

TAXI LICENCE TENDER 2017-2018

Taxi Licences for Operation in the Metropolitan Transport District (Sydney)

Request for Tender TfNSW 2018/002

Tender closes 12:30 24 April 2018 • Lodge at pointtopoint.nsw.gov.au









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1 Structure of this document

The NSW Point to Point Transport Commissioner (the Commissioner), as part of the 2017/2018 annual taxi licence release, is inviting applications and tenders from suitably qualified individuals, partnerships or corporations for the release of 30 taxi licences

A Tenderer must submit a separate tender for each licence. There is no limit to the number of tenders a Tenderer may submit.

This invitation document is structured as follows:

Section 2 sets out the legislative changes made to taxi licensing arrangements and the purpose of the tender process.

Section 3 provides an overview of key dates for the process of establishing the annual fee for each of the taxi licences through the 2017/2018 taxi licence release. It describes what is available and who is eligible to apply.

Section 4 details the terms and conditions of the tender process. It sets out the requirements relating to standards of behaviour required under NSW Government policy for participants in a tender process. It also sets out procedural requirements which must be followed to submit a conforming tender that will be considered as part of the process.

Section 5 sets out the processes that will be followed once the tender has closed and the Tender Assessment Panel is evaluating responses.

Section 6 defines certain terms used in this document.

Section 7 lists the attachments to this document.

2 Purpose and Background Information

2.1 Purpose of this document

The purpose of this document is to provide information to assist prospective Tenderers to apply for and submit a tender for one of the taxi licences as part of the 2017/18 Phase 2 Taxi Licence Release.

2.2 Taxi licences

The Point to Point Transport (Taxis and Hire Vehicles) Act 2016 (the Act) was passed by the NSW Parliament on 22 June 2016 introducing reforms that improve safety and choice for customers, provide more opportunities for the industry as a whole and allow all modes of point to point transport to compete fairly.

The NSW Point to Point Transport Commissioner (the Commissioner) has replaced Roads and Maritime Services (RMS) as the issuing authority of taxi licences. The tender process for licences has changed specifically around the need to pay an application fee online at the time of submitting the tendered price and the requirement to pay the annual fee in total before the licence is issued.

For more information about the Point to Point Transport Commissioner and changes to taxi licensing visit:

http://www.pointtopoint.nsw.gov.au/

and

https://www.pointtopoint.nsw.gov.au/taxi-licences-tender-renew-and-transfer

The Act prescribes the requirements for the application, grant (or refusal), fee determination and terms and conditions of taxi licences.

Taxi licences issued under the Act, are non-transferable (cannot be sold) and can be renewed by the licence holder each year for up to nine (9) years so that they are in operation for a maximum period of ten years (initial year plus nine (9) renewals). As long as the licence holder is complying with the licence conditions, they have a right to renew the licence on making an application to do so before the expiry date and paying the agreed annual licence fee for the following year. Any licence can be leased.

Taxi licences may be issued with conditions such as vehicle type, times of operation such as peak availability or restrictions where the licence can operate such as fringe areas.

For the 2017/18 financial year, it was been determined that 62 taxi licences be released in Metropolitan Transport District (Sydney) to replace previously issued licences which have expired or were not renewed. These licences were to be subject to tender in two lots over the financial year with the first 32 taxi licences released for tender in November 2017.

For more information on how the number of licences to be released is determined, visit the Transport for NSW website at:

https://www.transport.nsw.gov.au/operations/taxis-and-hire-cars/taxi-licences/current-annual-taxi-licence-determination-sydney

For information about the 2018/19 taxi licence determination, visit the Transport for NSW website at:

https://www.transport.nsw.gov.au/operations/taxis-and-hire-cars/taxilicences

Licences for Wheelchair Accessible Taxis (WAT) will continue to be available on application from the Commissioner. Like other licences, WAT licences will also be renewable each year for a maximum ten year period subject to the licence holder meeting conditions of the WAT licence which includes giving priority to bookings from passengers in wheelchairs.

3 Information for Tenderers

3.1 Inquiries and assistance

Any inquiries about this tender process are to be directed to the Point to Point Transport Industry Contact Centre on 131727.

Note: The Point to Point Transport Industry Contact Centre will not provide advice to Tenderers on tender prices nor provide any assistance in lodging tenders. Tenderers must consult their own professional advisers if they require assistance in lodging a tender.

3.2 Key dates at a glance

Applications and Tenders invited	12.30pm Tuesday 10 April 2018
On-line Applications and Tenders close Tenders cannot be submitted after this time and date	12.30pm Tuesday 24 April 2018
Evaluation of tenders	24 April 2018
Notification to Preferred Tenderers	24 April 2018
Offers and Award of Licences	15 May 2018
Notification to applicants who have submitted a non-conforming tender	26 April 2018
Notification to unsuccessful Tenderers	When all taxi licences for this tender have been issued or the pool has been exhausted.
Publication of successful Tenderers A list of Tenderers who have been issued a licence and a separate list of annual licence fees will be published on The Point to Point Commissioner's website. Other data such as number of licences issued to a network, average tender price; and range of tender prices may also be published.	Publication of preliminary information at four weeks from when tenders close Publication of successful tenderers when all licences have been issued

3.3 What is available?

This tender is inviting bids for one (1) of 30 taxi licences for operation in the Metropolitan Transport District (Sydney). A map of the Metropolitan Transport District (Sydney) is at **Attachment 2**.

Taxi licences need to be renewed each year. The licence holder (successful Tenderer) has a right to renew the licence up to 9 times, provided they are meeting all conditions of the licence.

A licence can be either operated by the holder or leased, but cannot be transferred (sold).

A taxi licence can stand or ply for hire anywhere in the Sydney Metropolitan Transport District at any time of day. A sample of a taxi licence conditions document is at **Attachment 3**.

In addition, only vehicles that meet the required standards may be used to provide taxi services. See **Attachment 4** for information about the general regulatory framework, including vehicle standards.

3.4 Who is eligible to apply?

Any individual, partnership or corporation with an Australian Business Number (ABN) may apply for and tender for a taxi licence.

3.5 How many licences can be issued to one Tenderer?

There are currently 30 licences available in the taxi licence category.

There is no limit to the number of licences that the Commissioner may award a particular Tenderer but a Tenderer must submit a separate tender for every licence that it wants. For example, if a Tenderer would like to apply for 3 licences then the Tenderer must submit 3 separate tenders.

Where a Tenderer lodges more than one bid price it is possible that the Commissioner may accept one of the tenders without accepting them all.

3.6 What happens at expiry of the licence term?

A taxi licence has a term of 12 months. Before expiry, the licence holder is entitled to renew the licence at the tendered price for another 12 months, subject to meeting any conditions of the licence. The licence can be renewed up to nine (9) times at the tendered licence fee.

