 ****

Date: 28 May 2018

Dear Sir or Madam,

TENDER FOR THE SUPPLY OF A PERFORMANCE/ INSTALLATION AT THE ROYAL BOTANIC GARDENS EDINBURGH FOR THE EDINBURGH ART FESTIVAL 2019

Period of development and performance: July 2018 – August 2019

You are invited to tender in competition with others to provide the goods and/or services specified above to RSPB Scotland, who are acting on behalf of the Flows to the Future Project partners and the Royal Botanic Garden Edinburgh.

The following documents are enclosed and must be, where applicable, completed and signed on behalf of the supplier.

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| --- | --- |
| Document A | Instruction and Information |
| Document B | RSPB: A Brief Introduction |
| Document C | Specification of Goods / Services |
| Document D | Company Information |
| Document E | Form of Offer |
| Document F | Terms and Conditions |
| Document G | Certificate of Bona Fide Offer |

Your tender response should be emailed to caroline.eccles@rspb.org.uk by 5pm Thursday 28 June 2018. Interviews will be between 17-19 July in Edinburgh, date to be confirmed.

Only tenders submitted in accordance with the RSPB’s Terms and Conditions will be considered. Any tenders that are incomplete, or received after the time indicated may be disregarded.

If you wish to discuss any aspect of this tender prior to tendering, please email caroline.eccles@rspb.org.uk. Suppliers should ensure that their tenders are clear and concise and are advised that any approaches to the RSPB following the opening of tenders could lead to disqualification.

Yours faithfully

Caroline Eccles

Project Manager Flows to the Future Project

Working on behalf of the Peatlands Partnership.

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|  | **Document A****Instructions and information** |

1. This document is designed to be completed electronically. You are required to mark boxes, insert information or submit additional documentation in response to the questions herein. Whilst the text boxes should expand as you add text, if there is insufficient space for your response please attach a separate document clearly marked with the name of your Company, the reference number and the number(s) of the question(s) to which it relates. Please ‘sign’ this document by adding your name to the end of Document G.
2. If you are unable to comply with a request for information or provide documentation requested then a written account explaining the absence of the information must accompany the return of this tender. Please be aware that the failure to respond to any of the questions, without a written reason, may result in a negative evaluation of that element within the overall evaluation of this questionnaire.
3. The RSPB may require supplementary information or clarification or further evidence of the information given. The RSPB may wish to visit reference sites given as evidence of relevant experience.
4. The RSPB may request interviews with all or a selection of applicants or none. Applicants will be notified in due course. The ability of suppliers may also be determined by, amongst other factors, references, certification, site visits and ‘mystery shopping’.
5. Please answer the questions specifically for your company, NOT for the group if you are part of a group of companies. Please note the term “Company” refers to: Sole proprietor, partnership, incorporated company, co-operative, or voluntary organisation as appropriate.
6. During the term of this agreement and for 1 year thereafter, neither party shall solicit to work for it any person who is or was employed by the other party and who has been involved in the provision of the Services at any time during the preceding 12 months. For the avoidance of doubt, if a person who is or was employed by the other party at the relevant time responds to a publicly advertised recruitment campaign, the recruiting party shall not be deemed to have solicited that person from the other party. If either party is in breach of this it shall pay to the other party an amount equivalent to the gross salary paid by that other party to the relevant employee for the final 12 months of employment.
7. No charge will be made to the RSPB by applicants for any preparation costs accrued during the tender process, whether the applicant was successful or not.
8. You are invited to submit your best offer for the work as detailed below. The RSPB reserves the right to undertake post-tender negotiations.
9. If you require any further information or clarification regarding this tender please email caroline.eccles@rspb.org.uk
10. It should be noted that in any formal contract that is subsequently entered into, reference will be made to the detailed information provided in the formal response to this tender document provided by the successful organisation. Thus answers and information given in your reply will become a binding part of the contractual relationship between yourselves and the RSPB.
11. The RSPB does not bind itself to accept the lowest or any Tender, and reserves the right to accept part only of a Tender. RSPB reserves the right to procure individual elements of the required solution from one or more supplier as appropriate.

Whilst the RSPB aims to provide feedback on failed submissions this may not always be possible, and the RSPB is under no obligation to do so.

