**Tender Documents**

**Part 4 – Response to Tender**

**Request for Tender**

**(RFT)**

**Closing Time:**

**RFT Number:**

**22040**

**10 am**

**(Australian Eastern Standard Time)**

**6 June 2022**

**Lease and Operation of the Roma Airport Café**

 **(Management Agreement)**

**Tender Response**

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**PLEASE NOTE:** All pages required within this **Part 4 must be completed and returned** to Council as they form part of the Tenderer’s Tender Response.

# GENERAL DETAILS

To: Maranoa Regional Council

|  |
| --- |
| *In response to Request for Tender:* **22040 – OPERATION OF THE ROMA AIRPORT CAFÉ (MANAGEMENT AGREEMENT)** |

**1.1 Name of the company or entity under which this tender is being made.**

|  |
| --- |
|  |

**1.2 Trading name** *(if different)*

|  |
| --- |
|  |

**1.3 State the type of entity** *(e.g. individual, public or private company or joint venture)*

|  |
| --- |
|  |

**1.4 State of registration of company** *(if applicable)*

|  |
| --- |
|  |

**1.5 ABN**

|  |
| --- |
|  |

**1.6 ACN**

|  |
| --- |
|  |

**1.7 Is the Tenderer registered under the *GST Act*?**

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | No |  |  |
|  |  |  |  |
| [ ]  | Yes |  |  |

**1.8 Address of registered office** (Please include notes if your registered office is out of town (e.g. the location of your accountants) but your business is local).

|  |
| --- |
|  |

**1.9 Postal Address**

|  |
| --- |
|  |

**1.10 Business Address**

|  |
| --- |
|  |

**Preferred Address** *(for service of notices)*

|  |  |
| --- | --- |
| [ ]  | Address of Registered Office |
| [ ]  | Postal Address |
| [ ]  | Business Address |

**1.11 Telephone Number**

|  |
| --- |
|  |

**1.12 Email Address**

|  |
| --- |
|  |

**1.13 Website Address**

|  |
| --- |
|  |

**1.14 Nominated Person for Post-Tender Enquiries** *(full name, position and email)*

|  |
| --- |
|  |

**1.15 Natural Person Authorised to Represent the Tenderer** *(Corporation Only)*

|  |
| --- |
|  |

# ACKNOWLEDGEMENT AND ACCEPTANCE OF DOCUMENTS

|  |  |
| --- | --- |
| I have read and understood Part 1,2,3,4 and 5 of the Tender documents | [ ]  Yes [ ]  No |

I accept the following documents...

|  |  |
| --- | --- |
| **Part 2** – Conditions of Tender (contained in the Request for Tender). | [ ]  Yes [ ]  No |
| **Part 3** – Specification (contained in the Request for Tender). | [ ]  Yes [ ]  No |
|  **Part 5** – Draft Management Agreement | [ ]  Yes [ ]  No |
| **Addenda** (if any) **– Issued after the Issue Date of the Request for Tender**

|  |  |  |  |
| --- | --- | --- | --- |
| ADDENDUM NO. |  | ADDENDUM DATE |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

 | [ ]  Yes [ ]  No |

An *addendum* is any official change or clarification to the Tender Documents issued by Council during the time between issuing the tender and the closing date. Addendums are used to ensure all Tenders receive the same information and are bidding on the same Tender.

|  |  |  |
| --- | --- | --- |
| If you have answered “No” to accepting Part 2, Part 3, Part 5 or Addenda | 🡺 | ***Complete Section 3: Statement of Departures*** |
| If “Yes” to all of the above | 🡺 | ***Go to Section 4: Execution of Tender*** |

#

# STATEMENT OF DEPARTURES

Tenderers must set out below particulars of all matters in respect of which the tender varies from the requirements of the Tender Documents.

|  |  |  |  |
| --- | --- | --- | --- |
| **Tender Document**(e.g. Conditions of Tender, Lease) | **Clause** | **Page** | **Details of Variation (1)** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

(1) If necessary, Tenderers should attach documents in explanation or clarification of the above variation/s.

