

Queensland Housing Strategy 2017 – 2027

Housing Partnerships Office

Department of Housing and Public Works

Housing Construction Jobs Program - Ipswich Expression of Interest

26 October 2018

QTenders Ref: HHSHPW2018006



**Queensland
Government**

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1 The Opportunity

1.1 Overview

The Housing Construction Jobs Program (the Program) is a key part of the Queensland Housing Strategy's response to the need for an additional supply of social dwellings to keep pace with population growth. The Program creates jobs, drives economic growth, delivers better community outcomes and increases the supply of social housing. It does this through an innovative, partnership approach with builders, developers and community housing organisations.

Led by the Department of Housing and Public Works (the Department), in partnership with Economic Development Queensland (EDQ), the Program will transform the way the Queensland Government delivers housing. It links directly with *Advancing our Cities and Regions Strategy*, the *South East Queensland Regional Plan* and the *State Infrastructure Plan*, ensuring housing supply is increased in line with precinct planning and infrastructure investment across government.

The Program is delivering:

- jobs for local builders and trades and a pipeline of opportunities for local building and construction businesses and community housing organisations in regions across the State
- developments which best reflect local needs, located in areas with a long-term capability to meet the demands of residents close to jobs, transport, and community support
- safe and comfortable homes designed to meet appropriate standards of design in location, liveability and accessibility; including being energy efficient to reduce living costs.

The Program targets regions set to experience community and economic growth with nine key regions nominated across the state.

To deliver this commitment, the Department is partnering with private industry and community housing providers to deliver new housing which will provide local solutions and create a pipeline of development opportunities for local trades and builders.

Due to the Program's scale and diversity, it is anticipated that many construction and development partners will be engaged over the duration of the Program. To accommodate the engagement of a diverse range of partners, the opportunity to participate will be provided across a number of engagement and procurement processes throughout the Program.

1.2 Vision and Objectives

1.2.1 Vision

Building vibrant, sustainable and diverse communities which bring people together.

The Program helps create vibrant and connected communities through construction of diverse housing which meets the needs of local communities, while creating jobs, growing the economy and achieving better community outcomes.

1.2.2 Objectives

The Program:

- delivers local investment and local jobs - local opportunities for builders and trades across the State
- provides a housing pathway – develops a diverse range of housing solutions to provide greater housing choice and opportunity

- partners with Industry – to drive economic growth at a local level and ensure better community outcomes
- embraces Innovation – to make housing more sustainable through improved energy efficiency and amenity.

1.3 Benefits

Driven by innovation to realise the vision and objectives for the Program, the Department is aiming to realise the following benefits:

- Jobs and economic growth
- Diversity of housing product in the local context
- Streamline procurement processes and delivery
- Value for money.

1.4 Strategic Context

The Program will be led by the Housing Partnerships Office (HPO) of the Department of Housing and Public Works, working together with Economic Development Queensland (EDQ), to drive cross-agency and private sector collaboration for the delivery of social housing.

EDQ is a specialist land use planning and property development unit within the Department of State Development, Manufacturing, Infrastructure, and Planning. EDQ engages with state and local government, the development industry and the public to identify, plan, facilitate and deliver property development and infrastructure projects to create prosperous, liveable and connected communities.

The HPO works with local government, private sector and community partners to deliver the Program and facilitate economic and urban renewal activities across regions and within precincts.

The HPO ensures that the market has a single point of contact to government to enable a range of partnership opportunities, with the objectives of delivering an increased and diverse supply of social housing over the next ten years.

The Program and approach to market, through initiatives such as this Expression of Interest (EOI), will provide greater transparency for potential development and delivery partners to align investment efforts towards the objectives sought by government and build a pipeline of development activity within the identified regions.

1.5 Scope of this EOI

This EOI will deal exclusively with the Ipswich Region. Over the next five years, in the Ipswich region, it is anticipated that the Program will deliver:

- \$103 million in investments
- 383 new social homes
- 59 full-time jobs per annum.

The Program is seeking interest from the market to deliver social housing projects in the Ipswich region.

This EOI seeks proposals for small and medium scale residential social housing construction projects as well as those that provide opportunities for multi-year development over a number of dispersed sites.

A pipeline of development opportunities is sought with a requirement for multiple projects commencing construction between 2018-19 and 2021-22.

Projects must be on either **non-government-owned land** freehold land, either owned by the Proponent or where the Proponent has an equitable interest (in the form of a contract or option) and capable of acquisition by the Department, or on **not-for-profit sector owned land** that:

- have not yet commenced construction, and
- have relevant approvals in place, such as development approval, planning approval, or building approval (if applicable) or with design and or concept designs (if applicable).

Other proposals (including vacant developable land) that fall within the requirements of the EOI, will be considered. (Refer to **Attachment 1 - Statement of Requirements**)

To help define the scope of projects that the Department may consider, **Attachment 1** outlines the Statement of Requirements for the Housing Construction Jobs Program, for the Ipswich EOI, and includes:

- demographic and geographic information
- building and design requirements
- social housing supply and demand profile.

1.6 Program Governance

The Program will be governed by representatives from the Housing Partnerships Office within Housing, Homelessness and Sport Division of the Department and representatives from EDQ. The Department and EDQ will work in partnership to establish clear and accountable decision-making processes, while ensuring value for money and alignment with the vision and objectives of the Program.

1.7 Program Stakeholders

Key stakeholders for the Program are shown in Table 1.

Table 1: Key Stakeholders

Organisation	Stakeholder
The Department of Housing and Public Works	Program manager for the Program (representatives from the Housing Partnerships Office and the wider Housing, Homelessness and Sport division of the Department)
Economic Development Queensland	Working in partnership with the Department to deliver the Program
Ipswich City Council	Key stakeholder for the Program
Communities	Community organisations, not-for-profit organisations and local service providers
Social housing tenants	The Department's tenants in its social housing dwellings. The Department will work with tenants in the regional communities to encourage engagement in the Program to shape new social housing options.

2 EOI Process

2.1 Purpose of the EOI

The purpose of this EOI is to identify suitable projects for the Program in the Ipswich region.

