

Proactive Release: Procurement and Decision-Making Process for Digital Arts Commissioning and Capability Service

5 December 2022

Creative New Zealand has proactively released the following document:

- Summary Document: Procurement and decision-making process – Digital Arts Commissioning and Capability Service

Further information on the Digital Arts Commissioning and Capability Service is available on our website.

Note: paragraph 41 of this document was updated on 15 March 2023.



Summary Document: Procurement and Decision-Making Process for Digital Arts Commissioning and Capability Service

This summary document provides the following information:

- A. Timeline of the procurement and decision-making process** for the selection of an organisation to deliver a new Digital Arts Commissioning and Capability Service
- B. Background** to the procurement process
- C. Procurement process:**
 - a. Registration of Interest (ROI)
 - b. Request for Proposals (RFP)
- D. Due diligence process**
- E. Summary of the decision-making process**
- F. Statement from We Are Indigo Ltd (parent company of Toi ki Tua) about the new service**

The following documents are attached:

- Creative New Zealand's Digital Framework (October 2020)
- Registration of Interest document
- Registration of Interest template
- Request for Proposals template

A. Timeline of the procurement and decision-making process

	Date (2022)	Event
1.	February 2022	Arts Council agrees to release a Registration of Interest (ROI) for the provision of a new Digital Arts Commissioning and Capability Service
2.	15 March	Call for Registration of Interest (ROIs) released by Creative New Zealand on the Government Electronic Tender Service (GETS)
3.	4 April	Closing date for submission of registrations to Creative New Zealand
4.	11-13 May	Information meetings held with registrants
5.	29 June	Arts Council approves the shortlist of registrants and the release of a Request for Proposals (RFP) to shortlist
6.	4 July	RFP released
7.	19 - 21 July	Interactive meetings with shortlist
8.	8 August	Proposal closing date
9.	31 August - 1 September	Presentations by respondents to the evaluation team
10.	5 September	Evaluation team holds first moderation meeting
11.	7 September	Evaluation team holds second moderation meeting
12.	September - early October	Due diligence undertaken by Creative New Zealand
13.	19 October	Arts Council approves recommendations to award the funding agreement for the establishment of the new service to Toi ki Tua Ltd (a limited liability company wholly owned by We Are Indigo Ltd)
14.	1 November	Arts Council requests deferment of signing while further information is prepared for the Arts Council's Audit and Risk Committee
15.	22 November	Audit and Risk Committee considers further information provided by management and concludes the due diligence process was thorough, and there is no reason to revisit the Arts Council's 19 October 2022 decision to sign the agreement with Toi ki Tua Ltd
16.	2 December	Funding Agreement and Partnering Agreement (Tākai Here) to be signed with Toi ki Tua Ltd

B. Background to the procurement process

1. In response to COVID-19 and Creative New Zealand's longer term strategic intentions, in 2020, Creative New Zealand began exploring options for building the digital capability of the arts sector.
2. The COVID-19 pandemic highlighted:
 - the necessity for the arts and culture sector to position itself better to maximise the opportunities that digital technologies present
 - that Aotearoa New Zealand lags behind other countries in using digital technologies within the arts and cultural sector.
3. COVID-19 amplified what was already known and was being worked on in the context of 'business as usual'. Firstly, that the arts infrastructure in Aotearoa New Zealand is overwhelmingly focused on delivering a 'live experience.' Secondly, that the skills, practices and experience in delivering digitally were generally underdeveloped (certainly relative to live experiences). Thirdly, there was no significant infrastructure supported by Creative New Zealand that was solely focused on digital leadership. It was recognised that the imbalance between the digital and live infrastructures was a problem before COVID, and that COVID reinforced the necessity to act.
4. These concerns were reinforced by the nature of the proposals Creative New Zealand received from the arts sector as part of our emergency response to the pandemic, with many organisations seeking to rapidly adapt their offer to the digital context.
5. Consequently, a decision was made to look more closely at what might be done to catalyse development of the 'digital infrastructure' available to support the arts sector. This resulted in the proposal for the establishment of a Digital Arts Commissioning and Capability Initiative. The procurement process that shaped 'how' this initiative was developed is set out **below**.
6. This Initiative is in keeping with previous 'infrastructure development', and consistent with the arts development work of the Arts Council. Previous entities established with the Arts Council as the key initial investor include The Arts Foundation, Toi Māori Aotearoa, Arts Access Aotearoa, SOUNZ (The Centre for New Zealand Music), Objectspace and most recently Tour-Makers.
7. As part of this work, the Arts Council endorsed a Digital Framework (in October 2020) with the overarching objective:

'To ensure the arts sector is positioned to maximise the opportunities associated with digital technologies, for the benefit of the sector and all New Zealanders, in a way that recognises the unique cultural context of Aotearoa New Zealand.'
8. The Digital Framework (copy **attached**) identifies four pou:
 - Te Pou Hihiri – Digital creation
 - Te Pou Rarama – Digital distribution
 - Te Pou Herenga – Digital access
 - Te Pou Tūngaroa – Digital resilience.

9. The framework recognises the opportunities presented by digital technologies including:
 - greater resilience for the arts sector
 - greater prosperity for the sector
 - greater exposure for our diverse and unique arts
 - greater access to arts for remote audiences.
10. Creative New Zealand received \$2 million from the Cultural Sector Capability Fund (part of the Government's Arts and Culture COVID Recovery Fund – Budget 2020) to contribute to the outcome: *The arts sector has the necessary industry, technical, and business capability to meet the challenges of a post-COVID-19 environment.*
11. Creative New Zealand committed to using this funding to build the arts and cultural sector's digital capability, including supporting artists and arts and cultural organisations to operate digitally, take advantage of new technical developments, create work and engage audiences online.
12. Over 2020 and 2021 Creative New Zealand undertook research into an entity established by Arts Council England and the BBC, [The Space](#), and considered the feasibility of establishing a similar service in Aotearoa New Zealand. The Space provides a commissioning and development programme to support greater digital engagement across the arts and cultural sectors. It supports organisations by commissioning projects, building digital skills and capacity, and helping organisations reach wider audiences using digital content, media and online platforms.
13. The aim of the new Digital Arts Commissioning and Capability Service is to facilitate connections between the arts and cultural sector and providers of relevant digital technologies to deliver a step change in sector capability to create, distribute and monetise the unique arts and culture of Aotearoa New Zealand.
14. It was agreed the functions of the new service would include:
 - proactively assisting artists and arts organisations to increase engagement with audiences and access new platforms for digital content
 - commissioning digital content/art across multiple platforms and media
 - providing advice to artists and arts organisations to connect with existing services and providers
 - providing training or skill development in terms of digital engagement including e-commerce platforms, digital rights, digital safety, and Intellectual Property, including preservation and protection of Mātauranga Māori
 - brokering partnerships and networks across industries nationally and globally to develop or realise a project
 - sharing knowledge and learnings from national and international digital practice
 - ensuring that digital content is available to the broadest range of New Zealanders to ensure content can be accessed by those with disabilities and reach communities of high users, for example young Pasifika artists/arts organisations.

- actively seeking ways by which artists may secure their Intellectual property rights and monetise work produced or distributed in digital form in order to increase their prosperity and resilience.
15. It was agreed by the Arts Council that the new service should be provided by an independent entity rather than by Creative New Zealand itself for reasons that include:
- greater acceptance by the arts community (for practitioners by practitioners)
 - greater responsiveness and agility
 - greater capacity to take risks (and fail safely sometimes)
 - opportunities to attract commissioning funding and other forms of revenue from other parts of Government, and from the private and philanthropic sector (and ultimately become viable without ongoing Creative New Zealand funding).
16. In February 2022 the Arts Council agreed to undertake a contestable procurement process to select an organisation to establish and operate the new service under a contract with Creative New Zealand for a term of approximately four years.

C. Procurement Process

17. A two-stage contestable purchase process was utilised to select the party most capable of delivering the new service:
- Stage 1: Call for Registrations of Interest (ROI) – March to May 2022
 - Stage 2: Request for Proposals (RFP) – July to September 2022

Stage 1: Registration of Interest Process

18. The purpose of the ROI was to establish the level of interest from the provider community in operating the new service, and to shortlist those interested by evaluation against ten key attributes.
19. The call for Registration of Interest was [released](#) (15 March 2022) on the Government Electronic Tendering Service (GETS) to attract maximum interest and consistent with the Government’s Rules of Procurement.
20. The ROI was promoted on the [Creative New Zealand website](#) (21 March 2022), via social media and by direct email to potential providers and interested parties within the arts sector.
21. The registration process involved completion of a ROI template that sought:
- an introduction to the registrant
 - evidence for each of ten attributes
 - a self-assessment of strength for each attribute
 - referees.

