ACT Government
Chief Minister, Treasury and Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2021-090

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	30
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [redacted]
To: CMTEDD FOI
Subject: FOI request: CIT contracts
Date: Thursday, 13 May 2021 4:49:56 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To the FOI coordinator

I am seeking information held by CMTEDD under the Freedom of Information Act 2016 in relation to tender processes for services for the CIT.

Specifically, I am requesting the following for the contracts CIT 2020.2147.220, CIT 2018.31001.220 and CIT2017/1614:

Any documentary evidence such as the business case, procurement plan minute, tender evaluation report or the approval of the tender evaluation report or any documentation that demonstrates an open tender process has been exercised. Where a contract was not run as an open tender, please provide any documents that support a decision not to run an open tender.

I also request any advice provided by the Procurement Board to the CIT on the above mentioned contracts following any Procurement Board assessments of the above contracts, including if the CIT did not in the first instance raise the contracts with the Procurement Board but received subsequent advice.

To be clear, the above contracts relate to the Patrick Hollingworth Trust, who also traded as RedRouge Nominees.

I am aware of the commercial sensitivities that surround contract negotiations, and base this request on the decision made in CMTEDDFOI2020-219, in which the FOI coordinator granted the release of documents related to the contract for the ACT Government's acquirement of Salesforce software. To be clear, I am requesting equivalent documentation in relation to the above CIT contracts, with an addendum where if those documents do not exist, what alternative communications may have been provided by Procurement to CIT.

I am a reporter for [redacted] and as such I request a total reduction in fees and charges as the release of information will contribute to community understanding on an important issue (namely the nature of spending of public money), inform debate and improve government accountability. [redacted] and warrants a remission of fees and charges on that basis.

I would also like to request a five-day waiting period before provision of the information I've sought is published on any disclosure log, as this will assist [redacted] in the preparation of any material and ensure the accuracy of anything published or broadcast.

If I can help in any way with the processing of my request, including negotiation of scope, please don't hesitate to contact me by phone or email at any time.
Thanks for your time, I look forward to hearing from you.

Regards,

ACT Government
Chief Minister, Treasury and Economic Development

Our ref: CMTEDDFOI 2021-090

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 13 May 2021.

Specifically, you are seeking: *"…. Information relating to tender processes for services for the CIT, specifically requesting the following contracts CIT 2020.2147.220, CIT 2018.31001.220 and CIT2017/1614."*

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 11 June 2021 however, a 10-working day extension was sought and granted on 7 June 2021. The due date is now 28 June 2021.

Decision on access

Searches were completed for relevant documents and 12 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant access in full to three (3) documents and partial access to nine (9) documents relevant to your request.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process, I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

Factors favouring disclosure in the public interest:

(a) disclosure of the information could reasonably be expected to do any of the following:

> *(iv) ensure the effective oversight of expenditure of public funds; and*
> *(viii) reveal the reason for a government decision and any background or contextual information that informed the decision.*

Having considered the factors identified as relevant in this matter, I consider that release of the information contained in the document may contribute to the effective oversight of expenditure of public funds and reveal the reason for a government decision and any background or contextual information that informed that decision by allowing you to have a copy of the documents that fall within the scope of your request and explain how the tender process was carried out.

Factors favouring nondisclosure in the public interest:

(a) disclosure of the information could reasonably be expected to do any of the following:

> *(ii) Prejudice the protection of an individual's right to privacy or other rights under the Human Rights Act 2004;*
>
> *(xi) prejudice trade secrets, business affairs or research of an agency or person; and*
>
> *(xii) Prejudice an agency's ability to obtain confidential information.*

Having reviewed the documents, I consider that the protection of an individual's right to privacy, is a significant factor as the parties involved have provided their personal information for the purposes of working with the ACT Government. This, in my opinion, outweighs the benefit which may be derived from releasing the personal information of the individual's involved in this matter. Individuals are entitled to expect that the personal information they have supplied as part of this process will be dealt with in a manner that protects their privacy. Considering the type of information to be withheld from release, I am satisfied that the factors in favour of release can still be met while protecting the personal identities of the individuals involved. I therefore weight the factor for non-disclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of this information (signatures) could prejudice their right to privacy under the *Human Rights Act 2004*.

The second factor I have identified as relevant in considering your access application, is the impact that the release of some of the information could have on the Directorate's ability to obtain confidential information by impairing the flow of information between the ACT Government and businesses who submit tenders. Businesses are less unlikely to submit tenders or provide competitive information should this information be made publicly available.

I have considered the business information that has been provided to government as part of the tender process. "Business affairs" was interpreted in *7 Cockroft and Attorney-General's Department and Australian Iron Steel Pty Ltd (1986) 64 ALR 97, 106,* to mean: "the totality of the money-making affairs of an organisation or undertaking as distinct from its private or internal affairs." The tender evaluation contains qualitative information that businesses were relying on to form a competitive edge and detailed breakdown of fees, charges and/or milestone payments and I consider the release of the detailed information could harm the business affairs of the businesses that provided a tender. I therefore weight the factor for non-disclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of this information (name of tenderers and breakdown of fees charges and milestone payments) could prejudice business affairs and the agency's ability to obtain confidential information.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information, information that could prejudice business affairs and the agency's ability to obtain confidential information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107(2)(b) of the Act.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log 3-10 days after the date of this decision. Your personal contact details will not be published.

You may view CMTEDD disclosure log at https://www.cmtedd.act.gov.au/functions/foi.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form *Applying for an Ombudsman Review* to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
http://www.acat.act.gov.au/

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely

Angela Friend
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

28 June 2021

ACT Government
Chief Minister, Treasury and Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
Information relating to tender processes for services for the CIT, specifically the following contracts CIT 2020.2147.220, CIT 2018.31001.220 and CIT 2017/1614.	CMTEDDFOI 2021-090

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-44	ACT Government Procurement Plan Minute	15 Aug 2018	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2(a)(xii)	Yes
2	45-46	Government Procurement Board meeting #9/2018-19	11 Sep 2018	Partial release	Out of scope	Yes
3	47	Email – Provision of Organisational Transformation	12 Sep 2018	Partial release	Sch 2 s2.2 (a)(ii)	Yes
4	48-55	CIT Procurement Plan Minute	14 Sep 2018	Partial release	Sch 2 s2.2 (a)(ii)	Yes
5	56-73	Request for tender no. ACT31001.110 – Tender Evaluation Report	19 Oct 2018	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2(a)(xi) Sch 2 s2.2(a)(xii)	Yes
6	74-78	Government procurement Board meeting #24/2019-20	21 Jan 2020	Partial release	Out of Scope	Yes
7	79-105	ACTGOV GS002147.110 – RFx Evaluation Report	Mar 2020	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2(a)(xi) Sch 2 s2.2(a)(xii)	Yes
8	107-110	Email with attachment – GPB to CIT – Government Procurement Board Advice with CIT comments – 21 Jan 2020	27 Jan 2020	Full release	N/A	Yes
9	112-116	Memo – Procurement of Services CIT2017/1614 with attachments	11 Jul 2017	Partial release	Sch 2 s2.2(a)(xi) Sch 2 s2.2(a)(xii)	Yes
10	117-118	Attachment 1 to Item 9 - Risk Questionnaire	Undated	Full release	N/A	Yes
11	119-120	Attachment 2 to Item 9 - Purchase Plan	Undated	Full release	N/A	Yes
12	121-123	Attachment 1 to Item 9 – Evaluation Form	Undated	Partial release	Sch 2 s2.2 (a)(ii)	Yes
Total No of Docs						
12						

ACT Government

Procurement Plan Minute

PROCUREMENT OVERVIEW	
To	Leanne Cover Chief Executive Officer Canberra Institute of Technology
Name of Project	Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT
Tender Number/s	31001.110
Subject Type	Consultancy
Procurement Methodology	Open Tender
Purpose	This minute seeks your agreement to conduct an open market tender process to identify an organisation to provide organisational transformation strategic guidance and mentoring services (Services) to guide the Canberra Institute of Technology (CIT) in its transformation. The environment in which all large public institutions operate continues to change at a rapid pace. The Board and CEO are committed to CIT being a learning and growth organisation and acknowledge that cultural change and organisational transformation requires long term investment rather than instant-fix organisational transformation. Key to CIT's transformation is a deeper knowledge and understanding of contemporary organisational transformation within CIT and how this is linked to the broader ecosystems in which CIT operates. Sch 2.2(a)(xii)

Background	Sch 2.2(a)(xii)
Estimated value ($)	$600,000.00 (GST incl.) per annum with an initial term of one (1) year with the option to extend for a further one (1) year if required. The maximum value of the procurement will not exceed $1,200,000.00 (GST Incl.) over the term.
Timing/urgency	Indicative timeframe: GPB Meeting — 11 September 2018 Procurement Plan approved by CIT CEO — 13 September 2018 RFT Issued — 14 September 2018 RFT Closes — 9 October 2018 Evaluation of Responses — 12 October 2018 Approval of Tender Evaluation Report — 16 October 2018 Contract Commencement — 1 November 2018 (Note: timings are estimates and may change after the Procurement Plan is signed)

Is Government Procurement Board sign off required?	Yes, GPB sign off is required as the project is from a non-administrative agency (CIT) and valued above $1,000,000 but less than $5,000,000.
Is ACT Government Solicitor (ACTGS) consultation required?	ACTGS's advice will be sought as required.

PROCUREMENT REQUIREMENTS	
Services to be provided	Provide guidance in the ongoing education, development and implementation of contemporary organisational transformation theory and practices relevant to CIT and the broader VET ecosystem in which CIT operates to assist CIT with the successful achievement of its Strategic Compass 2020 – Evolving Together. This will involve: • increasing CIT's knowledge of contemporary organisational transformation theory and its application; and • assisting CIT in co-designing and implementing tailored contemporary organisational transformation theory informed practice. For further information please refer to **Attachment A – Statement of Requirements.**
Funding	The CIT has allocated funding of up to $600,000.00 (GST inclusive) per annum for this procurement activity within the Evolving Together budget.
Site	Not Applicable
Consultation (including pre tender)	Relevant CIT Officers have been consulted in the development of this documentation. An Advanced Tender Notice has been advertised on Tenders ACT since July 2018.

PROCUREMENT POLICIES AND PRACTICES	
Canberra Region Local Industry Participation Policy (LIPP)	Yes. An Assessment Criterion for LIPP, including an Economic Contribution Test (ECT) will be included in the RFT.
Sustainable Procurement What are the key sustainability risks and opportunities that will be addressed through this procurement?	Not Applicable. An assessment of the project was undertaken and it was determined that there were no immediate sustainability risks or opportunities associated with this project.
Social Procurement Is this suitable to be a Social Procurement?	Not Applicable. An assessment of the project was undertaken and it was determined that due to the specialist nature of the Services provided, social procurement opportunities would not be possible as part of this project.

Indigenous Procurement Is there a Canberra Region indigenous supplier potentially able to meet requirement?	Not Applicable. An assessment of the project was undertaken and it was determined that due to the specialist nature of the Services provided, indigenous procurement opportunities would not be possible as part of this project.

PROCUREMENT RISK	
Risk	A risk assessment of the key risks associated with this project was undertaken and the risk was identified as MEDIUM. Please refer to **Attachment B - Risk Management Plan** for further detail.

EVALUATION METHODOLOGY			
Evaluation Criteria	A Tender Evaluation Plan (TEP) has been developed to ensure that the tenderers are capable of providing the requested Services in a manner that represents Value for Money to CIT. An impartial assessment of the responses received will be conducted in accordance with this TEP by the Tender Evaluation Team (TET) identified below. Please refer to **Attachment C - Tender Evaluation Plan** for further details.		
TENDER EVALUATION TEAM			
Name	1. Paul Ryan	2. Paula McKenry	3. Andrew Whale
Position	Chair	Member	Member
Agency	CIT	CIT	CIT
Statement on team composition	The TET has been carefully selected on the basis of their understanding and knowledge of the requirements set out in the tender, as well as past experience in evaluation processes. TET members have been personally appointed and will not be removed or replaced without approval from the Delegate. The TET will be supported by Goods and Services Procurement.		

CONTRACT MANAGEMENT	
Number & form of contract	One (1) Consultancy Agreement.
Contract management	The contract will be managed by the Procurement and Contracts Manager within the CIT Corporate Unit. Please refer to **Attachment D – Draft Contract Management Plan** for further details.
Period of contract(s)	The term of the agreement will be for an initial period of one (1) year, with the option to extend for up to a further one (1) year, if required. The maximum term of the agreement will not exceed two (2) years from the date of commencement.

AUSTRALIAN FREE TRADE AGREEMENTS (FTAs)	
Does the AUSFTA / Australia-Chile FTA apply?	Yes, the FTAs do apply as the value of this procurement is over the AUSFTA threshold for Goods and Services. The procurement will be advertised for a minimum of 25 days.
AUSTRALIAN GOVERNMENT FUNDING	
Is there Australian Government funding attached to this procurement?	No, there is no Australian Government Funding attached to this procurement.

