

Credit: Cathy Zwick

Australian Marine Parks Ocean Discovery and Restoration Program

Guide for Potential Partners when completing a Detailed Proposal

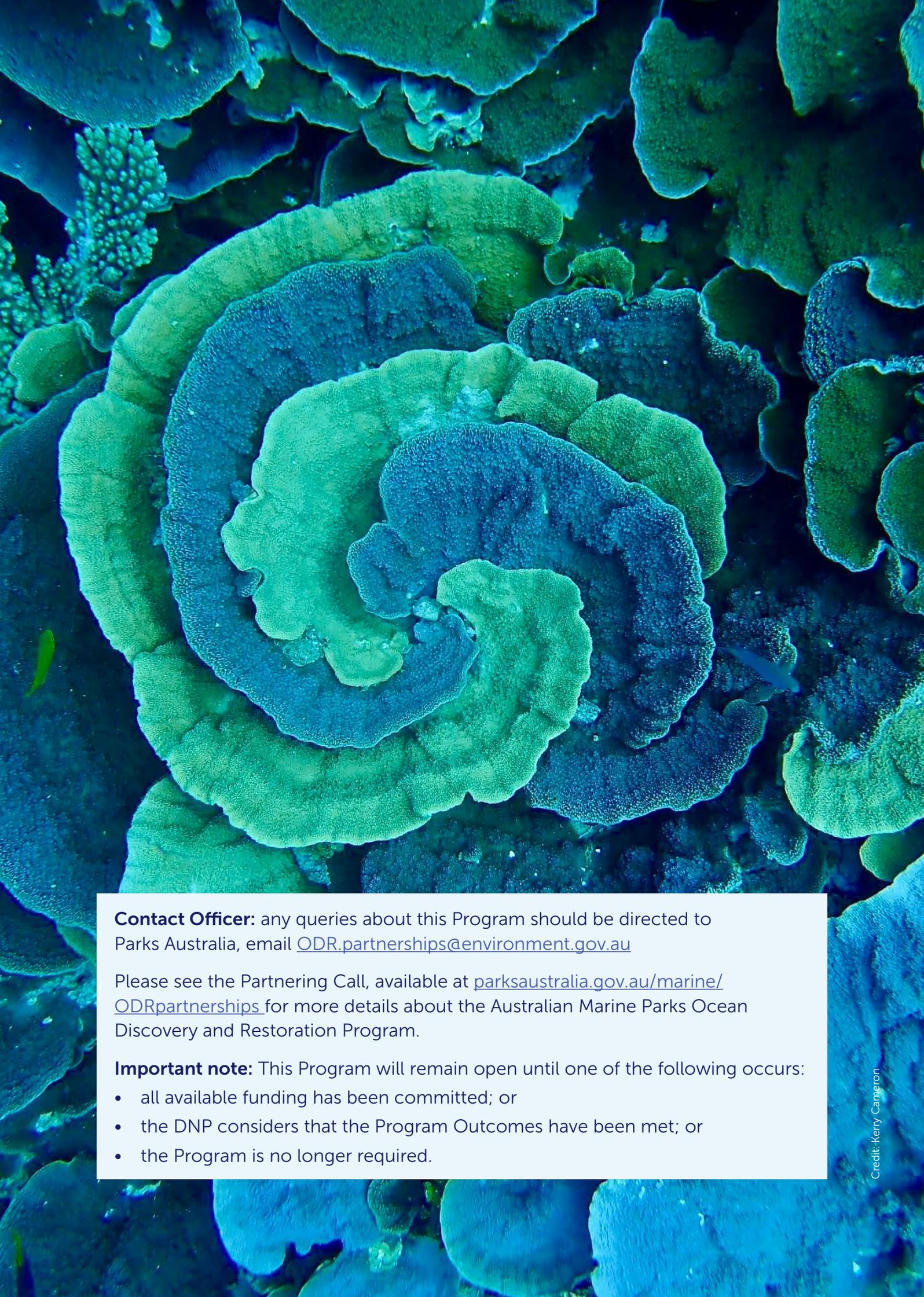
Working together to sustainably
manage our oceans



Australian Government
Director of National Parks



**Australian
Marine Parks**



Contact Officer: any queries about this Program should be directed to Parks Australia, email ODR.partnerships@environment.gov.au

Please see the Partnering Call, available at parksaustralia.gov.au/marine/ODRpartnerships for more details about the Australian Marine Parks Ocean Discovery and Restoration Program.