22. On the closing date **twenty-three ROIs were received**, including several from outside New Zealand. This level of interest far exceeded Creative New Zealand's expectations.
23. Two ROIs were disqualified as they did not meet preconditions (for example they were incomplete) and the remaining **twenty-one** were subject to evaluation by a team comprising internal and external members (including nominees/representatives from NZ On Air, the New Zealand Film Commission, WECreat and Arts Council England.)
24. A weighted attribute model was adopted with the following weight applied to the **ten attributes**:
 - A deep understanding of the arts and cultural ecosystem in Aotearoa New Zealand (10 percent)
 - Established and credible relationships across the creative, arts and cultural sector of Aotearoa New Zealand (10 percent)
 - Knowledge of emerging digital technology as it may apply to the arts and cultural ecosystem (10 percent)
 - Knowledge and experience in kaupapa Māori approaches and delivery (10 percent)
 - Knowledgeable in delivering to kaupapa Pacific values (10 percent)
 - Knowledge and experience in the successful establishment and operation of a commercial enterprise including business planning, fiscal management, accountability and compliance reporting, and stakeholder relationship management (20 percent)
 - Capability to embed kaupapa Māori approaches across the entity's strategic direction, management, financial and operating models, including engagement and funding and commercialisation strategies (10 percent)
 - Specific experience in programme and service design/delivery (5 percent)
 - Specific experience in contracting and commissioning (5 percent)
 - Specific experience in business development for the purpose of securing income/ fundings/ revenue (10 percent)
25. Meetings were held with registrants if the evaluation team believed any aspect of the ROI required clarification.
26. Registrants were required to provide referees for each attribute. Creative New Zealand decided not to seek conversation with referees because, (a) it would not have been possible to undertake referee conversations with so many referees in the time available, and (b) it was anticipated that reference checks would form part of due diligence undertaken at the RFP stage.
27. At the conclusion of the evaluation process the team recommended **five registrants be shortlisted** to receive the RFP.
28. The Arts Council approved the recommendation to invite **five registrants** to complete the RFP on 29 June 2022.
29. **We Are Indigo Ltd** was amongst the five shortlisted registrants.

Stage 2: Request for Proposals Process

30. The purpose of the RFP was to seek detailed proposals on how the shortlisted party would establish and operate the new service. The RFP was released only to the five shortlisted parties on 4 July 2022.
31. Proposals were required on a template provided with the RFP. Two of the five shortlisted parties withdrew after considering the RFP.
32. On the closing date, 8 August 2022, **three proposals** were received.
33. An evaluation team of internal and external members (including nominees/representatives of Te Māngai Pāho, the New Zealand Film Commission, WECreat and Arts Council England) assessed each proposal.
34. The evaluation process used a weighted attribute model similar to that adopted for the ROI.
 - Details of the entity that would hold the contract (not weighted)
 - Governance model (10 percent)
 - Organisational model (10 percent)
 - Operating model (50 percent)
 - Establishment plan (10 percent)
 - Performance measurement model (5 percent)
 - Identification and mitigations for risk to the success of the Service (5 percent)
 - Financial model (not weighted)
 - Treaty of Waitangi responsiveness (10 percent)
35. Price was not a weighted attribute because Creative New Zealand nominated the contract value.
36. Interviews were held with all three shortlisted parties.
37. At the conclusion of the evaluation process, **We Are Indigo Ltd** was ranked first by the evaluation team. We Are Indigo Ltd scored highest across all seven weighted elements.

D. Due Diligence

38. Due diligence was undertaken by Creative New Zealand between early September and early October 2022.
39. The Creative New Zealand due diligence process involved:
 - Discussions with two referees nominated by We Are Indigo Ltd, including the Ministry of Business Innovation and Employment (MBIE) .
 - A search of Company Office records.
 - An assessment of the financial position of We Are Indigo Ltd.

- A search of information available in the public domain regarding We Are Indigo Ltd, its directors and its subsidiaries.
40. At the time due diligence was undertaken the only reference to Callaghan Innovation found in a search of publicly available information was the 1 September 2022 article in the National Business Review (NBR) titled ‘Govt Agency hires private investigators to look into providers’.
41. The 1 September 2022 NBR article had been proactively provided by We Are Indigo Ltd to Creative New Zealand together with an explanation of the circumstances, including that:
- Callaghan Innovation had accepted there was a conflict-of-interest present by the contractor that completed the due diligence and made the recommendation to exclude We Are Indigo Ltd from the Request for Proposals
 - Callaghan Innovation concluded that they would have made the decision regardless of the conflict of interest
 - We Are Indigo Ltd was in ongoing discussion with Callaghan Innovation about aspects of the procurement process
 - Callaghan Innovation had refused to release its due diligence report in full to We Are Indigo Ltd.
- Note: Callaghan Innovation does not accept We Are Indigo's position that there was a conflict of interest*
42. Creative New Zealand spoke to MBIE on 7 October 2022. At the outset of the discussion, Creative New Zealand advised MBIE that the purpose of the reference check was solely to canvas We Are Indigo Ltd’s performance as a supplier to MBIE in relation to its work on Digital Boost, and not to discuss the (then) recent NBR article. In the course of the discussion, MBIE alluded to the allegations set out in the NBR article, including that MBIE was aware of tension in the relationship between We are Indigo and K&J Growth regarding their payment dispute (which had subsequently been settled between the parties).
43. Creative New Zealand’s view on the matters raised by MBIE were:
- the decision reported by NBR for Callaghan Innovation to decide to not award a contract to We Are Indigo was part of the procurement for its Incubator and Accelerator Programme, and MBIE was not involved in Callaghan’s decision
 - MBIE comments on the NBR article were not directly relevant to the purpose of the reference check, which was to discuss MBIE’s experience with We Are Indigo Ltd as a supplier
 - the dispute between We Are Indigo Ltd and its subcontractor regarding payment of a debt as reported by NBR was not directly relevant to the reference check.
44. Creative New Zealand did not seek any advice from Government Procurement at MBIE. Creative New Zealand believed it had and continues to have sufficient information about the issues surrounding the Callaghan Innovation report, as noted above.
45. Where relevant the findings of due diligence were reflected in a risk assessment and proposed issues for negotiation. The due diligence and risk assessment were provided to the Arts Council for consideration at its meeting on 19 October 2022.

46. Creative New Zealand believed it was not appropriate to approach Callaghan Innovation for a discussion on the Isacorp (due diligence) report because both the report and Callaghan's handling of it were (and remain) matters of contention.
47. Subsequent to completion of Creative New Zealand's due diligence report and the preparation of recommendations to the Arts Council for its 19 October 2022 meeting, several media reports appeared regarding Callaghan Innovation and We Are Indigo Ltd. These articles were discussed as part of the Arts Council's consideration of the recommendation to enter into funding and partnership agreements with a new company to be established and wholly owned by We Are Indigo Ltd to deliver the new Digital Arts Commissioning and Capability Service.
48. Creative New Zealand management was satisfied with We Are Indigo Ltd's explanation of the circumstance and noted that the various media reports were believed to be largely based on social media posts, rather than information sourced from Callaghan Innovation or We Are Indigo Ltd.
49. At its 19 October 2022 meeting, the Arts Council agreed to enter into a funding agreement and partnership agreement for the establishment of the new Service to We Are Indigo Ltd subject to negotiation.
50. Over late October 2022, the issue of Callaghan Innovation and We Are Indigo Ltd attracted ongoing media attention.
51. On 1 November 2022, the Arts Council asked management to pause the signing of the funding and partnership agreements with We Are Indigo Ltd. The Arts Council's Audit and Risk Committee sought further information on the claims against We Are Indigo Ltd and the risks to Creative New Zealand in proceeding with the contract.
52. Further information was provided to the Audit and Risk Committee on 18 November 2022 in advance of a meeting on 22 November. This information noted that:
 - an extensive due diligence process had been undertaken, including with those that have direct experience of We Are Indigo Ltd as a supplier of services
 - the issues raised about We Are Indigo Ltd originate in social media postings by one individual which were picked up by NBR and mainstream media are unsubstantiated allegations
 - Creative New Zealand has appropriate contractual provisions to manage any issues that arise with the delivery of the service or the performance of Toi Ki Tua Ltd, the subsidiary of We Are Indigo Ltd, with which Creative New Zealand is contracting.
53. The Audit and Risk Committee met on 22 November 2002, and, after considering the further information, concluded that the due diligence process was thorough, and there is no reason to revisit the Arts Council's 19 October 2022 decision to enter into funding and partnership agreements with We Are Indigo Ltd.

