



REQUEST FOR PROPOSALS

REVIEW OF THE SOUND ARCHIVES/ NGA TAONGA KORERO

SECTION A – OVERVIEW AND RFP BACKGROUND

Overview

1. Purpose of request for proposal

This request for proposal ('RFP') is issued by the Broadcasting Commission ("NZ On Air"). NZ On Air invites proposals for the provision of a review of the **Sound Archives/ Nga Taonga Korero** in accordance with this RFP and the specifications as set out in Schedule B.

We require an independent company, team or individual to review and evaluate the efficiency, effectiveness and future funding needs of SA/NTK. We expect the supplier may form a small, multi-disciplinary team.

The selected supplier will have access to NZ On Air and RNZ internal documentation, and will be required to interview staff of all three organisations plus selected stakeholders to contribute to the evaluation.

This review will inform policy development around sound archiving funding and its place in the wider archiving sector.

2. Background

Established in 1989, NZ On Air is an autonomous Crown entity and New Zealand's largest funder of content for television, radio, NZ Music and new media.

Governed by a Board of six members appointed by the Minister of Broadcasting, NZ On Air has a staff of 13, working in television, radio, community broadcasting, NZ Music and administrative support.

The Broadcasting Act requires NZ On Air to fund broadcast archiving and NZ On Air has provided funding to Sound Archives/ Nga Taonga Korero since 1990 to archive, preserve and make available to the public and industry selected radio broadcasts. NZ On Air has invested over \$10 million into archiving services during this period and in the 2010/2011 financial year will be contributing just over \$700,000 plus GST.

Sound Archives/ Nga Taonga Korero ("SA/NTK") is a subsidiary company fully owned by Crown company Radio New Zealand ("RNZ"). SA/NTK is based in Christchurch. It is led by a manager who reports to a Board of two directors, being the Chief Executive and Chair of RNZ, which is based in Wellington. SA/NTK has an advisory panel comprised of industry professionals appointed by the manager to assist in accessions strategy and selection.

3. Structure

3.1 This RFP consists of the following:

Section A Introduction

This provides background information on the review.

Section B Specifications

This section details the supplier specifications and/or technical and operational requirements of NZ On Air with respect to the RFP. Suppliers who wish to be considered must have the capability to meet these requirements.

Section C Request for Proposal Timetable

Section D Request for Proposal Process

This section sets the RFP process and evaluation process and criteria.

Section E Fine Print Conditions

Section F Request for Proposal Form

Each supplier must complete and submit to NZ On Air their Response for their Proposal to be considered. The RFP Form in Section F must also be completed and signed.

SECTION B SPECIFICATIONS – NZ ON AIR REQUIREMENTS

The primary purpose of this review is to evaluate whether:

- Archiving service delivery by SA/NTK (collection, preservation and access) is of high quality, appropriately balanced, and based on best-practice principles
- There is any unnecessary duplication of funding or services, or significant gaps
- Strategic issues facing sound archiving are being adequately addressed

The review will also consider wider issues such as whether:

- SA/NTK's stated mission and strategic plan is in accordance with funders' expectations
- Purchasing arrangements are appropriate
- The level of resourcing for SA/NTK is appropriate
- SA/NTK is able to deal effectively with the problems and opportunities created by changes in technology
- There are any problems in the environment that make it difficult for SA/NTK to achieve desired results
- The current funding structures are the most efficient and effective to achieve the best outcomes for the public good

The evaluation should answer for NZ On Air the following questions:

- For the funding it receives, is SA/NTK providing a good level of service? (accession, preservation, storage, access)
- What is working /should it keep doing?
- What is not working / should it stop doing?
- What are opportunities facing it / should it start doing?
- Is there a clear strategy and is it being implemented well?
- Is the governance model effective?
- Is the advisory panel effective?
- Is the current resource being applied in the most effective and cost-effective way?
- What are the key resource constraints?
- Are there service gaps that have emerged over time?
- Are there opportunities for cost savings?
- Are there revenue opportunities?
- Who are the main users?
- If additional funding was available, what should be the strategic priorities?
- What is SA/NTK's place in the more general archiving sector?
- Are the people of New Zealand being well-served by current sound archiving policies and practices?

Suppliers will be expected to:

- Interview members of SA/NTK, NZ On Air and RNZ to understand the current issues
- Interview selected stakeholders to understand their expectations and assess their satisfaction

- Review and assess internal documentation, financial and service delivery reporting, and any relevant external reports
- Have or develop an understanding of best-practice archiving methods
- Understand financial management policies and practice
- Understand or develop an understanding of broadcast and archiving technology

We are seeking responses from companies, individuals or teams specialising in organisational reviewing.

