



MID MURRAY COUNCIL

Expression of Interest

Request for Expression of Interest

E001-2024

Mid Murray Tourism Event Support
Grant

Version 2

Inclusion of **Notification 1** amendment

Extension of closing date

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Structure of this request for Expression of Interest

This REOI is comprised of four sections:

- Section A - Background and General Information
- Section B - Conditions of Expression of Interest Process
- Section C - Specifications
- Section D - Expression of Interest Return Schedules



Section A – Background and General Information

1. Invitation for Expressions of Interest

Mid Murray Council (the **Council**) invites expressions of interest from Community Groups, Not For Profit organisations, Business and Progress Associations in Mid Murray townships impacted by the 2022/23 flood, who wish to apply for seed funding and administration support to develop and deliver a sustainable and ongoing tourism event for the benefit of their township. Events may either be a new concept or an initiative to significantly improve an existing event.

2. Background

MMC has been provided with grant funding from the South Australian Tourism Commission (SATC) to assist our communities to recover from the 2022/2023 flood impacts.

The purpose of this funding is to enable the development of events within flood impacted communities that attract visitors from outside the area and are intended to be recurring events.

Successful applicants will share in a total grant pool of \$40,000 in direct seed funding, to help support the inaugural event. This may be used for event costs, marketing or professional event management assistance.

3. Section B – Conditions of request for Expressions of Interest Process

3.1 Definitions

In this REOI, the following terms will, unless inconsistent with the context, have the meanings indicated:

- 3.1.1 A reference to a **clause** is a reference to a clause of this REOI.
- 3.1.2 **Closing Date** means the time and date specified in clause **Error! Reference source not found.**, or such later time and date as may be notified in writing to Registrants by the Council.
- 3.1.3 **Expression of Interest Process** means the process for calling, receiving and evaluating Expressions of Interest as proposed in clauses 3.8 and 3.8.1 of this REOI.
- 3.1.4 **Expressions of Interest Return Schedules** are the forms attached to Section D of this REOI.
- 3.1.5 **Nominated Contact Person** means the person named in clause 4.1.
- 3.1.6 **Preferred Registrant** means the Registrant referred to in clause 10.1.
- 3.1.7 **Registrant** has the meaning given to it in clause 3.4.
- 3.1.8 **Registrant's Representative** means the person nominated by a Registrant under clause 4.2.1.
- 3.1.9 **REOI** means this Request for Expressions of Interest set out in the REOI Documents.
- 3.1.10 **REOI Documents** means the documents specified in clause 3.3.
- 3.1.11 **Specifications** means the specifications specified in Section D of this REOI.

3.2 Request for Expressions of Interest

The Council seeks Expressions of Interest from Registrants, which are further described in the REOI Documents.

3.3 REOI Documents

The REOI Documents are comprised of:

- 3.3.1 this REOI;
- 3.3.2 the Conditions; and



3.3.3 the Expression of Interest Return Schedules.

3.4 **Obtaining a Copy of this REOI**

This REOI is open to any organisation or person who thereby obtains a copy of the REOI Documents (each such party is a **Registrant**). Parties obtaining the REOI Documents (in soft copy) will be required to include their name and contact details in the REOI documents.

3.5 **Electronic Lodgement of Expressions of Interest**

3.5.1 Expressions of Interest must be lodged electronically via tenders@mid-murray.sa.gov.au before the **Closing Date 5.00pm Friday, 24 May 2024** and in accordance with the expression of interest lodgement procedure set out in this clause. A submission received confirmation will be returned to each respondent via the submitting email address.

3.5.2 Expressions of Interest lodged by any other means will not be considered.

3.5.3 Registrants warrant that they have taken all reasonable steps to ensure that their Expressions of Interest are free of viruses or any other matter which would cause harm to the Council's website or systems.

3.5.4 Registrants acknowledge that it is their sole responsibility to ensure that sufficient time has been allowed for Expression of Interest lodgement, including time that may be required for any problem analysis and resolution prior to the Closing Date.

3.5.5 If Registrants have any problem uploading their Expression of Interest, they must contact the Nominated Contact Person prior to the Closing Date.

3.5.6 An Expression of Interest is deemed to have been lodged by the Registrant when the Expression of Interest has been received by Council's server.

3.6 **Extension of time for the submission of Expressions of Interest**

3.6.1 The Council may, in its absolute discretion, no less than two business days before the Closing Date, extend the Closing Date.

