



Eighty
Eight
O'CONNELL

Expression of Interest

Activating Eighty-Eight O'Connell

Adelaide.
Designed for Life.

Expression of Interest closes 5 pm, Friday 14 June 2019





Project Information

The City of Adelaide is seeking Expression of Interests (EOI's) from suitable parties that can demonstrate an ability to create an activation program or an experiential offering at 88 O'Connell Street, North Adelaide, for a period of up to two (2) years. The offering/program should seek to bring people together, to facilitate community connections, economic vitality and public/community involvement.

The image below highlights the proposed leasehold area. (see image 1 – Location Map).

Image 1 – Location Map



Background

In late 2017, Council resolved to proceed with the acquisition of Eighty-Eight O'Connell Street North Adelaide.

The first principles in acquiring the site included:

- The need for market intervention, to ensure;
 - » Timely development;
 - » A suitable form of development;
- Delivery of public value;
- Fiscal responsibility.

Once Council took ownership, public realm works were undertaken to provide a lawn area with hard stand space to the rear, at which time fences were removed to open the site to the public.

In May 2018, the City of Adelaide undertook an engagement process to gather early input from the community about their aspirations for the short-term activation and long-term development of Eighty-Eight O'Connell.

The engagement comprised a series of community sessions, and an online survey. The comments received indicated a strong desire to see the site activated in the short term, with the most frequently identified types of use being:

- Events that enable the community to meet, gather and be active;
- Farmers', arts and craft and night markets;
- Community fetes/fairs;
- Open air entertainment including art, music, theatre and outdoor movie events;
- Mobile food vendor events;
- Family and children's events or activities.

Since April 2018, Council has delivered a successful activation program. The original plan focussed on quick, flexible improvements which invited people to the space to support the businesses within the area and included an allowance for bi-monthly low scale/budget activation and events. The program as delivered has exceeded this plan providing an interest across most months of the year. The activation program aimed to strengthen civic engagement and the attachment people feel to the site.

As work continues to select a development partner to undertake the long-term development of the site, Council would like to re-evaluate how it delivers the short-term activation program.

In particular, we would like to consider ways in which the site could be activated more often.



Project Information

The Opportunity

Eighty Eight O'Connell is a 7,500 m2 site at the heart of North Adelaide, 2 km from the CBD and walking distance to the River Torrens and Adelaide Park Lands. O'Connell Street is a major thoroughfare, linking the city through North Adelaide and on to Adelaide's northern suburbs.

O'Connell Street has over 100 retail shops and is just around the corner from some of Adelaide's most beautiful and historic residences. The street is also home to a cinema complex and provides a choice of over 40 food outlets, from casual cafes and pubs to trendy restaurants as well as easy access to a supermarket and other amenities.

The precinct is less than 1 km away from Adelaide Oval, which has recently been transformed into a world-class sporting and cultural precinct through a \$610m redevelopment that has contributed to the revitalisation of North Adelaide and Adelaide CBD.

Eighty Eight O'Connell is a site in transition and this opportunity will bring an increased vitality to O'Connell Street as the site transforms into a mixed use development which is reflective of its context as part of the broader North Adelaide precinct

Leasing Principles

The City of Adelaide is seeking EOI's from suitable parties that can demonstrate an ability to create an activation program or an experiential offering at 88 O'Connell Street. Council may choose to select more than one party, should separate but complementary offers produce an outcome in line with the evaluation criteria.

The following leasing principles are provided to assist interested parties in developing their ideas:

- Majority of the site or a portion of the site can be made available subject to the how the proposal responds to the Assessment Criteria.
- The site will be available for a maximum period of two (2) years, with a development clause allowing Council to take back control of the site subject to the progress of development negotiations.
- The leasing fee will reflect the term of tenure, capital investment requirements and community nature of the activation.
- A requirement of the leasing conditions is that a portion of the site may be required for Council led activations or other opportunities that will enhance the overall activation offering.
- Council will manage/operate car parking associated with the activation.

