

Lease Opportunity

A building with a fence and a fence

Description automatically generated

Royal Sands Kiosk

Weston-super-Mare

Opportunity closes

13:00pm – Tuesday 30 April 2024

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## Opportunity

* 1. North Somerset Council invites you to submit your proposals for the running of Royal Sands Kiosk, Weston beach, Weston-super-Mare.
* The site location is indicated on the site plan, Appendix 2 - Lease plan.
* The period of the lease is for up to 15 years.
* The draft term of lease is set out in Appendix 1 – Draft lease.

**Location**

* 1. Royal Sands Kiosk is located on the beach at the southern end of Weston Seafront. It is within an area of the beach used as a car park and is close to Royal Court.
  2. Weston-super-Mare is an attractive seaside town within North Somerset with a population of over 84,000 and sees millions of day visitors per year.
  3. This site is within the Weston super Mare Uphill Ward. The site is within a Special Area of Conservation. Special Areas of Conservation (SAC) are highly protected sites designated under the [Conservation of Habitats and Species Regulations 2017 (as amended)](https://www.gov.uk/government/publications/changes-to-the-habitats-regulations-2017). SACs are designated for their particular habitats and species of wild flora and fauna that are of ‘community interest’, listed within the Annexes of the Directive. The Directive requires Member States to take a variety of measures to maintain and restore protected habitats and species to favourable conservation status.  
     The main operational impacts of this will be ensuring that waste is managed responsibly and there is no pollution to the marine environment  
     The Special Area of Conservation is related to the marine environment and is a European Designation.  
     <https://asera.org.uk/severn-estuary/sac/>

**Description**

* 1. The Premise consists of a single story flat roof building with surrounding decking located on Weston-s-Mare Beach.
  2. Applicants are advised to make their own arrangements for inspection of the premises. The site contains asbestos. You will be required to remove the asbestos identified in the CASA asbestos survey -Appendix 5. Royal Sands Kiosk CASA. We have been advised that further investigations on other parts of the property are required.

**Services**

* 1. The kiosk has existing connections to water & gas. However, applicants must make their own inspections and enquiries to satisfy their own requirements regarding the continued provision and suitability of such services. Please refer to Appendix 6 – Schedule of works client requirements.
  2. Please note that the tenant will be responsible for meeting the costs of any outgoings in respect of utilities for the kiosk premises.

**Rates**

* 1. The tenant will be responsible for the payment of any rates due in respect of the kiosk premises.
  2. The current Rateable value of the property is RV £9,300 (please note this is not the amount you will pay; it is the value used by the rating office to calculate the rates bill.) Further details in respect of Business Rates can be found at,

<https://www.n-somerset.gov.uk/my-business/business-rates-payments/>.

Small business rate relief may be available on these premises.

**Operational Matters**

* 1. The operating covenants associated with the lease are set out in Schedule 2 of the Draft Lease (Appendix 1).

**Waste Management**

* 1. The operator must have suitable arrangements in place for the disposal of all waste arising for its operations at the site and will be required to provide when requested current Transfer of Waste licences. The council can provide a chargeable commercial waste service if required.

**Pre-Qualification questions**

* 1. Before evaluating your submission, the council needs to satisfy itself that you meet its minimum requirements.
  2. Please answer all the following questions. We will only ask the winning bidder to provide evidence. Failure to answer any of the questions below will automatically disqualify your bid. In addition, should a contract be awarded, and it is subsequently discovered that these questions were not answered accurately it could render the contract void.

