

LandTasmania

Expression of Interest

To

*Value Add to and Resell
Tasmanian Government Property Sales
Data*

Issued by:

Land Tasmania

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I Introduction

Land Tasmania, a division of the Tasmanian Government Department of Primary Industries, Parks, Water and Environment, manages the provision of services and authoritative information about land and property in Tasmania. This includes services for the collection, maintenance and delivery of a wide range of data relating to land titles, maps, property sales, surveys and valuations.

Property sales data is held within the Land Information System Tasmania (LIST), and is collected as part of the processes of the Land Titles Office and the Office of the Valuer-General. This information is available for clients who wish to develop derivative information products or services. Such clients are referred to as a Value Added Reseller (VAR). Land Tasmania will be conducting an Expression of Interest (EOI) process for clients wishing to be a VAR of Tasmanian Property Sales records. In conducting this process, Land Tasmania endeavours to:

- Engage VAR's capable of providing quality derived products and services
- Have an open and effective competition process;
- Comply with ethical standards; and
- Enhance opportunities for local businesses

Relevant Associated Documents

The following documents are provided to assist the Applicant with the submission of an EOI.

- VAR Data Licence Agreement template
- LIST Property Sale Web Service Information Sheet
- LIST Information sheet

Submissions

All EOI applications must be submitted by email to:

listhelp@dpipwe.tas.gov.au

Contact Officer

Your contact officer for queries regarding the EOI process, complaints, or to request a debrief post-EOI assessment, is:

Leigh Fannon
Senior Client Services Officer, Land Tasmania
Phone: 03 6165 4646
Email: leigh.fannon@dpipwe.tas.gov.au

2 Product Information Sheet

2.1 The Data

Land Tasmania manages property sales records (Data) dating back to 1982. VARs can access all or a partial selection of the Data depending on their business needs. All property sales data will be provided as per the basic data scheme detailed below. Data may not be available for all attributes within each Property Sales record.

- Property ID
- Municipality Name
- Unit number
- Street number from
- Street number to
- Street
- Street type code
- Street type
- Locality
- State
- Postcode
- LIST date (*date the sale was available in LIST*)
- Sale date (*contract date*)
- Sale price
- Capital value (*at the time of sale of all titles included in the property*)
- Land area (*of all titles included in the property*)
- Land use code (*for valuation purposes*)
- Room count (*less kitchen and conveniences*)
- Building area
- Construction year
- Wall construction type
- Roof construction type

Note: Owner names will not be made available as part of a VAR Property Sales Data Licence Agreement.

2.2 Licensing

All Data supplied is subject to the completion of a Data Licence Agreement. The Licence is a non-exclusive, non-transferable licence that enables VARs to purchase the property sales record once, hold that record and then reuse it multiple times, across the agreed listed products and services for the term of their current agreement. The current Agreement term ends June 30, 2022.

2.3 Fees (all exclude GST)

Fees are applicable for each property sales record accessed by the Licensee. There are varying Fee(s) for Data, dependent on the age of the record. The categories and their respective Fee are detailed below.

2.3.1 Current Data

- The Licensee will pay a Fee for each individual property sales record accessed via the LIST after the Commencement Date of the current agreement. The Licensee will be invoiced monthly in arrears via a standard LIST account and subject to the standard LIST trading terms.
- The Fee will be increased 5% per annum on the anniversary of the Commencement date of the agreement.
- Fees for the current agreement term

Agreement year	Price per current record
April 1, 2018 to June 30, 2019	\$1.78
July 1, 2019 to June 30, 2020	\$1.86
July 1, 2020 to June 30, 2021	\$1.95
July 1, 2021 to June 30, 2022	\$2.04

2.3.2 Historic Data

Historic Data is property sales records captured between 1982 and the Agreement Commencement date. These records are charged at the unit rate at which they were originally released.