The responding agency or individual will need to be able to demonstrate:

- Experience in strategic consulting research and report writing
- Understanding of general archiving purpose and methodology
- Experience in assessing whether successful outcomes have been achieved and if not, why not
- Understanding of the public sector environment, and in particular, small organisations in that context
- No conflicts of interest and no vested interest in review outcomes
- A project timeline setting out a proposed process, proposed activities and delivery items, and a budget for the work

SECTION C REQUEST FOR PROPOSAL TIMETABLE

Activity	Date
RFP on GETS	1 July 2010
RFP questions accepted	19- 30 July
Tender closes	6 August
Request presentations (if required). Non successful respondents advised	16 August
Respondent presentations (if required).	Week of 23 August
Respondents notified of outcome	30 August
Contract negotiated and implementation commences	6 September
Draft report delivered to NZ On Air	18 January 2011
<p><i><u>Important Note</u></i> <i>The above dates are indicative only and NZ On Air reserves the right to change any of the dates above at its sole discretion.</i></p>	

4. Closing Date and Time

Respondents are requested to email one electronic Word copy of the proposal and completed Request for Proposal Form in section F.

All RFP documents must be received by NZ On Air **12 noon, Friday 6 August 2010.**

- Any corrections or amendments to any submitted proposals must be provided in writing and received by NZ On Air prior to the closing date.
- Respondents should ensure that their RFP is delivered before the closing date and time. NZ On Air reserves the right to accept or decline late proposals or proposals that do not conform to the terms of this RFP document, at its absolute discretion.

5. NZ On Air Authorised Representative

Any queries regarding this document or your proposed RFP response should be addressed by email to NZ On Air's Authorised Representative:

Communications Review RFP
Email: jane@nzonair.govt.nz

- A confirmation of receipt will be provided for each email received.
- Subject to the Request for Proposal Conditions in Section C NZ On Air will not be bound by any other statement, written or verbal made by any other person other than the authorised representative.

5. NZ On Air Information

Except to the extent required by law, **NZ On Air** may withhold any information from any person for any reason, and will not be responsible to any person for any information provided under or in connection with this RFP.

6. Confidentiality of Supplier Information

All RFP responses received by NZ On Air shall be retained by NZ On Air and shall be treated as confidential at all times. NZ On Air is however subject to the Official Information Act 1982. Respondents should note that information provided by respondents may be required to be disclosed under the Act.

NZ On Air will also deal with any personal information about respondents, their employees, agents and contractors in accordance with the provisions of the Privacy Act 1993.

NZ On Air will be consulting RNZ over the selection of supplier and RFP submissions will be provided to them.

7. Validity Period

Once submitted, each Proposal remains open for acceptance by the NZ On Air and is irrevocable and may not be withdrawn or modified, except with the written consent of NZ On Air, until the expiry of 90 days after submission closing time.

9. Deviations from Proposal Form

Any deviations from NZ On Air's Request for Proposal Form must be clearly marked and a written explanation given for any deviation. NZ On Air reserves the right to reject such Proposals should the deviation(s) prove unacceptable in the opinion of NZ On Air.

10. Changes to the RFP by NZ On Air

NZ On Air reserves the unrestricted right at any time to make any changes to the RFP and to the RFP process. Where a significant change affects either the scope of work or the RFP process NZ On Air will notify this through the GETS website.

Following notification, the Request for Proposal Form is deemed changed as specified by NZ On Air. If a Proposal has been submitted prior to the change, the Proposal may be withdrawn and modified to take account of the change and resubmitted by the closing time or any new time set by NZ On Air at its discretion.

11. Evaluation Process

NZ On Air will consider all conforming Proposals. Once Proposal evaluations are completed, negotiations with a preferred supplier may be undertaken.

NZ On Air will evaluate how each Proposal meets the requirements of this RFP. Evaluation will be undertaken in accordance with a number of key criteria identified by NZ On Air. NZ On Air may contact suppliers during the period of evaluation seeking clarification or additional information relating to the Proposals. NZ On Air may require this presentation to address specific aspects of the supplier's Proposal.

Based on the Proposal received, evaluations undertaken, reference checks, and presentations, NZ On Air working with Radio New Zealand may select a preferred supplier. NZ On Air and the preferred supplier may enter into negotiations to refine the project details, and agree on the terms and conditions of the contract.

Should NZ On Air advise you that you are the Preferred Respondent such advice does not:

- Constitute an acceptance by NZ On Air or create a contract
- Constitute an award of the contract to you
- Imply or create an obligation on NZ On Air to enter negotiations with you or award a contract to you

NZ On Air can discontinue negotiations at any time.