|  |  |  |
| --- | --- | --- |
| **PRE-QUALIFICATION QUESTIONS** | |  |
| **Question** | | **Response** |
| 1 | **Acceptance of the Terms and Conditions and Specification –** Has your bid been submitted in accordance with the Draft Lease outlined in Appendix 1? | Yes ​☐​  No   ​☐​ |
| 2 | **Do you have outstanding debt with North Somerset Council –** Have you ever defaulted on a debt to North Somerset Council or currently have any outstanding debts? | Yes ​☐​  No   ​☐​ |
| 3 | **Insurance –** Will your organisation have **Public** **Liability** **Insurance** for not less than £5 million in place before any contract is signed? | Yes ​☐​  No   ​☐​ |
| 4 | **Insurance –** Will your organisation have **Employer’s** **Liability Insurance** for not less than £5 million in place before any contract is signed?  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   ​☐​  N/A Sole Trader ​☐​ |
| 5 | **Insurance –** Will your organisation have **Business** **Insurance** in place before any contract is signed? | Yes ​☐​  No   ​☐​ |
| 6 | **Insurance –** Will your organisation have appropriate **Contents Insurance** in place before any contract is signed? This will need to cover all major perils such as fire, lightning, flood, storm, and explosion etc. | Yes ​☐​  No   ​☐​ |
| 7 | **Collusive Tendering** – Have you discussed and/or agreed your submission with any other bidders or third party? | Yes ​☐​  No   ​☐​ |
| 8 | **Canvassing** – Has any person employed by your organisation canvassed any member, employee, agent, or contractor of NSC (North Somerset Council) in connection with the award of this contract? | Yes ​☐​  No   ​☐​ |
| 9 | **Equality and Diversity –** Does your organisation have an Equality and Diversity Policy?    Or    Please confirm that you shall comply with all legislation, official guidance and codes of practice relating to equal opportunities, including but not limited to The Equality Act 2010. | Yes ​☐​  No   ​☐​    Yes ​☐​  No   ​☐​ |
| 10 | **Grounds for Mandatory Exclusion** – Within the past five years have you, your organisation or any person who has powers of representation, decision or control in the organisation been convicted of any of the following offences?   * Participation in a criminal organisation * Corruption * Fraud * Terrorist offences or offences linked to terrorist activities. * Money laundering or terrorist financing * Child labour and other forms of trafficking in human beings   If yes, please provide details: | Yes ​☐​  No   ​☐​ |

## Timetable

* 1. The table below outlines the indicative timetable for this opportunity. The council reserves the right to change this timetable.

|  |  |
| --- | --- |
| **STAGE** | **DEADLINE** |
| Opportunity published on the portal | Wednesday 3 April 2024 |
| Closing date for final clarifications | 13:00 Tuesday 23 April 2024 |
| Closing date for bid submissions | 13:00 Tuesday 30 April 2024 |
| Evaluation of bid responses | 1-3 May 2024 |
| Internal Approvals | W/C 6 May 2024 |
| Contract Award | W/C 6 May 2024 |
| Lease starts | Friday 31 May 2024 |
| 15-year Lease ends | 30 May 2039 |

## Bid Submission

* 1. Submission of this document must be with the council **no later than 13:00 Tuesday 30 April 2024** and submitted via the portal [www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk)
  2. Any submissions received after the specified deadline will not be considered unless the closing date is formally extended by the council and communicated. Submissions received after the closing date may be considered in exceptional cases where submission is not possible for reasons outside of the applicant’s control. However, this will be permitted only at the discretion of North Somerset Council and their decision on this will be final.
  3. If you are not currently registered on the Portal, you will need to do so to apply for this opportunity. Registration is free and once registered you can opt to select notifications of opportunities being let by other councils that may be relevant to your business areas. A link to the registration screen is provided on the front page of the Portal. Please allow a few days for the submission and completion of your registration.
  4. If you are new to using the portal, please take the time to familiarise yourself with it.

ProActis who provide our procurement portal also offer supplier support. For all support issues Bidders should in the first instance log their query via the following email: [ProContractSuppliers@proactis.com](mailto:ProContractSuppliers@proactis.com)

* 1. If the query is of a time sensitive nature, they also have an emergency contact number: 03300 050352.
  2. In the first instance Bidders should log their call using the email address.
  3. If you have any queries regarding this opportunity, please use the messaging section on the portal [www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk) to log your query. All clarification questions must be received no later than **13:00 Tuesday 23 April 2024** to allow time within period for a detailed response to be distributed.
  4. Submission checklist.

Please ensure when uploading your submission, you have included the following:

* This document completed with details of bid proposal (Sections 1, 6, 8 and 9)
* Any documents in support of your quality submission (Section 5)
* Completed Health & Safety questionnaire (section 10)

## Evaluation Criteria

* 1. The council will evaluate all submissions based on what is the most economically advantageous to it. It proposes to consider both quality and price. Submissions will be evaluated according to quality and price at the following ratio: 60% quality/40% price.
  2. For evaluating the overall price from each supplier, it is proposed to use the standard cost evaluation method, which is widely used within the Council.