2.2 Lodgement of EOI Responses

2.2.1 Closing date and time

- Proponents are asked to complete and submit a HCJP Ipswich EOI Response form (Response form) electronically via the *SmartyGrants* system.
- It is a requirement that all Proponents wishing to lodge a proposal for the HCJP Ipswich EOI, register in *SmartyGrants* prior to submitting their Response form.
- A link to the *SmartyGrants* system and the Response form can be accessed via:
 - the Queensland Government QTenders site : **HHSHPW2018006**
or
 - the HCJP Ipswich EOI web page on the Department of Housing and Public Works website
or
 - the HCJP Ipswich EOI web page on the Queensland Government website.
- All Response forms must be lodged in *SmartyGrants* by **10.00am (Australian Eastern Standard Time) on Friday 14 December 2018 (Closing Date and Time)**.

Please note: It is recommended that Proponents that wish to participate in the HCJP Ipswich EOI or those that have submitted a Response form, check the *SmartyGrants* HCJP Ipswich EOI front summary page and/or the QTenders webpage for this EOI on a regular basis for updates or addendums that are posted by the Department.

These updates and documents will provide additional information, clarification and frequently asked questions and answers relating to the EOI process and the Program.

2.3 EOI Procurement Process

- Step 1** When the EOI closes, each submitted EOI Proposal will be conformance checked to ensure all EOI requirements and responses are complete and in order.
- Step 2** Each conforming EOI Proposal will be progressed to be assessed and evaluated against the applicable Evaluation Criteria (refer to **Section 3** below) and the EOI requirements of the Program (refer to **Attachment 1 - Statement of Requirements - HCJP - Ipswich EOI**) and a recommended shortlist is prepared for recommendation.
- Step 3** The recommended shortlisted Proposals will progress for Procurement approval. Proponents that progress to the approved shortlist stage will be invited to participate in a detailed investigation stage and/or negotiation phase depending on their Proposal.
- Step 4** Proponents that successfully progress through the detailed investigation and/or negotiation stages, will be provided with a contract.
- Step 5** When the contract is fully executed by both parties, the procurement process is deemed completed and the contract delivery will be managed by the Department's Housing Partnerships Office.

2.4 Indicative Timetable

As part of this EOI process, the Department will give favourable consideration and will fast-track the evaluation and assessment of EOI proposals that are:

- development projects that:
 - have development, planning and building approvals in place

- meet the EOI design and location requirements as set out in **Attachment 1: Statement of Requirements - HCJP Ipswich EOI document**
- are ready to commence construction before 30 June 2019.

or

- land only offers

EOI proposals that are fast-tracked by the Department, may have a contract in place early February 2019 with a start date for construction (if applicable) prior to 30 June 2019.

The target dates provided in **Table 2** below are indicative only and alternative dates may be adopted by the Department.

Table 2: Indicative timetable

Indicative timetable (subject to change)	
Milestone	Target Date
EOI notification released on QTenders with link to <i>SmartyGrants</i> system and EOI Response form	Friday 26 October 2018
HCJP Ipswich EOI Industry Briefing at Ipswich Civic Centre	Thursday 1 November 2018 10.00am - 11.00am To view invitation and RSVP for this event click on this link: https://ipswichbriefing.eventbrite.com.au .
Closing date and time for email questions	4.00pm (AEST) Friday 7 December 2018
Closing date and time for EOI Response Form to be submitted in <i>SmartyGrants</i>	10.00am (AEST) Friday 14 December 2018
Assessment and evaluation of proposals	From 17 December 2018 to 5 April 2019 (includes Christmas and New Year holiday period)
Detailed Investigation Stage	From 11 January 2019 to 19 April 2019 (includes Australia Day holiday 28 January 2019)
Negotiations with Proponents	From 21 January 2019 to 6 May 2019
Contract Award for successful Proponents	From 7 February 2019 to 11 June 2019

2.5 Contacting the Department

Contact with the Department during the EOI submission period must be made via email to the Housing Partnerships Office Procurement Mailbox: HSHPOProcurementMailbox@hpw.qld.gov.au

Direct contact with Department officers will **not** be accepted and Proponents will be redirected to email the Housing Partnerships Office Procurement Mailbox.

After the question closing date of **4.00pm (AEST) Friday 7 December 2018**, contact can be made via the Procurement Mailbox: HSHPOProcurementMailbox@hpw.qld.gov.au.

Table 3: Department's contact person during the EOI submission period:

The Department's contact person for the Expression of Interest:	
Name: Richard White Position: Acting Manager, Procurement Housing Partnerships Office	Agency: Department of Housing and Public Works Email address: HSHPOProcurementMailbox@hpw.qld.gov.au

2.6 EOI Enquiries and Questions

- If a Proponent requires information or clarification regarding any part of the EOI and/or EOI process, it is requested that they communicate their question in writing directly to the Department by forwarding an email to the Housing Partnerships Office Procurement Mailbox: HSHPOProcurementMailbox@hpw.qld.gov.au
- When submitting a question, Proponents should consider the following:
 - The written email request should clearly identify each question, request for clarification and any additional information requested.
 - All questions and enquiries and their respective responses from the Department, will be published as an addendum on the *SmyrtyGrants* HCJP Ipswich EOI front summary page and the QTenders webpage for this EOI, for the benefit of all Proponents.
 - Verbal or telephone enquiries will not be accepted.

Please note: Proponents that wish to submit a proposal for the Program, are asked to regularly check the *SmyrtyGrants* HCJP Ipswich EOI front summary page and/or the QTenders webpage for this EOI for updates or addendums that are posted by the Department. These updates and documents may provide additional information, clarification and Frequently asked Questions and Answers relating to the EOI process and the Program.

2.6.1 Commercial-in-Confidence requests

Proponents may request that a question/enquiry or clarification and/or the clarification response from the Department be treated as a 'Commercial-in-Confidence' (CIC) request by clearly identifying 'CIC clarification' in the email subject line.

Upon receipt of such a request, the Department will determine whether the Department agrees to treat the clarification and/or clarification response in this manner and therefore respond only to the Proponent submitting the clarification.

In the event that the Department deems that the response should not be treated as CIC, the Proponent concerned shall be so advised and given the option of either withdrawing the question or clarification or providing further justification as to why the question/clarification is considered CIC. If the Proponent does not provide a response within the nominated timeframe, the question/clarification will not be treated as CIC and will be provided to all Proponents.

Where no request is made to treat a question/clarification and/or response as CIC, the Department shall determine whether the question/clarification and/or response should be issued to one or to all Proponents. This decision will be made without consultation with the Proponents submitting the question/clarification. The Department will not be held liable for any losses suffered by a Proponent as a result of any discretion exercised in accordance with this clause.

