



TOWN OF
VICTORIA PARK

REQUEST FOR PROPOSALS
FOR LEASE

Aqualife Café

42 Somerset Street
East Victoria Park



WE'RE OPEN
VIC PARK



1. PART 1 - BRIEF

1.1 Introduction

The Town of Victoria Park (the Town) is inviting Expressions of Interest to lease the Aqualife Café at 42 Somerset Street, East Victoria Park (the Property).

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

At the Ordinary Council Meeting held 12th April 2022, the Council resolved to advertise by public notice to invite expressions of interest for the disposal of Aqualife Café 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 east of the Perth CBD, with Shepperton Road being the major thoroughfare serving the area connecting through to the city via Graham Farmer Freeway, 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 such as the Park Shopping Centre, recreational facilities such as the Leisurelife Recreation Centre and educational facilities such as Curtin University.



1.4 The Opportunity

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

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.

1.4.1 The Space

The Property consists of a well equipped 60m² café facility with kitchen facilities and a servery onto the public seating area adjacent to the indoor pool area.

The subject tenancy is located behind the main reception area of the Aquatic Centre with access to restrooms and a non-exclusive alfresco area.

Parking for patrons is accommodated onsite via the Aquatic Centre car park.

1.4.2 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".

1.5 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.

1.5.1 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.

1.6 Lease Agreements

Following evaluation of Submissions received in line with this document and subject to Council approval, the Town will seek to enter into discussions 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.

1.6.1 Lease Terms

The Property is being offered for a term of up to 5 years by way of lease.

The Tenant will have exclusive possession of the property and be responsible for all non-structural and preventative maintenance including:

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

The Town's preference is for the lease to be structured on a net lease basis, with all outgoings being separately payable by the Tenant in addition to the rent. Outgoings include but are not limited to:

- Refuse collection;
- Rates, taxes and other statutory levies;
- Utilities and services;
- Maintenance, repair and replacement;
- Cleaning; and
- Insurances.

The lease will be subject to a redevelopment clause.

1.7 Attachments

Attachment 1 – Location Plan

Attachment 2 – Floor Plan Sketch

Attachment 3 – Policy 310 Leasing



Image 1 – Aqualife Café Pool Side



Image 2 – Aqualife Café Pool Side



Image 3 – Aqualife Café Cool Room



Image 4 – Aqualife Café (Internal)



Image 5 – Aqualife Café Seating Area



Image 6 - Aqualife Café Alfresco Seating Area (non-exclusive)

2. PART 2 - CONDITIONS OF RESPONDING

2.1 Request Documents

This Request for Proposal is comprised of the following parts:

- (a) Part 1 - Brief (read and keep this part).
- (b) Part 2 - Conditions of Responding (read and keep this part).
- (c) 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 respects 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 RFP, 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 assessed against both the compliance and qualitative criteria as set out in this RFP.

2.5.1 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 criterion is satisfactorily met. An assessment of “No” against any criterion may eliminate the Proposal from consideration.

All Submissions for the leasing or licensing of tenancy at 10 Kent Street East Victoria Park, will be subject to the necessary statutory building and planning approvals being obtained.

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; and
- d) Applicants should ensure that they provide sufficient details in their Submission to enable adequate evaluation by the Town against the Evaluation Criteria.

2. 5.2 Qualitative Criteria

A. Vision and Understanding

Applicants should detail their vision for the proposed Lease or Licence of the property including a detailed business case (labelled “Business Case”. The Business Case should address at a minimum the following:

- a) Current business structure and background of the company and/or local franchise.
- b) Outline your vision for the lease or area.
- c) Proposed offering and proposed hours of operation.

B. Detailed Lease or Licence Proposal

Provide a detailed lease or licence proposal (labelled “Lease or Licence Proposal”) which addresses, at a minimum, the Applicants proposed:

- a) Agreement type
- b) Term of Lease (both initial term and any further proposed term(s)).
- c) If the proposal relates to a lease, offered commencing rent (per annum) and rent reviews (please specify whether rent is Net or Gross).
- d) Special conditions (requested by the Applicant, clearly outlining any incentive requested, lessor contributions or licences required).
- e) Any Commercial benefit outcomes intended to be achieved.
- f) Any Community benefit outcomes intended to be achieved.