- Historic Data is purchased in addition to the Current Data, and Fees must be paid in full and in advance of delivery of the Data
- Fees for Historic Data

Calendar Year	Number of records *	Price per record
1 April 2018 to 30 June 2019	Projected 17233	\$1.78
1 April 2017 to 31 March 2018	18718	\$1.70
1 April 2016 to 31 March 2017	17761	\$1.64
1 December 2014 to 31 March 2016	20988	\$1.36
1 September 2012 to 30 November 2014	30259	\$1.30
1 January 2000 to 30 August 2012	240389	\$1.00
1982 to 31 December 1999	270523	\$0.50

* Actual numbers to be confirmed at time of delivery

2.3.3 Data purchased under previous agreement

There will be no additional charge for Property Sales records already purchased under a previous VAR Data Licence Agreement. Previous purchases will be documented in any new Agreement.

2.4 Methods of Access

Approved clients can gain access to the Data in a variety of ways. These include:

- **Secure LIST website interface** – data is obtained via the LIST website property sales interface (approved LIST account required). The Data is queried and downloaded directly from the LIST website as a PDF or comma separated values (CSV) file.
- **Secure Web Services** – a Simple Object Access Protocol (SOAP) web service allowing business to business querying on property sales records between the LIST and client systems.
- **DVD/secured HTTP** – only Historic Data will be supplied via this method, in CSV file format.

3 Overview of selection process

- Applicants complete and submit an Expression of Interest
- Applications will be checked for completeness and compliance to the Evaluation Criteria
- Applications will be assessed against the Crown's evaluation criteria below
- Successful Applicants will be offered a fixed term, non-exclusive and non-transferable VAR licence
- Unsuccessful Applicants will be notified in writing

At its sole discretion, the Crown is not obliged to:

- accept any EOI application;
- seek further information with regards to incomplete or non-compliant applications;
- offer any applicant a VAR Licence
- grant a particular number of licences

Evaluation Criteria

CRITERION	MEASURE	WEIGHT
Licence	Applicant's acceptance of the full terms and conditions of agreement	Mandatory
Eligibility	Eligibility of the Applicant, their officers, agents or service providers to be a recognised VAR of the Crown	40%
Financial Viability	Evidence of financial stability to maintain service for the Term of the Agreement	10%
Capability	Demonstrated knowledge and experience in developing and delivering Value Added products and services to meet market demands, in particular when using or incorporating government data and managing associated issues	40%
Buy Local Guidelines	Evidence of being a local business and/or benefit to the Tasmanian economy	5%
Environmental Considerations	Environmental initiatives undertaken by the Applicant (e.g. carbon emission offset programs, environmental policies, practices and procedures)	5%

4 Crown policy - Confidentiality of information in Government contracts

a) Meaning of certain terms

“Confidentiality Provision” means a provision which, if included in a contract to which the Crown is a party, would restrict or prohibit the capacity of any party to that contract to lawfully disclose any term of, or other information in, or concerning the contents of, that contract.

“Crown Law Officer” has the meaning in TI 1401;

“Head of Agency” means the Head of Agency for the purposes of TI 1401;

“Responsible Officer” means an officer within the Department responsible for negotiation of any contract in relation to this RFT;

“TI 1401” means Treasurer’s Instruction No. 1401 issued under the *Financial Management and Audit Act 1990* (Tas).

b) Crown policy

(i) The Crown is committed to ensuring that Government contracting is conducted in an open and transparent manner and that unnecessary Confidentiality Provisions do not fetter scrutiny of contracts. The Crown’s policy on confidentiality provides that in any contract between the Crown and another party, Confidentiality Provisions are not to be included except in limited circumstances approved by a Head of Agency.

(ii) The restriction on Confidentiality Provisions does not apply to:

(A) pre-contract information which passes between the parties in order to enable the contract to be performed; or

(B) the services or products that flow from the performance of the contract, including information that is brought into existence pursuant to the contract.

c) Application for exemption

Only a Responsible Officer may apply for the Head of Agency’s approval for the inclusion of a Confidentiality Provision in a contract between the Crown and another party. The Responsible Officer will determine the need for an application, having regard to the Department’s requirements and any request from the preferred Applicant on a case-by-case basis. Any application for approval to a Head of Agency must be made by the Responsible Officer, and can only be approved by the Head of Agency before the Crown enters into a contract with the successful Applicant.

