Burswood Park Board

Invitation for:

Park Activation Expressions of Interest

July 2021 Commercial in Confidence





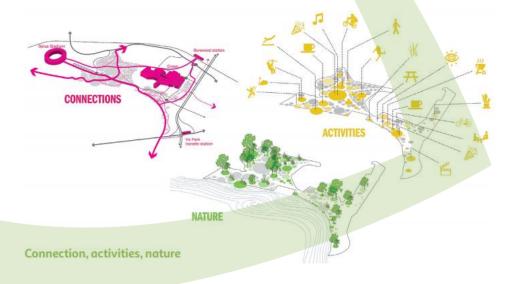


Introduction

- Burswood Park is a 56-hectare parkland located on the banks of the Swan River on the popular Burswood Peninsula.
- Situated in the inner south-eastern suburb of Burswood within the Town of Victoria Park, the park boasts city views and is walking distance to some of Perth's most significant entertainment, sporting, hospitality and tourism icons, including the Matagarup Bridge, Optus Stadium and Crown Perth.
- Less than five kilometres from the city and 15 minutes from the airport, Burswood Park is a popular venue for locals and tourists alike, with its sweeping landscaped parklands, local fauna, manicured gardens and pathways.
- The park is fully accessible, with ample parking and public transport options and an array of attractions for people of all ages and abilities to enjoy.
- The key objectives of the Burswood Park Board are:
 - Planning for and activating a Park site that meets the needs of the community.
 - Providing a safe, secure and clean environment for all our patrons.
 - Strengthening partnerships and collaborations.
 - **Engaging** a workforce that is aligned, highly-capable and **adaptable**.

Burswood Park Master Plan – a blueprint for the future

- Commenced in late 2019, the Burswood Park Master Plan will create a 'blueprint' for future development of Burswood Park.
- The first stage of the master planning process is now complete, with the <u>concept plan</u> for the site released by the Burswood Park Board in September 2020.
- Prepared by design agency HASSELL with extensive consideration of feedback from the community and stakeholders, this high-level plan proposes different land uses for Burswood Park and will be used to guide detailed design in the years ahead. New event spaces, gardens, attractions and amenities are proposed in the concept plan for our much-loved park.



The Opportunity

- With the Burswood Park long-term vision now released, the purpose
 of this invitation for expressions of interest is to present an
 opportunity for businesses to formally submit their interest in
 initiatives that will deliver temporary and pop-up activities within this
 prime location.
- Each year, Burswood Park aims to engage with our communities, through a number of passive and active recreational pursuits including but not limited to ticketed events, community events, pop-ups, farmers/makers markets, food vendors, night markets.
- Burswood Park is looking at developing an annual activations calendar that will align with existing plans, master planning, peninsula stakeholder events and maintain a balance and respect for the park as a space with multiple appeal.
- The annual activations will be promoted using Burswood Park's existing platforms including social, subscriber database and website.
- Maps of the proposed activation site locations are set out in Appendix 1. The Swan Shell, suitable for small performances, is located within Kagoshima Park.



- Riverside Precinct a Whadjuk inspired landscape with a strong connection to the Swan River and a variety of social and recreational spaces.
- Forest Precinct an urban forest for the city with a quieter landscape and strong connections to nature through native plantings and water.
- Festival Precinct the largest of the three precincts, modern and contemporary, with established parklands for performance, events and play.

The Opportunity

The Expression of Interest offer is to invite experienced business operators with the necessary skills, experience, innovation and financial resources to formally submit their interest.

Park Activation Activities

- The Board is interested in non-commercial and commercial activities (that provide a return to Burswood Park). Ideas include, but not limited to:
 - Producers Farmers Markets
 - 'Pop-Up' Businesses
 - Food Trucks and Coffee Van Activations
 - · Night markets and/or night food and entertainment activations
 - Tours or exhibitions that demonstrate a connection with the parkland and/or community
 - Art and culture activations
 - 'Event Day' Activations to create positive wayfinding through the Park, for visitors who are primarily transitioning through on Stadium event days. Of particular interest are activations on the pathway between Crown Perth and the Stadium:
 - Mindful of access restrictions to the Park and car parks
 - Mindful of the overall visitor experience and interaction with Crown Perth
 - Mindful to enhance the visitor experience aligned to the specific Stadium events, concerts etc.
 - Non-profit and charity cause related activation strategies, including awareness days/weeks (eg. Red Nose Day, Australia's Biggest Morning Tea, Youth Week, NAIDOC Week etc)
 - Seasonal/special event activations (e.g. Christmas, Easter etc)
 - · Free or low-cost community focused recreational activities
 - Ticketed commercial events



Artist's impression Riverside Precinct.