Tenant mix



44 Accommodation and Food Services



13 Retail Trade



13 Other Services



6 Health Care and Social Assistance



3 Financial and Insurance Services



2 Information Media and Telecommunications



2 Professional, Scientific and Technical Services



1 Rental, Hiring and Real Estate Services



1 Administrative and Support Services



1 Arts and Recreation Services



100
Retail shops



31,000
Ave weekday traffic volumes



Project Information

What is the Expression of Interest Submission Requirements?

Please read the Expression of Interest:

Activating Eighty-Eight O'Connell Evaluation Criteria before commencing the submission process. Your submission must include the details requested in Attachment A, including a response against each of the Evaluation Criteria.

We will assess proposals against the following Evaluation Criteria:

Evaluation Criteria

1. Demonstrated benefit to the City of Adelaide through alignment to the City of Adelaide 2016-2020 Strategic Plan:
 - Demonstrate that the activation program or experiential offering provides a measurable economic benefit to the O'Connell Street precinct and supports and complements local businesses;
 - Demonstrate that the activation program or experiential offering will employ environmentally sustainable practices;
 - Demonstrate that the activation program or experiential offering is accessible and fosters a sense of community;
 - Demonstrate that the activation program or experiential offering provides rich, diverse cultural experiences attracts the community and visitors.
2. Demonstrate a commitment to support the O'Connell Street precinct through:
 - Planning a great activation program or experiential offering;
 - Consideration of Community Engagement outcomes (this report can be viewed at yoursay.cityofadelaide.com.au);
 - Ensuring appropriate access and egress to the site;
 - Appropriate site management and maintenance.
3. The ability to provide ongoing activation of the site preferably for a minimum of five (5) days per week.

4. Demonstrated experience, capacity, knowledge and performance in the provision of an activation program or experiential offering.

Timeline

EOI opens: 23 May 2019

EOI closes: 14 June 2019

Review Submissions: June 2019

Report to Council: July 2019

Notify applicants of Council decision:
Subject to Council Meeting

How do I submit my EOI?

Online: Visit yoursay.cityofadelaide.com.au for more information and the opportunity to download the EOI application criteria.

Email: applications can be emailed to yoursay@cityofadelaide.com.au.

Written Submissions: All written submissions should be addressed to:

Expression of Interest
Eighty-Eight O'Connell
GPO Box 2252, Adelaide SA 5001

All submissions should be received by 5 pm, 14 June 2019. Council Administration will use discretion in accepting late submissions.

What happens next?

All EOI applications will be acknowledged by email or letter. After the call has closed, all EOI applications will be assessed against the evaluation criteria contained within this document by a review panel. Council has the final say on whether to select one or more, or none of the EOI applications.

For enquires please contact:

Rachel Tassone
Project Manager
T: 8203 7371

E: r.tassone@cityofadelaide.com.au
Or visit yoursay.cityofadelaide.com.au

Appendix A: Submission Form

Details of Organisation

Contact person and details for the EOI.

Name of lead proponent.

Names of all other parties (business partners etc)

Please provide a response to explain how the proposal addresses the evaluation criteria.

Evaluation Criteria

1. Demonstrated benefit to the City of Adelaide through alignment to the City of Adelaide 2016-2020 Strategic Plan:
 - Demonstrate that the activation program or experiential offering provides a measurable economic benefit to the O'Connell Street precinct and supports and complements local businesses;
 - Demonstrate that the activation program or experiential offering will employ environmentally sustainable practices;
 - Demonstrate that the activation program or experiential offering is accessible and fosters a sense of community;
 - Demonstrate that the activation program or experiential offering provides rich, diverse cultural experiences attracts the community and visitors.
2. Demonstrate a commitment to support the O'Connell Street precinct through:
 - Planning a great activation program or experiential offering;
 - Consideration of Community Engagement outcomes;
 - Ensuring appropriate access and egress to the site;
 - Appropriate site management and maintenance.
3. The ability to provide ongoing activation of the site preferably for a minimum of five (5) days per week.
4. Demonstrated experience, capacity, knowledge and performance in the provision of an activation program or experiential offering.

