

Note: This draft template has been provided to assist public land managers in Victoria to prepare Expression of Interest documentation for the granting of tour operator licences.

Public land managers are not required to use the template, and should consider seeking professional probity advice in the preparation and management of an EOI process.

Invitation for Expression of Interest (EOI)

[Insert name of licensing entity]

[Insert project title]

[Insert date]

Structure of Invitation

This EOI consists of the following parts:

Introduction – contains an overview of the opportunity presented in, and the objectives of, this EOI.

Part A – Conditions of the EOI Process sets out the rules applying to the EOI documents and to the EOI Process. These rules are deemed to be accepted by all Applicants and by all persons having received or obtained the EOI.

Part B – Applicant’s Response specifies the information to be provided in response to an EOI and may also specify any information to be provided by an Applicant by other means.

Part C – Draft Licence is the proposed licence, to be attached by the land manager.

Introduction

[Summarise the purpose of the EOI]

[Describe the statutory role and responsibilities of the land manager]

[Describe the nature and purpose of the managed lands]

[Describe the background to the decision to seek applicants via an EOI process, including any guiding statute and policy]

[Summarise the opportunity being offered through the EOI]

Part A – Conditions of the EOI Process

[Note: The information included in this section of the draft template is provided for example only. Land managers should consider obtaining professional probity advice to ensure an EOI has been prepared in accordance with probity principles and to meet their land management objectives.]

Rules governing this Invitation

[Describe any rules applying to the EOI process, eg:]

Participation in the EOI Process is subject to compliance with the rules contained in this Part A.

All persons (whether or not they submit an EOI) having obtained or received this Invitation may only use it, and the information contained in it, in compliance with the rules set out in this Part A.

All Applicants are deemed to accept the rules contained in this Part A.

The rules contained in this Part A of the Invitation apply to:

- (a) the Invitation and any other information given, received or made available in connection with the Invitation including any additional materials specified and any revisions or addenda;
- (b) the EOI Process; and

any communications (including any Briefings, presentations, meetings or negotiations) relating to the Invitation or the EOI Process.

Licence information

[Specify how many licences may be granted]

[Specify licence term]

[Specify licence fees and payment regime]

[Summarise licence conditions and refer to draft licence attached as Part C]

Evaluation Process

[Describe the evaluation process]

[Describe how the land manager will consider clarifications to applications, eg:]

Following the Closing Time, the Agency intends to evaluate the EOIs received. EOIs will be evaluated against the Evaluation Criteria specified in this Invitation.

An EOI will not be deemed to be unsuccessful until such time as the Applicant is formally notified of that fact by the Agency.

If, in the opinion of the Agency, an EOI is unclear in any respect, the Agency may, in its absolute discretion, seek clarification from the Applicant. Failure to supply clarification to the satisfaction of the Agency may render the EOI liable to disqualification.

The Agency may seek clarification from any or all of the applicants in relation to their EOI. The Agency may use such information in interpreting and evaluating the EOI. Failure to supply clarification to the satisfaction of the Agency may render the EOI liable to disqualification.

The Agency is under no obligation to seek clarification of anything in an EOI and the Agency reserves the right to disregard any clarification that the Agency considers to be unsolicited or otherwise impermissible in accordance with the rules set out in this Part A.

After evaluation of all EOIs, the Agency may, without limiting other options available to it, do any of the following:

- grant a licence or licences to one or more Applicants;
- decide not to proceed further with the EOI process; or
- commence a new process for calling for EOIs on a similar or different basis to that outlined in this Invitation.

Evaluation Criteria

[Specify the criteria to be used in the evaluation of responses]

[Specify mandatory criteria - These are criteria that applicants must comply with in order for their application to be considered. Mandatory criteria are not scored - they may be answered through a 'yes' or 'no' answer only, and the provision of any supporting documentation required].

[Specify qualitative evaluation criteria – These are weighted criteria relevant to the activity and the site and/or resource]

[Describe the weighting given to different criteria, and sub-criteria, if relevant and the scoring mechanism to be used in evaluation]

Making an Application

[Identify a project manager]

Project Manager name and title	
Address for correspondence by post	
Email Address	

[Outline the EOI indicative timetable]

Activity	Date
Invitation issued	
Briefing (if any)	
End of period for questions or requests for information	
Closing Time and Date	
Intended completion of evaluation of EOIs	
Intended notification of licence allocation decision	
Intended grant of licence(s)	
Intended commencement of licence(s)	

** Note: This timetable is provided to give Applicants an indication of the anticipated timing of the EOI Process. The timetable is indicative only and may be changed in accordance with the Conditions of the EOI Process set out in Part A of this Invitation.*

[Describe arrangements for providing information to prospective applicants, including any briefing sessions]

Date and time	
Venue	
Contact for confirmation of attendance	

[Describe the format applicants must use to make their application, if relevant]

[Specify a limit to application word length]

[Describe how many copies of applications must be submitted]

[Describe how non-conforming applications will be dealt with, eg:]

Applicants must ensure that:

- their EOI is presented in the required format as set out in Part B; and
- all the information fields in Part B are completed and contain the information requested.