The licence holder may also decide not to renew the licence.

Being issued a licence through this tender process does not entitle the licence holder to be issued with a new licence at the end of ten years. At any point, or near the end of the maximum 10 year term of the licence, the licence holder may apply for a new licence in accordance with the procedures at that time.

3.7 Licence Turnover

Existing licence holders can bid in subsequent licence releases to obtain a licence at a lower cost than the one they already hold.

Where a licence holder obtains a new licence under a subsequent tender process, the Commission will make every reasonable effort to align expiry and commencement dates to allow for continuity. However, aligning of issue and expiry dates has no effect on the requirement to pay for the licence in full within 21 days of being notified of being a successful tenderer.

4 Terms and Conditions of Tender

4.1 Compliance with Government procurement guidelines

The Commissioner and the Tenderer must comply with acceptable standards of behaviour as required by the NSW Government's <u>Goods And Services</u>

<u>Procurement Policy Framework For NSW Government</u>

<u>Agencies(http://www.procurepoint.nsw.gov.au/policies/nsw-government-procurement-information)</u> and Transport for NSW's <u>Statement of Business</u> <u>Ethics</u>

(https://www.transport.nsw.gov.au/sites/default/files/media/documents/2017/s tatement-business-ethics_0.pdf).

You can expect we will:

- (a) Use public resources effectively and efficiently
- (b) Deal fairly, honestly and ethically with all individuals and organisations
- (c) Avoid any conflicts of interest (whether real or perceived).
- (d) Treat potential tenderers with impartiality and fairness and give you equal access to information and opportunities to submit bids
- (e) Not disclose confidential or proprietary information

The complete terms and condition of the NSW Point to Point Transport Commissioner's Taxi Licence Tender Platform is at **Attachment 1**.

4.2 How to submit a conforming tender

An individual, partnership or corporation applying for and tendering for a taxi licence in this tender must:

(a) Complete an application for the licence via the Commissioner's website at:

http://www.pointtopoint.nsw.gov.au/taxi-licences-buy-lease-renew-and-transfer

- (b) Continue on the tender website page to submit an online tender.
- (c) Pay a non-refundable application fee of \$200 (GST Exempt) in the approved form as set out in section 4.2.1.

Applications and tenders submitted in any other form, such as by mail, email or fax, will be deemed non-conforming. This means that they will not be considered.

A PDF version of the online tender steps is at **Attachment 5** for information purposes only.

Note: The online application is considered an application under section 51 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016.*

A tender will only be considered for the taxi licence category available. An application cannot be considered for a different taxi licence category to those available in the online application and tender.

In submitting an online tender, the Tenderer must declare compliance with all terms and conditions of the tender process as set out in this document. This includes verifying that the Tenderer has not colluded, consulted or agreed in any way with any other Tenderer or prospective Tenderer for the purpose of restricting competition or inducing any other prospective Tenderer to submit or not submit a tender for the purpose of restricting competition or for the purpose of agreeing on prices or influencing prices to be tendered for a taxi licence.

A tender will not be accepted after the closing date and time as set out in section 4.2.2 of this document.

Only conforming tenders will be considered.

4.2.1 Application fee

A non-refundable application fee of \$200 is to be paid online at the time of submitting a tender and for each tender submitted.

Payment can only be made online by credit card (except for Diners Club or American Express) as part of the online tender process.

The online tender process will confirm payment and tender submission.

4.2.2 Online application and tender submission

The online tender process has been developed to assist Tenderers to complete and submit an application and a conforming tender in accordance with the tender guidelines:

- (a) An application and tender can only be submitted online at:
 http://www.pointtopoint.nsw.gov.au/taxi-licences-buy-lease-renew-and-transfer
- (b) Tenders must be submitted not later than 12.30pm on 24 April 2018.
- (c) All tenders will be electronically time and date-stamped.
- (d) Online tenders started but not completed by 12.30pm on 24 April 2018 will be deemed non-conforming and will not be considered.
- (e) The online tender website page will not be accessible after 12.30pm on 24 April 2018.

Tenderers are encouraged to submit their tender well before the closing time.

4.2.3 General Tender Rules & Disclaimers

- (a) Nothing in this tender process creates any legal relationship between Tenderers and the Commissioner and nothing obliges the Commissioner to grant a licence.
- (b) The Commissioner reserves the right to change or cancel the tender process at any time.
- (c) The Commissioner is not required to accept any tender if in Commissioner's absolute discretion, the Commissioner forms the opinion that the tender process has been compromised.
- (d) The Commissioner is not obliged to award all or any licences which are available through this tender.
- (e) Tenderers must make and rely on their own investigations and may benefit from obtaining their own legal, financial and other forms of professional advice.

(f) While the information contained in this document has been prepared with all due care, the Commissioner does not warrant or represent that the information is free from errors or omissions. The information is made available on the understanding that the Commissioner and the Point to Point Transport Commission or TfNSW employees and agents shall have no liability (including liability by reason of negligence) for any loss, damage, cost or expense incurred or arising by reason of any individual or corporation using or relying on the information and whether caused by reason of any error, omission or misrepresentation in the information or otherwise. Further, the Commissioner takes no responsibility for the accuracy, currency, reliability and correctness of any information included in this document.

5 Tender Assessment and Process

All tenders will be assessed by a Tender Assessment Panel comprising three (3) representatives from the Point to Point Transport Commission.

After the exclusion of non-conforming tenders, tenders will be assessed on price.

5.1 Step 1: Striking out non-conforming tenders

A tender will be ruled non-conforming and will not be eligible for further assessment if:

- (a) The tender is from an ineligible person
- (b) The tender is lodged by any means other than as specified in section 4.2.2 of this document
- (c) Information (eg the proposed licence fee) is missing
- (d) The \$200 application fee is not paid

Tenderers who have been ruled non-conforming will be notified by letter at this point.

5.2 Step 2: Assessment

5.2.1 Shortlisting and Ranking

- (a) The remaining conforming tenders will be ranked in tendered price order, highest to lowest, for the purpose of preparing a shortlist.
- (b) Tenderers will then be ranked on the date and time of submission of their application.

5.2.2 Offers to Preferred Tenderers

- (a) Offers of licences will be made in order of ranking of tenders on the shortlist.
- (b) Offers will be made to the address provided by the Tenderer (preferably by email). The Commissioner is not responsible for checking that the mailing address is correct or that the offer is received by the Tenderer.
- (c) If more than one shortlisted tender has the same tender price and there are not sufficient licences available to offer licences to them all, the successful tender(s) will be awarded based on which of those tenders was submitted the earliest.