E. Summary of the decision-making process

54. Arts Council decisions were informed by papers provided by management and discussed at meetings as follows:

Date (2022)	Action
February	Arts Council agrees to release of Registration of Interest for the establishment of a new Digital Arts Commissioning and Capability Service.
29 June	Arts Council approves shortlist of Registrants and release of Request for Proposals (RFP) to shortlist.
19 October	Arts Council approves recommendations to award the funding agreement for the establishment of the new services to Toi ki Tua Ltd (a limited liability company wholly owned by We Are Indigo Ltd).
1 November	Arts Council requests the signing of the funding agreement with Toi ki Tua Ltd is deferred, and that further information be provided to the Arts Council's Audit and Risk Committee.
22 November	Audit and Risk Committee considers further information provided by management and concludes the due diligence process was thorough, and there is no reason to revisit the Arts Council's 19 October 2022 decision to sign the agreement with Toi ki Tua Ltd.
2 December	Creative New Zealand is scheduled to enter into funding and partnership agreements with Toi ki Tua Ltd to develop a new Digital Arts Commissioning and Capability Service.

55. The total value of the contract is **\$5.335 million** over a **four-year period**, from 2 December 2022 to 31 January 2027. An initial term through to 30 June 2024 is proposed with a view to extension (to be approved by Council). The funding received from Manatū Taonga's Cultural Sector Capability Fund is supporting the establishment and delivery of the service during the years 2022/23 and 2023/24.

F. Statement from We Are Indigo Ltd about the new service

56. We Are Indigo Ltd have provided the following statement about the new service (October 2022):

“The establishment of a Digital Arts Commissioning and Capability Service represents an exciting, and potentially game-changing opportunity to design and deliver an organisation that becomes an international exemplar for enabling the digital transformation of an entire nation's arts and creative sector.

Our approach to delivering this solution is unique, in that it takes hold of the opportunity to lead this transformation in a manner which places Te Tiriti o Waitangi, Māori outcomes, and representation for Pacific Peoples and underserved communities, at the heart of our solution.

Our belief is that by designing and delivering a solution that provides equity for Māori, and prioritises Pacific Peoples and traditionally underserved communities, we end up with a solution that is good for all New Zealanders and represents the personification of partnership between Tangata Whenua and Tangata Tiriti.

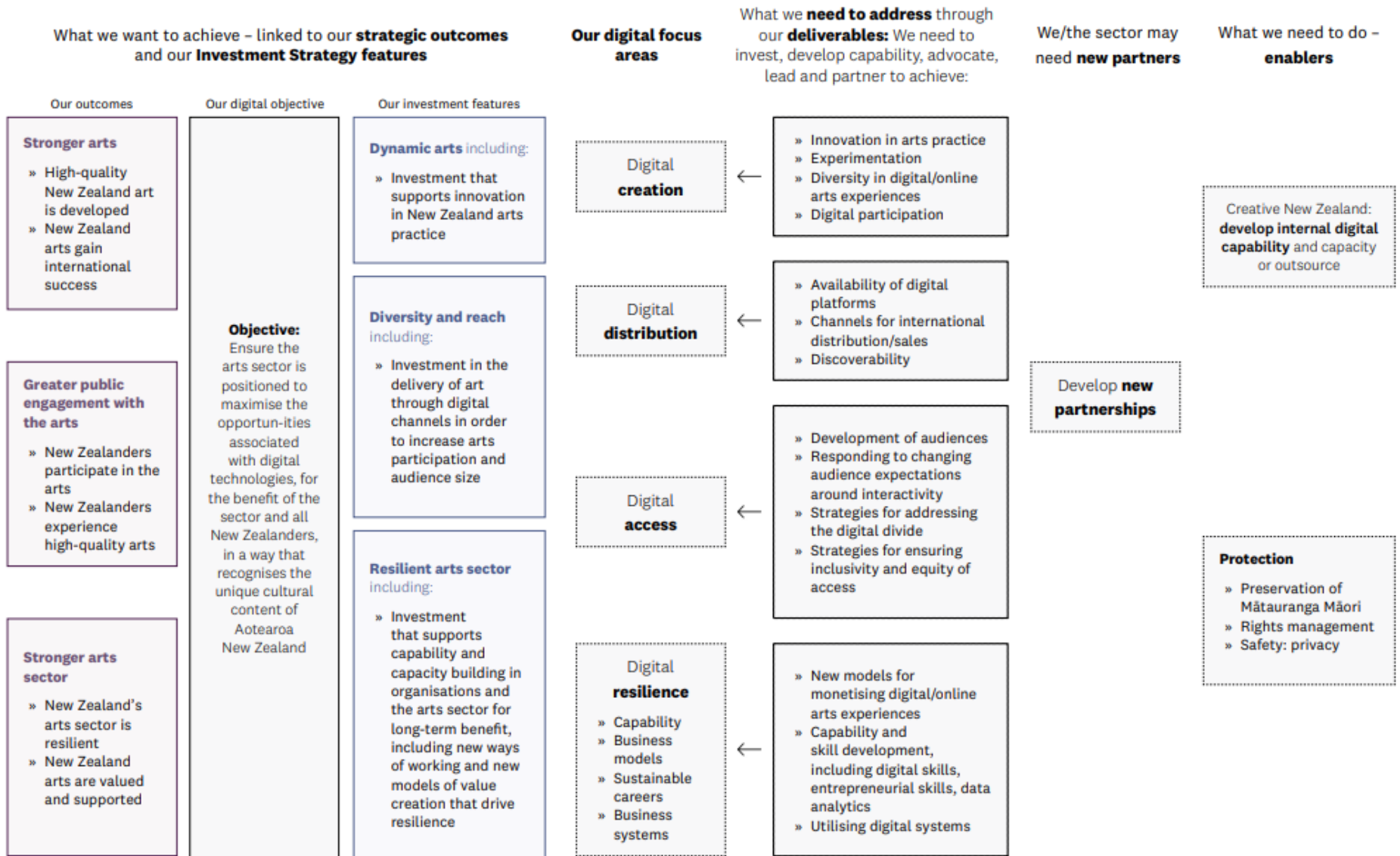
We Are Indigo is an inherently entrepreneurial organisation and represents all the best qualities of entrepreneurial endeavour. We're small, we're agile, we're design thinkers, and we're relentlessly focused on executional excellence across our business. It's all of these qualities, and more, that we will bring to the establishment and operation of this digital commissioning and capability service.

Digital arts and innovative practice, in a professional and artistic sense, go hand in hand. However, understanding how that innovation results in the development of sustainable digital artistic and professional practice, that is evidenced by hard data that substantiates and quantifies that change, requires an organisation to be purposefully immersed in the practice of that digital innovation themselves. We Are Indigo is exactly that type of organisation, and our response to this RFP reflects our desire to establish a new entity that understands digital arts at a deep and fundamental level, so that we are able to deliver to artists and arts organisations in the most relevant and effective manner.

As much as this newly-established entity must leverage its understanding of the digital, arts and creative ecosystems to deliver its capability and commissioning programmes, We Are Indigo recognises that delivery must be underpinned by robust governance, management, operational and financial management processes, which we have outlined in detail in our response.

Partnership will be fundamental to the successful establishment and operation of the new service. The quality of our partnerships across the organisation will dictate the quality of our outcomes, whether that be in capability-building, commissioning, business development, governance, management, or operations.

It's our belief, that our approach to partnership, coupled with our commitments to serving Māori, Pasifika, and the underserved, in a manner that is both entrepreneurial and founded in a deeply fundamental understanding of digital arts and creative, but is also underpinned by robust business practices, are the qualities that clearly distinguish our application and position us as the ideal partner to deliver this service.”



Call for Registrations of Interest (ROI)

- by:** Creative New Zealand / Toi Aotearoa
- for:** the establishment and operation of Digital Arts Commissioning and Capability Service
- to:** build the capability of artists and arts organisations across Aotearoa to create and distribute work and increase engagement with audiences via digital technology.