# EXECUTION OF TENDER

I certify that:

* the information provided is true and correct,
* all terms used in this Tender Response bear the meanings assigned to them in Parts 1, 2, 3 and 5 as the case may be.
* this Tender Response is irrevocable for the period stated in the Invitation to Tender, unless extended by mutual agreement between the Tenderer and Council.
* I have read and examined the Tender Documents and the foregoing is a complete list of matters in respect of which my Tender varies from the requirements of the Tender Documents as outlined in Section 3.

|  |  |  |
| --- | --- | --- |
| **Signed** for (the **Tenderer**)by an authorised officer in the presence of: |  |  |
| Signature of authorised officer |
|  |  |  |
| Signature of witness |  | Name of authorised officer (print) |
|  |  |  |
| Name of witness (print) |  | Position held by authorised officer |
|  |  |  |
| Date |  | Date |

# EVALUATION CRITERIA EVIDENCE

Council will be evaluating Tender Responses based on the following criteria:

5.1 Business Offering 60 Points

5.2 Management Agreement Costs 25 Points

5.3 Contribution to the Local Economy 15 Points

5.4 Declaration of Actual, Potential or Perceived Conflict of Interest - Compulsory

Tenderers are requested to ensure that any relevant information has been included in the Tender Response. It must be assumed that the evaluation panel has no previous knowledge of the Tenderer’s organisation, its activities or experience.

Where it is necessary to provide additional information, please ensure that all documents are clearly marked with the relevant attachment title to assist the evaluation panel with their assessment. All attachments must be clearly marked with the relevant paragraph number (e.g. “**3.1 – Organisational Profile**”).

|  |  |
| --- | --- |
| **5.1 BUSINESS OFFERING**1. About the Tenderer - Review of organisation and any financial impediments to service delivery (Specification –Section 5)
2. Proposed Business Model (Specification – Section 4)
3. Food & Beverage Preparation & Service (Specification –Section 3.3)
4. Operating Hours, Customer Service & Staff (Specification - 3.3 & 3.5)
5. Menu (Specification – Section 3.4)
6. Licences
7. Other Information (Specification – 3.8)
8. Commencement of Services
 | **60 Points** |

**BUSINESS OFFERING**

**(a) About the Tenderer**

|  |  |
| --- | --- |
| Attach a copy of the Tenderer’s background and capabilities. Please label it **“5.1 – Organisational Profile”**. | **“5.1 (a) – Organisational Profile”** |

|  |  |
| --- | --- |
| In the case of companies, Tenderers are required to attach their current ASIC company extracts search and label it **“5.1 – ASIC Company Extracts”** (Question not applicable to Sole Trader businesses).If alternative business structure, please specify |  **“5.1 (a) – ASIC Company Extract”** |
| [ ]  **Sole Trader** |
| [ ]  **Other**Please specify |

Financial

**(i)** Have any of the proprietors, directors or key personnel of the Tenderer ever been bankrupt?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | No | 🡺 | ***Go to part (ii)*** |
|  |  |  |  |
| [ ]  | Yes | 🡺 | ***Please provide details.*** |
|  |  |  |  |

|  |
| --- |
|  |

**(ii) Is the Tenderer…**

|  |  |  |  |
| --- | --- | --- | --- |
|  | presently able to pay all debts in full as and when they fall due? | [ ]  Yes | [ ]  No |
|  | free of adjudication or litigation as a result of which it may be liable for $50,000 or more? | [ ]  Yes | [ ]  No |
|  | able to fulfil the obligations of the Management Agreement from its own resources?  | [ ]  Yes | [ ]  No |
| **If No to any of the above, please provide details:** |

**(b) Proposed Business Model**

Tenderers are to provide details of their proposed business model and how it will adequately cater for airport travellers.