Information Requirements

In support of your application please provide the following information:

A business plan that outlines: (please provide)

- Current financial position*;
- Financial forecast;
- Any capital contribution the applicant will be making to support their proposal;
- Operating plan (product, services offered, marketing plans);
- Does the proponent possess relevant experience;
- Provide financial statements for the past two (2) years;

** Council reserves the right to undertake financial assessment on preferred proponents.*

A risk management plan that addresses matters such as: (please provide)

- An outline of the activities proposed and associated programming;
- Noise generation;
- Proposed operating hours;
- Liquor licensing requirements;
- Visual amenity;
- Any financial risk to Council in the proposal and how will this risk be managed.

A site layout plan including: (please provide)

- All proposed temporary structures;
- Fencing requirements etc.;
- Proposed infrastructure improvements.

NOTE: The Lessee is responsible at its cost for all planning and building approvals that are required.

Appendix B: Expression of Interest Conditions

Confidentiality

EOI Submissions are directly affected by the Freedom of Information Act 1991 (SA) ("Act"). However, by their very nature, EOI Submissions are likely to fall within the definition of "exempt documents" in that Act and therefore not be required to be produced to third parties. Council will endeavor to respect the confidentiality of EOI submissions and will not disclose them to the public, except where the disclosure is permitted or required by law.

In deciding whether or not to disclose EOI Submissions required under the Act, Council will ensure that the relevant FOI officer receives advice from a legal practitioner.

All Applicants will be required to maintain confidentiality with respect to their own competing Submissions and will not be permitted to advance their own submissions via the media without the prior written approval of Council.

Declare Conflict of Interest

Applicants must declare any existing or potential conflict of interest that may detrimentally affect the Applicant's relationship with Council at the time of submitting their EOI submissions.

Copying EOI

Applicants must not use this EOI for any purpose other than to prepare an EOI. This includes not providing a copy to any third party not involved in the preparation of an EOI.

Ombudsman Act

Applicants should be aware that the Ombudsman Act 1972 (SA) ("Act") has been amended so that the definition of "administrative act" under that Act includes an act done in the performance of functions under a contract for services with a Council. That Act also includes powers enabling the Ombudsman to investigate matters in the public interest. The Applicant must ensure compliance with all obligations arising under that Act and any other applicable legislation.

Collusion & Improper Behaviour

It is disqualifying behaviour for an Applicant to, or attempt to, in connection with the EOI process:

- collude with any other applicant or potential applicant;
- engage in anti-competitive conduct, conduct that is misleading or deceptive or contrary to law;
- obtain improper assistance of a current or former employee of the Council;
- use information improperly obtained from the Council;
- violate the Council's policies regarding the offering of inducements to Councillors or employees; or
- influence the outcome of the evaluation process by lobbying any Councillor or employee of the Council or any potential member of the evaluation panel.

Probity

If an Applicant considers that the EOI process has failed in respect of fairness, due process or transparency, the applicant may provide written notification to the Council's Chief Executive Officer. The notification must be given as soon as possible and must set out the issues in dispute, the impact upon the applicant's interests, any relevant background information and the desired outcome.

Procedure to Resolve Inconsistencies or Inquiries

Applicants must follow the following procedure for the resolution of any inconsistencies or for inquiries relating to the EOI process or this EOI Information Pack:

- If you are in any doubt as to the true meaning of any of the information of EOI documents comprised in this EOI Information Pack; or if you consider any provision, description or other matters is contradictory or inconsistent with any other provision, description or other matter, you must immediately notify the Project Manager, Rachel Tassone on T: 8203 7371 E: r.tassone@cityofadelaide.com.au
- Council will consider all requests for clarification. Council in its absolute discretion will determine whether or not to provide any interpretation of the documentation upon which clarification has been sought.

Appendix B: Expression of Interest Conditions

- Any interpretation of the documentation comprising this EOI Information Pack will be made only by formal Addendum to the EOI documents and will be transmitted to all prospective Proponents who are registered as having been issued with this EOI Information Pack.