12. Evaluation Criteria

NZ On Air and Radio New Zealand will evaluate Proposals based upon the following criteria. Suppliers should note that these are not listed in any particular order and may not be a complete list of evaluation criteria.

- **Organisation capability and experience**
- **Evidence of a broad understanding of archiving activities, governance models, financial analysis and the external broadcasting and archiving environment**

- **Quality assurance**
- **Value for money**
- **Assumptions** - as used in preparation of the response
- **Contractual** - willingness to meet NZ On Air's contractual requirements
- **Conformity** - to RFP documents

13. Lowest Price not a Determinant

While the lowest price is a significant factor to NZ On Air it is essential that other criteria are also met. NZ On Air may use any criteria, and place any weight on criteria it chooses. NZ On Air shall not be bound to accept any Proposal.

14. Participation

NZ On Air reserves the right at any time and for any reason to exclude, liaise with, select, negotiate with, and/or enter into agreement with any supplier at any time in respect of this project.

15. Rights Reserved by NZ On Air

To the extent allowed by law NZ On Air reserves the unrestricted rights to at any time:

- Change any date in this RFP process (e.g., extend or shorten timeframes)
- Apply, or change, any policy or criteria relating to participation in this RFP process or the evaluation of Proposals
- Exclude any person from this RFP process (whether on the grounds of capability, compliance with specifications, price, government policy or direction, security or operational requirements, or otherwise)
- Reject or not consider any non-compliant Proposal
- Liaise, negotiate or contract with any respondent or any other person at any time without disclosing this to, or involving or doing the same with, any other respondent or person whether before, during or after this RFP process
- Delete any goods or services from this RFP process
- Change any rule of this RFP process by notice
- Suspend or cancel this RFP or any process arising from it at any time and for any reason by notice
- Not accept the lowest or any Proposal, or not enter into any contract
- Enter into one or more contracts in respect of any part of their requirements
- Not give any reason to any person for the rejection, failure, or otherwise to any respondent or Proposal, or any suspension or cancellation of their RFP process.

16. NZ On Air Response

NZ On Air will advise respondents of their inclusion in any subsequent shortlist (if NZ On Air decides to shortlist respondents). NZ On Air anticipates such advice will be issued on or before 16 August 2010.

This date may be subject to extension at NZ On Air's discretion.

18 Subject to Contract

Respondents are advised:

- 18.1.1 A contract is only formed between NZ On Air and the successful Service Provider when NZ On Air executes such a contract covering the relevant services/products. This clause applies despite any oral or written advice to the Service Provider that a Proposal is successful or has been, or will be, accepted;

- 18.1.2 NZ On Air reserves the right to negotiate with other Service Providers in the event that a contract cannot be successfully negotiated between NZ On Air and the preferred Service Provider;
- 18.1.3 This RFP, and any provision contained in it, does not give rise to a separate contract between NZ On Air and any Service Provider. Furthermore, no legal or other obligations shall arise between the Service Provider and NZ On Air in relation to the conduct or outcome of the Proposal process;
- 18.1.4 Nothing in this RFP or in the relationship of NZ On Air and any Service Provider imposes any duty of care on NZ On Air and any such duty of care is expressly excluded

19. Contract

NZ On Air will propose its own form of contract for the provision of the required goods and services.

20. RFP Complete and Accurate

All information provided by suppliers and their responses is warranted by the supplier to be complete and accurate. The supplier also warrants to NZ On Air that the provision of information to NZ On Air and the use of it by NZ On Air for the evaluation of RFP responses and for the negotiation of any resulting contract will not breach any third party intellectual property rights.

NZ On Air is under no obligation to check any RFP response for errors. Acceptance of an RFP response that contains errors will invalidate any contract that may be negotiated on the basis of that RFP response.

21. NZ On Air and RNZ Disclaimer of Liability

While NZ On Air and RNZ try to produce accurate information, they will not be liable (in contract or tort, including negligence) to any respondent or any other person if they rely on any information provided by NZ On Air or RNZ.

23. NZ On Air Not Liable for Costs

NZ On Air will not be liable (in contract or tort, including negligence) for any direct or indirect damage, loss or cost (including legal and lawyer/client costs) to any respondent or any other person in respect to this RFP process.

24. NZ On Air and RNZ confidentiality

Every respondent and their representatives must comply with the confidentiality requirements of NZ On Air or RNZ where they have access to any information not otherwise publicly available.

26. Conflict of Interest

Respondents should disclose any conflict of interest in relation to the matters covered by this RFP.

