

Request for Expressions of Interest

For the provision of

Working Title: *ARI Web* An Online Resource Guide for Artist Run Initiatives.

Issue Date: 31 March 2010

Closing time: 2pm Wednesday 28 April 2010

Lodgement Address:
The Finance Officer
Australia Council for the Arts
372 Elizabeth St
Surry Hills NSW 2010

PO Box 788
Surry Hills NSW 2012

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Schedule 1 Expression of Interest

Project Overview

An Artist Run Initiative (ARI) is a collective or space run by artists to present their own and other artist's work. ARIs might approximate a traditional art gallery or performance space in appearance or function, or may take a markedly different approach, limited only by the artist's understanding of the term.

There are over 100 active ARIs across Australia, working in a number of models including commercial, site specific and pop up, and acting as incubators for the next generation of arts practitioners.

Resource information for ARIs is spread across a number of locations. This project intends to generate an ARI portal, in the form of a web presence, which links all available ARI resources and networks together.

The Australia Council's Market Development division is seeking **creative, sustainable and inventive** Expressions of Interest from organisations, individuals, partnerships or groups, outlining how they would:

develop, design and deliver *ARI Web* – An Online Resource Guide for Artist Run Initiatives.

Project Goals

- Young and emerging artists are provided with the resources to assist them in the creation and maintenance of a successful ARI.
- A web presence is produced, linking existing ARI resources and networks in a clear and accessible format.
- The number of successful ARIs is increased as a result of the information and advice provided.
- Relationships are developed between emerging artists, directors/curators, presenting venues/spaces, arts organisations, local government and funding bodies.

Project Objectives

- Develop relationships with artists, ARIs, arts organisations, local government and funding bodies.
- Research, source and audit current ARI resources.
- Develop, design and deliver *ARI Web*.
- Implement a communications plan around *ARI Web*.

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Schedule 2 Proposed Requirements

Respondents are required to outline, in the form of a project plan, how they would address the following:

Develop relationships with artists, ARIs, arts organisations, local government and funding bodies.

This includes:

- consult with relevant ARIs, arts organisations, local government and funding bodies
- source permissions to link to relevant ARI information online and in print.

Research, source and audit current ARI resources

These include:

- ARI models
- ARI networks
- curation and programming
- agreements with artists
- venue and leasing requirements
- management structures
- business and marketing plans
- legal and financial advice
- funding and sponsorship.

Develop, design and deliver *ARI Web* presence

This includes:

- design web presence
- develop editorial aspects for web presence
- integrate social networking devices, such as widgets, RSS feeds, webring or smart phone capabilities
- manage all technical aspects of web presence
- suggested plan for ongoing sustainability of web presence.

Implement a communications plan around *ARI Web*.

This includes:

- develop a plan on how the key users will be able to communicate
- facilitate communications via linked ARIs, art organisations, local government and funding bodies
- plan online communications via email databases and social networking sites.

Respondents are required to provide a budget, timeline and address the Australia Council evaluation and reporting requirements (below) within in the project plan:

Budget

The Australia Council will provide a one off fee of \$50,000 for the development and delivery of *ARI Web* – An Online Resource Guide for Artist Run Initiatives.

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Timeline

The proposed timeline will be negotiated with successful respondent.

Reporting/Evaluation

The timing of a report will be negotiated with successful respondent.

A report will include and is not limited to:

- effective statistical tracking
- evaluation of the site's usability, relevance and effectiveness
- evaluation against Australia Council for the Arts key performance indicators including:
 - ARI web presence delivered within agreed timeline
 - number of organisations, resources and ARIs linked to *ARI Web*
 - number of hits to *ARI Web* measured.
 - user feedback.

Australia Council Assistance

The Australia Council will provide links and permissions to relevant ARI resource information housed within the Australia Council's Research Hub (for example *H2W2 – Where To Get Help – How To Do An Arts Project – Australia Council – 2005*) and the Visual Arts Board's ARI listings.

Australia Council will provide a dedicated link to the *ARI Web* on Council's Research Hub.

The Australia Council will promote the finished *ARI Web* via relevant channels, programs and databases.

Schedule 3

Project Background

The Australia Council for the Arts is the Australian Government's arts funding and advisory body.

It enriches the lives of Australians and their communities by supporting the creation and enjoyment of the arts.

The Australia Council cultivates the nation's creativity by investing in artists and arts organisations working in Aboriginal and Torres Strait Islander arts, community partnerships, dance, literature, music, theatre, visual arts and multi-artform practices.

