



**Request for Proposal: Environmental Issues Relevant to the Pork Industry Assessment
(APL RFP: 2020/0020)**

Closing 5pm 16th October



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I. OVERVIEW

I.1 Invitation to Respond to this Request for Proposal (RFP)

Australian Pork Limited (APL) invites suitably qualified consultancy firms (Respondents) to respond to this Request for Proposal (RFP) for the provision of technical advice and synthesis of current and future environmental areas of importance for the Australian pork industry. This issues assessment will be used to inform the strategy for APL environmental research and innovation, and associated policy. The assessment will also identify relative strengths and weaknesses of the current environmental policy and research undertaken by APL as well as provide simple clear messaging that APL may use to drive a leadership position in the environmental space.

I.2 Project Overview

The environmental issues assessment will help APL to realise its Strategic Plan objectives in relation to taking a leadership position on climate friendly farming as well as inform the direction of other supporting documents around the industry drive to zero waste and carbon positive farming. The issues assessment will provide guidance for policy and research priorities over the next 5 years and should seek to identify proactive opportunities for pork to demonstrate its environmental credentials. It should provide a short overview of the current state of this area at APL and in the broader political and scientific arenas and identify areas of concern and opportunities for growth for the pork industry.

Commencement date: 26th October 2020

Completion and final report delivered by 15th January 2021

I.3 RFP Timetable

Key activities and proposed target completion dates for the RFP process are set out in the table below.

Milestone	Proposed Date
Issue of RFP	1 October 2020
Closing Time of RFP	5 pm 16 October 2020
Evaluation of RFP's completed	21 October 2020
Notification to Preferred Consultancy Firm	22 October 2020
Contract Signed	23 October 2020
Commencement date	26 October 2020
Project Planning Meeting	Completed by 30 October 2020
Progress report	6 November 2020
Progress report and review	27 November 2020
Progress report and review	18 December 2020
Final report delivered for APL review	15 January 2021

APL may change the dates in the table above at its absolute discretion and will use its best endeavours to provide notification to Respondents.

I.4 Project Officer

The Project Officer for this procurement is:

Gemma Wyburn
Climate Friendly Farming Program Leader
Australian Pork Limited

Email: gemma.wyburn@australianpork.com.au

Completed proposals should be addressed to Project Officer.

1.5 Enquiries by Respondents

Respondents may seek clarification of the meaning of this RFP only from the Project Officer defined in Clause 1.4 of this document.

All enquiries in relation to this RFP must be in writing, by email and addressed to Gemma Wyburn at gemma.wyburn@australianpork.com.au.

Official responses to enquiries by Respondents will only be issued by the Project Officer or nominated alternative.

APL will circulate questions and their answers to all Respondents without disclosing the source of the questions, or revealing any confidential Respondent information.

APL will cease answering enquiries related to this RFP at 5pm, 16th October 2020.

2. TERMS OF REFERENCE

2.1 Australian Pork Ltd

Australian Pork Limited (APL) is the peak national representative body for Australian pig producers. It is a producer-owned not-for-profit company combining marketing, export development, research and innovation, and strategic policy development to assist in securing a profitable and sustainable future for the Australian pork industry.

The Australian pork industry employs more than 36,000 people in Australia and contributes \$5.3 billion in gross domestic product to the Australian economy. The pork industry consists of roughly 2,700 pig producers supplying around 100,000 pigs to processing every week.

Australia's domestic sow herd numbers around 270,000, housed across about 4,257 registered sites nationwide. In 2019, the Australian pork industry produced around 397,736 metric tonnes of pork and of this, about nine percent was exported, with a total value of \$131 million.

2.2 About the Request for Proposal

Environmental considerations are becoming a more critical part of pork supply chain operations. APL requires technical expertise to fully understand the current and future environmental landscape to assist research and innovation planning, and associated policy development, to support the needs of Australian pork producers and the broader community. Without strong environmental credentials, the social license of pork production may be at risk.

The pork industry has a strong history in environmental leadership and innovation with much research conducted over the past ten years focused on the key areas of nutrient and effluent management, renewable energy (including pioneering biogas in Australia as a method to both generate electricity/heat and carbon credits), odour management, water use efficiency and relevant planning regulations associated with these issues.

