



TOWN OF  
VICTORIA PARK



REQUEST FOR PROPOSALS  
FOR LEASE

Aqualife Office  
42 Somerset Street  
East Victoria Park

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**WE'RE OPEN**  
**VIC PARK**

## **PART 1 – BRIEF**

### **1.1 Introduction**

The Town of Victoria Park (the Town) is inviting Expressions of Interest to lease an office suite within the Aqualife Centre at 42 Somerset Street, East Victoria Park (the Property).

The Town is seeking a Request for Proposal from businesses, service providers, residents, community or sporting organisations and not-for-profit associations to lease an area within Aqualife Centre, 42 Somerset Street. East Victoria Park.

This document has been prepared to provide prospective applicants with the following relevant information:

- Part 1 - Brief (read and keep this part)
- Part 2 - Conditions of Responding (read and keep this part); and
- Part 3 - Respondent's proposal (complete and return this part)

### **1.2 Background**

The Council resolved to advertise by public notice to invite expressions of interest for the disposal of an office suite within the Aqualife Aquatic Centre at 42 Somerset Street, East Victoria Park by lease.

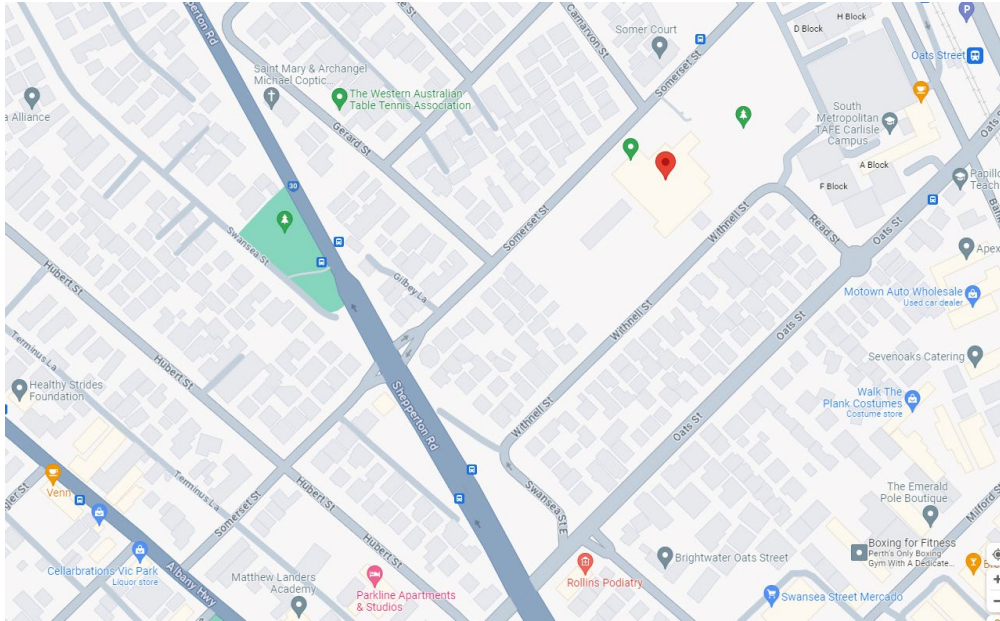
Applications will be assessed against selection criteria including a requirement for the successful applicant to ensure their operation/proposal will complement the services provided by the Town at the Aqualife Aquatic Centre.

### **1.3 Location**

The Property is located within the locality of East Victoria Park, which is an area planned for high population growth.

Situated approximately 4kms south east of the Perth CBD, with Shepperton Road being the major thoroughfare serving the area connecting through to the city via the Causeway Bridge, 42 Somerset Street is close to many major transport links.

The property is also within close proximity to the Albany Highway commercial strip and benefits from the ability to access all major services including retail commercial facilities, recreational facilities and educational facilities such as Curtin University.