Acknowledgement by Applicants

Applicants acknowledge that the Council:

- makes no representations and offers no undertakings in issuing this EOI or the EOI Information Pack;
- is not bound to accept any EOI Submission;
- may accept all or part of any EOI Submission;
- may require one (1) or more Applicants (but is not obliged to require all) to supply further information and/or attend a conference or interview;
- may require one (1) or more Applicants (but is not obliged to require all) to make presentation(s);
- may undertake “due diligence” checks on any Applicant, including verifying references and/or referees, and undertaking company searches and credit checks;
- will not be responsible for any costs or expenses incurred by an Applicant arising in any way from the preparation and submission of its EOI;
- accepts no responsibility for an Applicant misunderstanding or failing to respond correctly to this EOI;
- accepts no responsibility or liability for the accuracy or completeness of the information in this EOI or given in any briefing to Applicants;
- will not be liable for or pay any expenses or losses incurred by any party whether in the preparation of an EOI or prior to the signing of any contract or otherwise;
- will not be bound by any verbal advice given or information furnished by any employee, member, officer or agent of the Council in respect of the EOI Information Pack or this EOI, but will only be bound by written advice provided by the Council; and

- subject to law, will not be liable to an Applicant (under statute, common law or equity) and the Applicants waive and release the Council in respect of any claim, action or demand arising out of any matter or thing in connection with an Applicants’ participation in the EOI Process, including instances where the Council suspends, varies or abandons the EOI process or any negotiations with an Applicant or where the Council exercises or fails to exercise any of its other rights in connection with the EOI Process.

Council’s Rights

Subject to law, the Council has absolute discretion in the exercise or non-exercise of its rights under the EOI Process and is not obliged to give reasons for a decision.

The Council reserves the right to:

- amend, vary, supplement or terminate this EOI at any time;
- waive or vary any obligation of all Applicants under this EOI;
- accept or reject any EOI Submission;
- allow another party to take over an EOI Submission in substitution for the original Applicant;
- negotiate with any supplier or contractor regarding all or any part of the services to be provided pursuant to this EOI;
- vary the timing and processes;
- postpone or abandon this EOI;
- add or remove any Applicant;
- accept or reject any EOI Submissions whether or not they are Conforming EOIs;
- accept all or part of any EOI Submission;
- negotiate or not negotiate with one or more Applicants;
- publish the name of the successful Applicant, the pricing and the provisions of the contract generally, subject to any overriding duty of confidence; and/or
- discontinue negotiations with any Applicant.

Appendix B: Expression of Interest Conditions

No Legal Requirement

The issue of this EOI or any response to it does not commit, obligate or otherwise create a legal obligation on the Council to enter into any contract with an Applicant.

EOI Evaluation

After the Closing Date, the Council will consider all Conforming EOIs (and may also consider any Non-Conforming EOIs). EOIs considered will be evaluated in a fair, equitable and clear manner using the information in the EOI Submission and any other information available to the Council. To consider EOI Submissions, the Council will form an evaluation panel, which will evaluate against the evaluation criteria set out in the EOI Information Pack.

Debriefing of Applicants

If requested, Applicants may be debriefed against the Council's evaluation criteria. Applicants will not be provided with information concerning other Applicants, apart from publicly available information. No comparison with other EOIs will be made.

Definitions

In this EOI, the following terms shall, unless inconsistent with the context, have the meanings indicated:

Applicant means an organisation or person who submits an EOI in response to this EOI.

Council means the Corporation of the City of Adelaide.

Closing Date means the time and date specified on the cover of this REOI, or such later time and date as may be notified in writing to Applicants by the Council.

Conditions of EOI means these Conditions of EOI as set out in Appendix B of this EOI.

Conforming EOI means an EOI which meets all of the requirements set out in this EOI.

EOI means this Expression of Interest and includes the EOI Information Pack.

EOI Information Pack means the EOI documents including the Appendices.

EOI Process means the process for calling, receiving, evaluating and awarding of EOI(s).

EOI Submission means an expression of interest submitted by an Applicant pursuant to this EOI.

Non-Conforming EOI means an EOI that does not meet the requirements set out in this EOI.

Eighty Eight

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For enquires please contact:

Rachel Tassone
Project Manager
T: 8203 7371
E: r.tassone@cityofadelaide.com.au
Or visit yoursay.cityofadelaide.com.au