1. Tender Evaluation Process

Tenders that fail to meet essential requirements may be excluded from consideration.

Tenders that fulfil essential requirements will be evaluated on the basis of the most economically advantageous tender, weightings as detailed below.

 Quality of previous work (30%)

 Relevance of practice and previous work/experience to the brief and the opportunity (30%)

 Experience of public engagement (20%)

 General response to the brief (20%)

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|  | **Document B****A Brief Introduction** |

For details on the RSPB’s challenges and achievements in the previous financial year please go to

<https://ww2.rspb.org.uk/about-the-rspb/about-us/how-we-are-run/annualreview/>

For details on the RSPB Mission please go to

<https://ww2.rspb.org.uk/about-the-rspb/about-us/our-mission/>

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|  | **Document C** **Specification** |

The information attached at Annex 1 is a statement of minimum requirements and is not intended to limit creative or original thinking in the preparation of proposals.

*Are you able to meet this specification in full? If so please give details below*

*If not please state any differences in service offered*

|  |
| --- |
| Specification met? Yes[ ]  /Part met [ ]  / No[ ]  (tick as appropriate)Details       |

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|  | **Document D****Company Information** |
| **1.0** | **General** |
|  |  |
| **1.1** | **Registered Name**     **Trading Name (if different)** |
|  |  |
| **1.2** | **Correspondence Details****Name of person applying on behalf of the company****Address:** **Telephone:****Mobile:****Fax:****Email:** |
|  | **Registered office Address (if different from above)** |
|  |  |
| **1.3** | **Company Registration No (if applicable)****VAT registration number (if applicable)****Certificate of Incorporation number** |
|  |  |
|  |  |
| **1.5** | **Date company was founded (if a limited company, date of incorporation)** |
|  |  |
| **1.6** | **Company structure and nature of company**Please outline the nature of the company, whether it is a partnership, sole trader, plc etc.      Is the company proposed as party to the contract part of a larger organisation? If so please explain the relationship between the various parts of the organisation, up to the ultimate holding company.     Current number of full time equivalent staff currently employed by the company (not larger parent company)      |
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| **1.7** | **Accreditation by / Membership of Trade Association(s)****Is your Company registered with any industry accreditation body? YES [ ]  NO[ ]** **If yes, please provide details:****Is your Company on any public sector Framework agreements? YES[ ]  NO[ ]** **If yes, please provide details:****Please state membership of any professional bodies/ other associations below:** |
| **1.8** | **Quality Assurance****Is all / part of your company ISO9001 Quality Assured? YES[ ]  NO [ ]** **Is all / part of your company ISO14001 Quality Assured? YES[ ]  NO [ ]** **If yes please provide copy of certification****Do you have any other Quality Assurance? If Yes, please summarise details below** |

