

Bid Proposal for Lydiard House and Park Swindon

Required information and evaluation criteria



Evaluation Criteria

In undertaking the process, the Council wishes to be satisfied that the proposed partner has the ability to carry out its contractual obligations and that the Council is receiving “best consideration” as required under Section 123 of the Local Government Act 1972.)

Accordingly, the criteria set out below will be applied to the submissions received by the Council in relation to the proposed transaction.

Submissions need to consider all of the information contained in the data room such as the draft lease and draft business transfer agreement, which will be added to the data room when available.

Bidders are requested to make the Council aware of any proposed amendments to the draft lease and business transfer agreement by returning a marked-up version, preferably using track changes for the Council’s consideration.

1 Absolute requirements

The Council will not enter into the Transaction with any entity which cannot satisfy the criteria noted below:

- 1.1 Swindon Borough Council is seeking bids from suitable parties interested in being a partner / operator who would support and enhance the sustainability of the whole site, but will also consider bids from parties interested in specific Lots, as set out later in the document., The Council reserves the right to explore ways for bidders to work together to achieve the most sustainable outcome.
- 1.2 Confirmation that **no** on-going annual financial subsidy is required from the Council for the duration of the lease period to continue to comply with the bidder’s obligations under the transaction.
- 1.3 Where the bidder is part of a consortium, details of all consortium partners (and the contractual arrangements between them) must be provided to the Council and must give the Council sufficient comfort about the coherence of such arrangements. These arrangements may include, for example, a consortium agreement or evidence of an intention to

establish an entity. Any subsequent changes to the consortium arrangements submitted may result in disqualification from the process at a later date.

- 1.4 The bidder must have sufficient financial standing to fulfil its proposals as submitted.

The Council will undertake reasonable due diligence on bidders to satisfy itself of the sustainability of the proposal. As a minimum, bidders are asked to provide the most recent 3 years of their organisation's financial statements. If the bidding organisation has traded for less than 3 years, all available financial statements should be provided.

A bidder satisfying the above criteria will then be eligible to have their submission assessed against the scored criteria. The scored criteria are broken down into two key areas Financial Criteria (60%) and Socio Economic Criteria (40%) which are set out in more detail below.

The Council will not under any circumstances sell any of their freehold interest in Lydiard House and/or Park.

Proposals must allow the continuation of public access to the park and grounds.

2 Financial criteria (60%)

2.1 Bidders can submit a proposal for any or all of the Lot options as contained in the option table. In assessing the proposals for Lydiard House and Park, a total of 60% of the scoring criteria will be allocated to financial considerations, which is then divided between proposed lease term and rent to be paid (30%) and Business Plan incorporating any capital investment plans (30%). Bidders are asked to set out their allocation of the reverse premium to any works included in the business plan.

2.2 Proposed lease term and rent to be paid (30%)

2.2.1 30% of the overall score for bids will be awarded on the basis of the proposed lease term and rent to be paid in respect of those facilities. Interested parties should complete:

2.2.2 The relevant sections of the “option table”, where the interested party is proposing a bid for either Lydiard House and Park as a whole or the individual lots within the option table;

2.2.3 The proposed Lease Term.

2.3 Business Plan (30%)

Please supply a 10 year business plan for the Lots you are bidding for.

The Business Plan should include as a minimum details of the following:

2.3.1 Financial information. Copy of your projected income and expenditure statement for the 10 year period including key underpinning assumptions;

2.3.2 Plans for relevant on-going maintenance and repair

2.3.3 Plans for changing the way that facilities are currently provided including details of any proposed new facilities;

2.3.4 In particular, consideration also needs to be given to

- the TUPE implications of all affected staff,
- ongoing funding of pension liabilities after the date of transfer,

- the availability of £850,000 as a reverse premium towards identified backlog maintenance allocated to the House, conference centre and hotel,
- transfer of data and bookings
- any ICT or utility dependencies assumed

2.3.5 Details of any funding sources to finance future capital expenditure and/or operational expenditure requirements

2.3.6 Track Record - evidence of any skills and experience within your organisation or wider bid team and how that will achieve successful operational management of the lot or lots you are bidding for. This should include relevant examples of previous successful operations, and how such experience will be applicable to the process;

2.3.7 Include any assumptions on car parking charges and associated operational arrangements if they are part of your business plan.

