**SUB THRESHOLD TENDER  
Competitive process, advertised and electronic tendering**

**Hackney Council**

**INVITATION TO TENDER**

**Fairchild’s Garden Kiosk ProContract reference: DN721749**

|  |
| --- |
| **Bidder to insert their company/organisation name** |
|  |

**Bids submitted after the stated closing date and time may not be considered.**

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| **Invitation to Tender No:**  **DN721749** | |  | **London Borough of Hackney** |
| **Tender for:**  **Period of Contract:** | **Fairchild’s Garden Kiosk**  5 Years  +1 Year, +1 Year | | **Due for return by 12:00 Noon on:**  19th June 2024 |

1. **INTRODUCTION**

**General**

* 1. The Authority is issuing this Invitation to Tender ("ITT") in connection with the Procurement for the delivery of Class E (drinks and snacks) use in Fairchild’s Garden Kiosk and ancillary buildings.
  2. All interested Bidders can submit a Bid for this Procurement. This ITT provides further details of the Procurement and the process for submitting Bids.

**Communications / Contact**

* 1. The Authority is using ProContract as its electronic Procurement Portal The Procurement Portal is accessible at <https://www.londontenders.org/>.
  2. Bidders should not approach any member of the Authority in relation to the ITT or the Procurement Process, other than by using the messaging function on the Procurement Portal. Any technical questions relating to the use of the Procurement Portal website should be logged with the dedicated [Bidder Support helpdesk](mailto:ProContractSuppliers@proactis.com)
  3. Any queries arising from the Procurement Documents should be raised as soon as possible via the messaging function on the Procurement Portal and in any event by no later than Noon on the date stated in the timetable at paragraph 3.1.

**Bid Procedure**

* 1. All Bidders are required to complete this ITT document in order to submit their completed Bid. All aspects of this ITT must be completed in full and submitted as part of a Bid.
  2. Details of the overall timetable and submission deadlines and other key dates are outlined in **Section 2 (Timetable and Process)** below.
  3. The questions that Bidders are required to answer in the ITT are set out in Appendix 7: Quality QuestionsandAppendix 8: Financial Submissions to this document.
  4. **Bids should be final and complete in meeting the Authority's** **requirements. Please refer to the submission instructions in Section 3 (Submission Instructions)**
  5. The template lease can be viewed in **Appendix 3: Lease**.  It is important that Bidders carefully review the lease and the information contained in **Schedule 1** at the back of the lease document.

1. **TIMETABLE AND PROCESS**

**Procurement Timetable**

* 1. The timetable below sets out the key dates in the Procurement Process.

|  |  |
| --- | --- |
| **Date** | **Stage** |
| 20th May 2024 | Procurement Documents made available online (live for 4 weeks) |
| 28th May 2024, 6-7pm | Online Procurement workshop, contact us via the Portal to book a place |
| 5th June 2024 @ 12:00 hrs | Deadline for clarification questions |
| 7th June 2024 | Deadline for responses to clarification questions |
| 19th June 2024 @ 12:00 hrs | **Deadline for return of Bids** |
| 24th June 2024 | Start of Evaluation of Bids |
| Monday 1st July 2024 | Online interviews |
| 5th July 2024 | Completion of the Authority approval and award decision processes. |
| 8th July 2024 | Notify Bidders of award decision and commencement of voluntary standstill period |
| 9th July 2024 | Award of the contract and 3 week fit out period |
| 1st August 2024 | Trading commences |

* 1. The Authority reserves the right to amend this timetable as the Procurement Process progresses.

**Post Bid Clarifications**

* 1. Upon receipt of a Bid the Authority may wish to pose post-Bid clarification questions to Bidders. This process will be administered in writing via the messaging area within the Procurement Portal.

**The Award Criteria and evaluation questions**

* 1. Bidders should respond to each point in the question when providing its answer. The Authority reserves the right to mark the answer on the response to each question and in conjunction with the interviews, and have different evaluation panel teams evaluate different parts of each Bid. Evaluators will only read the response to each individual question they are evaluating; evaluators will not follow any cross-referencing to other parts of the Bid.
  2. Answers should contain information to evidence and demonstrate what and how the Bidder intends to deliver the Services subject of this ITT.

**The Price Schedule**

* 1. The Bidder's Financial Submission (rental offer) will be calculated and weighted in accordance with the instructions detailed in **Section 4 (Evaluation)**.

**Completion of Bid**

* 1. Evaluation of a Bid does not imply acceptance by the Authority of the Bidder’s financial stability, technical competence or ability in any way to carry out the services. The Authority has the right to return to these matters as part of the formal Bid evaluation process.
  2. The information Bidders provide will be relied upon for evaluation purposes and will be taken to be true and accurate. If subsequently the Authority decides that a Bid contains inaccurate information, the Authority may exclude that Bid (if still under evaluation) and/or terminate a Contract entered into as a result of that Bid.

