

**European Union****Publication of Supplement to the Official Journal of the European Union**2, rue Mercier, 2985 Luxembourg, Luxembourg  
E-mail: ojs@publications.europa.eu

Fax: +352 29 29 42 670

Info & on-line forms :<http://simap.europa.eu>**Contract notice**

Directive 2004/18/EC

**Section I: Contracting authority****I.1) Name, addresses and contact point(s)**

Official name: Highlands and Islands Enterprise		National ID: <i>(if known)</i>
Postal Address: Earl Thorfinn House, 6 Druimchat View		
Town: Dingwall	Postal Code: IV15 9XL	Country: United Kingdom
Contact point(s): Please make contact through the Public Contracts Scotland site <a href="http://www.publiccontractsscotland.gov.uk/">http://www.publiccontractsscotland.gov.uk/</a>		Telephone:
Email:		Fax:
Internet address(es): if applicable		
General address of the contracting authority: <i>(URL)</i>		<a href="http://www.hie.co.uk">www.hie.co.uk</a>
Address of the buyer profile: <i>(URL)</i>		<a href="http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00313">http://www.publiccontractsscotland.gov.uk/search/Search_AuthProfile.aspx?ID=AA00313</a>
Electronic access to information: <i>(URL)</i>		
Electronic submission of tenders and requests to participate: <i>(URL)</i>		
<i>Please use Annex A to provide more detailed information</i>		
Further information can be obtained from: The above mentioned contact point(s)		
Specifications and additional documents (including documents for competitive dialogue and a dynamic purchasing system can be obtained from: Pre Qualification Questionnaire ("PQQ") documents available from Public Contracts Scotland <a href="http://www.publiccontractsscotland.gov.uk/">http://www.publiccontractsscotland.gov.uk/</a>		
Tenders or requests to participate must be sent to: PQQ documents to be returned to: Mark McLintock Manager Infrastructure Advisory Ernst & Young LLP Ten George Street Edinburgh EH2 2DZ Telephone: +44 (0) 131 777 2036		

**I.2) Type of the contracting authority**

Regional or local agency/office

### I.3) Main Activity

Other – Economic Development Agency

### I.4) Contract aware on behalf of other contracting authorities

The contracting authority is purchasing on behalf of other contracting authorities: No

## Section II: Object of the Contract

### II.1) Description

#### II.1.1) Title attributed to the contract by the contracting authority:

Cairngorm Mountain – Procurement of New Operator

#### II.1.2) Type of contract and location of works, place of delivery or of performance

*(choose one category only – works, supplies or services – which corresponds most to the specific object of your contract or purchase(s))*

Services

Service category No: 27

Other services

Main site or location of works, place of delivery or of performance:

Cairngorm Mountain

NUTS code: UKM6

#### II.1.3) Information about a public contract, a framework agreement or a dynamic purchasing system (DPS)

The notice involves a public contract

#### II.1.4) Information on framework agreement *(if applicable)*

#### II.1.5) Short description of the contract or purchase(s):

The Authority wishes to appoint an operator for the Cairngorm Mountain Resort including its funicular railway and operating facilities. The contract to be awarded pursuant to this may be based on a services concession arrangement although the precise contractual and financial model and related terms and conditions will be established via the competitive dialogue procedure. It should be noted that the Authority wishes to allow for maximum flexibility in relation to the contract and during the competitive dialogue procedure, the Authority will seek innovative solutions to any contract for services. This will include management of all snowsports related commercial activity, management of all year-round tourism operations, maintenance of assets on Cairngorm Mountain, retail/equipment hire, management of the UK's highest altitude restaurant and additional catering and all hard FM related to skier uplift infrastructure and Scotland's only funicular railway.

In particular, the Authority is looking for an operator to drive the snowsports business, while providing a clear strategy for service diversification to wider non-snowsports activity. This would allow more consistent year round cashflows, as well as year on year profitability, which is currently highly dependent on available skier days.