EXEMPTIONS	
Exemption	N/A
Reason for Exemption	N/A

PROCUREMENT ACT RECOMMENDATION			
Procurement Officer	Matthew Hart	**Signature & Date**	Sch 2.2(a)(ii) /9/18
Senior Manager	Dom Kraljevic	**Signature & Date**	Sch 2.2(a)(ii) /9/18
Director	Dave Purser	**Signature & Date**	

CIT ENDORSEMENT			
Name	Paul Ryan	**Phone Number**	6207 4955
Position	Executive Director – Industry Engagement and Strategic Relations		
Signature		**Date**	

CHIEF EXECUTIVE OFFICER'S APPROVAL			
Name	Leanne Cover		
Position	Chief Executive Officer		
Statement	The Procurement Plan and attachments are approved.		
Signature		**Date**	

STATEMENT OF REQUIREMENTS

1. PURPOSE

1.1.1. As part of the Evolving Together Project and the transformation of the Canberra Institute of Technology's (CIT) business over 2018-2020, CIT is seeking to engage a highly skilled and experienced professional practitioner (the Consultant) to provide strategic guidance and mentoring to CIT staff and increase their knowledge of contemporary organisational transformation theory, concepts and its practical application as they relate to dynamic organisational systems and the broader industry and community ecosystems to which they belong (the Services).

1.1.2. To continue to position CIT for a sustainable future where it is able to respond effectively to customer needs and the competitive and rapidly changing circumstances that exist in the Vocational Education and Training (VET) and higher education market, CIT is intensifying its focus on the delivery of the *CIT Strategic Compass 2020 Evolving Together* (SC2020) commitments. This requires investment in staff to adapt to meet the needs of our fast paced future and to attract and retain talented people for an energetic, innovative workplace so that CIT's capacity to meet its commitments under SC2020 is enhanced significantly by 2020.

1.1.3. Key to this investment is a deeper knowledge and understanding of contemporary organisational transformation within CIT and how this is linked to the broader ecosystems in which CIT operates. This investment will assist CIT staff to take greater control of how CIT evolves and role model adaptability and greater responsiveness to meet student, community, industry and government needs in the new world of work.

1.1.4. This investment is primarily through the delivery of the Evolving Together project under SC2020 and in 2018/19 the project work is intended to simultaneously build on the current leadership group's knowledge and understanding of working successfully in a volatile, uncertain, complex and ambiguous environment and also provide opportunities for all staff to develop increased knowledge and experience in new ways of working through a greater understanding of contemporary transformation theory, learning and practice.

2. BACKGROUND

2.1.1. CIT is the largest registered training organisation in the Territory and has a major role in shaping Canberra as the knowledge capital and driving the economic outcomes of the Territory.

2.1.2. SC2020 establishes new directions and commitments to position CIT for a sustainable future where it is able to respond effectively to the competitive and rapidly changing circumstances that exist in the Vocational Education and Training (VET) and higher education market. These directions align to four pillars - **Vision** (Shaping Change), *raising our ambitions to meet new expectations,* **Learning** (Growing Our Region's Economy), *adapting our offerings to provide skills for the future*; **Workforce** (Advancing Canberra's Workforce), *contributing to the new economy and positioning for prosperity* and **Business** (Transforming Our Business), *investing in our business for viability and value* for CIT's future.

2.1.3. The environment in which all large public institutions operate continues to change at a rapid pace. A variety of factors including economic, social, environmental and technological, are impacting CIT simultaneously. These factors are reshaping expectations, changing the nature of how work is conducted and posing challenges and opportunities for not only CIT but for its students, industry, employers, government and the broader community.

2.1.4. To position CIT for a viable and sustainable future it must shift its employee culture towards a direction that enables CIT staff to meet the emerging training needs of its customers. This direction is one that values increased staff responsiveness and flexibility, and less reliance upon external stakeholder support. This direction recognises that CIT is not an isolated entity, but rather a vital member of the broader Canberra ecosystem. CIT's Board and the Chief Executive Officer (CEO) strongly support this direction.

2.1.5. To deliver on SC2020 and achieve the desired directional shift in employee culture CIT recognises the need for a contemporary approach to organisational transformation.

2.1.6. The most important aspect of CIT's evolution is CIT's ability to fully realise all of the potential benefits through investing in our people as part of a learning and growth organisation and building on the platform for evolution that has commenced through the Strategic Compass projects during 2017/18.

3. SERVICES

3.1.1. CIT is seeking strategic advice and guidance in the:

a) ongoing education, development and implementation of contemporary organisational transformation theory and practices relevant to CIT and the broader VET ecosystem in which CIT operates. In order to shift employee culture so that CIT staff are better educated about the rapidly changing world of work (connectivity, interdependency and complexity of systems) and have increased capacity to respond to the new economy; and

b) identification and engagement of individuals and teams within CIT and the broader ecosystem in which CIT operates that can assist to accelerate CIT's transformation journey in line with SC2020.

3.1.2. The Consultant will be required to deliver a range of Services, as detailed below:

a) Regular strategic guidance, coaching and mentoring of the CIT CEO through teleconference, face to face meetings, or other communication platforms;

b) Regular coaching and mentoring of the Executive Team, CIT leaders and other key staff through teleconference, face to face meetings, or other communication platforms;

c) Design and facilitate bespoke workshops on contemporary organisational transformation theory and practises relevant to CIT and SC2020;

d) Provide CIT staff with resource materials to support the range of Services including learning materials, research articles, and relevant reading texts;

e) Provide strategic advice and guidance on the implementation of emerging industry practice and trends relating to digital and collaborative networking, ensuring organisational alignment across CIT including as it relates to SC2020.

f) Design, facilitate and provide guidance in the use of tools and practices to increase CIT's understanding of its organisational systems and the means to influence cultural shifts within systems.

3.1.3. The Services detailed above may be added to through the course of any ensuing agreement as the needs of CIT are further recognised and with guidance from the Consultant additional requirements are identified. The additional services will be discussed and agreed to by both parties prior to being included in the Services.

3.1.4. The names of relevant staff that CIT expect the Consultant to engage with will be provided to the Consultant within 14 days of agreement execution and updated as required. The Consultant and CIT will work together to determine the relevant CIT staff to be engaged with the Consultant.

3.1.5. There are between 4 and 50 Executive Team, CIT leaders and other key staff that would be included in the regular coaching and mentoring provided by the Consultant.

3.1.6. CIT staff will be advised of any changes to their engagement with the Consultant by CIT.

3.1.7. Coordination of the workshop venues, catering and attendance lists will be completed by CIT with the dates to be confirmed with the Consultant at least one month in advance.

3.1.8. Workshop arrangements, participants and length will vary through the term. The type of workshops may include, but are not limited to:

Length	Site	No. of Participants
2 days	Off Site	Approximately 4-35
1-2 days	On or off site	100
1 day	On site	All CIT staff

Table 1 - Workshops

3.1.9. As a guide it is expected that the Consultant will spend on average 10 days on preparation/ development for each bespoke workshop.

3.1.10. While the Consultant will develop the workshops CIT must be offered the opportunity to review the content and have input in the process to ensure they fit the CIT context.

3.1.11. CIT will provide hosting and facilities for all face-to-face engagements with the Consultant.

3.1.12. As a guide it is expected that as the knowledge passes from the Consultant to CIT staff and the capability of CIT staff grows the utilisation of the Consultant should naturally diminish.

3.2. TIMEFRAMES

3.2.1. The following timeframes will apply to the Services:

Services	Type	Frequency
Guidance, coaching and mentoring of the CIT CEO	Unplanned advice	As required, with any phone call returned within 24 hours if the Consultant is unavailable.
	Scheduled teleconference	Approximately once a week.
	Scheduled face-to-face meeting	Approximately once a month for half a day.
Coaching and mentoring of the Executive Team, leaders and other key staff	Scheduled teleconference	Approximately once a month.
Workshops	1-2 day workshops	At least 10, but no more than 15 workshops per calendar year.

Table 2 - Timeframes

3.2.2. The frequency of Services detailed above in Table 1 may be pro-rated for the term of the agreement.

3.2.3. All other Services will be provided through the term of any ensuing agreement, as discussed with the CIT CEO at quarterly meetings detailed in **Section 5**.

4. CONTRACT TERM

4.1.1. The proposed Agreement is for an initial term of one (1) year, with the option for extension of up to a further one (1) year based on CIT's requirements.

4.1.2. The Consultant's performance against the progress reports detailed at **Section 5** and the Key Performance Indicators (KPIs) detailed at **Section 6** will inform CIT's decision on whether the extension option will be utilised.

5. PROGRESS REPORTS

5.1.1. In addition to the guidance, coaching and mentoring of the CIT CEO the Consultant is to meet face to face or via teleconference with CIT's CEO quarterly:

a) to discuss/finalise delivery options for the Services for the following three (3) months as listed in the description of Services at **Section 3**; and

b) to provide verbal updates on progress with specific deliverables agreed at previous meetings and any other ongoing deliverables.

5.1.2. CIT will document the deliverables agreed to at the meeting. The documented deliverables are to be agreed electronically by the Consultant within a week.

5.1.3. Any delays or changes to the Services will be communicated in writing by the Consultant as soon as the delay/changes are known.

5.1.4. Every six (6) months during the term of the contract the Consultant will provide CIT with a written progress update containing details of activities carried out, planned activities, and any issues, risks or problems encountered and how they were managed.

6. KEY PERFORMANCE INDICATORS

6.1.1. CIT will monitor and track the Consultant's performance in the delivery of the Services in the form of the Key Performance Indicators (KPIs) detailed at **Table 3**.

TABLE 3 - KPIs

Key Performance Indicators		Calculation		
Performance Indicator	**Performance Measure**	**Calculation**	**Data Source**	**Frequency**
Workshop Satisfaction	Maintain a minimum 80% satisfaction rating for all workshops.	Calculated by assuming only '*Very satisfied*' and '*Satisfied*' attendees are satisfied. Number of satisfied responses/number of responses.	Workshop engagement surveys conducted by CIT.	Per workshop
CIT leadership development and adaptation	CIT leaders demonstrate a working understanding and application of contemporary transformation tools	Tools that the Consultant provides are adopted by CIT leaders	To be created	Every six (6) months
Staff Alignment with the direction of SC2020 are increased	CIT leader's engagement with SC2020 increases by 1%.	The average percentage of the strategic alignment category for CIT leaders engaged with the Consultant has increased from the 2017 Staff Survey.	CIT staff satisfaction survey	At least annually
Staff Engagement with the Consultant	Maintain a minimum 80% satisfaction rating for all CIT leaders engaged with the Consultant.	Calculated by assuming only '*Very satisfied*' and '*Satisfied*' staff are satisfied. Number of satisfied responses/number of responses.	Pulse surveys conducted by CIT.	Every three (3) months

RISK MANAGEMENT PLAN

Risk Register

This risk register is consistent with AS/NZS ISO 31000:2009 risk management standard and the CMTEDD Risk Management Framework and Policy Statement; and Risk Management Policy.