Our vision is to enrich our nation by supporting and promoting the practice and enjoyment of the arts

The Australia Council:

- invests in the creativity of the nation's artists and opportunities for all Australians to enjoy their work
- supports Australian artists and arts organisations through funding programs
- builds the capacity of the arts sector by providing advice and operational resources
- researches the arts and culture to underpin our programs and the development of arts policy
- develops cultural policy and advises governments on issues relating to the arts
- facilitates partnerships between artists, governments and business that build a stronger arts sector
- promotes the value of the arts and helps build new audiences at home and overseas

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- advocates to governments and the community to increase the role of the arts in the lives of Australians.

The focus of our current business plan is a set of five strategic priorities:

- Artists Careers
- Audience Access and Participation
- Business and philanthropic involvement in the arts
- Increased support for the arts
- Arts content for the digital era

For more information visit <http://www.australiacouncil.gov.au/>

Artist Run Initiatives – (ARI Web) is a project under the Young and Emerging Artists (YEA) Initiative 2008 – 2012. YEA is a Government initiative reflecting its ongoing commitment to develop a sustainable and vibrant arts sector by supporting activities that build the skills and experience of young and emerging artists.

The *ARI Web – An Online Resource Guide* project addresses the Council's strategic priority of **Artist careers** since it aims to develop the professional skills and networks of young and emerging artists and increase exposure of young and emerging artists' work, improving opportunities for employment and maximising potential for revenue from artistic activity.

The *ARI Web* will contribute to the Australia Council's Research Hub, a valuable source of information for young and emerging artists, and continue to build the national reputation and impact of the Australia Council as a knowledge centre for the arts.

Schedule 4 Conditions for participation

The Conditions for Participation applicable are that the:

- (a) respondent (or any of its proposed subcontractors) must have relevant prior experience in the provision of the type of services described in this EOI
- (b) respondent (or any of its proposed subcontractors) must not be bankrupt or insolvent
- (c) the onus rests with the Respondent to demonstrate compliance with the Conditions of this EOI.

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1 Introduction

1.1 Summary

By this Request for Expressions of Interest (**EOI**), the Australia Council is seeking submissions from potential suppliers for the provision of

(the “**Service**”), as outlined in **Schedule 1 (Proposed Requirement)**.

1.2 Issue of EOI

Following evaluation of submissions in response to this EOI, the Australia Council may:

- (a) issue an open Tender following consideration of submissions in response to this EOI; or
- (b) develop a shortlist of suppliers from respondents to this EOI and issue a limited tender to those short-listed persons only; or
- (c) invite those short-listed persons to deliver a presentation to demonstrate how the Proposed Requirement will be successfully implemented and delivered.

1.3 Timetable

An indicative timetable for the conduct of this EOI process is described below.

This timetable may be amended by the Australia Council from time to time. Any amendments will be notified to all Respondents by being published on the Australia Council’s website at <http://www.australiacouncil.gov.au>

- Issue of EOI – 31 March 2010
- Closing date for submissions – 2pm 28 April 2010

1.4 Further information and enquiries

Any questions arising during this EOI process, or requests for clarification or further information, must be made in writing to:

Summa Durie
Project Coordinator
Market Development

Phone: (02) 9215 9042

Email: s.durie@australiacouncil.gov.au

The Australia Council may provide the answer to any query from a Respondent to all other Respondents without disclosing the source of the query, including (without limitation) by publishing the answer on the Australia Council website.

Without limitation, Respondents should expect that answers to queries that provide additional substantive information will be provided to all other Respondents.

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1.6 Notice of changes to this EOI

The Australia Council may amend this EOI from time to time.

The Australia Council will notify known Respondents of any amendments to this EOI, and post the relevant amendment on the Australia Council website.

2 Lodgement of submissions

2.1 Lodgement address

Submissions must be:

- (a) in a sealed plain envelope, marked with "Tender-in-Confidence", the EOI title and Closing Time; and
- (b) lodged by post or hand delivered to:

The Finance Officer
Australia Council for the Arts
372 Elizabeth St
Surry Hills NSW 2010

PO Box 788
Surry Hills NSW 2012

- (c) emailed to tenders@australiacouncil.gov.au

Faxed submissions **will not** be accepted.

2.2 Closing time

The deadline for lodgement of submissions is 2pm Wednesday 28 April 2010.

2.3 Late submissions

The Australia Council will not consider a submission received after the Closing Time. However, the Australia Council will not penalise a Respondent for a delay due solely to mishandling by the Australia Council.

2.4 Copies of submissions

The original is to be lodged in either single-sided A4 loose leaf format or electronically via email.