Important note: This Program will remain open until one of the following occurs:

- all available funding has been committed; or
- the DNP considers that the Program Outcomes have been met; or
- the Program is no longer required.

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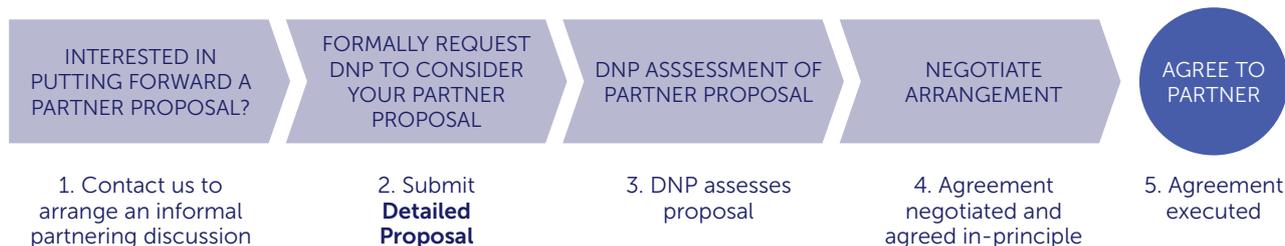
Version history

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1 Introduction

- 1.1 The Director of National Parks' (DNP) Ocean Discovery and Restoration Program invites partners to Co-contribute to projects that improve understanding and sustainable management of Australian Marine Parks.
- 1.2 This Partnering Guide should be read in conjunction with the *Partnership Call: Australian Marine Parks Ocean Discovery and Restoration Program (Partnership Call)*. The defined terms used in this Partnering Guide will take their meaning from the Glossary of Terms in the Partnership Call.
- 1.3 This Partnering Guide is for Potential Partners who are interested in partnering with the DNP on a Partner Proposal. Such Potential Partners will need to submit a Detailed Proposal in order for their Partner Proposal to be considered.
- 1.4 Potential Partners should note that the DNP will only progress a Detailed Proposal into the detailed evaluations if it meets all of the Threshold Criteria, including the Eligibility Criteria (see section 4 below).
- 1.5 Potential Partners are encouraged to enter into informal discussions with the DNP before preparing a Detailed Proposal (see further section 2).
- 1.6 If Potential Partners would like the DNP to formally consider Co-contributing towards a Partner Proposal, Potential Partners should submit a Detailed Proposal in accordance with this Partnering Guide.
- 1.7 Potential Partners are able to put forward a Detailed Proposal(s) for consideration by the DNP at any time while the Partnership Call is open. The Partnership Call will remain open until one of the following occurs:
 - 1.7.1 all available funding has been committed; or
 - 1.7.2 the DNP considers the Program Outcomes have been met; or
 - 1.7.3 the Program is no longer required.
- 1.8 Potential Partners should refer to parksaustralia.gov.au/marine/ODRpartnerships to view details of the remaining available funding for this Program at any given time.
- 1.9 If a Potential Partner wishes to contribute the funding component of its Partner Proposal through the Parks Trust, it can do so by negotiating a separate arrangement with the Parks Trust. This would be in addition to a partnering agreement with the DNP in relation to the Proposal.

Process overview



2 Informal partnering discussions

2.1 To start informal discussions before preparing a Detailed Proposal, please contact the DNP, via Parks Australia on:

Phone: (03) 6208 2990

Email address: ODR.partnerships@environment.gov.au

2.2 These informal discussions are intended to provide the opportunity for:

2.2.1 you to discuss the Program Outcomes;

2.2.2 you to discuss the scope of your proposed Partner Proposal; and

2.2.3 us to understand your organisation and its priorities, and how those priorities might align with the DNP's priorities.