Artist's impression Festival Precinct



Artist's impression Forest Precinct

Existing Arrangements

- It is to be noted that Burswood Park Board has current park activation agreements in place that will be taken into consideration through this process.
- Existing activation partners whose agreement end dates are within the timeline period of 1 July 2021 30 November 2022 are encouraged to submit an Expression of Interest through this process.









Considerations

- Burswood Park Board does not guarantee category exclusivity and limitations are to be managed by the respondents.
- To assist non-commercial activities, Burswood Park welcomes approaches from visionaligned community groups, charities and not-for-profit organisations.
- Burswood Park Board works proactively with key Burswood Peninsula stakeholders, including Crown Perth, Optus Stadium, Main Roads, Perth Transport Authority, Town of Victoria Park, WARWSA and the WA Recreational Water Sports Association. Any agreed activations must be mindful that the key stakeholder activity can impact other agreements. This is usually in the manner of being required to have activation date/time flexibility to accommodate road closures due to AFL (usually March to September), cricket (usually December to January) and other large stadium events.
- Burswood Park Board also has a current event schedule that any additional activations
 would be required to collaborate with, including Telethon Community Cinema and music
 and food festivals.
- Restrictions can also include road closures, car park unavailability, severe weather conditions, changes in Government policy and/or direction.
- Over time, the key peninsula stakeholders may also activate events on Burswood Park land in particular in the vicinity of the Burswood Park Southern Nine.
- Off-peak (eg winter and/or midweek) and regular (weekly/monthly) activations would be highly regarded.
- Dependant on the responses, the Board reserves the right to appoint none, one or more operators.
- Burswood Park Board reserves the right to amend the EOI process and timeline.
- It is the respondent's responsibility to determine the viability of their proposed activation.
- Expressions of interest will not be accepted from organisations that have any outstanding debts with Burswood Park Board. Outstanding debts must be paid before an expression of interest will be accepted.

EOI Submissions

Expressions of Interest are to be submitted using:

1) The **EOI Response Template**, which consists of:

PART ONE – Business Profile

PART TWO - Proposed Business Activity

- Provide detailed outline of the proposed activity and how it will add value to patrons of Burswood Park. Including visuals that will demonstrate the concept.
- Operational requirements, including:
 - Activation timeline and preferred scheduling, including outlines of weekend vs mid-week opportunities.
 - Infrastructure and utility requirements.
 - Where relevant, outline of traffic management, waste management, pandemic, environmental and sustainability plans.
 - Where relevant, demonstrate compliance with the Town of Victoria Park industry and event requirements.
 - Where relevant, demonstrate compliance with Department of Health and other State Government requirements.
 - Transparency of reporting data and measures of success. For example: vendor sales, foot traffic, vendor numbers and category, charity component contribution, vendor feedback, vendor scheduling and turn over, attendee estimates.
- Provide details of previous experience and provide a minimum of two (2) referees who can be contacted or interviewed.

PART THREE – Selection Criteria

Provide supporting information to demonstrate a statement of claim against the outlined Evaluation Criteria by addressing the Selection Criteria as outlined on the following pages.

ARE YOU
A FOOD
OR BEVERAGE
VENDOR ...

... and interested in operating in Burswood Park on regular basis?