ROI released: Tuesday 15 March 2022

Deadline for Questions: 12 noon, Monday 4 April 2022

Deadline for Registrations: 12 noon, Thursday 14 April 2022

Creative New Zealand Toi Aotearoa
L2, Allen St
Wellington
New Zealand
www.creativenz.govt.nz

1. Foreword/ Kupu Tuatahi

He pūkenga wai, he nōhanga tangata. He nōhanga tangata, he pūkenga kōrero.

Where the rivers meet, people come together. When people come together, there is debate and learning.

2. The opportunity

Under our Digital Framework, Creative New Zealand's (CNZ) overarching objective is:

To ensure the arts sector is positioned to maximise the opportunities associated with digital technologies, for the benefit of the sector and all New Zealanders, in a way that recognises Aotearoa New Zealand's unique cultural context.

Our Digital Framework¹ has four Pou:

- Te Pou Hihiri - Digital **creation**
- Te Pou Rarama - Digital **distribution**
- Te Pou Herenga - Digital **access**
- Te Pou Tūngaroa - Digital **resilience**.

Central to building the capability of artists and arts organisations across Aotearoa to create and distribute work and increase engagement with audiences via digital technology is the establishment of an independent digital commissioning and capability service (Digital Service) for the arts sector.

This Digital Service should enhance the mana of people and communities, guided by the intellectual traditions, knowledge and tikanga of Tangata Whenua – alongside Tangata Tiriti and conventional Government approaches – acknowledging our obligations under Te Tiriti o Waitangi.

CNZ is adopting a two-stage process to award a contract for the establishment and operation of this Digital Service.

In this first stage we will receive and evaluate Registrations of Interest (ROI) from parties that are interested in establishing and operating the Digital Service under a contract with CNZ. From this process we will determine a short list of the parties that best demonstrate the attributes we believe are necessary for the Digital Service to succeed.

Following approval of the Arts Council we will release a Request for Proposals (RFP) to the short-listed parties and invite them to submit a detailed proposal to establish and operate the Digital Service. We will evaluate each proposal and select the party that submits the best and most comprehensive proposal within the indicative budget available. Subject to confirmation of funding and the approval of the Arts Council, we anticipate awarding a contract to the selected party to establish and operate the new Digital Service in early November 2022. The term of the contract will be up to four years and two months.

3. About the Digital Service

The Digital Service is expected to be a small, agile, independent, national organisation that:

¹ More about the CNZ Digital Framework can be found in Appendix 1 to this ROI.

- works proactively with artists and arts organisations in Aotearoa to increase the arts and cultural sector's digital capability, consistent with CNZ's Digital Framework;
- enables the work of our arts and cultural practitioners to be more accessible to local and international audiences, including those communities that can experience barriers to engagement such as people with disabilities; and
- includes co-leadership by Māori, consistent with our commitment under Te Tiriti o Waitangi for Council and iwi/Māori to work with each other in a strong and enduring relationship.

The Digital Service will provide a range of services consistent with the focus areas of **creation, distribution, access, and resilience**, for example:

- commission digital content/art across multiple platforms including the provision of immersive or interactive experiences
- broker partnerships and networks across industries nationally and globally to develop or realise a project
- assist arts organisations and artists to increase, diversify and deepen audiences and access new platforms for digital content
- ensure that digital content is available to the broadest range of New Zealanders, and ensure content can be accessed by those with disabilities and reach communities of high users (e.g., young Pasifika artist/arts organisations) by addressing barriers to engagement
- provide training or skill development in terms of digital engagement including e-commerce platforms, digital rights, digital safety, and Intellectual Property, including preservation and protection of Mātauranga Māori
- consider new business models for monetising digital arts experiences.

The Digital Service will give effect to Te Tiriti o Waitangi. Cultural and creative practices from Aotearoa and the wider Pacific, including an understanding of mātauranga, whakapapa, connection with communities and mana tuku iho (identity and belonging), will be valued and acknowledged by the Digital Service for the contribution they make to our wellbeing (social, cultural, environmental, and economic).

A precedent for such a Digital Service exists in the UK (see <https://www.thespace.org/who-we-are>).

4. What we seek in your Registration of Interest (ROI)

A response form accompanies this ROI that must be completed.

Your response should:

1. introduce who you are
2. provide evidence that you possess the attributes - each of the 10 that we believe are essential to the success of the Digital Service
3. provide us with referees to attest to your strength in each attribute
4. undertake a self- assessment of your relative strength for each of the 10 attributes and, if you are not strong in any particular attribute, tell us how you would go about acquiring greater strength, e.g., through bringing in a joint venture party.

We anticipate your completed ROI response form will be less than 25 pages in length in total. There are 19 working days (ending 12 noon on 14 April) available to prepare and submit your ROI.

5. ROI Process, Terms and Conditions

You can view our ROI Process, Terms and Conditions [here](#)

6. What we don't need in your ROI

We do not need your ideas on how you would establish and operate the Digital Service - that information will be sought from shortlisted parties as part of the RFP stage.

7. Why should you register your interest?

The Digital Service offers you a unique and exciting opportunity to increase the resilience of artists and arts organisations and to make the unique creative works of our arts community more accessible to diverse audiences across Aotearoa and the globe.

Pending approval from the Arts Council we anticipate awarding a contract to the selected party to establish and operate the new Digital Service for an initial term of up to four years two months commencing November 2022.

8. About Creative New Zealand

Creative New Zealand is Aotearoa's national arts development organisation. We encourage, promote, and support the arts for the benefit of all New Zealanders. Our vision is dynamic and resilient New Zealand arts valued in Aotearoa and internationally.

Creative New Zealand was established under legislation (2014) that required it to:

- recognise the cultural diversity of the people of New Zealand; and
- recognise in the arts the role of Māori as tangata whenua; and
- recognise the arts of the Pacific Island peoples of New Zealand.

For more about us see: <https://www.creativenz.govt.nz/>

9. Key Information about this ROI process

9.1. Context

- a. This ROI is an invitation to submit a Registration of Interest for the Digital Service contract opportunity.
- b. This ROI is the first step in a two- stage procurement process. Shortlisted Respondents to this RFP will be invited to participate in the next stage.

9.2. Our timeline

Here is our timeline for this ROI:

Deadline for Questions from Respondents	12 noon Monday 4 April 2022
Deadline for Registrations of Interest	12 noon Thursday April 14 2022
Respondent Presentations (60-90 minutes each), if required	Wednesday 11- Friday 13 May 2022
Respondents notified of the outcome of the evaluation	Week beginning 4 July 2022

9.3. How to contact us

- a. Contact us through our Point of Contact via email or the Government Electronic Tenders Service (GETS).
- b. Our Point of Contact:

Name: Philip Crampton

Title/role: Project Manager, Digital Capability Initiative

Email address: capability@creativenz.govt.nz

9.4. Developing and submitting your ROI

- a. This is an open, competitive procurement process.
- b. Please take time to read and understand the ROI. In particular:
 - i. understand our Requirements. These are in Section 2 of this document
 - ii. understand how your ROI will be evaluated. See our Evaluation Approach in Section 9
 - iii. of this document.
- c. For resources on submitting a Registration: www.procurement.govt.nz.
- d. If you have any questions, contact our Point of Contact via capability@creativenz.govt.nz before the Deadline for Questions (see 8.3 above).
- e. Use the accompanying Response Form to submit your ROI.
- f. Complete and sign the declaration at the end of the ROI Response Form.
- g. Check you have provided all the necessary information in the correct format and order.
- h. Submit your Registration before the Deadline for Registrations.

9.5. Address for submitting your ROI

- a. Submit your ROI by **email** to the following address: capability@creativenz.govt.nz
- b. Please note we will **NOT** accept ROIs sent by post or delivered to our office.

9.6. Our Process, Terms and Conditions for this ROI

This ROI is subject to the ROI Process, Terms and Conditions (shortened to ROI-Terms) described in the ROI Process, Terms and Conditions.

9.7. Later changes to the ROI or process

- a. After publishing this ROI, if we need to change anything or provide additional information we will let all Respondents know by placing a notice on the Government Electronic Tenders Service (GETS) at www.gets.govt.nz and by contacting Respondents by email.
- b. If you have subscribed through GETS for this ROI you will automatically receive notifications of any changes through GETS.

9.8. Defined terms

These are shown by the use of capitals. You can find all definitions at the back of the ROI Process, Terms and Conditions.

10. OUR EVALUATION APPROACH

This section sets out the Evaluation Approach that will be used to assess and shortlist ROIs we receive.