Please note: Email Questions will close at 4.00pm on Friday 7 December 2018, to ensure adequate time for consideration of responses by the Department.

2.7 Contracts

The Department currently has six forms of contracts which may be used for the HCJP projects.

- Templates of the HCJP Contracts that are currently available, can be accessed through the QTenders website and the SmartyGrants web page for this EOI. (Refer to **Attachments 3 - 9** outlined in **Table 4 - EOI Documents, Attachments and HCJP Contract Templates**)
- The Development Agreement template will be published as an addendum to the EOI on both the *SmartyGrants* and QTenders sites for this EOI.
- Funding Agreement templates (Capital Assistance Agreement and First Mortgage) for community housing providers requesting capital funding from the Department are not provided.
- The Department reserves the right to amend the template HCJP Contracts.
- Construction Contracts are required to be entered into with an appropriately licensed builder.
- A successful Proponent will be required to enter into a HCJP Contract form with the Department.
- A Proponent is required to indicate on their *SmartyGrants* EOI Response form which HCJP Contract is best suited to their proposal.
- All Proponents, (other than National Regulatory System for Community Housing (NRSCH) registered community housing providers requesting Capital Assistance funding from the Department), are required, as part of their Response form to advise of any contract departures (if applicable) for the selected HCJP Contract.(Refer to **Section 2.8 - Contract Departures**).

2.8 Contract Departures

As part of the EOI process, Proponents must indicate on their *SmartyGrants* EOI Response form, which HCJP Contract is best suited to their proposal.

Proponents, (other than NRSCH registered community housing providers requesting Capital Assistance funding from the Department), are required to review the HCJP Contract form they have selected for their proposal, and advise of any required contract departures for the selected HCJP Contract.

If a Proponent is unable to accept or agree to any term of the selected HCJP Contract form, the Proponent is to detail any additional terms or amendments it is seeking, to be incorporated into or made to the selected HCJP Contract in the Contract Departures table section in the EOI Response form.

If the Proponent completes the Contract Departures table as part of the EOI Response Form, the contract departures identified by the Proponent will also be evaluated as part of the EOI process.

If the Proponent does not identify any Contract Departures, the Proponent is to indicate that they have 'NIL' Contract Departures in the EOI Response form.

Please note: The State reserves its right to amend the Proponent selected HCJP Contract template.

2.9 Mandatory Requirements

The following mandatory requirements will apply to all EOI Proposals that include designs of buildings and/or require construction (with the exception of Land Only Offer Proposals):

- For EOI Proposals that include a construction component:
 - Proponents and/or the contracting entity under the building contract, must hold appropriate licences, insurances and registrations to carry out the building work under the Contract. e.g. Queensland Building and Construction Commissions (QBCC) licence.

- For EOI proposals that include a construction component with a proposed contract cost of \$1 million or more but no more than \$10 million (including GST) may require a Project Bank Account:
 - Proponents and/or the contracting entity carrying out the building work under the Contract, must set up a Project Bank Account, in compliance with the Building Industry Fairness (Security of Payment) Act 2017 or in accordance with the terms of the Contract.
- For EOI Proposals that include design of buildings:
 - The design of the buildings under the Contract must comply with the [Building Code of Australia](#) (BCA) and all relevant legislative requirements.

2.10 Mandatory Requirements Declaration

Proponents that submit an EOI Proposal (with the exception of Land Only Offers), are required to complete the Mandatory Requirements Declaration in the *SmartyGrants* EOI Response form. The Declaration states that the Proponent will meet all applicable EOI Mandatory Requirements (as outlined in **Section 2.9**), as they may apply to their EOI Proposal.

Proponents that are submitting a Land Only Offer for consideration by the Department, are not required to complete the Mandatory Requirements Declaration in the *SmartyGrants* Response form.

2.11 EOI Documents and Attachments

This EOI is made up of the following documents and attachments, and includes the definitions and rules of interpretation available on [the Department of Housing and Public Works website](#).

Table 4: EOI Documents, Attachments and HCJP Contract Templates

EOI Documents and Attachments	Instructions to Proponent
Housing Construction Jobs Program - Ipswich - Expression of Interest including: Appendix A - Expression of Interest Terms and Conditions <i>This document</i>	Provides details of the background, the EOI opportunity, the EOI process, timetable, contracts, and other general information including Appendix A - Expression of Interest Terms and Conditions for this EOI process <i>For information only. Proponent to retain.</i>
Attachment 1 - Statement of Requirements – Housing Construction Jobs Program – Ipswich - EOI including: Appendix 1 - Map of preferred suburbs for new social housing in Ipswich	Provides details of design requirements, a regional snapshot of Ipswich with map, innovative housing solutions outline and details of the social housing portfolio in Ipswich, including Appendix 1 provides a detailed map of the preferred areas the Department considers ideal for the development of new social housing in Ipswich. <i>For information only. Proponent to retain.</i>

EOI Documents and Attachments	Instructions to Proponent
<p>HCJP Ipswich EOI Response form, via link to the SmartyGrants system. Proponent to complete and submit at least one (1) x Electronic HCJP Ipswich EOI Response form in SmartyGrants.</p>	<p>Electronic EOI Response form allows the Proponent to upload supporting information or evidence requested for the EOI and includes response fields for:</p> <ul style="list-style-type: none"> • Name and contact details for Proponent and other participating entity • Community housing providers • Conflict of interest • Responses to evaluation criteria 1-5 • HCJP Contracts and contract departures • Proposal details • Mandatory Requirements Declaration (if applicable) • Proponent execution of EOI. <p><i>Proponent to complete and submit EOI Response form in SmartyGrants system.</i></p>
<p>Attachment 2 - Housing principles for inclusive communities</p>	<p>Provides information on the Housing principles for inclusive communities including the four principles of rights, choice, control and inclusion to significantly improve the lives of people with disability and older people, who face greater barriers in accessing safe, accessible and affordable housing.</p> <p><i>For information only. Proponent to retain.</i></p>
<p>Attachment 10 - Additional information about HCJP Contracts</p>	<p>Provides a summary of the six (6) forms of contracts available for the Ipswich EOI and outlines:</p> <ul style="list-style-type: none"> • The purpose of the Contract • Contract use • Details of the Contract templates • Important information to assist Proponents selecting the most suitable HCJP Contract for the EOI Proposal being submitted. <p><i>To assist Proponent in completing the questions relating to the HCJP Contracts and Contract Departures on the EOI Response form.</i></p>
HCJP Contract Templates	Instructions to Proponent
<p>Land and Construct Contract</p> <p>Templates used for the acquisition by the department of land upon which the Proponent is responsible for the redesign or design and procuring the construction of works for the development</p>	<p>Land and Construct Contract (Attachment 3) and REIQ Contract for Land purchase with Special Conditions (Attachment 7)</p> <p><i>To assist Proponent in completing the questions relating to the HCJP Contracts and Contract Departures on the EOI Response form.</i></p>

