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**Tender for Bolton Central Library New Cafe Concession**

**A picture containing outdoor, sky, building, stone

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**Index** **Page**

**PART 1: INFORMATION & INSTRUCTIONS 3-15**

**PART 2: TENDER TO COMPLETE 16-37**

**PART 3: PRICING SCHEDULE 38-39**

**Bolton Council’s Terms and Conditions applicable to this Tender are shown as an attachment to this document for downloading**

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**Information & Instructions**

**PART 1**

**INFORMATION**

**Bolton Library and Museum Café opportunity**

Bolton Council have a fantastic opportunity for the right business to take on a brand new café, which will serve visitors to Bolton Library, Museum and Aquarium and the wider community. The potential is huge with over half a million visitors to the attraction per year.

The café will be ready to move in and open in December 2023 and the council is looking for the right business to take it on.

**The Building**

This Grade II listed building located in the heart of Bolton town centre, in the uniquely grand setting of Le Mans Crescent within the civic and retail core, is currently undergoing a £4.2 million pound refurbishment as part of the Towns Fund. The refurbishment will include upgrading the children’s and adult library, foyer and main library spaces the provision of additional mezzanine level floor spaces, a new café and digital infrastructure.

Graphical user interface, application

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Concept Image of Adult library refurbishment

Graphical user interface

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Concept Image of children’s library refurbishment

**About Bolton**

Bolton is evolving, the town has ambitious growth plans and is undergoing a £1bn transformation across six town centre locations.

We are one of the largest towns in Europe with a talented workforce. Home to a fantastic university, varied cultural offer, leading businesses, developers and creative start-ups. Our potential is huge with 6.6million annual visitors attracted to Bolton and host to world class events including Ironman UK and Bolton Food and Drink Festival.

The redeveloped library and new café will open in December 2023. Bolton Council is seeking expressions of interest to lease a brand new Café facility:

1. **Consideration**

The Council will consider tenders for a fixed rent or a turnover rent.

1. **Operational Hours**

The Council would like prospective service provider to cover the same operational hours as the Council at the site as follows; Monday- Saturday 9.30am – 5.00pm, and 10.00am-4.00pm on Sundays

1. **Collaboration**

The Library and Museum work with many partners and deliver a programme of events across the year.  It is expected that the prospective provider will work in partnership with the Library and Museum to cater for these events.

1. **Customer Service**Excellent customer service is a main priority of the council, and we expect the café operator to provide an exceptional customer experience.

**Technical Specification**

A layout drawing of the café area is included at Appendix A and a technical drawing of the M&E design layout is attached as Appendix B. This shows the layout of the café area and associated power and drainage points. The electricity supply includes 63 Amp 3 phase power points. A serving counter, back of house and furniture are also included.

**About Bolton Central Library and Museum**

Bolton Central Library and Museum is located in the heart of Bolton Town Centre. The pre pandemic visitor figures to the Library and Museum were 772,445 in 2019/20. Year to date for 2022/23, and including partial closure for redevelopment, (April- Dec) the visitor figures stand at 466,156.

As well as a bustling library space offering book borrowing, digital access and work space, the building also comprises gallery spaces housing a world class Ancient Egyptian collections and the awe inspiring full scale replica of the tomb of Thutmose III.

Original to the building, the Central Library and Museum is also home to Bolton’s Aquarium, one of its kind in Greater Manchester; it has a stunning display of freshwater fish from all over the world.

Bolton Central Library and Museum delivers a full programme of events and activities, from regular activities such as parent and baby groups, author events and book groups to large scale exhibitions with associated family activities such as the upcoming Lowry’s Going to the Match exhibitions and Robots for TV and Film.

The refurbished Central Library and Museum will provide a flexible library plaza space providing event opportunities for a wide variety of organisations and companies to use it for performances, author events and storytelling.

In the new children and young people’s library space a full programme of activities and events will take place for them and their families.

The refurbishment will make Bolton Central Library, Museum and Aquarium a fantastic place to visit and inspiration for all.

|  |  |  |  |
| --- | --- | --- | --- |
| Date: 30/01/23 |  |  | |
| Ref: LB/12170B01 |  |  | |
|  |  |  | |
|  | | Director of Place  3rd Floor Town Hall  Victoria Square  Bolton  BL1 1RU | |
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|  | |

**INVITATION TO TENDER**

Dear -----------------------------------------)

You are invited to submit a Tender for the above service.

It is essential to comply with the following instructions in the preparation and submission of your Tender. The Council reserves the right to reject a Tender that does not fully comply with these instructions.

Your Tender must be completed in English and must be submitted no later than 31st March 2023**.** All completed Tenders musteithersent by recorded delivery to the above address or emailed to [cps\_clientteam@bolton.gov.uk](mailto:cps_clientteam@bolton.gov.uk)

Your Tender must be completed in full and where necessary signed and dated. Failure to return a completed Tender will invalidate your submission.

