

# Request for Proposal



## 1 PURPOSE

The purpose of this Request for Proposal (RFP) is to specify the technical and operational requirements for this procurement (as described in Section 4) to enable potential suppliers to submit a formal response for consideration by the Ministry for Primary Industries (MPI) on the terms and conditions of this RFP.

## RFP-Methane emissions from cattle in SE Asia

The effect of feed and nutrition on methane emissions from cattle

## 2 CONTENTS OF THIS RFP

- Section 3: Overview of RFP
- Section 4: Procurement Specification
- Section 5: Response Template
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- Section 7: Terms & Conditions
- Section 8: Written Agreement

## 3 OVERVIEW OF RFP

SCOPE	
Background	<p>Manipulating an animal’s diet is one of the principal methods of manipulating enteric methane production. This is because the specific characteristics of individual feeds and feed combinations influence rumen fermentation and the organisms responsible for producing methane. Enteric methane-feed type/characteristic relationships are multi-faceted and demonstrate a high variability, which makes analysis of large quantities of data a very powerful method for discovering these complex relationships. Existing multinational projects, such as the GLOBAL NETWORK <a href="https://globalresearchalliance.org/research/livestock/collaborative-activities/global-research-project/">https://globalresearchalliance.org/research/livestock/collaborative-activities/global-research-project/</a> and CEDERS <a href="https://globalresearchalliance.org/research/livestock/collaborative-activities/ceders/">https://globalresearchalliance.org/research/livestock/collaborative-activities/ceders/</a> have already laid the foundation of studying these relationships by developing extensive animal and feed parameters databases.</p> <p>The New Zealand Government is supporting research to further the above work, focusing on Latin American and South East Asia Alliance member countries. This research project, therefore, forms part of a larger project covering the Latin American and South East Asian regions and is funded by the New Zealand Government to support the objectives of the Livestock Research Group of the Global Research Alliance on Agricultural Greenhouse Gases (<a href="https://globalresearchalliance.org/livestock">https://globalresearchalliance.org/livestock</a>)</p>
Objective of this RFP:	<p>MPI seeks to procure a research project with a South-East (SE) Asia focus related to feed and nutrition and enteric methane emissions from cattle managed under a range of production conditions and environments. This research project will contribute to an overarching project entitled “The effect of feed and nutrition on methane emissions from cattle” which is focused on Latin American and South-East Asia Alliance member countries.</p> <p>The Research Project aims to:</p> <ul style="list-style-type: none"> <li>(a) Expand animal and feed databases for mitigation of enteric methane developed by the GLOBAL NETWORK project to include new data representing production</li> </ul>

	<p>systems and environments from South East Asia, including systems relying on by-product feeds and forages and pastoral systems;</p> <p>(b) Using these expanded databases, identify and recommend methane mitigation technologies that are practical and feasible for the livestock production systems in South East Asia and production systems;</p> <p>(c) Develop specific methane yield (Y<sub>m</sub>) values suitable for local feeds in South East Asia and production systems, which will enable the use of these new Y<sub>m</sub> values to improve national greenhouse gas inventories; and</p> <p>(d) Identify how nutritional measures can be captured in national greenhouse gas inventory methodologies to demonstrate mitigation in South East Asia.</p>
Service Provision (Inclusions):	<p>Applicants need to consider the following:</p> <p>a) Preference will be given to applicants (individuals or organisations) who are based in the SE Asia region. However, suitably qualified applicants from outside the region are encouraged to apply BUT must be able to demonstrate ability to fulfil the expected deliverables, which will involve travel to the region.</p> <p>b) The work will contribute to a larger international project and the successful applicant will be required to work closely with the project leader.</p>

<b>TIMETABLE</b>	
RFP Issued:	1 May 2019
Questions Close:	22 May 2019
RFP Closing Date and Time:	29 May 2019; 5PM (NZ time)
Agreement executed:	June 2019 (indicative date only)
Unsuccessful suppliers notified:	June 2019 (indicative date only)

<b>CONTACT DETAILS</b>	
NZAGRC Contact Person:	<p>This RFP is being administered by the New Zealand Agricultural Greenhouse Gas Research Centre (NZAGRC), on behalf of MPI. All communication with the NZAGRC regarding this RFP should be directed to:</p> <p>Gavin Kenny  NZAGRC  Grasslands Research Centre  Tennent Drive, Private Bag 11008, Palmerston North 4442  gavin.kenny@nzagrc.org.nz</p>

