

## **Invitation to Tender:**

### **Tenders are sought by MotorSport New Zealand for the Promotion of the 2022/2023 – 2026/2027 MSNZ Premier Race Championship Series**

#### **1. Introduction:**

- a. MotorSport New Zealand (MSNZ) is duly appointed by the Federation Internationale de l'Automobile (FIA) as the Governing body for the administration of 4-wheeled motorsport in New Zealand.
- b. MSNZ permits and licences events and competitors and has the power to declare certain events and/or series as New Zealand Championships.
- c. MSNZ, by virtue of its Constitution and National Sporting Code owns the commercial and promotional rights to those Championships and the series in which they may run.
- d. MSNZ wishes to formalise the delegation of the commercial and promotional rights to grow and promote the MSNZ Premier Race Championship Series and events.
- e. Therefore MSNZ invites tenders in respect to the role of Championship Promoter of the MSNZ Premier Race Championship Series on the basis set out in this Tender Process document.

#### **2. MSNZ Objectives for the MSNZ Premier Race Championship Series:**

- a. To promote and grow the presence of motorsport within New Zealand;
- b. Increase the participation and engagement with competitors and officials;
- c. Create a MSNZ Premier Race Championship Series that is attractive to spectators and commercial partners;
- d. Respect the financial limitations of categories and ensure that fees and costs are manageable;
- e. To provide MSNZ with a financial return for the use of those commercial and promotional rights.

#### **3. Eligibility of Candidates:**

- a. To be eligible as a Candidate to have a tender considered in this process, each Candidate will be required to satisfy MSNZ that it possesses the resources (both operationally and financially), ability and experience to manage and deliver the relevant commercial and promotional rights and perform the relevant services required in the role as detailed within the Tender Process Document.
- b. MSNZ reserves the right to ask questions and request supplemental information from any Candidate through any means it considers appropriate.

#### 4. Capabilities of the Promoter:

- a. MSNZ anticipates that the appointed Promoter will hold most or all of the following capabilities:
  - i. Knowledge and experience of organising, promoting and commercially managing events and the ability to fulfil these roles for the MSNZ Premier Race Championship Series;
  - ii. The ability to grow spectator and corporate engagement;
  - iii. Ability to make the MSNZ Premier Race Championship Series attractive to enter for categories;
  - iv. Be in a position of holding sufficient working capital to deliver on the all aspects of the role of a promoter noting that evidence of such capital will need to be provided within the Tender application.

#### 5. MSNZ Discretion:

- a. The MSNZ may, in its sole discretion at any stage:
  - i. accept or reject any or all Tenders;
  - ii. request revised or amended Tenders;
  - iii. in its sole discretion, pursue negotiations, on an exclusive or non-exclusive basis, with one or more Candidates;
  - iv. withdraw from any negotiations in respect of any Tender;
  - v. modify the meaning of or conditions that apply to the exercise of the commercial rights or services;
  - vi. open one or more additional rounds of selection;
  - vii. and/or alter any selection process or commence an entirely new selection process at such time in the future as it may determine
- b. Furthermore, if, at its sole discretion, MSNZ considers that no Candidate meets the criteria for the appointment as Promoter of the MSNZ Premier Race Championship Series, MSNZ may elect not to appoint any of the Candidates.

#### 6. The Process:

- a. Details of the process that will apply in respect of any Tender follow:
  - i. The closing date for any Tender to be received by MSNZ is no later than **Friday 8 October 2021**.
  - ii. The Tender must identify the Candidate's name who is interested in the role, identify the legal entity if there is a corporate entity involved who may be required to provide a personal guarantee if that candidate is successful, provide appropriate contact details, along with as a minimum, the required information as detailed in Schedule 1.