4.3 The submission with the highest annual rental offer to the council will receive the maximum score of 100 (weighted at 40%) and the prices of all other submissions will be expressed as a percentage of the maximum score.

## Quality Evaluation

* 1. Please respond to each of the questions in the table below. You may submit the information in an alternative document but please clearly cross-reference any submission to the questions.
  2. There will be a scoring threshold on the quality questions. A bidder who fails to meet the minimum required score for those questions will have their submission declined. This ensures that the winning submission meets the required minimum standard of quality whilst ensuring the competitive pricing of the contract.
  3. The weighting of each question is indicated in the right column of the table. ￼

|  |  |  |
| --- | --- | --- |
| **QUALITY EVALUATION** | |  |
| **Question** | | **Weighting %** |
|  |  |  |
| 1 | **Please detail your business plan for the kiosk including any proposed work to the site, your funding status, proposed usage and operational hours.**  The council is looking for submissions that will be appropriate to the Weston-super-Mare seafront and will provide an attractive offer to visitors and its surrounding area. | 30% |
|  | [Bidder response] |  |
| 2 | **Please provide an explanation of how you will source local produce, supplies and staff.**  The council is looking for proposals that are suitable for the area and provide a range of healthy eating options. | 20% |
|  | [Bidder response] |  |
| 3 | **Please detail the range of services/products that you intend to provide from the kiosk together with an indicative menu and associated pricing.**  The council is looking for proposals that are suitable for the area and provide a range of healthy eating options. | 20% |
|  | [Bidder response] |  |
| 4 | **Please provide details of your experience in operating similar services to that you are proposing.**  The council is looking for an operator who can demonstrate a good understanding of their offer and through their experience provide confidence that they will be able to deliver their proposals. | 15% |
|  | [Bidder response] |  |
| 5 | **Through your proposed operation of the Kiosk please detail any improvements you will be able to offer to improve the economic, social, and environmental well-being of the area.**    Please see Appendix 5 – Social Value for further details. | 15% |
|  | [Bidder response] |  |
|  | **Total** | **100%** |
| **NB** - **Please answer all questions.** Failure to do so will usually mean that you will not be successful as we will be unable to fully assess your suitability. | | |

* 1. The quality evaluation will be scored using the following matrix:

|  |  |  |
| --- | --- | --- |
| **Matrix** |  |  |
| **Score** | **Classification** | **Award Criteria** |
| 5 | Excellent | A response that inspires confidence; specification is fully met and is robustly and clearly demonstrated and evidenced. Full evidence as to how the contract will be fulfilled either by demonstrating experience or through a clear process of implementation. |
| 4 | Good | A response supported by good evidence/examples of the Bidder’s relevant ability and/or gives the council a proficient level of confidence in the Bidder’s ability. All requirements are meet and evidence is provided to support the answers demonstrating sufficiency, compliance and either actual experience or a process of implementation. |
| 3 | Satisfactory | A response that is acceptable and meets the minimum requirement but remains limited and could have been expanded upon. |
| 2 | Weak | A response only partially satisfying the requirement with deficiencies apparent.  Not supported by sufficient breadth or sufficient quality of evidence/examples and provides the council a limited level of confidence in the Bidder’s ability to deliver the specification. |
| 1 | Inadequate | A response that has material omissions not supported by sufficient breadth and sufficient quality of evidence/examples. Overall, the response provides the council with an exceptionally low level of confidence in the Bidder’s ability to deliver the specification. |
| 0 | Unsatisfactory | No response or response does not provide any relevant information and does not answer the question. |

## Price Submission

* 1. We would expect to achieve a minimal rental figure of £5,000 per annum for Royal Sands Kiosk.

|  |  |
| --- | --- |
| **Lease opportunity** | **Your annual rental offer to the council**  **(£)** |
| **Royal Sands Kiosk** | £ |
| **All prices to be net of VAT** | |

## Council Acceptance of Submission

* 1. The council reserves the right to reject any submission scoring 2 or less in respect of any of the quality questions.
  2. Following evaluation of submissions, the highest-ranking bidder will be required to provide satisfactory evidence to the Health and Safety questions and the Pass / Fail question in the pre-qualification section. If this bidder is unable to demonstrate compliance with Health and Safety requirements, their submission will be rejected, and the council will then consider the next highest-ranking submission.
  3. The council is not bound to accept any submission received and reserves the right to accept all or any part.
  4. The council will not be responsible for any expenses or losses incurred in the preparation of this submission.
  5. The council will not award a lease if the applicant is in arrears of any sums due to the council in respect of any concession fees, licences, or leases.

