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Tender

## **Concession Contract for the Provision of Catering Services at the Scottish National Portrait Gallery**

National Galleries of Scotland

F24: Concession notice

Notice identifier: 2023/S 000-016169

Procurement identifier (OCID): ocds-h6vhtk-03d469

Published 7 June 2023, 3:26pm

### **Section I: Contracting authority/entity**

#### **I.1) Name and addresses**

National Galleries of Scotland

National Galleries of Scotland, 73 Belford Road

Edinburgh

EH4 3DS

#### **Email**

[smorgan@nationalgalleries.org](mailto:smorgan@nationalgalleries.org)

#### **Telephone**

+44 1316246374

#### **Country**

United Kingdom

#### **NUTS code**

UKM75 - Edinburgh, City of

**Internet address(es)**

Main address

<http://www.nationalgalleries.org>

Buyer's address

[https://www.publiccontractsscotland.gov.uk/search/Search\\_AuthProfile.aspx?ID=AA11042](https://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA11042)

**I.3) Communication**

Additional information can be obtained from the above-mentioned address

Applications or, where applicable, tenders must be submitted electronically via

<https://www.publiccontractsscotland.gov.uk>

Electronic communication requires the use of tools and devices that are not generally available. Unrestricted and full direct access to these tools and devices is possible, free of charge, at

<https://www.publiccontractsscotland.gov.uk>

**I.4) Type of the contracting authority**

Body governed by public law

**I.5) Main activity**

Recreation, culture and religion

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**Section II: Object**

**II.1) Scope of the procurement**

**II.1.1) Title**

Concession Contract for the Provision of Catering Services at the Scottish National Portrait Gallery

Reference number

723 507

### **II.1.2) Main CPV code**

- 55520000 - Catering services

### **II.1.3) Type of contract**

Services

### **II.1.4) Short description**

National Galleries Scotland (NGS) intend to procure a sole Service Provider for the Provision of Catering Services at the Scottish National Portrait Gallery (SNPG).

The Concession Contract includes the provision of daytime catering services to the public as well as private function/event catering. Therefore, NGS require the Service Provider to market and sell the sites as a function venue to corporate and private clients, offering their services for events both during the day and evening.

A further key requirement for the successful delivery of services will be on-site Contract Management as Caterers will be expected to work alongside the NGS brand, remaining consistent with NGS' brand values.

The café is a valuable asset to NGS and should be considered as a destination in its own right. The reputation in regards to quality, value and customer service enhances the overall gallery attraction and visitor experience and therefore, Service Providers should be considerate of the NGS' Audience and Exhibition Programmes.

Overview of Requirements:

- Expertise in the planning, deployment and co-ordination of catering management;
- Expertise in Supply Chain Management and Quality Assurance Methodology for food and drink products;
- The provision of star accredited catering services;
- Reputable customer service;
- Quality branding and marketing materials;

- Commitment to fairly and ethically traded goods, preferably from locally sourced suppliers; and
- An understanding of security requirements and procedures.

A DRAFT contract has been uploaded to the portal for further information.

The Service Provider must have a clear understanding of the contract requirements and the organisational needs of NGS.

The agreement will be non-exclusive i.e. NGS reserves the right, in certain circumstances, to procure out with the Contract Agreement, as and when required.

In the event of unsatisfactory performance by the successful Service Provider and the termination of the contract by either party, NGS reserves the right to negotiate the continuance of the services with the second and third placed Service Providers.

#### **II.1.6) Information about lots**

This concession is divided into lots: No

## **II.2) Description**

### **II.2.2) Additional CPV code(s)**

- 55520000 - Catering services

### **II.2.3) Place of performance**

NUTS codes

- UKM75 - Edinburgh, City of

### **II.2.4) Description of the procurement**

The procurement will be conducted through the use of the Restricted procedure. The SPD (Scotland) will be used as a downsizing tool in this procedure.

It is NGS' intention to shortlist to a maximum of 5 Service Providers but NGS reserves the right to invite in excess of this number of Service Providers in the event of a tie.

Economic Operators may be excluded from this competition if they are in any of the situations referred to in Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

The objective criteria for shortlisting candidates is detailed under section III of this Contract Notice.