**Confidentiality and Freedom of Information**

* 1. Bidders must highlight pink any confidential or sensitive information contained in their Bid and mark with the words “in confidence”
  2. The Authority will have sole discretion as to whether or not to disclose information marked confidential, and in particular as to whether disclosure is required to comply with the Authority's duties under the Freedom of Information Act (2000).

**Return of Certificates / Contractual Undertaking**

* 1. The Authority requires Bidders to give certain undertakings. These undertakings include signing the following documents:
* Certificate of Non-Collusion (Appendix 4)
* Certificate of Non-Canvassing (Appendix 4)
* Contractual Undertaking (Appendix 5)
  1. Failure to complete this may result in a Bid being deemed non-compliant and not being evaluated.

**Contract Award**

* 1. Contract award is subject to the formal approval process of the Authority. Until all necessary approvals are obtained, no contract(s) will be entered into.

**SPECIFICATION**

**About the Specification**

* 1. The Services are described in the Specification in **Appendix 2: Specification** to this ITT.
  2. Through their responses Bidders shall demonstrate how they intend to deliver the Services subject of this Specification.

1. **SUBMISSION INSTRUCTIONS**

**General**

* 1. The Authority may reject Bids delivered after the date and time specified as the deadline. Please see **Section 2** and **Appendix 1: Important Notices**.
  2. The Authority reserves the right, at its discretion, to request clarifications in writing or further relevant information from any Bidder after the submission of Bids.
  3. All responses must be submitted electronically through the Procurement Portal. Bids which are, e-mailed, posted, hand-delivered or faxed to the Authority **will not** be considered.

**Navigating the Portal**

* 1. The Authority is using a secure (hosted) electronic bidding system (i.e. the Procurement Portal). The ProContract portal is accessed via <https://www.londontenders.org/> as described in 1.3 above.
  2. User guides are available from the Help menu throughout the Procurement Portal. Bidders are advised to make themselves familiar with the content of the user guides prior to uploading Bids by using the topics within the ‘Help’ menu located on the header bar of all pages. Refer to the Help library, how to guide and video tutorials.
  3. New users to the Procurement Portal must register first to obtain a username and password before returning to this opportunity and corresponding documents. Registration is free and is confirmed by the Procurement Portal’s provider within business hours. Opportunities to register are available on the Portal’s homepage and listed on the advertisements. Bidders should refer to the ‘Help’ link on the Portal home page that provides guidance on how to register and use the system.
  4. Bidders interested in this opportunity should express their interest by clicking on the ‘Register interest in this opportunity’ within the Business Opportunity Advert.
  5. Once Bidders have expressed their interest, they can access the Procurement Documentation from ‘My Activities’ on the home page or on the header bar.
  6. Please indicate via the Procurement Portal whether or not you intend to submit a Bid in response to this ITT by selecting “Register intent to respond” or “No longer wish to respond” under the Response Controls.
  7. In order to complete your electronic Bid, it must be **downloaded** to your system, completed and uploaded to the correct area of the Procurement Portal in accordance with the return instructions and by the stated deadline for submission of ITT responses. Bidders should be aware that the Authority is unable to open any Bids until after the specified closing date and time for the receipt of Bids. Until this time, Bids are stored in an e-vault and cannot be accessed in any manner by any Authority staff.

* 1. The full Bid must be completed and returned in the published format (e.g., Microsoft Word). Failure to comply with this instruction may result in your Bid being discounted. Your Bid must be submitted through the Procurement Portal (this may be submitted at any time prior to the closing time and date). Submission of electronic Bids should not be left to the last moment as it may take some time to upload your completed Bid. The server timestamps (GMT) Bids when they are submitted. Bids submitted after the stated closing date and time may not be considered. Bids may be rejected if they are not properly completed.
  2. Where Appendices to this ITT and/or forms submitted by Bidders during the Procurement Process require signing either by the Bidders or a third party (e.g., a bank authority or insurance certificate), electronically completed versions are acceptable for bidding purposes. Therefore, the Authority will accept scanned copies of original signed forms and the Authority will also accept either scanned copies of original signed Appendices or copies of the Appendices with typed signatures. Fully signed hard copies of any forms will be required from Bidder(s) prior to the award of the Contract.
  3. All responses should be in English, text submitted in A4, with a font size of no less than 12 and any financial references should be in Pounds Sterling.
  4. Where additional information has been requested (e.g., a company structure chart), this information should be clearly named so as to identify the file's contents and should be uploaded with your Bid.