- iii. MSNZ will appoint a Panel to consider any Tender that progresses to the next stage of presentation. Subject to the terms of this Tender Process document, the Panel will be required to consider the Tenders including any application(s) (in writing or otherwise) and presentations (in person, including any written material), and any other information the Panel requires. It will then make recommendations to the MSNZ Board.
- iv. The MSNZ Board will ultimately decide whether to appoint a Promoter and if so which Promoter to appoint, subject to agreeing on detailed contract terms. (The contract terms of any Deed of Appointment will be recorded and agreed upon between the successful appointee and MSNZ representatives, subject to any direction from the MSNZ Board.)
- v. Any Candidate that submits a Tender will be given an opportunity to make its application and a presentation to the appointed Panel, unless MSNZ (through its Chief Executive Officer in consultation with the Panel or its representative, or the MSNZ Board or MSNZ President, as the Chief Executive Officer sees fit) is not (in MSNZ's sole discretion) satisfied that the relevant Tender is made in good faith and with a genuine intention to seek to make a credible offering to take on the role to which the Tender Process relates.
- vi. Candidates that submit a Tender and that are to make a presentation to the panel appointed by MSNZ will be asked to provide a suitable confidentiality undertaking to MSNZ's sole satisfaction.
- vii. Unless MSNZ, at its sole discretion, determines otherwise (which would require extraordinary circumstances) any presentation will take place within two weeks of the closing date noted in this Tender Process document (and in the second week after that date). Such presentation is to be delivered in writing and orally on a date during that second week to be mutually agreed between the Candidate and MSNZ's Chief Executive Officer (or his delegate) on behalf of the appointed Panel, or failing agreement at a date and time to be specified by MSNZ's Chief Executive Officer (or his delegate) on behalf of the appointed Panel.
- viii. MSNZ expects Candidates tendering to clarify how it intends to promote the MSNZ Premier Race Championship Series to deliver on the objectives in Section 2 , how it intends to run the events, including proposed event structures and formats, taking into account the objective of cost containment for categories and whether their proposal includes any payment to MSNZ (for example, Promoter Licence fees) or any formula for calculating a payment or for calculating whether a payment is due (and if so in what amount). This should be provided as part of the information provided in support of the application. From MSNZ's perspective, the primary focus is on the delivery of quality events, growing the public profile of the various Championships and establishing a solid platform for the delivery of championship events over the period of the appointment. Any possible fees or revenue is a secondary issue, but that is an issue that respective Candidates should address in their proposals.

- ix. Candidates are asked to specify how they propose to deal with payment of fees and/or levies due to MSNZ under the National Sporting Code as detailed within Schedule B - Fees. (The promoter's role will include generally acting as agent for various entities collecting and distributing event revenues and other funds. This includes collecting, calculating and paying various fees and levies due under the NSC. In some instances that could involve payment of the precise amounts due under the NSC, or alternatively the calculation of an agreed approximate amount to be paid in place of those precise payments.)
- x. MSNZ, in accordance with the process outlined in this Tender Process document, will give reasonable consideration to any offer by any Candidate submitting a Tender, providing that any written material comprising of the application or some or all of the presentation shall be provided prior to or at the date and time allocated for the Candidates presentation, or as otherwise required by MSNZ or the appointed Panel on MSNZ's behalf as specified in accordance with this Tender Process document.
- xi. If terms of a Deed of Appointment cannot be agreed with the provisionally selected party then MSNZ may, at its sole discretion, provisionally select what it considers to be the next best party (if any) that it considers to be a viable suitable option and that new provisionally selected party would (subject to MSNZ and that new provisionally selected party agreeing the terms of a Deed of Appointment) be appointed as the Promoter for a five-year term. If MSNZ cannot agree to the terms of a Deed of Appointment with a party that it considers to be a viable suitable option for appointment as the Promoter it may choose not to proceed further with the tender process.
- xii. If MSNZ is unable find a suitable singular promoter, MSNZ reserves the right to appoint multiple promoters to cover individual events of the MSNZ Premier Race Championship Series.
- xiii. If no Candidates submit a Tender, or if following the Tender Process there is no presentation submitted to the satisfaction of MSNZ (through its Board) that any Candidate could be a viable suitable option for appointment as the Promoter, then MSNZ reserves all rights to retender or review the role of the Promoter.
- xiv. Ultimately, any final decision regarding any appointment and whether to make any appointment will be a matter for MSNZ, through its Board and at its sole discretion, having considered the recommendations of the Panel, MSNZ's requirements as set out in this Tender Process document, and having considered what MSNZ (through its Board) considers in all the circumstances to be appropriate in accordance with MSNZ's constitution, the National Sporting Code, and the interests of MSNZ, its member clubs, and participants in motorsport under the authority of MSNZ.
- xv. In respect of the scope of the role and the terms of the proposed appointment, this Tender Process document can be assisted by any question by candidates. However, any final agreed Deed of Appointment terms for the 2022/23 to 2026/2027 seasons will supersede the overview in this Tender Process document and any additional questions raised by a Candidate and those answers provided. The Candidate to this process and any ensuing agreement, will at all times be obliged to act lawfully, and consistently with