A DRAFT Contract Agreement, DRAFT Service Level Agreement and DRAFT Stage 2 Quality Questionnaire have been uploaded to the portal. This is for INFORMATION ONLY as to the requirements of the contract and tender process and may be subject to change. Bidders should satisfy themselves that they can fulfil the contract requirements prior to completing the SPD.

It is a requirement that the Service Provider as a minimum, hold or commit to obtain prior to the award of contract a valid Cyber Essentials Basic Certification (or equivalent) in place throughout the duration of the contract.

Note that it is the opinion of NGS that TUPE may apply to the award of the Contract. Further TUPE information will be provided during Stage 2 of the tender competition.

#### **II.2.5) Award criteria**

Concession is awarded on the basis of the criteria stated in the procurement documents

#### **II.2.7) Duration of the concession**

Duration in months

60

#### **II.2.13) Information about European Union Funds**

The procurement is related to a project and/or programme financed by European Union funds: No

#### **II.2.14) Additional information**

The contract provides the option to extend the contract by a variable period not exceeding 24 months.

All Stage 2 Tenderers will be invited to provide a tender presentation. Full details will be provided in the Invitation to Tender (ITT) document.

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## **Section III. Legal, economic, financial and technical information**

### **III.1) Conditions for participation**

#### **III.1.1) Suitability to pursue the professional activity, including requirements relating to enrolment on professional or trade registers**

List and brief description of conditions, indication of information and documentation required

Q4A.2a 'Authorisation of Particular Organisation Needed' and Q4A.2b 'Membership of a Particular Organisation Needed' have been included in the SPD. Bidders must confirm whether this is applicable to them.

If applicable, each question will be scored on a Pass/Fail basis. If the Bidder is required by their country of establishment, to have enrolment in a Professional Register, authorisation and/or membership of a particular organisation that the Bidder has not attained, the response will be deemed a 'Fail'. Any Bidder scoring a 'Fail' mark will be disqualified from the competition.

#### **III.1.2) Economic and financial standing**

List and brief description of selection criteria, indication of information and documentation required

Q4B5b Insurance - Employer's (Compulsory) Liability

Q4B5c Insurance - All Other Types Listed

Q4B6 Other Economic or Financial Requirements

Minimum level(s) of standards possibly required

Q4B5b - All information is contained within the online SPD.

Q4B5c - All information is contained within the online SPD.

N.B. We recognise there has been a hardening of the insurance market and accordingly may be willing to consider alternative insurance provisions/conditions. If Bidders cannot commit to obtain the insurance requirements outlined in the SPD, they must complete the 'Notification of Alternative Insurance Provisions' form uploaded to the Portal and return prior to the Stage 1 deadline.

The Bidder's Stage 1 insurance commitments cannot be later amended at any stage in the tender competition or contract award.

Q4B6 - All information is contained within the online SPD.

N.B. We recognise the challenges of the last few years and accordingly are flexible as to how Bidder's financial standing is demonstrated. We may remove any operator from the process who in the opinion of the evaluation panel fails to demonstrate suitable financial resilience to be able to meet our requirements for fit out and mobilisation costs in advance of trading.

### **III.1.3) Technical and professional ability**

List and brief description of selection criteria, indication of information and documentation required

The following selection criteria is listed within the SPD and will be scored:

Q4C.1.2 Relevant Examples (Weighting 60%)

Q4C.4 Supply Chain Management (Weighting 20%)

Q4C.6 Professional Qualifications (Weighting 10%)

Q4C.9 Tools, Plant & Technical Equipment (Weighting 10%)

Q4C.10 Sub-Contracting (Weighting 0% - Information Only)

The five highest scoring Bidders will be shortlisted to the Invitation to Tender (Stage 2).

Question scoring methodology is fully described within the SPD.

Q4D.1 Quality Assurance (including Health & Safety Procedures) & Q4D.2 Environmental Management are included under selection criteria but will be scored on a Pass/Fail basis, as detailed below.

Minimum level(s) of standards possibly required

Q4C.1.2 - All information is contained within the online SPD.

Q4C.4 - All information is contained within the online SPD.