Recently, the focus of environmental research and policy has shifted towards greenhouse gas measurement and abatement, and environmental stewardship and biodiversity. Pork has a strong story in carbon abatement with the amount of CO₂ equivalent per kilo of pork reduced from over 10kg to 3.3kg per kilo of pork in 2020 and an ambitious goal to become carbon positive. Recently, with a focus on improving biosecurity, APL has also supported the establishment of a feral pig action plan which has the additional benefit of generating positive biodiversity and land management outcomes.

However, the environmental space is fast moving, with the ongoing push for climate action gaining momentum through the 'green recovery' from COVID-19 movement. APL has identified a need to engage additional resources in this space to ensure we are abreast of the rapid developments across research, innovation and associated regulation. Detailed technical input and assessment is needed to provide the groundwork for several key projects including a Pork Sustainability Framework, Pork environmental policy strategy and the research innovation plan.

2.3 Project Scope

The project will explore and report on potential future research and innovation, and associated policy, for the Australian pork industry. It will focus primarily on issues affecting piggeries but may consider impacts further down the supply chain if the issue is significant and represents a true risk or golden opportunity for the industry.

The key outcomes of the project will be:

2.3.1 Development of a comprehensive environmental issues assessment

- To include details of each environmental area including key research and current policy settings in a review style with references

- Key areas that must be included are: energy, water, soil, carbon accounting, biodiversity and environmental planning
- Must include an assessment of the value of the issue to APL (eg risk or opportunity or both) and make recommendations for future actions
- Provision of at least 5 key messages from the assessment that may be used for communication to various stakeholders
- Insight into future environmental areas that may become focus of policy decisions or future research needs

2.3.2 Development of a contact database

- Contacts database to include any government, research organisations, researchers, policy advisors, consultants etc interviewed as part of the issues assessment including contact details and area of expertise

2.3.3 Provision of expert technical advice to key APL projects as required

- Including insight for Sustainability Framework, Policy Strategy and Innovation Strategy as requested

3. CONDITIONS OF RFP

3.1 Invitation

Australian Pork Limited (APL) invites suitable consultancy firms (Respondents) to respond to this Request for Proposal (RFP) for the provision of the following:

- Environmental issues assessment for the pork industry
- Development of contacts database
- High level communications messaging on environmental issues

Any responses that are not submitted according to the requirements in this RFP may be excluded from consideration.

This RFP is expressly not a contract between APL and the Respondent. Nothing in this RFP or in any response is to be construed as to give rise to any contractual obligations, expressed or implied.

APL may stop the RFP process, or re-start the RFP, at any time if it considers that it is in its interest to do so.

APL may amend this RFP, including extending the RFP closing time, by giving written notice. Any extension notice or other variation or amendment will be given the same distribution as the original RFP.

3.2 Applicable Law

The laws of the Australian Capital Territory apply to this RFP process.

3.3 APL Policy

3.3.1 Privacy

APL is obliged to protect personal information in accordance with the Information Privacy Principles in the *Privacy Act 1988* (Privacy Act).

APL reserves the right at any time not to disclose any information that is subject to, or that APL reasonably believes could be subject to, protection under the Privacy Act.

Respondents must comply with applicable obligations under the National Privacy Principles in the Privacy Act.

If APL discloses any personal information to Respondents, they must also comply with the obligations under the Privacy Act, to which APL is subject, in relation to that information.

3.3.2 Workplace Relations

All Respondents will be required to comply with the relevant provisions of applicable legislative requirements, awards and workplace arrangements, including without limitation:

- a. workplace/industrial relations legislation,
- b. occupational health and safety legislation,
- c. workers compensation legislation, and
- d. affirmative action legislation.

3.3.3 Equal Employment Opportunity for Women

Respondents should comply with their obligations under the *Equal Employment Opportunity for Women in the Workplace Act 1999* and should not enter into any subcontracting arrangements with a

subcontractor named by the Director of Affirmative Action as an employer currently not complying with the Act.