HCJP Contract Templates	Instructions to Proponent
<p>Land Purchase Contract (for Land Only Offers)</p> <p>Template used for the acquisition of Land Only</p>	<p>REIQ Contract for Land purchases with Special Conditions (Attachment 7)</p> <p><i>To assist Proponent in completing the questions relating to the HCJP Contracts and Contract Departures on the EOI Response form.</i></p>
<p>Two-Stage Contracts (subject to Land Sale)</p> <p>Templates for Two-Stage Contract (subject to Land Sale) includes a REIQ Land Purchase Contract with Special Conditions , a Stage 1 Co-design Contract subject to Land Sale with an optional construction stage under a Stage 2 Design and Construct Contract.</p>	<p>REIQ Contract for Land purchase with Special Conditions (Attachment 7)</p> <p>and</p> <p>Two Stage Project DC Agreement (Stage 1) - Subject to Land Sale Contract) (Attachment 5)</p> <p>and</p> <p>Two Stage Project Design and Construct Contract (Stage 2) (Attachment 6)</p> <p><i>To assist Proponent in completing the questions relating to the HCJP Contracts and Contract Departures on the EOI Response form.</i></p>
<p>Two-Stage Contract (not subject to Land Sale)</p> <p>Templates for Two-Stage Contract includes a Stage 1 Co-Design Contract, followed by an optional construction stage under a Stage 2 Design and Construct Contract.</p>	<p>Two Stage Project DC Agreement (Stage 1) (Attachment 4)</p> <p>and</p> <p>Two Stage Project Design and Construct Contract (Stage 2) (Attachment 6)</p> <p><i>To assist Proponent in completing the questions relating to the HCJP Contracts and Contract Departures on the EOI Response form.</i></p>
<p>Turnkey Contract and Special Conditions</p> <p>Templates used for the acquisition of a completed turnkey residential housing product with settlement and payment of the purchase price on completion.</p>	<p>REIQ House Res Land (for Simple Turnkey Contract) (Attachment 8)</p> <p>and</p> <p>Turnkey Special Conditions (Attachment 9)</p> <p><i>To assist Proponent in completing the questions relating to the HCJP Contracts and Contract Departures on the EOI Response form.</i></p>

Please note: Proponents that wish to submit a proposal for the Program, are asked to regularly check the *SmartyGrants* HCJP Ipswich EOI front summary page and/or the QTenders webpage for this EOI, for updates or addendums that are posted by the Department. These updates and documents will provide additional information, clarification and frequently asked questions and answers relating to the EOI process and the Program.

2.12 Requirements to be a conforming proposal

To be a conforming proposal, the Proponent must:

- a) access the *SmartyGrants* site either via the link on:
 - the QTenders webpage for this EOI. QTenders reference number is : **HHSHPW2018006**
 - or**
 - the HCJP Ipswich EOI web page on the Department of Housing and Public Works website
 - or**
 - the HCJP Ipswich EOI web page on the Queensland Government website.
- b) complete the HCJP EOI Ipswich Response form (Response form) in full including all relevant and applicable sections.
- c) upload any requested supporting evidence or documentation that is requested when completing the Response form.
- d) each Response form submitted via *SmartyGrants* must meet the word limit requirements for each question as outlined on the Response form.
- e) submit the completed Response form online via the *SmartyGrants* site by the closing date and time.
- f) retain the *SmartyGrants* generated email that confirms your Response form has been submitted, and provides a submission number for your reference and a PDF copy of your submitted Response form.
- g) agree that the proposal submitted as part of the Response form be open for the minimum validity period (Refer to **Section 2.14** of this document).
- h) ensure the Mandatory Requirements Declaration is completed and confirms that the Proponent (if successful) will meet all applicable mandatory requirements. (Refer to **Section 2.10** of this document)
- i) ensure the Proponent execution of EOI declaration and the conflict of interest sections are completed correctly on the Response form.

Failure to comply with all or any of the requirements of the EOI, or to provide information reasonably requested by the Department, may result in a proposal being considered non-conforming. Proposals which are identified as non-conforming will not be considered further.

2.13 How proposals are to be submitted in the SmartyGrants system

Access the *SmartyGrants* site either via the link on:

- the QTenders webpage for this EOI. The QTenders reference number is: **HHSHPW2018006**
- or**
- the HCJP Ipswich EOI web page on the Department of Housing and Public Works website
- or**
- the HCJP Ipswich EOI web page on the Queensland Government website.

Proponents can access the [SmartyGrants Help Guide for Applicants](#) to assist with submitting their Response form for the EOI. Ensure any requested supporting documents to be uploaded are suitably named. This will enable Department officers to clearly identify the document. File names are to consist of alpha-numeric characters (letters and numbers) only. Accepted file formats for uploading to the *SmartyGrants* Response forms are listed on the webpage: [SmartyGrants Applicant FAQs](#)

If you receive any errors, or experience any system difficulties when attempting to complete the Response form in *SmartyGrants*, please refer to the [SmartyGrants Applicant FAQs](#) or alternatively contact the *SmartyGrants* Helpdesk on (03) 9320 6888 or via email: service@smartygrants.com.au

2.14 Proposal validity period

Proposals must remain open and capable of being accepted by the Department for a minimum validity period of **120 days** from the **EOI closing date Friday 14 December 2018**.

2.15 EOI Terms and Conditions

The EOI Terms and Conditions in **Appendix A** of this document apply to this EOI.

Any reference to the Department in the EOI Conditions is a reference to the Department of Housing and Public Works.

2.16 Outcome of the EOI evaluation process

All Proponents will be advised the outcome of the evaluation process by a letter from the Department.

2.17 Complaints

If at any time during the EOI process, a Proponent considers that they have been unreasonably or unfairly treated and they have not been able to resolve the issue with the Department's contact person, the Proponent may request for the issue to be dealt with in accordance with the Department's complaint management process and direct their issue to:

Table 5: Complaint management contact person

Complaint management	
<p>Name: Richard White Position: Acting Manager, Procurement Housing Partnerships Office</p>	<p>Agency: Department of Housing and Public Works Email address: HSHPOProcurementMailbox@hpw.qld.gov.au</p>

The Department's contact person will address any issues or queries that are raised in relation to the probity and fairness of the EOI Process. Where considered necessary, any probity issues will be resolved in discussions by the Department.