Risk Ref. No.	**Risk Description (source/ Cause)** The risk event, source and cause What can happen (that will affect our ability to meet our objectives) and how it comes about.	**Describe the consequence** If what can happen does happen what is the impact or outcome? (In its most '**normal**' form – not an extreme form)	**Risk controls – what is in place to manage the risk.** How are risks to be Managed? What ordinary policies, procedures and actions (BAU) are to be taken to manage the risk?	**Risk Owner** *(person or entity who manages the risk)*	Consequence	Likelihood	Current risk rating	Control effectiveness
1	Changes in CIT requirements or direction of CIT change during the term of the contract.	Potentially invalidates some of the previous services rendered, resulting in duplication or additional services not specified in the Statement of Requirements (SOR) resulting in additional costs and time in delivery.	The SOR, and any resulting Contract, has been drafted such that the Services specified are flexible in their delivery and will allow for changes in direction or scope.	CIT	Moderate	Unlikely	Medium	Adequate
2	Failure to secure funding beyond year one (1).	A change in circumstance means the CIT budget is unable to secure specific funding in future years.	The CIT Board has shown support for SC2020 and the Executive plan to make an allowance in future budgets to continue to fund SC2020. The term of the agreement will be 1 year plus 1 year, if additional funding is not available the extension will not be used.	CIT	Moderate	Rare	Medium	Adequate

3	The appropriate CIT leaders are not engaged with the Consultant.	The attraction of staff, staff retention of talented people and employee culture do not change. The knowledge of contemporary organisational transformation theory and concepts is not increased.	CIT leaders that will be engaged with the Consultant will be discussed between CIT Executive and the Consultant. CIT leaders may be changed during the term.	Consultant & CIT	Moderate	Unlikely	Medium	Adequate
4	CIT staff knowledge of contemporary organisational transformation theory and concepts is not increased.	Contemporary organisational transformation theory and concepts are not applied to practical applications. CITs capacity to meet the commitments of SC2020 does not improve.	The Contract will be managed directly by an officer within CIT's Executive, ensuring ongoing communication and review of Contract deliverables.	Consultant & CIT	Moderate	Unlikely	Medium	Adequate
5	The Consultant does not engage with the Executive Team, Leaders and other key staff as instructed.	The attraction of staff, staff retention of talented people and employee culture do not change. CITs capacity to meet the commitments of SC2020 does not improve.	KPIs have been included in the SOR and will be included in any ensuing agreement to monitor staff satisfaction.	Consultant & CIT	Moderate	Unlikely	Medium	Adequate

6	The Consultant does not adequately prepare for the bespoke workshops.	The workshops do not meet CIT needs. The attraction of staff, staff retention of talented people and employee culture do not change. CITs capacity to meet the commitments of SC2020 does not improve.	An estimated timeframe to prepare/create the workshops has been included in the SOR. KPIs have been included in the SOR and will be included in any ensuing agreement to monitor workshop satisfaction. The Consultant will be asked to provide their methodology as part of the assessable criteria. The Tender Evaluation Team (TET) will review this section of the response to evaluate the Tenderers approach to workshops.	Consultant & CIT & TET	Minor	Unlikely	Medium	Adequate
7	The Consultant nominates a junior staff member to engage with CIT.	The attraction of staff, staff retention of talented people and employee culture do not change. The knowledge of contemporary organisational transformation theory and concepts is not significantly increased.	The Returnable Schedule requests details of the Tenderers specified personnel and referees. The TET will review this section of the response and may contact referees. A Contract Manager will be appointed to monitor the Consultants engagement ratings.	TET	Minor	Unlikely	Medium	Adequate
8	The Consultant does not have the required experience to conduct the workshops or engage effectively with CIT.	The attraction of staff, staff retention of talented people and employee culture do not change. The knowledge of contemporary organisational transformation theory and concepts is not increased.	The Returnable Schedule includes experience, capability and capacity sections and requests details of referees. The TET will review these sections of the response and may contact referees. A Contract Manager will be appointed to monitor the Consultant and the Contract KPIs.	TET	Moderate	Unlikely	Medium	Adequate

9	Pricing submitted exceeds current budget, value for money is not achieved.	Incorrect estimate made by CIT in preparing documentation. Budget not increased in line with changing specifications.	Quotes from previous enquiries have been used to estimate the costs of the engagement. CIT could negotiate with the preferred tenderer to achieve a value for money assessment, seek an increase in project budget or cancel the process.	CIT	Moderate	Unlikely	Medium	Adequate
10	Tenderers refuse to participate in the procurement process	No tenderers respond to the tender and the process needs to start again, this would cause a time delay. CIT would have limited options for provision of the Services, fail to achieve desired outcomes and/or a competitive price. Purchasing through a selected provider would mean the provider may have the ability to dictate prices.	An Advanced Tender Notice has been issued to advertise the tender opportunity for as long as possible. An email will be sent to all known providers of these Services once the tender has been released to advise them of the tender.	CIT	Moderate	Rare	Medium	Adequate

11	Delays in procurement process. Ineffective controls and commitment by Territory officers to the procurement process. Frequent changes to key Territory officers involved in the process. Unclear processes on how best to proceed including timeframes for approvals.	A further extension to the existing single source arrangement may be required, resulting in additional costs and time in delivery. SC2020 does not meet its targets.	Timeframes for completion will be agreed to by key stakeholders. Processes to finalise procurement (signoff requirements) identified early to avoid any unnecessary delays in finalising the procurement process including execution of contract. Seek a further short-term extension with current provider pending finalisation of the new procurement process.	CIT & Goods and Services Procurement	Moderate	Possible	Medium	Adequate

TENDER EVALUATION PLAN

1. PURPOSE

This Tender Evaluation Plan (TEP) is the reference document outlining the roles, responsibilities and process of an evaluation process for the nominated Tender Evaluation Team (TET).

A principle for any procurement is to ensure that the evaluation of Tenders is conducted with an appropriate level of business involvement, support and governance. The evaluation must satisfy the requirements of the *Government Procurement Act 2001* (Act), and the *Government Procurement Regulation 2007* (Regulations).

The purpose of this TEP is to document (in advance of the evaluation of Tenders), an evaluation process that is transparent, ethical, defensible, non-discriminatory, and capable of being audited.

If a preferred Tenderer(s) is identified and the Delegate approves entering into a contract with them for the required Services, then the Territory must have access to documents of the assessment considerations, decision and resultant agreement. The TEP is an important artefact in this process.

To achieve this aim, this TEP:

- identifies the Delegate, the TET and Advisers;
- details the roles and responsibilities of the Delegate, the TET and Advisers;
- details the Assessment Criteria and evaluation methodology; and
- outlines evaluation reporting and debrief requirements.

This TEP applies to evaluation of Tenders submitted in response to the Request for Tender (RFT) for the Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT (Services) CIT2018/XXXX. This TEP should be read in conjunction with the issued RFT.

2. ROLES AND RESPONSIBILITIES - DELEGATE, TENDER EVALUATION TEAM, ADVISERS

Delegate

An overarching requirement when spending public money is that value for money be obtained. The evaluation of Tenders received, identification of points for negotiation and the signing of the contract in particular, are key actions in the achievement of value for money. However, these are also areas of high risk and are subject to approval or the exercising of delegation or authorisation by the Delegate.

In all circumstances the Delegate must be satisfied that the requirements set out in this TEP have and the requirements for Officials involved in the process (including exercising due care and diligence), have been met before exercising his/her delegation or authorisation. The Delegate must be provided with advice and clearances from the TET as the Delegate reasonably requires to support his/her decision. The Delegate for this procurement is identified below in **Table 1**.

Table 1 - Delegate

Name	Leanne Cover
Position	Chief Executive Officer
Agency	Canberra Institute of Technology

Tender Evaluation Team

A TET has been established to evaluate the Tenders up to the point where the Delegate makes a decision in relation to the next steps in the evaluation process. TET members are personally appointed and will not be withdrawn or replaced without Delegate approval.

The TET will be responsible for:

a) adhering to probity principles;

b) evaluating the Tender in accordance with;

   i) the published RFT (including any addenda); and

   ii) the evaluation methodology set out in this TEP;

c) seeking specialist, probity and/or legal advice (if required);

d) documenting the Tender evaluation process;

e) contacting referees (if required);

f) preparing a Tender Evaluation Report (TER) inclusive of a recommendation and any points for negotiation for Delegate consideration / approval;

g) upon Delegate approval, negotiating with, and engaging, the preferred Tenderer identified through the tender evaluation process; and

h) debriefing the unsuccessful Tenderers upon request.

TET Chair

The TET Chair is responsible for:

a) ensuring the evaluation process is conducted in accordance with this TEP and otherwise in an objective, fair and ethical manner;

b) approving any correspondence from the TET to Tenderers prior to it being provided to the nominated Procurement Officer/Facilitator for transmission to the Tenderer;

c) reviewing any responses to such correspondence prior to it being released to the TET;

d) leading the evaluation process including:

   i) that participation by TET members is equitable to benefit from the skills each member brings to the group;

   ii) if required, liaising with/seeking advice from Specialist Advisers (including defining and monitoring response times);

   iii) contacting referees (if required) and overseeing the preparation and submission of the TER; and

   iv) overseeing Tenderer debriefs (if required).

e) In the event the TET exercises its discretion to not request support from Goods and Services (G&S) branch for the evaluation process, the TET Chair also is responsible for the roles and functions of the Procurement Adviser.

The composition of the TET is detailed in Table 2 below.

Table 2 – Tender Evaluation Team

Tender Evaluation Team			
Name	1. Paul Ryan	2. Paula McKenry	3. Andrew Whale
Position	Chair	Member	Member
Agency	CIT, Executive Director Industry Engagement and Strategic Relations	CIT, Executive Director Education and Training Services	CIT, Executive Director Corporate Services

Procurement Adviser(s)

At the TET's discretion, G&S may provide support to the TET. The roles and functions may include, but will not be limited to:

a) managing the tender evaluation process;

b) conduct Compliance Checks (Step 1);

c) facilitating the tender evaluation sessions;

d) managing (including dispatching) clarification questions to Tenderers (as per TET Chair's instruction);

e) preparing/reviewing the initial draft TER;

f) assisting in contract negotiations; and

g) assisting in Tenderer debriefs.

The Procurement Adviser is identified in **Table 3** below.

Table 3 – Procurement Adviser(s)

Name	Dom Kraljevic	Matt Hart
Agency	CMTEDD / Goods and Services Procurement Branch	CMTEDD / Goods and Services Procurement Branch
Role	Senior Procurement Manager	A/g Senior Procurement Officer

Legal Adviser

The Legal Adviser is identified in **Table 4** below. The Legal Adviser will provide advice as required and requested regarding the legal interpretations of Tenderer's statements of Draft Contract compliance, Contract drafting matters and any legal matters arising during the procurement.

Table 4 – Legal Adviser(s)

Name	TBA
Agency	ACT Government Solicitor's Office
Role	Legal Adviser

Probity Adviser

The Probity Adviser is identified in **Table 5** below. The Probity Adviser will provide advice as requested in accordance with the principles and authorities identified in the Probity Plan.

In the event that a probity concern arises, probity advice will be sought from the Probity Adviser, and must appropriately record and consider any such advice.

Table 5 – Probity Adviser(s)

Name	TBA
Agency	ACT Government Solicitor's Office
Role	Probity Adviser

Additional Advisers

From time to time, the TET may consider that other Territory staff members or Advisory organisations may be called upon for additional specialist support to provide additional knowledge, experience or skills to facilitate the TET's assessments.

The TET, through the Chair, may request specialist Advisers to provide input and/or feedback with regard to technical aspects of tender responses for TET consideration. The TET Chair will decide whether such additional support is needed and, if required, will arrange for it be provided. The TET Chair will also define the timeframe within which information is to be provided. The TET remains responsible for conducting the evaluation.

3. EVALUATION PROTOCOLS

Roles and Responsibilities of Officers

Officials undertaking procurement are required to act ethically throughout the procurement. Ethical behaviour relates to honesty, integrity, probity, diligence, fairness and consistency. Ethical behaviour identifies and manages conflicts of interests, and does not make improper use of an individual's position. Tenderers are entitled to have their tender assessed ethically and fairly and for this to be seen to have been done.

Therefore, all involved in the RFT process, in particular those involved in the tender evaluation, must:

a) recognise and deal with actual, potential and perceived conflicts of interest;

b) deal with Tenderers equitably and in a fair manner, including by:

   i) seeking appropriate internal or external advice where probity issues arise; and

   ii) not accepting inappropriate gifts or hospitality;

c) carefully consider the use of Territory resources;

d) be aware of and comply with applicable Territory policies and procedures.

All tenders, tender documentation and evaluation proceedings will be treated as 'Unclassified, Sensitive' and are subject to a high level of protection. When not being used in the evaluation process, hard copy documents comprising of any document related to the tender evaluation must be retained in a locked secure room or cabinet. Soft copy/electronic documents must be retained on secure Territory drives accessible only to the TET and assigned Procurement Officers.

All discussions associated with any tender evaluation documentation (including tenders), process or report, including the TET proceedings will be conducted on a 'need-to-know' basis. Discussions must not take place with persons other than those serving on the TET or other designated Advisory authorities. Any request for information regarding the tenders or the evaluation must be directed to

the TET Chair. On completion of the evaluation, all tender information must be either returned to the TET Chair or destroyed in a secure manner.

By signing this TEP, each TET member must agree to:

a) not accept any additional information from a Tenderer unless a formal request has been made by the TET Chair for additional information to be provided as part of the evaluation process, and such a request has been recorded;

b) keep all evaluation and tender documentation secured at all times; and

c) not disclose any information relating to the evaluation.

4. CONFLICT OF INTEREST

The Territory requires TET members, all Advisers and Officers handling tender documents to disclose any actual or apparent conflict of interest and take steps to avoid that conflict as outlined in the Probity and Ethical Behaviour Circular (PC21). The responsibility lies with each TET member to promptly identify and disclose to the TET Chair, Procurement Officer or Delegate (as the case may be) any actual, perceived or potential conflicts of interest involving themselves, their immediate family or any other relevant relationship.

All disclosures of conflicts of interests will be fully documented. TET members, all Advisers and Officers handling tender documents must provide written acknowledgement of confidentiality and declaration of conflicts of interest prior to receiving tender responses and the commencement of the evaluation process by completing a *Deed of Confidentiality and Conflict of Interest*.

