



Expression of Interest

Food and Beverage Operator – Marapikurrinya Park Long term Pop-up

EOI Deadline: 17 November 2024 at 5pm AWST

Mandatory Site Inspection: 7 November 2024

Submission by: to be submitted to ecodev@porthedland.wa.gov.au 17 November 2024

Contact Details: Jason Laverdure, via ecodev@porthedland.wa.gov.au

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1 Conditions of Responding

1.1 Introduction

The Town of Port Hedland is seeking Expressions of Interest (EOI) from suitably experienced food and beverage vendors who are ready for a new challenge in an exciting location.

Through the EOI process, the Town is seeking interest from eligible Respondents to:

- Provide high quality and creative food and beverage offering in the specified location at Marapikurrinya Park, Port Hedland.
- Provide a high level of service to the community
- Introduce a creative and unique offer taking inspiration from the area and market demands.
- Consider the relevant stakeholders in the area and potential customers to build and deliver on a commercial venture that benefits both the operator and the surrounding community.

1.2 Definitions

Below is a summary of some of the important defined terms used in this Expression of Interest:

Attachments: The documents you attach as part of your Submission.

Deadline: The Deadline shown on the front cover of this Expression of Interest for lodgement of your Submission.

Expression of Interest or EOI: This document.

Principal: Town of Port Hedland (Town)

Respondent: The person or persons, corporation or corporations who intends to submit a Submission in response to an Expression of Interest.

Requirement: The Services requested by the Principal.

Selection

Criteria:

The Criteria used by the Principal in evaluating your Submission.

Specification:

The Statement of Requirements for Services that the Principal's Expression of Interest may request you to provide if selected as an acceptable Expression of Interest through the Expression of Interest process.

Submission:

Completed Expression of Interest, response to Selection Criteria and Attachments.

1.3 Expression of Interest Documents

This Expression of Interest is comprised of the following parts:

Part 1 – Conditions of Responding (*read and keep this part*).

Part 2 – Statement of requirements (*read and keep this part*).

Part 3 – Respondent's Submission (*complete and return this part*).

Separate Documents

- a) Addenda and any other special correspondence issued to Respondent's by the Principal.
- b) Any other policy or document referred to but not attached to the Expression of Interest.

1.4 How to Prepare Your Submission

- a) Carefully read all parts of this document.
- b) Ensure you understand the Requirements (Part 2).
- c) Complete and sign the Response Form and your response to the Selection Criteria (Part 3) and attach your Attachments; and
- d) Lodge your Submission before the Deadline.

1.5 Contact Persons

Any questions related to the EOI should be asked in writing and sent to ecodev@porthedland.wa.gov.au. Responses will be uploaded to the Town of Port Hedland website. Vendors who have registered their interest will

Respondents must not rely on any information provided by any person other than responses received via email through an addendum from Town of Port Hedland Procurement Team.

1.6 Briefing/Site Inspection

Mandatory Site Visit:

Date: Thursday 7 November 2024

Time: 10:00am – 11:00am

Location: Marapikurrinya Park, Port Hedland

At the discretion of the Town, if a respondent is unable to attend the above site inspection, an alternate site inspection date/time may be arranged by mutual agreement.

1.7 EOI Submission Requirements

For the purposes of this document the term “Submission” means an Expression of Interest for providing operating food and beverage services from the Marapikurrinya Park Pop-up, evidenced by the submission of a proposal signed by the proposed operator, together with any information submitted pursuant to this document.

Submissions will be evaluated using information provided in your EOI and on your response to the Selection Criteria.

1.8 Evaluation Process

The following Evaluation Methodology will be used in respect of this Expression of Interest:

- a) Submissions are checked for completeness and compliance. Submission that do not contain all information requested (e.g. completed Submission Form and Attachments) may be excluded from evaluation.
- b) Submissions are assessed against the Selection Criteria.
- c) The successful Respondent is the Respondent that scores the highest on the selection criteria.
- d) The successful Respondent is required to enter into a License Agreement with the Town within one month of notification. If the successful Respondent fails to enter into a License Agreement with the Town within this timeframe, the

Town reserves the right to deem the Respondent ineligible and award the EOJ to the Respondent that scored the next highest against the Selection Criteria.

1.9 Selection Criteria

A scoring system will be used as part of the assessment of the qualitative criteria set out in Part 3.

The extent to which the Submission demonstrates greater or lesser satisfaction of each of these criteria will result in a score greater or lesser than the average.