A party raising a probity query must set out in writing (via email) to the Department's contact person:

- If the party would like the probity query to be treated in confidence
- The issues in question and how it impacts on the party's interest
- Any relevant background information and
- The outcome the party desires.

Privacy Notice: The Department of Housing and Public Works is collecting personal information from the Proponent for the purpose of administering the Expression of Interest process and Contract. Personal information may be shared with Queensland Government agencies and bodies, non-government organisations and other governments in Australia for that purpose. Personal information may be made publicly available in accordance with the requirements of the Queensland Government's procurement policy. An individual is able to gain access to personal information held by the Department about the individual in certain circumstances.

3 Evaluation Criteria

3.1 Evaluation Criteria for the EOI

All EOI Response Forms submitted by Proponents for the HCJP Ipswich EOI, will be evaluated against the relevant evaluation criteria that are applicable to the EOI Proposal being submitted.

The five evaluation criteria, outlined in **Table 6** below are applicable for EOI Proposals submitted by Proponents that may include (but are not limited to), planning approval and/or development approval and/or building approval and/or concept designs and/or approved plans.

The evaluation criteria are not necessarily listed in any order of importance and may or may not be weighted. In addition, the Department may use material submitted in response to one evaluation criterion in the evaluation of other evaluation criteria.

Table 6: Evaluation Criteria

Evaluation Criteria	Description
<p>Evaluation criterion 1: Proponent experience, capability and capacity</p> <p><i>Please refer to Section 3.2 for Land Only Offers</i></p>	<p>The Proponent’s response to evaluation criterion 1: Proponent capacity, capability and experience will be evaluated to assess whether the Proponent (and/or the other entity participating in this EOI proposal) can demonstrate the relevant experience, capability, (organisational and financial) and capacity to construct, facilitate, finance and deliver projects of a similar nature and size to the development project being proposed in this EOI response:</p> <ul style="list-style-type: none"> • The Proponent Overview section in the Response form will be evaluated from the Proponent’s brief description of its business and its overall qualifications to meet the EOI requirements. <p>Background information may include:</p> <ul style="list-style-type: none"> - Number of years of relevant experience - Capacity to deliver the proposed project - Size of organisation - Locations - Annual turnover - Role of the Proponent and other participating entity (if applicable) in this EOI Proposal. (maximum 550 word limit). <ul style="list-style-type: none"> • Financial information response for Proponents that are NRSCH registered community housing providers. (no response required for Proponents that are not NRSCH registered community housing providers). • Insurance details. • Relevant Experience – Proponent to provide three (3) examples of recent (and relevant) experience that demonstrates their capability of meeting the requirements of the EOI, including recent track record in providing the same/similar project as outlined in the EOI proposal. (word limits apply to this response). • Referees - Proponent to provide two (2) Referees and a brief description of work for each Referee. (word limits apply to this response).

Evaluation Criteria	Description
<p>Evaluation criterion 2: demand for proposal and alignment with the Department's requirements</p> <p><i>Please refer to Section 3.2 for Land Only Offers</i></p>	<p>The Proponent must provide evidence of the following considerations in alignment with the Department's requirements (Refer to Attachment 1 - Statement of Requirements - Housing Construction Jobs Program - Ipswich - Expression of Interest):</p> <ul style="list-style-type: none"> • Design principles and features that are functional, low maintenance, provide security and privacy and fit well into the street and neighbourhood. • Proximity to amenities including transport, facilities and services e.g. shops, schools, parks, libraries. • Size of the development including site size, dwelling yield and alignment with the Ipswich Planning Scheme. • Adaptability of proposed dwellings and level of disability access for clients. • Environmental sustainability features. • Housing principles for inclusive communities. <p>Other information that will be considered favourably:</p> <ul style="list-style-type: none"> • The incorporation of design requirements for Specialist Disability Accommodation (SDA) under the National Disability Insurance Scheme into broader-mixed-tenure-developments, that is supported by evidence of demand for the location will be considered favourably by the Department. <p>Please note: Whilst the Department will not fund SDA project components, all proposals will be assessed accordingly.</p> <p>(maximum 1,100 word limit)</p>
<p>Evaluation criterion 3: value for money</p>	<p>The Proponent must provide evidence of the following considerations:</p> <ul style="list-style-type: none"> • How the proposed project cost (including land and construction, as applicable) is consistent with the cost of similar recent projects in the location? <p>Other information that will be considered favourably:</p> <ul style="list-style-type: none"> • How the project delivers value for money including the advancement of economic, environmental and social outcomes? • Financial and/or in-kind contributions from sources other than government, for the project. • How other Queensland Government priorities will be addressed through delivery of this project? • What the Proponent is doing to improve the participation of Indigenous peoples in the workforce and/or engage with Indigenous Proponents? • For EOI proposals submitted by community housing providers: - The partnerships, or extra funding, from other sources that will be used to deliver extra services, beyond social housing, through this project. <p>(maximum 1,100 word limit)</p>

Evaluation Criteria	Description
<p>Evaluation criterion 4: local benefits</p> <p><i>Please refer to Section 3.2 for Land Only Offers</i></p>	<p>The Proponent must provide evidence of the following considerations:</p> <ul style="list-style-type: none"> • How they will engage the local area community to maximise their involvement on this project? <p>Please Note: The Local Area is defined as being within a 125-kilometre radius of where this project is located.</p> <ul style="list-style-type: none"> • Location of office in which project will be administered including actual address. • Details of workforce: <ul style="list-style-type: none"> - Number of direct workers (employees) involved in project e.g. 15 full-time employees. - Percentage (%) of direct workers that reside within Local Area. • Proposed level of involvement of local suppliers, manufacturers and other local businesses in the supply chain and their Local Area. <p>(maximum 550 word limit)</p>
<p>Evaluation criterion 5: readiness</p>	<p>The Proponent must provide evidence of the following considerations:</p> <ul style="list-style-type: none"> • Timeline for commencement of the project. • If your project has all approvals in place, e.g. Development Approval, Building Approval, Planning Approval, are you able to commence the project promptly? • If you are not in a position to sell the land and/or commence the build of your project promptly, when do you see the project commencing and why? <p>(maximum 550 word limit)</p> <p>The Proponent must attach:</p> <ul style="list-style-type: none"> • A detailed timeline, including milestones, for the commencement and the completion of the sale of land and/or construction. • Any additional information relating to the timeline and milestones is to be attached to the timeline document. • Detailed timeline including milestones document to be uploaded via electronic SmartyGrants Response form. <p>(length of timeline document is not included in the word limit for evaluation criterion 5 noted above)</p>

3.2 Responding to Evaluation Criteria for Land Only Offers

If a proposal submitted by a Proponent relates to a land only offer for the Department's consideration, and the proposal does not include designs or plans, and does not have development approval or building approval in place, there is no requirement for the Proponent to respond to evaluation criteria 1 (one), 2 (two) and 4 (four) in full, as some information will not apply or be relevant to their land only proposal.