MSNZ's Constitution and the National Sporting Code, and this process and any ensuing agreement shall be construed accordingly.

## **7. Understanding of Requirements:**

- a. The following parts of this Tender Process document provide an outline of the role of the Promoter and a broad overview of current requirements:
  - i. The appointed promotions company will need to positively promote and manage all commercial and promotional activities in alignment with the objectives as detailed in Section 3 and assume all risks for delivering the MSNZ Premier Race Championship Series from the 2022-2023 series through to and including the 2026-2027 series;
  - ii. The calendar will be set annually and must include the Toyota Racing Series (TRS) whose five-round back-to-back series forms the basis of each year's calendar:
    - a. Currently the five-round TRS Championship runs over consecutive weekends from mid-January through to early February each year.
  - iii. MSNZ owns the Calendar and has the final sign off of the Championship Event dates and venue for each season;
  - iiii. MSNZ requires the Promoter to negotiate with the circuits and finalise commercial arrangements of hire for each event;
  - iv. The New Zealand Grand Prix, which is currently allocated to the TRS until the conclusion of the 2027 season, is run as one round of the TRS Championship;
  - iv. MSNZ will provide the appointed promotions company with detailed Key Performance Indicators around the objectives and other factors which MSNZ deems important, to be reviewed on an annual basis.

## **8. Contracted Activities:**

- a. The following specific activities need to be undertaken as contracted activities by the Promoter which are focused around the promotion and positive growth of events:
  - i. Develop a calendar for the MSNZ Premier Race Championship Series, in consultation with MSNZ, the circuits and categories for approval by MSNZ where it will also take into account external factors such as:
    - a. Volunteer numbers and welfare;
    - b. Other major events (motorsport and non-motorsport) within the proposed area.
  - ii. The draft MSNZ Premier Race Championship Series calendar must be presented to MSNZ by no later than June 1 prior to the next season commencing for MSNZ's final and sole discretion for sign off;
  - iii. The MSNZ Premier Race Championship Series calendar must include:
    - a. A minimum of 2 rounds to be held in both islands each season;
    - b. Minimum of 6 rounds must be held per season with no one venue being visited