5.2.3 Reserve list

(a) If there are more shortlisted tenders than available licences, a reserve list will be created. Any shortlisted Tenderers who are not offered licences will be placed on that reserve list. Tenders will be ranked on the reserve list in the order of the tender price from the highest price to lowest price and the date and time submitted.

- (b) If for any reason the licence is not granted after offering a licence to a Tenderer (eg the tenderer fails to pay the licence fee) then the Commissioner may use the reserve list to re-offer the licence. Offers to the reserve list will be made in rank order following the same process as set out in Section 5.2.2 above.
- (c) Tenderers will be notified if they are on the reserve list. Tenderers on the reserve list who wish to be removed from that list may write to the Commissioner at the following address advising that they are withdrawing their tender:

Taxi Tender Evaluation Panel Point to Point Transport Commission Locked Bag 533 Burwood NSW 1805.

5.3 Step 3: Award process

5.3.1 Award conditions

Offers of licences are made on the following conditions:

- (a) The Tenderer must pay the tender price which is the licence fee in full within 21 days from the date of the Commissioner's offer or their tender offer will lapse.
- (b) The Date Issued is the day immediately after the payment of the licence fee or a date determined by the Commissioner.
- (c) A Tenderer who has submitted multiple tenders cannot decline a successful higher priced tender for another successful tender which is at a lower price. If a higher priced tender is declined, any offer made on any of the remaining tenders submitted by the Tenderer will be withdrawn.
- (d) Such other conditions as the Commissioner may notify.

5.3.2 Failure to satisfy award conditions

If a Tenderer fails to meet any of the conditions in clause 5.3.1 then:

- (a) The licence offer lapses and the Commissioner may offer the licence to the next highest ranked Tenderer on the shortlist to whom an offer has not already been made or a Tenderer on the reserve list.
- (b) Any application fee paid is forfeited to Commissioner.
- (c) The Tenderer is deemed ineligible to receive an offer of another licence as part of this tender process and all tenders by the Tenderer will be removed from the shortlist and the reserve list.

5.3.3 Unawarded licences

If for any reason a licence has not been issued, the Commissioner may elect not to grant that licence in the current financial year.

5.3.4 Publication of tender results

Tenderers are advised that a list identifying all Tenderers who have been issued with a licence in this tender will be published on the Point to Point

Transport Commissioner's website as soon as possible after all licences in the tender have been issued.

A list of the tendered price for the annual licence fee paid for each licence will also be published (but without linking the price paid to any individual Tenderer). That is, the Tenderer will be identified alphabetically and the annual licence fees will be separately listed from the highest price to the lowest price.

This action is taken in accordance with guidelines set by NSW Finance and Services and Innovation, NSW Procurement and to support the transparency and accountability of the tender process.

The Commissioner will also publish any information relating to this tender that is required under the *Government Information (Public Access) Act 2009* and any other relevant legislation or government policy.

6 Definitions

In this document, unless the context otherwise requires:

Application means an application lodged online through the e-tender process in accordance with section 4.2.2 of this document for a taxi licence.

Application Fee means a mandatory payment under section 51(3)(c) of the *Point to Point Transport (Taxis and Hire Vehicles)* Act 2016 for the amount specified in this document, made by the Tenderer to the NSW Point to Point Transport Commissioner together with each submitted Tender Price.

Document means the Tender documentation and attachments.

Licence in the context of this Document means a taxi licence as referred to in Part 4 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016.*

Tender means the application for a taxi licence as referred to in section 63 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* submitted as part of this process.

Tender Price means the amount tendered for the annual licence fee for a taxi licence in the class as applied for by the Tenderer.

Tenderer means a person or entity who has submitted a tender as referred to in section 63 of Point to Point Transport (Taxis and Hire Vehicles) Act 2016 which has been submitted as part of this process.

7 Attachments

Attachment 1	Terms and Conditions for the NSW Point to Point Transport Commissioner's Taxi Licence Tender Platform
Attachment 2	Map of Sydney Metropolitan Transport District
Attachment 3	Sample of a taxi licence
Attachment 4	Profile of taxi industry and overview of the regulatory environment
Attachment 5	PDF of the online tender form (for information purposes only – tenders can only be submitted online in accordance with this Tender documentation)



ATTACHMENT 1

Terms and Conditions for the NSW Point to Point Transport Commissioner's Taxi Licence Tender Platform

Terms and Conditions for the NSW Point to Point Transport Commissioner's Taxi Licence Tender Platform

BACKGROUND

The Tender Platform is an online platform provided by the NSW Point to Point Transport Commissioner (the Commissioner) for tenderers to submit a single bid or multiple bids for a taxi licence. Under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* (NSW), Transport for NSW is to determine the number of taxi licences to be issued each year and licence fees for taxi licences other than Wheelchair Accessible Taxis must be determined by way of public auction or sealed tender.

The Tender Platform will only be open for a specified 14 day tender submission period. During this submission period, tenderers will be able to enter their details and the amount of their bid. Individuals, partnerships and bodies corporate are eligible to tender and will be required to indicate their entity type at the time of submitting their tender.

Once all mandatory fields have been entered, the tenderer will be prompted to pay a \$200 non-refundable application fee. If the tenderer wishes to submit multiple bids, each bid is required to be entered and paid for separately. Once the duration of the tender period has elapsed, the data captured from the Tender Platform will be reviewed to ascertain the highest conforming bids.

1 Use of the Tender Platform

- (a) The Tenderer must only access the Tender Platform to submit one or multiple bids for a taxi licence.
- (b) The Tenderer must comply with these terms and conditions, the Tender Information Pack and all directions from the Commissioner in relation to access.

2 Tender submission process

- (a) The Tenderer must submit their bid during the submission period specified on the Tender Platform and the Tender Information Pack for their bid to be in consideration. The Commissioner will not accept bids outside of the specified submission period.
- (b) The Tenderer acknowledges that where the submission period has ended, they will no longer be able to alter their submitted bid.
- (c) Where bidding for multiple licences, the Tenderer must enter each bid separately.
- (d) The Tenderer acknowledges that where they have been notified by the Commissioner of their successful bid, they will be required to pay this amount in full within 21 days of notification. Failure to pay the full amount of the bid will result in the tender being removed from consideration.
- (e) A Tenderer who has submitted multiple tenders must not decline a successful higher priced tender for another successful tender which is a higher price. Where a higher priced tender is declined, any offer made by

the Commissioner on any of the remaining tenders submitted by the Tenderer will be withdrawn.

3 Ineligibility for tender

- (a) The Commissioner will only accept bids submitted through the Tender Platform. Bids submitted through any other means are ineligible for consideration.
- (b) The Tenderer must pay the application fee of \$200 in order for a bid to be submitted. The Tenderer acknowledges that the application fee of \$200 is non-refundable and must be paid for each bid submitted.