3.4 Insurance

The preferred Respondent will be required to have in place insurance arrangements appropriate to provision of the requirement in this RFP, including (without limitation) professional indemnity insurance, public liability insurance, property damage insurance, product liability insurance and workers compensation insurance.

3.5 Responsibility for RFP Costs

Participation in any stage of the RFP process or in relation to any matter concerning the RFP is at the Respondent's sole risk, cost and expense.

APL will not be responsible in any circumstance for any costs or expenses whatsoever incurred by any Respondent (or proposed sub-contractor) in preparing or lodging a proposal or in taking part in the RFP process or in taking any action related to the RFP process.

3.6 Respondents to Inform Themselves

Respondents are considered to have:

- a. examined the RFP and any documents referred to in the RFP and any other information made available in writing by APL to Respondents for the purpose of preparing their proposal,
- b. examined all further information which is obtainable by the making of reasonable enquiries relevant to the risks, contingencies and other circumstances having an effect on their proposal,
- c. made all investigations, interpretations and conclusions in relation to APL as necessary or desirable in preparing their proposal, and
- d. satisfied themselves as to the correctness and sufficiency of their proposal including prices.

Respondents acknowledge that, except where expressly provided for in this RFP, the Respondent does not rely on:

- a. any statement, letter, document or arrangement whether oral or in writing or other conduct, or
- b. any warranty or representation made by or on behalf of APL, as adding to or amending this RFP.

3.7 Addenda

APL may in its absolute discretion, issue addenda to the RFP. All conditions of the RFP will apply to addenda unless amended in the addenda.

Addenda to this RFP may be issued for the purpose of clarifying or amending the RFP.

Respondents in doubt as to the true meaning of any part of the RFP must notify the Project Officer and request clarification. Any binding interpretation will be issued as an addendum.

All addenda issued will become part of the RFP. Respondents must respond to the RFP as amended by any addenda.

3.8 RFP Lodgement

Proposals must be lodged by 5pm 16th October via email to the Project Officer at Clause 1.4.

Lodgement of a proposal on time is entirely the responsibility of the Respondent.

Failure to comply with the RFP closing time may lead to the Respondent not being considered by APL.

The judgment of APL as to the actual time that a proposal is lodged is final.

APL reserves the right, at its sole discretion, to admit or exclude any late proposal, or parts thereof, submitted after the RFP Closing Time.

3.8.1 Virus Checking

In submitting a proposal electronically, the Respondent warrants that they have taken reasonable steps to ensure that proposal files are free of viruses, worms or other disabling features which may affect APL's computing environment.

Proposals found to contain viruses, worms or other disabling features will be excluded from the evaluation process.

3.8.2 Proof of Lodgement

When a proposal has been successfully received, APL will provide a separate email confirming receipt of the proposal to the email address of the sender of the proposal.

3.9 Pricing and Payment

3.9.1 Complete Pricing and Payment

Respondents must complete a Pricing Schedule for the consultancy services specified in the RFP which should be submitted in Excel format.

Prices submitted by Respondents are to include all costs excluding GST associated with providing the consultancy services.

Payments will be made on receipt of a valid tax invoice after approval by APL of the relevant milestone output.

3.9.2 No Alteration of Proposal Prices

The proposed prices must be fixed for the RFP validity period.

3.9.3 Compliance Costs

Proposal prices are to include all costs of complying with the terms and conditions of this RFP, whether applying to the RFP process or to the performance of any agreement.

3.10 Acceptance

3.10.1 Acceptance of Proposal

Neither the lowest priced proposal, nor any proposal, will necessarily be accepted by APL.

3.10.2 Whole or Part Proposal

APL will not accept a part response to this RFP.

3.10.3 No Legal Rights or Obligations

No legal rights or obligations or contract in relation to the performance of the services detailed in the RFP will arise between APL and any Respondent prior to the execution of a contract. This clause does not apply to the Confidentiality Deed.

3.10.4 Acceptance of Conditions of RFP

Lodgement of a proposal indicates the Respondents acceptance of the conditions of the RFP.

3.11 Proposal Validity Period

Proposals will remain valid and open for acceptance by APL for six months from the RFP closing time.

3.12 Ownership of Proposal Documents

All proposal documents will become the property of APL. Ownership of the intellectual property in the proposals will however remain unchanged. APL will treat information provided in the proposal as commercial-in-confidence.