2.5 Corrections and additions

If a Respondent becomes aware of an error or omission in its submission and wishes to lodge a correction or additional information, the material must be lodged with the Australia Council in writing at the Lodgement Address, before the Closing Time. The Australia Council is not obliged to consider a correction or additional information received after the Closing Time.

2.6 Ownership of submissions

All submissions become the property of the Australia Council once lodged. The Australia Council may copy, amend, extract or otherwise deal with all or any part of a submission for the purpose of conducting the EOI process and related procurement processes.

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The Australia Council reserves the right to disclose the contents of all submissions for the purpose of:

- (a) conducting the EOI process and related procurement processes; or
- (b) as otherwise required to any Commonwealth department, agency, authority, Minister, the Parliament or any Parliamentary officer or committee, for the proper performance of their statutory or governmental responsibilities.

3 Requirements for Submissions

3.1 Format and content

Submissions must be structured as shown in **Schedule 2 (Proposed Requirements)**, and provide the information indicated in that Schedule. Respondents may use the electronic version of this EOI document available from the Australia Council website to prepare their submission by completing the relevant sections in that document, or prepare their own separate document that satisfies the requirements of **Schedule 2 (Proposed Requirements)**.

Respondents may only use this EOI document (including without limitation its format and structure and any electronic version of the document) for the purpose of preparing a response to this EOI.

3.2 Conditions for Participation

Submissions must address the conditions for participation specified in **Schedule 4 (Conditions for Participation)**.

4 Participation in the EOI process

4.1 Acknowledgment and disclaimer

The Australia Council, its officers, employees, advisors and agents:

- (a) make no express or implied representation or warranty as to the currency, reliability or completeness of the information contained in this EOI;
- (b) make no express or implied representation or warranty that any estimate or forecast will be achieved or that any statement as to future matters will prove correct; and
- (c) to the extent permitted by law, expressly disclaim all liability arising from information contained in or omitted from this EOI or otherwise provided to a Respondent.

It is the responsibility of Respondents to obtain all information necessary or convenient for the preparation of their submissions. In lodging a submission, each Respondent acknowledges that it has not relied on any express or implied statement, representation or warranty as to the truth, accuracy or completeness of the information contained in this EOI, or otherwise provided to a Respondent by the Australia Council.

4.2 Respondent's costs

All expenses and costs incurred by a Respondent in connection with this EOI, including (without limitation) preparing and lodging a submission, providing the Australia Council with further information, attending interviews and participating in any subsequent negotiations, are the sole responsibility of the Respondent.

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4.3 No contract

Nothing in this EOI should be construed to give rise to any contractual obligations or rights, express or implied, by the issue of this EOI or the lodgement of a submission in response to it. No contract will be created until a formal written contract is executed between the Australia Council and a Respondent.

4.4 Limited liability

By lodging a submission in response to this EOI, each Respondent agrees to limit any damages to which they might otherwise be entitled in connection with the EOI process to the reasonable costs incurred by the Respondent in preparing their submission.

4.5 The Australia Council's rights

Notwithstanding any other provision of this EOI, the Australia Council reserves the right, at any time to:

- (a) alter, amend or vary this EOI and the process outlined in this EOI
- (b) if the Australia Council considers that it is in the public interest to do so, suspend or terminate this EOI process or any part of it
- (c) require additional information or clarification from any Respondent or anyone else, or provide additional information or clarification to any Respondent or anyone else
- (d) negotiate or not negotiate with any one or more Respondent, and discontinue negotiations at any time
- (e) allow, or not allow, the successful Respondent to enter into the proposed contract in the name of a different legal entity from that which provided a response to this EOI
- (f) select and negotiate with more than one Respondent
- (g) add to, alter, delete or exclude any of the requirements to be provided by the preferred Respondent under this EOI.

For the avoidance of doubt, the Australia Council may exercise its rights under this clause and elsewhere in this EOI at any time and in its absolute discretion, unless this EOI expressly provides otherwise.

4.6 False or misleading claims

If a Respondent is found to have made false or misleading claims or statements or obtains improper assistance, the Australia Council may reject that Respondent's submission from any further consideration. Respondents should be aware that giving false or misleading information to the Commonwealth is a serious offence under the *Criminal Code Act 1995*.

4.7 Unlawful inducements

Respondents and their officers, employees, agents and advisors must not violate any applicable laws or Australia Council policies in relation to unlawful inducements in connection with the preparation or lodgement of their submission and the EOI process.