Any Tender submitted will be deemed to remain open for acceptance or non-acceptance for not less than 90 days from the closing date stipulated above. The Council may accept the Tender at any time within this prescribed period. The Council shall, however, not be bound to accept the highest or any Tender.

Please ensure that the following sections are completed and returned with your proposal.

If you need any clarification regarding this process or any of the information contained in this document, please contact: liza.leonard@bolton.gov.uk

**Disclosure pursuant to the Freedom of Information Act 2000 and the Environmental Information Regulations 2004**

The Council is subject to legal duties under the Freedom of Information Act 2000 (“FOIA”) and the Environmental Information Regulations 2004 (“EIR”) which may require the Council to release any or all of the information submitted by Bidders in response to this Tender.

In respect of any information submitted by Bidders, which is considered to be exempt from disclosure under FOIA and EIR, Bidders should:

a) Clearly identify the affected information and the exemption under FOIA or EIR whichever applies;

b) Explain the implications of disclosure of such information; and

c) Detail the envisaged timeframe during which such information will remain exempt.

Please note, even where information is identified by Bidders as being exempt from disclosure, the Council may be required to disclose such information in accordance with FOIA or EIR if a request is received. Receipt of any information marked "confidential" should not be taken to mean that the Council accepts any duty of confidence by virtue of the marking.

**Tender Evaluation Criteria**

The Tender will be awarded on the basis of the most economically advantageous Tender to the Council based on the evaluation criteria of 30% Price and 70%Quality.

|  |  |
| --- | --- |
| **Criteria** | **Weighting** |
| **Price** | 30% |
| **Quality** | 70% |

**Price**

The financial proposals will be evaluated over a 5 year total.

1.The tenderer’s proposed Guaranteed Minimum Payment (GMP) will be evaluated at 25% of total points. The highest bid will be awarded at 25%, all other bids will be evaluated on a pro rata basis. For example if the highest bid came in at £30,000 over a 5 year period they would get 25%, second bid comes in at £15,000 they will get 17.5%.

2. In addition to the GMP the Council is also seeking a percentage of Tenderers turnover, generated from the operation of the café concession.

i.e Tenderer A offers 5% of their projected turnover of £50,000 they would pay £2,500 to the Council in addition to their GMP. Tenderer B offers 4% of their projected turnover of £100,000, therefore they would pay £4,000 to the Council in addition to their GMP, therefore Tenderer B would be scored at 5% and Tenderer A would be scored at 3.13%.

**The percentage turnover shall be of the Tenderer’s turnover from the running of the concession to be paid to the Council annually in addition to the GMP above. The Tenderer must submit the percentage figure that they are willing to pay to the Council annually from the annual turnover. The successful Tenderer will submit audited certified accounts to the Council to confirm and support the amount to be paid each year.**

Additionally there will be a monthly Service Charge to cover the following:

Water

Electricity

Gas (Heating)

The Service Charge for 2023/24 is £250 per calendar month, the service charge will be reviewed on an annual basis.

**Quality**

Weighted scores will be calculated by multiplying the score for each quality criteria by its weighting. The weighted scores will be totaled for each Tender. The totals will be normalised so that the normalised highest total will attract the highest quality score i.e. 70%

Scoring Criteria

**The Council will use the following scoring system for evaluating responses:**

|  |  |
| --- | --- |
| **Score** | **Scoring Principles** |
| **0** | **Rejected**   * Completely fails to meet and evidence required standard |
| **1** | **Poor**   * Response significantly fails to meet and evidence the standards required, contains significant shortcomings and/or is inconsistent with other proposals. |
| **2** | **Partial**   * Response falls short of achieving and evidencing expected standard in a number of identifiable respects. |
| **3** | **Satisfactory**   * Response meets and evidences the required standard in many material respects, but is lacking or inconsistent in others. |
| **4** | **Good**   * Response meets and evidences the required standard in most material respects but is lacking or inconsistent in some minor respects. |
| **5** | **Excellent**   * Response meets and evidences the required standard in all material respects. |

**For questions with a set word limit you must identify the number of words used in your response and must not exceed the limit. If you do exceed the limit then we reserve the right to only consider the words within the word limit in the evaluation.**

Evaluation will be undertaken on a Pass/Fail basis and/or scored where indicated. The following evaluation criteria and weightings are to apply. All other criteria and sub-criteria will be scored in accordance with the table above and the indicated weightings will be applied.

Weighted scores will be calculated by multiplying the score achieved for each criterion by its weighting percentage. The weighted scores will then be totalled to arrive at a final score for each tender.

Where a pass or fail score is applicable, Bidders who obtain a fail mark will no longer be considered and will be deemed to have failed the Tender.

### **Quality Assessment Scoring Criteria**

E.g Business plan to include how you plan to develop business in the Central Library café for visitors and new customers.