Then simply complete the online **Expression** of Interest form for Food Vendors

Vendor Online EOI Opening Date Monday 26 June 2021

Vendor Online EOI Close Date and Time 4pm Friday 20 August 2021

Selection Criteria

Burwood Park Board Evaluation Criteria	Selection Criteria
Brand alignment and community focus	 Compatibility or complementary to existing Burswood Park vision, values and purpose Uniqueness in market and driver to ongoing park patronage and encourage new patronage Quality of products or services, aligned with Board and patron expectations Respectful of peninsula stakeholders and sympathetic to the natural environment Annual joint promotion / marketing support Promotional options for Burswood Park Board eg. access to activate our marquee
Commitment to sustainability	 Progressive waste management practices Sustainable business practices, outline commitments to minimise environmental impacts, ethical sourcing, no plastic or polystyrene
Commitment to quality	 Demonstrated track record, capability and capacity Demonstrated financial capacity and your ability to deliver and manage your proposed park activation Demonstrated experience of key personnel to delivery high standards of customer service and delivery of products KPIs and measures of success will be developed with successful respondents. Burswood Park Board would welcome respondents to outline how they would measure the success of their proposed activation. Leading product or service Leading equipment, processes and procedures

Selection Criteria

Burswood Park Board Evaluation Criteria	Selection Criteria
Resourcing and servicing	 Collaboration and cooperation with key stakeholders, notably peninsula and local government partners Meeting visitor expectations, customer service and delivery of products Relevant on-call, full servicing Appropriate bump in/out schedule to minimise park impact Seasonal timing ability to develop a 12 month calendar of activity. Weekend and mid-week opportunities Proposed requirements, impact and expectations of support from Burswood Park Board staff and internal resources, event administration, activation management, servicing
Commercial partnership offer	 Remediation cost recovery eg. turf bond. For more information, please reference the <u>EOI FAQ Document</u> Utility cost recovery eg. power, rubbish bin provision, waste Annual projected commercial financial return. eg. annual licence fee, turnover rent, % of gross sales, flat rate return Promotion fund levy Legal and other costs







Contract Term

It is proposed that successful respondents will enter into agreement for an initial 12-month period, with possible extensions. Initial year agreements will likely be from November 2021.

Timeline

EOI Opening Date Monday 26 July 2021

Non-mandatory Site Briefing 10am Monday 2 August 2021

EOI Close Date and Time 4pm Friday 20 August 2021

Burswood Park Internal Review August 2021 to September 2021

Respondent Discussions/Negotiations September 2021 to October 2021

Successful Respondent Commencement As appropriate for applicant requirements,

including lead times for approvals etc

Letter of Offer to Preferred Proponents

November 2021

- A panel will be established to determine the successful respondent/s.
- Burswood Park Board reserves the right to accept or refuse submissions.
- All decisions are final and no correspondence will be entered into.
- Unsuccessful respondents will be notified in writing.
- Successful respondents will be contacted for further discussions and detailed planning.

How to Respond

FOOD AND BEVERAGE VENDORS ...

... refer to page 7 of the EOI for details

- 1. Download and read the **Expression of Interest** document.
- 2. Download and read the **Event Guidelines**.
- 3. Download and read the accompanying **EOI FAQs** document.
- 4. Download the Burwood Park Board (BPB) **EOI Response Template**.
- 5. Decide if you wish to attend the **Non-mandatory Site Visit** and **RSVP** for the **Tour Group** you are interested in.

 Should you require to attend more than one Tour Group please nominate additional staff members to attend. Details are:

Non-mandatory Site Visit Details

Date: Monday 2 August 2021

Time: 10.00am

Location: Burswood Park Board

Administration Office Boardroom

Corner Glenn Place and Victoria Park Drive

Burswood WA 6100

RSVP: reception@burswoodpark.wa.gov.au by 10am Thursday 29 July 2021

Site Visit Format:

- 10.00am Overview of all current and potential Activation locations
- 10.30am Tour Group 1: South 9 parklands (between Crown Perth and Optus Stadium)
- 10.30am Tour Group 2: Kagoshima Park/Swan Shell
- 10.30am Tour Group 3: Paterson Park
- 6. Submit your EOI Response by **4pm Friday 20 August 2021**, with any additional supporting information, via:
 - Email to reception@burswoodpark.wa.gov.au
 - In person (Mon-Fri 9am-4pm) to: Finance and Admin Officer, BPB Administration Office, Cnr Glenn Place and Victoria Park Drive, Burswood. Hard Copy Printed or USB (PC Compatible) are acceptable.

Contacts

We encourage you to attend the Non-mandatory Site Briefing, however you may contact us to discuss your ideas at any time prior to submission.

Please note that due to the expected level of interest, we respectfully request that queries are sent through via email to events@burswoodpark.wa.gov.au.