### 1.4 The Space

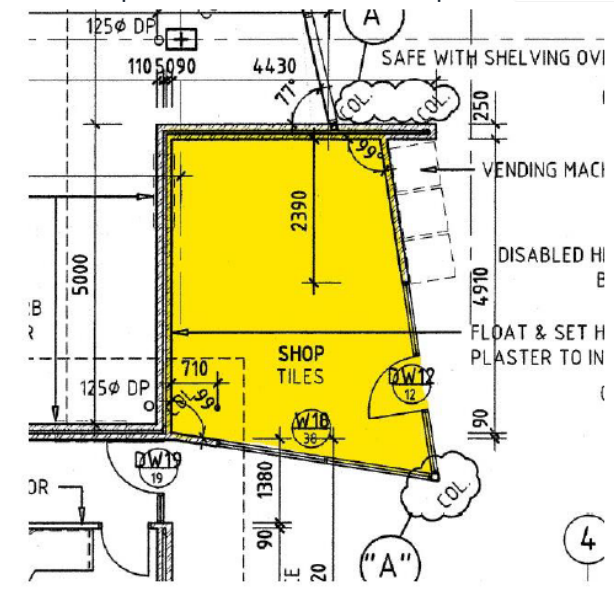
The Property available for disposal by lease is a 25m<sup>2</sup> office suite located within the main lobby of the Aqualife Centre adjacent to the main entrance and reception area.

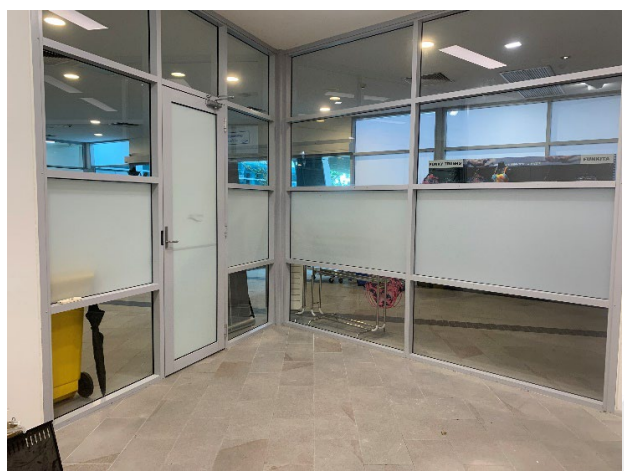
The subject tenancy is gains entry off the lobby via an aluminum framed and glazed entry and has a full height aluminum shop front gaining exposure to patrons visiting the Aquatic Centre.

The suite has a tiled floor, plastered walls and suspended acoustic ceiling, and fitted with a split airconditioning unit.

There is a vanity with sink and tap within the room with a working tap.

Non-exclusive parking is available for patrons onsite via the Aquatic Centre car park.





### 1.5 Permitted use

The Property is within a Local Scheme Reserve for Parks and Recreation purposes. A use that is within the definition of 'community purpose' under Town Planning Scheme No. 1 can be considered.

Town Planning Scheme No. 1 defines 'community purpose' as "means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit".

### 1.6 Tenant Fit-Out

The Property will be leased "as is" to the approved applicant and the applicant will be fully responsible for all fit-out works, obtaining approvals and licences.

### 1.7 Proposed Use of the Property

Applicants should provide detail of the proposed business or operation, including supporting information, sufficient for the Town to evaluate the proposal.

Applicants are requested to demonstrate an approach that aligns with the following principles:

- Finances are managed appropriately, sustainably and transparently for the benefit of the community.
- A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.
- A clean, safe and accessible place to visit.
- Appropriate and sustainable facilities for everyone that are well built, well maintained and well managed.
- A healthy community.

### **1.8 Lease Agreements**

Following evaluation of Submissions received in line with this document the Town will seek to enter discussions with the successful applicant with the aim of negotiating and entering into a lease.

Applicants should state in their Submissions whether they are seeking any incentives from the Town, however, please note that monetary or cash incentives will not be considered.