In accordance with TI 1401, the inclusion of a Confidentiality Provision may be approved by the Head of Agency where:

(iii) another party to the contract requests confidentiality or a Crown Law Officer has certified, in writing, that there are good and sufficient reasons for the Crown to maintain confidentiality;

(iv) the provisions of the contract sought to be made confidential are specifically identified;

- (v) the disclosure of the provisions of the contract would cause unreasonable detriment to the Crown or another party to the contract; and
- (vi) confidentiality, in part or in whole, is in the public interest.

If an application for inclusion of Confidentiality Provisions is refused by the Head of Agency, or is granted by the Head of Agency on terms unacceptable to either party, the dissatisfied party may either withdraw from the negotiations and the EOI process or waive its confidentiality requirements.

- d) **Terms of contract must give effect to decision**
Where inclusion of Confidentiality Provisions is approved by the Head of Agency, the terms of the contract must be drafted to give effect to the decision of the Head of Agency, including any decision on any limit on the period of confidentiality.

5 Crown policy - Confidentiality of EOI

5.1 EOI remains property of the Department

The EOI remains the property of the Department and may be used only to prepare an application.

5.2 Use of EOI is restricted

Except for information available to the public generally (other than by breach of these Conditions), a person receiving the EOI must not publish, disclose or copy any of its content, except to prepare an application.

5.3 Applicant must not disclose information

The Applicant must keep confidential all information provided by the Crown, as part of, or in connection with, the EOI.

5.4 Applications become property of the Department

All EOI applications become the property of the Department, which may reproduce all or any part of an application for EOI evaluation.

5.5 Department's right to use an EOI

Despite any confidentiality or intellectual property right of the Applicant in the successful EOI that gives rise to a binding contract with the Crown:

- a) the Department may reproduce all or any part of that EOI in a contract awarded to the Applicant, without reference to the Applicant;
- b) subject to paragraph (c) of this subclause, either party may publish all or any part of that EOI that is included in a contract, without reference to the other; and
- c) neither party may publish any part of that EOI that the Head of Agency has determined should be confidential, during the period determined by the Head of Agency.

5.6 Confidentiality of EOI Application to be preserved

Subject to the previous subclause, the Crown and the Applicant must hold the EOI in confidence, so far as the law allows, except if:

- a) the information is available to the public generally, other than by breach of this obligation;

- b) a law requires a party to file, record or register something that includes information in the EOI;
- c) disclosure is necessary or advisable to get a consent, authorisation, approval or licence from a governmental or public body or authority;
- d) it is necessary or advisable to make disclosure to a taxation or fiscal authority;
- e) it is necessary to provide the information in the EOI in answer to a question asked of a Minister in the Parliament, or otherwise to comply with a Minister's obligations to Parliament; or
- f) it is disclosed confidentially to a party's professional advisers:
 - g) to get professional advice about this EOI process; or
 - h) otherwise to consult such professional advisers.

6 Request for debriefing

Unsuccessful Applicants are encouraged to request a debriefing from the Department to discuss the reasons for their non-selection. An Applicant who would like a debriefing should contact the Contact Officer. If requested to do so, the Department will provide a debriefing for an unsuccessful Applicant after other successful Applicants have been offered a VAR licence.

7 Complaints process

An Applicant may lodge a complaint if the Applicant believes the Department's EOI process has not complied with the Tasmanian Government's procurement policies. Further information on the formal complaints process is available from the Tasmanian Government website at www.purchasing.tas.gov.au, or may be obtained in hard copy from the Contact Officer.