2.3 For probity reasons, the DNP will keep a record of enquiries and discussions with Potential Partners.

2.4 Information you provide to the DNP in connection with your Partner Proposal or Detailed Proposal (including any informal discussions) will be held in-confidence and only used for the purposes of the Program, subject to any obligations the DNP has at law or under Commonwealth policy to disclose that information.

3 Submitting a Detailed Proposal

Formal submission of a Detailed Proposal

- 3.1 Detailed Proposals should be prepared using:
 - 3.1.1 the **Proposal Form** for the Program (a copy of which can be found at parksaustralia.gov.au/marine/ODRpartnerships); or
 - 3.1.2 if preferred, another format which includes all requested information and complies with all submission requirements (refer further to section 3.4), and emailed to ODR.partnerships@environment.gov.au
- 3.2 Detailed Proposals submitted by any other means will not be considered by the DNP.
- 3.3 The DNP will promptly acknowledge receipt of the Detailed Proposal.
- 3.4 The Proposal Form requests key information necessary to help the DNP assess a Detailed Proposal. If you chose to use another format, please ensure it addresses the same information requested in the Proposal Form and complies with all submission requirements in sections 3.9 to 3.11.
- 3.5 The DNP will assess Detailed Proposals in order of receipt, as determined by the DNP. Please note that the order of receipt will also include receipt of EOI Responses to Parks Proposals as outlined in the Partnership Call.
- 3.6 Please be aware that Parks Australia personnel with whom you communicate in relation to your Detailed Proposal (either before or after it is submitted to the DNP), will not speak to you about the likelihood of your Detailed Proposal being favourably assessed before the DNP has made a decision in relation to that Detailed Proposal.
- 3.7 In submitting a Detailed Proposal to the DNP, you acknowledge and agree that any information you are provided by the DNP (regardless of when that information is provided or involvement occurs) is provided strictly for information only and does not guarantee the success of your Detailed Proposal.
- 3.8 The DNP excludes any and all liability to a Potential Partner, which it has or might have had, arising from the DNP or Parks Australia providing information to Potential Partners for the purposes of completing their Detailed Proposal as detailed in the Partnership Call.

Submission requirements

- 3.9 DNP will accept Detailed Proposal files in Microsoft Word 2000 (or above), Microsoft Excel 2013 (or above) or PDF format.
- 3.10 Detailed Proposals sent to ODR.partnerships@environment.gov.au will be deemed to be duly authorised by the Potential Partner.
- 3.11 In submitting the Detailed Proposal electronically, Potential Partners warrant that they have taken reasonable steps to ensure that the files are free of viruses, or other disabling features which may affect the Director's computing environment.

4 Eligibility criteria

The following eligibility criteria apply to a Detailed Proposal.

Minimum contribution

- 4.1 The Potential Partner has (or has secured) and be willing to commit at least 50 per cent of the total resources required to progress the Partner Proposal. This 50 percent of total resources may be provided by the Potential Partner in the form of funding or in-kind contributions or a combination of both.

Nature of the Potential Partner

To Co-contribute with the DNP on a Partner Proposal, a Potential Partner must at the time of submitting its Detailed Proposal:

- 4.2 be a legal entity, for example:
- an individual;
 - a trustee of a trust;
 - a company;
 - a partnership where each of the partners are legal entities;
 - an Aboriginal or Torres Strait Islander organisation, council or incorporated association;
 - a government related entity; or
 - an incorporated association or cooperative society; and
- 4.3 have an Australian Business Number (ABN) and be registered for GST, if required to be registered by the Australian Tax Office.

5 The assessment process and criteria

This section outlines the two stage assessment process that the DNP will follow when assessing Detailed Proposals.

Stage 1: Initial screening process

The DNP will conduct an initial screening of a Detailed Proposal against the Threshold Criteria outlined below.