Continued TET membership will be dependent on the determination of the declared conflicts of interest. If a TET member's conflict of interest is identified as material, depending on the severity:

d) the conflict may be managed by removing the TET member 's involvement in the evaluation of material related to the conflict; and/or

e) the TET member may be removed from any involvement in the tender evaluation process and replaced with a Delegate approved Officer.

5. LATE TENDERS

Tenders will be electronically lodged via the Tenders ACT website which cannot accept tender submission past the specified closing time/date.

In very limited circumstances, arrangements may be made for lodgement of a tender to occur past the specified closing time/date. Tenderers wishing to submit a late tender are required to contact Tenders ACT in writing. Approval from the TET Chair to open a Late Tender Box will be sought, in the first instance, by the Senior Manager from whose team the tender is being managed, and if that Senior Manager is unavailable another G&S Procurement Senior Manager. In the event that a late lodgement is to be granted, a Tenders ACT team member will create a new Late Tender Box for the submission of the late tender.

Any tenders lodged after the closing time and date (**Late Tenders**) will be opened and registered by G&S.

Late Tenders may be evaluated at the absolute discretion of the Territory. In deciding whether to admit a Late Tender for evaluation, the TET may take into account any factors it considers relevant, including (without limitation):

a) whether the Tenderer is likely to have had an opportunity to obtain some unfair advantage from late submission;

b) how late the tender is, the reasons given for lateness and evidence available;

c) whether the tender was mishandled by the Territory; and

d) any evidence of unfair practices.

6. CLARIFICATION OF TENDER

Clarification is permitted through the evaluation process if information provided in a tender is not capable of evaluation because it is uncertain ambiguous or inconsistent. Clarifying questions will not be used to enable a Tenderer to provide new information. Any additional information submitted by a tender will need to be assessed to determine whether it is truly a clarification of tendered information or whether it effectively amounts to the submission of late material that seeks to vary the existing tender.

Requesting further information or clarification from a Tenderer about its tender after the closing date must only be done in accordance with the RFT terms and conditions. To maintain the integrity of the process, clarification cannot be used as an opportunity for Tenderers or the Territory to revise, modify the scope of the RFT or change a tender (including the submitted price).

Clarification is permitted if:

a) the information provided in a tender is not capable of evaluation because it is uncertain, ambiguous or inconsistent; or

b) an Unintended Error of Form has occurred. This is where it appears that a Tenderer has made an obvious mistake which is likely to have been unintended and is easily rectified (e.g. failed to attach a supplementary information attachment).

Requests for clarification must specifically identify the aspects (compliance items, Weighted and Non-Weighted Assessment Criteria, pricing information etc.) of the tender that require clarification.

Any additional information submitted by a Tenderer will need to be assessed to determine whether it is truly a clarification of tendered information, or whether it effectively amounts to the submission of new/additional material that seeks to vary the existing tender.

Clarification must be sought from a Tenderer by the assigned Procurement Officer via email, and the questions must be cleared in advance by the TET Chair and/or the Probity Adviser. The TET Chair may require that the return responses by Tenderers be reviewed by G&S and/or the Probity Adviser prior to the release of answers to the TET.

Clarification must be sought in writing. Tenderers will be informed that the request for clarification is not an opportunity to revisit or revise their tender.

The RFT will notify the Tenderers that the Territory may seek clarification or other information about a tender. If this occurs, the Tenderer is required to provide the clarification or information. The Territory will nominate a timeframe within which response is required. The Territory will give consideration to the complexity of question and required response in determining an appropriate timeframe.

7. ASSESSMENT CRITERIA

Those tenders that meet the formal compliance requirements of the RFT will be assessed against the following Assessment Criteria:

Table 6

WEIGHTED CRITERIA	Weighting
1. Experience, Capability and Capacity Tenderers must provide information demonstrating their past performance and experience in the provision of similar Services. a) name of organisation for whom the Services were provided; b) when the Services were provided as well as the period over which the Services were provided; and c) an outline of the outcomes achieved.	25%
2. Understanding of the CIT Strategic Compass 2020 and ability to develop high quality Services relevant to CIT Tenderers are required to provide information demonstrate their understanding of CITs Strategic Compass 2020 – Evolving Together and any VET or Institute specific legislation and policies that may be incorporated in the provision of the Services detailed in the Statement of Requirements.	25%
3. Methodology Tenderers are required to provide a program approach demonstrating how the Services will be delivered within the timeframes set out in the Statement of Requirements.	20%
4. Qualifications, Organisational Structure and Suitability of Specified Personnel Tenderers are required to provide details of : a) their organisational structure and location of operations; b) any professional bodies to which the Tenderer and specified personnel are accountable to; c) the skills and experience of specified personnel including at a minimum, a Curriculum Vitae (CV) with the following evidence: i) name; ii) position/level; iii) specific area/s of subject matter expertise; iv) qualifications including certificates/registration; v) number of years' experience; and vi) brief description of key projects undertaken/completed.	20%

5. Local Industry Participation Policy To ensure compliance with the Territory's Local Industry Participation Policy (LIPP), the Territory will collect information on the local capability the broader economic benefits for the geographical area comprising the Australian Capital Territory and NSW Member Councils including Bega Valley, Eurobodalla, Goulburn-Mulwaree, Queanbeyan-Palerang, Snowy Monaro, Upper Lachlan and Yass Valley (**Canberra Region**). **NOTE:** The Tenderer does not need to be based in the Canberra Region to be providing an economic contribution. The Tenderer must complete and submit an Economic Contribution Test (ECT). The ECT requires a Tenderer to provide information on how both its tender and business contribute to the economic benefit of the Canberra Region by addressing the following considerations: a) details of current business presence in the Canberra Region, including relevant capital investment history and/or new commitments; b) how the Tenderer will identify and utilise products and capabilities provided by local businesses; c) the estimated labour costs that will be incurred within the Canberra Region, compared against the total labour costs associated with this tender; d) additional undertakings by the Tenderer to benefit the Canberra Region economy; and e) approach to workforce skilling and utilisation of local skills (e.g. through supply chain or local subcontractors).	**10%**

NON-WEIGHTED CRITERION
Price Tenderers are required to complete the Returnable Pricing Schedule. All pricing breakdown categories within the Schedule should be populated. The Tenderer must provide a fixed fee for the 12 month contract period and a fixed fee for the optional 12 month extension. Prices are to be in Australian Dollars and GST inclusive.

Evaluation Considerations

Consistent with Section 22A of the Act, in evaluating tenders the Territory's objective is the attainment of best 'value for money'. The price of the Services is not the sole determining factor in assessing value for money. Within the context of the Assessment Criteria specified above, factors which could be considered include:

a) the quality of the goods/services;

b) fitness for purpose of the proposal;

c) a Tenderer's experience and performance history;

d) flexibility of the proposal (including innovation and adaptability over the lifecycle of the procurement);

e) environmental sustainability of the proposed goods and services (such as energy efficiency and environmental impact);

f) whole of life costs (if applicable);

g) delivery of goods/services meeting a specified timeframe/program;

h) compatibility with existing/associated systems, equipment, etc.; and

i) risk.

The Territory will evaluate tenders to determine which best satisfies the requirements specified in the published RFT (including the provisions contained within the published RFT) and this TEP. If there is any inconsistency between the requirements of the published RFT and this TEP, the published RFT takes precedence to the extent of the inconsistency.

8. EVALUATION METHODOLOGY

TET Preparation

Prior to commencing an evaluation, all TET members, other Officers and Advisers involved in the evaluation must be fully prepared. In order to ensure a confident and well prepared approach to the evaluation, the TET and other Officers and Advisers involved in the evaluation must, as a minimum:

a) complete declarations of confidentiality and conflict of interest;

b) read and understand the RFT;

c) understand the relationship between the Assessment Criteria, the Services and the Territory's operations; and

d) understand (as relevant to them) the evaluation processes outlined in this TEP.

In addition, the TET and all other Officers and Advisers involved in the evaluation process, must be fully aware of, and comply with, all requirements of the Territory's values, procurement, probity and financial policies.

Evaluation Process

This Evaluation Process must be undertaken in the sequential steps outlined below, with the exception of referee information procedures and financial information procedures which can be undertaken at any step prior to the completion of **Step 5 - Risk Assessment.**

Evaluation of tenders must be undertaken sequentially in the following steps:

a) **Step 1** – Compliance;

b) **Step 2** – Mandatory Criteria (if used);

c) **Step 3** – Technical Assessment (Weighted Criteria);

d) **Step 4** – Price Assessment;

e) **Step 5** – Risk Assessment; and

f) **Step 6** – Value for Money Assessment.

NOTE: An Evaluation Risk Register should be created for the evaluation process clearly showing the risks that are identified for each/any of the Tenderers. The risks recorded in an Evaluation Risk Register (identified in Steps 1, 2, 3 and 4 of the evaluation) will be assessed and finalised in the **Step 5 - Risk Assessment** and can be an attachment to the TER.

Step 1 - Compliance

Tenderers will firstly be assessed for formal compliance with the RFT requirements.

Any tender that does not comply with the RFT requirements (including the SOR), or is incomplete may be deemed to be non-compliant.

Where a tender is non-compliant, the Territory may at its absolute discretion:

a) reject the tender and not consider it any further; or

b) if possible without impacting on the probity of the RFT process, allow the Tenderer to correct the non-compliance in the form of a request for clarification; or

c) admit Late Tender(s) and/or incomplete tender(s) to be evaluated (**refer Section 4**).

Assessment for formal compliance will include the following factors:

a) receipt of tender prior to the closing date and time;

b) submission of a completed Tender Declaration by Tenderer;

c) submission of a completed Ethical Suppliers Declaration (if applicable);

d) check against ASIC public records to confirm Tenderer details on submitted declarations;

e) attendance at the mandatory site inspection or briefing (if applicable);

f) any other relevant requirements, licences or certificates set out in the RFT;

g) compliance with the relevant requirements of the *Workplace Gender Equality Act 2012* (Cth) (see http://www.wgea.gov.au/);

h) completed Assessment Criteria Responses in Returnable Schedules;

i) completed Referee Report Form Returnable Schedule (minimum of three (3) relevant referees);

j) completed Pricing Schedule; and

k) review of confidentiality requests.

A tender that is:

a) at variance with, does not respond to or does not fully comply with any RFT requirements;

b) unable to meet insurance requirements; or

c) contains erasures or is illegible,

may be deemed to be non-compliant.

Details regarding the Tenderer's compliance or non-compliance will be documented.

Non-compliance will be duly considered by the TET with a decision made to either include or exclude the Tenderer from consideration in further steps of the evaluation, or seek clarifications. All reasons for excluding a tender from the full evaluation process will be clearly substantiated/ documented by the TET in the TER for Delegate consideration/approval.

Compliance screening is an ongoing process and the TET may decide at any time during the detailed evaluation process that the tenders or Tenderers have failed to comply.

Step 2 – Mandatory Criterion

Mandatory Criteria not used.

Step 3 – Technical Assessment

All compliant tenders will be evaluated as follows:

a) Individual TET members will undertake an initial assessment of all Weighted Assessment Criteria and give a score (out of 10) using the Scoring Scale at **Attachment 1**. The TET should consider all relevant material/information tendered in a response when evaluating each weighted criterion.

b) Each TET member must individually assess and score each tender against each Weighted Criterion using the scoring method set out in **Attachment 1**. The descriptions in the "Response" column are intended to act as guidance only on assigning ratings.

c) TET members will use assessment worksheets for each tender response and must record the scores and the reason for the assigned rating (out of 10) they have awarded against each Weighted Criterion. The worksheets will be utilised in the collective tender evaluation session/s discussions and provide supporting information for the preparation of the TER.

d) The TET will then meet as a collective to discuss and consider the scores and associated comments made by the individual TET members to reach a consensus score for all generic Weighted Assessment Criteria.

e) The TET may consider the review of all tenders and undertake a shortlisting process as per the process described in Step 3b, and decline tenders which are clearly non-competitive and have no reasonable prospect of exhibiting the satisfactory value for money.

f) The TET may request interviews, presentations, demonstrations, samples and/or prototypes in accordance with the RFT and the process described in Step 3c, for all, or non-shortlisted Tenderers.

g) All Weighted Assessment Criteria consensus scores will then be multiplied by their respective weighting with the resulting figures tallied to give a total score out of a possible 1,000 for each tender per category (this is referred to as the Total Weighted Score).

h) Once all Weighted Assessment Criteria (other than LIPP) have been evaluated (which may or may not include Step3b and/or Step 3c), the LIPP evaluation will occur using **Step 3a – Local Industry Participation** methodology prior to or concurrent with **Step 4 – Price Assessment.**

Step 3a – Local Industry Participation

The LIPP Weighted Assessment Criterion of each tender will be evaluated by the TET using the Economic Contribution Test (ECT).

Tender's response to the LIPP Weighted Assessment Criterion will be scored through the application of the LIPP Evaluation Worksheet. The Procurement Officer will prepare the LIPP Evaluation Worksheet for the TET's use by prefilling in the project details and the dollar figures provided by the Tenderer in its tender.