Marks available: 13

Score from principals: 3

Total points: 13 x 3 = 39

**Bidders must:**

not include general marketing or promotional material from your organisation. This will not improve your score and they will be discarded.

**Completion and Return of the Tender**

**Please note:**

1. Price and Quality submissions must be responded to as instructed and returned. The Council reserves the right to disqualify a Tender if any of these are not submitted.
2. Bidders are required to note the maximum word count for the Quality Questions. Failure to adhere to this word count may result in submissions only being evaluated up until the point at which the word maximum is reached.
3. Tender submissions must be sent by recorded delivery to the above address or emailed to [cps\_clientteam@bolton.gov.uk](mailto:cps_clientteam@bolton.gov.uk)

**17.00 hours on 31st March 2023**

**IF YOUR TENDER IS RECEIVED LATE IT MAY NOT BE ACCEPTED.**

1. Failure to comply with the above may invalidate your Tender response.

**Timetable**

The proposed timetable for the procurement process is as set out below:

|  |  |
| --- | --- |
| **Key Tasks** | **To be completed by**  **(Date and time)** |
| Tender Return Date | 5.00pm 31.03.23 |
| Evaluation of Responses completed by | 5.00pm 14.04.23 |
| Award Concession | 5.00pm 21.04.23 |
| Commencement of Concession | Tba |

The Council reserves the right to amend the above timetable or extend any time period.

**Additional Information**

**INSURANCES**

Please fully complete each of the insurance details for this section and provide electronic copies of the relevant insurance certificates.

Employers Liability Insurance

Public Liability (third party) insurance

Details of any other insurance that you may be required by law to hold, or optional insurances.

**HEALTH AND SAFETY**

Please complete all relevant questions in this section.

EQUAL OPPORTUNITIES

1 **Compliance with statutory obligations**

The successful Bidder shall, and shall procure that all Sub-Contractors shall, adopt a policy to comply with the Council‘s statutory obligations under the Equality Act 2010, Article 141 of the Treaty of Rome, the Part Time Workers (Prevention of Less Favourable Treatment) Regulations, and the Public Sector Equality Duty, and shall comply with best professional practice in relation to equal opportunities and, accordingly, the successful Bidder will not, and shall take all reasonable steps to ensure that all its employees and agents (and all Contractors and all Sub-Contractors and all employees and agents of the sub-contractors and its employees and agents) do not, discriminate against any person because of their sex, sexual orientations, marital status, colour, race, religion or belief, age, nationality (including citizenship), national or ethnic origin, part-time status, fixed term status or on the grounds of their disability, in decisions to recruit, train, promote, discipline or dismiss employees.

2 **Codes of practice**

The successful Bidder shall, and shall procure that its sub-contractors shall, observe the Equal Opportunities Commission’s Codes of Practice for employment and equal pay, the Commission for Racial Equality’s Codes of Practice for employment, the Disability Rights Commission’s Code of Practice for employment and any codes of practice relation to employment issues from time to time by the commission for Equality and Human Rights.

3 **Adverse finding against a Bidder**

In the event of any finding of unlawful discrimination including, without limitation, sex, sexual orientation, part time, fixed term, racial, religious/belief, disability or age discrimination being made against the successful Bidder or any of its sub-contractors during the Tender Period by any court or employment tribunal, or of an adverse finding in any formal investigation (in the case of discrimination only) by the Equality and Human Rights Commission during the Tender Period, the successful Bidder shall inform the Council of this finding and shall take appropriate steps to prevent repetition of the unlawful discrimination.

4 **Provision of Information**

The successful Bidder shall, on request by the Council, provide the Council with details of any steps taken under condition 3.

5 **Circulation of Equal Opportunities and Diversity policy**

The successful Bidder’s equal opportunities and diversity policies shall be set out in any instructions circulated to those members of the Bidder’s staff and sub-contractor’s staff concerned with recruitment, training and promotion, in relevant documentation available to its staff and others and in its recruitment advertisements and other relevant literature.

6 **Provision of further information**

The successful Bidder shall provide such information as the Council may reasonably request for the purpose of assessing the Bidders compliance with the above conditions, including, if requested, examples of any instructions, recruitment advertisements or other literature, and details of monitoring applicants and employees.