In addition to commercial terms, the Lease Agreement document may address issues such as:

- Responsibility for fit-out, including Principal's requirements and criteria for evaluation of fit-out plans;
- Treatment of common areas;
- Statutory and other requirements;
- Assignment, sub-letting and charging; and
- End of lease obligations, including in relation to removal of fit-out.

### **1.9 Lease Terms**

Lease terms may be for a period of up to 5 years and will be subject to the standard tenure guidelines contained within Council Policy 310 – Leasing.

The Tenant will have exclusive possession of the allocated premises and be responsible for all non-structural and preventative maintenance.

Operating hours are in line with the Aqualife Centre opening days and hours.

The lease is to be structured on a net lease basis, with all outgoings being separately payable by the Tenant in addition to the rent. The building and common areas are maintained but the lessor and costs associated with this are born by the tenant and considered outgoings which include but are not limited to:

- Refuse collection.
- Utilities and services.
- Maintenance, repair and replacement.
- Cleaning.
- Insurances.
- Plumbing repairs
- Electrical repairs
- Fire servicing equipment.

- Mechanical services maintenance.
- Pest control.
- Gutter cleaning.
- Electrical compliance testing.
- Sewer pump and grease trapping services.
- Septic system servicing.

Outgoings for the year are estimated at \$3,900+GST excluding council rates. Calculated based on 0.5% share of the entire building's outgoings minus any structural or owner compliance costs (estimate is calculated using outgoings from financial year 2023)

The Lessee will be responsible for obtaining appropriate insurance (e.g., public liability insurance, contents insurance etc.)

The Lessee will be responsible for cleaning and the general presentation of the leased area.

The lease will be subject to a redevelopment clause.

## **PART 2 - CONDITIONS OF RESPONDING**

### **2.1 Request Documents**

This Request for Proposal is comprised of the following parts:

Part 1 - Brief (read and keep this part).

Part 2 - Conditions of Responding (read and keep this part).

Part 3 - Respondents Proposal.

### **2.2 How to prepare your proposal**

- a) Carefully read all parts of this document.
- b) Ensure you understand the Requirements.
- c) Complete and return the Respondents Proposal (Part 3) in all respect and include any supporting documentation.
- d) Make sure you have signed the proposal and respond to all of the Selection Criteria.
- e) Lodge your proposal before the deadline.

### **2.3 Contact Persons**

Applicants requiring further information should contact:

General Enquiries: Property Development and Leasing Team

Telephone: (08) 9311 8111

### **2.4 Evaluation Process**

Following close of the EOI, submissions will be evaluated by the Town's evaluation panel on your responses to the Selection Criteria.

The following evaluation methodology will be used in respect of this Request for Proposal:

- a) Proposals are checked for completeness and compliance. Proposals that do not contain all information requested e.g. completed respondents proposal

and attachments may be excluded from evaluation.

- b) Proposals are assessed against the Selection Criteria.
- c) The most suitable applicants may be short listed and may also be required to clarify their Proposal.
- d) Referees may also be contacted prior to the selection of the successful applicant.

## 2.5 Evaluation Criteria

Submissions will be evaluated according to the RFP's qualitative and compliance criteria. The Town is not bound to accept any of the submissions received. The Town reserves the right to in its discretion negotiate amendments and variations to any submission received from an individual applicant. Compliance Criteria

These criteria are detailed within Part 3 of this document and will not be point scored. Each proposal will be assessed on a yes-no basis as to whether the criteria have been satisfactorily met. An assessment of "No" against any criterion may eliminate the proposal from consideration.

All submissions for the leasing of one of the premises within Aqualife, 42 Somerset Street, East Victoria Park, will be subject to any necessary statutory building and planning approvals being obtained at the cost of the applicant.

Before responding to the following evaluation criteria, Applicants must note the following:

- a) All information relevant to your answers to each criterion are to be contained within your submission.
- b) Applicants are to assume that the Evaluation Panel has no previous knowledge of your organisation, its activities or experience.
- c) Applicants are to provide full details for any claims, statements or examples used to address the evaluation criteria.
- d) Applicants should ensure that they provide sufficient details in their submission to enable adequate evaluation by the Town against the Evaluation Criteria.

