



Gosport Borough Council

Invitation to Tender for a 4 year Agreement to
Operate an Ice Cream Concession at Lee on the Solent
2019 - 2023

Contents

Section 1 -	Introduction
Section 2 -	Guidance Notes
Section 3 -	Specification and Requirements
Section 4 -	Evaluation
Section 5-	Submission of Tenders

Appendix A:	Agreement
Appendix B:	Business Questionnaire
Appendix C:	Forms: Declaration of Interest Form Collusive Tendering Certificate Form of Tender
Appendix D:	Address label

Section 1

1.0 Introduction

- 1.1 Lee on the Solent is a popular unspoiled destination for residents and visitors to the Borough, comprising an expanse of pebble beach close to a range of amenities. The beach at Lee-on-the-Solent provides some of the cleanest and safest bathing waters along the south coast. The sheltered coastal waters make it ideal for sea anglers and a variety of water sports including sailing, windsurfing, jet-skiing and pleasure boating. A new children's splash park is being built in 2019 adjacent to which the successful tenderer will be permitted to locate a vehicle
- 1.2 There is an existing agreement for the sale of ice cream and soft drinks at the Beach Road Car Park that comes to an end on 31March 2019.
- 1.3 The Council therefore wishes to invite Tenders for a new four year, seasonal concession for the sale of ice cream and soft drinks at Lee on the Solent commencing on the 1April 2019 to the 31March 2023.

Section 2

2.0 General Instructions

- 2.1 These instructions relate to the Ice Cream sales concession at Lee on the Solent.
- 2.2 The contracting authority is Gosport Borough Council, Town Hall, High Street, Gosport, Hants PO12 1EB (hereinafter referred to as 'the Council')
- 2.3 Tenders must be delivered on or before **Friday 1 February 2019** to arrive no later than 12.00 noon. Late applications will not be accepted. Incomplete or unsigned Tenders may not be considered.
- 2.4 The Tender is to be completed in black ink or typed and be in the English language. All financial sums and amounts must be in pounds sterling.
- 2.5 Any costs (direct or indirect) incurred by an applicant in the preparation and submission of the Tender or other documents are to be borne in full by the applicant.
- 2.6 The full agreement for this concession is included at Appendix A of this document. Information provided by the Council (whether in these documents or otherwise) is provided for general guidance in the preparation of the Tender. Applicants must satisfy themselves as to the conditions affecting the supply and cost of labour, the availability and prices of equipment and all other factors that may affect the operation and costs of the concession.
- 2.7 Tenders will be evaluated in accordance with the procedure detailed at Section 4 of this document. The Council does not bind itself to accept the highest fee offer, or any Tender submitted and shall be able at its sole discretion to withdraw from the procurement process at any time.
- 2.8 Section 5 provides information on how to submit your Tender, as part of which applicants will also need to complete and return the Forms attached at Appendix C.
- 2.9 The timetable for the tender process is as follows:-
- Issue of Invitation to Submit Tenders **Monday 17 December 2018;**
 - Closing date for clarification queries **Friday 18 January 2019;**
 - Questionnaire and Tender return date **Friday 1 February 2019;**
 - Concession awarded w/c **Monday 11 March 2019;**

- 2.10 All enquiries concerning this Invitation to Tender should be addressed in writing to: Fraser Hicks, Property Services, either by email to: fraser.hicks@gosport.gov.uk or to the address below. The Council will endeavour to respond to all queries and requests made, provided that they are received by 5.00 pm on Friday 18 January 2019. Any questions raised and responses to queries will be made available to all parties that express an interest in this tender opportunity.