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**TENDER TO COMPLETE**

**PART 2**

http://fjs01sd01/bmbcEmailTemplate/DNA.jpg

**Section A1 – Identity of Tenderer (to be completed by all Bidders) – please complete whichever is applicable.**

**Responses to be placed in space provided under question**

|  |  |  |
| --- | --- | --- |
| **To be completed by Sole Trader** | | |
| **Q** | **Identity of Tenderer** | **Responses to be placed in space provided either next to or below the question** |
| **1** | Please confirm the aims / rules of your organisation allow you to provide the specified service | Yes / No\*  Delete which is not applicable\* |
|  |  |  |
| **1.1** | Full name |  |
| Full Home Postal Address (provide full details for the past 10 years) |  |
| **1.2** | Date Business was Established |  |
| **1.3** | Contact Name for Application: |  |
| Telephone No: |  |
| Email address: |  |
| Main address for correspondence |  |
| VAT Registration No: |  |
| **1.4** | If your business is provided through a local or district office, different from the address in 1.1, please give further details. |  |
| **1.5** | If you are involved in any other business of a similar nature, please give brief details | |
|  |  | |
|  | **Complete** | |

**Responses to be placed in space provided under question**

|  |  |  |
| --- | --- | --- |
| **To be completed by Partnership** | | |
| **Q** |  | **Responses to be placed in space provided either next to or below the question** |
| **1** | Please confirm the aims / rules of your organisation allow you to provide the specified service | Yes / No\*  Delete which is not applicable\* |
|  |  |  |
| **1.1** | Full name of organisation making the application |  |
| Full Postal Address of organisation making the application |  |
| **1.2** | Contact Name for Application: |  |
| Telephone No: |  |
| Email address: |  |
| Main address for correspondence |  |
| VAT Registration No: |  |
| **1.3** | Please provide Names and Addresses for the past 10 years of each Partner | |
|  |  | |
| **1.4** | If your business is provided through a local or district office, different from the address in 1.1, please give further details. | |
|  |  | |
| **1.5** | If you or any partner is involved in any other business of a similar nature, please give brief details | |
|  |  | |
|  | **Complete** | |

**Responses to be placed in space provided under question**

|  |  |  |
| --- | --- | --- |
|  | **To be completed by Private Company, Public Company or Company Limited by Guarantee** | |
| **Q** |  | **Responses to be placed in space provided either next to or below the question** |
| **1** | Please confirm the aims / rules of your organisation allow you to provide the specified service | **Yes / No\***  Delete which is not applicable\* |
| **a** | **Private Limited Company** | **Registration No:** |
| **Date:** |
| **b** | **Public Limited Company** | **Registration No:** |
| **Date:** |
| **c** | **Company Limited by Guarantee** | **Registration No:** |
| **Date:** |
|  |  |  |
| **1.1** | Registered Name |  |
| Full Registered Postal Address of organisation making the application |  |
| **1.2** | Contact Name for Application: |  |
| Telephone No: |  |
| Email address: |  |
| Main address for correspondence |  |
| VAT Registration No: |  |
| **1.3** | If applicable please give the local/regional office address from the registered address |  |
| **1.4** | Please provide any previous names by which the company was known | |
|  |  | |
| **1.5** | Please provide brief details of the company's full range of business activities | |
|  |  | |
|  | **To be completed by any Parent Company** |  |
| **1.6** | Full Company Name |  |
| Full Registered Postal Address of Parent Company |  |
| **Registration No:** |  |
| VAT Registration No: |  |
|  | **To be completed by any Ultimate Holding Company** |  |
| **1.7** | Full Company Name |  |
| Full Registered Postal Address of Ultimate Holding Company |  |
| **Registration No:** |  |
| VAT Registration No: |  |
|  | **Complete** | |

**Responses to be placed in space provided under question**

|  |  |  |
| --- | --- | --- |
| **To be completed by Registered Charity, Industrial and Provident Society, a Friendly Society** | | |
| **Q** |  | **Responses to be placed in space provided either next to or below the question** |
| **1** | Please confirm the aims / rules of your organisation allow you to provide the specified service | **Yes / No\*** |
| **a** | **Registered Charity** | **Registration No:** |
| **Date:** |
| **b** | **Industrial and Provident Society** | **Registration No:** |
| **Date:** |
| **c** | **Friendly Society** | **Registration No:** |
| **Date:** |
|  |  |  |
| **1.1** | Full name |  |
| Full Home Postal Address (provide full details for the past 10 years) |  |
| **1.2** | Date Organisation was Established in this legal form |  |
| Contact Name for Application: |  |
| Telephone No: |  |
| Email address: |  |
| Main address for correspondence |  |
| VAT Registration No: |  |
| **1.3** | Please provide any previous names by which the organisation was known |  |
| **1.4** | Please provide brief details of the organisations aim and objectives as detailed in its memorandum of association or constitution. | |
|  |  | |
|  | **Complete** | |