Unnecessarily elaborate responses or other presentations beyond what is sufficient to present a complete and effective proposal are not desired or required. Elaborate artwork and expensive visual and other presentation aids are not necessary.

Word limits specified should be observed and the Agency reserves the right to disregard any parts of the EOI exceeding the specified word limit.

Incomplete EOIs may be disqualified or evaluated solely on the information contained in the EOI.

The Agency may disregard any content in an EOI that is illegible and will be under no obligation whatsoever to seek clarification from the Applicant.

The Agency may permit an Applicant to correct an unintentional error in its EOI where that error becomes known or apparent after the Closing Time, but in no event will any correction be permitted if the Agency reasonably considers that the correction would materially alter the substance of the Applicant's EOI.

If, after an EOI has been submitted, the Applicant becomes aware of an error in the EOI (excluding clerical errors which would have no bearing on the evaluation of the EOI) the Applicant must promptly notify the Agency of such error.

Lodgement Information

[Detail the EOI submission and lodgment procedures]

[Detail how late applications will be dealt with, eg:]

EOIs must be lodged by the Closing Time.

EOIs lodged after the Closing Time or lodged at a location or in a manner that is contrary to that specified in this Invitation will be disqualified from the EOI Process and will be ineligible for consideration.

The determination of the Agency as to the actual time that an EOI is lodged is final.

EOIs lodged after the Closing Time will be recorded by the Agency, and will only be opened for the purposes of identifying a business name and address of the Applicant.

The Agency will inform an Applicant whose EOI was lodged after the Closing Time of its ineligibility for consideration. All such EOIs will be returned at the conclusion of the EOI Process.

Address of EOI box	
Hours of access to EOI box	
Access restrictions (if any)	
Information to be marked on package containing the EOI	
Other requirements	

Communications during the EOI Process

[Describe how communications between the land manager and prospective applicants will be managed, eg:]

All communications relating to the Invitation and the EOI Process must be directed to the Project Manager.

Any questions or requests for further information or clarification of the Invitation (or any other document issued in connection with the EOI Process) must be submitted to the Project Manager in writing, preferably by email.

Any communication by an Applicant to the Agency will be effective upon receipt by the Project Manager (provided such communication is in the required format).

The Agency may restrict the period during which it will accept questions or requests for further information or for clarification and reserves the right not to respond to any question or request, irrespective of when such question or request is received.

Except where the Agency is of the opinion that issues raised apply only to an individual Applicant, questions submitted and answers provided will be made available to all Applicants without identifying the person or organisation having submitted the question. In all other cases, the Agency may deliver any written notification or response to an Applicant by leaving or delivering it to the address of the Applicant (as notified to the Project Manager).

Complaints about the EOI Process

Any complaint about the Invitation or the EOI Process must be submitted to the Project Manager in writing immediately upon the cause of the complaint arising or becoming known to the Applicant. The written complaint statement must set out:

- the basis for the complaint (specifying the issues involved);
- how the subject of the complaint (and the specific issues) affect the person or organisation making the complaint;
- any relevant background information; and
- the outcome desired by the person or organisation making the complaint.

Appeals about the licence allocation decision

Any appeal about the competitive allocation decision should be made in writing immediately on receipt of the allocation notification and prior to the expiry of the appeals period. The written appeal must be submitted to [\[nominate an Appeals Officer. Must not be the Project Manager\]](#) and must set out:

- the basis for the complaint (specifying the issues involved); and
- any relevant background information.

Applicant warranties

[\[Seek acknowledgement from the Applicant that they have understood the requirements of the EOI, eg:\]](#)

By submitting an EOI, an Applicant warrants that:

- in lodging its EOI it did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of the Agency, its officers, employees, agents or advisers other than any statement, warranty or representation expressly contained in the Invitation documents;
- it did not use the improper assistance of Agency employees or information unlawfully obtained from the Agency in compiling its EOI;
- it is responsible for all costs and expenses related to the preparation and lodgement of its EOI and any future process connected with or relating to the EOI Process;
- it otherwise accepts and will comply with the rules set out in this Part A of the Invitation; and
- it will provide additional information in a timely manner as requested by the Agency to clarify any matters contained in the EOI.