|  |  |
| --- | --- |
| Provide no more than a 1-page overview of your Business Model/s as per 4.1 of the Specification. | **Label (Name) the File****“5. (b) – Business Model”** |

**(c) Food & Beverage Preparation & Service**

|  |  |
| --- | --- |
| * Provide no more than 1-page overview of your understanding of the regulatory framework for the preparation and handling of food.
* Where will your food be prepared?
* How and under what conditions will your food be transported?
 | **Label (Name) the File****“5. (c) – Food & Beverage Preparation & Service”** |

**(d) Operating Hours, Customer Service and Staffing Levels**

|  |  |
| --- | --- |
| Please provide no more than a 1-page overview of the weekly roster (Monday to Sunday), details of proposed staffing levels, an overview of the training provided to staff, expectations and uniform and how you could respond to the need for flexibility of operating hours (given that the airline schedule may change causing operational times to alter). | **Label (Name) the File** **“5. (d) – Operating Hours”** |

**(e) Menu & Pricing**

|  |  |
| --- | --- |
| Please provide a Sample menu of what type of meals and beverages will be available to customers if successful, with indicative pricing. | **Label (Name) the File** **“5. (e) – Menu and Pricing”** |

**(f) Licences**

|  |  |
| --- | --- |
| Please provide details of the Food and Liquor Licenses required to operate the café, including location of food preparation and the any associated licences required to operate at this site. | **Label (Name) the File** **“5. (f) – Licences”** |

**(g) Other Information**

|  |  |
| --- | --- |
| Tenderers are invited to provide any other information that the company representatives / individuals feel is relevant. | **Label (Name) the File** **“5. (g) – Other Information”** |

**All of the above requirements (b) to (g) may be combined into one Business Proposal document. Tenderers may submit more than one Business proposal.**

**(h) Commencement of Services**

|  |  |
| --- | --- |
| A commencement date will be negotiated between Council and the successful tenderer. Tenderers are to provide a preferred commencement date. **Preferred Commencement of Services Date:** |  |

|  |  |
| --- | --- |
| **5.2 Management Fee and Contract Type**(a) Proposed Annual Management Fee | **25 Points** |

1. **CONTRACT TYPE AND PRICING**

***Specification – Section 4.4:***

*The successful Tenderer will be required to enter into a Management Agreement (draft copy attached) with Council before commencing operations.*

*The Management Agreements allows for Council to pay an management fee (including GST) to the Manager.*

*Tenderers are also required to provide details of their preferred Term for the Management Agreement, with the final term subject to negotiation with Council.*

*The successful Tenderer’s Management Agreement commencement term will be negotiated via Council with the current operators.*

Please record the management fee (payment) you are requesting.

|  |  |
| --- | --- |
| **Proposed Annual Management Fee (incl GST) Payable BY Council to the Manager.** | *$* |

1. **Contract Term**

***Specification – Section 4.4:***

*……..*

*Tenderers are also required to provide details of their preferred Term for the Management Agreement, with the final term subject to negotiation with Council.*

|  |  |
| --- | --- |
| What is the Tenderer’s preferred Term for the Management Agreement?

|  |
| --- |
|  |

 |

# CONTRIBUTION TO THE LOCAL ECONOMY

|  |  |
| --- | --- |
| **6 Contribution to the Local Economy** Review of Local Content checklist. | **15 Points** |

**Is the Tenderer registered with Council’s “My Maranoa Business” initiative?**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|[x]  No | 🡺  | Individuals or Sole Trader | 🡺 | **Complete Minimum Part A; and C**  |
|  |  | 🡺 | Company | 🡺 | **Complete Minimum Part B; and C**  |