The TET will for each of the listed sub-criterion:

a) assess the written response provided by the Tenderer and give a score (out of 10) using the Scoring Scale provided at **Attachment 1** of this TEP.

b) calculate a percentage figure for economic contribution using the local spend over the total spend declared by the Tenderer in its response.

c) the LIPP Evaluation Worksheet will automatically apply a modifier (+15%) for each sub-Criterion's percentage figure to calculate a final 'raw score.'

The following weightings will be applied to the four LIPP sub-criteria:

Regional Employment	2.5%
Local Suppliers	2.5%
Regional Skills Development	2.5%
Regional Investment	2.5%

Step 4 – Price Assessment

NOTE: *Pricing information will not be provided to the TET prior to the completion of Stage 3 - Technical Assessment. This is to ensure a two-stage evaluation process where price does not influence evaluation of the Weighted Assessment Criteria.*

However, where there is a separate TET individual or team dedicated to undertaking the financial analysis, evaluation of price may be undertaken from the commencement of the evaluation. Findings will not be provided to the TET members assessing Weighted Assessment Criteria until the Technical Assessment has been finalised.

The TET will undertake a pricing analysis for each compliant Tenderer's Returnable Pricing Schedule in an objective manner (for example, may include a comparison against benchmarks such as historic data/industry standard rates) to determine an offered rate's viability.

Where the items to be supplied are clearly defined, the TET may research similar arrangements in other jurisdictions as part of their price benchmarking analysis.

Any pricing assumptions listed by the Tenderer will be considered in relation to its relevance to the Territory requirements and expectations for the Service.

A comparison of each Tenderer's submitted prices/rates for each of the personnel and the Services to be provided against the calculated mean price of the tender may also be undertaken to identify submitted prices that have a significant variance from the mean which might signal a risk to the Territory.

Finally, the submitted prices/rates and their relationship to the forecasted agency or Territory budget should be considered to determine whether submitted prices are a viable financial option.

Variances to an approved budget may result in the need to undertake negotiations to identify/confirm a varied scope or methodology adjustments to meet the budget threshold.

STEP 5 - Risk Assessment

The TET must undertake a full assessment for each tender in respect to risks identified on the Evaluation Risk Register.

Risks may include, but not be limited to:

a) the identification of shortfalls in a Tenderer's response relating to the offered capability, capacity, business systems, proposed methodology/solution;

a) the results of the analysis undertaken on the submitted prices, discounts and any associated assumptions;

b) referee reports;

c) financial viability assessment information; and

d) any innovation being offered.

After consideration of the risks as noted in the Evaluation Risk Register, each tender will be assigned a risk rating of 'Low', 'Medium', 'High' or 'Extreme' based on the highest residual risk rating for its entire response. 'High' and 'Extreme' risks together with any mitigating strategies should be clearly described in the TER.

Step 5a - Referee information procedures

In the Returnable Schedule, the Tenderer is requested to provide a minimum of three (3) referee contacts in its tender. The TET may, at their discretion, approach the nominated people of any / all Tenderers to validate information (performance based) provided in its tender.

The TET may also approach any business area of the ACT Government, which has had a prior commercial arrangement with the Tenderer to request further information regarding past performance and Territory satisfaction with the Services provided.

In the event of a Referee providing negative comments about a Tenderer, the TET should provide the Tenderer in question an opportunity to respond to those comments. Both comments and response should be considered in finalising the risk ratings.

The TET may exercise its discretion to approach only the shortlisted Tenderers or those deemed in contention for preferred Tenderer/s status for the procurement.

In undertaking this validation process, the TET Chair should prepare a series of questions, relevant to the SOR, which will be asked of referees to verify information supplied by one (1), some, or all Tenderers.

For the avoidance of doubt, referee responses will not be a Weighted Assessment Criterion, but may be used in the risk assessment process.

Step 5b - Additional Financial information procedures

After the tender closes the TET may, at its discretion, require any preferred Tenderer (or any Tenderer) to submit additional information for the purposes of the Territory assessing the preferred Tenderer's or any Tenderers' financial capacity and organisation viability to provide the Services, which may, inter alia, include the following:

a) details of any person/entity in a position to control or influence the Tenderer;

b) details of related companies or organisations, the identity of any trust or fiduciary capacity;

c) details of any claims or demands or actions against the Tenderer that are relevant to the Tenderer's potential on-going financial viability;

d) if part of a group of companies or organisations, relevant information in relation to the group's ability to contract with the Territory as a single legal entity; and

e) financial statements from previous years.

If the Tenderer fails to provide any requested information within a specified time, or if on review of the provided information the Tender is assessed as posing financial stability concerns, the TET, may assign the Tenderer as a high financial risk.

In the event the Territory requires a Financial Assessment Report to be undertaken using a panel member of the whole of Government Financial Assessment Services and Business Entity Search Services panel, the fee for doing this will be advised to the Directorate responsible for the procurement beforehand. The Directorate involved will need to confirm in writing its agreement to pay the fee involved before the report(s) is requested.

Step 5c - External Feedback procedures

UnionsACT, Environmental Protection Agency, and the Long Service Leave board are advised upon the close of each tender, the names of the organisations which submitted a tender. If any of these listed organisations have a concern about any Tenderer, they may request an opportunity to submit a comment.

Each of the listed organisations will then be provided the opportunity by the Procurement Officer to submit comment regarding the WHS, Industrial Relations or employment practices of a Tenderer in response to the Tenderer's submitted Ethical Supplier Declaration. This opportunity will only be extended for tenders that involve;

a) a significant component of manual labour; or

b) a significant influence on the environment.

The comments will be submitted according to the set format of the *Agency Feedback Form* and will only include factual information. The Procurement Officer will then pass the Union Comments noted on the Form to the Tenderer for the Tenderer to exercise its right of reply. The resulting document will then be considered as part of risk assessment.

STEP 6 – Value for Money (VFM) Assessment

Following the technical, price and risk assessment, the TET will undertake a value for money assessment for each of the Tenderers, collectively taking into account:

a) the results each of Tenderers Total Weighted Assessment Score;

b) the results of the pricing evaluation;

c) consideration of any Non-Weighted Assessment Criteria; and

d) risk posed to the Territory.

The TET may consider, for example, if various aspects of a Tender justify the price and whether any additional positive attributes of any higher priced tender provide better overall value to the Territory than the attributes contained in any lower bids.

NOTE: In Circumstances where the TET is unable to clearly identify a preferred Tenderer, it may at its discretion engage in further definition of the offers or establish a best and final offer (BAFO), or enter into Structured Negotiations (Offer Definition) in accordance with Step 6a and 6b.

The TET must clearly outline in the TER its value for money analysis and basis for decisions made (including any BAFO or Structured Negotiation activity undertaken). Prior to commencing a BAFO or Structured Negotiation activity, the TET will submit an Interim Report, or advise the Delegate of the proposed approach.

Step 6a - Best and Final Offer (BAFO) OPTIONAL

The TET may decide to undertake a BAFO process by inviting Tenderers to submit a BAFO in relation to all or certain aspects of their respective tenders.
A BAFO may only be used if:

a) the RFT has denoted a BAFO may be undertaken;

b) costs submitted by all Tenderers are unacceptably high; or

c) a preferred Tenderer cannot be clearly determined based on the evaluation of the responses against the Value for Money Assessment.

Notwithstanding any shortlisting, the TET may invite only Tenderers who the TET considers capable of delivering the desired outcomes and are most likely to represent value for money, to submit a BAFO.

The TET will notify Tenderers who are invited to participate in the BAFO (if any) of the process and timeframe to submit a response to the Territory.

Those Tenderers will then be given an opportunity to revise their tender, but only to the extent specifically outlined in the BAFO.

Following the conclusion of this Step 6a, TET members will review and update Value for Money Assessment results for each Tenderer invited to submit a BAFO, to reflect that Tenderer's BAFO response.

Step 6b - Structured Negotiation (Offer Definition) OPTIONAL

The TET may decide to undertake a Structured Negotiation (Offer Definition) process by inviting Tenderers to engage in an interactive refinement of their offer, and to enable the TET to finalise its evaluation and selection of the preferred Tenderer or Tenderers, prior to entering into negotiations.

Any structured negotiation may be used if the TET considers:

a) the BAFO process will not facilitate the resolution of all outstanding issues with Tenderers to a standard which justifies the appointment of a preferred Tenderer;

b) particular aspects of the offer (such as plans, schedules, key personnel and performance frameworks) can be better defined prior; and

c) the Territory can achieve a common understanding with any preferred Tenderer that may in turn considerably shorten any contract negotiation phase.

Only Tenderers who the TET considers capable of delivering the desired results, based on their submitted tender, including the results of the Value for Money Assessment, can be invited to participate in a Structured Negotiation (Offer Definition).

Tenderers may revise their tendered pricing based on the outcomes of this Structured Negotiation (Offer Definition) activity; however, Structured Negotiation (Offer Definition) may not be used by Tenderers to change the fundamental basis on which their pricing has been calculated. Revised pricing should not be considered where the revision is considered to change the underlying basis of the tendered price or where such consideration would contravene TET's obligations to treat all Tenderers fairly.

The Structured Negotiation may address any areas of deficiency particular to the Tenderer's offer where such consideration would not contravene TET's obligations to treat all Tenderers fairly.

The TET will notify Tenderers who are invited to participate in any Structured Negotiation (Offer Definition) of the Territory's process and timeframe.

Following the conclusion of this **Step 6b**, TET members will review and update Value for Money Assessment results for each Tenderer invited to Structured Negotiation (Offer Definition) to reflect that Tenderer's agreed outcomes.

9. EVALUATION REPORT

The TET will prepare the following information for inclusion in the TER:

a) background to the process;

b) any specialist Advisers who provided input must be named in the TER with the role they undertook during the evaluation;

c) the evaluation process, including detailed justification (comments and scores) against each Weighted Assessment Criterion (including details of any shortlisting, interviews, presentations, demonstrations, samples or prototypes provided);

d) a summary of identified risks and any treatment measures required/considered;

e) a summary Value for Money assessment considerations;

f) the ranked order of tenders (where applicable);

g) details of any BAFO or Structured Negotiation activity undertaken and resultant outcome with a commentary on final Value for Money assessment findings;

h) proposed methods for management of risks (if applicable) or issues;

i) any issues that will need to be resolved by negotiation (where a TER includes a list of negotiation items, a supplementary report detailing the negotiation outcomes must be forwarded to the Delegate for final consideration/approval prior to entering into contract); and

j) recommendations to the Delegate for consideration/approval.

NOTE: In conducting the evaluation, broad consensus of all TET members should be sought, to the fullest extent possible.
If any TET member does not agree with the majority report and recommendation, that member's dissenting view, together with the reasons for it, must be provided as a separate Dissenting Report (prepared by the dissenting member). This Dissenting Report will be prepared within a timeframe agreed by the TET Chair and attached to the TER.

10. EVALUATION ADVICE LETTERS, DEBRIEFS

The preferred Tenderer(s) will be advised of the status of their bid with an invitation to enter into contract negotiations using a Letter of Intent.

Unsuccessful Tenderers will be advised of the outcome of the RFT process by the issue of a Letter of Decline. Each Letter of Decline will include, at a minimum, the following information:

a) a statement demonstrating the Territory's appreciation for the received tender;

b) a statement demonstrating the Territory's regret that they were unsuccessful on this occasion;

c) advice of public notification on the ACT Government Contracts Register;

d) encouragement to submit offers in the future; and

e) an offer to attend a debriefing session.

11. EVALUATION PLAN ACKNOWLEDGEMENT

Prior to the provision of tenders to the TET by the Procurement Officer, each TET member must sign the TEP acknowledging that they have received a copy of this TEP, have read and understood their roles and responsibilities and will abide by the requirements detailed. Each TET member must also read, comply with and sign a Deed of Confidentiality and Conflict of Interest.

The TET members hereby acknowledge the contents of this TEP, including all its attachments:

Name of TET Member	Signature	Date
Paul Ryan (Chair)	.....	...../...../2018
Paula McKenry (Member)	.....	...../...../2018
Andrew Whale (Member)	.....	...../...../2018

12. RECOMMENDATION

It is recommended, as Delegate of this procurement, that you approve the proposed evaluation methodology, as described in this TEP.