3.6.2 A Registrant may request the Council to extend the Closing Date for the submission of an Expression of Interest by written application to the Nominated Contact Person.

3.6.2.1 Any such requests must be received by the Nominated Contact Person at least two business days prior to the Closing Date, and must provide sufficient reasons to support the request.

3.6.2.2 It is entirely at the Council's discretion as to whether an extension is granted.



3.7 Expressions of Interest validity period

3.7.1 All Expressions of Interest will remain valid for three months after the Closing Date.

3.8 Proposed Expression of Interest Process

3.8.1 After the Closing Date, an Evaluation Panel formed by the Council will consider all Responses. The Evaluation Panel, may at its sole and absolute discretion, decline to evaluate any submission where that Proponent has failed to satisfy the requirements set out in this EOI.

3.8.2 Responses will be evaluated in a fair, equitable and consistent manner using the information in the EOI Response and any other information available to the evaluation panel. The evaluation panel will use the Response Schedules to assess and evaluate submissions.

3.9 Proposed timing of Expression of Interest Process

The proposed timing for the Expression of Interest Process is as follows:

Request for Expression of Interest release	25 March 2024
Closing Date	5.00 pm Friday, 24 May 2024
Notification to successful EOI	Mid to late June

4. Communication Between Parties

4.1 Enquiries or requests for information or clarification

4.1.1 Any enquiries or requests for information or clarification regarding this REOI or the REOI Documents must be made in writing and addressed to the Nominated Contact Person.

4.1.2 The Nominated Contact Person is:

Leanne Schofield
Procurement Officer
lschofield@mid-murray.sa.gov.au

4.1.3 The Nominated Contact Person may (but is not obligated to) respond to a Registrant’s enquiries or requests for information or clarification.

- 4.1.4 If the Council provides any information to a Registrant by way of clarification, then the Council reserves the right to provide that information to other Registrants.
- 4.1.5 No statement made by the Nominated Contact Person, or any other representative of the Council should not be construed as modifying this REOI or any of the REOI Documents, unless confirmed in writing by the Nominated Contact Person.

4.2 **Registrant's contact person**

- 4.2.1 Registrants are required to nominate a person to be the authorised contact person and supply an address for the service of any notices for the purpose of this REOI (**Registrant's Representative**).
- 4.2.2 All communication with the Registrant will be via the Registrant's Representative.

4.3 **Registrant not to solicit the Council and its employees**

The Registrant and its representatives must not interfere or attempt to interview or to discuss its Expression of Interest with Councillors or employees of the Council, other than the Nominated Contact Person. The Council reserves the right to reject any Expression of Interest submitted by a Registrant which contravenes this clause.

5. **Expression of Interest Preparation**

5.1 **Registrants to be informed**

Each Registrant must, prior to submitting its Expression of Interest, become acquainted with the Conditions and make all necessary examinations, investigations, inspections and deductions.

5.2 **Conflict of interest**

Registrants must inform Council of any circumstances or relationships which will constitute a conflict or potential conflict of interest if the Registrant is successful. If any conflict or potential conflict exists, the Registrant must advise how it proposes to address this.

5.3 **Use of subcontractors**

Where a Registrant proposes to use resources from organisations other than the Registrant itself, information relating to the contractual arrangements for such resources are to be detailed in the Expression of Interest.

5.4 **Freedom of Information**

Registrants should be aware that the *Freedom of Information Act 1991 (SA)* (**FOI Act**) gives members of the public rights to access documents of the Council. The FOI Act promotes openness in governance and accountability of government

agencies and confers the public with a legally enforceable right to be given access to documents, including contracts entered into by the Council, except for those contracts or provisions which should be kept confidential for public interest purposes, the preservation of personal privacy or are commercial in confidence.

5.5 Registrant's confidential information

5.5.1 Subject to clauses 5.5.2 and 12.1, the Council will treat as confidential all Expressions of Interest submitted by Registrants in connection with this REOI.

5.5.2 The Council will not be taken to have breached any obligation to keep information provided by Registrants confidential to the extent that the information:

5.5.2.1 is disclosed by the Council to its advisers, officers, employees or subcontractors solely in order to conduct the REOI process or to prepare and manage any resultant agreement;

5.5.2.2 is disclosed to the Council's internal management personnel, solely to enable effective management or auditing of the REOI process;

5.5.2.3 is disclosed by the Council to the responsible Minister;

5.5.2.4 is authorised or required by law to be disclosed; or

5.5.2.5 is in the public domain otherwise than due to a breach of the relevant obligations of confidentiality.