10.1. Evaluation model

Our evaluation and selection model will comprise the following steps.

1. We will check compliance with the two Pre-conditions shown in 9.2 below.
2. Each of our evaluators will individually review your ROI.
3. We will invite presentations of selected proposals and seek answers to any questions we may have.
4. We will at our discretion talk to your nominated referees.
5. Our evaluators will meet as a team to discuss your ROI, presentation, and referee feedback, and then agree a consensus score for your ROI using the scoring scales set out in 9.5 below
6. We will rank ROIs in order of weighted score and shortlist the highest ranking.

10.2. Pre-conditions

If your ROI fails to meet one or more pre- condition it will most likely be eliminated from further consideration.

Therefore, if you are unable to meet both pre-conditions it is unlikely that you will benefit from submitting an ROI.

#	Pre-condition
1	The Registration of Interest is received on or before the Deadline
2	The Registration of Interest is complete in all material respects

10.3. Evaluation criteria

ROIs which meet both pre-conditions will be evaluated on their merits by reference to the following evaluation attributes and weightings.

Attribute	Weighting
1 An understanding of the arts and cultural ecosystem in Aotearoa New Zealand	10 %
2 Knowledge and understanding of Te Tiriti o Waitangi and its application in business development and delivery	5%
3 Knowledge and experience in current and emerging digital technology and service delivery as it may apply to the arts and cultural ecosystem	20 %
4 Knowledgeable in delivering to kaupapa Pacific values	5 %
5 Knowledge and experience in the successful establishment and operation of a commercial enterprise including business planning, fiscal management, accountability and compliance reporting, and stakeholder relationship management	15 %
6 Specific knowledge and experience of Te Ao Māori with capability to embed kaupapa Māori approaches across the Digital Service's strategic direction, management, financial and operating models, including engagement and funding and commercialisation strategies	15 %

7	Established and credible diverse relationships across the creative, arts and cultural sector of Aotearoa New Zealand, including Māori and Pasifika	10 %
8	Specific experience in programme and service design/delivery	5 %
9	Specific experience in contracting and commissioning	5 %
10	Specific experience in business development for the purpose of securing income/funding/revenue	10 %

10.4. Respondent presentations

We may invite you to present your proposal to us via zoom. Your presentation will occur after our evaluators have reviewed each ROI but prior to a moderation meeting at which our evaluators will settle on a consensus score for your response to each of the 10 attributes. The consensus score for each attribute of your proposal will then be weighted, and the weighted scores totaled to determine an overall score for your proposal.

If required, presentations will be held between Wednesday **11 and Friday 13 May 2022**.

Each presentation will be allocated up to 90 minutes. We will take the opportunity to ask questions about your ROI within the presentation.

We may invite you to present your proposal to us via zoom. On Friday 6 May we will advise you of the date of your presentation and attempt to accommodate any constraints that you may have to your availability.

10.5. Scoring

We will use the following scoring scale in evaluating ROIs. Scores by individual evaluators will be superseded by a consensus score through a moderation process that will involve the whole of our Evaluation Team.

Rating	Definition	Score
EXCELLENT significantly exceeds the criterion	Exceeds the criterion. Exceptional demonstration by the Respondent of the relevant ability, understanding, experience, skills, resource, and quality measures required to meet the criterion. Proposal identifies factors that will offer potential added value, with supporting evidence.	9-10
GOOD exceeds the criterion in some aspects	Satisfies the criterion with minor additional benefits. Above average demonstration by the Respondent of the relevant ability, understanding, experience, skills, resource, and quality measures required to meet the criterion. Proposal identifies factors that will offer potential added value, with supporting evidence.	7-8
ACCEPTABLE meets the criterion in full, but at a minimal level	Satisfies the criterion. Demonstration by the Respondent of the relevant ability, understanding, experience, skills, resource, and quality measures required to meet the criterion, with supporting evidence.	5-6
MINOR RESERVATIONS marginally deficient	Satisfies the criterion with minor reservations. Some minor reservations of the Respondent's relevant ability, understanding, experience, skills, resource, and quality measures required to	3-4

	meet the criterion, with little or no supporting evidence.	
SERIOUS RESERVATIONS significant issues that need to be addressed	Satisfies the criterion with major reservations. Considerable reservations of the respondent’s relevant ability, understanding, experience, skills, resource, and quality measures required to meet the criterion, with little or no supporting evidence.	1-2
UNACCEPTABLE significant issues not capable of being resolved	Does not meet the criterion. Does not comply and/or insufficient information provided to demonstrate that the Respondent has the ability, understanding, experience, skills, resource and quality measures required to meet the criterion, with little or no supporting evidence.	0

10.6. Reference Checks

In the ROI response form we ask you to nominate a referee for each attribute. You may nominate the same referee for several attributes.

We may or may not contact all your referees.

The feedback of any referees we contact will be taken into account by our evaluation panel in the process of reaching a consensus score for your response to each attribute.

10.7. Further Due diligence

As part of our evaluation of your ROI, we may at our discretion undertake other checks that we consider appropriate. The findings of any further checks will be taken into account in our evaluation process.

Instructions for Respondents

1. Check that you have all the relevant documents, including:
 - The Registration of Interest (ROI) which outlines the procurement.
 - The Response Form (this one) to fill out your response.
 - The ROI Process, Terms and Conditions. **Read these carefully.**
2. Before filling out this form read the Registration of Interest (ROI) carefully, particularly Section 3 (Our Requirements) and Section 9 (Our Evaluation Approach). This will help you quickly decide if you possess or are confident you can acquire all of the necessary attributes
3. Please follow the layout of this Response Form.
 - Don't change the section headings and sequence as this needs to be consistent across all Respondents.
 - You can insert images and graphs.
 - Do not insert links to long documents if possible. They may not be viewed.
 - You can insert links to videos up to 50 MB in size/ five minutes in length.
4. Everything in **Brown** in this document is information for the Respondent (you). Delete these Brown parts before sending the Response Form.
5. Everything shaded in **BLUE** is customisable by you. When you have completed these areas, please un-shade them.
6. Make a note of the Deadline for Questions. The Q & A section is helpful for all respondents so feel free to ask us anything if it is unclear. Questions and answers received from all respondents will be posted on GETS. It is not our practice to respond individually.

Checklist for Respondents

Have you:

1. Filled out all sections of the Response Form.
-

2. Removed all the **Brown** 'Notes to Respondents' boxes from this Form.
-

3. Un-shaded the **BLUE** highlighting where you fill out your answer.
-

4. Arranged for the declaration to be signed. If this is a joint or consortium Registration make sure all the consortium members sign separate declarations.
-

5. Arranged for the Registration to be submitted electronically before the Deadline for Registrations.
-

[insert your (Respondent's) name or logo]

Registration of Interest (ROI) Response Form

In response to the Registration of Interest

- from:** Creative New Zealand / Toi Aotearoa
- for:** the establishment and operation of a Digital Arts Commissioning and Capability Service
- to:** build the capability of arts and arts organisations across Aotearoa to create, distribute and access new audiences via digital technology.

Date of this Registration: 14 March 2022

1: Our key details

Item	Detail
Type of entity (legal status):	[sole trader / partnership / limited liability company / other please specify]
Trading name:	[insert the name that you do business under]
Full legal name (if different):	[if applicable]
Physical address:	[put the address of your head office]
Postal address:	[e.g., P.O Box address]
Registered office:	[if you have a registered office insert the address here]
Business website:	[url address]
Contact person:	[name of the person responsible for communicating with the Buyer]
Position:	[job title or position]
Phone number:	[landline]
Mobile number:	[mobile]
Email address:	[work email]

2: Overview

Note to Respondents: Your responses in this Part 2 are for information only.

Please tell us briefly (not more than 500 words) about:

- Who you are
- The nature of your current business
- Your interest in/motivation for responding to this ROI

[insert your response here]

3: Response to the requirements - attributes relevant to the establishment and operation of the Digital Service.

Notes to Respondents:

1. Your responses in this Part 3 will be evaluated by Creative New Zealand using the scoring model and weightings set out in the ROI.
2. As stated in the ROI, Creative New Zealand believes there are 10 attributes that will be needed to successfully establish and operate the Digital Service. In Section 3 we seek:
 - a. Evidence demonstrating that you possess the particular attribute.
 - b. A referee who may attest to your possession of the attribute and evidence of it.
3. Please take care to provide us with evidence rather than opinion or assertions.
4. You may nominate the same referee for multiple attributes if appropriate.
5. We acknowledge that the 10 attributes are diverse, and respondents may not be equally strong across all. This is addressed in Part 4.
6. Please limit your response to this Part 3 to 15 pages in total.