**Responses to be placed in space provided under question**

|  |  |  |
| --- | --- | --- |
| **To be completed by a Franchisee** | | |
| **Q** |  | **Responses to be placed in space provided either next to or below the question** |
| **1** | Please confirm the aims / rules of your organisation allow you to provide the specified service | **Yes / No\*** |
| **a** | **Please provide details of Legal Status** | |
|  |  |  |
| **1.1** | Full name |  |
| Full Home Postal Address (provide full details for the past 10 years) |  |
| **1.2** | Contact Name for Application: |  |
| Telephone No: |  |
| Email address: |  |
| Main address for correspondence |  |
| VAT Registration No: |  |
| **1.3** | Please give full explanation of this status and the relationship with any other organisations | |
|  |  | |
|  | **To be completed by Franchisor** |  |
| **1.4** | Full Company Name |  |
| Full Registered postal address of Parent Company |  |
| **Registration No:** |  |
| **Date:** |  |
| **1.5** | Please confirm if you have given consent for the application to be submitted. | **Yes / No\***  Delete which is not applicable\* |
|  | **Complete** | |

**Section A2 – General Information (to be completed by all Bidders)**

**Responses to be placed in space provided under question**

|  |  |  |  |
| --- | --- | --- | --- |
| **Q** | **General Information** | | **Responses to be placed in space provided either next to or below the question** |
| **2.1** | Please state if you have been involved in any business, which has been liquidated or gone into receivership? | | **Yes / No\***  **Delete which is not applicable\*** |
| **If your response to the above is yes, please give details** | | |
| **2.2** | Please state if you or any employee has been in the last 10 years an elected member of the Council? | | **Yes / No\***  **Delete which is not applicable\*** |
| **If your response to the above is yes, please give details** | | |
| **2.3** | Please state if you or any employee is a relative of a Councillor or any employee that could be associated with the work sought | | **Yes / No\***  **Delete which is not applicable\*** |
| **If your response to the above is yes, please give details** | | |
| **2.4** | How long has your organisation been carrying out business in the provision of this service for which you are now applying? |  | |
| **2.5** | Has your organisation ever had a similar contract or agreement terminated? | **Yes / No\***  **Delete which is not applicable\*** | |
| **If yes please state reason why and provide details** | | |
| **2.10** | Please confirm if your organisation is required to be registered as a data controller with the Information Commissioner's Office (ICO)? | **Yes / No\***  **Delete which is not applicable\*** | |
| **2.11** | If not, please specify why your organisation is exempt from registration (please see <http://ico.org.uk/for_organisations/sector_guides/business>) | | |
|  | **Response:** | | |
| **2.12** | If your organisation is required to be registered as a data controller with the ICO, please specify your ICO Registration Number | **…………………………** | |

**Section A3 – Employment, Equality and Inclusion (to be completed by all Bidders)**

**Responses to be placed in space provided next to and/or under the question**

|  |  |  |
| --- | --- | --- |
| **Q** | **Employment, Equality and Inclusion** | **Responses to be placed in space provided either next to or below the question** |
| **3.1** | **Please confirm your Organisation complies with the following:** | **Tick which is applicable** |
|  | It is the organisations policy as an employer to comply with new legislation and developments including, but not limited to the following (or equivalent legislation):  Equality Act 2010, Article 141 of the Treaty of Rome, the Part Time Workers (Prevention of Less Favourable Treatment) Regulations, and the Public Sector Equality Duty.  Ensuring not to treat one group less favourably than others because of their gender, colour, race, nationality, ethnic original, religion, sexuality, age or otherwise in relation to decisions to recruit or promote employees. | **Yes / No\*** |
| **3.2** | Please confirm that your organisation complies with all relevant employment legislation, statutory instruments, codes of practice and guidance, including but not limited to the Employment Rights Act 1996, Employment Relations Act 1999 and the Employment Relations Act 1999 (Blacklists) Regulations 2010 | **Yes / No\*** |
| **3.3** | In the last three years, has any finding in relation to 3.1 and 3.2 above been made against your organisation by any court of law or industrial or employment tribunal? | **Yes / No\*** |
|  | If ‘yes’ please provide details, including any steps taken by your organisation as a result of the finding. | |
|  | **Response:** |  |
| **3.4** | In the last 3 years has your organisation been the subject of a formal investigation by the Commission for Racial Equality (CRE) on grounds of alleged unlawful discrimination? | **Yes / No\*** |
|  | If 'yes', please provide details, including any taken by your organisation a result of that finding or investigation? | |
|  | **Response:** | |

**Section A4 – Insurances (to be completed by all Bidders)**

**Responses to be placed in space provided next to the question**

|  |  |  |
| --- | --- | --- |
| **Q** | **Insurances - Please provide copy of your schedules and certificates for the following Insurances** | |
| **4.1** | Employers Liability Insurance. This should be a minimum of £10 million in respect of any one claim | **Please provide a copy** |
| **4.2** | A minimum level of £10 million may be required for Employers Liability therefore please confirm your organisation would be prepared provide this. | **Yes / No\***  **Delete which is not applicable\*** |
| **4.3** | Public Liability (third party) insurance. This should be a minimum of £10 million in respect of any one claim. **This must include medical malpractice cover and evidence must be provided.** | **Please provide a copy** |
| **4.4** | A minimum level of £10 million may be required for Public Liability therefore please confirm your organisation would be prepared provide this. | **Yes / No\***  **Delete which is not applicable\*** |