For evaluation criteria 1 (one), 2 (two) and 4 (four), the Proponent is requested to enter "land only offer" in the evaluation criteria response fields noted in the EOI Response form and only include information that is relevant to each of these evaluation criterion that supports their EOI proposal.

4 Links and resources for all Proponents

4.1 Links to Attachments and Resources

- Livable Housing Design Guidelines:
[Livable Housing Design Guidelines 2017.](#)
- Queensland Development Code
<http://www.hpw.qld.gov.au/construction/BuildingPlumbing/Building/BuildingLawsCodes/QueenslandDevelopmentCode/Pages/default.aspx>
- Project Bank Accounts
<http://www.hpw.qld.gov.au/construction/BuildingPlumbing/Building/SecurityOfPayment/Pages/ProjectBankAccounts.aspx>
- NDIS specialist disability accommodation:
<https://ndis.gov.au/specialist-disability-accommodation>
- Housing Principles for inclusive communities - (Refer to Att. 2)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOIHousingPrinciplesInclusive.pdf>
- Ipswich Planning Scheme:
<https://www.ipswichplanning.com.au/planning-documents/planning-scheme>

4.2 Additional information and links to HCJP Contracts

- Additional information about HCJP Contracts (Refer to **Att. 10**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOIAdditionalInformationContracts.pdf>
- Template Land and Construct Contract (Refer to **Att. 3**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOILandConstructContract.pdf>
- Template Two stage Contract - DC Agreement (Stage 1) (Refer to **Att. 4**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOITwoStageContractDCAgreement.pdf>
- Template Two Stage Contract - DC Agreement (Stage 1) Subject to Land Sale (Refer to **Att. 5**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOITwoStageContractDCAgreementLandSale.pdf>
- Template Two Stage Contract - Design and Construct (Stage 2) (Refer to **Att. 6**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOITwoStageContractDCAgreementDesign.pdf>
- Template REIQ Land Purchase Contract with Special Conditions (Refer to **Att. 7**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOILandPurchaseREIQSpecialConditions.pdf>
- Template Simple Turnkey Contract (Refer to **Att. 8**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOITurnkeyContractREIQ.pdf>
- Template Turnkey Special Conditions (Refer to **Att. 9**)
<http://www.hpw.qld.gov.au/SiteCollectionDocuments/IpswichEOITurnkeySpecialConditions.pdf>

Please note:

- The Development Agreement will be published as an addendum to the EOI on both the *SmartyGrants* and QTenders sites for this EOI.
- Funding Agreements templates (Capital Assistance Agreement and First Mortgage) for community housing providers requesting capital funding from the Department are not provided..
- The Department reserves the right to amend the template HCJP Contracts.

4.3 Links to resources for community housing providers

- National Regulatory System for Community Housing:
<http://www.hpw.qld.gov.au/Housing/SocialHousing/CommunityHousing/NationalRegulatorySystem>
- Link to Section 8 of the Housing Act 2003 - definition of ancillary services
<https://www.legislation.qld.gov.au/view/whole/html/inforce/current/act-2003-052#sec.8>
- Link to Section 4 of the Housing Regulation 2015 - definition of prescribed services.
<https://www.legislation.qld.gov.au/view/html/inforce/current/sl-2015-0101#sec.4>

Appendix A Expression of Interest Terms and Conditions

1 Reservation of rights

Without limiting its rights, the Department reserves the right, in its absolute discretion and at any time to:

- change the structure, procedures and timing of the Expression of Interest (EOI) process or the overall transaction process for the Housing Construction Jobs Program (the Program), including by varying the provisions of this EOI.
- amend, update or supplement the information, terms, procedures and protocols or any aspect of the Program or EOI process set out in this EOI without giving reasons
- alter the terms of participation in the EOI process or the overall procurement process for the Program
- change the lodgement requirements
- deliver the Program through another procurement process
- vary or amend any assessment criteria, develop and consider sub-criteria for any, or all, of the assessment criteria or take into account information provided in response to a particular criterion in the assessment of any other criterion
- seek clarification regarding, or further information in relation to, a Proponent or any matter relating to its EOI Response including to question any Proponent, or to invite presentations from Proponents
- conduct due diligence investigations including in relation to potential or perceived conflicts of interest, and take into account information from those investigations, its own and other sources in evaluating EOI Responses and considering if there is anything which may preclude a Proponent from being included in the shortlist of Proponents
- refuse to allow participation or terminate any further participation by any party at any point in the EOI process
- allow further parties to participate in the EOI process or the overall procurement process at any time (whether or not they have submitted a EOI Response)
- allow changes to the structure of any Proponent.
- terminate or reinstate the EOI process
- not proceed with the Program, or not proceed with the Program in the manner outlined in the EOI
- amend the scope of the Program
- undertake the Program itself;
- waive any requirement or obligation under these EOI terms and conditions, without prejudicing, varying or limiting any other requirement, obligation or rights;
- accept part or whole of an EOI Response
- negotiate on any aspect of a Proponent's EOI Response before identifying whether it accepts or rejects part or whole of the EOI Response hold discussions, meetings or workshop with one or more Proponents at any time during the EOI process
- negotiate with any person (including someone other than a Proponent);
- invite refined EOI Responses from any one or more Proponent
- obtain and consider any objective information from any source other than the Proponent in consideration of a EOI Response
- allow the withdrawal of a Proponent from the EOI process
- accept or reject any EOI Response or reject all EOI Responses at any time (including prior to or during assessment) for any reason or discontinue assessment of a EOI Response irrespective of the extent to which it satisfies any of the assessment criteria, or shortlist all, some or none of the EOI Proponents
- publish the names of Proponents and Shortlisted EOI Proponents
- issue an Addendum or information document
- not provide Proponents with any reason for any actions or decisions it may take or any debriefing, including in respect of the exercise by the Department of any or all of the abovementioned rights
- use or incorporate feedback, comments or other information provided by a person who submits a EOI Response on a non-attributable basis in preparing any procurement or contract documentation in relation to the Program and in carrying out any procurement in relation to the Program, but will be under no obligation to do so
- take such other action as it considers in its absolute discretion appropriate in relation

to the EOI process or the overall procurement process for the Program.