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| **2.0** | **Financial & Business Probity** |
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| **2.1** | **Person responsible for financial matters within your company****Name:****Position:****Telephone:****Fax:****Email:** |
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|  |  |
| **2.2** | **Judgements etc.****Are there any judgements, claims or suits pending or outstanding against your company?** **Yes [ ]  No [ ]** If Yes, please provide full details**Has your company ever failed to complete a contract?** **Yes [ ]  No [ ]** If Yes, please provide full details |
| **2.3** | Please answer all of the following questions as they apply to your Company’s circumstances. Please confirm that:1) being a company, no resolution has been passed or Order of the Court made for the company’s winding up otherwise than for the purposes of bona fide reconstruction or amalgamation, nor has a receiver, manager or administrator on behalf of a creditor been appointed in respect of the company’s business or any part thereof, nor is it the subject of any proceedings for any of the above procedures, nor is it the subject of similar procedures under the law of any other state.**Confirmed [ ]  Not confirmed [ ]  Non-applicable** **[ ]** 2) being a partnership, it has not granted a trust deed or become otherwise apparently insolvent, or it is not the subject of a petition presented for sequestration of its estate.**Confirmed [ ]  Not confirmed [ ]  Non-applicable [ ]** 3) being an individual, you are not bankrupt, or have not had a receiving order or administration order made against you, or have not made a composition or arrangement or trust deed with or for the benefit of your creditors, or have not made any conveyance or assignment for the benefit of your creditors, or have not had a petition presented for sequestration of your estate or do not appear to be able to pay or to have no reasonable prospect of being able to pay a debt within the meaning of the Insolvency Act or any similar procedure under the law of any EC member state.**Confirmed [ ]  Not confirmed [ ]  Non-applicable [ ]** 4) no Directors, Partners, Associates or the Company Secretary have been involved in any Company which has been liquidated or gone into receivership.**Confirmed [ ]  Not confirmed [ ]  Non-applicable [ ]** 5) none of the Directors, Partners, Associates or the Company Secretary have been convicted of a criminal offence relating to the conduct of their business or profession.**Confirmed [ ]  Not confirmed [ ]  Non-applicable [ ]** 6) neither the Company nor any of the Directors, Partners, Associates or Company Secretary has committed an act of grave misconduct in the course of their business or profession.**Confirmed [ ]  Not confirmed [ ]  Non-applicable [ ]** 7) all obligations relating to the payment of taxes under the law of any part of the United Kingdom or the EC member state in which the Company is established has been fulfilled**Confirmed [ ]  Not confirmed [ ]  Non-applicable [ ]** 8) all obligations relating to the payment of social security contributions under the law of any part of the United Kingdom or the EC member state in which the Company is established have been fulfilled.**Confirmed [ ]  Not confirmed [ ]  Non-applicable [ ]** If you have ticked **‘Not confirmed’** for any questions above please give details here      |

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| **2.4** | Please list the names of any Director, Partner, Associate or Company Secretary who have been employed by the RSPB, giving department and dates.Please give details of any Director, Partner, Associate or Company Secretary who have a relative who is employed by the RSPB at a senior level.     Please list the names of any Director, Partner, Associate or Company Secretary who have any involvement in other Companies who provide services to the RSPB     Is any work being undertaken or likely to be undertaken during the next three years by the Company or staff within it which could give rise to a conflict of interest through acting for third parties or otherwise? If yes, please explain the actual or likely circumstances and how such potential conflicts of interest would be handled.      |

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| **2.5** | **Insurances (please supply a scanned copy of each certificate)** |
|  |  | **Insurer** | **Policy No** | **Value of Cover** | **Expiry Date** |
|  | Employers Liability |       |       |       |       |
|  | Public Liability |       |       |       |       |
|  | Prof. Indemnity |       |       |       |       |
|  | All Risks (if applicable) |       |       |       |       |

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| **2.7** | **Has your company (or any building/project you have undertaken) won any awards, accolades or recognition?****YES [ ]  NO [ ]** If yes please provide full details.      |

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| **3.0** | **Health & Safety and Environment** |
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| **3.1** | Has your company been served with any enforcement or prohibition notices or been prosecuted in the past 5 years for breaches of health & safety legislation?**YES** **[ ]  NO** **[ ]** If yes please provide full details. |
| **3.2** | Has your company been served with any enforcement or prohibition notices or been prosecuted in the past 5 years for breaches of environmental legislation?**YES [ ]  NO [ ]** If yes please provide full details. |
| **3.3** | Has your company been served with any enforcement or prohibition notices or been prosecuted in the past 5 years for breaches of data protection legislation?**YES [ ]  NO [ ]** If yes please provide full details. |
| **3.4** | Have any restrictive clauses in relation to your company’s Employer’s Liability, Public Liability or Professional Indemnity Insurance policies been enforced in the last 5 years due to past Health & Safety performance?YES [ ]  NO [ ]  If yes please provide full details.       |

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|  | **Document E****Form of Offer** |

**Cost**

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| Cost for providing goods/services, as outlined in specifications (Annex 1) | £      + VAT |
| Cost for extra work for special events etc | £      /hour + VAT |

**Added Value**

As well as any charity rate that you may be able to offer, the RSPB is always open to corporate partnerships that deliver benefit to your organisation, the RSPB and nature. Working as part of your CSR agenda we can provide opportunities for fundraising, secondments, interns and volunteering, offering your staff both personal and career development opportunities. We also welcome all forms of gifts in kind as valuable contributions to our work to [Give Nature a Home.](http://homes.rspb.org.uk/)

Suppliers should provide details of any associated added value features/services/gifts in kind available to the RSPB under the terms of this Tender. (Attach separate document if needed).