4.8 Collusive tendering

Respondents and their officers, employees, agents and advisors must not engage in any collusive tendering, anti-competitive conduct or any other similar conduct with any other Respondent or person in relation to the preparation or lodgement of their submission or the EOI process.

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5 Commonwealth Policy Requirements

5.1 Freedom of Information

Respondents should note the operation of the *Freedom of Information Act 1982* which gives members of the public the right of access to documents in the possession of the Commonwealth and its agencies.

Respondents should obtain their own independent professional advice on the impact of this Act on their participation in the EOI process.

5.2 Privacy

The Australia Council is obliged to protect personal information in accordance with the Information Privacy Principles in the *Privacy Act 1988 (Privacy Act)*. The Australia Council reserves the right at any time not to disclose any information that is subject to, or that the Australia Council reasonably believes could be subject to, protection under the Privacy Act.

Respondents must comply with applicable obligations under the private sector National Privacy Principles in the Privacy Act. If the Australia Council discloses any personal information to Respondents, they must also comply with the obligations under the Privacy Act, to which the Australia Council is subject, in relation to that information.

5.3 Workplace

All Respondents will be required to comply with the relevant provisions of applicable legislative requirements, awards and workplace arrangements, including without limitation:

- (a) workplace/industrial relations legislation;
- (b) occupational health and safety legislation;
- (c) workers compensation legislation; and
- (d) affirmative action legislation.

5.4 Auditor-General Act 1997

The attention of Respondents is drawn to the *Auditor-General Act 1997* which provides the Auditor-General and any authorised person with right, at all reasonable times, to access relevant information, documents and records. Respondents should obtain their own independent professional advice on the impact of this Act on their participation in this EOI process.

6 Assessment of Submissions

6.1 Assessment objective

The Australia Council will assess submissions to identify Respondents who are interested in, and capable of, providing the Australia Council's proposed requirement. After assessment of submissions, the Australia Council may decide to issue a request for tender for the Australia Council's requirement in accordance with clause 1.2 of this EOI.

6.2 Initial assessment

Each submission lodged with the Australia Council in response to this EOI will be initially assessed to ensure that:

- (a) the submission has been submitted by the Closing Time (or the Australia Council has accepted the submission as a late submission in accordance with clause 2.3 of this EOI);

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- (b) at the time of opening, the submission meets the minimum format and content requirements specified in this EOI, and includes all required information, statements, certifications and declarations; and
- (c) the submission satisfies the Conditions for Participation (if any) in Schedule 2.

6.3 Rejection after initial assessment

If the Australia Council does not consider that the submission satisfies the initial assessment requirements in clause 6.2, the Australia Council will:

- (a) not consider the submission any further and reject the Respondent from further participation in the EOI process;
- (b) promptly notify the Respondent that it has been rejected from participating in the EOI process on the basis of the initial assessment of its submission; and
- (c) provide a written explanation for rejection to the Respondent, on request.

6.4 Evaluation criteria

The Australia Council will assess submissions that have satisfied the initial assessment under clause 6.2 against the following evaluation criteria. These criteria are not in any order of importance unless otherwise indicated:

- technical – 10%
- functional – 10%
- operational – 10%
- cost – 10%
- performance requirements – 20%
- past performance of similar projects – 15%
- demonstrated experience, qualifications and skill of key personnel – 15%
- compliance with the EOI – 5%
- compliance with provisions of the contract – 5%.

The content for this evaluation section will depend on the approach to be used for the issue of an EOI (see clause 1.2).

6.5 Unsuccessful Respondents

If the Australia Council rejects a Respondent's application to participate in the procurement under this EOI, the Australia Council will notify the Respondent and provide a written explanation for the rejection on request.

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7 Respondent Details

7.1 Respondent

Name: (full legal name)

ABN:

Is the Respondent a small to medium enterprise (S/ME)?

7.2 Contact person

Name:

Position:

Address:

Telephone:

Fax:

Email:

After lodgement of a submission, Respondents must promptly notify the Australia Council of any changes to this information.

7.3 Conflict of Interest

Respondents must include in their submission details of likely conflicts of interest if selected to provide the Australia Council's proposed requirement.

7.4 Response to Conditions for Participation

Respondents must set out their response to the specific requirements in the Conditions for Participation.

7.5 Response to Proposed Requirement

Respondents must set out their response to the specific requirements in the Proposed Requirement.

7.6 Authorisation

SIGNED by

.....
as authorised representative for the
Respondent in the presence of:

.....
Signature of witness

.....
Name of witness (block letters)

.....
By executing this agreement the
signatory warrants that the signatory
is duly authorised to register interest
on behalf of the Respondent.