If a Detailed Proposal does not, in the DNP's sole and absolute opinion, meet all of the Threshold Criteria, the Detailed Proposal will be excluded from further assessment. If the DNP determines that a Detailed Proposal does not meet all of the Threshold Criteria, the DNP will notify the relevant Potential Partner and give reasons for the exclusion of that Detailed Proposal from further assessment.

The DNP may, at any stage of the assessment process, give Potential Partners the opportunity to clarify an omission or ambiguity in their Detailed Proposal if the DNP considers that it would be fair and equitable to do so.

Threshold Criteria:

1. There are sufficient uncommitted funds in the Program budget to cover the DNP's investment in the Detailed Proposal if it were approved.
2. The Detailed Proposal does not replicate an Approved Project that has been published for this Program.
3. Each of the Eligibility Criteria are met.
4. The Detailed Proposal is not incomplete and is able to be assessed.

Stage 2: Detailed assessment process

If the Detailed Proposal meets all of the Threshold Criteria in Stage 1, the DNP will assess the Detailed Proposal against the below Assessment Criteria.

Assessment Criteria:

All Assessment Criteria are of equal importance and weight.

1. Proper use and management of public resources and value for money, including:

- a. **Effective use:** The extent to which the Detailed Proposal meets one or more of the Project Criteria and therefore helps to contribute to the Program Outcomes.

Note to Potential Partners: *A Detailed Proposal will generally be assessed more favourably against this criteria if it meets more than one Project Criteria. In assessing this criteria, the DNP will consider the methods proposed to achieve the stated outcomes, and whether measurement, reporting and evaluation methods suggested are sufficient to enable the DNP to measure the stated outcomes.*

- b. **Efficient use:** The extent to which the Detailed Proposal will achieve value for the money and the resources used, including whether the proposed budget is reasonable to achieve the stated outcomes and whether the Potential Partner's Co-contributions are reasonable in comparison to the requested DNP Co-contributions.

Note to Potential Partners: *In assessing this criterion, the DNP will consider the costs for activities contained in the Detailed Proposal in comparison with costs for comparable activities and the appropriateness and efficiency of the proposed activities contained in the Detailed Proposal. In assessing this criterion, the DNP may also consider whether the Detailed Proposal replicates or overlaps with: (a) another Project that has been approved but not yet published; or (b) a project that is being funded through another DNP program, procurement or process. If the DNP considers the Detailed Proposal replicates or overlaps with another Project (in this Program) or another project funded through another DNP program, procurement or process, the DNP may determine that the Detailed Proposal will not achieve value for money.*

- c. **Economical:** The extent to which the Detailed Proposal minimises costs for the achievement of stated outcomes.

Note to Potential Partners: *In assessing this criterion, the DNP will consider whether the level of resources requested from the DNP is commensurate with the stated outcomes and the level of resources to be provided by the Potential Partner.*

- d. **Ethical:** The extent to which the Potential Partner and its personnel, subcontractors, and consortium members and its Detailed Proposal, including its approach to achieving the stated outcomes raises any ethical or probity issues (including conflict of interests) that cannot be reasonably managed.

Note to Potential Partners: *In preparing your response to this criterion, you should identify any potential probity or ethical issues, including in relation to conflicts of interest, and describe the actions you consider are required to manage the identified issues. In assessing this criterion, the DNP will consider whether a decision to proceed with the proposal would be defensible (including upholding the ethical principles of honesty, integrity, probity, due diligence, fairness and consistency).*

2. Viability of the Detailed Proposal:

The viability of the Detailed Proposal will be determined by the DNP after assessing whether it can realistically achieve sustained benefits over time. This includes considering the extent to which there are any known or reasonably foreseeable barriers or external factors that would prevent the Detailed Proposal from achieving its stated outcomes by the projected end date.