4 Tenderer responsible for its system

- (a) The Tenderer must at its own cost acquire and maintain all equipment, services (including telecommunications and internet services) and software necessary to access and use the Tender Platform.
- (b) The Commissioner accepts no responsibility for any hardware, software or other equipment or processes of the tenderer used in connection with the Tender Platform.

5 Liability and indemnity

- (a) The Tenderer indemnifies and must keep indemnified the Commissioner and the state of New South Wales from and against all loss that the Commissioner or state of NSW may sustain or incur whether directly or indirectly arising out of or in relation to:
 - (i)any claim for breach of confidence or privacy or misuse of personal information arising out of, or in connection with, the access or use of the Tender Platform
 - (ii) any fraud or other unlawful activity committed by any personnel
 - (iii) unauthorised use
 - (iv) any act or omission of the tenderer in relation to the Tender Platform.
- (b) The Tenderer's liability to indemnify the Commissioner is reduced proportionally to the extent that a malicious or negligent act or omission by the Commission has contributed to the injury or loss.
- (c) The Tenderer indemnifies and must keep indemnified the Commissioner from any system failure of the Tender Platform both prior to and during the tender submission period.

6 Media enquiries

- (a) The Tenderer must obtain the Commissioner's written approval for:
 - (i) any press release or advertisement concerning the tender platform
 - (ii) the release for publication of any information, publication, document or article concerning the terms and conditions of the Tender Platform.
- (b) The Tenderer must refer any media enquiries concerning the Tender Platform to the Commissioner.

7 Privacy

- (a) In accordance with NSW Finance and Services, NSW Procurement guidelines, the Commissioner will publish the names of successful licence applicants and tender prices (without identifying which price has been bid by which applicant) on the Commissioner's website. Although it is not intended that other personal information will be published, the Commissioner may also publish any information relating to this tender that it is required to do under the *Government Information (Public Access) Act 2009* and any other relevant legislation.
- (b) The Commissioner will collect and hold the Tenderer's 'personal information' to verify the applicant's details and that failure to supply full details can result in the application not proceeding. If required, the Commissioner may provide 'personal information' to the Australian Taxation Office, the Department of Home Affairs, Centrelink and as may be required by Law.

8 General

- (a) The Tenderer must comply with the Transport for NSW procurement policies and procedures as well as the NSW Code of Practice of Procurement (2005).
- (b) The Tenderer must declare actual or perceived conflicts of interest as soon as they became aware of the actual or perceived conflict.
- (c) The Tenderer must provide accurate and reliable advice and information when required.
- (d) The Tenderer must refrain from engaging in any form of collusive practice, including offering the Commissioner's employees inducements or incentives designed to improperly influence the conduct of their duties.
- (e) The Tenderer must act ethically, fairly and honestly in all dealings with the Commissioner.
- (f) The Tenderer must take all reasonable measures to prevent the disclosure of confidential Commission information; this includes any Commission information unless otherwise indicated.
- (g) The Tenderer must assist the Commissioner prevent unethical practices in its business relationships and to report to the Commission, as soon as practicable, any serious wrongdoing related to the Commissioner's work, e.g. corruption, fraud, maladministration, serious and substantial waste, or breaches of the Government Information (Public Access) Act 2009.

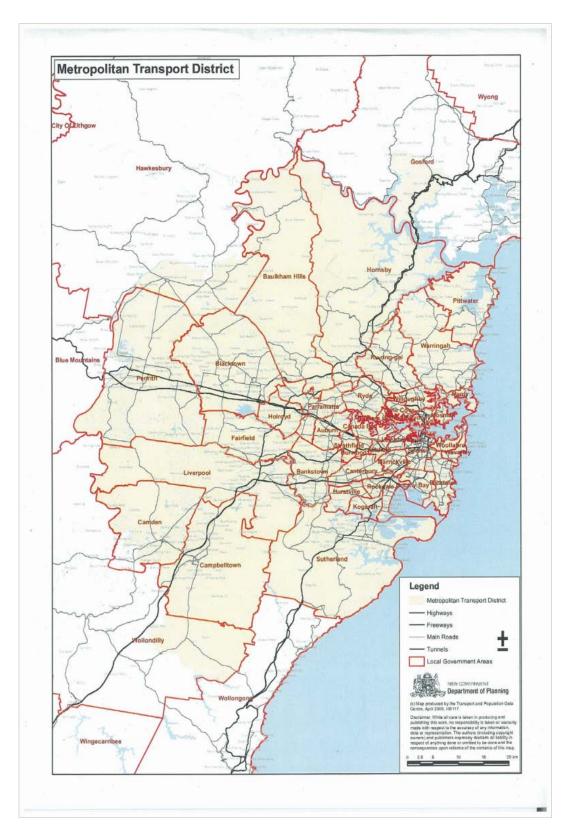
- (h) The Tenderer must provide the Commissioner with access to information and records which may be required to effectively conduct audit and investigation activities or for the purpose of reporting to Parliament.
- (i) The Tenderer must manage business risks, including those associated with fraud and corruption, to the satisfaction of the Commissioner.
- (j) The Tenderer is not permitted to assign, sub-contract or otherwise transfer or alienate any or all of its rights or obligations under the terms and conditions.
- (k) If any aspect of these terms and conditions is found to be invalid, illegal or unenforceable, those terms and conditions are severable - this will not affect the validity and enforceability of the remainder of these terms and conditions.
- (I) The terms and conditions will be governed by and construed in accordance with the laws of New South Wales. The Tenderer submits to the exclusive jurisdiction of the Courts of New South Wales.



ATTACHMENT 2

Map of Metropolitan Transport District (Sydney)







ATTACHMENT 3

Sample taxi licence



Taxi Licence

Licence details

A licence for a taxi registered number < licence plate > issued under Part 4 of the Point to Point Transport (Taxis and Hire Vehicles) Act 2016, issued to:

Licence Number TLH-000000

Registration Plate: TXXX

Licence Category:

Area of Operation: Metropolitan Transport District (Sydney)

Licensee(s):

Name John Citizen

< Address 1 Sample Street Sydney NSW 2000

Area of Operation:

Metropolitan Transport District (Sydney)

If a taxi licence specifies the area of operation of a taxi to provide services, the licence is taken to be subject to a condition that the taxi must be used only to provide a taxi service within that area, unless the provision of transport is by a taxi that results from a booking

Issuing details:

Authority to issue: This licence is issued under Part 4 of the *Point to Point*

Transport (Taxi and Hire Vehicles) Act 2016

Issue Date: 01/05/2018

Term:

This licence is issued for a term of 12 months

Date of Expiry: 30/04/2019

This licence was first issued on 1/05/2018 and may be renewed up to 9 times, so that the licence can be in force for a total period of not more than 10 years.

