

**EXPRESSION
OF
INTEREST**

**CITY OF LAUNCESTON
DINING DECK TRIAL**

CD012/2022

MAY 2022

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Section A. EOI Conditions

1. Terms of Request

This expression of interest (EOI) is an invitation to participate in the Dining Deck Trial and is subject to the compliance with the requirements contained within this EOI documentation.

Nothing in this EOI is to be construed as creating a binding Certificate of Permit for the supply of Services (express or implied), or any other agreements, between the City of Launceston and any Registrant.

Any agreement arising from this EOI process between the City of Launceston and any party will be subject to a future contract entered into between the two parties.

Only hospitality businesses who are legally allowed to conduct business operations within Australia will be considered, and strict observance to all State and Commonwealth laws and regulations will apply.

2. Enquiries and Communication

Any enquiries or any communication regarding the services specified in the EOI should be directed to:

Name and Title	Fiona Ranson. Acting Team Leader Place Making, City of Launceston
	Marilyn Burns. Place and Urban Design Officer, City of Launceston
Email Address	Dining.DeckTrial@launceston.tas.gov.au
Phone Number	03 6323 3370

3. Acknowledgment by Registrants

The Registrant (i.e. hospitality business applying to the EOI) acknowledges that:

- a) The City of Launceston makes no representations and offers no undertakings in issuing this EOI;
- b) The City of Launceston is not bound to accept any particular EOI;
- c) The City of Launceston, with notice, may suspend, vary, postpone, terminate or abandon the EOI process at any time;
- d) The City of Launceston may invite one or more registrants to supply further information and/or attend a conference or interview and/or make a presentation and in doing so is in no way an indication that they are the preferred or successful candidate;
- e) The nominated evaluation panel may undertake 'due diligence' checks, including, but not limited to, verifying references and/or referees, site and business visits, and undertaking company searches and credit checks;
- f) The City of Launceston will not be responsible for any costs or expenses incurred by a registrant arising in any way from the preparation and submission of EOI;
- g) The City of Launceston accepts no responsibility for a registrant misunderstanding or failing to respond correctly to this EOI;
- h) In lodging its EOI, the registrant is not relying on any express or implied statement, warranty or representation, oral, written, or otherwise made by, or on behalf of the City of Launceston, its officers, employees, agents or advisers other than any statement, warranty and representation expressly contained in the Invitation documents;
- i) It did not interfere or attempt to interview or discuss this submission with Councillors or employees of the Council, other than the nominated contact person(s). Lobbying from any parties in any form (including any social media platforms) from Registrants, Councillor, or employees can result in the offer being excluded from the EOI process. The City of Launceston reserves the right to reject any EOI submitted which contravenes this Clause;

- j) It did not use the improper assistance of City of Launceston employees or information unlawfully obtained from the City of Launceston in compiling its EOI; and
- k) It has examined this Invitation, and any other documents referenced or referred to herein, and any other information made available in writing by the City of Launceston to registrants for the purposes of submitting an EOI.

4. Return Schedules

Registrants must ensure that:

- a) The submitted EOI is presented in the required format; and
- b) All the information as required in the EOI Forms provided is completed and contains the information as requested.

5. Evaluating the Proposals

EOI's will be considered and evaluated against the requirements in *Section B. 2 Submission Requirements* and the Return Schedules in Section C as submitted.

An evaluation panel consisting of a minimum of three Council officers and/or representatives will assess the submissions.

6. Conclusion of EOI Process

After the evaluation of all EOI's, and dependent on the scope and value of services required, the City of Launceston may, without limiting other options available to it, do any of the following:

- a) Conduct Submission interviews, and proceed with developing a formal contract, in accordance with relevant legislation and standard council licencing procedures;
- b) Decide not to proceed further with this EOI process; or
- c) Commence a new process calling for EOI's on a similar or different basis to that outlined in this Invitation.