Intellectual property rights in the proposal do not pass to APL with the lodgement of the proposal. The Respondent grants APL a licence to retain, use, disclose and copy the information contained in any proposal document for the purposes of:

- a. evaluating or clarifying the proposal,
- b. evaluating any subsequent proposal,
- c. negotiating any resultant contract,
- d. managing a contract with the successful Respondent, if any,
- e. referring any material that suggests collusion by Respondents to the Australian Competition and Consumer Commission (“ACCC”) and the use by the ACCC of the material to conduct any review or investigation it deems necessary,
- f. responding to any challenge to the RFP process, audit or legal compliance activities and complying with APL reporting requirements, and
- g. any other purpose related to the RFP process or above purposes.

3.13 Confidential Information

All Respondents must, before having access to any information provided by APL, or any of its advisors, in relation to this RFP process, have a senior representative of the Respondents organisation sign a Confidentiality Deed.

APL undertakes to keep confidential any confidential information provided to APL by Respondents prior to awarding the contract and, in respect of unsuccessful Respondents, after contract award.

To enable APL to consider whether it agrees to keep specific information confidential Respondents must include in their proposal any request that information is to be treated as confidential following the award of a contract to it, specifying the information and giving reasons why it is necessary to keep the information confidential.

APL will consider any request and will inform the Respondent whether or not APL, in its sole discretion, agrees to the request and the terms under which it agrees. The terms of any agreement will form part of any contract awarded.

3.14 Security, Probity and Financial Checks

APL reserves the right to perform security, probity or financial (including credit) checks in relation to the Respondent, its partners, subcontractors, associates, or related entities. These checks may require individuals to sign forms verifying information relating to that individual and/or authorising the provision of confidential or personal information.

Respondents must provide, at their own cost, all reasonable assistance required by APL in undertaking and conducting the security, probity and financial checks.

3.15 Conflict of Interest

Respondents must state any circumstances or relationships, which constitute, or may be perceived to be, a conflict with the interests of APL in connection with this RFP or the provision of the services detailed in a response.

A conflict of interest may exist if the Respondent:

- a. or any of its personnel have a relationship (whether professional, commercial or personal) with APL personnel involved in the evaluation of RFP's, or
- b. has a relationship with, and obligations to, an organisation, which would affect the performance of the contract or would bring disrepute to or embarrass APL.

Respondents must identify all actual or potential conflicts of interest that may arise at any time prior to entering into a contract or in the provision of services under any contract arising from the RFP process and immediately notify APL in writing.

Upon notification of an actual or potential conflict of interest, APL may:

- a. enter into discussions to seek to resolve the conflict of interest,
- b. exclude the Respondent from further consideration (including terminating contract negotiations), or
- c. take any other action, which it considers appropriate.

3.16 Termination of RFP Process

APL reserves the right in its absolute discretion to suspend, terminate or abandon, in whole or in part, the RFP process at any time. APL will notify Respondents to this effect, but is not obliged to provide any reasons.

Respondents will have no claim against APL or its respective officers, employees or advisers with respect to the exercise of, or failure to exercise, such right.

3.17 Other APL Rights

Notwithstanding any other provision of this RFP, APL reserves the right, at any time to:

- a. alter, amend or vary this RFP and the process outlined in this RFP,
- b. suspend or terminate this RFP process or any part of it,
- c. require additional information or clarification from any Respondent or anyone else, or provide additional information or clarification to any Respondent or anyone else,
- d. negotiate or not negotiate with any one or more Respondents, without corresponding with any other Respondent and discontinue negotiations at any time,
- e. allow, or not allow, the successful Respondent to enter into the proposed contract in the name of a different legal entity from that which provided a response to this RFP,
- f. add to, alter, delete or exclude any of the requirement to be provided by the preferred Respondent under this RFP, and
- g. alter, amend or vary the terms of a draft contract released by APL at any time, including without limitation during negotiations.

For the avoidance of doubt, APL may exercise its rights under this clause and elsewhere in this RFP at any time and in its absolute discretion, unless this RFP expressly provides otherwise.

--- End ---



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