\_Discretionary\_Exclusions.pdf [↑](#footnote-ref-2)
2. See EU definition of SME: http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/ [↑](#footnote-ref-3)
3. 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-4)
4. Central Government contracting authorities should use this information to have the PSC information for the preferred supplier checked before award. [↑](#footnote-ref-5)
5. [See Action Note 8/16 Updated Standard Selection Questionnaire](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-6)
6. [Procurement Policy Note 9/16 Modern Slavery Act 2015](https://www.gov.uk/government/collections/procurement-policy-notes) [↑](#footnote-ref-7)
7. [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-8)
8. [Procurement Policy Note 16/15– Procuring steel in major projects](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/473545/PPN_16-15_Procuring_steel_in_major_projects.pdf) [↑](#footnote-ref-9)