2.3.8 Details of due diligence carried out to date on the information provided in the data room.;

2.3.9 Assumptions and supporting rationale for the business plan, including the impact of car park charging.

3 Socio Economic Benefits (40%)

In order to assess the offers received, the Council will also award 40% of each bidder's overall score to the Socio Economic Benefits of the bid. This will be broken into the following sub-weightings:

3.1 **Social Value** (30%) - measuring the ability of the bidder to ensure a sustainable, affordable provision of the relevant services. This will be assessed by the Council according to the responses to each of the questions below:

3.1.1 Organisation Ethos - please outline your organisation structure, your ethos and your organisational objectives and commitment for sustainable and affordable provision in the future including how you will ensure that the current service offering and customer experience is effectively managed to minimise disruption and facilitate a smooth service transition for users and transferring staff. Please supply a draft high level mobilisation plan of key activities to include milestones and associated timeframes.

3.1.2 Historical Importance – Please detail how the Lydiard House and Museum and its collections, the historic parkland setting and the Walled Garden will be safeguarded and how you will ensure that they remain accessible to the general public.

In particular, consideration should be given to;

- Protection and advocacy of the heritage at Lydiard, including architectural and historic importance of the landscape, collections and walled garden in line with the listing designations
- Quality standards to protect and enhance the historic artefacts, including accreditation and professional care of the collections and links to the Swindon Heritage Strategy

3.1.3 Historic Landscape – Please detail how the historic landscape and structures within the park (including those not directly part of the bid, such as the Church) will be protected. This will need to reference those areas restored as part of the Heritage Lottery Fund Project and reflect the long term plans for the park submitted as part of that project, as well as proposals to maintain quality standards.

3.1.4 Community Relationships - please set out how you will build and sustain strong meaningful relationships / partnerships with clubs, community groups, parish councils and Friends of Lydiard etc. Please also give consideration to how your interest will deliver a wider benefit to the park itself, ensuring the continued public access to the park as a whole, and the safety and enjoyment of those who use it.

Responses to the whole of section 3.1 above should be limited to 2000 words in total, where the bid is for an individual lot , and 4000 words in total where the bid is for the entire Lydiard House and Park.

3.2 **Strategic Vision / Development Opportunities (10%)**

Please set out your Strategic Vision for your interest, including development opportunities for a sustainable provision of the site in order to outline how the services you provide will help to assist with the ambition of strong economic growth for Swindon and its residents, including how the services will help to attract new businesses to the area?

Responses to section 3.2 should be limited to 200 words where the bidder is bidding for any of the individual lot and 400 words where the bidder is bidding for the entire Lydiard House and Park .

Note: Bidders should be aware that the information provided in response to Section 3.1 and 3.2 will be relied upon by the Council in making its decision. The successful bidder(s) will, as part of the contractual agreements entered into, be required to warrant and represent that the matters set out in response to these sections remain true and accurate in all material respects.

The matters set out in response to sections, 3.1 and 3.2 and the contents of the Business Plan (set out in 2.3) will be referenced in the contractual agreements and adherence to such matters will be a continuing contractual obligation following commencement of the contractual arrangements

In order for a proposal to be considered, it must confirm the bidder's willingness to make such warranty and representation, and to enter into such contractual commitments, on the basis noted above.

Also bidders should, when expressing an interest for more than one Lot, provide separate responses in relation to each part when responding to questions 2 and 3 confirming adherence to such requirements.

4 Reference Sites (not scored)

Although not scored, contact references should be provided for sites of previous asset transfers to your organisation to enable the Council to undertake relevant due diligence in respect of your submission. The reference details should include the name, organisation and contact telephone number and e-mail address of the reference. Please supply one reference for the relevant packages you are bidding for.

5 Annual Lease Income

- 5.1 A suitable partner / operator is sought who would support and enhance the sustainability of the whole site, but bids are also welcome from parties interested in specific parts of the offer. As such, there are a number of options when submitting a proposal for Lydiard House and Park. For the purpose of this bid submission, the options will be referred to as LOTS

The Council is keen to encourage potential bidders to work together where there is an opportunity to maximise the best use of the lots available through working together.