**Attachments**

* 1. Where specifically requested, attachments must be submitted as separate documents, preferably as PDF files. They should be clearly named so that it is obvious what each attached file contains and which question it relates to.
  2. Attachments that have not been requested as part of the ITT will be ignored and will not be taken into consideration as part of the evaluation process.

1. **EVALUATION**

**General**

* 1. This Section sets out the evaluation criteria against which the ITT responses will be assessed.
  2. Bidders are required to respond to each of the questions set out in Appendix 7: Quality Questionsand complete in full the requirements inAppendix 8: Financial Submissions.

**Evaluation Criteria and Weightings**

* 1. The contract award decision will be made based on the application of the detailed evaluation criteria (and sub-criteria) shown inAppendix 6: Award Criteria. Quality scores will be awarded in conjunction with the clarification questions at the interview.

**Evaluation Methodology**

* 1. Prior to carrying out the detailed scoring of Bids, the Authority will conduct compliance checks. Bids which are substantially incomplete or which are non-compliant with the requirements set out in this ITT may be rejected.
  2. Following compliance checks and evaluation of the suitability assessment questions, each Bid will be evaluated and scored against the evaluation criteria and weightings and Bidders will be ranked in line with their scores.
  3. The evaluators will allocate scores in accordance with the scoring scale at paragraph 4.9, and the award criteria published in this document (Appendix 6: Award Criteria). Scores will also be awarded in conjunction with the clarification questions at the interview.
  4. Prices contained in Bids will be evaluated after the quality evaluation has been completed.
  5. Once the quality and whole life cost scores have been allocated and moderated the weightings are applied and the resulting quality and price scores are combined for each Bidder to produce a final overall score for that Bidder. The successful Bidder(s) will be the one(s) that submit the highest scoring overall Bid(s).

**Quality Evaluation (including Sustainability)**

Scoring Scale

* 1. In relation to the Quality criteria and sub-criteria (as indicated in Appendix 6: Award Criteria), each question will be scored in application of the following scoring scale:

|  |  |
| --- | --- |
| **SCORING SCALE** | |
| **Score** | **Commentary** |
| 0 | Very weak, irrelevant, or no answer |
| 1 | Poor - largely irrelevant, lacking in detail and/or well below expectations |
| 2 | Slightly below expectations and/or gives cause for concern |
| 3 | Good – meets requirements/expectations |
| 4 | Very good – slightly exceeds requirements/expectations in a way that provides some added value |
| 5 | Exceptional - Well above requirements/expectations in a way that will provide significant added value |

* 1. In applying the scoring scale, each Bid will be evaluated according to its quality and deliverability. The term ‘quality’ in this context refers to performance and fitness for the purpose of the proposal and therefore covers any aspect of a submission that affects the performance of the contract. ‘Deliverability’ refers to the likelihood that all aspects of a particular submission could in fact be delivered by the Bidder concerned.

* 1. As part of the quality evaluation, sustainability and/or social value is assessed in line with Hackney’s Sustainable Procurement Strategy. The scoring of this section will consider relevant environmental, economic and social benefits to be delivered through the resulting contract.

Evaluation Panel

* 1. Each member of the evaluation panel will assess each Bid separately.
  2. The evaluation panel members will, on an individual basis for each Bidder’s response to a question, decide which commentary most accurately describes the response. The evaluation panel members will record the corresponding score and the strengths and weaknesses of the response.
  3. Only the score corresponding to the commentary detailed in the scoring matrix may be awarded to a response (i.e.: 0-5). No other scores may be used and decimal scores are not permitted (e.g., 3.6).

Moderation

* 1. A moderation process will then be undertaken with the evaluation panel to discuss and agree an overall single consensus score for each response where individual evaluator scores differed in relation to a Bidder’s response to a question.

**Whole Life Cost Evaluation**

* 1. The whole life cost evaluation will be based on the highest bid price for their monthly rent proposal.
  2. Whole life cost will be evaluated by applying the methodology set out below to the response provided by Bidders in their Financial Submissions in the format set out inAppendix 8: Financial Submissions.
  3. The highest rent will score the full weighting. The other offers will then receive scores expressed as a proportion of the highest rent offer. All results will be rounded to two decimal places.

**Final Evaluation Score**

* 1. The final overall quality + whole life cost score for each Bidder is obtained by adding the final weighted quality score for that Bidder to the final weighted whole life cost score for that Bidder to give an overall combined quality + whole life cost score out of 100.

**Appendices**

**Appendix 1:** Important Notices - Attached as a separate document

**Appendix 2:** Specification - Attached as a separate document

**Appendix 3:** Contract - Attached as a separate document

**Appendix 4:** Certificates - Attached as a separate document

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