The Department is not required to provide Proponents with any reason for any actions or decisions it may take, including in respect of the matters listed in clause 1.

No party will have any claim against the Department, any of its authorities or agencies, or their respective officers, employees, agents or advisors with respect to the exercise, or failure to exercise, any such right.

2 Personal Information

Personal Information provided by Proponents may, in the course of and for the purposes of evaluation, be used by or disclosed to any Department of the State of Queensland, including the Department, its Ministers, or any of their representative officers, employees, advisers, contractors or agents relevant to the Program.

"**Personal Information**" is information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

3 Publicity

Unless otherwise required by law, Proponents shall not make or issue any publicity statements or disclosures in relation to their involvement with the Program unless the written consent of the Department has first been obtained.

4 Costs to be Borne by Proponents

Neither the State, its Ministers, nor any of their respective officers, employees, advisers, contractors or agents shall be responsible for, or pay or reimburse, any costs, expense or loss which may be incurred by any Proponent:

- in the preparation of its Response, attending any meetings, providing any further information or clarification;
- in reviewing, investigating, analysing or preparing any information in relation to the EOI process;
- in connection with its participation in the EOI process; or
- as a result of any modification or termination of the EOI process.

5 Disclaimer

This document and any information that accompanies it have been prepared to give potential Proponents background information in relation to the Program. This document does not, and does not purport to, comprehensively describe the scope of the Program.

The Department makes no warranty or representation (express or implied), and does not assume any duty of care to Proponents that the information in this EOI or any other Disclosed Information is current, accurate, adequate, suitable, reliable or complete, or that the information has been independently verified, and the Department accepts no responsibility for interpretations, opinions or conclusions formed by the Proponents.

The Department does not accept any responsibility or liability arising from negligence or otherwise for any reliance placed on any written or oral communications transmitted to as Proponent in the course of the EOI process. The Department will have no responsibility to inform any recipient of this document of any matter or information in its knowledge or possession which may be relevant to the Program or EOI process or affect any other matter or information contained or referred to in this EOI.

Recipients of this document acknowledge that they will make their own independent assessments and investigations of the information contained or referred to in this document and their own appraisal of the opportunity to participate in the Program.

This EOI and all statements and information made in relation to it reflects the Department's current intention only. The information and intentions set out in this EOI may change at any time without notice. The risk, responsibility and liability connected with a EOI Response is solely that of each Proponent.

"**Disclosed Information**" means this document and any other document, data or information in any medium which is at any time:

- issued or made available by or on behalf of the Department to potential Proponents or Proponents for or in connection with the EOI or the Program, or
- is referred to or incorporated by reference in any such document, data or information.

6 Ownership of Responses

Subject to this clause 6, all EOI Responses will become the property of the Department on lodgement.

If a Proponent considers some information it proposes to submit to be confidential and of commercial value and utility in the market place it must approach the Department in writing prior to lodging a EOI Response about information that the Proponent considers to be of this nature. On receiving a request from a Proponent, the Department, in consultation with the Probity Advisor, will (in its absolute discretion) consider, determine and notify the Proponent in writing regarding whether or not the Department will treat the relevant information as confidential and of a commercial value and utility in the market place. If the Department agrees with the Proponent that any submitted information has such character, it will not make such information publicly available (unless required by law or policy to disclose such information).

Any intellectual property rights that may exist in a EOI Response are retained by the Proponent. Any element of a EOI Response considered to carry any intellectual property rights should be clearly identified by the Proponent. Where the Department, in its sole discretion, determines that such elements are subject to such a right, the Department will treat that element accordingly.

By lodging a EOI Response, the Proponent grants a non-exclusive, fully paid up and royalty-free, perpetual, irrevocable, transferable licence (with the right to sub-licence) to the Department to use, copy, adapt, modify, disclose or do anything else desirable or necessary at the Department's absolute discretion, to all material (including material that contains any intellectual property rights of the Proponent or any other person) contained in a EOI Response, for the purposes of evaluating and clarifying that EOI Response and do all things necessarily associated with the EOI process and the finalising of arrangements for the Program.

7 Canvassing

Proponents must not contact any members, or employees or officers of the Department (including their advisors) with a view to providing or obtaining information in respect of any part of the Program, the EOI process or their EOI Response, or attempt to support or enhance their prospect of being selected as a Shortlisted EOI Proponent other than as expressly permitted by this EOI. At the sole

discretion of the Department, any unauthorised communication or attempted approach by a Proponent may lead to the Proponent's exclusion from the EOI process.

8 Collusion

Proponents including their officers, employees, agents and advisors must not engage in any collusive tendering, anti-competitive conduct or any other similar conduct with any other Proponent or any other person in relation to the preparation or lodgement of a EOI Response. Evidence of such conduct may lead to the rejection of the EOI Response of all Proponents involved.

9 Confidentiality

By accepting the EOI, each Proponent acknowledges and agrees that:

- the EOI may contain Confidential Information;
- by providing the EOI to the Proponent, the Department did not convey any proprietary or other interest to the Proponent; and
- the Department reserves the right to make all or part of the Confidential Information available to the public.