Important Notice

The information in this document has been compiled on behalf of Burswood Park Board (BPB) for the guidance of parties interested in participating in the Expression of Interest for Park Activations on Burswood Park.

This document does not, and does not purport to, contain all the information that interested parties or their advisors would desire, or require, in reaching decisions in relation to submitting an EOI. Interested parties must form their own views as to what information is relevant to such decisions and make their own independent investigations in relation to any such information.

This document outlines BPB's expectations in relation to the EOI Process and the terms and conditions of the process. BPB reserves the right, in its absolute discretion, at any stage, to terminate further participation in the EOI Process by any party, to change the structure, procedures and timing of the EOI Process, to refuse or admit entry of a particular party to the next phase of the EOI Process and to withdraw from and end the proposed EOI Process.

Proponents and their advisors must not, under any circumstances, make any enquiries of, or hold any discussions with the media in connection with the site or the EOI Process, except as provided for in the EOI or with the prior written consent from BPB.

Costs borne by proponents

All costs and expenses incurred by Proponents in any way associated with the EOI Process, including development, preparation and submission of the EOI Proposals, including but not limited to attendance at meetings, travel, discussions, and providing any additional information required by BPB, will be borne entirely and exclusively by the Proponent.

Ownership of proposal documents

All documents submitted in the EOI Process become the property of BPB on lodgement. Such intellectual property rights of the Proponent(s) or other parties, as may be clearly demonstrated by the Proponent(s) to exist in the information contained in materials submitted by the Proponent(s) will remain the property of the Proponent(s) or those other relevant parties.

The Proponent(s) conveys a royalty-free licence and authority to BPB, its officers, employees, advisors, consultants and agents to copy, adapt, disclose or do anything else necessary (in BPB's opinion) to all material (including that which contains intellectual property rights of the Proponent(s) or other parties) contained in the documents or materials submitted, for the purposes of the EOI Process including, without limitation, for use in:

- Evaluation of EOI Proposals and;
- Other related matters; and
- Complying with applicable laws.

Burswood Park Board's rights

BPB reserves the right, at its absolute discretion, and at any time to:

- Take into account any information from its own and other sources in evaluating an EOI Proposal;
- Accept or reject any EOI Proposal at any time irrespective of the extent to which it satisfies any of the Evaluation Criteria;
- Question any Proponent(s) in order to clarify any matter relating to the Proponent(s) EOI Proposal;
- Request additional information from any Proponent as BPB sees fit relating to the Proponents EOI Proposal;
- Conduct due diligence investigations in relation to an EOI Proposal or its Proponent or Relevant Parties;
- Draw on outside expertise as required;
- Invite presentations from Proponents and conduct question and answer sessions with one or more Proponents if considered necessary; and
- Decline to consider any EOI Proposal that does not fully comply with the EOI Process terms and conditions, important notice or other items set out in the EOI document.

Errors and omissions

Where an EOI Proposal contains an accidental 'error or omission', Proponents must bring this to the attention of BPB immediately upon its identification. BPB may allow the Proponent to amend the accidental error or omission at its sole discretion.

Return or destruction of information

BPB reserves the right, in its absolute discretion, at any stage following termination of the Proponent(s) participation in the EOI Process to require that material and other information provided to Proponent(s) (and copies or reproductions of such information) be either destroyed by the Proponent(s) or returned to BPB. BPB may require that the Proponent(s) provide evidence (in a form satisfactory to BPB) that any BPB requirements in this respect have been fully complied with.

Right to amend process

BPB reserves the right to amend the process set out in this document by notice emailed or otherwise in writing to Proponents who have not withdrawn or been excluded from the process. Such amendment may include cancellation, variation or supplementation of the process.

No obligation

No legal or other obligation other than those associated with this section shall arise between a Proponent(s) and BPB unless and until formal documentation has been signed. BPB is not obliged to proceed with any EOI Proposals, and no compensation will be payable.

Confidentiality

All information submitted by Proponents will be examined and assessed by BPB's Evaluation Team, including any specialist consultant advisors and other party from whom the Evaluation Team may seek advice.

The confidentiality of any information submitted by Proponents, which is not available to the public, will be respected except where disclosure is permitted or required by law. All Proponents will be required to maintain confidentiality with respect to their own EOI Proposals and should not seek details of competing proposals.