Q4C.6 - All information is contained within the online SPD.

Q4C.9 - All information is contained within the online SPD.

Q4C.10 - Not scored. For information only.

Q4D.1 Quality Assurance (including Health & Safety Procedures): all information in regard to minimum level(s) of standards required is contained within the online SPD.

This will be scored on a Pass/Fail basis. If the Bidder responds "No" the response may be deemed a "Fail". Any Bidder scoring a "Fail" mark will be disqualified from the competition.

Q4D.2 Environmental Management: all information in regard to minimum level(s) of standards required is contained within the SPD.

This will be scored on a Pass/Fail basis. If the Bidder responds "No" the response may be deemed a "Fail". Any Bidder scoring a "Fail" mark will be disqualified from the competition.

### **III.2) Conditions related to the concession**

#### **III.2.2) Concession performance conditions**

As stated in the Contract.

#### **III.2.3) Information about staff responsible for the performance of the concession**

Obligation to indicate the names and professional qualifications of the staff assigned to performing the concession

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## **Section IV. Procedure**

### **IV.2) Administrative information**

#### **IV.2.2) Time limit for submission of applications or receipt of tenders**

Date

12 July 2023

Local time

12:00pm

#### **IV.2.4) Languages in which tenders or requests to participate may be submitted**

English

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## Section VI. Complementary information

### VI.1) Information about recurrence

This is a recurrent procurement: Yes

Estimated timing for further notices to be published: 2028 - 2030

### VI.3) Additional information

National Galleries Scotland reserves the right to cancel the procurement at any time and not award a Contract. The expenditure, work or effort undertaken by Bidders prior to the Award of Contract is accordingly a matter solely for the commercial judgement of Bidders.

Late SPDs and Tenders may not be considered by National Galleries Scotland.

NGS reserve the right to award a public contract following the negotiated procedure without prior publication in terms of Regulation 33(8) of the Public Contracts (Scotland) Regulations 2015. Further information is included in the Invitation to Tender (ITT) document.

NGS reserves the right to issue a contract modification in terms of Regulation 46 of the Concession Contracts (Scotland) Regulations 2016.

NOTE: To register your interest in this notice and obtain any additional information please visit the Public Contracts Scotland Web Site at

[https://www.publiccontractsscotland.gov.uk/Search/Search\\_Switch.aspx?ID=723507](https://www.publiccontractsscotland.gov.uk/Search/Search_Switch.aspx?ID=723507).

The buyer has indicated that it will accept electronic responses to this notice via the Postbox facility. A user guide is available at

[https://www.publiccontractsscotland.gov.uk/sitehelp/help\\_guides.aspx](https://www.publiccontractsscotland.gov.uk/sitehelp/help_guides.aspx).

Suppliers are advised to allow adequate time for uploading documents and to dispatch the electronic response well in advance of the closing time to avoid any last minute problems.

Community benefits are included in this requirement. For more information see:

<https://www.gov.scot/policies/public-sector-procurement/community-benefits-in-procurement/>

A summary of the expected community benefits has been provided as follows:

National Galleries Scotland is committed to contributing towards social, economic and environmental well-being, especially to our surrounding communities. Accordingly the

successful Service Provider will be expected to present a Community Benefits Proposal with their Tender detailing how, in the event that they should be successful in winning the contract, they will address one or more of the following Community Benefit themes:

- Social Regeneration
- Economic Regeneration
- Health/Nutritional Education
- Animal Welfare Standards
- Fairly & Ethically Traded Goods and Services

(SC Ref:723507)

Download the ESPD document here:

[https://www.publiccontractsscotland.gov.uk/ESPD/ESPD\\_Download.aspx?id=723507](https://www.publiccontractsscotland.gov.uk/ESPD/ESPD_Download.aspx?id=723507)

#### **VI.4) Procedures for review**

##### **VI.4.1) Review body**

Edinburgh Sheriff Court

Sheriff Court House, 27 Chambers Street

EDINBURGH

EH1 1LB

Country

United Kingdom

Internet address

<https://www.scotcourts.gov.uk/the-courts/court-locations/edinburgh-sheriff-court-and-justice-of-the-peace-court>