- more than twice per season;
- c. Each of NZ's 8 circuit must be visited a minimum of 3 times through the duration of the 5 year agreement.
- iv. Ensure all listed Championship categories (see Section 10) have priority on accessing grid spots at any MSNZ Premier Race Championship Series event;
  - v. Develop, present and deliver a structured Marketing and Promotions Strategy and Business Plan around the calendared MSNZ Premier Race Championship Series prior to the commencement and over the duration of the agreement. These are to be presented to MSNZ annually (no later than 90 days prior to the first round) with a clear indication of the costs to categories including but not limited to the entry fees, pit garages and test fees, individual event/Club/Circuit marketing and promotions budgets;
  - vi. Manage all marketing and promotion of the MSNZ Premier Race Championship Series incl. newspaper, radio, TV, Social Media for each event in accordance with the approved Marketing and Promotions Strategy;
  - vii. Complete negotiations with TV/broadcast networks (i.e. Free-to-Air, Live-stream, etc) to provide broadcasting of the MSNZ Premier Race Championship Series ensuring that all costs are covered for the delivery of this service;
  - viii. Negotiate with categories receiving TV coverage to ensure production costs are covered and are involved in the production of the programmes;
  - ix. Ensure that MSNZ retain rights of access to all broadcasted footage that is recorded for archival use;
  - x. Obtain sponsorship for the naming rights to MSNZ Premier Race Championship Series, TV programme(s) (if possible) &/or individual events to offset costs to categories;
  - xi. Consulting with competing categories regarding accommodating category sponsor obligations and benefit delivery;
  - xii. Organising Spectator Ticketing system;
  - xiii. Undertake negotiations with Clubs and Circuits around hire of a venue and associated services for each round - dry hire, gate share, joint venture, etc;
  - xiv. Management of all on-events activities as detailed in section 9;
  - xv. Selling and management of corporate hospitality at each event;
  - xvi. Liaise with MSNZ and clubs in relation to entries for MSNZ Premier Race Championship Series and Support Categories with all entries to be accepted through the MSNZ Online system only;
  - xvii. Production of all competitors, official & staff hard card passes. Championship Categories must be ticketed as per their articles. All MSNZ Race Management officials at each event to be included in this;
  - xviii. Supply MSNZ with an additional 10 complimentary guest tickets and car passes per round;

- xix. Ensure adequate facilities, as stipulated by MSNZ, are available for the MSNZ Race Management Team including but not limited to the Event Director, Race Directors, Clerk of the Course, MSNZ Stewards, Technical Officers and Competitor Relation Officers;
- xx. Payment of all levies, Championship Rights fees and Event Permits fees to MSNZ;
- xxi. Create and manage all collateral incl tickets, car passes, event programmes, posters etc;
- xxii. Organise Race Announcer, PR/Media, Journalists and Photographers and ensure adequate media management and media facilities are available;
- xxiii. Manage any and all sponsor requirements including circuit signage, vehicle decals, etc;
- xxiv. Production of all trophies, purchase champagne etc for all competing Categories;
- xxv. Implement Race Monitor live timing account or similar and run at all events;
- xxvi. Events will be run in compliance with Circuit Safety Plans and Schedule H;
- xxvii. MSNZ retains control of all championship sporting and technical articles in consultation with the championship category management.
- xxviii. MSNZ controls the rules of the meetings and for all Championship events and will appoint the Event Director, Race Directors, Race Management, MSNZ Stewards, Technical Officers and Competitor Relation Officers.

**9. On-event management:**

- a. The following specific activities need to be undertaken as contracted activities by the Promoter at each meeting would include but is not limited to:
  - i. Complete management of the event setup;
  - ii. Manage all Health and Safety requirements for the event in compliance with both MSNZ and Government rules;
  - iii. Pit layout management in conjunction with clubs/circuits and categories;
  - iv. Liaise with all category coordinators & Race Management to ensure smooth event running;
  - v. Provide appropriately branded podium for post-race presentations and will also be responsible for the management of presentations;
  - vi. Transportation to/from each event and erection of all circuit signage including sponsor and MSNZ circuit branding and flags;
  - vii. Management of meeting ride requirements as per Schedule Z and Schedule CH for relevant categories;
  - viii. Liaison with club administration to ensure all necessary event paperwork is in place prior to the event commencing;
  - ix. Create and produce event supplementary regulations and event timetables and a minute by minute schedule for each championship event and present to MSNZ for approval.