5.6 ICAC

Registrants acknowledge that if they enter into a contract with the Council they will be considered to be public officers for the purposes of the *Independent Commissioner Against Corruption Act, 2012 (SA) (ICAC Act)* and will be obliged to comply with the ICAC Act and the Directions and Guidelines issued pursuant to the ICAC Act.

6. REOI Documents

6.1 Content of Expressions of Interest

6.1.1 Registrants are required to complete the Expressions of Interest Return Schedules and submit them to the Council.

6.1.2 Registrants can also supply any other additional information or documents. The Council may have reference to such additional information or documents in evaluating the Expressions of Interest.

6.1.3 All prices quoted by Registrants in their Expressions of Interest are:

- 6.1.3.1 to be in Australian dollars;
 - 6.1.3.2 to be exclusive GST; and
 - 6.1.3.3 (if subject to rise and fall) to provide full details of how the rise and fall applies and the method of determining the price.
- 6.1.4 If a Registrant proposes to provide the Services on a basis different to that envisaged by the REOI Documents (whether for reasons of innovation, efficiency or otherwise) that proposal should be fully documented and justified with the Expression of Interest. The Council does not warrant that any discussion with the Council's Nominated Contact Person prior to the Closing Date in relation to such a proposal will be taken into account in evaluating the Expressions of Interest.

7. Acknowledgement by Registrants

Each Registrant acknowledges that the Council:

- 7.1 makes no representations and offers no undertakings in issuing this REOI or the REOI Documents;
- 7.2 is not bound to proceed to execute a contract with any party in respect of the EOI;
- 7.3 may require one or more Registrants (but is not obliged to require all) to supply further information and/or attend a conference or interview;
- 7.4 may require one or more Registrants (but is not obliged to require all) to make presentation(s);
- 7.5 may undertake 'due diligence' checks on any Registrant, including, but not limited to, verifying references and/or referees, and undertaking company searches and credit checks;
- 7.6 will not be responsible for any costs or expenses incurred by the Registrant arising in any way from the preparation and submission of its Expression of Interest;
- 7.7 accepts no responsibility for a Registrant misunderstanding or failing to respond correctly to this REOI;
- 7.8 will not be liable for or pay any expenses or losses incurred by any party whether in the preparation of an Expression of Interest or prior to the signing of any contract for the Services or otherwise; and
- 7.9 will not be bound by any verbal advice given or information furnished by any member, officer or agent of the Council in respect of the REOI Documents or this REOI, but will be bound only by written advice furnished by the Nominated Contact Person.

8. Council's Rights

The Council reserves the right to:

- 8.1 amend, vary, supplement or terminate this REOI at any time;
- 8.2 accept or reject any Expression of Interest;
- 8.3 vary the REOI timing and process;
- 8.4 postpone or abandon this REOI;
- 8.5 add or remove any Registrant;
- 8.6 accept or reject any Expressions of Interest;
- 8.7 accept all or part of any Expression of Interest;
- 8.8 negotiate or not negotiate with one or more Registrants;
- 8.9 discontinue negotiations with any Registrant; and
- 8.10 include the Registrants' names in Council reports and make them public.

9. Expressions of Interest Evaluation

9.1 Response Schedules

In assessing the Expressions of Interest, the Council will have regard to, but not necessarily be limited to, the following criteria (not listed in any order of priority):

- 9.1.1 insurance;
- 9.1.2 such other matters that Council considers relevant, including:
 - 9.1.2.1 type of event;
 - 9.1.2.2 attendees;
 - 9.1.2.3 capability.

9.2 Use of REOI Documents

The Council may use, retain and copy any information contained in the Expressions of Interest for the evaluation.

9.3 Debriefing of Registrants

If requested, Registrants may be debriefed against the Council's evaluation criteria. Registrants will not be provided with information concerning other Registrants, apart



from publicly available information. No comparison with other Expressions of Interest will be made.

10. Acceptance of Expression of Interest

- 10.1 The Council reserves the right to negotiate different terms and conditions in respect of a contract for the Services with any one or more Registrants (each a **Preferred Registrant**).
- 10.2 The Council and the Preferred Registrant may (if required) enter into negotiations for the award and execution of a contract for the Services. No obligations will exist between the Council and the Preferred Registrant until the parties have executed a contract for the Services.
- 10.3 If, despite their best endeavours and acting in good faith, the Council and the Preferred Registrant are unable to negotiate and agree on the terms of a contract for the Services, the Council reserves the right to negotiate with any other parties, including other Registrants, for the provision of the Services.