A bidders' session will be arranged where parties interested in exploring the opportunity of working together can meet.

Swindon Borough Council reserves the right to agree terms with any bidder for any of the LOTS or combination of LOTS.

5.2 Lots:

1. **Lydiard Parkland and Grounds** – This includes all of the parkland that is used for general walking and informal leisure and recreational use. Within this lot is included the area leased to Jungle Parc and also the areas covered by agricultural licences and tenancies. The first floors offices in the Stable block and those above the Forest café used by Park Wardens are allocated to serve the Parkland and Grounds.
2. **Car Parks** – This includes the main areas used for formal and informal parking and overflow parking for events. The car park area that forms the site for the lapsed planning consent (S/09/1176) is excluded.
3. **Area of lapsed planning consent** – This includes the area that forms the site of the lapsed planning consent (S/09/1176).
4. **Walled Garden** – This includes the formal walled garden area and pedestrian access leading to the garden.
5. **Hotel and Conference Centre and Conference Centre first floor**– This includes the 3 storey hotel and 2 storey conference centre. The first floors rooms allocated to the State Rooms are excluded and shown as blue hatching. The first floor conference area extending over the State Rooms is shown as red hatching.
6. **Lydiard House state rooms** – This includes the Mansion and first floor offices shown as blue hatching.

7. **Stable Block Café** – This includes the toilets and education room along with the courtyard area and a further hardstanding area between the rear of the stable block and walled garden. The first floors offices in the Stable block are allocated to serve the Parkland and Grounds.
8. **Forest Café**– This includes the café toilets but not the First Floor currently occupied by the park wardens.
9. **Outdoor recreation and leisure space** - This includes the formal play areas, football pitch area and changing rooms.

5.3 In the 'Lot Table' below, bidders are requested to insert the annual rental income that will be paid to the Council in each of the first 10 years of the lease for each relevant Lot or the whole site. In addition, please insert the lease term.

The Reverse Premium has been set at £850K with the following breakdown:

- Hotel and Conference Centre £775K, this includes all external works to the fabric of the building including to the external areas of the State Room.
- State Rooms £75K, this is for internal works such as windows and mechanical and electrical items, to the state rooms.

It is expected that the full annual rent to be paid to the Council will commence during this initial 10 year period. Bidders must clearly state what they consider to be the 'established year of operation / full annual rent.

The evaluation will be carried out on base rent only.

The Council reserves the right to compare and combine individual rental Lot offers when assessing the whole site offer. This may include the Council operating the car parks.

[illegible]

The Council reserves the right to award any combination of Lots based upon the rental income, the scores provided in relation to the business plan and socio-economic evaluation criteria.

The following table identifies how marks will be awarded by the Council to those responses to the questions at section

- 2.3 (business plan)
- 3 (socio economic benefits).

| QUALITY SCORING TABLE | | |
|-----------------------|--|---|
| Numerical Rating | Score | Guideline |
| Excellent | 5 (100% of the weighted marks available) | A response that addresses all elements of the criterion in an exceptional manner. Such a response would normally be evidenced by significant strengths, no significant weaknesses, and presents a high level of assurances against the candidate's ability. In general, the response would be described as excellent or superior. |
| Good | 4 (80% of the weighted marks available) | A response that addresses a majority of the elements of the criterion. Such a response would normally be evidenced by significant strengths, few if any significant weaknesses, and presents an above level of assurances against the candidate's ability. In general, the response would be described as conscientious, competent or complete. |
| Satisfactory | 3 (60% of the weighted marks available) | A response that adequately addresses the elements of the criterion. Such a response would normally be evidenced by a few significant strengths, and weaknesses, and presents an adequate level of assurances against the candidate's ability. In general, the response would be described as suitable or sufficient. |
| Marginal | 2 (40% of the weighted marks available) | A response that addresses a few of the elements of the criterion. Such a response would normally be evidenced by few if any strengths, significant weaknesses, and present a low level of assurance against the candidate's ability. In general, the response would be described as faulty or substandard. |