Proponents must not make any public statements whatsoever in relation to the EOI. Proponents may be required to sign a Confidentiality Deed prepared by BPB's solicitors. BPB reserves the right to make public announcements, including to the media.

Representations and warranties

By submitting an EOI Proposal, each Proponent(s) is deemed to have agreed to be bound by and to observe all of the requirements and obligations on the part of a Proponent(s) set out in this EOI Document. Each EOI Proposal and/or Detailed Proposal is submitted and taken to be received on the basis that the Proponent(s) represents and warrants to BPB that:

- No information and records provided by or on behalf of the Proponent(s)
 (including any subcontractor, sub consultant or advisor nominated by the
 Proponent(s)) to BPB at any time in relation to the Proponent(s) or its EOI
 Proposal is or will be false or misleading and all such information and records
 are and will be true and accurate in all material respects;
- The information contained in its EOI Proposal may be relied upon by BPB in determining whether or not to invite the Proponent(s) to participate further in the EOI Process;
- It is satisfied as to the correctness, accuracy, adequacy and sufficiency of its EOI Proposal;
- It does not rely on the currency, authenticity, accuracy, suitability or completeness of any of the documents annexed to, or exhibited by, the EOI Document or disclosed through or in connection with the EOI Process;
- It has relied entirely on its own independent enquiries in connection with its EOI Proposal;
- It has not infringed on the intellectual property of any third party in preparing or submitting its EOI Proposal;
- It has no conflict of interest or anticipated conflict of interest in doing all things required of it under the EOI Process which has not otherwise been disclosed in writing to BPB prior to or at the time of lodging its EOI Proposal;
- 8. It, or any of its associates, has, or have, not entered into any collusive tendering arrangement, anti-competitive conduct or any similar conduct with another Proponent(s) or any other person in connection with its EOI Proposal, and in that regard it has not and will not provide information to or communicate with another Proponent(s) in connection with its EOI Proposal (or any document associated with them);

- It has no knowledge of the EOI Proposal and/ or Detailed Proposal made by any other Proponent(s);
- 10. Except as disclosed in its EOI Proposal: It has not entered into any contract, arrangement or understanding to pay or allow any money; it has not paid or allowed any money; or it will not pay to or allow any money, directly or indirectly to or for the benefit of:
 - A trade or industry association (above the published standard fee); or
 - Any other Proponent(s) in connection with this EOI, its EOI Proposal or any contract to be entered into consequent thereon; and
 - It has not entered into any contract, arrangement or understanding to receive any money directly or indirectly from or on behalf of any other Proponent(s) nor received any money or allowance from or on behalf of any other Proponent(s) in relation to any EOI Proposal or any contract to be entered into consequent thereon, nor will it receive any money as aforesaid;
- It is a solvent legal entity and is not under any form of administration or legal disability of any kind; and
- 12. Unless otherwise disclosed in writing by the Proponent(s) to BPB, the Proponent(s) and its participants, contractors, consultants or advisors have not entered into any arrangement with, and as far as it is aware it is not related to, another Proponent(s) or participant, contractor, consultant or advisor of that other Proponent(s)
- 13. It has not:
 - Entered into any agreement or arrangement with any competing Proponent(s) or competitor to fix prices, other terms or conditions of supply;
 - given any assistance to any competing Proponent(s) or competitor to issue an EOI Proposal or to make a proposal or submission to BPB which has been deliberately priced or framed in order to be unsuccessful; and/or committed a breach of the provisions of the Competition and Consumer Act 2010 (Cth).

- 14. If a Proponent is a trustee of a trust ("Trust"), such Proponent makes the following additional representations and warranties:
 - the Proponent submits its EOI Proposal in its own capacity and as trustee of the Trust;
 - the relevant Trust document is valid and complies with the law;
 - any copies of the Trust documents the Proponent has submitted are true and complete copies and disclose everything about the Trust;
 - the Proponent is properly appointed and is the only trustee(s) of the Trust:
 - the Proponent has always complied with the terms of the Trust, and its duties and powers;
 - the Proponent has a right of indemnity from the Trust assets in respect of the transactions contemplated by EOI Proposal;
 - it is proper for the Proponent, as trustee, to submit the EOI Proposal and do anything the EOI Proposal contemplates that the Proponent will do. Those things do or will benefit the beneficiaries of the Trust;
 - none of the Trust assets have been resettled or set aside; and
 - the Trust has not terminated nor has any event for the vesting of the assets occurred.