<b>QUESTIONS ABOUT THE RFP</b>	
Questions:	<ul style="list-style-type: none"> <li>➤ All questions should be emailed to the NZAGRC Contact Person before the Questions Close date.</li> <li>➤ The NZAGRC will endeavour to respond promptly to enquiries about this RFP.</li> <li>➤ The NZAGRC's responses will be notified to all potential providers directly or via the Government Electronic Tendering Service (GETS) as applicable, unless the nature of the response is viewed as commercially sensitive.</li> </ul>

<b>RESPONSE INFORMATION</b>	
Number of Copies:	<p>Respondents must supply:</p> <ul style="list-style-type: none"> <li>➤ 1 electronic copy (PDF format) emailed to the NZAGRC Contact Person before the RFP closing time and date.</li> </ul> <p>Email attachments are to be formatted in a Microsoft Office application or PDF. It is the responsibility of the Respondent to ensure that the emailed response has been received by NZAGRC before the RFP closing time and date.</p>

Response Instructions:

- A response must **include all the information, in the order and format, specified in Section 5** and be signed by the supplier's authorised representative. Responses must state the supplier's name, and the name and number of the RFP, as well as which project is being responded to. Suppliers may include additional information in an appendix.
- Ensure your response is received at the NZAGRC by the specified closing date and time.

## 4 PROCUREMENT SPECIFICATION

### 4.1 Introduction and Background

Suppliers are asked to note that MPI has contracted the NZAGRC via its legal entity AgResearch to assist with coordinating New Zealand's science input for this project; including – in the case of this RFP – assisting MPI with tendering the research, negotiating contracts with the supplier(s) and managing the ensuing contract.

### 4.2 Requirements, including timetable and reporting

MPI requires an external supplier to carry out the following research project:

“Methane emissions from cattle in SE Asia: The effect of feed and nutrition on methane emissions from cattle.”

As outlined in the Background and Objectives sections this project is designed to contribute to a larger project which expands the scope of the current multi-national research efforts to include data from Latin American and South East Asian Alliance member countries.

Key research tasks are to:

- (1) Expand animal and feed databases for mitigation of enteric methane developed by the GLOBAL NETWORK project to include new data representing production systems in SE Asia;
- (2) Identify and recommend methane mitigation technologies that are practical and feasible for the livestock production systems in the SE Asia region;
- (3) Develop specific methane yield (Ym) values suitable for local feeds in the SE Asia region.

The Supplier is expected to accurately cost their response. Value for money will be an important evaluation criterion. The budget for the project is capped at NZ\$125,000 (including any travel costs). The contract must be completed by 30 June 2020 at the latest.

The Supplier will deliver the following:

- Expanded animal and feed databases for mitigation of enteric methane which include new data representing production systems in SE Asia.
- Recommendations on methane mitigation technologies that are practical and feasible for the livestock production systems in the SE Asia region;
- Specific methane yield (Ym) values suitable for local feeds in the SE Asia region.
- A draft paper for submission to a relevant journal in the SE Asia region.
- A final report which provides a clear and concise summary of the work undertaken and results achieved.

### 4.3 Performance Measures

MPI and the NZAGRC at their discretion may either during the duration or at the end of any Agreement measure the Supplier's performance. The performance measures applicable to the Supplier's performance of the services required include, but are not restricted to, the following:

- accuracy – all information produced as part of the Service is reported factually and is consistent with up-to-date knowledge and, where applicable, interpreted on the basis of local experience;
- completeness – all outputs are delivered within the scope of the Agreement, are consistent with the level of expertise expected or specified and, in retrospective analysis, contain no material omissions;
- quantity – number of sector programmes, events or networks that have used the resources
- quality – the Supplier will ensure that reports are prepared to an acceptable published standard i.e. error free, correct punctuation, clear and concise, consistent style format, references cited and tables captioned; and
- timeliness – the services required are delivered within the time frames specified in this Schedule.

### 4.4 Reference Checks

MPI and the NZAGRC may carry out reference checks to validate that Suppliers can adequately provide the services to MPI. The reference check process has the following objectives:

- to ensure there are appropriate levels of assurance about the trustworthiness of the Supplier and its proposed personnel;

- to confirm that the Supplier has recently, successfully provided similar services to those required under this RFP; and
- to determine that the Supplier can deliver the services to the standards and quality measures that MPI requires.

## 5 RESPONSE TEMPLATE

Responses must be provided using the format and order in the following template.