Attribute 1: An understanding of the arts and cultural eco-system in Aotearoa New Zealand

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 2: Knowledge and understanding of Te Tiriti o Waitangi and its application in business development and delivery

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 3: Knowledge and experience in current and emerging digital technology as it may apply to the arts and cultural eco-system

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 4: Knowledgeable in delivering to kaupapa Pacific values

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 5: Knowledge and experience in the successful establishment and operation of a commercial enterprise including business planning, fiscal management, accountability and compliance reporting, and stakeholder relationship management

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 6: Specific knowledge and experience of Te Ao Māori with capability to embed kaupapa Māori approaches across the entity's strategic direction, management, financial and operating models, including engagement and funding and commercialisation strategies

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 7: Established and credible diverse relationships across the creative, arts and cultural sector of Aotearoa New Zealand, including Māori and Pasifika

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 8: Specific experience in programme and service design/delivery

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 9: Specific experience in contracting and commissioning

Our evidence that demonstrates this particular attribute:

[insert your response here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

Attribute 10: Specific experience in business development for the purpose of securing income/funding/revenue.

Our evidence that demonstrates this particular attribute:

[insert your response here]

[insert here]

Our referee for this attribute:	name	[insert here]
	title	
	phone	
	email	

4: Our self- assessment

Notes to Respondents:

1. This self-assessment is for information only.
2. As stated in Part 3 above Creative New Zealand acknowledges that the 10 attributes are diverse, and respondents may not be equally strong across all.
3. In Part 4 we ask that you:
 - a. Undertake a self-assessment against each attribute and delete the three descriptions that do not apply.
 - b. For any attributes for which you assess yourself as **'Have some strength'** or **'Not a strength'** tell us how you would go about increasing your strength if you were our preferred operator for the Digital Service; or
 - c. leave the response cell empty if you have self-assessed as **'Very Strong'** or **'Strong'**.

Attribute 1: An understanding of the arts and cultural eco-system in Aotearoa New Zealand

Very Strong	Strong	Have some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 2: Knowledge and understanding of Te Tiriti o Waitangi and its application in business development and delivery

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 3: Knowledge and experience of emerging digital technology as it may apply to the arts and cultural eco-system

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 4: Knowledgeable in delivering to kaupapa Pacific values

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 5: Knowledge and experience in the successful establishment and operation of a commercial enterprise including business planning, fiscal management, accountability and compliance reporting, and stakeholder relationship management

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 6: Specific knowledge and experience of Te Ao Māori with capability to embed kaupapa Māori approaches across the Digital Service's strategic direction, management, financial and operating models, including engagement and funding and commercialisation strategies

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 7: Established and credible diverse relationships across the creative, arts and cultural sector of Aotearoa New Zealand, including Māori and Pasifika

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 8: Specific experience in programme and service design/delivery

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 9: Specific experience in contracting and commissioning

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

Attribute 10: Specific experience in business development for the purpose of securing income/funding/revenue.

Very Strong	Strong	Some strength	Not a strength
[insert your response here if you have self-assessed as 'Have some strength' or 'Not a strength']			

5: Our declaration

i Note to Respondents

- Here in Part 5, you are asked to make a formal declaration. Select ‘agree’ or ‘disagree’ at the end of each row. If you don’t, you will be deemed to have agreed.
- Have the declaration signed by someone who is authorised to sign and able to verify the declaration e.g., chief executive or a senior manager.
- If you are submitting a joint or consortium Registration each Respondent (supplier) involved in the joint or consortium Registration must complete a separate declaration.

Respondent’s declaration		
Topic	Declaration	Respondent’s declaration
ROI Process, Terms and Conditions:	I/we have read and fully understand this ROI, including the ROI Process, Terms and Conditions (shortened to ROI-Terms detailed in Section 4. I/we confirm that the Respondent/s agree to be bound by them.	[agree/disagree]
Collection of further information:	The Respondent/s authorises the Buyer to: <ul style="list-style-type: none"> a. collect any information about the Respondent, except commercially sensitive pricing information, from any relevant third party, including a referee, or previous or existing client b. use such information in the evaluation of this Registration. The Respondent/s agrees that all such information will be confidential to the Buyer.	[agree/disagree]
Requirements:	I/we have read and fully understand the nature and extent of the Buyer’s Requirements as described in Section 2. I/we confirm that the Respondent/s has the necessary capacity and capability to fully meet or exceed the Requirements and will be available to deliver throughout the relevant Contract period.	[agree/disagree]
Ethics:	By submitting this Registration, the Respondent/s warrants that it: <ul style="list-style-type: none"> a. has not entered into any improper, illegal, collusive, or anti-competitive arrangements with any Competitor b. has not directly or indirectly approached any representative of the Buyer (other than the Point of Contact) to lobby or solicit information in relation to the ROI c. has not attempted to influence, or provide any form of personal inducement, reward, or benefit to any representative of the Buyer. 	[agree/disagree]
Conflict of Interest declaration:	The Respondent warrants that it has no actual, potential, or perceived Conflict of Interest in submitting this Registration or entering into a Contract to deliver the Requirements. Where a Conflict of Interest arises during the procurement process the Respondent/s will report it immediately to the Buyer’s Point of Contact.	[agree/disagree]

Details of
conflict of
interest:

[if you think you may have a conflict of interest briefly describe the conflict and how you propose to manage it or write 'not applicable']

DECLARATION

- 1. I/we declare that in submitting the Registration and this declaration:**
 - a. the information provided is true, accurate and complete and not misleading in any material respect
 - b. the Registration does not contain intellectual property that will breach a third party's rights
 - c. I/we have secured all appropriate authorisations to submit this Registration, to make the statements and to provide the information in the Registration and I/we am/are not aware of any impediments to entering a Contract to deliver the requirements.
- 2. I/we understand that the falsification of information, supplying misleading information or the suppression of material information in this declaration and the Registration may result in the Registration being eliminated from further participation in the ROI process and may be grounds for termination of any Contract awarded as a result of the ROI.**
- 3. By signing this declaration, the signatory below represents, warrants, and agrees that he/she has been authorised by the Respondent/s to make this declaration on its/their behalf.**

Signature: _____

Full name: _____

Title/position: _____

Name of organisation: _____

Date: _____

Request for Proposal (RFP) Response Form

Everything highlighted in **RED** in this document is information for the Buyer (that's you). Delete these red parts prior to publishing the RFP. Anything shaded in **YELLOW** is customisable. When you have completed these areas, please un-shade them.

Everything highlighted in **PURPLE** or **BLUE** is information for the Respondent.

Have you:

1. **Checked that the content in this Response Form is correct.**
 - Do not alter the section headings and sequence. Consistency makes it easier for Respondents.
 - Checked, however, that the content is aligned to your agency's procurement practice.
-

Instructions for Respondents

1. Check that you have all the relevant documents, including:
 - The Request for Proposals (RFP) which outlines the procurement.
 - This Proposal Form (this one) to fill out your response.
 - The RFP-Terms.
2. Before completing this Proposal Form, read all the relevant documents carefully, particularly Section 2 (Our Requirements) and Section 3 (Our Evaluation Approach). This will help you quickly re-affirm that you are the right fit to deliver the Service.
3. Please follow the layout of this Proposal Form:
 - Do not change the section headings and sequence as this needs to be consistent across all Respondents.
 - You can insert any extra images or graphs either as part of your answer or in a separate attachment (but make it clear in the Response Form that you have done so).
 - You can insert links to videos up to 50 MB in size/5 minutes in length.
 - Do not insert links to long documents (e.g., more than ten pages each), if possible. They may not be viewed.
4. Everything highlighted in **PURPLE** in this document is information for the Respondent (you). Delete these **PURPLE** parts before sending the Response Form. Everything shaded in **BLUE** is customisable by you. When you have completed these areas, please un-shade them.
 - The purple boxes are Supplier Tips. Delete these after reading.
 - Write your response in the blue sections. Un-shade the blue once you have filled these out.
5. Remember to make a note of the Deadline for Questions. The Q & A section is helpful for all Respondents so feel free to ask us anything if it is unclear.



RESPONDENT TIP: How to improve your RFP response

Head over to <https://www.procurement.govt.nz/suppliers-2/> for some useful resources to help you through the procurement process, including:

- Building up a collection of documents that you can use for all RFPs.
- Tips about responding to RFPs – what to include in your response and how to present it.
- An expanded check-list to work through.