## Bidder’s Details

* 1. Please complete the following table in support of your submission.

|  |  |
| --- | --- |
| **BIDDER’S DETAILS** |  |
| **Question** | **Response** |
| Full name of the potential supplier submitting the information |  |
| Contact name |  |
| Email address |  |
| Contact telephone numbers (including Mobile No.) |  |
| Registered office address (if applicable) or contact address. |  |
| Registered website address (if applicable) |  |
| Trading status  a) public limited company  b) limited company  c) limited liability partnership  d) other partnership  e) sole trader  f) third sector  g) other (please specify your trading status) |  |
| Company registration number (if applicable) |  |
| Charity registration number (if applicable) |  |
| Registered VAT number |  |
| Trading name(s) that will be used if successful in this procurement |  |
| Relevant classifications (state whether you fall within one of these and if so which one)  a) Voluntary Community Social Enterprise (VCSE)  b) Sheltered Workshop  c) public service mutual |  |
| Are you a Small, Medium or Micro Enterprise (SME)? | Yes ☐  No ☐ |

## References

Please complete the details of two references. These references should be relevant to the type of work that you are submitting a bid for. If you wish to provide more than two references, please expand the box as required.

You should provide at least one contact from your recent customers and one contact from your recent suppliers.

Please ensure that the contact details are correct and each of the referees are made aware that they may be contacted by the council.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **REFERENCES** |  |  |
| **No.** | **Customer / Supplier name, contact’s name, address, email address**  **and telephone number** | **Description of services provided the annual value and length of the contract/arrangement** | **Dates (from / to)** |
| **1** |  |  |  |
| **2** |  |  |  |

## Health and Safety

Evidence of Health and Safety documents will only be requested from the successful bidder, so you do not need to submit this information as part of your bid.

|  |  |  |
| --- | --- | --- |
|  | **Health and Safety** | |
| 1 | Do you have a health and safety policy (as required by Section 2(3) of the Health and Safety at Work Act 1974)?  This should include the health and safety arrangements for your work activities. Further guidance can be found on the [HSE website](http://www.hse.gov.uk/simple-health-safety/policy/index.htm)  **The highest scoring tenderer will be asked to provide a copy of their H&S Policy** | Yes/ No |
| 2 | Are your employees (and volunteers if applicable) provided with adequate training, information, and instruction necessary to ensure they are competent and comply with all relevant health and safety legislation?  **The highest scoring tenderer will be asked to provide evidence of their relevant, training including Food Hygiene Level 2.**  **Please note the successful bidder will need to achieve a food hygiene rating of 4 or above in line with the draft lease** | Yes/ No |
| 3 | Does your organisation complete risk assessments for all significant hazards associated with your business? Further guidance can be found on the [HSE website](https://www.hse.gov.uk/risk/casestudies/)  The highest scoring tenderer will be asked to provide examples of two risk assessments for the food business or similar catering activities. | Yes/ No |
| 4 | a. Do you intend to subcontract any part of the service?  b. If yes, are checks made on the competence of the subcontractor to undertake the work? | Yes/ No  Yes/ No/ N/A |
| 5 | In the last five years, have you had any health and safety enforcement action (e.g. HSE) taken against your organisation?  If yes, please provide details. | Yes/ No |
| 6. | Do you currently have a registered food business?  If yes, please provide details. | Yes/No |

## Appendices

Appendix 1 ………………………………. Draft Lease

Appendix 2 ………………………………. Lease Plan

Appendix 3 ………………………………. How to respond to a Project

Appendix 4 ………………………………. Social Value

Appendix 5 ………………………………. Royal Sands Kiosk CASA

Appendix 6 ………………………………. Schedule of works and client requirements.