# Request for Proposal

Ministry for Primary Industries  
Manatū Ahu Matua



Response From: **[Insert name/institution here]**

## RFP-Methane emissions from cattle in SE Asia

The effect of feed and nutrition on methane emissions from cattle

### SECTION ONE

SUPPLIER'S DETAILS	
Full Legal Name	
Trading name if different from above	
Limited Liability Company. Yes/No/Other (Specify)	
Address of registered office / postal address	
Detail of owners/directors	

CONTACT DETAILS	
(Suppliers must nominate one person within their organisation as their contact person responsible for this RFP. NZAGRC and/or MPI will correspond with this person)	
Name	
Telephone	
Email address	

SUBMISSION OF PROPOSAL	
The Supplier offers to supply goods and services to MPI on the basis of this RFP, which if accepted in writing by MPI, will become the basis of the agreement to be entered into between the supplier and MPI.	
The person signing this response is authorised to make the commitments set out in this RFP response on behalf of the Supplier.	
Name of person authorising this response.	
Title	
Signature	
Date	

**SUPPLIER'S PROFILE**

Provide a brief summary of the services you provide			
Please provide details of the relevant insurances that you currently have in place?  Please state insurer, minimum amount and maximum excess	<b>Policy Type</b>	<b>Minimum Cover</b>	<b>Maximum Excess</b>
		\$	\$
		\$	\$
		\$	\$
Is your organisation currently involved in any pending or threatened litigation or regulatory inquiries relating to matters that could have an impact on your operations (significant monetary settlement or loss of business) or alleged violations of law?			
Is your organisation registered and incorporated under the New Zealand Companies Act 1993 (if applicable)? Yes/No			
Has your organisation ever been struck off the Register of New Zealand companies (if applicable)? Yes/No  If yes, please provide details			
Please provide the date of your last independent Audit and name of Auditor			
How long have you been in operation?  Is your organisation subject to insolvency, bankruptcy or liquidation proceedings including receivership and/or voluntary administration? Yes/No  If yes, please provide details			
Indicate where you have offices in New Zealand/overseas and the number of staff in each office			
Do you intend to subcontract or assign any part of the services? If so please provide details			
Do you have any direct or indirect conflicts of interest or potential conflicts of interest in providing the required services? If so please provide details			

**ACCEPTANCE OF CONTRACTUAL TERMS & CONDITIONS**

<p>If selected by MPI, please confirm that you agree to contract on the terms and conditions of the written agreement – as attached to this RFP on the GETS website.</p> <p>If a change is requested, clearly indicate the clause you would like to amend and why. <b>Precise wording changes or alternative clauses must be provided.</b> A</p>	
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response indicating that further discussion is required is not acceptable.	
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## SECTION TWO

Please ensure you complete every component of this section. If it is easier to attach a document instead of completing the box, please do this but clearly label each attachment with the section number it refers to, e.g. "2.2 Proposed project timetable".

REQUIREMENT	1. DESCRIPTION OF THE PROJECT SUPPLIERS RESPONSE
1. Project Title and number:	
1.2 Define the proposed objectives for the project and name the objective leaders	
1.3 Detail the anticipated outcomes from the project	

REQUIREMENT	2. METHODOLOGY & TIMETABLE SUPPLIERS RESPONSE
2.1 Detail the proposed methodology and intended approach to be used to achieve the proposed objectives and outcomes.  <i>Please make sure you address <u>ALL</u> of the requirements for the project this proposal relates to, as detailed in Section 4 'Procurement Specification' of this RFP.</i>	
2.2 Detail the proposed outcomes of the project	
2.3 Propose a detailed project timetable for the proposed objectives. This must include milestones for each objective, delivery dates and any other key timings.	
2.4 Detail any communication or publicity opportunities or requirements associated with this project and a strategy for addressing these.	
2.5 Summarise all/any arrangements which are in place or will need to be implemented for addressing Intellectual Property Rights issues that may arise with this project	
2.6 Please detail any specific authorisations that will need to be obtained prior to any elements of the research programme proceeding e.g. animal ethics, ERMA, ACVM.	
2.7 Detail any assumptions made regarding the content of this RFP.	