**Section A5 – Quality Assessment and Experience (The quality assessment will be assessed at 70%)**

Proposal to run the Café concession, demonstrate a high quality service provided by trained staff and offering a wide and appropriate menu:

|  |  |
| --- | --- |
| **Quality Category** | **Score to Form 70%** |
| Business plan to include how you plan to develop business in the concession for existing visitors and new customers  Details of your proposed marketing strategy  Realistic turnover forecast | 10  5  10 |
| Details of how you will ensure service excellence concentrating on the visitor experience | 10 |
| Detail how you will cater for customers with special dietary requirements and any special festival days. | 4 |
| Details of how you will ensure that the café concession is open at the times specified. | 2 |
| Details of your proposed investment in the café concession. | 10 |
| Details of how you will manage the disposal and collection of food waste, oil and grease produced from catering activities at the café concession | 2 |
| Details of how you will manage customer complaints | 4 |
| Details of your food purchasing ethos and approach including sourcing seasonal fruit and vegetables from local suppliers. | 2 |
| Example menu’s and tariff’s for the café concession and event catering. | 10 |
| Details of how you will ensure that your menu options are of a high standard of quality including providing a sample lunch (arrangements for this to be sent by email on receipt of tender submission) | 10 |
| Details of your security procedures in relation to the café concession. | 2 |
| Details of how you will ensure that all staff working in the café concession are well presented including wearing a clean uniform at all times. | 2 |
| Proposals for the number of operatives that you propose to employ. | 8 |
| Proposal demonstrate the training and employment opportunities that may be created. | 2 |

**Section B - Responses to be placed in space provided under question**

The information provided within this section must be from the Bidder that will be entering into an agreement with the Council.

|  |  |
| --- | --- |
| **Q** | **Financial Information (Pass/Fail)** |
| **1.1** | **ALL BIDDERS**  Please confirm that you authorise the Council to carry out an analysis of the following, which you are required to supply: (please delete as appropriate)  **Yes/No**   * 1. A copy of the most recent accounts (the accounts must be audited if your organisation is required by law to produce audited accounts) that cover the last two years of trading or for the period that is available if trading for less than two years.   2. A statement of your organisation’s turnover, profit & loss and cash flow position for the most recent full year of trading (or part year if full year not applicable) and an end period Balance Sheet, where this information is not available in an audited form at (a).   3. Where (b) cannot be provided, a statement of your organisation’s cash flow forecast for the current year and a bank letter outlining the current cash and credit facility position.   4. If your organisation is a subsidiary of a group, (a) to (c) are required for both the subsidiary and the ultimate parent. Where a consortium or association is proposed, the information is requested for each member company or firm.   5. A separate statement of your organisation’s turnover that relates directly to the subject of this tender for the past two years, or for the period your organisation has been trading (if less than two years).   6. Parent company and/or other guarantees of performance and financial standing may be required if considered appropriate. Also, confirmation of your organisation’s willingness to arrange for a guarantee or a performance bond. |

|  |  |
| --- | --- |
| **Q** | **Financial Information** |
| **1.2** | Please state whether the Potential Bidder or its directors or any other person who has powers of representation, decision or control of the named organisation has been convicted of any of the following offences:   * + - * conspiracy within the meaning of section 1 of the Criminal Law Act 1977 where that conspiracy relates to participation in a criminal organisation as defined in Article 2(1) of Council Joint Action 98/733/JHA (as amended);       * corruption within the meaning of section 1 of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906 (as amended);       * the offence of bribery;       * fraud, where the offence relates to fraud affecting the financial interests of the European Communities as defined by Article 1 of the Convention relating to the protection of the financial interests of the European Union, within the meaning of:         + the offence of cheating the Revenue;         + the offence of conspiracy to defraud;         + fraud or theft within the meaning of the Theft Act 1968 and the Theft Act 1978;         + fraudulent trading within the meaning of section 458 of the Companies Act 1985 or section 993 of the Companies Act 2006;         + defrauding the Customs within the meaning of the Customs and Excise Management Act 1979 and the Value Added Tax Act 1994;         + an offence in connection with taxation in the European Community within the meaning of section 71 of the Criminal Justice Act 1993; or         + destroying, defacing or concealing of documents or procuring the extension of a valuable security within the meaning of section 20 of the Theft Act 1968;       * money laundering within the meaning of the Money Laundering Regulations 2003 or Money Laundering Regulations 2007; or   any other offence within the meaning of Article 45(1) of Directive 2004/18/EC as defined by the national law of any relevant State  **Yes/No** |
| **1.3** | Has your company or any of its Directors and Executive Officers been the subject of criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in, for which the outcome was a judgement against you or them?  **Yes/No** |
| **1.4** | Is your company or any of its Directors and Executive Officers the subject of on-going or pending criminal or civil court action (including for bankruptcy or insolvency) in respect of the business activities currently engaged in?  **Yes/No** |
| **1.5** | Has your company or any of its Directors and Executive Officers been in receipt of enforcement/remedial orders (such as those in relation to HSE, Environmental Agency or HMRI enforcement), in the last three years?  **Yes/No** |