**Note: Registrations are just commencing – i.e. all Tenderers are required to respond to the following sections.**

**PART A – Individual or Sole Trader**

|  |  |  |
| --- | --- | --- |
|  | **Yes** | **No** |
| Do you currently live in the Maranoa region? | [ ]  | [ ]  |
| Have you previously owned or managed a business in the Maranoa region? | [ ]  | [ ]  |
| If Yes, provide name and type of business and years of operation: |  | N/A | N/A |
|   |  |  |  |  |
|  |
|  |
|  |
| If successful, do you intend to appoint / engage employees within the business? | [ ]  | [ ]  |
| If yes, would you commit to employing residents of the region? | [ ]  | [ ]  |
| What percentage of your total employees would reside in the Maranoa region?  | \_\_\_\_\_\_\_\_% |

**PART B - Company**

|  |  |  |
| --- | --- | --- |
|  | **Yes** | **No** |
| Total Number of Owners/Directors:  |  |  | N/A | N/A |
|  |
|  |
| % of owners/directors who live in the Maranoa region:  |  |  | N/A | N/A |
| % |
|  |
| Total Number of Employees:  |  |  | N/A | N/A |
|  |
|  |
| % of total company employees who live in the Maranoa region:  |  |  | N/A | N/A |
| % |
|  |
|

|  |  |  |  |
| --- | --- | --- | --- |
| Is your registered company address located in the Maranoa region? |  | N/A | N/A |
|   | (Please include notes if your registered office is out of town (e.g. the location of your accountants) but your business is local).  |  |
|  |
|  |
|  |

 | [ ]  | [ ]  |
| Is your registered company address located in the Maranoa region?(Please include notes if your registered office is out of town (e.g. the location of your accountants) but your business is local).

|  |  |
| --- | --- |
|  |  |
|  |  |

 | [ ]  | [ ]  |
| How long has the Company been operating in the Maranoa region?  | \_\_\_\_\_\_\_\_\_ |  | N/A | N/A |
| Address:  |  |  | N/A | N/A |
|  |
|  |
|  |
| Premises (Please tick/check the relevant box)

|  |  |
| --- | --- |
| [ ]  | Owned(in Maranoa Region) |
| [ ]  | Long Term Lease(in Maranoa Region) |
| [ ]  | Short Term Lease*(Less than 6 months)*(in Maranoa Region) |

 | N/A | N/A |
| If your registered company address is not located in the Maranoa region, does your business have a branch office in the region? | [ ]  | [ ]  |

**Part C – All Respondents (Please complete if known at the time of Tender Response)**

If the Tenderer is currently operating a food and beverage business, please advise what percentage of supplies are purchased locally?

For those new to the food/beverage industry, what plans do you have to source supplies from within the region?

**EXPENDITURE ACQUITTAL – LOCAL SPEND**

As part of Council’s “My Maranoa Business” initiative, the successful Tenderer may be required to provide an acquittal of expenditure on a periodic basis to identify the business’s contribution to the local economy (Listing of Suppliers/Sub-Contractors and dollars spent towards each). Please confirm your willingness to provide this information if required.

# DECLARATION OF ACTUAL, POTENTIAL OR PERCIEVED CONFLICT OF INTEREST

|  |  |
| --- | --- |
| **7 Declaration of Actual, Potential or Perceived Conflict of Interest (Clause 18.0 – Conditions of Tender)** | **Compulsory Completion of the below Section** |

A Conflict of Interest is something that may impact your objectivity in performing your obligations to Council. An **actual** Conflict of Interest is:

* a personal advantage (or avoidance of loss), financial or otherwise, to a Councillor, Council employee or their partner, spouse, immediate relative or friend; and/or
* where a Tenderer has other personal or business interests that may create a risk to, or impact on, the delivery of the goods and services, the subject of this tender, in accordance with Council’s requirements.

*Please note that tenderers, including the successful Tenderer, must not pay any commission, fees, rebates, gifts or entertainment to any officer or agent of Council.   Further, tenderers are to advise of any personal business arrangement with anyone involved with Council.  This includes payments, gifts or business arrangements with a partner, spouse, immediate relative or friend of a Councillor or Council employee.*

The key to deciding whether there is an actual or potential conflict of interest is to think of how others might view you in the performance of your responsibilities under this Agreement.  There may be a potential or perceived conflict of interest, or there may be an actual conflict of interest.

