**Request for Proposal – Food Vendors**

**Deadline for submission of Quotation:** 4pm AWST Wednesday 4 October 2023

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| **Request Overview** |
| Part A | Conditions of Responding – Proposal |
| Part B | Specification |
| Part C | Respondent’s Offer |

##### PART A

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| **Conditions of Responding – Proposal** |

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2. **Structure**

These Conditions of Responding contain important information regarding the nature of the process for the Respondent. Any Respondent is deemed to have read and considered the Conditions of Responding - Proposal in their entirety prior to submitting a Proposal.

1. **General Conditions**

**2.1 Invitation Only**

The Request is an invitation only and the Principal has no obligation to enter into a Contract with any Respondent.

**2.2 Conflicts of Interest**

A Respondent must disclose in writing, the details of:

1. any conflict of interest that the Respondent, or any of the Respondent’s personnel, has in relation to the Request; and if so
2. how the Respondent proposes to manage such a conflict.

A conflict of interest means an interest, whether financial or otherwise, that could affect, or could reasonably be perceived to affect, the Respondent’s capacity to supply the requirements of the Request fairly and independently.

Examples of conflicts of interest are where a Respondent, or any of the Respondent’s personnel, has a relationship, whether professional, commercial, or personal, with:

1. an Elected Member;
2. any of the Principal’s employees or contractors; and
3. any person who is involved in the assessment or determination of the Proposal.

In the event of an actual or perceived conflict of interest, the City may exercise its absolute discretion to:

1. resolve any actual or perceived conflict of interest with a Respondent; or
2. reject the Proposal lodged by such a Respondent; or
3. take any other action it considers appropriate.

**2.3 Right to Cease or Suspend**

The Principal may discontinue or suspend the Request process at any stage prior to award, at its sole discretion.

**2.4 Reservation of the Principal’s Rights**

The Principal reserves the right, at its discretion, to:

1. Vary the Request type;
2. Repeat any stage of the Request process;
3. Include a review of any part of the Request process;
4. Supplement, modify or replace the Request;
5. Extend the Deadline;
6. Exclude any Proposal from further consideration once the Principal has considered it;
7. Evaluate Proposals in any manner the Principal deems appropriate;
8. Conduct a security, probity, financial or work health and safety check on the Respondent to assist in determining the most advantageous Proposal;
9. Rely on information provided as part of reference checking; and
10. Rely on internal or external audits of Workplace Health and Safety documentation provided by the Respondents and use this information to determine the most advantageous Proposal.

**2.5 Canvassing of Elected Members or City Officers**

If the Respondent, whether personally or by an agent, canvasses any of the Principal’s Elected Members or Officers, as the case may be, with a view to influencing the acceptance of any Proposal made by it or any other Respondent, then regardless of such canvassing having any influence on the acceptance of such Proposal, the Principal will omit the Respondent from consideration.

**2.6 Validity Period**

A Proposal remains valid and open for acceptance for at least 90 days from the Deadline.

**2.7 Cost of Submission**

The Principal will not be liable for payment to the Respondent for any costs, losses or expenses incurred by the Respondent in preparing their Proposal.

**2.8 Ownership of Proposals**

All documents, materials, articles, and information submitted by the Respondent as part of, or in support of, the Proposal will become the absolute property of the Principal and will not be returned to the Respondent.

**2.9 Publicity**

Respondents must not make any public statements or releases to the media, including social media, concerning the Request during the response period or while the Request is under evaluation. All correspondence with the Principal during this time is considered confidential.

1. **Respondents to Inform Themselves**

Respondents will be deemed to have:

1. examined the Request documentation issued to Respondents for the purpose of submitting a Proposal;
2. satisfied themselves as to the correctness and sufficiency of their Proposal.
3. acknowledged that the Principal may enter into negotiations with a chosen Respondent and that negotiations are to be carried out in good faith
4. **How to Prepare Your Submission**
5. Carefully read all parts of this document.
6. Ensure you understand the requirements of the Request.
7. Seek clarification before the Deadline. Clarification requests are to be emailed only to the requesting City Officer.
8. Complete all parts of the Proposal including responses to all criteria.
9. Lodge your Proposal by email to the requesting City Officer before the Deadline.
10. **Rejection of Proposal on Opening**

A Proposal may be rejected without consideration of its merits if:

1. it is not submitted before the Deadline;
2. It is not submitted via email to the requesting City Officer; or
3. it fails to comply with any other requirements.
4. **Acceptance of PROPOSALs**

The Principal is not bound to accept a Proposal and may reject any or all Proposals submitted.

1. **Clarifications**

The Principal may seek clarification from a Respondent where a statement or information provided in a Proposal is unclear to the Principal or is preventing a proper assessment of that Proposal. All clarification requests will be made by email, specifying a response timeframe.

1. **Risk Assessment**

The Principal reserves the right to reject any Respondent on the basis of presenting an unacceptable risk to the Principal. The types of risks include, but are not limited to, financial capacity and work health and safety.

##### PART B

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| **Specification** |
| The City of Gosnells is inviting Requests for Proposals (RFP) from food vendors to set up and operate from the below proposed locations:* Site 1 – Lot 1821 Glenbrook Road, Thornlie.
* Site 2 – Lot 800 Albany Highway, Gosnells.
* Site 3 – Lot 53 Kenwick Road, Kenwick.
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| The City of Gosnells will provide a 7m x 2.8m hardstand area and connections to electricity and water. The requirements of the food vendors proposal are set out below:* Proposed structure and internal fit-out.
* Connections to gas and sewerage.
* Business case:
* Lease proposal
* Financial Statements
* Proposed hours of operation
* The site of interest
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| Rental fees are to be determined by valuation. |
| Email your proposal to FacilitiesLeasing@gosnells.wa.gov.au on or before 4pm on Wednesday 4 October 2023 |
| The Respondent shall ensure their proposal complies will all relevant licencing requirements, codes, standards, and regulations including, but not limited to, those listed below:* The City’s food business registration requirements
* Food Act 2008
* Food Standards Code
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##### PART C

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| **Applicants Details** |
| Applicants Name |  |
| Business/Trading Name *(if applicable)* |  |
| Postal Address |  |
| ABN *(if applicable)* |  |
| Are you a registered Aboriginal Business? | ☐ Yes ☐ No |
| Are you a registered Australian Disability Enterprise? | ☐ Yes ☐ No |
| Applicants Contact Information | [Name], [Title/Role][Phone Number/s][Email Address] |
| **Acceptance of Contract Terms** |
| General Conditions of Responding | By responding to this Request for Proposal, you acknowledge that you have read, understood, and agree to be bound by the Conditions of Responding in Part A. |
| Acceptance of Conditions of Responding | ☐ Yes ☐ No |
| **Response to Criteria** |
| **Proposed structure and internal fit-out.*****(attach plans/drawings)*** |  |
| **Connections to gas and sewerage** |  |
| **Business Case** |  |
| **Lease Proposal** |  |
| **Financial Statements** |  |
| **Proposed hours of operation** |  |
| **The site of interest** |  |
| **Declarations** |
| Conflict of Interest | [If the Respondent or it's personnel have an actual or a perceived Conflict of Interest, provide details here] [Alternatively, enter, ‘None to declare’ here] |
| Applicant Name (print) |  |
| Applicants Signature |  |
| Date of Submission |  |