REQUIREMENT	3. RESOURCES, KNOWLEDGE & EXPERIENCE SUPPLIERS RESPONSE
3.1 Starting with the Project Leader, please provide details of the team that will deliver this project. Please include information on relevant skills and expertise, experience, relationships, facilities and networks where applicable. Please indicate the amount of time each participant will	



contribute and to which parts of the project (e.g. objectives, milestones and/or deliverables).	
3.2 If international collaboration is a core element of this RFP, please provide details of the involvement of relevant researchers/institutions and how that collaboration will contribute to the project goal. List names of key collaborators, their countries and areas of expertise, and clearly indicate which parts of the project they will be contributing (e.g. milestones and/or deliverables) and whether sub-contracting is anticipated.  <i>Note that sub-contracting is also covered in Part One of this form above.</i>	
3.3 Please attach a <u>short</u> CV or profile for each participant involved, including international participants ( <u>max</u> 2 pages per person). Each CV should be no more than 2 pages long and should include name, position, organisation, location, relevant experience & qualifications, specialist area of expertise and contact details.	

#### 4. POTENTIAL RISKS

Please complete this table clearly outlining any risks to the project and the proposed strategy for mitigating those risks. Add as many rows as necessary.

Potential Risk	Proposed risk mitigation

#### 4. PRICING

REQUIREMENT	SUPPLIERS RESPONSE																																				
<p>4.1 Please provide detailed costings for the services provided, as per the tables.</p> <p>The pricing provided in 4.1 must include the total amount of funding requested from MPI and is expected to form the basis of the contract.</p> <p><b>Note:</b> International travel must be deducted from the total contract price. International travel must be applied for and approved by MPI prior to any travel taking place. All international travel costs are reimbursed based on actual expenditure.</p>	<p><b>FUNDING REQUESTED FROM MPI</b></p> <p>Respondents wishing to provide the required service are required to submit pricing in accordance with the following tables. Additional lines may be added to the tables where necessary.</p> <p>Pricing must be in NZ\$ and exclude GST.</p> <p><b>Summary of total project costs</b></p> <table border="1"> <thead> <tr> <th>Expenses</th> <th>Costs \$</th> </tr> </thead> <tbody> <tr> <td>Personnel [see table]</td> <td></td> </tr> <tr> <td>Operating costs [see table]</td> <td></td> </tr> <tr> <td>Overheads</td> <td></td> </tr> <tr> <td>International travel (see table)</td> <td></td> </tr> <tr> <td><b>TOTAL FUNDS REQUESTED FROM MPI</b></td> <td></td> </tr> </tbody> </table> <p><b>Detailed Personnel &amp; Overheads</b></p> <table border="1"> <thead> <tr> <th>Name</th> <th>Organisation</th> <th>%FTE Year 1</th> <th>Personnel</th> <th>Overheads</th> <th>Total costs (\$)</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Expenses	Costs \$	Personnel [see table]		Operating costs [see table]		Overheads		International travel (see table)		<b>TOTAL FUNDS REQUESTED FROM MPI</b>		Name	Organisation	%FTE Year 1	Personnel	Overheads	Total costs (\$)																		
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Name	Organisation	%FTE Year 1	Personnel	Overheads	Total costs (\$)																																

Postgraduate Student	Supervisor		Stipend	Fees	
<b>TOTAL</b>					

**Operating and International Travel Costs**  
Please add more rows as necessary.

Expense	Cost \$
For e.g. lab equipment etc	
<b>Total Operating Costs</b>	
International Travel	Cost \$
For e.g. Flights, food, accommodation,	
<b>Total International Travel Costs</b>	

**Total costs associated with each objective (excluding international travel)**  
Please add more rows as necessary.

Objective	Description	Date	Cost (GST excl.)
1			
2			
3			
		<b>TOTAL</b>	

4.2 Projects may lend themselves to cash or “in-kind” co-funding from other government, organisation or industry sources, including internationally.  
  
Please provide a breakdown of any confirmed co-funding from another source that is not MPI, specifying whether this is cash or in-kind and the value in NZ\$.  
  
Written confirmation from each source of co-funding (whether cash or in-kind) must be appended to the response.

List all sources of confirmed cash or in-kind co-funding for this project. For in-kind funding where there are multiple partners, an estimate of the total value of the funding under a single heading is sufficient.