Please note, added value donations will not be part of the criteria we use to decide on which supplier to choose.

**Management Information**

The supplier shall be required to provide regular management information to the RSPB. Suppliers are therefore required to submit within their Tender offer examples of management information available to the RSPB. (Attach separate document if needed)

**Proposed Project Team**

Please indicate personnel expected to carry out management and delivery of this contract with the RSPB and their areas of responsibility. Include summary CVs for the Partner/Director in overall charge of the commission and of your proposed team, including technical qualifications and details of experience. (Attach separate document if needed)

**Approach to the Project**

What would be your approach to this project (including methods, any management and control procedures, quality assurance, resources etc.)? (Attach separate document if needed)

**After sales service**

Please indicate details of any warranty period associated with the goods / service, and how any such work will be carried out. Include details of contingency planning in case of disaster (such as fire, strikes, flooding etc). (Attach separate document if needed)

**References**

Suppliers are requested to provide details of three references from their existing clientele, supplying full name, address, telephone number, fax number, email address, contact name, period of Contract and the estimated annual value of the Contract. In supplying this information, Suppliers shall have granted the RSPB permission to seek such information as deemed necessary, in relation to the Suppliers performance with their nominated references.

References will only be contacted should you be called to interview.

Reference 1

|  |  |
| --- | --- |
| Company Name |       |
| Address |       |
| Telephone No |       | Ext       |
| Email |       |
| Contact |       | Dates of work       |
| Nature of work done |       | Value of contract       |

Reference 2

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| --- | --- |
| Company Name |       |
| Address |       |
| Telephone No |       | Ext       |
| Email |       |
| Contact |       | Dates of work       |
| Nature of work done |       | Value of contract       |

Reference 3

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| --- | --- |
| Company Name |       |
| Address |       |
| Telephone No |       | Ext       |
| Email |       |
| Contact |       | Dates of Work       |
| Nature of work done |       | Value of contract       |

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|  | **Document F****RSPB Terms and Conditions** |

The basis of the contractual agreement between RSPB and the applicant is detailed in the [‘RSPB Terms and Conditions of Purchase of Goods and Services’](http://www.rspb.org.uk/Images/tcpurchase_tcm9-132467.pdf) – please click on this link to download. In applying for this tender you are explicitly agreeing to be bound by these Terms and Conditions for the duration of the contract. If you require any alterations to these Terms and Conditions please state your issues below. (Attach separate document if needed)

The RSPB expects that all suppliers it works with to adhere to certain ethical and environmental standards. Please download the [RSPB Ethical and Environmental Procurement Policy](http://www.rspb.org.uk/Images/RSPB_Ethical_and_Environmental_Procurement_Policy_tcm9-417093.pdf) and tick this box if you agree to be bound by its terms and conditions  **[ ]**

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|  | **Document G** **Certificate of Bona Fide Offer** |

We certify that this offer is made in good faith, and that we have not fixed or adjusted the amount of the offer by or under or in accordance with any agreement of arrangement with any other person. We also certify that we have not, and we undertake that we will not:

1 a) communicate to any person other than the person inviting these offers the amount or approximate amount of the offer or proposed offer, except where the disclosure, in confidence, of the approximate amount of the offer was necessary to obtain insurance quotations required for the preparation of the offer;

b) enter into any agreement with any other person that he shall refrain from making an offer or as to the amount of any offer to be submitted;

2 pay, give or offer or agree to pay or to give any sum of money or other valuable consideration directly or indirectly to any person for doing or having done or causing or having caused to be done in relation to any offer or proposed offer for the goods/services any act or thing of the sort described in 1 a) or 1 b) above.

We acknowledge that if we acted or shall act in contravention of this certificate, the RSPB will be entitled to cancel the agreement and to recover from ourselves the amount of any loss and expense resulting from such cancellation.

I state that everything in this tender submission is truthful, that if found to be untruthful the RSPB can terminate any agreement between the RSPB and the company formed on the basis of this tender, and we will pay to the RSPB any loss or expenses the RSPB suffers as a result of such untruthfulness, whether an agreement is entered into or not.