**10. Schedule of existing Championship Categories:**

- a. The categories that are currently listed as Championship Categories are as follows:
  - i. NZ Touring Car (TCR);
  - ii. Toyota Racing Series (TRS);
  - iii. Toyota 86;
  - iv. Super-Production;
  - v. NZ V8 Utes;
  - vi. NZ Formula Ford;
  - vii. Formula First;
  - viii. Porsche;
  - ix. Super Trucks.
- b. Championship Categories will be bound by a Category Management Agreement (CMA) which is solely between themselves and MSNZ. This will ensure that the majority of their events run at the Championship Promoters events during each season;
- c. This CMA will take precedence over any other agreement between the category and promoter;
- d. It is noted that these categories can change.

**11. Schedule of current Additional Categories attending Championship promoted events:**

- a. In addition to the Championship categories, the following additional categories currently support the MSNZ Premier Race Championship Series each year. These categories are not championship categories and therefore are not bound by CMA and are not required to attend the championship promoted events. These categories will need to be consulted along with MSNZ in relation to the event dates, venues, number of rounds, race and event requirements for each category.
  - i. GTRNZ;
  - ii. Central Muscle Cars;
  - iii. BMW Driver Series;
  - iv. Mazda Racing Series;
  - v. Honda Cup;
  - vi. V8 Touring Cars;
  - vii. OSCA;
  - viii. Rennsport.
- b. The Promotor may go outside that group to select additional Categories if required, however, this would need to be signed off by MSNZ and in accordance with the agreed terms and the National Sporting Code.



## 12. Obligations of MSNZ during the Term:

- a. MSNZ shall:
  - i. Supply the Sporting Officials (Event Director, Race Directors, Race Management, MSNZ Stewards, Technical Officers and Competitor Relation Officers) for Championship Categories (as specified by MSNZ), who will control those categories in line with the National Sporting Code and other articles/regulations relating to racing at the meeting;
  - ii. Inscribe the TRS Events on the FIA International Sporting Calendar. MSNZ will arrange payment for this in conjunction with the respective class/es;
  - iii. Permit the meetings on approval of supplementary regulations and safety plans. Permit application to be submitted by MSNZ;
  - iv. Approval of event supplementary regulations in conjunction with the promoter and relevant clubs including the event timetables (race schedules) and a minute by minute schedule for each championship event;
  - v. Such other tasks as the Candidate and MSNZ mutually agree to.

## 13. Confidentiality:

- a. All aspects of this process may involve the disclosure of confidential information. All candidates that are invited and wish to progress to the presentation stage in the process will be required to sign a confidentiality agreement.

**All tender proposals must include as a minimum the information detailed within Schedule 1 and are to be submitted to and received by MotorSport New Zealand no later than 5pm on Friday 8 October 2021.**

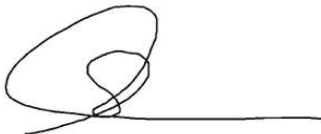
These will be accepted via the two following methods:

Via email to [elton@motorsport.org.nz](mailto:elton@motorsport.org.nz)

Via post to MotorSport NZ, PO Box 133, Paraparaumu, 5254

If you require any clarification on any items within this document please don't hesitate to contact me.

Kind regards,



**Elton Goonan | CEO**

MotorSport New Zealand Inc.

102 Kapiti Road

Paraparaumu

P: +64 27 367 6752

E: [elton@motorsport.org.nz](mailto:elton@motorsport.org.nz)

## SCHEDULE 1

### DETAILS OF CANDIDATE AND TENDER

Each Candidate must submit their Tender in the format set out below.

#### [TO BE REPRODUCED ON CANDIDATE'S HEADED NOTEPAER]

Please find below the response of [Note to Candidates: insert here full corporate name of Candidate] to the Invitation To Tender ("ITT") issued by MotorSport New Zealand in respect of the Championship Promoter, during the Term.