The aggregate score of each Submission will be used as one of the factors in the final assessment of the qualitative criteria.

1.10 Compliance Criteria

These criteria are detailed within Part 3 of this document and will not be point scored. Each Submission will be assessed on a “Yes/No” basis as to whether the criterion is satisfactorily met. An assessment of “No” against any criterion may eliminate the Submission from consideration.

1.11 Qualitative Criteria

In determining the most advantageous Submission, the Evaluation Panel will score each Respondent against the qualitative criteria as detailed within Part 3 of this document. Each criterion will be weighted to indicate the relative degree of importance that the Principal places on the technical aspects of the goods or services.

Note: It is essential that Respondents address each qualitative criterion.

Information that you provide addressing each qualitative criterion will be point scored by the Evaluation Panel. Failure to provide the specified information may result in elimination from the evaluation process or a low score.

1.12 Lodgement of Submissions and Delivery Method

The Submission must be lodged by the Deadline. The Deadline for this request is nominated on the front cover of this document.

The Town only accepts electronic submissions via ecodev@porthedland.wa.gov.au. Submissions via facsimile or post will not be accepted.

The Town's preferred format for the submission is a single PDF file readable by Adobe Acrobat Reader or Microsoft Office – 2007 and above applications, with all pages numbered consecutively and an index for referencing.

Any brochures, pamphlets or other supporting documentation shall be included either in the same file or a separate file. If in a separate file; such documentation shall be fully cross referenced to the appropriate section of the submission.

Respondents are responsible for ensuring they have completed the lodgement of their submission documents correctly and ensure sufficient time to send these documents. Tenderers will receive a successful lodgement email notification with 2 business days to confirm what has been successfully submitted.

In submitting their Submissions electronically, Respondents represent that they have taken reasonable steps to ensure that the Submissions are free of malware or other disabling features which may affect the Principal's computing environment. Submissions found to contain malware or other disabling features may be excluded from the evaluation process.

1.13 Rejection of Submissions

Submissions will be rejected without consideration of its merits in the event that:

- a) it is submitted after the Deadline; or
- b) it is not submitted at the place specified in the EOI.

A Submission may also be rejected if it fails to comply with any other requirements of the EOI after the Deadline, or in a place other than stipulated in this EOI, will not be accepted for evaluation.

1.14 Acceptance of Submissions

The Principal is not bound to accept and may reject any or all Submissions submitted.

1.15 Disclosure of Information and Documents

Documents and other information relevant to the contract may be disclosed when required by law under the *Freedom of Information Act 1992* or under a Court Order.

1.16 Submission Validity Period

All Submissions will remain valid and open for acceptance for a minimum period of ninety (90) days from the Deadline or for forty-five (45) days from the Principal's

resolution for determining the Submission, whichever is the later unless extended on mutual agreement between the Principal and the Respondent in writing.

1.17 Respondents to Inform Themselves

Respondents shall be deemed to have:

- a) Examined the Expression of Interest and any other information available in writing to Respondents for the purpose of submitting an EOI.
- b) Examined all further information relevant to the risks, contingencies and other circumstances having an effect on their Submission which is obtainable by the making of reasonable enquiries.
- c) Satisfied themselves they have a full set of the EOI documents and all relevant attachments.

1.18 Alterations

The Respondent shall not alter or add to the Expression of Interest documents unless required by these General Conditions

The Principal will issue an addendum to all registered Respondents where matters of significance make it necessary to amend the issued Expression of Interest documents before the Deadline.

1.19 Ownership of Submissions

All documents, materials, articles and information submitted by the Respondent as part of or in support of a Submission shall become upon submission the absolute property of the Principal and will not be returned to the Respondent at the conclusion of the Submission Process provided that the Respondent shall be entitled to retain copyright and other intellectual property rights therein.

1.20 Canvassing of Officials

If a Respondent, whether personally or by agent, canvasses any of the Principal's Elected Members or Officers with a view to influencing the acceptance of any Submissions, then regardless of such canvassing having any influence (real or perceived), the Principal may at its discretion omit the Respondent from consideration.

1.21 Identity of the Respondent

The identity of the Respondent is fundamental to the Principal. The Respondent shall be the person, persons, corporation, or corporations named as the Respondent in Part 3.