7. EOI Reference Information

This Invitation and the EOI Process is governed by the laws applying in the State of Tasmania.

Each Registrant must comply with all relevant laws in preparing and lodging its EOI and in taking part in the EOI Process.

8. Submission of EOI

EOI's may only be lodged by the means set out in the EOI documentation.

Where submissions are to be lodged by electronic mail (email) to the email address nominated in EOI documentation, the receipt will be determined in accordance with the provisions of Division 3 of Part 2 of the Electronic Transactions Act (Tasmania) 2000.

EOI Issue

EOI Request Advertised	Wednesday 4 May 2022
Final Closing Date and Time	9.00am Monday 23 May 2022 (Tasmanian local time).
Submission Assessment	By Friday 03 June 2022

EOI Lodgement

Electronic	Submissions@launceston.tas.gov.au
Information to be included in Subject Line	Dining Deck Trial CD012/2022
Other Requirements	NA

9. EOI Documents

- a) During the assessment, all EOI materials will be treated as confidential by the City of Launceston. The City of Launceston will not disclose EOI content and information, except:
- i) As required by law (including, requests made under the Right to Information Act 2009 (Tas));
 - ii) For the purpose of investigations by the Australian Competition and Consumer Commission or other government authorities having relevant jurisdiction;
 - iii) To external consultants and advisers of the City of Launceston engaged to assist with the EOI assessment;
 - iv) To other government departments or agencies in connection with the subject matter of the EOI; or
 - v) General information from Registrants required to be disclosed by Legislation.

10. Equipment

Any materials and equipment to be used by the Registrants in association with the trial must be approved, licensed, registered, electrically tagged and certified, in good working condition, of legal possession and an appropriate fit for the purpose respective to each equipment item. This applies to, but is not limited to, chairs, tables, outdoor umbrellas, lighting, etc.

Section B. Specifications

1. Dining Deck Trial - overview

The City of Launceston is very pleased to announce that Tasmanian State grant funding has been secured for a trial to provide on-road dining decks to be placed in partnership with a local hospitality business within Launceston municipality's inner commercial areas.

The initiative is a trial only and is designed to:

- Support local hospitality businesses, which have been impacted by COVID-19, by providing additional seating capacity.
- Enhance the customer dining experience by providing alternative options.
- Increase street utilisation and vibrancy.
- Gather quantitative and qualitative data to undertake an evaluation, to help ascertain what actions and policy changes are required to facilitate dining decks and potentially support further widening of footpaths for dining in the future.

This expression of interest (EOI) is to advertise and seek submissions from hospitality businesses in the inner city and adjoining areas, as shown on the *EOI Coverage Map* included in Section D, to be a partner with the City of Launceston for the trial of a dining deck to be used for outdoor dining.

For hospitality businesses to be considered for the trial they will need to be located within the area marked on the *EOI Coverage Map*, complete *Section C. Return Schedules*, comply with all other matters contained in the EOI, and enter into an agreement with the City of Launceston.

The City of Launceston will determine the locations for the dining deck based on the assessment of responses to the criteria included in the Return Schedules. The criteria assessed are explained in the *Submission Criteria*, as stated in Section B 2.

What follows is some additional project information:

- For the purposes of the EOI, a dining deck is defined as a structure that can be safely placed on a public roadway, generally within the dimensions of standard car park, and that will be used for the primary function of accommodating seating for outdoor dining. These are sometimes also referred to as dining parklets.
- There will be a maximum of one dining deck per business.
- The grant funding is part of the Department of State Growth's 'Ready for Business' grant.
- The dining deck will be a prefabricated structure with only minor alterations to the standard form to allow for specific site requirements such as ground slope.
- The dining deck infrastructure will remain the property of the City of Launceston for the duration of the trial and future plans for the structure will be resolved as part of the review.
- A licence agreement will be signed between the successful hospitality business and Council outlining the roles and responsibilities of each party.
- The agreement will include further details of the obligations of both parties in regard to the monitoring of the use of the deck and its financial impact on the business.
- Use of the dining deck will incur an outdoor dining fee based on the area occupied and location, in line with the [City of Launceston's Fees & Charges for 2022-2023](#).