29. New Zealand Law

New Zealand law governs and New Zealand Courts have exclusive jurisdiction.

Instructions for Completing Request for Proposal Form:

Please answer each question in this section. Please use the sections in your response and respond in the same sequence. Where a question is not relevant to your RFP response you must insert "N/A" or "Not Applicable" against the respective question number.

If the answer to a question is in an attachment then please indicate this by the respective question number and identify the attachment as well.

Any partial compliance or non-compliance with requirements must be clearly described in your response.

Proposals that do not meet the format provided may be excluded from the RFP process.

You must also complete the Form of RFP Response at the end of this section.

Part One – Executive summary/profile and structure

Section	Question
<p>Executive summary/ profile</p>	<p>Your profile:</p> <p>A brief introduction to your agency, approach, experience and overview of your capability to carry out the services set out in this RFP.</p> <p>A summary of the major benefits which, in your opinion, NZ On Air would gain from accepting your proposal.</p> <p>Provide details of major customers and three referees whom NZ On Air can contact.</p>
<p>Company structure</p>	<p>Provide full details of:</p> <p>The street and postal address and a facsimile number for your office</p> <p>Your company structure (e.g. a partnership? a company? sole trader?)</p> <p>If a company, full names of all major shareholders of the company, including any beneficial shareholders who are not the registered shareholders</p> <p>Name of your authorised contact person in relation to this RFP.</p> <p>Joint proposals: If any of the required capabilities are to be provided under subcontract or in partnership with another organisation then you must clearly identify:</p> <ul style="list-style-type: none"> ▪ Those capabilities, ▪ The names of the other parties providing the services, ▪ The nature of the relationship you propose to have with those other organisations, ▪ What aspects of the work requirements would any other parties be required to perform? ▪ The benefit to NZ On Air in working with you and your subcontractor/partner. <p>Third party relationships: Name instances where you have worked with other companies and how you have ensured that this engagement worked for your client.</p>

Part Two – Organisation capability and experience

Section	Question
Organisational capability and experience	<p>Provide names and CVs of the resources and personnel you are planning on utilising on this contract.</p> <p>Provide details of experience of providing similar services.</p> <p>Briefly outline what challenges you think SA/NTK currently faces.</p>

Part Three – Quality Assurance

Section	Question
Quality Assurance	<p>How would you plan to ensure the quality of the work undertaken by your company reflects the expectations of NZ On Air?</p> <p>How would you ensure that budget and timeframes are met?</p> <p>How do you intend to ensure the professional and technical aspects of archiving activities will be adequately appraised and described?</p> <p>How would you plan on rectifying any areas of work that NZ On Air may not be 100% satisfied with the outcome.</p>

Part Four – Value for money

Section	Question
Value for money	<p>Provide a full budget including schedule of pricing relevant to your response to this RFP. Include estimated hours and hourly rates.</p> <p>Describe your quoting process.</p> <p>Detail how you demonstrate cost effectiveness and value for money.</p>

Part Five – Project Management

Section	Question
Project management	<p>Provide your proposed actions and timelines around all key activities from brief to delivery.</p>

Part Six – Assumptions

Section	Question
Assumptions	<p>Your proposal should set out clearly any assumptions you have made in respect of the requirements set out in this RFP.</p>

This Form must be completed and provided with your response to the RFP.

Form of RFP Response

Proposal for the Review of Sound Archives/ Nga Taonga Korero

By signing this Form of Response **[insert company name]** declares the following:

- That I/we have examined and fully understood the request for proposal documents ('the RFP') dated 1 July 2010 and none of the information **[insert company name]** has submitted breaches any third party copyright.
- That I/We offer to provide the services in accordance with our RFP response and pricing structure offered and acknowledge that our proposal is irrevocable and remains open for acceptance until 6 September 2010. Further, I/We agree that if selected by NZ On Air as the preferred respondent that I/We will offer the services on the terms and conditions contained in the RFP which will become the basis of the contract to be entered into between the respondent [as the supplier] and NZ On Air
- I/We understand that NZ On Air is not obliged to accept the lowest or any proposal it may receive.
- I/We accept the RFP conditions
- I/We confirm that we have fully considered Section C Clause 26 – Conflicts of Interest and to the best of our knowledge do not have any conflicts/ have the following conflicts [please list]:

[insert company name] confirms our contact details for the purpose of this RFP as follows:

Phone (include code):

Fax (include code):

E-mail:

Address for Service:

PO Box number:

Primary contact person:

Mobile phone (include code):

Proposer:	_____
Name:	_____
Signature(s):	_____ in position of _____
Dated:	
Witness(es) name:	_____
Witness(es) signature:	_____