8 Application Form

Business details of Applicant

Business Name of Applicant _____

Business Address of Applicant _____

ABN & ACN of Applicant _____

Trading Name(s) of Applicant _____

Details of contact person for the Application process

Name: _____

Address: _____

Phone: _____ (Land line) _____ (Mobile)

Email: _____

The Applicant agrees that:

- a) they are authorised to submit this EOI application, and declares that all information submitted in this form is true and correct;
- b) they will provide all details and information requested in this form and other documents as requested;
- c) agrees that any response with a comment 'subject to conditions' or a similar intent, may be treated as a 'No' response if the condition is not acceptable to the Crown;
- d) they accept the Qualitative Evaluation Criteria (see section 3 of this document);
- e) an EOI application doesn't automatically entitle the applicant to a licence, and the Crown at its total discretion may accept or deny an EOI application;
- f) the Crown will neither be responsible for, nor pay for, any expense or loss incurred by a Applicant for:
 - i. preparing or lodging an EOI; or
 - ii. providing additional information or clarification during the evaluation of an EOI.
- g) the Crown is not obliged to accept any EOI Application, nor offer any VAR Licence; and
- h) the Crown must be sure in its own mind that the applicant is capable of delivering derived and value added products.

8.1 Application Signature Page

Signed for and on behalf of the Applicant

by [redacted]

(who by his/her signature duly warrants his/her authority to bind the Applicant) in the presence of:

.....
Signature of Witness

.....
Full Name

.....
Address

.....
Occupation

(If the Applicant is a natural person)

Signed by [redacted]]

in the presence of:

.....
Signature of Witness

.....
Full Name

.....
Address

.....
Occupation

Please clearly indicate your answers to the following questions. All information will be used to assess your eligibility to become a Value Added Reseller (VAR) for Tasmanian Property Sales Records.

LICENCE

1. **The Applicant agrees to fully accept all of the terms and conditions of the Data Licence Agreement (DLA)** [Yes/No] comments optional

2. **The Applicant agrees to pay fees in full in accordance with licence conditions.**
Note: The Fee will be increased 5% per annum on the anniversary of the Commencement date of the DLA. [Yes/No] comments optional

3. **The Applicant agrees to disclose any conflict of interest.**
[Yes/No] If No, provide details below:

4. **The Applicant intends to:**

- a. Purchase Tasmanian property sales recorded in the LIST from the DLA commencement date onwards, for the term of the DLA. [Yes/No]

- b. Continue to use already purchased Data from previous DLAs. [Yes/No] If Yes, please detail data purchased. Note: Data purchased under previous DLAs must be documented in new DLA for use to continue.

- c. Purchase Historic Tasmanian property sales. [Yes/No] If Yes, please detail which year's records. Note: Minimum purchase of 1 calendar year's data

CLIENT ELIGIBILITY**5. Financial**

- a. Are there or has there been any bankruptcy actions against a director of the Applicant or its parent or associated entities within the past 5 years? [Yes/No] If Yes, provide details below:

- b. Are there or has there been any actions of insolvency proceedings, actual or threatened (including Voluntary Administration, Application to Wind Up, or other) against the Applicant, its parent or associated entities within the past 5 years? [Yes/No] If Yes, provide details below:

- c. Are there or has there been any de-registration actions against the applicant, its parent or associated entities within the past 5 years? [Yes/No] If Yes, provide details below:

- d. Is the applicant trading solvent, and able to meet its debts as and when they fall due in the normal course of business? [Yes/No] If Yes, provide details below:

6. Ability to obtain insurances

Successful applicants must hold, and keep current throughout the Term of the DLA, contracts of insurance with a reputable insurer lawfully carrying on insurance business in Australia. Insurance requirements are detailed within Clause 8 of the DLA.

- a. Does the Applicant's current insurance satisfy the requirements in Clause 8 of the DLA? [Yes/No] If No, see 6.b.