Note: Dependant on final costings, up to two decks may be able to be provided. In this case, the City of Launceston would seek to install these in diverse locations (i.e. not within sightline of each other) and for different types of hospitality businesses (e.g. a daytime café and a night time restaurant), to ensure the data gathered is as representative as possible. This would become a consideration if there are more than two equally scoring top submissions, after an initial evaluation.

2. Submission Requirements

This EOI is seeking detailed submissions from local Launceston hospitality businesses who wish to apply for this opportunity and who satisfy the requirements 1 to 5, below.

Applying business (or Registrants) must meet the following criteria:

- 1) Be a hospitality business located in central Launceston in accordance with the intent of the Department of State Growth's 'Ready for Business' grant (refer to the *EOI Coverage Map*).
- 2) Propose a location for the dining deck in front, totally or partially, of their business.
 - a. If the location (e.g. parking bay) intrudes partly in front of another business/residence Council will require a written letter of support from the owner.
- 3) Propose a location for a dining deck in a loading zone or parking space (note that accessible parking spaces are excluded).
- 4) Propose a location for the dining deck within a Council owned and managed road, i.e. not on State owned roads.
 - a. Refer to *Section D. EOI Coverage Maps* for location of State owned roads.
- 5) Propose a location for the dining deck on a road with a maximum legal speed of 50Km/h.
- 6) Have no existing or limited outdoor dining capacity available, after complying with Council's *On Street Dining Guidelines and Specifications 18-Rfx-033*.
 - a. See *Section E. Appendix* for the full guidelines.
- 7) Be in strategic alignment with the City of Launceston priorities in particular the City Deal commitments¹ to relocate and redevelop the University of Tasmania's Launceston campus in Inveresk and the implementation of the Launceston City Heart project (refer to the *EOI Coverage Map*).
 - a. Refer to *Section D. EOI Coverage Maps* for additional information.
 - b. Other important documents, such as the Transport Strategy, will be considered but no response is required by the applying business (Registrants).
- 8) Be compatible with existing infrastructure and uses.
- 9) Provide a written paragraph, stating why your business would like to participate in this trial and the benefits that you feel will be realised to your business, your customers and the surrounding environment.

Criteria 1 to 5 below will require a yes/no answer. Criteria 6 and 7 will have a scoring methodology (as shown below). Criteria 8 will be assessed internally by officers responsible for public infrastructure. Criteria 9 is an opportunity for businesses to state their interest in the trial and will be assessed by the evaluation panel. The final scores will be used to determine the successful business by ensuring the best outcome for the city plus the best use of the grant funding.

Criteria	Scoring Methodology
Criteria 06 - restricted or no outdoor dining capacity:	
	No outdoor dining (2)
	Restricted outdoor dining (0)
	Normal or > normal outdoor dining (-2)
Criteria 07 - located in or adjacent to City Deal commitments:	
	Inside area (2)
	Within one block/street (1)

¹ For more information refer to: <https://www.launceston.tas.gov.au/Launceston-City-Deal/City-Deal-Commitments>

Section C. Return Schedules

Schedule 1. Registrant Information and Formal Offer

EOI No:	CD012/2022
Project:	Dining Deck Trial
Registrant/Supplier	

Registered Office Address:	Business Address:
Telephone:	
Email:	

Legal Status: All Registrants/Suppliers are required to complete the following table			
Legal Structure	Name	Australian Company No (ACN)	Australian Business No (ABN)
Company			
Trust			
Individual			
Partnership			

Formal Offer. (by signing this form you acknowledge that all information is true and correct)	
Name of individual representing this submission	
In accordance with :	The EOI Submission; The information provided supplied by the City of Launceston; The conditions governing this EOI process
Signature	
Date	