Condition(s):

This taxi licence is subject to the conditions for taxi licences prescribed in the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* and the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017 and any conditions imposed by the Point to Point Transport Commissioner.

Conditions prescribed in the *Point to Point Transport (Taxis and Hire Vehicles)*Act 2016

Part 4

Conditions prescribed in the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017

- Part 2
- Part 4, Division 2

Conditions imposed by the Point to Point Transport Commissioner

N/A

This licence shall remain in force until the licence expires or is suspended or cancelled.

Point to Point Transport Commissioner



ATTACHMENT 4

Profile of taxi industry and overview of the regulatory environment



INDUSTRY PROFILE AND REGULATORY ENVIRONMENT

INDUSTRY PROFILE

Number of taxi licences in Sydney by licence type

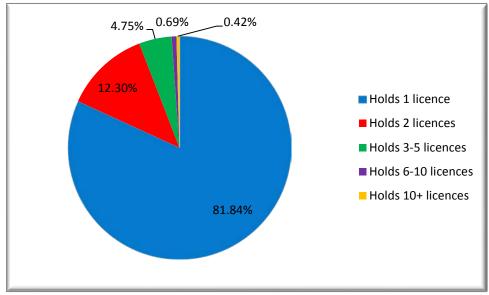
Note: WAT stands for Wheelchair Access Taxi licences

LICENCE TYPE	LICENCE TYPE DESCRIPTION	NON WAT	WAT	TOTAL
TX01	Unrestricted - Transport District	3,963	-	3,963
TX01A	Unrestricted-50YR-Transport District	34	-	34
TX03	Nexus (9000)	88	-	88
TX03WAT	Nexus-WAT	-	88	88
TX05	Unrestricted - Night Time - Seniority Register	13	-	13
TX06	Unrestricted - Night Time - Permanent / Auction	50	-	50
TX06A	Unrestricted-Night Time	40	-	40
TX08	Restricted - Annual Licence Fee Applies	49	-	49
TX12 ANNUAL	Time Restricted-Peak Availability Licence	186	-	186
TX13	Unrestricted WAT - 20 year - Transferrable	-	111	111
TXA01	Unrestricted Lease Licence	42	-	42
TXA02	Unrestricted Lease Licence	2	-	2
TXA03	Unrestricted Lease Licence	4	-	13
TXA04	Unrestricted WAT 10 year	-	471	471
TXA20	Fringe Lease Licence	89	-	8
TXHAP	50 Year Hire Car Licence - Compensation	262	-	262
TXHAPTR	HAP Licence Transfer	18	-	18
TOTAL		4,759	670	5,429

The table contains all Taxi Licences (Suspended and Granted) as of 16 February 2018, based on data held by the Point to Point Transport Commissioner.

Percentage of taxi licence holders in Sydney by number of licences

Note: A licence holder is the person whose name appears on the licence



Based on data held by the Point to Point Transport Commissioner as of 19 February 2018.

Taxi Fares

Taxi fare ir	Taxi fare increase in Sydney Metropolitan Transport District		
2011	-3.5% increase		
2012	-3.7% increase		
2013	 Fare freeze at 2012 levels \$2.50 peak surcharge between 10pm and 6am on Friday and Saturday nights and nights before public holidays 		
2014	- CPI increase (2.5%), with the exception to the \$2.50 peak surcharge		
2015	- Fare freeze at 2014 levels		
2016	- The current taxi fares and charges are being reviewed by IPART and the final report is due to be published in March 2018		
2017	[To be updated after the publication of the IPART report].		

Transfer values

An ordinary taxi licence granted under the *Passenger Transport Act 1990* (or before) may be transferred through the sale of the taxi licence on the open market, on the death of the licence holder, through a divorce settlement or any other arrangement where the licence is to be transferred to another person.

There are 4,276 of these licences making up 78.8% of the total number of Sydney taxi licences as at 16 February 2018.

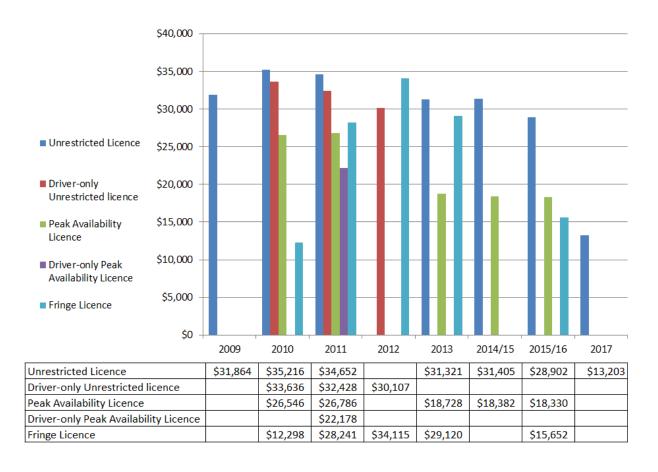
Licence transfer values are available on http://www.pointtopoint.nsw.gov.au/taxis-licence-transfer-prices

Average taxi licence tender value by licence type for 2009-2017

Since 2009, Sydney taxi licences (other than a wheelchair accessible taxi licence) have been issued following an open tender process for annually renewable licences. Once issued, these licences are able to be renewed up to 9 times.

An annual taxi licence may only be transferred on application by the legal personal representative or trustee of the taxi licence holder, such as an executor of a deceased licence holder's estate.

The chart below depicts the average taxi licence tender value by licence type from 2009 to 2017 based on data held by the Point to Point Transport Commissioner as of 16 February 2018.



The results of the most recent tender conducted in November 2017 are as follows:

2017/18 Annual Taxi Licence Tender:

32 Unrestricted Taxi Licences - Sydney Metropolitan Transport District

Closing date: 29 November 2017

Ta	Table 1: Alphabetical list of individuals issued a taxi licence		
	Surname	First Name	
1	Asima	Seth	
2	Ishtiaq	Rizwan	
3	Jafary	Jan	
4	Ko Lim	Maung	
5	Yousaf	Mahmood	
6	Yousaf	Mahmood	
7	Yousaf	Mahmood	
8	Yousaf	Mahmood	
9	Yousaf	Mahmood	

Table 2: Alphabetical list of partnerships issued a taxi licence		
Name	First Partner	Second Partner
N/A		

