**Expressions of Interest**

**For the Provision of**

**Legal Services to**

**Rural Industries Research and Development**

**Corporation trading as**

**AgriFutures Australia**

Closing Date 21 January 2018

Building 007, Tooma Way,

Charles Sturt University,

Wagga Wagga NSW 2650

Tel: 02 6923 6900

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# **1. Background**

1.1 The Rural Industries Research & Development Corporation trading as AgriFutures Australia is a Corporate Commonwealth Entity under the *Public Governance, Performance and Accountability 2013 Act* (PGPA Act) and is an agency in the Agriculture and Water Resources portfolio.

1.2 AgriFutures Australia was established as a statutory authority under the *Primary Industries Research and Development Act* *1989* (PIRD Act) for the purposes of:

1. increasing the economic, environmental and social benefits to members of primary industries and to the community in general by improving the production, processing, storage, transport or marketing of the products of primary industries;
2. achieving the sustainable use and sustainable management of natural resources;
3. making more effective use of the resources and skills of the community in general and the scientific community in particular;
4. supporting the development of scientific and technical capacity;
5. developing the adoptive capacity of primary producers; and
6. improving accountability for expenditure on research and development activities in relation to primary industries.

# **2. Requirement for Legal Services**

2.1 AgriFutures Australia is seeking the provision of legal services for 2-3 days per week for a 12-month period from the beginning of this agreement

The requirement includes a focus on:

1. Research Agreements – negotiate terms with partners; undertake annual review of research agreements; develop fit for purpose templates; consider non-negotiable clauses for AgriFutures; provide training to relevant staff on research agreements to ensure they understand the key principles
2. Provider agreements – negotiate terms with partners; undertake annual review of provider agreements; development of fit for purpose templates; provide training to relevant staff on contracting to ensure they understand the key principles
3. Sponsorship agreements - negotiate terms with sponsors; undertake annual review of sponsor agreements; develop fit for purpose templates; provide training to relevant staff on sponsorship agreements to ensure they understand the key principles
4. Government – ensure systems and processes are in place to maintain awareness of relevant changes in Government legislation and make recommendations to the organisation as required;
5. General Contracting - ensuring standard templates meet the changing needs of the organization;
6. Human Resources / Industrial Relations – provide legal advice to the organization on HR matters as required
7. Intellectual Property / Commercialisation – provide advice to the organization on best practice IP and commercialisation law; develop contracts and templates that meet the needs of the organisation; negotiate terms with partners;
8. Contract Management – provide monthly review of active contracts through Clarity and Sharepoint; develop reports as required by the LT; liaise with external legal providers as necessary.

# **3. Invitation to submit Expressions of Interest**

3.1 Expressions of Interest must address the following:

1. experience in the areas listed in paragraph 2.1 above;
2. personnel and experience in their specific field;
3. hourly rates; and
4. ability to commit to 2-3 days per week in the Wagga office.

3.2 **Conflict of Interest** - Expressions of Interest are required to include any actual or perceivable conflict of interest that exists at the time of lodging. The successful organisation will be required to advise AgriFutures in writing of any changes in conflicts of interest at the time of contracting the services with AgriFutures or at any time during the term of the agreement when a conflict occurs.

3.3 **Professional Indemnity and Public Liability Insurance** - details of professional indemnity and public liability insurance must be provided at commencement of services.

3.4 **Consultancy Agreement** - AgriFutures will contract with the successful Tenderer using a Services Agreement which is based on the standard Commonwealth Contract Terms.

3.5 **AgriFutures Australia’s Rights** - without limiting its rights at law or otherwise, AgriFutures reserves the right in its absolute discretion at any time to:

1. cease to proceed with, or suspend the Expression of Interest process;
2. alter timing of the Expression of Interest process;
3. vary the Expression of Interest structure;
4. vary any time or date specified in the Expression of Interest;
5. require additional information or clarification from the organisation submitting an Expression of Interest;
6. request a new Expression of Interest;
7. reject any Expression of Interest received after the closing date as described in section 3.10 of this document;
8. reject any Expression of Interest that does not comply with the requirements as described in this document; and
9. publish the names of the successful Tenderer.

3.6 **Conditions of Lodgement** - the respondent agrees, by lodging an Expression of Interest, that it is bound by these conditions:

1. all Expressions of Interest documents become the property of AgriFutures upon lodgement
2. it warrants that all information in the Expression of Interest is accurate and complete
3. it will keep confidential any confidential information provided by AgriFutures in connection with the Expression of Interest
4. it will make any inquiries relating to the Expression of Interest process only through the contact details provided
5. pursuant to the *Privacy Act 1988 (Cth)* it will be bound by the Australian Privacy Principles in respect of any act done or practice engaged in by the respondent in connection with this Expression of Interest process.

3.9 **AgriFutures Australia Contact** - requests for further information or clarification in relation to this request for Expressions of Interest should be directed to:

Ms Louise Heaslip

General Manager, Corporate

02 6923 6903

3.10 **Closing Date** - Expressions of Interest are to be submitted by 17.00pm on 21 January 2019 to [louise.heaslip@agrifutures.com.au](mailto:louise.heaslip@agrifutures.com.au%20) with the subject heading ‘EOI – AgriFutures Australia – Legal Services’.