## 2.6 Qualitative Criteria

### A. Business Structure and Financial Position

Respondents should detail their business structure and use for the proposed lease or licence space, including a detailed business case (labelled "Business case"). The business case should address a minimum of the following:

#### 1. BUSINESS STRUCTURE

- a) Organisational background should include mission, purpose, and history.
- b) Current business structure (evidence of incorporations, NFP or charity).
- c) Outline how you believe your business will align with the Town's plans, policies, and strategies.
- d) Any commercial benefit outcomes intended to be achieved.
- e) Any community benefit outcomes intended to be achieved.

#### 2. FINANCIAL POSITION

- f) Provide latest audited financial statements.

d) Financial reference (bank manager or accountant).

### 3. INSURANCE / RISK MANAGEMENT

- g) Public Liability Insurances (no less than \$20M).
- h) Workers compensation insurance cover.
- i) Work Health and Safety considerations and compliance.

#### B. Detailed Lease or Licence Proposal

Provide a detailed lease or licence proposal (labelled "Lease or Licence Proposal") that address the following, at a minimum:

- a) Agreement Type
- b) Lessee details (registered business name, ABN etc)
- c) Any guarantor/s to be listed
- d) Term of Lease or Licence
  - i) Rent amount per month or per annum
  - ii) Rent Review method
  - iii) Security Deposit / Bank Guarantee

Outline your proposed use of the Lease or Licence area, to include:

- e) Estimated number of patrons you forecast to visit the service per month.
- f) Special conditions (requested by the applicant and clearly outlining any incentive requested, lesser contributions, licences required, etc.)
- g) The proposed use; and if relevant
- h) Compliance with the definition of Community Purpose under Town Planning Scheme No. 1

*"Community Purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit".*

#### C. Fit Out Concept Plans

Provide high level concept plans for the applicant's proposed fit out of the premises (labelled "Fit Out Concept Plans") outlining, at a minimum, how the proposed fit out:

Noting that the applicant will be responsible for any works and must follow all the applicable planning, building and environmental Health regulations.

- a) Caters for the proposed number and type of customer.
- b) Contributes to the overall look and feel of the premises and matches the concept for the proposed business
- c) Signage design and locations (both internal and external)
- d) Any additional relevant information

#### D. Relevant Experience

Describe your experience in conducting similar requirements:



- a) Demonstrated experience in managing, owning or operating a similar business (include details of the location).
- b) Demonstrate competency and a proven track record in establishing and maintaining a similar viable business.
- c) Provide a CV for the Applicant's key personnel who will be directly involved in the management and day-to-day operations of the business (including, skills, qualifications and relevant experience).
- d) Any additional information.

#### F. Referees

Provide contact details (including names, titles, telephone numbers, and/or email addresses) for a minimum of two (2) referees who can specifically attest to the applicant's experience in the operation of a similar or comparable business in the last 5 years.

In determining the most advantageous proposal, the Evaluation Panel will score each respondent against the qualitative criteria above and as detailed within Part 3 of this document.

### **2.7 Legislative and Compliance Requirements**

Leasing of the property will be subject to compliance with the *Local Government Act 1995* and Council's Statutory Process / Regulations. The Act states that:

#### **2.8 Local Government Act 1995**

Where Council proposes to enter into a new lease, it must comply with Section 3.58 of the *Local Government Act 1995* (the Act). Section 3.58 of the Act states that a local government can dispose of property (including by way of a lease) other than by way of public auction or public tender if, before agreeing to dispose of the property:

- a) it gives local public notice of the proposed disposition –
- b) describing the property concerned.
- c) giving details of the proposed disposition; and
- d) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than two (2) weeks after the notice is first given; and
- e) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the Council or a Committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

The following details must be included in the local Public Notice:

- the names of all other parties concerned.
- the consideration to be received by the local government for the disposition; and
- the market value of the disposition as ascertained by a valuation carried out not more than six (6) months before the proposed disposition.