By accepting the EOI, the Proponent, undertakes for the benefit of the Department that it:

- must keep the Confidential Information secure and protected so that no unauthorised person is able to gain access to it;
- must not, and must ensure that its officers, employees, agents and sub-contractors do not, use or disclose, or cause or permit the disclosure of, any Confidential Information, except as permitted under the EOI or by the Department;
- must only use the Confidential Information for the purposes of submitting a Response in respect of the EOI;
- must promptly notify the Department if the Proponent wishes to retain a copy of any documents and/or records containing Confidential Information for the purposes of the Proponent's own reasonable internal credit, risk, insurance, legal and professional responsibilities and the Proponent must identify the documents and/or records and the reasons for the request for retention. Any consent granted

- by the Department may require the Proponent to return the copies of the documents and/or records to the Department at the end of a specified period of time; and
- if requested by the Department, will immediately return to the Department, or destroy or delete as the Department directs, all original Confidential Information and copies together with any other documents which reproduce, are based on, utilise or relate to Confidential Information (except to the extent a Proponent is required to retain such Confidential Information by law). If the Department does not make such a request, the Proponent must destroy each copy of those documents.
 - The Proponent may only disclose the Confidential Information:
 - to its officers, employees and professional advisors for the sole purpose of preparing and submitting a Response, provided that any such disclosure is on the basis that the recipient agrees in writing to be bound by the terms of this undertaking, in respect of the Program.
 - if required by any applicable law or requirement of any public authority, provided the Proponent provides the Department with prior notice of the disclosure, and using reasonable endeavours, agrees with the Department the form and extent of the disclosure; and
 - if otherwise permitted by the Department in writing.

“Confidential Information” means:

Information of, or supplied by, the Department, that is:

- by its nature confidential
- designated as confidential.
- or
- the Proponent knows or ought to know is confidential, and includes information:
 - comprised in or relating to any intellectual property rights of the Department,
 - concerning the internal management and structure, personnel, processes and policies, commercial operations, financial arrangements or affairs of the Department,
 - that is of actual or potential commercial value to the Department, and

- relating to the clients or suppliers of the Department, but does not include information that:
 - was already in the possession of the Proponent and not subject to an obligation of confidentiality, is lawfully received from a third party or independently developed by the Proponent, or
 - is public knowledge other than through a breach of an obligation of confidentiality.

10 Privacy

Proponents must comply with those parts of the *Information Privacy Act 2009* (QLD) which are applicable to the Department in relation to the discharge of Proponents’ obligations in relation to the EOI process, as if the Proponent was the State.

Proponents must:

- ensure that the personal information is protected against loss and against unauthorised access, use, modification, disclosure or other misuse,
- not use personal information other than for the purposes of the EOI process and performance of the Proponent’s obligations under the EOI, unless required or authorised by law,
- not disclose personal information without the consent of the Department, unless required or authorised by law,
- not transfer personal information outside of Australia without the consent of the Department,
- ensure that access to personal information is restricted to those of its employees and officers who require access in order to perform their duties under the EOI in relation to the EOI process
- ensure that its officers and employees do not access, use or disclose personal information other than in the performance of their duties under the EOI and in relation to the EOI process
- ensure that its agents and sub-contractors who have access to personal information comply with these obligations
- fully co-operate with the Department to enable it to respond to applications for access to, or amendment of a document containing an individual’s personal information and to privacy complaints

- comply with such other privacy and security measures as the Department reasonably advises the Proponent in writing from time to time.

The Proponent must immediately notify the Department on becoming aware of any breach of its obligations in relation to personal information.

11 Right to information

The Right to Information Act 2009 (RTI Act) provides members of the public with a legally enforceable right to access documents held by Queensland Government agencies. The RTI Act requires that documents be disclosed upon request, unless the documents are exempt or on balance, disclosure is contrary to the public interest. Information provided to the Department by a Proponent through the EOI process is potentially subject to disclosure to third parties.

12 Conflict of Interest

Any party with a real or perceived Conflict of Interest must declare that interest to the Department as soon as the conflict is identified.

The Department reserves the right, in its absolute discretion, at any stage to:

- place conditions on the further participation of any Proponent that has a Conflict of Interest;
- exclude any Proponent that has a Conflict of Interest from participation in the EOI or any further procurement; and
- undertake investigations to satisfy itself that there are no conflicts of interest which may preclude a Proponent from participating in the Program.

"Conflict of Interest" means having an interest (whether personal, financial or otherwise) which conflicts or may reasonably be perceived as conflicting with the ability of the Proponent to fairly and objectively participate in the Program.

13 The Department may rely on Information in EOI Responses

By submitting a EOI Response, the Proponent:

- warrants to the Department that the information contained in its EOI Response is accurate and complete as at the date on which it is submitted and not misleading

(including by omission of information) and may be relied on by the Department in evaluating the EOI Response and determining whether or not to shortlist the Proponent

- warrants for the benefit of the Department that it has all the necessary experience, skill and resources to perform and carry out its obligations in accordance with the EOI
- undertakes to promptly advise the Department if it becomes aware of any change in circumstances which causes the information contained in its EOI Response or subsequent information provided to the Department, to become inaccurate or incomplete in a material respect
- warrants that it has the authority and rights to grant the Department a licence in respect of clause 0
- acknowledges that the Department will rely on the above warranty and undertaking when evaluating their EOI Response.
- acknowledges that the Department may elect to remove a Proponent from the procurement process for the Program as a result of material changes to the information presented in its EOI Response
- acknowledges that any shortlisting does not mean that the Department is satisfied as to the information provided by the Proponent and that such information may need to be resubmitted and may be evaluated again in later stages of the procurement process for the Program
- acknowledges that the Department may suffer loss or damage if the Proponent breaches the above warranty and undertaking.

14 No Legal Relationship

The information in this document has been compiled on behalf of the Department for the guidance of parties interested in participating in the EOI process for the Program. The EOI documents or communications do not constitute an offer or an invitation to make an offer in relation to participation in the Program and does not indicate an intention by the Department to enter into any form of relationship (legal or equitable) with any party receiving it.

15 Not exhaustive

This EOI and any information that accompanies it has been prepared to give potential Proponents background information in relation to the Program.

This EOI does not, and does not purport to, comprehensively describe the scope of the Program or contain all of the information that Proponents and their advisors would desire or require in reaching decisions in relation to whether or not to submit an EOI. Proponents must form their own views as to what information is relevant to such decisions.

16 No Appeal

Proponents will not have a right to appeal to the Department against any decisions arising from the processes involved in this Program, whether during the EOI process or in later processes or procurement stages.

17 Addenda

The Department may issue addenda to this EOI or any other part of the EOI by issuing a notice in writing identifying the addenda as being under this section. Addenda may modify or clarify the EOI in any manner and all such addenda shall become part of the EOI. No explanation or interpretation of the EOI may be relied upon by the Proponent as an amendment to the EOI unless given in the form of addenda.

18 Acceptance of Conditions

Proponents are required in their EOI Response to explicitly acknowledge and accept each of the terms and conditions of this EOI. By lodging a EOI Response in accordance with this EOI, Proponents acknowledge their acceptance of the terms and conditions of this EOI.