Tabl	Table 3: Alphabetical list of corporations issued a taxi licence		
	Corporation name		
1	Combined Communications Network Pty Ltd		
2	Combined Communications Network Pty Ltd		
3	Combined Communications Network Pty Ltd		
4	Combined Communications Network Pty Ltd		
5	Combined Communications Network Pty Ltd		
6	Combined Communications Network Pty Ltd		
7	Combined Communications Network Pty Ltd		
8	Combined Communications Network Pty Ltd		
9	Combined Communications Network Pty Ltd		
10	Combined Communications Network Pty Ltd		
11	Combined Communications Network Pty Ltd		
12	Combined Communications Network Pty Ltd		
13	Combined Communications Network Pty Ltd		
14	Combined Communications Network Pty Ltd		
15	Combined Communications Network Pty Ltd		
16	Combined Communications Network Pty Ltd		
17	Combined Communications Network Pty Ltd		
18	Combined Communications Network Pty Ltd		
19	Combined Communications Network Pty Ltd		
20	Combined Communications Network Pty Ltd		
21	Combined Communications Network Pty Ltd		
22	Combined Communications Network Pty Ltd		
23	Jupiter Stone Pty Ltd		

(lowest to highest price) 1 \$12584 2 \$12636 3 \$12636 4 \$12636 5 \$12636 6 \$12636 7 \$12636 8 \$12636 9 \$12636 10 \$12636 11 \$12636 12 \$12665 13 \$12688 14 \$12688 15 \$12688 16 \$12688 17 \$12688 18 \$12688 19 \$12688 20 \$12688 21 \$12688 22 \$12688 23 \$13000 24 \$13104 25 \$13104 26 \$13260 27 \$13312 28 \$13364 29 \$13520 30 \$15704 31 \$16927 32 \$18720	Table 4: Successful Annual Licence Fees		
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31 \$16927		•	
•		•	
32 \$18720		•	
	32	\$18720	

REGULATORY ENVIRONMENT

Taxi licence conditions

All licences are subject to conditions prescribed by the *Point to Point Transport* (*Taxis and Hire Vehicles*) *Act 2016*, the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017 and any additional conditions imposed by the Point to Point Transport Commissioner at the time of issue of the licence or from time to time.

The Point to Point Transport Commissioner can suspend, vary and cancel taxi licences in accordance with section 69 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* if:

- (a) the holder fails to comply with a condition of the licence
- (b) owing to a default of the holder or nay agent or staff member, the holder fails to comply with the Point to Point Transport (Taxis and Hire Vehicles) Act 2016 or regulation
- (c) the taxi service for which the taxi service has been or is being conducted in a manner causing danger to the public
- (d) for any other reason the Commissioner sees fit.

If the Point to Point Transport Commissioner varies the conditions of a licence or suspends or cancels a licence, the person aggrieved by the decision has the right to appeal the decision to the NSW Civil and Administrative Tribunal (NCAT).

Issue of taxi licences

Under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*, Transport for NSW is required to determine the number of new, renewable taxi licences (excluding wheelchair accessible taxi licences) to be issued for the 12 months starting from 1 July in that year to the following 30 June. This determination must be made by 31 March each year. More than one determination may be made in a year.

In making the determination for licences, Transport for NSW must consider the following factors outlined in section 73 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*:

- (a) likely passenger demand and latent demand for taxi services
- (b) the performance of existing taxi services
- (c) the demand for new taxi licences
- (d) the viability and sustainability of the taxi industry
- (e) any other matters Transport for NSW considers relevant, having regard to the objective of ensuring improved taxi services.

The fee for each licence must be determined by inviting applicants for the licence to bid for it at a public auction or by submitting a sealed tender.

These arrangements do not apply to wheelchair accessible taxi licences which may be issued by the Point to Point Transport Commissioner on application.

Existing transferable and renewable ordinary licences remain in force and may be operated, leased, renewed and sold. Existing non-transferable, non-renewable short term licences will continue to be in force until they expire.

No new ordinary or short-term licences can be issued.

Licence term and renewal

Licences issued under the *Point to Point Transport* (*Taxis and Hire Vehicles*) *Act* 2016 have a 12 month term and may be renewed up to nine (9) times, so that they are in force for a maximum of 10 years.

Licence holders must apply for renewal by completing and submitting the online renewal application, paying the annual licence fee (which will be the fee bid for the licence through the auction or tender process) and any renewal fee that is authorised by the regulations. Any renewal application fee will be a nominal charge to cover administration costs. Annual licence fees for the licence must be paid before the licence is renewed.

The Point to Point Transport Commission will send licence holders a reminder to renew the taxi licence online approximately six (6) weeks prior to the annual expiry of the licence. A renewal application must then be submitted to the Point to Point Transport Commission at least 2 weeks prior to expiry to ensure that the licence will continue to remain in force.

Important information for prospective taxi licence holders:

If a licence is not renewed before it expires (unless the renewal process has been commenced with the Point to Point Transport Commissioner prior to the expiry of the licence), it will no longer be a valid licence and the taxi associated with that licence may not provide passenger services until a new licence is obtained. It is not be possible to renew an expired licence. A licence holder of an expired licence will need to participate in the next annual release process to obtain a replacement licence, or lease an existing licence.

Licence holders must ensure that they keep their contact address details up-to-date in order to receive renewal reminders from the Commission.

Vehicle standards for taxis

There are a range of requirements for taxi vehicles which are designed to ensure that all taxis are safe.

More information regarding taxi vehicle standards is available at: www.pointtopoint.nsw.gov.au.

Leasing a licence

A taxi licence can be leased to another person (which includes a corporation).



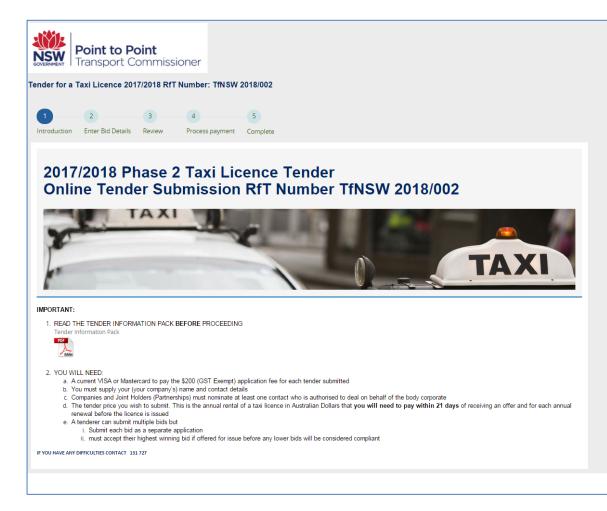
ATTACHMENT 5

Sample online application and etender screens

(For information purposes only – applications and tenders can only be made online in accordance with this Tender Information and Conditions document)