11. No Legal Requirement

The issue of this REOI or any response to it does not commit, obligate or otherwise create a legal obligation on the Council to purchase the Services from the Registrants or to award funding.

12. Governing Law

- 12.1 This REOI is governed by the law in South Australia.
- 12.2 The parties irrevocably submit to the exclusive jurisdiction of the courts in South Australia.

Section C – Specifications

Scope

MMC will provide administrative support for each of the events, which may include assisting the grant recipients on the development of risk management plans, event management plans, marketing plans, and permitting.

Successful applicants will share in a total grant pool of \$40K in direct seed funding to help support the inaugural event. This may be used for event costs, marketing or professional event management assistance.

Whilst seed funding is provided for the inaugural year, there is no ongoing financial or administrative support. The applicants will be required to ensure that the event is self-funding moving forward, to find sponsorship and other support to ensure the events sustainability.

The Community Group will be required to develop all plans and documentation, with the assistance of a MMC administration officer, hold appropriate public liability coverage and indemnify Council for acts and omissions beyond their direct control.

Council understands that community groups may not have a full and detailed understanding of their proposed events at the time of application, and as such the application should provide as much content as possible in the first instance. Council's officers will work with community groups to develop the full concept once chosen.

Time frame

The recipients will manage and deliver the inaugural event by 30 April 2025.

Conditions

- Applications only for events held within flood impacted townships within the Mid Murray Council region will be accepted.
- The event must be designed to attract visitors to the township and region.
- It must be the intent of the recipient organisation to stage the event at least twice.
- The recipient organisation must hold public liability insurance.
- The recipient organisation will be financially liable for the proposed event.
- Priority will be given for new events, however applications for significantly improving existing events will be considered.
- Council along with South Australian Tourism Commission support is recognised as sponsorship.
- If successful, the community group are required to sign a letter of indemnity, indemnifying Council for acts and omissions beyond its direct control.
- The community group will work with Council officers to create documentation and gather the necessary evidence for grant acquittal.
- Unless extraordinary circumstances are justified, market style events will not be funded.



- At the discretion of the Chief Executive Officer, MMC may seek the return of grant funding should the event not proceed.
- To maximise benefit for the region, Council reserves the right to allocate support to events held within townships across the length of the river corridor.
- To maximise benefit for the region, Council reserves the right to work with recipient organisations, to ensure events are held at different times of the year.



Section D – Expression of Interest Return Schedules

Schedule 1 – Registrants Details

Entity Name:	
Town Name:	
Contact Person <i>Nominate a contact person to deal with any questions or queries that may arise</i>	
Name:	
Telephone (mobile):	
Email:	



Schedule 2 – Event Details

2.1 DESCRIPTION

Provide a description of the proposed event and where applicable include details such as – quantity, type, equipment, additional extras, etc.

Provide a description of the proposed event and where applicable include details such as – quantity, type, equipment, additional extras, etc.



2.2 LOCATION

Provide the address of the proposed event location and where applicable the area to be used. For example, the southern end of the Reserve.

2.3 DATE

What is the preferred time and date range that the proposed event would be held over? (Must be delivered within 12 months.)

2.4 FREQUENCY

How many times will the event be repeated and at what frequency? For example, ongoing, every second year.

2.5 FUNDING ALLOCATION

How will the funding be used to benefit the event?



2.6 ATTENDEES

Outline who would be interested in attending the event, where they are likely to come from and what strategy would be used to alert potential attendees of the event?

2.7 CAPABILITY

Describe Your organisation's experience and capability in delivering the proposed event or similar. Including but not limited to key members, their role, number of volunteers, ability to lead and deliver an event.



Schedule 3 – Insurance

Provide details of insurance currently held by the organisation/group.

Insurance type	Policy no	Extent of cover		Expiry date	Name of insurer
		Per incident \$A	In aggregate \$A		
Public liability (min \$20 million)					
Other					



Schedule 4 - Acknowledgement

I / we acknowledge and accept the terms and conditions of the Mid Murray Tourism Event Support Grant as stated in the Expression of Interest.

Signature _____ Name _____

Position held _____

Date _____/_____/2024