I have read this Tender Evaluation Plan and I am satisfied that the proposed evaluation is in accordance with the Territory's policies, and will provide an outcome that represents a proper use of public resources. <✓ tick appropriate box>

☐	☐	☐
Approved	**Approved with conditions**	**Not approved**

Insert conditions if applicable:

Signature:

Print name: Leanne Cover

Title: Chief Executive Officer
Canberra Institute of Technology

Date signed: _____ / _____ / 2018

ATTACHMENT 1 - SCORING SCALE

Descriptor	Response (Prompts) for LIPP Criterion Assessment	Rating
Outstanding	Response to Technical Assessment Criterion far exceeds all of the relevant SOR requirements and provides major additional value to the Territory. Response demonstrates an outstanding understanding of the requirements of the Technical Assessment Criterion and presents a strategic view of the Goods and/or Service within the broader Territory context. Information provided is concise, extensive and offers some knowledge gain to the Territory. All claims are fully substantiated.	10
Excellent	Response to Technical Assessment Criterion exceeds all of the relevant SOR requirements such that the Territory will receive some additional value above the SOR. Response demonstrates an excellent understanding of the requirements of the Technical Assessment Criterion. Information provided is comprehensive. All claims are fully substantiated.	9
Very Good	Response to Technical Assessment Criterion meets all of the relevant SOR requirements, and exceeds some relevant SOR requirements such that the Territory will receive minor value above the SOR for those. Response demonstrates a very good understanding of the requirements of the Technical Assessment Criterion. All claims are soundly substantiated. Some minor omissions in substantiation may occur but the overall claim is well supported.	8
Good	Response to Technical Assessment Criterion meets all of the relevant SOR requirements and may marginally exceed some relevant SOR requirements. Response demonstrates a good understanding of the requirements of the Technical Assessment Criterion. Some insignificant uncertainties occur but claims or documentation contains majority of the information expected of this Technical Assessment Criterion.	7
Adequate	Response to Technical Assessment Criterion meets all of the relevant SOR requirements. Response demonstrates an adequate understanding of the requirements of the Technical Assessment Criterion. Some minor uncertainties or information gaps occur but claims or documentation generally contains the information expected of this Technical Assessment Criterion.	6
Reservations	Response to Technical Assessment Criterion meets most of the relevant SOR requirements. Response demonstrates a general understanding of the requirements of the Technical Assessment Criterion but lacks detail in specific areas. Some uncertainties or information gaps occur in key requirements.	5
Poor	Response to Technical Assessment Criterion does not meet a minority of the relevant SOR requirements. Response demonstrates a poor understanding of the requirements of the Assessment Technical Assessment Criterion with some shortcomings or deficiencies. Claims and documentation omit or are unable to substantiate key requirements of the Technical Assessment Criterion.	4
Very Poor	Response to Technical Assessment Criterion does not meet a majority of the relevant SOR requirements. Response does not demonstrate an understanding of the requirements of the Technical Assessment Criterion, through lack of provided detail or information. Claims and documentation omit or are unable to substantiate requirements of the Technical Assessment Criterion.	3
Inadequate	Response to Technical Assessment Criterion meets only a negligible number of the relevant SOR requirements. Response demonstrates a minor misunderstanding of the requirements of the Technical Assessment Criterion, containing significant flaws in approach. Claims and documentation are mostly unsubstantiated.	2
Not Acceptable	Response to Technical Assessment Criterion does not meet any of the relevant SOR requirements. Response demonstrates a major misunderstanding of the requirements of the Technical Assessment Criterion, lacking fundamental details to address this Technical Assessment Criterion. Claims and documentation are unsubstantiated and unreliable.	1
Not able to assess Response	Response did not address this Technical Assessment Criterion. (NOTE: There needs to be confirmed evidence of this circumstance). Response was not evaluated, as it did not provide any requested information.	0

Draft Contract Management Plan (CMP) – Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT

Table 1 - Document Register

VERSION NO.	ISSUE DATE	AMENDMENT DETAILS	AUTHOR
0.1	15/08/2018	Initial draft	Ilze Kemp

PART 1 – Overview of Contract

In 2018 the Canberra Institute of Technology (CIT) is intensifying its focus on transforming its business by investing in staff to attract and retain talented people for an energetic, innovative workplace so that CIT's capacity to meet its commitments under the CIT Strategic Compass 2020 Evolving Together (SC2020) is enhanced exponentially by 2020.

Key to this investment is a deeper knowledge and understanding of contemporary organisational transformation within CIT and how this is linked to the broader ecosystems in which CIT operates. This investment will assist CIT staff to take greater control of how CIT evolves and role model adaptability and greater responsiveness to meet student, community, industry and government needs in the new world of work.

This investment is primarily through the delivery of the Evolving Together project under the SC2020 and in 2018/19 the project work is intended to simultaneously build on the current leadership group's knowledge and understanding of working successfully in a volatile, uncertain, complex and ambiguous environment and also provide opportunities for all staff to develop increased knowledge and experience in new ways of working through a greater understanding of contemporary transformation theory, learning and practice.

XXX will provide professional services to CIT as part of the Evolving Together Project and guide CIT in contemporary organisational transformation as part of transforming CIT's business over 2018-2020.

This document describes how the contract between CIT and XXX will operate for the delivery of the Services.

The main objectives of this document are to provide:

- An overview of the contractual framework;
- A description of the performance measurement, reporting requirements and risk assessment; and
- A clear and current definition of the Services and associated benefits to be delivered by XXX.

1. Contract details

Table 2 – Contract details

Contract Number	
Commencement Date	
Contract Term	The contract term is for 12 months, with the possibility of one (1), 12 month extension. Extensions will be at the discretion of the CIT Chief Executive Officer (CEO).
Contract Value	The estimated value of this procurement over a two (2) year period is $1,200,000.
Contractual Framework	XXX is engaged under a single contract. The contract includes a Statement of Requirement and the contract pricing.

2. Key Personnel

Table 3 - Key CIT Contract Information

CIT Contract Management Group				
Name	**Role**	**Address**	**Phone**	**Email**
Paul Ryan	Contract Owner	CIT Reid	6207 4955	Paul.ryan@cit.edu.au
Ilze Kemp	Contract Manager	CIT Reid	6205 4970	Ilze.kemp@cit.edu.au

Table 4 - Key XXX Contact Information

Consultant				
Name	**Role**	**Address**	**Phone**	**Email**

3. Proposed Benefits

The contract with XXX is designed to deliver the following benefits:

Improve staff:

- retention rates;
- responsiveness;
- flexibility; and
- knowledge of contemporary organisational transformation theory, concepts and practical application.

Decrease staff:

- reliance on external stakeholder support

4. Statement of Requirements

In accordance with the Statement of Requirement in the contract, the Consultant will provide the Services.

5. Documents

Table 5 – Contract documents

Document	Electronic Location (CITs TRIM)
Procurement Plan	
Request for Tender	
Tender Evaluation Plan	
Contract	
Insurance Certificates	

6. Roles and Responsibilities

The roles and responsibilities for managing the contract under this CMP are described in the roles and responsibilities matrix at Appendix A.

The roles and responsibilities matrix outlines the roles of individuals against various tasks or deliverables. In the matrix:

Responsible means those responsible to do the work to achieve the outcome required.

Accountable means those who authorise the work and who are ultimately accountable for the correct completion of the work.

Consulted means those who are consulted about the work at various stages of progress.

Informed means those who are kept informed about the work.

PART 2 – Contract management Functions

7. Performance Management

7.1 Meetings

Performance meetings will be held with XXX quarterly with the deliverables discussed and agreed to within a week of the meeting.

Table 6 - Meeting summary

Meeting	Purpose	Vendor attendees	Organisation attendees	Frequency
Performance Management meeting	Provide a strategic direction and a shared understanding of the current state of the contract	XXX Contract Manager	CIT CEO	Quarterly

The meetings can be held in person or via video conference link.

7.2 Reporting

Performance reports will be developed by XXX every six months.

The report will contain details of activities carried out, planned activities, and any issues, risks or problems encountered and how they were managed. The Consultant will provide the following reports:

Table 7 - Consultant reporting

Report	Frequency
Performance Report	Bi-annually

CIT will complete the following reports:

Table 8 - CIT reporting

Report	Frequency
Workshop Survey's	After each workshop
CIT Staff Survey	Annually
Services satisfaction pulse survey	Quarterly

The CIT Contract Management Group will review the CIT reports and escalate where necessary.

8. Key Performance Indicators

The following Key Performance Indicators (KPI's) will apply to the Consultants Services and involvement:

Table 9 – KPI's

Performance Indicator	Performance Measure	Calculation	Data Source	Frequency
Workshop	Maintain a minimum	Calculated by assuming	Workshop	Per

Performance Indicator	Performance Measure	Calculation	Data Source	Frequency
Satisfaction	80% satisfaction rating for all workshops.	only Very satisfied and Satisfied attendees are satisfied. Number of satisfied responses/number of responses.	engagement surveys conducted by CIT.	workshop
CIT leadership development and adaptation	CIT leaders demonstrate a working understanding and application of contemporary transformation tools	Tools that the Consultant provides are adopted by CIT leaders	To be created	6 monthly
Staff Alignment with the direction of SC2020 are increased	CIT leaders engagement with SC2020 increases by 1%.	The average percentage of the strategic alignment category for CIT leaders engaged with the Consultant has increased from the 2017 Staff Survey.	CIT staff satisfaction survey	At least annually
Staff Engagement with the Consultant	Maintain a minimum 80% satisfaction rating for all workshops.	Calculated by assuming only Very satisfied and Satisfied staff are satisfied. Number of satisfied responses/number of responses.	Pulse surveys conducted by CIT.	Every three (3) months

The Contract Manager will be responsible for reviewing KPI reports and identifying areas of underperformance and escalating them to the CIT CEO for discussion at the performance management meetings.

Failure to meet KPIs will be recorded in the issues log, and rectification actions agreed with the Consultant.

9. Issue Management

All problems and queries regarding the Services provided by XXX will be logged in an Issues Log. The Contract Manager owns the Issues Log. Issues could come from CIT Staff, XXX personnel or through the reporting process.

Each issue is logged in the issues log with a responsible party assigned to manage the issues. If the issue is not resolved in the required timeframe they are escalated to the Consultant Account Manager via the Performance Management Meeting or on an ad-hoc basis if needed.

10. Risk Management

The contract risk (and consequently Consultant relationship) has been assessed as **Medium** using the value/risk matrix. A copy of the risk assessment is included at Appendix X.

The Contract Manager is responsible for reviewing the risk assessment and for reviewing the register. This register/report will be presented at the quarterly meetings.

Part 3 – Contract Administration Functions

The contract administration functions will be carried out by the Contract Manager, unless otherwise specified.

11. Invoicing

11.1 Invoice Terms

Invoicing payment terms are 30 days on receipt of invoice. XXX will provide invoices every month. The CIT Contract Manager will process the invoice following CIT's established processes and procedures.

11.2 Disputed Invoices

A correctly rendered invoice will include a description of the Services used and any associated costs. The Contract Manager is responsible for managing any disputes with regard to invoices received from XXX for Services rendered.

The Contract Manager may escalate invoice disputes to the Executive Director of Industry Engagement & Strategic Relations where necessary.

12. Insurance

The Contract Manager will be responsible for ensuring the currency of insurance policies relevant to the contract. All insurances required under the contract are listed below:

Table 10 – Insurance Register

Insurance type	Insurer and policy no.	Limit of liability	Expiry date
Public & Professional Liability		$20M	
Professional Indemnity		$10M	
Workers insurance		As required by law.	

13. Contract Variation Process

The terms and conditions of the contract, including the pricing and Services, may be varied in accordance with the contract. CIT's CEO will be responsible for approving the variations.

Contract variations must be in writing and approved by both CIT and XXX, except in instances of variations due to legislative or policy changes. In this case, CIT must inform XXX in writing of the variation.

13.1 Variations requested by XXX

1 XXX request amendment in writing

2 CIT's Contract Manager considers request and seeks written approval from the CEO, via Executive Director – Industry Engagement & Strategic Relations

3 The CEO either approves or rejects the request

4 Written notice is provided to XXX noting the outcome of the variation request

5 Variation documents are put into the Contract Management Plan and schedules and contract documents are updated

13.2 Variation requested by CIT due to legislative/policy changes

1 The CEO writes to the Consultant advising that the contract is varied due to legislative or policy changes

2 The variation is documented in the Contract Management Plan and schedules and contract documents are updated

13.3 Other variation requested by CIT other than due to legislative/policy changes

1 The CIT Contract Manager, via Executive Director – Industry Engagement & Strategic Relations, seeks written approval from the CEO to propose contract variation to the Consultant

2 The CEO either approves or rejects the request

3 If approved, the CEO will write to the Consultant requesting the variation

4 The Consultant considers the variation and approves or rejects the request

5 If approved, the variation is documented in the Contract Management Plan and schedules and contract documents are updated

14. Contract variations agreed or in progress

The following table lists all of the agreed or in progress contract variations:

Table 11 - Contract variation register

Variation number	Variation description	Date raised	Status	Date agreed / rejected	Additional comments
[insert]	*This may be a minor change to the contract or CMP*	*[DD/MM/YY]*	*[e.g. in progress/ agreed/ rejected*	*[DD/MM/YY]*	*[insert]*

The Contract Manger reviews the CMP on a regular basis to ensure that it continues to reflect the Services provided by the Consultant.