Checklist for Respondents

Have you:	
1. Filled out all sections of the Response Form.	<input type="checkbox"/>
2. Removed all the purple 'Supplier Tip' boxes from this Form.	<input type="checkbox"/>
3. Deleted the PURPLE instructions from this Form.	<input type="checkbox"/>
4. Un-shaded the BLUE highlighting where you fill out your answer.	<input type="checkbox"/>
5. File size: Your email attachment should be no greater than 20MB (unless you submit a request otherwise and we agree to your request).	<input type="checkbox"/>
6. Arranged for the declaration to be signed. If this is a joint or consortium Proposal make sure all the consortium members sign separate declarations.	<input type="checkbox"/>
7. Arranged for the Proposal to be submitted electronically before the Deadline for Proposals.	<input type="checkbox"/>

Proposal

from

[insert your name and logo]

In response to the Request for Proposals

by: Creative New Zealand / Toi Aotearoa

for: the establishment and operation of a Digital Arts Commissioning and Capability Service

to build the capability of artists and arts organisations across Aotearoa to create and distribute work and increase engagement with audiences via digital technology.

Date of this Proposal: [insert date of this document]

SECTION 1: About the Respondent



RESPONDENT TIP

- This section gives the Buyer basic information about your organisation and identifies your Point of Contact for the RFP process.
- If an item is not applicable, e.g., you do not have a registered office, complete the box by stating 'not applicable'.
- If you are submitting a joint or consortium Proposal complete an 'Our profile' table for each member of the consortium. Cut and paste the table as appropriate. Provide only one Point of Contact for your joint/consortium Proposal.

1.1 Contact Details

Item	
Contact person:	[name of the person representing the Respondent and responsible for communicating with the Buyer]
Position:	[job title or position]
Phone number:	[landline]
Mobile number:	[mobile]
Email address:	[work email]

1.2 Entity that would hold the Contract

Choose one of these statements to complete, and delete the others

1. If this proposal is accepted the party to the Contract would be **an existing legal entity**, for which details are:

Item	Detail
Full legal name:	[insert the name that you do business under]
Trading name (if different):	[if applicable]
Physical address:	[put the address of your head office]
Postal address:	[e.g., P.O Box address]
Registered office:	[if you have a registered office insert the address here]
Business website:	[url address]
Type of entity (legal status):	[sole trader / partnership / limited liability company / registered charity / other please specify]

NZBN number:	[if your organisation has a NZBN registration number insert it here]
Country of residence:	[insert country where you (if you are a sole trader) or your organisation is resident for tax purposes]

Or:

2. If this proposal is accepted the party to the Contract would be a **new entity that would be formed exclusively to hold the Contract**, for which details are below:

Item	Detail
Proposed legal name:	[insert the name that you do business under]
Trading name (if different):	[if applicable]
Proposed Physical address:	[put the address of your head office]
Nature of proposed entity	Charitable Trust, Incorporated Society, Limited Liability Company etc
Names of proposed Trustees/ Directors/ Shareholders of the proposed entity	[if applicable]
We have sought legal advice on the formation of this proposed entity	Yes / No

Potential conflicts with an existing legal entity

If the party to the Contract would be an existing legal entity, please explain what steps you would take to:

- I. separate the finances of the Service from the finances of the existing legal entity, and
- II. manage any conflicts of interest that may arise between the business of the Service and the business activity of the existing legal entity

[insert answer here]

Formal collaboration agreement

If you have reached agreement in principle to enter into a form a collaboration agreement with any external organisations, please list them

[insert answer here]

SECTION 2: Response to the Requirements

RESPONDENT TIP

- Please mark any information that is 'commercially sensitive' or 'Confidential Information' to your business so that the Buyer knows. You cannot make the whole document confidential unless this is truly the case. Refer to the RFP-Terms for more information.
- Keep it simple. If an answer is in another document e.g., a marketing brochure, just cut and paste the relevant part into this form. Do not show the whole document unless necessary – we may not read it all.
- Any video or separate document should be uploaded, and the link inserted into this form.
- You may include extra information in your Proposal but only if it adds value and is relevant. Remain mindful of the 20 MB size limit for your Proposal.

2.1 Pre-conditions

RESPONDENT TIP

- You must be able to answer 'yes' to each of these pre-conditions. Make sure you can verify this.
- 'Yes' means you currently meet the pre-condition. If you cannot answer 'yes' to all, your Proposal will not be evaluated further.

#	Pre-condition	Meets
1.	Your Proposal is received on or before the Deadline	[Yes/No]
2.	Your Proposal is complete in all material respects	[Yes/No]
3.	Financial Model includes CNZ funding not greater than the CNZ Available Funding	[Yes/No]

2.2 Overview of your Proposal

Please provide an overview of your proposed Service (no more than 1000 words).



RESPONDENT TIP

- This should summarise your entire response in a paragraph or two. Keep it simple.
- Your competitors may all have similar skills, tools, and methods. Know what sets you apart, and clearly communicate it in your response.

Write your overview here

SECTION 3: Evaluation Criteria and Price

3.1 Detailed response to Requirements



RESPONDENT TIP

- These are questions relating to the evaluation criteria (see Section 3 of the RFP). Your Proposal will be scored against your answers to these criteria. Aim to give answers that are relevant, concise, and comprehensive.
- Consider the % weighting for each criterion. The higher the weighting the more important it is. Take the weightings into account in deciding how much detail to include.
- If you have made any assumption about the Requirements or delivery, clearly state the assumption.
- There may be several questions that relate to one criterion. If these questions are not individually weighted assume that they are of equal importance.

1. Governance Model

Weighting 10%

Good governance will assist the Service to:

- *Improve its performance in achieving its Outcomes*
- *Ensure that the mana of people and communities is enhanced, guided by the intellectual traditions, knowledge and tikanga of Tangata Whenua – alongside Tangata Tiriti and conventional Government approaches – acknowledging our obligations under Te Tiriti o Waitangi*
- *Take a ‘big picture’ view that is separate from its operations*
- *Be future focused and have a defined vision for its development*
- *Ensure there is accountability and oversight of operations*
- *Monitor and manage risks in a changing environment*
- *Maintain a clear direction in terms of its policy settings*

Please describe the governance structure that you would establish for the Service.

[insert answer here]

Please describe the background and competencies that you would seek in members of your primary governance body.

[insert answer here]

1. If you have people in mind to appoint to your primary governance body, please:

- i. List their names; and

Attach a one-page CV to this Proposal (marked **Attachment 1: Governance member CVs**).

[insert answer here]

2. If you intend to establish any secondary governance groups (for example stakeholder advisory groups) please:

- i. Describe their distinct purpose, and how they would be complementary to the role of your primary governance body

Describe the background and competencies that you would seek in members of your secondary governance group/groups.

[insert answer here]

Please explain how your governance model gives effect to Te Tiriti o Waitangi.

[insert answer here]

Explain how your governance model will incorporate Te Āo Māori perspectives, values, principles, and practices.

[insert answer here]

2. Organisational Model

Weighting 10%

A carefully developed organisational structure will assist the Service to achieve its aims and objectives and assist its employees to deliver their mahi effectively and efficiently

1. Please attach a diagram to the back of this Proposal (marked **Attachment 2: Organisational Diagram**) that shows:

- i. the employee positions you would create,
- ii. the relationship/reporting lines between each employee position,
- iii. whether each employee position is an FTE role or part FTE, and

any additional roles that would be filled by contractors as/when required.

[insert answer here]

For each employee position in your diagram please attach a one-page person specification and position description to the back of this Proposal (marked **Attachment 3: Person specification/ position descriptions**).

[insert answer here]

2. If you have people in mind to appoint to an employee role, please:

- i. list their names and position below; and

attach a 1-page CV to this Proposal (marked **Attachment 4: Employee CVs**).

[insert answer here]

Please explain how your Organisational Model gives effect to Te Tiriti o Waitangi

[insert answer here]

Please explain how your Organisational Model will incorporate Te Āo Māori perspectives, values, principles, and practices.

[insert answer here]

3. Operating Model

Weighting 50%

Clarity regarding how the Service would operate and what it would produce will be critical to ensure that the resources of the Service are always used to best advantage and the outcomes are met.