2.1 Background Information

As part of the Town's commitment to support new ideas and opportunities for small and medium sized businesses, the Town is inviting experienced food vendors to submit an EOI to operate a food and beverage business from the Marapikurrinya Park Pop-up. This opportunity is for an experienced hospitality provider to leverage the high foot traffic of Marapikurrinya Park to bring a new food and beverage offering to the residents and visitors of Port Hedland.

Port Hedland is a dynamic town in Western Australia's north west, located approximately 1,800km north of Perth. We are home to around 17,000 people from diverse cultural backgrounds and cover 11,844 square kilometres of the Pilbara region. The town's roots are derived from mining and shipping, supporting the largest bulk export port in the world with Pilbara Ports Authority and large-scale mining operations with BHP, Fortescue Metals Group, Dampier Salt and Roy Hill.

The Port of Port Hedland is the largest bulk commodities port in the world, achieving record output of 561 million tonnes during the 2021/2022 financial year. Port exports are projected to grow year on year by 2.7%, reaching 700 million tonnes per annum in output by 2026 – 2027. Continued output through the port, along with ongoing economic diversification in the resource sector, renewable energy and agricultural sector is expected to see the Port Hedland community continue to rise in population, reaching 24, 149 by 2041.

2.2 Opportunity

Marapikurrinya Park is a major meeting point for locals, as well as a drawcard for domestic and international tourists. Across any day of the week, it attracts groups of families and friends, and those who enjoy being at the forefront of the world's largest bulk export port.

EOI are sought from:

- Experienced operators to offer a food and/or beverage operation that will meet the needs of the area's diverse users.
- An operator who can offer a sustainable and commercially viable food vendor operation in the area on the eastern side of the park, in a recently developed shipping container pop-up.

- Operators who offer distinctive food and/or beverages, deliver quality visitor services and experiences, and consider the environmental, cultural and heritage values of the site.

Location of Marapikurrinya Park



2.3 Kiosk details

- The Pop-Up kiosk is approximately 12m x 2.2m x 2.9m (LxWxH) in size and is fully insulated
- The Pop-up looks out into Marapikurrinya Park and is located in close proximity to shade, seating and ablutions.
- The kiosk is fitted out for operation including
 - 3 x Servery awnings and external counters
 - 1 x Bench fridge
 - Plumbing: including tapware, 1 x hand wash basin, double sink bench
 - Electrical: 17 x double 10AMP GPO power outlets, LED lighting and phone / data outlets
 - Large stainless-steel benches
 - Instantaneous gas hot water system
 - Gas points for cookware, 2 x deep fryers, 1 x large hot place

Part 2 READ AND KEEP THIS PART

- 1 x large Bain-marie
 - Exhaust range hood
 - Split system air conditioner
 - 2 x fridges and 1 x freezer
 - Dishwasher
- The kiosk is capable of being secured and locked when not in use.
- There is an opportunity for the lessee to affix business signage to the kiosk
- The following services are available:
 - Water – potable and waste
 - Electricity
 - Lighting

The Town will not undertake any modifications to the kiosk or equipment. The lessee may make modifications under the terms and conditions set out in the License Agreement.

Images of the Marapikurrinya Pop-up



2.4 Objective and deliverables

Objective of the lease/ license	<ul style="list-style-type: none"> • Ensure a quality experience is provided to visitors to the area along with the local community • Encourage an innovative business approach that supports the increasing recreational use of the site and improves the overall amenity of the area • Ensure the services provided are environmentally, socially, culturally and economically sustainable • Ensure the site is utilised as soon as possible
Area	Deliverables
Service	<ul style="list-style-type: none"> • Operating the space with adequately trained staff • Removing waste/garbage at the end of each day. • Maintaining minimum operating hours – see Minimum operating hours (anticipated). • Obtaining relevant food registration and regulatory requirements. • Restoring the kiosk to its original working order at the end of the lease period, including emptying the kiosk of all additional fixtures, fittings and good; and • Maintaining public liability insurance to the value of \$20M, with evidence of this required before a permit will be issued
Product	<ul style="list-style-type: none"> • Provide a high quality and creative food and beverage offering in the specified location at Marapikurrinya Park • Provide a high level of service to the community
Minimum operating hours (anticipated)	<ul style="list-style-type: none"> • 1 November to 31 March: Open on weekends at a minimum, including public holidays. • 1 April to 31 October: Open 7 days per week, including public holidays. • During events, cruise ship days. <p>The kiosk operator is not limited to operating the minimum operating hours. Subject to certain conditions, the Town of Port Hedland would</p>