### **2.9 Council Statutory Processes/ Regulations**

Where the Town proposes to lease property, an approval to lease is required to be granted by way of Council Resolution following the stages defined within this document. Council approval will be sought

following the Request for Proposal phase and any negotiations with suitable short-listed applicant(s). A development application may need to be submitted by the applicant to the Town's Approvals Business Unit for approval of use of the leased premises.



## PART 3 – RESPONDENTS PROPOSAL

### 3.1 Response Form

<b>ABN / ACN:</b>		
<b>Registered Name of Individual/Company/Organisation:</b>		
<b>Business/Trading Name:</b>		
<b>Postal Address:</b>		
<b>Street Address (if different to postal address):</b>		
<b>Contact</b>	<b>Name:</b>	
	<b>Telephone:</b>	
	<b>Email:</b>	

In relation to Request for Proposal, please indicate **which** of the lease areas you are applying for and nominate the dollar rate per square metre per annum that you would be prepared to pay as the successful Tenant.

Lease Area	Lease Rate (per square meter per annum)	Total \$ per annum

I/we agree that I am/we are bound by, and will comply with:

- This Request for Proposal and its associated attachments, all in accordance with the Conditions of Responding contained in this Request for Proposal signed and completed.
- All Proposals submitted will remain firm for a period of ninety (90) days from the closing date of submission of Quotation.
- The Respondent consents to any disclosures made as a result of the Town complying with its obligations under the Freedom of Information Act 1991, subject to any legally required consultation.

Dated this: \_\_\_\_\_ day of \_\_\_\_\_ 2023.

Signature of authorised signatory of Respondent: \_\_\_\_\_

Name of authorised signatory (BLOCK LETTERS): \_\_\_\_\_

Position: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Authorised signatory Postal Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

### 3.2 Compliance Criteria

Please select with a yes or no whether you have complied with the following Compliance criteria:

<b>Description of Compliance Criteria</b>	
Compliance with the Conditions or Responding contained in this Request for Proposal.	<b>YES/NO</b>
<b>Identification of Respondent</b>	
<b>Organisation Profile and Referees</b>	
Are you a business?	<b>YES/NO</b>
If yes, please include details of your ABN, Registered Entity Name, Contact Person's name and contact details inclusive of phone and email address. If companies are involved, attach a current ASIC company extract search including the latest annual return.	
Are you an organisation or incorporated body not otherwise defined as a business?	<b>YES/NO</b>
If yes, please include details of your Constitution/Rules of Association, Registered Entity Name, Contact Person's name and contact details inclusive of phone and email address (please include copies of relevant documentation):	
<b>Agents and Trusts</b>	
Are you acting as an agent for another party or as the trustee of a trust?	<b>YES/NO</b>
If yes, please provide: Agent details including name and address, the name of the trust and the names and addresses of beneficiaries.	
<b>Conflict of Interest</b>	
Will any actual or potential conflict of interest arise if you are awarded a lease or licence, or is any such conflict of interest likely to arise during the term of the lease or licence?	<b>YES/NO</b>
If yes, please provide details and the way in which any conflict will be dealt with.	
<b>Financial Details</b>	
Do you have the financial resources to meet the lease or licence obligations?	<b>YES/NO</b>
If yes, please provide a financial profile for your organisation and list financial referees.	
Are you presently able to pay all your debts in full as and when they fall due?	<b>YES/NO</b>
Are you currently involved in litigation?	<b>YES/NO</b>

### 3.3 Qualitative Criteria

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

- All information relevant to your answers to each criterion are to be contained within your Proposal.
- Respondents are to assume that the evaluation panel has no previous knowledge of your organisation, its activities or experience.
- Respondents are to provide full details for any claims, statements or examples used to address the qualitative criteria; and
- Respondents are to address each issue outlined within a Qualitative criterion.

Please address each of the Qualitative Criteria individually as a separate document.