While the Authority remains committed to investing in the asset base of the Cairngorm Mountain Resort, the potential operator would be required to provide capital investment to support their business model. Consequently bidders will be

expected to demonstrate a credible access to finance.	
<b>II.1.6) Common procurement vocabulary (CPV)</b>	
Main object:	75125000
Additional objects:	55000000
	55520000
	79993100
	79993000
	45234200
	60140000
	60200000
<b>II.1.7) Information about Government Procurement Agreement (GPA)</b>	
The contract is covered by the Government Procurement Agreement (GPA):	Yes
<b>II.1.8) Lots</b> <i>(for information about lots, use Annex B as many times as there are lots)</i>	
This contract is divided into lots:	No
<b>II.1.9) Information about variants</b>	
Variants will be accepted:	Yes

## II.2) Quantity or scope of the contract

<b>II.2.1) Total quantity or scope:</b> <i>(including all lots, renewals and options, if applicable)</i>	
Not yet known	
<b>II.2.2) Information about options</b> <i>(if applicable)</i>	
Options:	Yes
<i>(if yes)</i> Description of these options: Not yet known	
<b>II.2.3) Information about renewals</b> <i>(if applicable)</i>	
This contract is subject to renewal:	Yes
Number of possible renewals:	Not yet known

## II.3) Duration of the contract or time limit for completion

Not yet known but likely to be at least 15 years
--

## Section III: Legal, economic, financial and technical information

### III.1) Conditions relating to the contract

<b>Deposits and guarantees required:</b> <i>(if applicable)</i>	
The Authority may require guarantees or other forms of security acceptable to the Authority: see PQQ documentation and Invitation to Participate in Dialogue documentation	
<b>III.1.2) Main financing conditions and payment arrangements and/or reference to the relevant provisions governing them:</b>	

Will be provided in the Invitation to Participate in Dialogue documentation
<p><b>III.1.3) Legal form to be taken by the group of economic operators to whom the contract is to be awarded: (if applicable)</b></p> <p>Subject to the status and involvement of the parties, the Authority may require parties to commit to joint and several liability in respect of the contract.</p> <p>Alternatively the Authority may require the lead economic operator to take total responsibility or if a contract is awarded to a consortium, the Authority may require the consortium to form a separate legal entity before entering into the contract.</p> <p>The Authority may require collateral warranties, parent company guarantees and/or performance bonds as applicable to be entered into by other involved economic operators.</p>
<p><b>III.1.4) Other particular conditions (if applicable)</b></p> <p>The performance of the contract is subject to particular conditions:        Yes</p> <p>(if yes) Description of particular conditions: The performance of the contract is subject to particular conditions, including, without limitation, certain planning conditions, conditions relative to funding provided by the European Regional Development Fund, certain health and safety requirements and certain environmental considerations. Please refer to PQQ documentation and Invitation to Participate in Dialogue documentation for further information.</p>

### III.2) Conditions for participation

<p><b>III.2.1) Personal situation of economic operators, including requirements relating to enrolment on professional or trade registers</b></p> <p>Information and formalities necessary for evaluating if the requirements are met:</p> <p>Please refer to PQQ documentation</p>	
<p><b>III.2.2) Economic and financial ability</b></p>	
<p>Information and formalities necessary for evaluating if the requirements are met:</p> <p>Please refer to PQQ documentation</p>	<p>Minimum level(s) of standards possibly required: (if applicable):</p> <p>Please refer to PQQ documentation</p>
<p><b>III.2.3) Technical capacity</b></p>	
<p>Information and formalities necessary for evaluating if the requirements are met:</p> <p>Please refer to PQQ documentation</p>	<p>Minimum level(s) of standards possibly required: (if applicable):</p> <p>Please refer to PQQ documentation</p>
<p><b>III.2.4) Information about reserved contracts (if applicable)</b></p>	

### III.3) Conditions specific to services contracts

<p><b>III.3.1) Information about a particular profession</b></p> <p>Execution of the service is reserved to a particular profession:        No</p>
<p><b>III.3.2) Staff responsible for the execution of the service</b></p> <p>Legal persons should indicate the names and professional qualifications of the staff responsible for the execution of the service:        No</p>

## Section IV: Procedure

#### IV.1) Type of procedure

<b>IV.1.1) Type of procedure</b> Competitive dialogue
<b>IV.1.2) Limitations on the number of operators who will be invited to tender or to participate</b> ( <i>restricted and negotiated procedures, competitive dialogue</i> ) Envisaged number of operators      minimum of 3; maximum of 4 Objective criteria for choosing the limited number of candidates: The economic operators will be short-listed in accordance with the Pre-Qualification exercise as set out in the PQQ documentation
<b>IV.1.3) Reduction of the number of operators during the negotiation or dialogue</b> ( <i>negotiated procedure, competitive dialogue</i> ) Recourse to staged procedure to gradually reduce the number of solutions to be discussed or tenders to be negotiated: Yes