Note to Potential Partners: *In assessing viability, the DNP will consider matters such as any dependencies for the proposal to proceed, the extent to which the Partner Proposal would address the stated problem in the Detailed Proposal for the longer term or if the problem is likely to reoccur, and the benefits that will continue to be realised following completion of the Partner Proposal.*

3. Risk profile of the Potential Partner or the Partner Proposal:

The risk profile of the Detailed Proposal will be determined by the DNP having regard to risks which have not been considered in criteria 1 or 2, and will examine risks associated with the Detailed Proposal as a whole and the risks of partnering with the Potential Partner, including:

- whether there are any identified subcontractors or consortium members proposed in the Detailed Proposal and the extent of their involvement in the Detailed Proposal;

Note to Potential Partners: *the entity that is the Potential Partner will have the legal relationship with the DNP through the resultant agreement (if any) and will ultimately be responsible to the DNP for its subcontractors and other consortium members' involvement in the Detailed Proposal.*

- the financial viability of the Potential Partner and where applicable, any subcontractors and consortium members that are proposed;
- the Potential Partner's willingness to comply with the terms of the DNP's template partnering agreement and the risk of any proposed non-compliance with those terms;

Note to Potential Partners: *please refer to further information below about the negotiations.*

- any claims for confidentiality;
- any conditions specified in relation to the DNP's Co-contribution towards the Detailed Proposal; and
- any contingencies contained within the Detailed Proposal (for example, whether the proposed Co-contribution is contingent on any specific entity, including the Potential Partner, being invited to participate in any procurement process in relation to a particular Project or being the successful tenderer in a procurement process for a Delivery Partner).

Note to Potential Partners: *The DNP has a number of legislative and policy obligations relevant to the conduct of its procurements and decisions to enter into agreements, contracts and deeds. As a general rule, the DNP will conduct competitive procurement processes to procure the goods and services it will be responsible for delivering if the Detailed Proposal is successful. In addition, the DNP may be prevented from agreeing to enter into agreements that are contingent on the award of other projects or procurements to a specific entity.*

If any element of your Detailed Proposal, including your proposed Co-contribution is contingent or conditional on another event occurring, including a particular procurement approach for the goods and services to be delivered under the Detailed Proposal, please include details of these contingencies in your Detailed Proposal, including the reasons for the contingency or condition. Please note that these contingencies may have an adverse impact on the consideration of your Detailed Proposal.

Potential Partners should outline any risks in their Detailed Proposal as well as their intended mitigation strategies for those risks. This includes considering the range of risks associated with the Potential Partner's performance of its obligations in relation to the Detailed Proposal, including its ability to do so safely and in accordance with Work Health and Safety (WHS) obligations, and how it will mitigate and manage those risks.

Potential Partners will be advised of the DNP's decision in relation to Stage 2 (unsuccessful or proceeding to negotiation of a partnering agreement) in writing.

If a Detailed Proposal is unsuccessful, the relevant Potential Partner will be offered an opportunity to receive feedback.

If a Detailed Proposal is identified to proceed to negotiation, the DNP may seek to further negotiate any proposed non-compliance with terms of the DNP's template partnering agreement and any improvements to the proposal. Please also note that DNP does not intend to permit a Potential Partner to raise any non-compliances during the negotiations which were not identified in the Detailed Proposal.

Timeframe for response

The timeframe required for the DNP to assess a Detailed Proposal is subject to the completeness and complexity of the Detailed Proposal. The DNP is committed to responding to Potential Partners in a timely manner and where necessary will provide updates on expected timing for a decision.

If Potential Partners are requested to provide additional information in relation to a Detailed Proposal, please do so promptly and in the manner requested. Delays in providing the information requested, may adversely impact on the assessment of your Detailed Proposal.

Pending list

If the DNP is interested in progressing a Detailed Proposal but is delayed in doing so for any reason, the DNP may ask the Potential Partner if the DNP can place the Detailed Proposal on a pending list for up to 3 months. If the Potential Partner agrees, the DNP will place the Detailed Proposal on the pending list and will re-review it within that 3 month period and make a decision as to whether to progress (or not) the Detailed Proposal at that time. If the Potential Partner agrees for its Detailed Proposal to be placed on the pending list, that Detailed Proposal will remain open for acceptance by the DNP until that period expires.

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