Part B – Applicant’s Response

[Note: The information included in this section of the draft template, including evaluation criteria, is provided for example only. Land managers should develop a response document and evaluation criteria that address the specific requirements of the licences for allocation.]

Required Information

[Summarise information required from Applicants, eg:]

- Applicants must provide an electronic copy/ies of their Applicant’s Response in Microsoft Office format, submitted in accordance with the requirements set out in the Conditions of the EOI Process (Part A).
- All responses must be provided within the specified boxes and must respond to the Conditions of the EOI Process (Part A).
- Include the name of the Applicant in the footer of the EOI.
- If required (or permitted) to be lodged electronically, all documents must be virus checked before lodgement.

I accept the provisions contained in the Conditions of the EOI Process

Applicant Information	
Name and Title of Applicant:	
Address of registered office	
Australian Company Number	
Australian Business Number	
Principal office in Victoria (if any)	
Telephone	
Facsimile	
Email	
Name and title of Applicant’s authorised agent (if relevant)	
Date	

Summary	
<p>Provide a brief summary providing an overview of the Applicant's Response.</p> <p>List attachments provided with your application.</p> <p>[Insert word limit]</p>	

Mandatory Evaluation Criteria	
<p>[These are criteria that applicants must comply with for an application to be considered. Mandatory criteria are not scored - they may be answered through a 'yes' or 'no' answer only, and the provision of any supporting documentation required].</p>	
<p>Insurance</p> <p>[Specify insurance requirements]</p> <p>[Specify documents to be attached]</p>	
<p>Required qualifications or certifications</p> <p>[Specify documents to be attached, if relevant]</p>	
<p>Required equipment, vehicles or vessels</p> <p>[Specify documents to be attached]</p>	
<p>Insert additional mandatory criteria as required</p>	

Weighted Evaluation Criteria

Applicants must provide a written submission, with attached supporting documentation where necessary, addressing past performance and proposed action in relation to each of the following weighted evaluation criteria.

The following tables indicate the scope of each of these criteria, however, applicants may include any information that they feel would support their submission.

Capability and Experience – overall weighting [insert %]	
Criteria	Weighting
4.1 [Insert sub-criteria] [Insert word limit]	%
[Insert additional criteria as required]	

Environmental Management – overall weighting [insert %]	
Criteria	Weighting
5.1 [Insert sub-criteria] [Insert word limit]	%
[Insert additional criteria as required]	

Activity Safety – overall weighting [insert %]	
Criteria	Weighting
6.1 [Insert sub-criteria] [Insert word limit]	%
[Insert additional criteria as required]	

Social benefits of tour or recreational activity – overall weighting [insert %]	
Criteria	Weighting
7.1 [Insert sub-criteria] [Insert word limit]	%
[Insert additional criteria as required]	

Attachment B - Template – EOI Invitation and Applicant Response

Economic benefits – overall weighting [insert %]	
Criteria	Weighting
8.1 [Insert sub-criteria]	%
[Insert word limit]	
Insert additional criteria as required	

Cultural and Community Engagement - overall weighting [insert %]	
Criteria	Weighting
9.1 [Insert sub-criteria]	%
[Insert word limit]	
Insert additional criteria as required	

Business Management - overall weighting [insert %]	
Criteria	Weighting
10.1 [Insert sub-criteria]	%
[Insert word limit]	
Insert additional criteria as required	

Customer Service - overall weighting [insert %]	
Criteria	Weighting
11.1 [Insert sub-criteria]	%
[Insert word limit]	
Insert additional criteria as required	

Capacity for innovation - overall weighting [insert %]	
Criteria	Weighting
12.1 [Insert sub-criteria]	%
[Insert word limit]	
Insert additional criteria as required	

Compliance with the Proposed Licence		
<p>An applicant must provide a statement showing clearly, and in order of the relevant licence conditions, any and all conditions within Part C (Proposed licence) with which it does not agree.</p> <p>Note: Any clause of the Proposed Licence that the Applicant does not specifically identify will indicate that the Applicant will fully comply with that clause.</p>		
Condition and condition number	Proposed Change	Explanation/Comment

Conflict of Interest	
<p>Provide details of any interests, relationships or clients which may or do give rise to a conflict of interest, and details of any strategy for preventing conflicts of interest.</p>	
<p>Outline the processes you have in place to handle any future conflicts of interest (actual or perceived).</p>	

Any other matters	
<p>Detail any matters which have not been covered in previous sections, and you believe need to be taken into consideration when your EOI is evaluated.</p> <p>[Insert word limit as required]</p>	