Freedom of Information Act 1992 (WA)

BPB shall be entitled to make public the identity of any Proponent. All or any part of an EOI Proposal may be disclosed to members of the public if BPB is required to do so under the Freedom of Information Act 1992 (WA).

Proponents must not apply under the Freedom of Information Act 1992 (WA) for information regarding other EOI Proposals.

Disclaimer

Each Proponent, by lodging an EOI Proposal, acknowledges and agrees with BPB that:

BPB and its respective officers, employees, consultants, contractors and agents:

- Make no representation or warranty as to the accuracy or completeness of information, statements and representations contained in this EOI including appendices, or other documents referred to in this EOI Document;
- Will not be liable for any loss, cost or expense of any kind suffered or which
 may be suffered by Proponents arising directly or indirectly from any
 inaccuracy or incompleteness of the information in the EOI Document or those
 other documents:
- Any reports and plans included in the EOI Document have been prepared for the use of BPB only. Any reports and plans are provided as background information only and may be subject to further changes. Proponents should undertake their own enquiries in relation to all matters to do with the EOI and the subject of these reports;
- There may be other documents and information of which BPB and their respective officers, employees, consultants contractors or agents are aware and which may be relevant to the EOI, but which have not been provided or to which no reference has been made in, or in connection with, this EOI; and
- The Proponent(s) has made, and relied on, its own independent assessment of
 the suitability of the information in this EOI for the purpose of lodging its EOI
 Proposal and any other document or material pursuant to this Invitation for EOI
 Document and the Information and as to the attributes of, and risks associated
 with doing so.

Privacy

By submitting an EOI Proposal, each Proponent(s) acknowledges and agrees that:

Personal information about individuals connected with the Proponent is being collected by BPB for the purpose of assessing the EOI Proposal.

The intended recipient of the information is BPB, and BPB may disclose the information to its external advisers and other agents engaged by BPB to assist it with the EOI Process.

Each Proponent warrants that each individual whose information is submitted with the Proponent's EOI Proposal has authorised BPB to collect and the Proponent to supply BPB with, that individual's personal information.

Glossary of Terms

EOI	Invitation for Expressions of Interest
EOI Proposal	The document submitted by a Proponent(s) in response to
	this Invitation for Expressions of Interest for Park Activations
Consortium	A team, joint venture or consortium of entities that
	comprises the Proponent(s) that submits an EOI Proposal
Consortium Entities	Where the Proponent is a Consortium, an entity that is a
	member, shareholder, partner or joint ventures in that
	Proponent
BPB	Burswood Park Board
Evaluation Criteria	The Evaluation Criteria is weighted at BPB's discretion
	against which EOI proposals will be evaluated by the
	Evaluation Team. The criteria may or may not be equally
	weighted between categories of evaluation criteria or within
	a category of evaluation criteria. The order of criteria either
	between categories or within a category of evaluation
	criteria is not an indication of weighting or importance
Evaluation Process	The process by which EOI Proposals will be evaluated by BPB
Evaluation Team	BPB team, including external consultants appointed by BPB
	as appropriate, which will evaluate the EOI Proposals
Expression of	The release of the Invitation for Expressions of Interest
Interest Process	Document, receipt of EOI Proposals, evaluation of EOI
	Proposals and determination of a Successful Proponent
Invitation for	This Document
Expressions of	
Interest Document	
Minister	Minister for Racing and Gaming, Government of Western
	Australia
Preferred	A Proponent identified by BPB as having the potential to
Proponent	become the Successful Proponent(s)
Proponent	Any party who responds to the EOI process in accordance
	with the requirements of the Invitation for Expressions of
	Interest Document
Relevant Parties	The Proponent and associated Consortium Entities
Successful	A Preferred Proponent(s) that has been invited to enter into
Proponent	non-commercial or commercial negotiations with BPB for an
	Agreement

Appendix 1 – Overview event/activation spaces



Appendix 1 – South 9



Appendix 1 – Charles Paterson and Kagoshima Parks

