# SUPPLIER RESPONSE – PART B – MANDATORY REQUIREMENTS FOR WHITECLIFF PAVILION CAFÉ CONCESSION

## Strategic Procurement

## DN 430539

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**Mandatory Requirements Sections**

Suppliers who self-certify that they meet the requirements for these additional modules will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by selecting 'Yes or No' in the relevant boxes.

Please note that all mandatory requirements outlined in this document are pass/fail. If your company is not able to meet any of the mandatory requirement outlined in the boxes below, please do not proceed further with your tender as your response will be rejected.

You may contact the Council for advice through ProContract if you are unsure if your company meets mandatory requirements outlined in this document prior to the submission deadline and in accordance with the procurement timetable.

| A | Project Specific Mandatory Requirements | Is this project specific mandatory requirement met? Please indicate your response below. |
|---|---|---|
| A1. | **Relevance and scale of experience:**<br>You have experience of operating a similar type of catering and/or leisure business with turnover exceeding £100,000 per annum.<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A2. | **Net profit:**<br>Your last two years accounts show a net profit after interest, tax, depreciation and amortisation.<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A3. | **Public toilets**<br>You will meet or exceed the Service Standards (Appendix C) and provide male, female and disabled/family toilets.<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A4. | **Sports changing**<br>You will provide hirer access to sports changing, in line with the Service Standards (Appendix C), including access to toilets and changing facilities from 1 hour before fixture commencement to 1 hour after the end of pitch hire.<br><br>Please confirm you meet this mandatory requirement. | YES/NO |

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| A5. | **Open Book**<br>You will share turnover data with the council in an “open book” manner where turnover is defined as equivalent to revenue or sales (net of discounts and sales taxes) i.e. total money in (not net of expenditure).<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A6. | **Evidence of available capital finance**<br>Our tender submission is accompanied by evidence of finance available for capital investment at the level required for the opportunity.<br>Evidence to be named “MR-A6 – Evidence of Capital Finance”<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A7. | **Development Agreement and Agreement for Lease**<br>You agree to the terms of our Development Agreement and Agreement for Lease (Appendix D1).<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A8. | **Fixed FFF&E**<br>You agree that Fixed FFF&E shall be as defined in the schedule contained within the Lease of the Café - Appendix D2<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A9. | **Fit of your proposal with our Vision**<br>The footprint and external appearance and character of your proposed building is in line with the Council’s Vision as outlined in the Planning Permission Reference APP/17/01146/P – Appendices F and G and as described in the Invitation to Tender at 1.1.1 Vision.<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| A10. | **Pre-planning advice**<br>You have sought and received pre-planning advice from BCP’s Planning?<br><br>Please confirm you meet this mandatory requirement. | YES/NO |

| B | Compliance with Equality Legislation | |
|---|---|---|
| Suppliers who self-certify that they meet the equality and diversity requirements below will be required to provide evidence of this if they are successful at contract award stage. Please indicate your answer by marking "Yes or "No" in the relevant boxes. | | |
| B1. | Please self-certify whether, as an Employer, you meet the requirements of the positive equality duties in relation to the Equalities Act 2010* and you have your own relevant policies / literature<br><br>If you do not have your own policies / literature then please confirm that you commit to the Authority's standards outlined in its Policy document Fairness for All http://www.poole.gov.uk/your-council/equality-and-diversity/equality-and-diversity/<br><br>* It is a legal requirement that applies to both public and private procurement. | YES/NO |
| Please confirm whether the below circumstances apply to your company (For organisations working outside of the UK, please refer to equivalent legislation in the country that you are located): | | |
| B2. | 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 |
| B3. | 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? | YES/NO |
| If you have answered "yes" to one or both questions B2 and B3, 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.<br><br>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.<br><br>You may be excluded if you are unable to demonstrate to the Council's satisfaction that appropriate remedial action has been taken to prevent similar unlawful discrimination reoccurring. | | |
| B4. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations in order to ensure sub-contractors compliance? | YES/NO/ N/A |

| C | Environmental Management | |
|---|---|---|
| C1. | 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)?<br><br>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.<br><br>The Council will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the Council is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches. | YES/NO |
| C2. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations in order to ensure sub-contractors compliance? | YES/NO/ N/A |

| D | Health and Safety | |
|---|---|---|
| D1. | Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements. | YES/NO |
| D2. | 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?<br><br>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.<br><br>The Council will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the bidder(s) can demonstrate to the Council’s satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches. | YES/NO |
| D3. | If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations in order to ensure sub-contractors compliance? | YES/NO/ N/A |

| E | Electronic Ordering and Invoicing | |
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| E1. | Your company will be required to work with the Council by receiving electronic purchase orders and submitting invoices electronically to the Council.<br><br>The successful supplier will be expected to join the Council's electronic P2P system. The successful supplier will be required to register their company details on the site but there is no cost to joining. The successful supplier will be able to receive electronic purchase orders (PO) from the Council by e-mail and will be expected to submit electronic invoices and credits through the online system.<br><br>Suppliers will be required to follow the Council's 'Good Invoicing Practice Guide' when submitting invoices and credit notes to the Council. This guide can be found on the Council's website and explains what the Council expects to see on any invoice that is submitted from your company.<br><br>Where relevant, the successful supplier will be expected to provide data on goods or services to the Council so that a catalogue can be built. Where it is also deemed appropriate, the Council may also want to integrate with your transactional website through our P2P system. | |
| | Please can you confirm that you are willing to work with the Council including as a minimum receiving electronic Purchase Orders and invoicing the Council electronically: | YES/NO |

| F | Economic and Financial Standing | |
|---|---|---|
| F1. | ***Annual Turnover –*** to assist with the financial checking process please provide the latest published annual turnover figure of your organisation below: | |
| | Financial Accounting Year: | |
| | Turnover Value: | |
| F2. | You should be aware that the Council uses a credit reference and financial status records agency. It is Council policy to check the financial status and stability of Suppliers prior to contract inception, where appropriate. You should be aware that the Council may take up financial checks just before award of contract.<br><br>In addition to this financial check, further tests may be conducted which may include a review of current assets against liabilities, profitability over the previous four years, size of any long term liabilities (particularly where these are financed by external bank loans), the structure of the company and whether it is or could be supported by a Parent Company, the value of current reserves, whether the Supplier is long-established, plus consideration of the size of the contract against the organisation's turnover. | |
| | Please confirm that you have read and understood the above text: | YES/NO |

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| F3. | **Minimum Level of Economic and Financial Standing**<br><br>Your organisation's yearly turnover is no less than twice the estimated contract value – i.e. no less than £100,000<br><br>Please confirm you meet this mandatory requirement. | YES/NO |
| F4. | number not used | |
| F5. | **Parent Company Guarantee**<br><br>Subject to the outcome of the financial risk assessment, where applicable, a guarantor / Parent Company Guarantee may be required. Please confirm that you are willing to provide a guarantor / Parent Company Guarantee. | YES/NO |

| **G** | **Information Governance and Information Security** | |
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| G1. | Please confirm that you commit to the Authority's Information Governance and Information Security standards outlined in the two policies 'Information Governance Policy' and 'Information Security Policy' that can be found by following this link: https://bcpshadowauthority.wordpress.com/bcp-privacy-statement/<br><br>You may be excluded if you are unable to demonstrate to the Council's satisfaction compliance with the requirements outlined in these policies. | YES/NO |