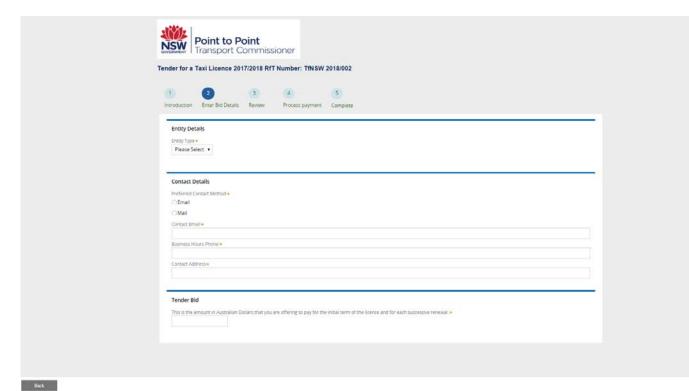
1. Landing Page

- After selecting the link from the Point to Point Transport Commission website, the user will be directed to the landing page for Point to Point Taxi Licence Tender.
- From here the tenderer can download the Tender Information Pack
- Pressing the Next button will navigate to the Bid Process screen



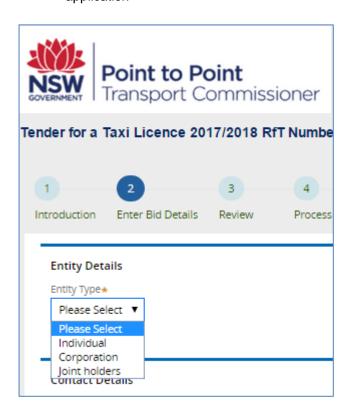
2. Enter Bid Details

This screen will be used to capture the bid details



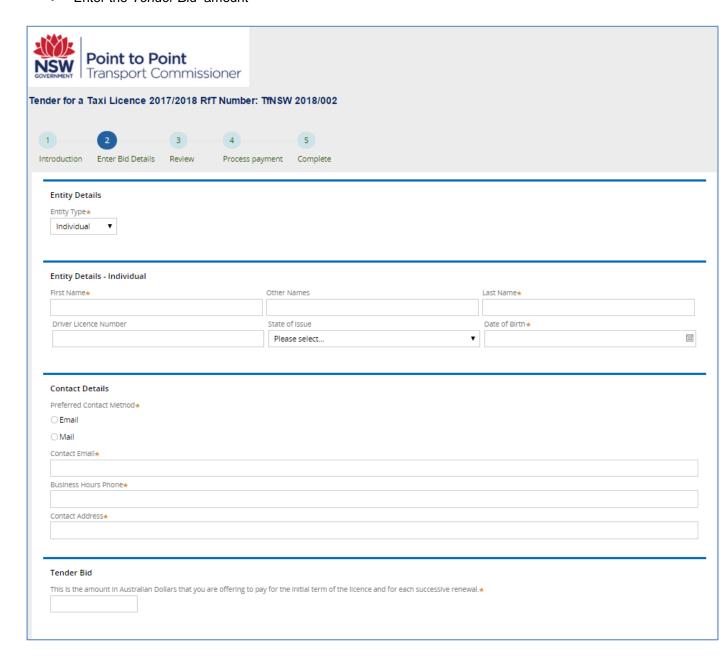
3. Select the Entity Type

 Selecting a value from this list will dynamically display the relevant fields to complete the application



3.1 Select the Individual Entity Type

- Complete the Entity Details Individual section
- Complete the Contact Details section.
 - o Select the Preferred contact method
- Enter the Tender Bid amount



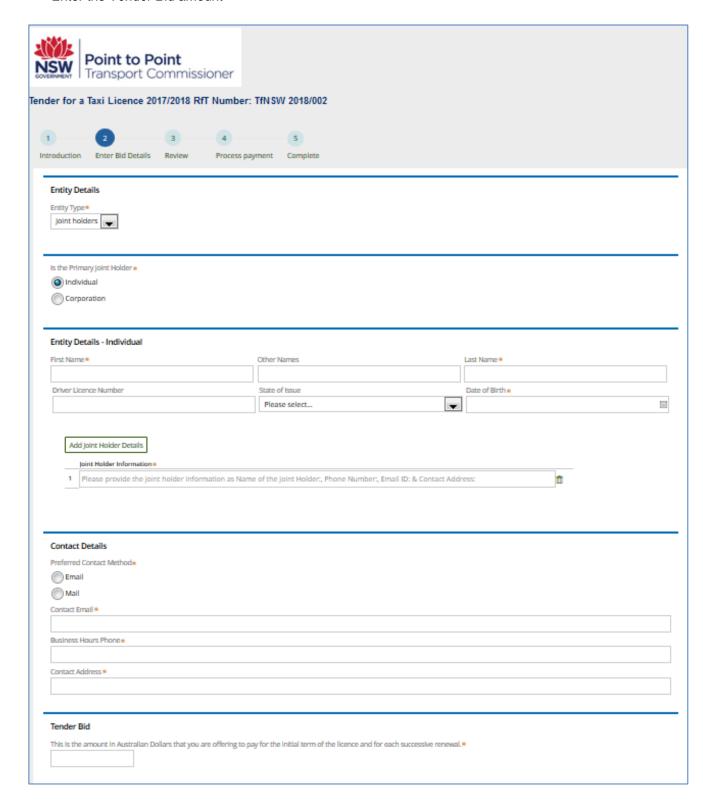
3.2 Select the Corporation Entity Type

- Complete the Entity Details Corporation section
- Complete the Contact Details section.
 - o Select the Preferred contact method
- Enter the Tender Bid amount

Point to Point NSW COVERNMENT Transport Commissioner Tender for a Taxi Licence 2017/2018 RfT Number: TfNSW 2018/002 1 2 3 4 5 Introduction Enter Bid Details Review Process payment Complete **Entity Details** Entity Type* Corporation ▼ **Entity Details - Corporation** Corporation Name * Corporation ACN* Nominated Contact First Name * Nominated Contact Other names Nominated Contact Last Name * Nominated Contact Position Title Nominated Contact Date of Birth* Nominated Contact Driver Licence Number Nominated Contact State of Issue ... Please select... **Contact Details** Preferred Contact Method* ○ Mail Contact Email* Business Hours Phone* Contact Address* Tender Bid This is the amount in Australian Dollars that you are offering to pay for the initial term of the licence and for each successive renewal.