**Section C – Health and Safety (to be completed by all Bidders)**

**Responses to be placed in space provided under question**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **HEALTH & SAFETY – To be completed by all Bidders** | | | | | |
| **C.1** | Name of the person (e.g. Director/Partner/Associate) who is responsible for the implementation of your organisation’s Health and Safety policy. | | | | |
| **Name** |  | | | |
| **Position** |  | | | |
| **C.2** | Do you have access to competent Health and Safety advice | | | **Yes** | **No** |
|  |  |
| If **YES**, please provide details here and specify any relevant qualifications held | | | | |
| Name | | | | |
| Qualifications | | | | |
| **C.3** | How many staff does your organisation employ? | | | **Number** | |
|  | |
| **C.4** | By law (Health and Safety at Work etc Act 1974 section 2(3)) if you employ five or more people you must have a written health and safety policy.  If applicable please provide a copy of your organisation’s Health and Safety Policy covering General Policy, Organisation and Arrangements which has been endorsed by the person responsible for its implementation. | | |  | |
| **C.5** | If you have less than five employees – OR – if your Health and Safety policy does not detail any of the following, please enclose written details of the following: | | | | |
| **A** | Procedures to be followed in cases of emergency including threatening behaviour | |  | | |
| **B** | Procedures for reporting and recording of accidents and incidents | |  | | |
| **C** | First aid and welfare provisions | |  | | |
| **D** | Provision of appropriate protective clothing and equipment | |  | | |

**Section D – Certificate of Bona Fide Bid (to be completed by all Bidders)**

**Declaration**

**PLEASE READ AND SIGN THE DECLARATION BELOW**

I/We apply to be considered to provide the Catering Concession for Bolton Central Library Café concession for Bolton Council.

I/We certify that the information supplied is accurate to the best of my/our knowledge and that I/We accept the conditions and undertakings requested in the Tender. I/We understand that false information could result in my/our exclusion from consideration for this or any other Tender/Contract with the Council.

I/We also understand that it is a criminal offence, punishable by imprisonment, to give or offer any gift or consideration whatsoever as an inducement or reward to any servant of a public body and that any such action will empower the Council to cancel any Tender/Contract currently in force and will result in my/our exclusion from consideration for this or any other Tender/Contract with the Council.

I/We confirm that:

(i) I/We have not communicated and will not communicate to any person, under agreement or arrangement, the amount of this Tender.

(ii) The amount of this Tender has not been adjusted under any agreement or arrangement with any person.

|  |  |
| --- | --- |
| **Signature:** |  |
| **Full Name (printed):** |  |
| **Designation:** |  |
| **Date:** |  |
| **Organisation:** |  |
| **Address:** |  |
| **Telephone:** |  |
| **Email:** |  |

**Anti-Collusion Certificate**

The essence of the public procurement process is that the Council shall receive *bona fide* competitive Tenders from all Bidders. In recognition of this principle we hereby certify that this is a *bona fide* Bid, intended to be competitive, and that we have not fixed or adjusted the amount of the Bid or the rates or prices quoted by or under or in accordance with any agreement or arrangement with any other Bidder (other than a member of our own consortium). We have not and insofar as we are aware neither has any Bidder Party (as defined in the Invitation to Negotiate):

Entered into any agreement with any other person with the aim of preventing Bids being made or as to the fixing or adjusting of the amount of any Bid or the conditions on which any Bid is made; or

Informed any other person, other than the person calling for this Bid, of the amount or the approximate amount of the Bid, except where the disclosure, in confidence, of the amount of the Bid was necessary to obtain Tenders necessary for the preparation of the Bid for insurance, for performance bonds and/or contract guarantee bonds or for professional advice required for the preparation of the Bid; or

Caused or induced any person to enter into such an agreement as is mentioned in Paragraph (1) and (2) above or to inform us of the amount or the approximate amount of any rival Bid for the Tender; or Committed any offence under the Prevention of Corruption Acts 1889 to 1916 nor under Section 117 of the Local Government Act 1972; or

Offered or agreed to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any other Bid or proposed Bid for the Works any act or omission; or

Canvassed any other persons referred to in Paragraph (1) above in connection with the Tender; or

Contacted any officer of the Council about any aspect of the Tender including (but without limitation) for the purposes of discussing the possible transfer to the employment of the Bidder of such officer for the purpose of the Tender or for soliciting information in connection with the Tender.