**(a) Corporate Information**

1	Full Corporate Name of Candidate:	
2	Registered office address and contact details:	
3	Company Registration number:	
4	Primary Contact Person and details:	
5	Composition of Board of Directors:	
6	Corporate structure i.e. ownership structure of all group/parent companies	

**(b) Financial Information**

*[Note to Candidates for this paragraph (b) of their response*

*Each Candidate to attach the information referred to below.]*

1	Comprehensive Company audited accounts for the immediate preceding 3 accounting periods.	See attached
2	Satisfactory evidence of its financial standing and creditworthiness including bank credit rating	See attached
3	Satisfactory evidence of its ability to meet the proposed payment obligations	See attached
4	Other evidence of the ability of the Candidate to raise and maintain sufficient funding to develop and promote the Championship;	See attached

The Tender shall include information on:

**(c) Track Record**

*[Note to Candidates for this paragraph (c) of their response:*

*Each Candidate should provide here (or by way of an attachment) a list of:*

- principal activities confirming its capacity to exploit the commercial rights and provide the services in relation to the MSNZ Premier Race Championship Series;*
- The organisational ability and applicable resources of the Candidate;*
- The Candidate's experience and human resources available;*
- The Candidate's experience in the promotion of events including media production and distribution, sponsorship sales and servicing, stakeholder management and all other applicable areas referred to in its strategic plan;]*

**(d) Proposed Strategic Plan**

*[Note to Candidates for this paragraph (d) of their response:*

*Each Candidate should provide here (or by way of an attachment):*

- An outline of a multi-year strategic and business plan for development of the MSNZ Premier Race Championship Series during the Term, including the investment the Candidate is ready to commit in order to develop the MSNZ Premier Race Championship Series together with any projected return on investment and detailed cost and revenue projections;*
- Your vision for the Sport/Race MSNZ Premier Race Championship Series;*
- Any specific industry experience, strategic partnerships, or other details relevant to the delivery of the MSNZ Premier Race Championship Series, which the Candidate wishes to communicate to MSNZ in order to facilitate the assessment of its Tender.]*

**(e) Proposed Marketing and Promotions Plan**

*[Note to Candidates for this paragraph (e) of their response:*

*Each Candidate should provide here (or by way of an attachment):*

- An outline of a multi-year marketing and promotion plan for the MSNZ Premier Race Championship Series during the Term, including concepts the Candidate would use to in order to grow the engagement and promotion of the MSNZ Premier Race Championship Series;*

**(e) Proposed Financial Commitment**

*[Note to Candidates for this paragraph (e) of their response:*

*Each Candidate should set out its proposed commercial structure and the level of remuneration proposed by the Candidate to MSNZ to be derived from the exploitation of the commercial rights. Such commercial structure and level of remuneration may include revenue sharing models.]*

**(f) Media Rights Distribution Plan**

*[Note to Candidates for this paragraph (f) of their response:*

*Each Candidate must provide here (or by way of an attachment) in respect of media rights, details of relevant proposed live, non-live, traditional, digital and social media distribution service(s) and its strategy to grow the audience of the MSNZ Premier Race Championship Series in.]*

**(g) Designated Service(s) Details**

*[Note to Candidates for this paragraph (g) of their response:*

*Each Candidate must provide here (or by way of an attachment) details of any further services which it envisages providing and which are not mentioned elsewhere in its Tender.]*

**(h) Warranty**

We hereby represent and warrant to MotorSport New Zealand that:

- (i) the information contained in this Tender is not false or otherwise misleading; and
- (ii) if following submission of this Tender, there is any change in circumstances which may render such information false, otherwise misleading or otherwise adversely affect such information, I will promptly notify MSNZ in writing setting out the relevant details in full.
- (iii) we do not and will not assert that any intellectual property rights in the MSNZ Premier Race Championship Series have accrued to the Candidate by virtue of the Candidate's submission of a response to this Tender.

SUBMITTED BY *[insert name of Candidate]* acting by its authorised representative(s) and with the acceptance of all stated terms and conditions of the Tender Process document.

<b>Signature:</b>		<b>Title:</b>	
<b>Name:</b>		<b>Date:</b>	/ . /