	<p>actively encourage longer opening hours. Proponents are required to submit their proposed operating hours in their Proposal Form and consider in their EOI submission additional opening hours.</p> <p>The Town requires the kiosk operator to open during all events in the Portside Precinct and days when cruise ships disembark in Port Hedland outside of the above-mentioned operating periods.</p>
License fee	Approximately \$6,540 per annum

2.5 Indicative timeline

Milestone Description	Target Date
EOI released	23 October 2024
Mandatory site inspection	7 November 2024
Closing date for submissions	17 November 2024
EOI Evaluation meeting	19 November 2024
Council Briefing	11 December 2023
Outcome letter sent Applicants	16 December
Signature of License Agreement	January 2025
Initial term of License Agreement	1 year from commencement date
Open to renew for a further one (1) year	1 year from the initial term of the license agreement

2.6 License agreement

Refer to Appendix A - draft license agreement

3 Respondent's Submission

3.1 Response Form

The Chief Executive Officer
Town of Port Hedland
PO Box 41

Port Hedland WA 6721

I (Registered Entity Name): _____
(BLOCK LETTERS)

of: _____
(REGISTERED STREET ADDRESS)

ABN _____ ACN (if any)

Telephone No: _____

E-mail: _____

In response to Food and Beverage Operator – Marapikurrinya Park Pop-up:

I agree that I have read and understood the conditions contained in this EOI and associated attachments.

I agree that there will be no cost payable by the Town of Port Hedland towards the preparation or submission of this Expression of Interest irrespective of its outcome.

Dated this _____ day of _____ 20_____

Signature of authorised signatory of Respondent:

Name of authorised signatory:

(BLOCK LETTERS)

Position: _____

Authorised signatory Postal address:

Authorised signatory Email address: _____

Authorised signatory Telephone number: _____

3.2 Respondent's Response

3.2.1 Executive summary

Provide a summary of your business and your response to this EOI.

3.2.2 Selection Criteria

The following sections contain the selection criteria has been developed to assess your submission to determine the suitability to be listed as an acceptable Respondent.

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.

(Note: All pages within Part 3 are to be completed and returned to the Principal as they form part of your Submission).

3.2.3 Mandatory Criteria

Provide copies of relevant food and beverage related licences to support their application.	Tick if attached <input type="checkbox"/>
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3.2.4 Compliance Criteria

Key Compliance Areas	Response
Insurances Public and Product Liability \$20 million	Tick if attached <input type="checkbox"/>
Delivery Provide details of your earliest commencement date Any other details which may relate to the commencement of these services	Tick if attached <input type="checkbox"/>
Exclusions Are there any special conditions and any exclusions or departures to the License Agreement and this EOI invite	Tick if attached <input type="checkbox"/>

3.2.5 Qualitative Criteria

Before responding to the following qualitative criteria, Respondents must note the following:

Part 3 COMPLETE AND RETURN THIS PART

- a) All information relevant to your answers to each criterion are to be contained within your Submission. No web links are to be included in the Submission. All web links will be ignored.
- b) Respondents are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience.
- c) Respondents are to provide full details for any claims, statements or examples used to address the qualitative criteria; and
- d) Respondents are to address each issue outlined within a qualitative criterion.

<p>A. Experience</p> <p>Respondents must include details of:</p> <ul style="list-style-type: none"> ▪ Details of experience in providing food and beverage services, including: <ul style="list-style-type: none"> • Number of years in business • Type of service offered • Location/s • Hours and number of days per week in your current operation (if applicable). 	<p>Weighting</p> <p><35%></p>	<p>Tick if attached</p> <p><input type="checkbox"/></p>
<p>B. Resources</p> <p>Respondents must include details of:</p> <ul style="list-style-type: none"> ▪ A business profile that includes details on the size, scale and core operation of the business including key team members. 	<p>Weighting</p> <p><35%></p>	<p>Tick if attached</p> <p><input type="checkbox"/></p>
<p>C. Quality</p> <p>Respondents must include details of:</p> <ul style="list-style-type: none"> ▪ Proposed menu ▪ Details of how the pop-up will be activated ▪ Details of social media and related advertising or marketing related information ▪ Any customer feedback and review to support your EOI. ▪ Compliance with Town of Port Hedland food health and safety requirements. 	<p>Weighting</p> <p><30%></p>	<p>Tick if attached</p> <p><input type="checkbox"/></p>