#### IV.2) Award criteria

<b>IV.2.1) Award criteria</b> ( <i>please tick the relevant box(es)</i> ) The most economically advantageous tender in terms of the criteria stated in the specifications and in the invitation to participate in dialogue document
<b>IV.2.2) Information about electronic auction</b> An electronic auction will be used:      No

#### IV.3) Administrative information

<b>IV.3.1) File reference number attributed by the contracting authority:</b> ( <i>if applicable</i> )  
<b>IV.3.2) Previous publication(s) concerning the same contract:</b> Yes <i>(if yes)</i> 2012/S 36-058204 of 22 February 2012
<b>IV.3.3) Conditions for obtaining specifications and additional documents or descriptive document</b> ( <i>in the case of a competitive dialogue</i> ) Time limit for receipt of requests for documents or for accessing documents Date: 01/04/2013 ( <i>dd/mm/yyyy</i> )      Time: 12:00 Payable documents:      No
<b>IV.3.4) Time limit for receipt of tenders or requests to participate</b> Date: 08/04/2013 ( <i>dd/mm/yyyy</i> )      Time: 12:00
<b>IV.3.5) Date of dispatch of invitations to tender or to participate to selected candidates</b> ( <i>if known, in the case of restricted and negotiated procedures, and competitive dialogue</i> ) Date: [ ] [ ] / [ ] [ ] / [ ] [ ] [ ] [ ] ( <i>dd/mm/yyyy</i> )
<b>IV.3.6) Language(s) in which tenders or requests to participate may be drawn up</b> English
<b>IV.3.7) Minimum time frame during which the tenderer must maintain the tender</b> until: [ ] [ ] / [ ] [ ] / [ ] [ ] [ ] [ ] ( <i>dd/mm/yyyy</i> )

or

duration in months: [ ][ ][ ][ ] or in days: [ ][ ][ ] (from the date stated for receipt of tender)

#### IV.3.8) Conditions for opening tenders

Date: [ ][ ][ ][ ][ ][ ][ ][ ] (dd/mm/yyyy) Time: [ ][ ] : [ ][ ]

(if applicable) Place: [ ]

Persons authorised to be present at the opening of tenders (if applicable): no

## Section VI: Complementary information

### VI.1) Information about recurrence (if applicable)

This is a recurrent procurement: no

### VI.2) Information about European Union funds

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

### VI.3) Additional information: (if applicable)

In order to participate, suppliers should register their interest in this contract on the Public Contracts Scotland website and download and complete the attached PQQ.

This free registration process will also give suppliers access to an on line "Question & Answer" facility which allows queries to be submitted (anonymously), and answers published and shared with all potential bidders.

It is preferable that clarifications are raised on an individual basis and not grouped together in one query. This will allow a quicker turnaround for clarifications that can be quickly responded to and not delay a response due to some elements taking longer to clarify.

Completed PQQs must be received by the date and time indicated with all questions answered.

The highest scoring submissions will be invited to participate in dialogue.

Under this procurement the services provider will be required to support the Authority's economic and social regeneration objectives. Accordingly, contract performance conditions may relate in particular, but without limitation, to social, community benefit and / or environmental considerations.

### VI.4) Procedures for appeal

#### VI.4.1) Body responsible for appeal procedures

Official name:

Postal Address:

Town:

Postal Code:

Country:

Email:

Telephone:

Internet address: (URL)

Fax:

#### VI.4.2) Lodging of appeals

Precise information on deadline(s) for lodging appeals:

HIE will incorporate a minimum of 10 calendar days standstill period from the date information on the award of the contract is communicated to tenderers before entering into a contract with the successful tenderer(s).

If an appeal regarding the award of the contract has not been successfully resolved, an economic operator that suffers, or risks suffering, loss or damage attributable to a breach of duty under the Public Contracts (Scotland) Regulations 2012, as

amended, may bring proceedings in the Sheriff Court or the Court of Session		
<b>VI.4.3) Service from which information about the lodging of appeals may be obtained</b>		
Official name:		
Postal Address:		
Town:	Postal Code:	Country:
Email:		Telephone:
Internet address: ( <i>URL</i> )		Fax:

**VI.5) Date of dispatch of this notice:** Date: 05/03/2013 (*dd/mm/yyyy*)