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|--------------------------------------|-------------------|------------------------------|----------------|
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| Related Documents                    | Authority Charter |                              |                |
| Applicable Legislation               |                   |                              |                |

## 1. Overview

The Fleurieu Regional Aquatic Centre Authority (the Authority), in accordance with its Charter, may develop collaborative relationships with organisations, groups, or individuals to assist in delivering its objectives.

Where proposals for collaboration relate to the operations of the Authority, they will be deemed Strategic Partnerships and managed in accordance with this policy.

## 2. Purpose

The purpose of this policy is to provide a framework for managing market led proposals for new and innovative ideas, while ensuring transparency, consistency, probity, legislative compliance, and providing confidence to proponents and our communities.

## 3. Definitions

|                      |  |
|----------------------|--|
| Proponent            | Any organisation, group or individuals that submits a Partnership Proposal.  |
| Partnership Proposal | A written document outlining the details of a proposed relationship, interaction, or exchange between a Proponent and the Authority.   |
| Market Led Proposal  | <p>A proposal submitted to the Authority that has not been requested via regular procurement processes that may address:</p> <ul style="list-style-type: none"> <li>• The delivery of goods or services to or on behalf of the Authority.</li> <li>• The provision of infrastructure for the community.</li> <li>• An innovation or entrepreneurial project with benefits to the Authority.</li> <li>• Any other innovative proposal.</li> </ul> |

## 4. Policy Principles

The Authority is open to working with the private sector, government, and not-for-profit

organisations to pursue opportunities and innovative ideas that will maximise the value of the Fleurieu Aquatic Centre (the Centre), and provide positive social, financial, and environmental outcomes to the community in accordance with the Authority's objectives.

While the Authority Procurement policy provides a framework for engagement with the market for the procurement of standard goods or services, there are instances where the development and realisation of an opportunity would benefit from a non-standard market engagement process in the form of a market led proposal submitted to the Authority.

This policy provides a management framework for market led proposals to ensure proponents and our communities are confident that:

- Partnership proposals are received, assessed, and negotiated via an approved and transparent framework.
- Decisions are robust and deliver the best outcomes for the Authority and the community.
- Confidential information is protected.
- Any perceived conflict of interest, bias, or misconduct is eliminated.

While the submission of genuine Partnership Proposals is encouraged, proposals which are not consistent with the framework articulated in the policy may be rejected. The following do not constitute a Strategic Partnership and will not be considered:

- Proposals seeking to provide goods or services to the Authority or the Centre and bypass a future tender process.
- Proposals for extensions to existing contracts.
- Proposals to provide widely available goods or services to the Authority or the Centre.
- Proposals for consultancy services.
- Proposals seeking grants, donations, or sponsorship.

## **5. Proposal Management**

### **Stage 1: Pre-Proposal Meeting**

Before formally submitting a Partnership Proposal a proponent must request a pre-proposal meeting with the Executive Officer to assist them in determining if their proposal is one that may be considered by the Authority in accordance with this policy. Nothing that is discussed at this meeting binds the Authority or the proponent.

### **Stage 2: Proposal Concept Submission and Assessment**

The objective of Stage 2 is to enable a proponent to provide the Authority with a high-level overview of its proposal. The Board will undertake a provisional assessment of the proposal and determine its appropriateness for progression to Stage 3. The proponent is required to submit a Strategic Partnership Concept Proposal to the Executive Officer and may provide any other supporting documentation. The proponent may request an opportunity to present the concept proposal to the Authority Board.

The Authority Board will undertake an assessment of the concept proposal to determine if it should progress to Stage 3 in accordance with the assessment criteria.

#### **Partnership Proposal Assessment Criteria**

1. Strategic Alignment: The proposal aligns with the Authority's objectives as outlined in the Charter, strategic plan, or other documents.
2. Community Need: The proposal provides for a social, financial, or environmental

outcome that benefits the Authority and the community.

3. Innovation: The proposal includes an innovation that requires it to be considered outside of standard procurement processes, in that:
  - a. It cannot be readily delivered by competitors at all or within the parameters proposed by the proponent.
  - b. The proponent owns something that would limit other parties from being able to deliver the proposal.
  - c. The proponent has innovative financial arrangements that enable it to deliver the proposal where other parties would not be able to.
  - d. It is an opportunity not thought of or considered by the Authority that aligns with its strategic objectives.
  - e. There is a combination of factors which may not be unique individually but together create an innovative proposal.
4. Value For Money: The proposal represents values for money for the Authority in the delivery of the benefit.
5. Capacity and Capability: The proponent has the skills, experience, reputation, credibility, and resources required to enable it to deliver the proposal.

If the Authority Board resolves that the proposal will not be progressed to Stage 3 the proponent will be notified in writing of this outcome by the Executive Officer.

If the Authority Board resolves that the proposal will be progressed to Stage 3 the proponent will be notified in writing of this outcome by the Executive Officer, who will then be available to the proponent for consultation regarding the development of a Partnership Proposal during Stage 3.

### **Stage 3: Proposal Development and Assessment**

The purpose of Stage 3 is to develop of a comprehensive Partnership Proposal to enable the Authority Board to formally assess the proposal in accordance with the assessment criteria.

The Executive Officer will work with the proponent to support the development of the Partnership Proposal for the concept provisionally endorsed by the Board in Stage 2.

The Partnership Proposal and a recommendation will be provided by the Executive Officer for the Authority Board's consideration. The proponent will be advised in writing of one of the following outcomes:

1. All or part of the proposal will proceed to Stage 4 on an exclusive consideration basis.
2. All or part of proposal will not continue to be considered on an exclusive basis but that all or part of the proposal warrants a competitive bidding process.
3. All or part of the proposal is not suitable for progression to Stage 4 and its consideration in accordance with this policy is concluded.

### **Stage 4: Contract Negotiation**

The purpose of Stage 4 is to enable the Authority and the proponent to negotiate a suitable contract for the implementation of the proposal. Once a contract has been agreed in principle between the Executive Officer and the proponent, and prior to any final decision by the Authority Board, it will be submitted to the Audit & Risk Management

Committee for review. The Committee will give specific consideration to, and provide recommendations to the Authority Board on, issues of probity management and communication to Constituent Councils. The in-principle agreement and the recommendations of the Committee will then be provided to the Authority Board for approval. The Executive Officer will then advise the proponent in writing of the Board's decision.

## **6. Delegations**

The Authority Executive Officer has the authority to implement this policy.

## **7. Availability of Policy**

This policy will be available on the Fleurieu Aquatic Centre website.

## **8. Review**

This policy shall be reviewed by the Authority annually.

### **Document History**

| <b>Version</b> | <b>Document</b> | <b>Action</b>                    | <b>Date</b>       |
|----------------|-----------------|----------------------------------|-------------------|
| 1.0            | Approved        | FRAC Authority Board endorsement | 24 September 2021 |