15. Contract Extension

At least six (6) months prior to the end of the contract term, CIT will begin to consider its procurement strategy in order to determine the best procurement approach, going forward.

16. Document control

Document Owner: This document is owned by the Contract Manager who is responsible for ensuring that it is maintained.

Document review: The Contract Manager reviews this CMP with key stakeholders on a regular basis to ensure that it continues to reflect the Services required and provided. Where changes to existing Services or processes are identified and subsequently approved, this document will be amended to ensure its currency. The main drivers for changes will come from ongoing reviews, variation requests from stakeholders, the Consultant, sourcing and associated performance updates. The processes for managing these different types of variations are described in this document.

Document changes: Changes to the CMP are made by the Contract Manager and recorded in the Contract Variation Document Register (Table 8). This document should be modified to reflect particular contract arrangements and may include such matters as, pricings review and communication arrangements.

Document use: This document does not replace the contract. It is the primary reference document in the routine management of Services provided by XXX to CIT. This reflects the organisation's desire to build a meaningful relationship with XXX and to ensure the contract provides the value envisaged by both parties at the start of the contractual relationship.

Appendix A – roles and RESPONSIBILITIES

		Responsible	Accountable	Informed
Contract management	Own contract throughout life	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Monitor and measure progress against Statements of Work	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Monitor and manage Consultant performance	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Monitor delivery of scope of Services	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Manage contractual and escalated operational issues	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Identify and manage risk	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
Contract administration	Communicate contract changes	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Manage contract variations, extensions and terminations	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Monitor contract insurances	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	
	Records management	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	
	Manage activities for contract completion	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO

		Responsible	Accountable	Informed
	Manage invoicing disputes	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
Operational delivery	Payment of invoices	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
Contract Management Plan (CMP)	Prepares CMP	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Reviews and approves CMP	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
	Communicates CMP	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO
Communication	Train/communicate with stakeholders about contract and CMP	CIT Contract Manager	Executive Director– Industry Engagement & Strategic Relations	CIT CEO

MINUTES
9/2018-19
Government Procurement Board Meeting

8:00-9:30am 11 September 2018
Ground Floor Boardroom, Nature Conservation House, Belconnen

Attendees:

Meredith Whitten (MW) (Chair), Damon Hall, Dominic Lane, Richard Bear, Glenn Bain (GB) (ex-officio), Kylie Bailey (Secretariat)

In attendance: Virginia Shaw (Observer)

1. **Apologies**
   Fleur Flanery, Roger Broughton, Louise Gilding

2. **Conflict of Interest**
   No conflict of interests were declared.

3. **Procurement Plans**

   Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT (Open Tender – Procurement Review)

   Invited proponents:

   - Leanne Cover: Chief Executive Officer, Canberra Institute of Technology (CIT)
   - Paul Ryan: Executive Director, Industry Engagement Strategic Relations, CIT
   - Dom Kraljevic: Senior Manager (SAS A – EDD, EPSDD, CMTEDD), Goods and Services Procurement, Procurement ACT, CMTEDD
   - Ilze Kemp: Procurement and Contract Manager, CIT.

   The Board thanked the proponents for their proposal, and for their explanation of the need to procure these services. The Board:

   - **Noted** that through this procurement, CIT are looking for a business partner. CIT have undertaken market testing around a more procedural approach and used that input model as the basis for costing this procurement.
   - **Noted** CIT have been working closely with unions.
   - **Suggest** the proponents consider summarising the required service outcomes, ensuring there are clear KPIs, to measure the consultant's performance at the end of the engagement. Examples provide included staff engagement and capability uplift.
   - **Suggest** the proponents simplify the statement of requirements with plain language and KPIs are measurable and achievable early in the engagement.
   - **Noted** the timeframes outlined to go to market and for evaluation were tight.
   - **Suggest** an external member be included on the evaluation team (GB can assist CIT regarding the panel composition).

- **Suggest** the proponents consider including a sub-criteria under Criterion 4 ('Qualifications, Organisational Structure and Suitability of Specified Personnel') concerning the availability and time commitment of nominated personnel.

Noting the suggestions and considerations outlined above, the Board **supports** the proposal to conduct an open market tender process to identify an organisation to provide organisational transformation strategic guidance and mentoring services to guide CIT over the next two years. The Board asked the proponents to provide an update during 2019 to share feedback on KPIs and how the market and staff responded.

4.

5.

6.

Out of scope

ACTIONS:

1.

2.

3.

4.

5.

6.

Out of scope

From: "Bailey, Kylie" <Kylie.Bailey@act.gov.au>
Sent: 12/09/2018 1:24 PM
To: "Kemp, Ilze" <ilze.Kemp@cit.edu.au>;"Cover, Leanne" <Leanne.Cover@cit.edu.au>;"Ryan, Paul" <Paul.Ryan@cit.edu.au>
Cc: "Kraljevic, Dom" <Dom.Kraljevic@act.gov.au>;"Purser, Dave" <Dave.Purser@act.gov.au>;"Government Procurement Board" <GovernmentProcurementBoard@act.gov.au>
Subject: Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT (Open Tender – Procurement Review)

On behalf of the Government Procurement Board, thank you for attending Tuesday and presenting your proposal.

The Board:

- **Noted** that through this procurement, CIT are looking for a business partner. CIT have undertaken market testing around a more procedural approach and used that input model as the basis for costing this procurement.
- **Noted** CIT have been working closely with unions.
- **Suggest** the proponents consider summarising the required service outcomes, ensuring there are clear KPIs, to measure the consultant's performance at the end of the engagement. Examples provide included staff engagement and capability uplift.
- **Suggest** the proponents simplify the statement of requirements with plain language and KPIs are measurable and achievable early in the engagement.
- **Noted** the timeframes outlined to go to market and for evaluation were tight.
- **Suggest** an external member be included on the evaluation team (GB can assist CIT regarding the panel composition).
- **Suggest** the proponents consider including a sub-criteria under Criterion 4 ('Qualifications, Organisational Structure and Suitability of Specified Personnel') concerning the availability and time commitment of nominated personnel.

Noting the suggestions and considerations outlined above, the Board **supports** the proposal to conduct an open market tender process to identify an organisation to provide organisational transformation strategic guidance and mentoring services to guide CIT over the next two years. The Board **asked** the proponents to provide an update during 2019 to share feedback on KPIs and how the market and staff responded.

If you have any queries or questions in relation to the above information, please contact the Chair, Ms Meredith Whitten.

Kind regards
Kylie

Kylie Bailey | Manager, Project Governance
Phone: (02) 6205 4570 M: Sch 2.2(a)(ii)
Procurement ACT | Chief Minister, Treasury and Economic Development Directorate | ACT Government
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

Canberra Institute of Technology (CIT)
Procurement Plan Minute

PROCUREMENT AND CONTRACT OVERVIEW	
To	Leanne Cover Chief Executive Officer Canberra Institute of Technology
Purpose	This minute seeks your agreement to conduct an open market tender process to identify an organisation to provide organisational transformation strategic guidance and mentoring services (Services) to guide the Canberra Institute of Technology (CIT) in its transformation.
Project Name	Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT 2020 to 2021
Project Number	GS0002147.110
Annual Procurement Plan	No
Was the procurement acknowledged via an Advanced Tender Notice?	Yes
Procurement Method	Public Tender
Contract Type	Consultancy
Estimated Contract Term	Initial: 20 months. Optional Extensions: None **Total Estimated Contract Term: 20 months.**
Estimated Contract Value	Initial Value: $1,375,000.00 (including GST) Optional Extensions: NIL **Total Estimated Contract Value: $1,375,000.00 (including GST)**

Schedule

The RFx will be conducted in accordance with the following estimated timeframes:

Activity	Date
GPB (1pass)	21/01/2020
Procurement Plan approved by CIT CEO	February 2020
RFx Issue Date	February 2020
RFx Closing Time and Date	March 2020
Evaluation Complete	March/April 2020
Evaluation Report	April 2020
Contract Execution	May 2020
Debrief	May 2020

The timeframes outlined above are estimates only and may change after this Plan is signed by the Delegate.

Government Procurement Board (GPB)

Is Government Procurement Board endorsement required?

- ☒ Yes ☐ No

GPB sign off is required as the project is from a non-administrative agency (CIT) and valued above $1,000,000.00 but less than $5,000,000.00.

ACT Government Solicitor (ACTGS)

Is ACT Government Solicitor (ACTGS) consultation required?

☐ Yes ☒ No

ACTGS advice will be sought as required.

Background

Procurement

In September 2018 CIT conducted an open tender process with a budget of $1,200,00.00 (GST incl.) which was submitted to the Government Procurement Board (GPB).

Contract 2018.310013.220 with Redrouge Nominees Pty Ltd was executed on the 9th of November 2018 for a value of

	$825,000 and term of 1 year with an option to extend for 1 year. In October 2019 the contract it was varied, extending the contract to the 30th of April 2020 and amending the price to $1,220,000.00. ***Project*** The environment in which all large public institutions operate continues to evolve at a rapid pace. CIT's Board and CEO are committed to CIT being a learning and growing organisation and acknowledge that cultural change and organisational transformation requires long term investment rather than instant-fix organisational transformation. Key to CIT's transformation is a deeper knowledge and understanding of contemporary organisational transformation within CIT and how this is linked to the broader ecosystems in which CIT operates. Vocational Education and Training (VET) and CIT have a rich history and CIT is an incredibly complex social system. Long term organisational transformation at CIT requires an approach that reflects CITs specific context. It is important to recognize that many of CIT staff, as adult trainers themselves, can be sceptical of professional services in the culture and change space. The fact that staff are keen to continue to improve their knowledge and understanding of contemporary organisational transformation represents a critical success factor for the transformation itself and for the achievement of the vision established in the Strategic Compass. This procurement would enable a Consultant to continue the work CIT has conducted in recent years to co-design, co-develop and guide CIT in contemporary organisational transformation in a consistent long-term manner. This is in line with the CIT Board's directions for 2020-2021 of investing in staff to increase their understanding of new ways of working and build CIT's capacity to work in contemporary ways to meet emerging business and industry training needs. Given CIT's constraints in other areas of potential transformation (workforce planning and enterprise bargaining) this procurement represents a strategic investment with significant economic and intangible benefits.

Scope of Works	The Consultant will be required to provide ongoing guidance in the education, development and implementation of contemporary organisational transformation theory and practices relevant to CIT and the broader VET ecosystem in which CIT operates to assist CIT with the successful achievement of the *CIT Strategic Compass 2020 Evolving Together*. This will involve: • increasing CIT's knowledge of contemporary organisational transformation theory and its application; and • assisting CIT in co-designing and implementing tailored contemporary organisational transformation theory informed practice. For further information please refer to **Attachment A – Statement of Requirements.**
Consultation (including Pre-Tender)	Relevant CIT Officers have been consulted in the development of this documentation. An Advanced Tender Notice will be advertised on TendersACT.
Funding Type	Opex
Funding Source	The CIT has allocated funding of up to $1,375,000.00 (GST inclusive) for this procurement activity within the Evolving Together budget.
Commonwealth Funding	**Is there Commonwealth funding attached to this procurement?** ☐ Yes ☒ No

Procurement Policies and Practices **Secure Local Jobs**	**Does Secure Local Jobs apply to this procurement?** ☐ Yes ☒ No The Consultancy Services required for this project fall under an excluded Category, Division M- Professional, Scientific and Technical Services.
Local Industry Participation Policy (LIPP)	**Does LIPP apply to this procurement?** ☒ Yes ☐ No If Yes, select the applicable category that applies: ☒ Economic Contribution Test (ECT) ☐ Local Industry Participation Plan (Local IP Plan)
Sustainable Procurement	Not Applicable. An assessment of the project was undertaken, and it was determined that there were no immediate sustainability risks or opportunities associated with this project.
Social Procurement	Not Applicable. An assessment of the project was undertaken, and it was determined that due to the specialist nature of the Services provided, social procurement opportunities would not be possible as part of this project.
Aboriginal and Torres Strait Islander Procurement	**Are there opportunities for Aboriginal and Torres Strait Islander enterprise(s) to potentially be able to meet the requirement?** ☒ Yes ☐ No However, an assessment of the project was undertaken, and it was determined that due to the specialist nature of the Services provided, indigenous procurement opportunities would not be possible as part of this project.
Risk Management Plan	The Risk Management Plan (inclusive of the Procurement Risk Assessment and Procurement Risk Treatment Action Plan) is provided at **Attachment 2** of this Plan. The Risk Rating associated with this procurement is: **Medium**

Evaluation Plan	The Evaluation Plan (inclusive of evaluation methodology, evaluation criteria, weightings and LIPP) is provided at **Attachment 3** to this Plan. The Evaluation Plan (EP) has been developed to ensure that the tenderers are capable of providing the requested Services in a manner that represents Value for Money to CIT.
Contract Manager	The contract will be managed by the Procurement and Contracts Manager within the CIT Corporate Unit.
Contract Management Plan	The Contract Management Plan is provided at **Attachment 4** of this Plan.
Free Trade Agreement Obligations	**Is this a covered procurement?** ☒ Yes ☐ No
Exemption	**Is an Exemption applicable to this procurement?** ☐ Yes ☒ No

