EXPRESSION

OF

INTEREST

MOBILE FOOD AND

CAFÉ OUTLET

CIVIC SQUARE

CD039/2020

OCTOBER 2020

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# Section A - EOI Conditions

## Terms of Request

This expression of interest (EOI) is an invitation to participate and is subject to the compliance with the requirements contained within the 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 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.

## Enquiries and Communication

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

|  |  |
| --- | --- |
| **Name and Title** | Phil Bonney. Manager Parks & Sustainability |
| **Email Address** | Submissions@launceston.tas.gov.au |
| **Phone Number** | 03 6323 3000 |

## Acknowledgment by Registrants

The Registrant acknowledges that:

1. The City of Launceston makes no representations and offers no undertakings in issuing this EOI
2. The City of Launceston is not bound to accept any particular EOI
3. The City of Launceston with notice, may suspend, vary, postpone, terminate or abandon the EOI process at any time
4. 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
5. The nominated evaluation panel may undertake ‘due diligence’ checks, including, but not limited to, verifying references and/or referees, and undertaking company searches and credit checks
6. The City of Launceston will not be responsible for any costs or expenses incurred by a vendor arising in any way from the preparation and submission of EOI
7. The City of Launceston accepts no responsibility for a registrant misunderstanding or failing to respond correctly to this EOI
8. 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.
9. 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, Aldermen, 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.
10. 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;
11. 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;

## Equipment

Any materials and equipment used by the subsequent Contract/Vendor following this EOI must be approved, licensed, registered, electrically tagged and certified, in good working condition, of legal possession and appropriate fit for the purpose respective to each equipment item.

## Return Schedules

Registrants must ensure that:

1. The submitted EOI is presented in the required format
2. All the information as required in the EOI Forms provided is completed and

contains the information as requested.

## Evaluating the Proposals

The Key requirements for this role are outlined in Section B. 3. "Key Requirements". The Assessment evaluation will be based on the criteria outlined in Section B. 4 "EOI Assessment".

## 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:

* 1. Conduct Submission interviews, and proceed with developing a formal agreement, in accordance with relevant legislation and Council policy;
	2. Decide not to proceed further with this EOI process and cancel it; or
	3. Commence a new process calling for EOI`s on a similar or different basis to that outlined in this Invitation.

## 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.

## 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 and Issued | Saturday 17th October 2020 |
| Closing Date and Time | Friday 30th October 2020 2.00pm |

**EOI Lodgement**

|  |  |
| --- | --- |
| Electronic | Submissions@launceston.tas.gov.au |
| Information to be included in Subject Line | Expression of Interest **Mobile Food & Café Outlet. Civic Square EOI CD039/2020** |
| Other Requirements | NA |

## EOI Documents

1. 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:
2. as required by law (including, requests made under the Right to Information Act 2009 (Tas);
3. for the purpose of investigations by the Australian Competition and Consumer Commission or other government authorities having relevant jurisdiction;
4. to external consultants and advisers of the City of Launceston engaged to assist with the EOI assessment;
5. to other government departments or agencies in connection with the subject matter of the EOI; or
6. general information from Registrants required to be disclosed by Legislation

# Section B - Specifications

## Introduction

The City of Launceston CBD has enjoyed the services of a mobile Food and Café outlet in Civic Square for some years now servicing a number of large inner city organisations, and as part of creating transparency and equal opportunities, Expressions of Interest (EOI) are now being publicly sought from existing and/or new businesses who can continue in making this service available. Currently it is still envisaged to continue with just one mobile food outlet within Civic Square during daytime business hours.

## Services Required

The mobile food and café outlet is to provide value for money retail offerings which include both hot and cold beverages, a range of healthy food options both to take away plus have the ability to refill individual`s re-usable containers. The range of healthy food options is not limited to, but could include fresh fruit, fruit juices, smoothies, garden salads, plus catering for gluten free, vegetarian and similar dietary requirements in addition to the regular light food snacks.

All foods should be provided in such a manner that supports the Councils environmental policies of the elimination of single use plastics on all council sites, and the use of recyclable and/or fully compostable materials.

The successful business provider will have access to electricity outlets and will be charged for electricity usage and a site rent. The site rent will be set each year, it will be the same for whomever is successful, and not negotiable for either a decrease or increase but may be adjusted annually based on commercial CPI indexes.