In this certificate, the word “person” includes any persons and any body or association, corporate or unincorporated; “any agreement or arrangement” includes any transaction, formal or informal, and whether legally binding or not.

|  |  |
| --- | --- |
| Signed  |       |
| On behalf of |       |
| Date |       |

**Please note: a name added in an electronic document is functionally equivalent to a signature.**

**Annex 1: The Flow Country: Commission for creating performances/ interactive installation**



*Lorne Gill, SNH Neil Cowie, RSPB*

<http://www.theflowcountry.org.uk/>

“Bogs are the liveliest elements in the European landscape, not just from the point of view of flora and fauna, but as storing places of life, mystery and chemical change, preservers of ancient history.” Joseph Beuys

**INTRODUCTION**

The Flows to the Future Project (FTTF) and the Royal Botanic Garden Edinburgh (RBGE) wish to commission a series of performances and/ or an interactive installation for the Edinburgh Art Festival 2019, to widen awareness and understanding of the internationally important Flow Country. We are aiming for a programme that is world class; high quality; bold; collaborative; professional; environmentally sustainable; ambitious; valuing creativity, innovation and equality. This work will be funded by the Heritage Lottery Fund and other partners.

**The Flow Country:**

The Flow Countryis a large, rolling expanse of peatland in Caithness and Sutherland in the north of Scotland. It is the biggest blanket bog in Europe and the best example of its type in the world. It is home to a rich variety of wildlife, including internationally important bird populations. It is also a hugely important carbon store, of increasing importance in our fight against climate change. Together with associated areas of moorland and open water, large areas of the peatlands are designated as being of both national and international importance.

Aside from the scientific designations, this vast landscape is a magical place on an extraordinary scale. It has many layers of interest both in terms of what is visible and what is hidden in the peat below, which holds the story of past environments, volcanic eruptions and human activities. From above, the water that forms much of the landscape becomes more evident, with extraordinary pool systems forming fascinating patterns. Then close up is a diversity of bright colours and shapes, made up by the Sphagnum mosses, the lichens and the carnivorous sundews and butterworts. Although not many people live here now, the landscape tells the story of many uses over time, as do the plants.

Although this is a wild landscape, it is not untouched by man, and some areas of deep peat were damaged by afforestation in the 1970s and 1980s. There is therefore an ongoing programme of restoration on a scale not seen elsewhere in the UK. There is also a significant amount of ongoing research in the Flow Country looking at its role in mitigating climate change, and again this is of UK importance. See the films on our website for an introduction. <http://www.theflowcountry.org.uk/virtual-flows/film-and-video/>

**Flows to the Future:**

Flows to the Future (FTTF) is an ambitious project which is restoring areas of blanket bog in the heart of the Flow Country that have been damaged by forestry planting. It also seeks to involve and connect people everywhere with this precious habitat, delivering real economic benefits for one of the least densely populated areas in Scotland.

The Project is far-reaching, ambitious and is significantly increasing the level of conservation management in the Flow Country. Through a broad range of initiatives, it is building awareness and opportunities for learning and engagement with the peatlands. This commission is one such initiative. The Project is being delivered by the Peatlands Partnership with RSPB Scotland as the lead partner.

**The Royal Botanic Garden Edinburgh:**

The Flows to the Future Project and the Royal Botanic Garden Edinburgh are working together on this initiative in recognition of their shared values and aspirations. The RBGE is a scientific institute with a complementary arts programme which in the past has encompassed music, theatre, visual arts, literature and storytelling and film. The art programme has been relevant to the work of the RBGE, with a strong focus on exploring the boundaries and synergies between science, art and the environment. RBGE has hosted a wide range of installations and performances and is keen to support imaginative productions that show ambition and reach a diversity of audiences.

In 2019 the Botanic Garden will have a focus on plants, medicine and health, as it begins its anniversary celebration of 350 years since the founding of the first Edinburgh Physic Garden in 1670 from which the current Botanic Garden has descended. This provides some strong links with the Flow Country, for example how the plants of the Flow Country are directly contributing to planetary health as a carbon store. The Gardens also have an international reputation for the science that takes place there, with many of the scientists focusing on the lower plants (including mosses and lichens) that are such a key player in the Flow Country landscape and peat.