**If you have a partner, spouse, immediate relative or friend who is a Councillor or Council employee please declare this below so that Council can consider if / how this potential, perceived or actual conflict can be managed.**

Will any actual, perceived or potential conflict of interest in the performance of the Tenderers’ obligations under the Lease exist if the Tenderer is awarded the Lease, or are any such conflicts likely to arise during the Lease?

|  |  |  |  |
| --- | --- | --- | --- |
| [ ]  | No | 🡺 | ***Go to Next Section -*** *Checklist* |
|  |  |  |  |
| [ ]  | Yes | 🡺 | ***Provide details and how the conflict is proposed to be managed*** |
|  |  |  |  |

|  |
| --- |
|  |

# COMPLIANCE REQUIREMENTS (MUST DO’S) & TENDER RESPONSE CHECKLIST

Please select with a yes or no whether the Tenderer has complied with the following compliance criteria (including that the documents have been read and understood). **\*Incomplete Tenders may not be considered (including not proceeding through the evaluation process)** as there may be insufficient information for Council to make an informed evaluation and decision (*Clause 9.5 – Conditions of Tender).*

|  |  |  |
| --- | --- | --- |
| **Description of Compliance Requirements** | **Yes** | **No\*** |
| **Part 1 – Tender Information.** Compliance with lodgement of Tender by the Closing Time. | [ ]  | [ ]  |
| **Part 4 – Tender Response.** Completion of all sections, including: |
|  | **1 General Details**  | [ ]  | [ ]  |
|  | **2 Acknowledgement and Acceptance of Documents.** The Tenderer has read, understood and accepts Part 2 – Conditions of Tender, Part 3 – Specification, Part 5 – Draft Lease, Addendums (if any).  | [ ]  | [ ]  |
|  | **3 Statement of Departures**. Proposed Statement of Departureslisted for any matters where the tender submission varies from the requirements of the Tender Documents. | [ ]  | [ ]  |
|  | **4 Execution (Signing) of Tender**. The Tenderer Response has been signed by an authorised officer and witness. | [ ]  | [ ]  |
|  | **5 Evaluation Criteria Evidence**. Completed all Evaluation Criteria responses including: | [ ]  | [ ]  |
|  | If requested periodically by Council, commitment to provision of an expenditure ‘acquittal’ showing the business’s contribution to the local economy | [ ]  | [ ]  |
|  |  | **5.1)** Business Offering - **Attachments** for: |
|  |  |  | 5.1 (a) – About the Tenderer | [ ]  | [ ]  |
|  |  |  | 5.1 (a) - ASIC Company Extract (Not required for Sole Trader) | [ ]  | [ ]  |
|  |  |  | 5 .1 (b) – Proposed Business Model/s | [ ]  | [ ]  |
|  |  |  | 5.1 (c) – Food & Beverage Preparation & Service | [ ]  | [ ]  |
|  |  |  | 5.1 (d) - Operating Hours, Customer Service and Staffing Levels | [ ]  | [ ]  |
|  |  |  | 5.1 (e) - Menu and Pricing | [ ]  | [ ]  |
|  |  |  | 5.(f) - Licences | [ ]  | [ ]  |
|  |  |  | 5.(g) - Other Information if applicable | [ ]  | [ ]  |
|  |  |  | 5.(h) Commencement of Services | [ ]  | [ ]  |
|  | Completion of 5.2: Management Agreement Fees and Preferred Term. |
|  | 5.2 (a) Proposed Annual Management Agreement Fees | [ ]  | [ ]  |
|  | 5.2 (b) Tenderer’s preferred Management Agreement Term | [ ]  | [ ]  |
|  | **6)** Local Content Checklist | [ ]  | [ ]  |
|  | **7)** Declaration of Actual, Potential or Perceived Conflict of Interest Section | [ ]  | [ ]  |