The successful provider will be expected to control and remove all wastes associated with providing the service, including any food waste residues and spills or vehicle / van emissions from the immediate site, leaving the site in a manner acceptable to the City of Launceston without any noticeable evidence of its presence.

## Mandatory Service Requirements

In addition to the above, all prospective Mobile food and café outlets to be located in Civic Square must meet the following operational requirements.

* Mobile Food Outlets must be in very good and clean condition, customised for the sole intent of providing hot and cold beverages with light food options to the public.
* All equipment and activity must be appropriately licensed, registered, and insured, to be able to provide the service in a safe and legal manner.
* The successful operator must have the appropriate number of staffing availability to always maintain the provision of service within the agreed operating times.
* The successful operator must have sufficient size and capability of servicing the expected number of patrons and businesses in the greater Civic Square area within an appropriate timeframe.
* The successful operator is to provide a high level of customer service experience, including reasonable selling price options.
* A range of foods to be made available, including a diversity of healthy food options.
* The successful operator will need to demonstrate a current COVID plan relative to the site operation and serving customers.

## Agreement Period / Operating Hours

The Terms of this agreement period are to be for 4 years from 1st January 2021 to 31 December 2024 and subject to the terms of the license. The expected minimum operating times will be from Monday to Friday from 7.00am to 3.00pm on usual workdays, but these can be extended on mutual agreement with written approval from the City of Launceston.

This is a non-exclusive agreement and the successful operator is not excluded from using the equipment for other functions and opportunities outside of the above hours.

The intended start date for this new agreement post the EOI process will be 1st January 2021 or by agreed negotiation, and subject to any extensions entitled to the current operator if required by the *Covid-19 Disease Emergency (Commercial Leases) Act 2020*.

## Evaluating the Proposals

All proposals received by the set closing date and time will be evaluated on an overall consideration of those who best meet the above "Services Required", and "Mandatory Service Requirements".

A panel of a minimum of three Council officers or appointed representatives will review the proposals and make a final recommendation. The panel`s assessment, their respective interpretation of the various submissions and subsequent decision will be final and absolute.

A final decision and notification is expected to be made by the 16th November 2020.

# Section C. Return Schedules

## Schedule 1 Registrant Information

|  |  |
| --- | --- |
| EOI No: |  |
| Project: |  |
| 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 |  |  |  |

## Schedule 2 Proposal & Methodology of Operation

Please provide a detailed EOI Proposal.

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## Schedule 3 - Indicative Food Costs

Please provide here an indicative of a typical menu and selling prices, or provide on an attachment.

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## Schedule 4 - Experience and Referees

Please provide here details of relevant or previous experience of the company

|  |  |
| --- | --- |
| Project Type |  |
| Client's Name |  |
| Client's Contact Person |  |
| Client's Address |  |
| Client's Phone Number |  |
| Year Completed |  |
|  |
| Project Type |  |
| Client's Name |  |
| Client's Contact Person |  |
| Client's Address |  |
| Client's Phone No |  |
| Year Completed |  |

## Schedule 5 - Company Profile, Key Staff and Qualifications

|  |  |
| --- | --- |
| Title/Name | Position/Qualification |
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## Schedule 6 - Capacity to Deliver Project

Please provide information on the capacity and timeline to deliver the proposed service.

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## Schedule 7 - Relevant Registrations, Licenses and Qualifications

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| --- | --- | --- |
| Registrants shall detail any relevant current licenses, or Qualifications. Licenses will need to be presented upon request.  | License/Qualification/Experience | Expiry Date |
|  |  |  |
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## Schedule 8 - WHS & Insurances

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| --- |
| Applicants will need to demonstrate their ability to fulfil all WHS requirements including a Safety management plan for the proposed serviceSuccessful contractors/suppliers will need to have and maintain appropriate insurance coverage throughout the duration of the project. This would includePublic Liability $10,000,000A current Workers Compensation policy A comprehensive motor vehicle fleet policy. |

## Schedule 9 - Additional Information

Please provide any additional information on the proposal, including actual photos of the equipment setup, or close examples of proposed equipment.

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# Formal Offer

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