CNZ anticipates that the Service would deliver three distinct types of outputs:

1. Capability- building activities
2. Commissioning new work

Business development

1. **‘Capability – Building Activities.** This may include capability training programmes, provision of expertise on a case-by-case basis and the provisioning of mentoring programmes. It will be underpinned by relationships that the Service establishes/maintains with a network of local and international experts.

For each routine activity you envisage your Service would deliver, please describe:

- i. the nature of the activity
- ii. to whom the activity would be targeted, and
- iii. how each activity would contribute to the achievement of the Service Outcomes

[insert answer here]

2. **Commissioning new work.** A commissioning programme will be an important feature of the operating model. The objective of this programme will be to support and incentivise innovation in terms of arts practice development. In the longer-term growth in your commissioning programme will be dependent on income from external partners.

Please describe how your Service would design and deliver its commissioning programme, including:

- i. the key principles of your commissioning programme including its the artist and arts organisations it would targets and/or the audiences it would target
- ii. potential partners and the engagement plan

the key features of the programme including disbursement of funds, what it would support and decision-making processes.

[insert answer here]

3. **Business development:** It is CNZ’s expectation that in the mid and later years of the Contract your Service would be successful in securing revenue from sources other than CNZ, so that its future operations would not be solely reliant on CNZ funding. Please describe:

- i. what you anticipate your Service may offer in the later years of the Contract that would attract revenue from other sources
- ii. the nature of the organisations that you anticipate may wish to contract with or sponsor your Service

how and when you would activate a business development function with the specific objective of securing revenue from a range of sources.

[insert answer here]

Explain how your Operating Model for your Service gives effect to Te Tiriti o Waitangi.

[insert answer here]

Please explain how your Operating Model for your Service will incorporate Te Āo Māori perspectives, values, principles, and practices.

[insert answer here]

Please explain how your Operating Model for your Service will respond to the needs of Pasifika artists, arts organisation, and audiences, both in New Zealand and in the Pacific.

Summary of your Operating Model: Please describe how you will ensure that digital content is available to the broadest range of New Zealanders and can be accessed by those with disabilities and reach communities of high users (e.g., young Pasifika artist/arts organisations) by addressing barriers to engagement.

[insert answer here]

4. Establishment Plan

Weighting 10 %

Taking time to establish a solid foundation for the mahi of the Service will be critical to its success. CNZ anticipates that the initial six to eight months of the Contract will comprise establishing relationships with a wide range of stakeholders and putting in place the human and other resources that will provide the foundation for success.

Please attach to the back of the Proposal (marked **Attachment 5: Establishment Plan**) a project plan for the establishment of the Service that clearly set out the **nature** and **timing of all the activities** you consider essential to establish the Service over the first six to eight months following signing of the Contract with CNZ. This should include the following:

1. recruitment
2. marketing and branding
3. establishment of systems and processes
4. stakeholder engagement specifically in terms of identifying current capability services and providers and key content experts nationally and internationally and opportunities for collaboration, coordination, and complementarity within and across sectors (please list those you have already identified).
5. design of your Capability Building activities and design of your Commissioning Programme

5. Performance Measurement Model

Weighting 5%

1. Please explain the measures you would adopt to report on your success in achieving the Service Outcomes (Refer RFP Section 3), and for each success measure you nominate, please state:
 - i. whether the measure is objective or subjective/ quantitative or qualitative
 - ii. how and from where you would collect the data to measure your success
 - iii. at what frequency you would report your performance against the measure to your primary Governance Group and to CNZ (e.g., quarterly, annually).

[insert answer here]

2. You may have other ideas regarding how you could measure the success of your Service. If so, please describe your ideas below.
-

[insert answer here]

3. Please explain how your Performance Measurement Model for your Service gives effect to Te Tiriti o Waitangi.
-

[insert answer here]

4. Please explain how your Performance Measurement Model for your Service will incorporate Te Āo Māori perspectives, values, principles, and practices.
-

[insert answer here]

5. Please explain how your Performance Measurement Model for your Service will measure outputs for Pasifika.
-

[insert answer here]

6. Risk identification and mitigation

Weighting 5%

1. Please attach to the back of the Proposal (marked **Attachment 6: Risk Analysis**) a table which sets out what you consider the ten most prominent risks to the success of your Service, and for each risk set out in the table:
- i. a description of the risk
 - ii. the likelihood of the risk materialising (high/medium/low)
 - iii. the severity of the risks if it does materialise ((high/medium/low)
 - iv. the mitigations you would take to:
 - a. reduce the likelihood that this risk will materialise, and
 - b. reduce its severity if it does materialise.

7. Financial Model

Not Weighted

2. Please complete the XLS costing model for your Service (using the template accompanying this RFP) that accompanies the RFP, noting that:
- i. revenue from CNZ should fall within the CNZ Funding Available set out in the section 6.5 of the RFP
 - ii. arising from your business development activity mid/late in the Contract term, the other revenue you anticipate earning from funding partners to grow your Commissioning Programme
 - iii. all assumptions and dependencies that affect your costing model should also be stated.
-

SECTION 4: Our declaration



RESPONDENT TIP

- Here you are asked to make a formal declaration. Select 'agree' or 'disagree' at the end of each row. If you do not, you will be deemed to have agreed.
- Have the declaration signed by someone who is authorised to sign and able to verify the declaration, e.g., chief executive or a senior manager.
- If you are submitting a joint or consortium Proposal each party involved in the joint or consortium Proposal must complete a separate declaration.

Respondent's declaration

Topic	Declaration	Respondent's declaration
RFP-Terms:	I/we have read and fully understand this RFP, including the RFP-Terms. I/we confirm that the Respondent agrees to be bound by them.	[agree / disagree]
Collection of further information:	<p>The Respondent authorises the Buyer to:</p> <ul style="list-style-type: none"> • collect any information about the Respondent, except commercially sensitive pricing information, from any relevant third party, including a referee, or previous or existing client • use such information in the evaluation of this Proposal. The Respondent agrees that all such information will be confidential to the Buyer. 	[agree / disagree]
Requirements:	I/we have read and fully understand the nature and extent of CNZ's requirements as described in Section 2. I/we confirm that the Respondent has the necessary capacity and capability to fully meet or exceed the Requirements and will be available to deliver throughout the relevant Contract period.	[agree / disagree]
Ethics:	<p>By submitting this Proposal, the Respondent warrants that it:</p> <ul style="list-style-type: none"> • has not entered into any improper, illegal, collusive, or anti-competitive arrangements with any Competitor • has not directly or indirectly approached any representative of CNZ (other than the Point of Contact) to lobby or solicit information in relation to the RFP • has not attempted to influence, or provide any form of personal inducement, reward, or benefit to any representative of CNZ. 	[agree / disagree]

Offer Validity Period:	I/we confirm that this Proposal, including the price, remains open for acceptance for the Offer Validity Period stated in Section 5, paragraph 5.15 of the RFP.	[agree / disagree]
Conflict of Interest declaration:	The Respondent warrants that it has no actual, potential, or perceived Conflict of Interest in submitting this Proposal or entering into a Contract to deliver the Requirements. Where a Conflict of Interest arises during the RFP process the Respondent will report it immediately to CNZ's Point of Contact.	[agree / disagree]
Details of conflict of interest:	[if you think you may have a conflict of interest briefly describe the conflict and how you propose to manage it or write 'not applicable'].	

DECLARATION BY THE RESPONDENT

I/we declare that in submitting the Proposal and this declaration:

- the information provided is true, accurate and complete and not misleading in any material respect
- the Proposal does not contain any material that will infringe a third party's intellectual property right
- I/we have secured all appropriate authorisations to submit this Proposal, to make the statements and to provide the information in the Proposal and I/we am/are not aware of any impediments to enter a Contract to deliver the Requirements.

I/we understand that the falsification of information, supplying misleading information or the suppression of material information in this declaration and the Proposal may result in the Proposal being eliminated from further participation in the RFP process and may be grounds for termination of any Contract awarded as a result of the RFP.

By signing this declaration, the signatory below represents, warrants, and agrees that they have been authorised by the Respondent to make this declaration on its/their behalf.

Signature: _____

Full name: _____

Title/position: _____

Name of organisation: _____

Date: _____

Attachments

Attachment 1: Governance member CVs

(Insert)

Attachment 2: Organisational Diagram

(Insert)

Attachment 3: Person specification/ position descriptions

(Insert)

Attachment 4: Employee CVs

(Insert)

Attachment 5: Establishment Plan

(Insert)

Attachment 6: Risk Analysis

(Insert)