**BRIEF**

As part of the core aim of widening awareness and understanding of the Flow Country the project seeks to appoint an individual(s)/ organisation(s) to deliver performances or interactive installations at the Royal Botanic Garden Edinburgh during the Edinburgh Art Festival 2019. This will be from the last weekend in July until the last weekend in August. A contract will be offered to one applicant only. At this stage we are open to whether this is either:

1) An outdoor, ticketed, promenade event within the Botanic Garden, outside of normal public opening hours, or

2) An indoor, ticketed performance within the Botanic Garden.

The number of performances has not been set and but we are keen to maximise the audience who experience the outcome of this commission.

The installation/ performance should do the following:

* Increase awareness and understanding of the Flow Country, in particular its role in climate change mitigation, as well as its importance for biodiversity and its special landscape.
* Challenge ideas about art, ecology, and science.
* Inspire the audience to become inquisitive about the Flow Country and its role in the global environment.
* It should be innovative and original, drawing people in to think about an area they have probably never heard of, including younger people who might otherwise not be engaged.

**METHOD**

We are seeking a partner who has a strong interest in and also experience of developing work in response to landscape and the environment, and who demonstrates an innovative and exploratory approach to the context.

Projects that engage one or more communities in the Flow Country will be welcomed. We have strong links with community and heritage organisations and can facilitate any engagement, but would not want to be prescriptive at this stage as to which groups (if any) this would be with as it could depend on the nature of the work. This engagement might be in the development phase or as part of the Edinburgh Art Festival 2019.

We are open to artists working in any visual or performance medium and anticipate that a range of media will be employed, for example words, film, music, audio, theatre, visual art.

The location of the performance/ interactive installation within the Gardens is not fixed. The Gardens include an indoor 250 seat auditorium (without a stage but with tiered seating and a 3m x 10m space at the front for performance, with good lighting, projection and audio facilities). There are also a range of outdoor spaces.

Ideally the performance/ interactive installation should be suitable for taking to other venues, for example in or close to the Flow Country.

The selected artists will be expected to spend an agreed amount of time in the Flow Country if they are not already familiar with it, to explore the context, landscape, environment and its communities. Accommodation will be available at the Flows Field Centre at Forsinard (KW13 6YT).

There will be opportunities for collaboration with relevant scientists working at the RBGE and in the Flow Country, as well as access to the archive at the RBGE. The scientists working in the Flow Country come from a range of institutions across the UK, including from Aberdeen, Thurso, Edinburgh, Leeds and York for example, and much of the work is linked to climate change issues. We can facilitate any introductions.

While collaboration is essential we also want the creativity of the artists to come through and we are looking for original and innovative interpretations of the theme which meet the highest standards in terms of new work and artistic integrity.

Support will be given by partner organisations to help the selected applicant to build an understanding of the area and its stories.

**Criteria for Selection:**

 Quality of previous work (30%)

 Relevance of practice and previous work/experience to the brief and the opportunity (30%)

 Experience of public engagement (20%)

 General response to the brief (20%)

**Fees and expenses**:

The overall budget for this work is £34k including production and performances. We do not anticipate applying for additional funding from other sources. Ticket sales will cover venue costs.

**Application process:**

To make an application, please download a copy of the invitation to tender document from <http://www.theflowcountry.org.uk/> or email Judith.crow@rspb.org.uk to request a copy. Please then submit the following to caroline.eccles@rspb.org.uk Flows to the Future Project Manager by 5pm on Thursday 28 June 2018:

Documents C to F from the invitation to tender document.

An expression of interest - formatted as a single PDF and including:

* An outline of your interest in the project, and initial ideas for proposals, plus outline budget information.
* A statement detailing your relevant experience.
* Examples of your work - either within the PDF or via links to Dropbox or similar. Time-based media should be limited to 4 clips, each no more than 3 minutes duration.

**Selection and Shortlisting:**

All proposals will be viewed by representatives from FTTF and RBGE. Shortlisted individuals/ organisations will be invited to attend an interview in Edinburgh between 17 and 19 July 2018 (date to be confirmed) and successful applicants will be appointed shortly thereafter.

Thank you for your interest!

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