We also undertake that we shall not procure the doing of any of the acts mentioned in Paragraphs (1) to (7) above before the hour and date specified for the return of the Bid nor (in the event of the Bid being accepted) shall we do so while the resulting Tender continues in force between us (or our successors in title) and the Council.

***In this certificate***

The word "person" includes any person, body or association, corporate or incorporate and "agreement" includes any arrangement whether formal or informal and whether legally binding or not.

**Certificate of Bona Fide Bid**

TO: The Chief Executive Bolton Council

In accordance with the Terms and Conditions applicable to this Tender, the Specifications and the relevant Pricing Schedules, I/We hereby offer to deliver the Tender as detailed in the Tender Document to the order of Bolton Council.

I/We further undertake to execute (if so required) a Deed of Contract on a form to be prepared by the Council Solicitor and (if so required) to provide satisfactory sureties for the due performance of same.

Prices quoted are **(FIRM)** - (**please confirm** this is applicable **by signing in place provided non completion of this may invalidate your Tender**):

|  |  |
| --- | --- |
| **Price Clause Applicable** | **Please Sign in Box Below** |
| Firm Prices for the Tender Period |  |

I confirm the prices quoted are firm as confirmed in the Declarations Form and the Certificate of Bona Fide Bid and I accept all terms and conditions as set out in this and all other documents relating to this Tender.

|  |  |
| --- | --- |
| **Authorised by:** |  |
| **Full Name (printed):** |  |
| **Designation:** |  |
| **Date:** |  |

**Supporting Documents Checklist for Sections A – C**

|  |  |  |
| --- | --- | --- |
|  | **Check list – Documents to be submitted** | **Delete which is not applicable\*** |
| **SECTION A** | Copy of Partnership Agreement (if applying as a partnership) | **YES / NO / N/A\*** |
| Copy of Registration Certificate of Incorporation (if applying as Private Company, Public Company or Company Limited by Guarantee) | **YES / NO / N/A\*** |
| Copy of Registration Certificate (if applying as Registered Charity, Industrial and Provident Society, a Friendly Society or an Unincorporated Association/Society) | **YES / NO / N/A\*** |
| Proof of Employer’s Liability Insurance | **YES / NO\*** |
| Proof of Public Liability Insurance | **YES / NO\*** |
| Proof of Professional Liability Insurance | **YES / NO\*** |
| **SECTION B** | Copy of accounts or balance sheet or letter from bank and income statement (Abbreviated accounts are not acceptable) | **YES / NO\*** |
| **SECTION C** | Health & Safety Policy (C.4) | **YES / NO\*** |
| Example of Risk Assessment (C.21) | **YES / NO\*** |
| Example of Safe System of Work (C.22) | **YES / NO\*** |
| Endorsed certificates in Health & Safety (OPTIONAL) | **YES / NO\*** |
| **If you have less than five employees – OR – if your Health and Safety policy does not detail any of the following, please enclose written details of the following:** | **Delete which is not applicable\*** |
| Procedures to be followed in cases of emergency (C.5A) | **YES / NO\*** |
| Procedures for reporting and recording of accidents and dangerous occurrences (C.5B) | **YES / NO\*** |
| First aid and welfare provisions (C.5C) | **YES / NO\*** |
| Procedures for Lone Working (C.5D) | **YES / NO\*** |

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**TENDER TO COMPLETE**

**PART 3**

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|  |
| --- |
| **PRICING SCHEDULE** |

The financial proposal will be evaluated at 30% overall, the breakdown being set out below:

**25% GMP Methodology**

The tenderer’s proposed Guaranteed Minimum Payment (GMP) will be evaluated at 25% of total points. The highest bid will be awarded at 25%, all other bids will be evaluated on a pro rata basis. For example if the highest bid came in at £30,000 over a 5 year period they would get 25%, second bid comes in at £15,000 they will get 17.5%.

**5% Proposed Methodology**

In addition to the GMP the Council is also seeking a percentage of Tenderers turnover, generated from the operation of the café concession.

i.e Tenderer A offers 5% of their projected turnover of £50,000 they would pay £2,500 to the Council in addition to their GMP. Tenderer B offers 4% of their projected turnover of £100,000, therefore they would pay £4,000 to the Council in addition to their GMP, therefore Tenderer B would be scored at 5% and Tenderer A would be scored at 3.13%

**ALL COSTS QUOTED MUST BE EXCLUSIVE OF VAT**

|  |  |  |  |
| --- | --- | --- | --- |
| Weighing | 25% | 5% |  |
|  | Contractor’s proposed annual Guaranteed Minimum Payment | Contractor’s proposed annual % of Turnover payment | Contractor’s proposed annual Estimated Turnover |
| Year 1 |  |  |  |
| Year 2 |  |  |  |
| Year 3 |  |  |  |
| Year 4 |  |  |  |
| Year 5 |  |  |  |
| Total |  |  |  |