Qualitative Assessment Criteria	Weighting
<b>A. Business Structure &amp; Financial Position</b>	
<p>Respondents should detail their business structure and use for the proposed lease or licence space including a detailed business case (labelled "Business Case"). The Business Case should address a minimum of the following:</p> <p>1. BUSINESS STRUCTURE</p> <p>a) Organisational background to include mission, purpose and history.  b) Current business structure (evidence of incorporations, NFP or charity)  c) Outline how you believe your business will align with the Town's plans, policies and strategies.  d) Any commercial benefit outcomes intended to be achieved  e) Any community benefit outcomes intended to be achieved</p> <p>2. FINANCIAL POSITION</p> <p>f) Provide latest audited financial statements  g) Financial reference (bank manager or accountant)</p> <p>3. INSURANCE / RISK MANAGEMENT</p> <p>h) Public Liability Insurances (no less than \$20M)  i) Workers compensation insurance cover  j) Work Health and Safety considerations and compliance.</p>	<p><b>35%</b></p>
<b>B. Detailed Lease Proposal</b>	
<p>Provide a detailed lease or licence proposal (labelled "Lease or Licence Proposal") that address the following, at a minimum:</p> <p>a) Agreement Type  b) Lessee details (registered business name, ABN etc)  c) Any guarantor/s to be listed  d) Term of Lease or Licence  i) Rent amount per month or per annum  ii) Rent Review method  iii) Security Deposit / Bank Guarantee</p> <p>Outline your proposed use of the Lease or Licence area, to include:</p>	<p><b>35%</b></p>

<ul style="list-style-type: none"> <li>e) Estimated number of patrons you forecast to visit the service per month.</li> <li>f) Special conditions (requested by the applicant and clearly outlining any incentive requested, lesser contributions, licences required, etc.)</li> <li>g) The proposed use; and if relevant</li> <li>h) Compliance with the definition of Community Purpose under Town Planning Scheme No. 1</li> </ul> <p><i>"Community Purpose means premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit".</i></p>	
<p><b>C. Fit out Concept Plans</b></p>	
<p>Provide high level concept plans for the Applicant's proposed fit out of the premises (Labelled "Fit Out Concept Plans") outlining at a minimum how the proposed fit out:</p> <p>Noting, the Applicant will be responsible for any works and will be required to comply with any applicable Planning, Building and Environmental Health requirements.</p> <ul style="list-style-type: none"> <li>a) Caters for the proposed number and type of customer.</li> <li>b) Contributes to the overall look and feel of the premises and matches the concept for the proposed business</li> <li>c) Signage design and locations (both internal and external)</li> <li>d) Any additional relevant information</li> </ul>	<p><b>10%</b></p>
<p><b>D. Relevant Experience</b></p>	
<p>Describe your experience in conducting similar Requirements:</p> <ul style="list-style-type: none"> <li>a) Demonstrated experience in managing, owning or operating a similar business (include details of the location)</li> <li>b) Demonstrate competency and proven track record in establishing and maintaining a similar viable business.</li> <li>c) Provide a CV for the Applicant's key personnel who will be directly involved in the management and day-to-day operations of the business (including, skills, qualifications and relevant experience).</li> <li>d) Any additional information.</li> </ul>	<p><b>20%</b></p>
<p><b>F. Referees</b></p>	
<p>Provide contact details (including names, titles, telephone numbers and/or email addresses) for a minimum of two (2) referees who can specifically attest to the applicants experience in the operation of similar or comparable business in the last 5 years.</p>	

## Definitions

Applicant:	A person/company who has or intends to submit a Submission in response to a Request for Proposal.
Attachments:	Any document/s provided separately by the Town for completion by the Applicant or for Additional Information purposes
Closing Date:	The latest date and time for lodgement of your Submission.
Evaluation Criteria:	The criteria used by the Town in evaluating your Submission as detailed in Part 2 of this document.
Town:	The Town of Victoria Park.
Request for Proposal (RFP):	This document.
Submission:	A completed proposal submitted by the applicant for consideration by the Town.