| QUALITY SCORING TABLE | | |
|-----------------------|---|--|
| Numerical Rating | Score | Guideline |
| Unsatisfactory | 1 (20% of the weighted marks available) | A response that almost completely fails to address the elements of the criterion. Such a response would normally evidence no strengths of any kind and many significant weaknesses and/or deficiencies, which offers few real assurances on the candidate's ability. In general, the response would be described as unsatisfactory or without merit. |
| Poor | 0 (0% of the weighted marks available) | A response that completely fails to address the elements of the criterion. Such a response would evidence no strengths of any kind and multiple significant weaknesses that offer no assurances on the candidate's ability. In general, the response would be described as poor. |

Bid Instructions

1. Liability

The Council nor GVA shall incur any liability or obligation whatsoever to anyone submitting a bid for this opportunity.

2. Clarifications

Parties proposing to submit a bid are advised first to read the documentation carefully to ensure that they are fully familiar with the nature and extent of the obligations to be accepted by the bidder if their proposal is accepted, in particular the warranties required in section 2 and 3 of the evaluation criteria.

The bidder should seek to clarify any points of doubt or difficulty before submitting a bid. For this purpose contact details are provided below.

David Creamore
GVA London
020 7911 2155 or 07920 812 018
David.creamore@gva.co.uk

Closing date & time for bidder clarification questions to be submitted by 12pm (UK Local Time) Monday 16th May, 2016.

3. Site Visits

Site visits must only be made via formal prior appointment providing a minimum of 5 working days notice. Site visit requests should be made via GVA as per the contact details above.

4. Procedure

Bidders are required to answer all questions in this document; failure so to do may invalidate your bid submission.

A bidder who submits a qualified expression of interest shall be requested to withdraw the qualification without amendment to the offer otherwise it may be rejected.

Any costs incurred by the bidder in responding to this opportunity are to be borne by the interested parties and are not reimbursable by the Council.

Please also confirm in writing to the above contact details if you choose to decline the opportunity providing the reasons for this.

5. Acceptance of proposals

The Council does not bind itself to accept any submission and it may accept any Lot or combination of Lots. Interested parties will be notified of the outcome of their expression of interest at the earliest possible opportunity.

6. Receipt of Bids and Timescales

Submissions are to be received in paper format with an additional C-DR (Compact Disc-Recordable) copy of the bid(s) by **12pm (UK Local Time) Monday 16th May, 2016** to the following address:

FAO David Creamore
Bilfinger GVA
65 Gresham St
EC2V 7NQ

Submission packaging must be clearly marked '**Submission for Swindon Borough Council Lydiard Portfolio**'

If discrepancies between the copies are found between the paper copy and the CDR, the paper copy will be considered the only response document.

No Expression of interest shall be considered if it reaches the return address, as detailed above after the time specified, unless the closing date has formally been extended in writing.

7. Freedom of Information Act 2000

The bidder acknowledges that the Council is subject to the requirements of the Freedom of Information Act 2000 and shall assist and co-operate with the Authority (at the joint venture partners expense) to enable the Council to comply with these information disclosure requirements.

8. Authorised Signatory

Please complete the expression of interest certificate form below and ensure this is returned with your joint venture proposal submission.

Proposal for the Expression of Interest in Lydiard House and Park (“the Transaction”) by Swindon Borough Council (“the Council”)

To: Swindon Borough Council

Having examined the contents of the documentation (including that within the data room) we now submit an expression of interest relating to the **Proposal for the Expression of Interest Lydiard Park and House (“the Transaction”) by Swindon Borough Council (“the Council”)**

We understand that you are not bound to accept any expression of interest you may receive and we warrant and represent that the matters set out in response to section 2 and 3 of this document remain true and accurate in all material respects.

We also certify that this is a bona fide expression of interest and is intended to be competitive and that we have not fixed or adjusted any amount of rent in accordance with any agreement with any other person (with the exception of a consortium submission as set out in 1.2)

Dated this day of 2016

Signature_____

Name (in the capacity of)

Duly authorised to sign bid submissions for and on behalf of:

Witness:

Address:

Occupation/Profession