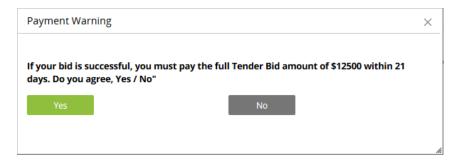
3.3 Select the Joint Holders Entity Type

- Select the Primary joint holder (Individual or Corporation)
- Complete the Entity Details Individual or Entity Details Corporation section
- Enter the Joint Holder Information
 - o Press the Add Joint Holder Details button to add additional joint holders
- Complete the Contact Details section.
 - Select the Preferred contact method
- Enter the Tender Bid amount

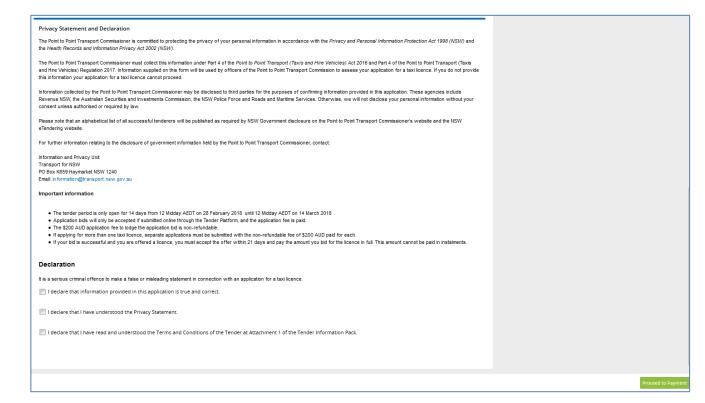


4. Press Next

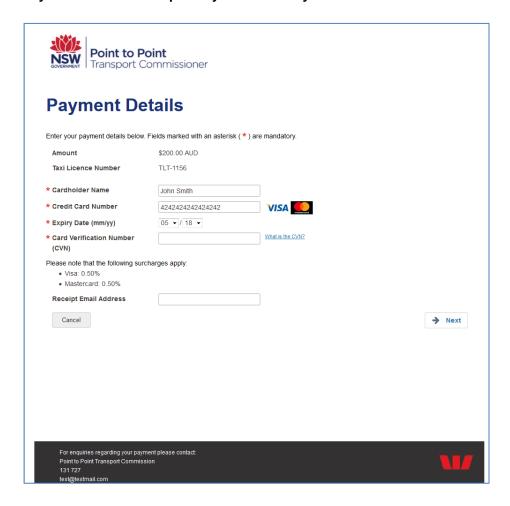
 A window will display asking for confirmation that you agree to pay the full amount within 21 days if successful.



- Pressing No will close this window and return to the previous screen
- Pressing Yes will display the Privacy Statement and Declaration section
 - All bid details entered
 - Accept the Privacy Statement and Declaration
 - Press the Proceed to Payment button to navigate to the payment screen

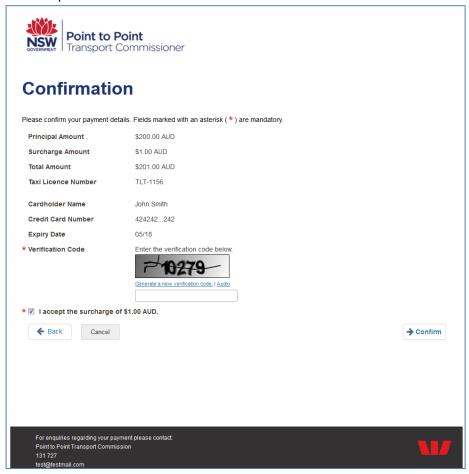


5. Payment Details - Westpac Payment Gateway



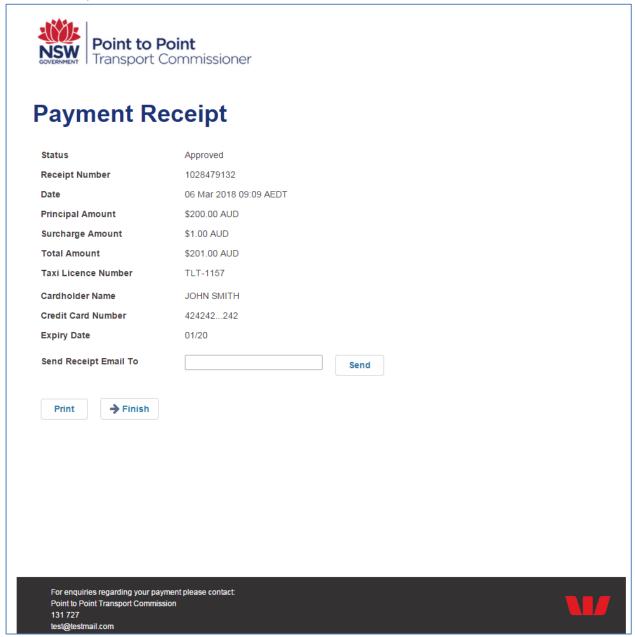
6i. Press Next after entering payment

• Accept via Confirm button



7. View Westpac Payment Gateway payment receipt

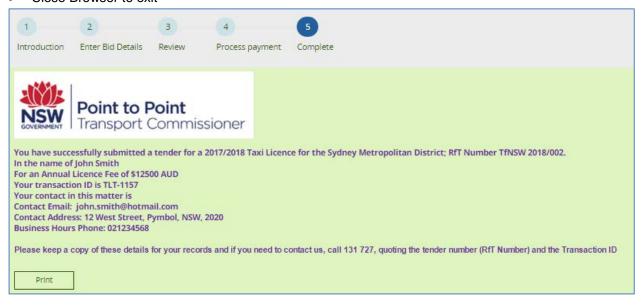
· Print if required



8. Press Finish from Westpac Payment Gateway

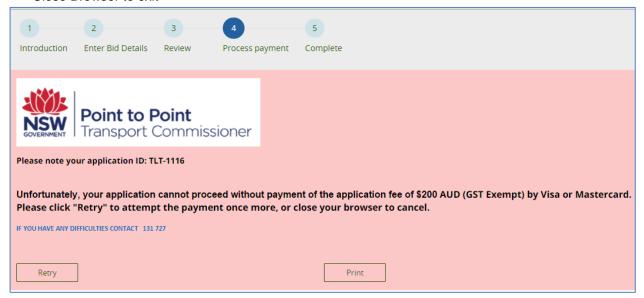
Submission Confirmation

- Press Print to print or save to PDF
- Close Browser to exit



6ii. User Cancels from Westpac Payment Gateway after unsuccessful payment

- The Retry button will navigate back to Westpac Payment Gateway
- Press Print to print or save to PDF
- Close Browser to exit



9. User access outside of tender submission period

If user is able to navigate to the tactical solution outside of tender submission period, the following screen is displayed



Tender for a Taxi Licence 2017/2018 RfT Number: TfNSW 2018/002

The tender submission period is not open yet.

Submission opens on 10/04/1 12:00 PM AEDT and closes by 24/04/18 12:00 PM AEDT

10. Time out

If the user is in-active for 15 minutes, the application session will time out. The user must close the page and restart the application process if they wish to continue.



Your session has timed out. Please close this page. You will need to start again.