C. Fit Out Concept Plans

Provide high level concept plans for the Applicants proposed fit-out of the premises (labelled “Fit-Out Concept Plans”) outlining at a minimum how the proposed fit-out:

- a) Caters for the proposed number and type of customer.
- b) Contributes towards the overall look and feel of the premises and matches the concept for the proposed business offering;
- 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 proven track record in establishing and maintaining a similar viable business.
- c) Provide a CV for the applicants 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.

E. Financial Position

Provide latest audited financial statements.

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 applicants experience in the operation of 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.

2.6 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:

2.6.1 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. 6.2 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 following 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.



3. PART 3 – RESPONDENTS PROPOSAL

3.1 Response Form

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

In relation to Request for Proposal, please indicate which of the following lease or licence 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 |
|------------------------------------|---|--------------------|
| Lease Area – Café 60m ² | | |
| | | |

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 _____ 2022.

Signature of authorised signatory of Respondent: _____

Name of authorised signatory (BLOCK LETTERS): _____

Position: _____

Telephone Number: _____

Authorised signatory Postal Address: _____

Email Address: _____

3.2 Selection Criteria

3.2.1 Compliance Criteria

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

| Description of Compliance Criteria | |
|--|---------------|
| Compliance with the Conditions or Responding contained in this Request for Proposal. | YES/NO |

Please ensure that you have answered every question below.

| Identification of Respondent | |
|--|---------------|
| Organisation Profile and Referees | |
| Are you a business? | YES/NO |
| If yes, please include details of your ABN Number, 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? | YES/NO |
| 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): | |
| Agents and Trusts | |
| Are you acting as an agent for another party or as the trustee of a trust? | YES/NO |
| If yes, please provide: Agent details including name and address, the name of the trust and the names and addresses of beneficiaries. | |

| Conflict of Interest | |
|---|---------------|
| 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? | YES/NO |
| If yes, please provide details and the way in which any conflict will be dealt with. | |

| Financial Details | |
|---|---------------|
| Do you have the financial resources to meet the lease or licence obligations? | YES/NO |
| 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? | YES/NO |
| Are you currently involved in litigation? | YES/NO |

3. 2.2 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 Criteria | Weighting |
|---|------------|
| <p>A. Vision and Understanding</p> <p>Respondents should detail their vision 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> <ul style="list-style-type: none"> a) Current business structure and background.. b) Outline your vision for the lease or licence area. c) Proposed offering and proposed hours or operation. | 20% |
| <p>B. Detailed Lease Proposal</p> <p>Provide a detailed lease or licence proposal (labelled "Lease or Licence Proposal") which addresses, at a minimum the Applicants proposed:</p> <ul style="list-style-type: none"> a) Agreement type. b) Term of Lease or Licence (both initial term and any further proposed term(s)). c) If the proposal relates to a lease, offered commencing rent (per annum) and rent reviews (please specify whether rent is Net or Gross). d) Special conditions (requested by the Applicant, clearly outlining an incentive requested, lessor contributions or licences required). e) Any commercial benefit outcomes intended to be achieved. f) Any community benefit outcomes intended to be achieved. g) The proposed use and its compliance with the definition of Community Purpose under Town Planning Scheme No. 1: <p>"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".</p> h) Not for profit or charitable status. Consideration may also be given to an operator that does not have this status but has provided substantial evidence satisfactory to the Town of service provision that will provide significant community benefit. | 35% |
| <p>C. Fit Out Concept Plans</p> <p>Provide high level concept plans for the Applicants proposed fit-out of the premises (labelled "Fit-Out Concept Plans") outlining at a minimum how the proposed fit-out:</p> <ul style="list-style-type: none"> a) Caters for the proposed number and type of customer. b) Contributes towards 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 | 10% |

| | |
|---|------------|
| D. Relevant Experience | 20% |
| <p>Describe your experience in conducting similar Requirements.</p> <p>a) Demonstrated experience in managing, owning or operating a similar business. Include details of the location.</p> <p>b) Demonstrate competency and proven track record in establishing and maintaining a similar viable business.</p> <p>c) Provide a CV for the Respondents key personnel who will be directly involved in the management and day-to-day operations of the business including skills, qualifications, and relevant experience.</p> <p>d) Any additional information.</p> | |
| E. Financial Position | 15% |
| <p>a) Provide latest audited financial statements</p> <p>b) Rent offered and whether any incentives or subsidy is sought.</p> | |
| F. Referees | |
| <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> | |



3.3 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. |