Funding				
Name of organisation	Name of Research Programme	Duration	Amount	Date of confirmation
In-kind contributions				
Name of organisation	Name of Research Programme	Duration	Amount	Date of confirmation

4.3 Provide an overall value for the project that encompasses 4.1 and 4.2 above.

TOTAL CO-FUNDING	\$
TOTAL FUNDS REQUESTED FROM MPI (from 4.1 above)	\$
<b>TOTAL VALUE OF THE PROJECT</b>	<b>\$</b>

5. REFERENCES	
REQUIREMENT	PROVIDERS RESPONSE
5.1 Please provide details of major customers and <u>three</u> referees that MPI	

can contact in relation to this work.	
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## 6 EVALUATION OF RESPONSES

MPI will evaluate responses based on the criteria described below. Those criteria are provided as an indication as to the relative importance MPI is placing against each criteria. Whilst price is a significant factor, the response with the lowest price may not be a response that is acceptable to MPI, as it is essential that many other criteria are also met. Assessment of the supplier's capability to deliver the required goods or services will be based on the responses provided and any subsequent due diligence undertaken by MPI.

- 1) Methodology will account for 70% of the total marks and is weighted as described below:

*Science Excellence and Innovation 20%*

Does the proposal demonstrate a high standard of scientific excellence? Does it extend current knowledge in mitigation research and/or develop novel approaches that show promise for meeting the stated research challenge

*Methodology 20%*

Is the proposed methodology robust and appropriate for the proposed objectives? Are hypotheses clearly stated and sound?

*Additionality 15%*

Does the proposal demonstrate additionality? How does the proposed research differ from that which would have occurred anyway? Funding sought under this proposal should not simply displace funding that might have been provided from other national or international sources and research programmes.

*Anticipated use of the research outcomes 15%*

Has the proposal identified who will use the outcomes generated and how these outcomes would contribute to mitigation outcomes? Has the proposal clearly explained how the outcomes are to be communicated and transferred to the potential next users to ensure they are actually used?

- 2) Resource, Knowledge and Experience will account for 15% of the total marks and is assessed as described below:

*Best team to deliver stated outcomes 15%*

Does the research team demonstrate that it contains the necessary expertise and experience to address the project

- 3) Potential Risk account for 10% of the total marks and is assessed as described below

*Risks and barriers 15%*

Has the proposal identified possible risks and barriers to achieving the stated outcomes (personnel, technical, ethical, IP, regulatory, competition, substitutes or alternative methods)?

- 4) Price criteria will account for 5% of the total marks and will be assessed as described below.

Are the proposed costs realistic and reasonable? Do they represent the full costs of delivering the stated outcomes including knowledge transfer? Is the amount sought "value for money" based on the research proposed?

### Tender Phases

The evaluation of proposals will be conducted as follows:

- Proposals will be evaluated against the above criteria in a single stage evaluation.
- Upon internal approvals, the successful provider will be notified and will either be offered a contract based on their proposal or will enter into negotiations with the NZAGRC on behalf of MPI.
- Unsuccessful providers will be notified.

## 7 TERMS AND CONDITIONS OF THIS RFP

**Supplier's Obligations:**

The NZAGRC and MPI will rely on the information in, and given about, a response. The supplier's response (and any information about the response) must, therefore, be complete, accurate and not misleading. The supplier represents and warrants to this effect. It is the responsibility of the supplier to ensure that they are fully informed about this RFP.

**Use of Information:**

Suppliers may not use any information in this RFP, or provided in relation to it, except to prepare their response.

**Confidentiality of Supplier Information:**

The NZAGRC and MPI will make every effort to maintain confidentiality in respect of information supplied by any supplier. However, confidentiality cannot be guaranteed because of the application of enactments including the Official Information Act 1982, Government processes including the Minister's obligation to answer Parliamentary Questions and Orders of Court.

**Validity Period:**

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

**Rights reserved by MPI (and where applicable the NZAGRC):**

In accordance with the Government Rule of Sourcing and to the maximum extent allowed by law MPI, and where applicable the NZAGRC, reserves the unrestricted rights at any time to:

- (a) make any change to the RFP and to the RFP process. Where a significant change affects either the scope of work or the RFP process the NZAGRC will either notify the person or organisation initially advised of the RFP or, where the RFP was advertised via GETS, through the GETS Website;
- (b) apply, or change, any policy or criteria relating to participation in this RFP process or the evaluation of responses;
- (c) exclude any person from this RFP process (whether on the grounds of capability, price, Government policy or direction, security or operational requirements or otherwise);
- (d) reject or not consider any non-compliant response;
- (e) liaise, negotiate or contract with any supplier or other person at any time without disclosing this to, or involving or doing the same with, any other supplier or person (whether before, during or after this RFP process);
- (f) have any of MPI's representatives at any reasonable time inspect any property, or interview any personnel of any supplier or other person as part of its evaluation process;
- (g) suspend or cancel this RFP or any process arising from it at any time and for any reason by notice;
- (h) not accept the lowest or any response, or not enter into any contract;
- (i) enter into one or more contracts in respect of any part of the requirement;
- (j) not give any reason to any person for the rejection, failure or otherwise of any supplier or response, or any suspension or cancellation of this RFP process;
- (k) select a single supplier or a mix of suppliers as it sees appropriate to fulfil the objectives;
- (l) 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;
- (m) consider a response that has been submitted after the RFP Closing Date at its discretion; or alternatively, decline any response not received before the RFP Closing Date;
- (n) seek additional information about suppliers from any source;
- (o) require suppliers to submit further information or make presentations;
- (p) undertake due diligence relating to any supplier at any time during the RFP process;
- (q) enter into discussions and negotiations with any person or organisations (s), not necessarily restricted to those who responded this RFP;
- (r) re-advertise the RFP at any time.

**Acceptance of response not a contract:**

Should the NZAGRC advise a supplier that their response is acceptable to MPI or may provide the basis for an agreement (namely, that the supplier is a preferred supplier), there will be no contract between the parties in relation to the procurement until a written agreement is entered into.

**Advice of outcome**

The NZAGRC will advise suppliers if their response has been unsuccessful. Should a supplier wish to understand why their response may have been unsuccessful the supplier should contact the NZAGRC Contact Person to arrange for a tender debriefing.

**Disclosure of Information:**

Government Departments must act in accordance with the Government Rules of Sourcing for the conduct of procurement. These rules reflect and reinforce New Zealand's established policy of openness and transparency in government procurement.

MPI policy is:

- (a) to automatically disclose details of successful suppliers and price(s) (but no detail of price composition) to relevant industry / tender publications and other interested persons on request. If a successful supplier does not want this information disclosed, it must specifically request this treatment in its response and give its full reasons why, however, non-disclosure by MPI cannot always be assured due to its own disclosure obligations;
- (b) details of an unsuccessful response will not be disclosed without the authority of the supplier concerned except to the extent MPI may be required by law to disclose it.

**The NZAGRC and MPI's Disclaimer of Liability:**

While the NZAGRC and MPI make every effort to provide accurate information, neither accept any responsibility or liability (whether in tort, contract or otherwise) to any person for errors of fact, omission, interpretation or opinion that may be present, nor for the consequences of any decision based on this information.

**Privacy:**

The information suppliers provide will be held and used by the NZAGRC and MPI for the purposes described in, or contemplated by, this RFP. Such information will be disseminated on a "need to know" basis only to those Ministry Officials, employees and consultants tasked with setting up the procurement. Unless required under Statute or in response to a question in Parliament any shortlist compiled under this RFP process will not be published.

Suppliers have rights of access to, and correction of, personal information provided in their RFP response, in accordance with the information privacy principles of the Privacy Act 1993.

Any personal information submitted to the NZAGRC or MPI in response to this RFP will only be retained as long as necessary by the NZAGRC and/or MPI in accordance with its obligations under the Privacy Act 1993.

Any non-personal information may be retained, returned or destroyed at the NZAGRC and MPI's sole discretion.

**Proprietary Rights:**

Every proprietary right in information in, or provided by MPI via the NZAGRC during the course of, this RFP belongs to MPI.

**The NZAGRC and MPI not liable for costs:**

The NZAGRC and MPI will not be liable (in contract or tort, including negligence) for any direct or indirect damage, loss or costs (including legal and lawyer/client costs) to any supplier or other person in respect of this RFP process.

**No undisclosed benefits:**

Suppliers must not directly or indirectly provide any form of inducement or reward to any representative of the NZAGRC or MPI in respect of this RFP.

**No Publicity:**

Suppliers must not, without the NZAGRC and MPI's prior consent in writing, make any public statements about:

- (a) this RFP or their participation in it, or
- (b) the suppliers or anyone else's success, or lack of success, with a response.

This does not apply to information on this RFP which is already in the public domain.

**NZ\$ (currency):**

All pricing presented within a response is to be in New Zealand dollars and exclude GST unless specified otherwise in each case.

**New Zealand time:**

New Zealand time and dates apply to this RFP.

**New Zealand law:**

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

## 8 WRITTEN AGREEMENT

Refer to the template document, which accompanies the RFP document on the GETS Website.