Property Services
Town Hall
High Street
Gosport
PO12 1EB

- 2.11 In accordance with the obligations placed upon public authorities and organisations by the Freedom of Information Act (FOIA), all information submitted to the Council may be disclosed by the Council in response to a request made pursuant to the FOIA. In respect of any information submitted by an Applicant which they consider to be commercially sensitive, Applicants should:
- (a) Clearly identify such information as commercially sensitive and the consequences of disclosure; and
 - (b) Detail the envisaged timeframe during which such information will remain commercially sensitive.
- 2.12 The Business Questionnaire at Appendix B requires applicants to confirm that they will indemnify the Council against all claims and have Public Liability Insurance to a minimum value of £5,000,000 for any one claim. Please note that evidence of insurance being in place will be required prior to the Council confirming the award of the concession through the signing of a Licence or commencement of trade, whichever is the sooner.
- 2.13 Tenders submitted to the Council must be kept open and valid for acceptance for at least 90 days after the closing date for the return of Tenders

Section 3

3.0 Specification and Requirements

- 3.1 The Business Questionnaire attached at Appendix B to this document must be completed in full, signed and returned as part of the Tender. Please ensure that you provide all the information and fully complete the document, as requested. If a question does not apply to you or you do not know the answer you must indicate this on the document by either writing 'not applicable' or 'not known'. Failure to fully complete the Business Questionnaire as requested may result in your application not being accepted.
- 3.2 Where the Applicant is a company all documents requiring signature must be signed by two directors or by a director and the company secretary. Where the Applicant is an individual the documents must be signed by that named individual and where the Applicant is a partnership by at least two partners on behalf of all the partners, two members in respect of an LLP and/or the sole proprietor or an authorised senior manager in respect of a business run by a sole proprietor.
- 3.3 All applicants must be registered with a local authority and hold a food hygiene rating of 3 or above for any outlet proposed to be used for this concession. Evidence of this requirement will be required prior to entering in to any agreement.

Section 4

4.0 Tender Evaluation

- 4.1 Tenders will be evaluated on price only; however, award of the concession will be subject to the provision of all required documentation and confirmation that the preferred bidder is a financially sound company of good standing. This will be checked by means of the information provided in the Business Questionnaire, financial checks and the taking up of references.

Section 5

5.0 Submission of Tenders

- 5.1 Applicants are required to submit the required Tender documents completed, by the deadline of **12 noon on Friday 1 February 2019**. Late applications will not be accepted. Incomplete or unsigned Tenders may not be considered.
- 5.2 Applicants are fully responsible for the delivery of their Tender and also for the actions of their staff, representatives or delivery agents. It is recommended that documents be sent by registered post or recorded delivery or by hand to the Town Hall between 9.00 am and 5.00 pm from Monday to Friday (excluding bank holidays).
- 5.3 Tenders and associated documentation, whether in full or part, sent by electronic means will only be considered in exceptional circumstances (ie postal strike) and with the prior approval of the Council.
- 5.4 Tenders must not be qualified in any way and must be submitted strictly in accordance with this Invitation to Tender. Tenders must not be accompanied by any covering letter or any statement that might place it on a different footing from other Tenders.
- 5.5 Tenders should be submitted to the Council in a sealed envelope no later than the due date and time specified. The envelope must bear no other name or mark to indicate the sender, using the address label provided at Appendix D.
- 5.6 The Council may, at its own discretion, extend the closing date and time stated in this document or as notified in writing to the Candidates by the Council. Otherwise the Council will not consider requests for any extension of the closing date and time stated in writing by the Council.
- 5.7 The following documents must be returned with your Tender:-
- Completed and signed Business Questionnaire (Appendix B) together with any supporting documents;
 - Signed Declaration of Interest (see Appendix C)
 - Signed Collusive Tendering Certificate (see Appendix C)
 - Signed Form of Tender (see Appendix C)
- 5.8 The Council shall reject a Tender, without prejudice to any other civil remedies available to the Council or any criminal liability the Applicant may attract, if the Applicant:-
- (a) Fixes or adjusts the price shown in its Tender by or in accordance with any agreement or arrangement with any other person or by reference to any other Tender; or

- (b) Communicates to any person other than the Council the amount or appropriate amount of the prices shown in its Tender, except where such communication is made in confidence in order to obtain quotations necessary for Insurance; or
- (c) Agrees with any other person that such other person shall refrain from submitting a Tender or shall limit, restrict or reduce the prices to be shown by any other Applicant in their Tender; or
- (d) Offers or agrees to pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having done, or for causing or having caused to be done any act of omission in relation to any other Applicant or any other persons' proposed Tender.