- b. Does the Applicant agree to obtain insurances that satisfy the requirements in Clause 8 of the DLA? [Yes/No/Comments]

7. Due diligence

- a. Does the applicant permit DPIPWE to make enquiries and perform checks as it deems appropriate? [Yes/No/Comments]

8. Previous history with the Crown

- a. Have you ever held a contract of any kind with any Tasmanian Government entity, previously including (but not limited to) central government agency, GBE/State Owned Company, Local Government? [Yes/No] If Yes, provide details below:

- b. Have you ever been given Notice of any kind with regards to non-compliance with an agreement or any contractual terms with a Tasmanian Government (or any other entity)?

- c. Have you or your business, or a Director of that business ever had a contract with a Tasmanian Government entity terminated? [Yes/No]. If Yes, provide details, including (but not limited to) contract name, agency and short history of the contract and termination reasons.

CLIENT CAPABILITY**9. Industry Experience**

- a. Provide detail of the Applicant's experience with developing, maintaining and delivering value added products and services to market (in particular where incorporating and managing government records and data), and including statements as to how the Applicant's products and services meet the needs of the market. The Applicant should also provide details of any arrangement including a third party service provider or application used to deliver said products or services.

- b. If the Applicant intends to consume the Data via the LIST Property Sales Web Services, provide details of/outline experience in using web services.

- c. Provide details of the Applicant's experience and methods for communicating with its end users, and ensuring its end users (including third party arrangements) comply with the conditions of the DLA.

- d. Provide details of the Applicant's experience with managing sensitive information, including (but not limited to) personal identification, privacy and associated data integration issues.

- e. Provide evidence to demonstrate the Applicant's experience and capability in securing data within its own organisation, as well as downstream systems, products, services and applications.

OTHER

10. **Is the applicant a registered Tasmanian business? [Yes/No]**

11. **The number of employees permanently based in Tasmania**

12. **Initiatives the Licensee undertakes to reduce impact on environment**

13. **Details for VAR Data Licence Agreement**

To be completed in relation to the attached DLA template

a. **Licensee (page 3)**

Name - Company ("Licensee")	
ABN/ACN	
Postal Address	
Telephone	
Contact	
Email	

b. **Notices (for the purposes of clause 12)**

Name – natural person	
Position Title	
Company Name	
Postal Address	
Email	

c. **Signatures (for signing page)**

Name – natural person	
Position Title	
Company Name	

d. **Technical Contact** (for Schedule 9 of the Schedule)

Name – natural person	
Position Title	
Company Name	
Postal Address	
Phone (landline)	
Phone (mobile)	
Email	

14. List of VAR products

- a. Provide a list of your current (and/or proposed) products as at anticipated commencement date, utilising the Data in Appendix A.

8.2 Appendix A – Products

PRODUCT NAME [Including any product that incorporates or has used Tasmanian property sales data in part or full in any way]	PRODUCT DESCRIPTION [Including details if Tasmanian data is used/displayed at an aggregated or individual property level]	PRODUCT POINT OF SALE [Detail where your products will be consumed by your customers including Trading Name(s), website addresses, applications, mobile, and third party partners]	PRODUCT DISTRIBUTION METHOD	PRODUCT FREQUENCY	REVENUE MODEL SUMMARY	PROPOSED RRP [Inc. GST]	INTENDED MARKET
<i>(Items in grey are examples only)</i> Tasmanian Report	<i>(Items in grey are examples only)</i> Annual report including statistics, graphs, charts, aggregated to suburb/year, no individual sales displayed	<i>(Items in grey are examples only)</i> Our website trading as Tasmania.com & Hobart.org and via our third party launceston.com	<i>(Items in grey are examples only)</i> Digital PDF	<i>(Items in grey are examples only)</i> Annually	<i>(Items in grey are examples only)</i> Free to subscribers Free to clients with a relationship Charge External	<i>(Items in grey are examples only)</i> Annual Subscription Fee of \$1 Free \$1 per report	<i>(Items in grey are examples only)</i> Our Customers Other - government, investors, accountants and real estate agents Anyone
Tasmanian Report Smart Phone App		Tasmania.com	Our website, I-tunes	Monthly	App Free – report not	\$1 per report downloaded	Anyone