Schedule 2. Responses to Criteria

Criteria	Scoring (please select appropriate response)	Response (optional, to provide additional supporting information)
Criteria 01 - a hospitality business in a central location:		
Part of the intent of the 'Ready for Business' grant is to help hospitality businesses in central city locations. Non-hospitality businesses and hospitality businesses in locations not highlighted in <i>Section D. EOI Coverage Maps</i> will not be considered.		
	Yes	
	No	
Criteria 02 - dining deck in front of business:		
Proposals for a dining deck in locations not in front of the applying business, totally or partially, will not be considered. If the location intrudes partly in front of another business/residence, Council will require a written letter of support from the owner of that business/residence.		(Provide a description/map for the proposed location)
	Yes	
	No	
Criteria 03 - on parking and loading spaces:		
Proposals for a dining deck on kerbsides with no parking and/or loading spaces will not be considered. Note that accessible parking spaces are excluded and relocation/removal of loading spaces will need additional approvals.		
	Yes	
	No	
Criteria 04 - dining deck on Council managed roads:		
Proposals for a dining deck will only be considered on Council owned and managed roads, i.e. locations on State roads will not be considered. Refer to <i>Section D. EOI Coverage Maps</i> for location of State owned roads.		
	Yes	
	No	
Criteria 05 - dining deck on roads with speeds 50Km/h or less:		
Proposals for a dining deck on roads with legal speeds above 50 km/h will not be considered.		
	Yes	
	No	

Criteria	Scoring (please select appropriate response)	Response (optional, to provide additional supporting information)
Criteria 06 - restricted or no outdoor dining capacity:		
It is in the locations which currently have restricted or no outdoor dining capacity that hospitality businesses are more likely to benefit, public realm activation will be most noticeable and, consequently, more representative of where the greatest opportunities are. See <i>Section E. Appendix</i> for the full guidelines.		
	No outdoor dining (2)	
	Restricted outdoor dining (0)	
	Normal or > normal outdoor dining (-2)	
Criteria 07 - located in or adjacent to City Deal commitments:		
In particular the City Deal commitments to implement the City Heart project and the relocation of the UTAS campus to Inveresk. For their location refer to <i>Section D. EOI Coverage Maps</i> .		
	Inside area (2)	
	Within one block/street (1)	
Criteria 08 - compatibility with existing infrastructure and uses:		
It is important that the deck is located in an area which is not likely to cause conflicts with existing infrastructure, uses, or maintenance regimes to ensure the ongoing safe and efficient use of the road reserve. This will be assessed internally by officers responsible for public infrastructure.		
Criteria 09 - benefits to business and surrounding area:		
<p>As participation in the trial will include obligations in regard to monitoring of use, cleaning and maintenance of the deck, it is important to understand the interest businesses have in the trial, their commitment to the assessment process, and the potential for benefits to the business. Therefore a short written response is recommended, which could include:</p> <ul style="list-style-type: none"> - why your business would like to participate in this trial? - what benefits you believe will be realised to your business, your customers, the community and the surrounding environment (e.g. the street, adjoining businesses)? - how you plan to promote and optimise the use of the deck? - what the primary use of the deck will be (i.e. dining, coffee, drinks)? - how you will ensure that the deck will be cleaned and maintained? 		More space provided for response over page.

Additional space for response if required

A large, empty rectangular box with a thin black border, intended for providing a response to the question above. The box is currently blank.

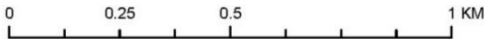
Section D. Maps

EOI COVERAGE MAP
1:10,000 @ A3



Legend



- EOI Coverage Area
- City Heart
- Northern Transformation Program (UTAS)



STATE ROADS MAP
1:10,000 @ A3



Legend

-  EOI Coverage Area
-  State owned roads

