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Award

## **Taste Food Festival**

The Royal Parks

F15: Voluntary ex ante transparency notice

Notice identifier: 2022/S 000-018278

Procurement identifier (OCID): ocds-h6vhtk-034e0e

Published 5 July 2022, 12:53pm

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

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

The Royal Parks

The Old Police House, Hyde Park

London

W22UH

#### **Email**

[procurement@royalparks.org.uk](mailto:procurement@royalparks.org.uk)

#### **Telephone**

+44 3000612000

#### **Country**

United Kingdom

**NUTS code**

UKI - London

**Internet address(es)**

Main address

<https://www.royalparks.org.uk/>

Buyer's address

<https://www.royalparks.org.uk/about-us/procurement>

**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**

Taste Food Festival

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

- 79952000 - Event services

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

Services

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

A 12-month extension to TRP's existing contract to allow the rescheduled delivery of the food festival held in The Regent's Park known as "Taste" due to the impact of Force Majeure, while TRP runs a procurement for a five (5) year contract for the delivery of the events from 2024 onwards.

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

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £2,999,774

### **II.2) Description**

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

NUTS codes

- UKI - London

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

This notice is published on a voluntary basis notwithstanding that neither the Concession Contracts Regulations 2016 nor the Public Contracts Regulations 2015 (as amended) are

applicable.

The Royal Parks ("TRP") publishes this notice to record its intention to modify its contract for the delivery of the food festival held in The Regent's Park known as "Taste", by extending its expiry date for 12 months to 30 September 2023. This is required in order to support the rescheduling of the event which was to be held in 2020 but which was cancelled due to the impact of COVID-19. COVID-19 is considered a Force Majeure Event under the contract and the associated provisions require the parties to use their reasonable endeavours to reschedule any event cancelled due to the occurrence of Force Majeure.

Due to the unforeseeable impact of COVID-19 (both up to the present time and beyond) and the associated effects on events, TRP would also not have sufficient time to begin a procurement exercise to allow its completion by a date which would provide an adequate mobilisation period for an event to be held in 2023. TRP intends to run a procurement exercise for a five (5) year contract to deliver the events from and including 2024 onwards, with the associated invitation to tender to be issued in late 2022.

TRP believes that this modification would, in any event, be permissible under Regulation 43(1)(c) of the Concession Contracts Regulations 2016 (were those Regulations to be applicable) as:

- (i) the need for this modification has been brought about by circumstances which it could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract; and
- (iii) the associated increase in value does not exceed 50% of the value of the original contract.

## **II.2.11) Information about options**

Options: No

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## **Section IV. Procedure**

### **IV.1) Description**

#### **IV.1.1) Type of procedure**

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

On the basis of legal advice taken by TRP, it is clear that neither the Concession Contracts Regulations 2016 nor the Public Contracts Regulations 2015 apply to its procurement exercise given the nature of the contract awarded. This notice is, however, published for the purposes of transparency only, in order to align to the general principles applicable to cases where those Regulations would be applicable.

#### **IV.1.8) Information about the Government Procurement Agreement (GPA)**

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract/concession**

A contract/lot is awarded: Yes

### **V.2) Award of contract/concession**

#### **V.2.1) Date of conclusion of the contract**

5 July 2022

#### **V.2.2) Information about tenders**

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor/concessionaire**

Taste Festivals Ltd

London

Country

United Kingdom

NUTS code

- UKI - London

The contractor/concessionaire is an SME

No

#### **V.2.4) Information on value of contract/lot/concession (excluding VAT)**

Initial estimated total value of the contract/lot/concession: £2,999,774

Total value of the contract/lot/concession: £2,999,774

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## **Section VI. Complementary information**

### **VI.3) Additional information**

The value of the concession as stated in this notice is the estimated total annual turnover over the 12-month extension period.

The date stated in section V.2.1. (Date of contract/concession award decision) is incorrect and has only been stated as such for the purposes of completing and publishing this VEAT notice. TRP intends to enter into the extension on 11/08/22.

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

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

The Royal Parks

London

Country

United Kingdom