PROCUREMENT ACT RECOMMENDATION

PROCUREMENT ACT HAS BEEN CONSULTED AND HAS PROVIDED ADVICE THAT THE PPM IS CONSISTENT/NOT CONSISTENT WITH THE TERRITORY PROCUREMENT FRAMEWORK (FRAMEWORK), INCLUSIVE OF THE *GOVERNMENT PROCUREMENT ACT 2001, GOVERNMENT PROCUREMENT REGULATION 2007* AND OTHER RELEVANT LEGISLATION AND TERRITORY POLICIES	
Name	Dave Purser
Position	Executive Branch Manager, Procurement ACT
Signature	Please refer to attached email, confirming endorsement.
Date	17/02/2020
Comments- Matters that may have an impact upon procurement outcomes or departures from advice provided by Procurement ACT	

DIRECTORATE ENDORSEMENT

DIRECTORATE: ENDORSED / NOT ENDORSED	
Name	Andrew Whale
Position	Executive Director – Corporate Services
Signature	Sch 2.2(a)(ii)
Date	18 February 2020
Comments	

DIRECTOR GENERAL / DELEGATE APPROVAL

DIRECTOR GENERAL / DELEGATE: APPROVED / NOT APPROVED	
Name	Leanne Cover
Position	Chief Executive Officer
Signature	Sch 2.2(a)(ii)
Date	18 February 2020
Statement	The Procurement Plan and **Attachment 1** – Statement of Requirement, **Attachment 2** – Risk Management Plan, **Attachment 3** – Evaluation Plan and **Attachment 4** - Contract Management Plan are approved.
Comments	

ATTACHMENTS:

Attachment 1 – Statement of Requirement

Attachment 2 – Risk Management Plan

Attachment 3 – Evaluation Plan

Attachment 4 – Draft Contract Management Plan

AUSTRALIAN FREE TRADE AGREEMENTS (FTAs)	
Does the AUSFTA / Australia-Chile FTA apply?	Yes, the FTAs do apply as the value of this procurement is over the AUSFTA threshold for Goods and Services. The procurement will be advertised for a minimum of 25 days.
AUSTRALIAN GOVERNMENT FUNDING	
Is there Australian Government funding attached to this procurement?	No, there is no Australian Government Funding attached to this procurement.

EXEMPTIONS	
Exemption	N/A
Reason for Exemption	N/A

PROCUREMENT ACT RECOMMENDATION			
Procurement Officer	Matthew Hart	**Signature & Date**	Sch 2.2(a)(ii) /18
Senior Manager	Dom Kraljevic	**Signature & Date**	/18
Director	Dave Purser	**Signature & Date**	.9.18

CIT ENDORSEMENT			
Name	Paul Ryan	**Phone Number**	6207 4955
Position	Executive Director – Industry Engagement and Strategic Relations		
Signature	Sch 2.2(a)(ii)	**Date**	14/09/2018

CHIEF EXECUTIVE OFFICER'S APPROVAL			
Name	Leanne Cover		
Position	Chief Executive Officer		
Statement	The Procurement Plan and attachments are approved.		
Signature	Sch 2.2(a)(ii)	**Date**	14/09/2018

REQUEST FOR TENDER No. ACT31001.110

Canberra Institute of Technology

RTO Code: 0101 | CRICOS No: 00001K

TENDER EVALUATION REPORT

Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT

ON BEHALF OF THE

Canberra Institute of Technology

19 October 2018

TABLE OF CONTENTS

ATTACHMENTS

1. PURPOSE

This Tender Evaluation Report (TER) sets out the processes and outcomes of the evaluation for Request for Tender (RFT) number ACT31001.110 to engage a Consultant that will provide Organisational Transformation Strategic Guidance and Mentoring Services to the Canberra Institute of Technology (CIT).

This TER seeks approval for the engagement of ***Redrouge Nominees Pty Ltd*** to undertake the Project.

2. PROJECT BACKGROUND

CIT has conducted an open market tender process to identify a highly skilled and experienced professional organisation to provide strategic guidance and mentoring to CIT staff and increase their knowledge of contemporary organisational transformation theory, concepts and its practical application as they relate to dynamic organisational systems and the broader industry and community ecosystems to which they belong (the Services).

This work is part of the Evolving Together Project and the transformation of the CIT business over 2018-2020. To continue to position CIT for a sustainable future where it is able to respond effectively to customer needs and the competitive and rapidly changing circumstances that exist in the Vocational Education and Training (VET) and higher education market, CIT is intensifying its focus on the delivery of the *CIT Strategic Compass 2020 Evolving Together* (SC2020) commitments. This requires investment in staff to adapt to meet the needs of our fast paced future and to attract and retain talented people for an energetic, innovative workplace so that CIT's capacity to meet its commitments under SC2020 is enhanced significantly by 2020.

The RFT stated that the contract would be for a maximum period of two years with an initial period of one year and provision for one extension of one year. There were no addendums issued, however four questions were answered through the Online Forum of the Tenders ACT website.

For additional background see the endorsed Procurement Plan (Attachment A).

3. PROJECT DETAILS

Program

The following timetable applies to the Project.

No	Tasks	Date
1.	RFT advertised	14 / 09 /2018
2.	Tenders closed	09 / 10 /2018
3.	Delegate approval	19 / 10 /2018
4.	Award contract	By 01 / 11 /2018

Funding

Funding has been identified in the CIT Evolving Together budget.

4. Probity, Disclosure Of Conflicts Of Interest & Confidentiality

All members of the Tender Evaluation Team (TET) were asked to disclose any conflict of interest or association they might have with the Tenderers for the Project. No TET member has disclosed that he or she has a conflict of interest or association with any of the Tenderers.

No conflicts of interest were raised.

All documents and proceedings of the TET have been treated as confidential.

5. Probity Auditor/Advisor or Specialist Advisors

A Probity Auditor/Advisor was not engaged to provide advice on this procurement process.

6. Tenders Received

The following Tenders were received:

Sch 2.2(a)(xii)

These were registered in the Goods and Services and CIT Electronic Document and Records Management Systems.

7. Evaluation

Tenders were evaluated in accordance with the endorsed Procurement Plan Suite (refer to Attachment A – Procurement Plan (Attachment C Tender Evaluation Plan)) including applicable procurement guidelines and the approved evaluation methodology/ assessment criteria.

Assessment Criteria

	WEIGHTED CRITERIA	Weighting
1.	**Experience, Capability and Capacity** Tenderers must provide information demonstrating their past performance and experience in the provision of similar Services. a) name of organisation for whom the Services were provided; b) when the Services were provided as well as the period over which the Services were provided; and c) an outline of the outcomes achieved.	**25%**
2.	**Understanding of the CIT Strategic Compass 2020 and ability to develop high quality Services relevant to CIT** Tenderers are required to provide information demonstrating their understanding of CITs Strategic Compass 2020 – Evolving Together and any Vocational Education and Training (VET) or Institute specific legislation and policies that may be incorporated in the provision of the Services detailed in **Attachment 2 - Statement of Requirements**.	**25%**
3.	**Methodology & Commitment** Tenderers are required to provide a program approach demonstrating how the Services detailed in **Attachment 2 - Statement of Requirements** will be delivered including: a) an outline of the tenderers commitment to CIT; b) how tenderers will work with CIT in partnership over the Term of any ensuing agreement to develop the organisation; and c) initial achievements the tenderer would work towards to show early successes.	**20%**
4.	**Qualifications, Organisational Structure and Suitability of Specified Personnel** Tenderers are required to provide details of : a) their organisational structure and location of operations; b) any professional bodies to which the Tenderer and specified personnel are accountable to; c) the skills and experience of specified personnel including at a minimum, a Curriculum Vitae (CV) with the following evidence: i) name; ii) position/level; iii) specific area/s of subject matter expertise; iv) qualifications including certificates/registration;	**20%**

v) number of years' experience; and vi) brief description of key projects undertaken/completed. d) The availability and time commitment of their nominated personnel.	
5. Local Industry Participation Policy To ensure compliance with the Territory's Local Industry Participation Policy (LIPP), the Territory will collect information on the local capability the broader economic benefits for the geographical area comprising the Australian Capital Territory and NSW Member Councils including Bega Valley, Eurobodalla, Goulburn-Mulwaree, Queanbeyan-Palerang, Snowy Monaro, Upper Lachlan and Yass Valley (**Canberra Region**). **NOTE:** The Tenderer does not need to be based in the Canberra Region to be providing an economic contribution. The Tenderer must complete and submit an Economic Contribution Test (ECT). The ECT requires a Tenderer to provide information on how both its tender and business contribute to the economic benefit of the Canberra Region by addressing the following considerations: a) details of current business presence in the Canberra Region, including relevant capital investment history and/or new commitments; b) how the Tenderer will identify and utilise products and capabilities provided by local businesses; c) the estimated labour costs that will be incurred within the Canberra Region, compared against the total labour costs associated with this tender; d) additional undertakings by the Tenderer to benefit the Canberra Region economy; and e) approach to workforce skilling and utilisation of local skills (e.g. through supply chain or local subcontractors).	**10%**
NON-WEIGHTED CRITERION	
Price Tenderers are required to complete **Schedule 2 Attachment 3 - Returnable Pricing Schedule**. All pricing breakdown categories within the Schedule should be populated. The Tenderer must provide a fixed fee for the 12 month contract period and a fixed fee for the optional 12 month extension. Prices are to be in Australian Dollars and GST inclusive.	

Evaluation

Step 1 - Conformity of Tenders/Compliance

Goods and Services Procurement undertook a conformity/compliance check on all lodged submissions.

No tenders were found to be non-conforming.

Step 2 – Technical Assessment (Weighted Criteria)

The TET undertook the technical assessment of tenders on 17 October 2018.

TET members initially assessed each tender as an individual, assigning each criterion a score from 1 to 10 (as per the rating scale stated in the approved evaluation plan). The TET then met to agree upon a consensus score for each criterion. During the discussions risks were discussed and the scores amended to reflect the discussions.

A summary of the technical assessment findings for each of the tenders is outlined below:

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

[redacted]

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

[redacted]

Sch 2.2(a)(ii), Sch 2.2(a)(xi)

[redacted]

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

[redacted]

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

A summary of each tender submission's assessment criteria scores and the total technical score, are outlined in Table 1 below.

Table 1 – Technical Scores

Criteria / Tenderers	Criterion 1		Criterion 2		Criterion 3		Criterion 4		Criterion 5		Total Weighted Score
	Score out of 10	Weighted Score	Score out of 10	Weighted Score	Score out of 10	Weighted Score	Score out of 10	Weighted Score	Score out of 10	Weighted Score	
Sch 2.2(a)(xii), Sch 2.2(a)(xi)	6	25	3	25	5	20	6	20	5	10	495.0
	4	25	4	25	6	20	4	20	5	10	450.0
	5	25	4	25	5	20	6	20	6	10	505.0
	5	25	6	25	6	20	5	20	5	10	545.0
	4	25	3	25	3	20	4	20	4	10	355.0
	6	25	6	25	6	20	4	20	3	10	530.0
	6	25	6	25	4	20	4	20	3	10	490.0
	3	25	3	25	3	20	3	20	5	10	320.0
	7	25	9	25	9	20	7	20	3	10	750.0
	3	25	3	25	3	20	3	20	4	10	310.0
	4	25	4	25	4	20	5	20	6	10	440.0
	4	25	7	25	5	20	6	20	6	10	555.0

Detailed information relating to the assessment of each tender is provided in Attachment C - Technical Assessment Worksheets and Evaluation Scores.

Step 3 - Pricing Analysis

The TET undertook a pricing analysis of the financial offers submitted by all Tenderers to assist in determining any risks associated with the offers and to provide a rating. The pricing analysis was inclusive of the total offer and the cost of the individual tasks, personnel involved, disbursements and assumptions. The analysis is outlined in Table 2 below.

The pricing for each tender is provided at Attachment D.

Step 4 - Risk Assessment

The TET undertook a risk assessment of all Tenderers to identify risks associated with the tenders and if required, any mitigating actions for the preferred tenderer, that can be applied to the Service to render the bid to an acceptable/low risk. Details of identified risks can be found below in Table 3.

Table 3 – Identified risks

Tenderer	Key Assessment Risks	Mitigation Measures	Risk Rating High/Medium /Low
Sch 2.2(a)(xii), Sch 2.2(a)(xi)	• No key risks identified	N/A	Low
	• Subcontracting elements of the services	N/A	Medium
	• No key risks identified (unsubstantiated case studies)	N/A	Medium
	• Outdated examples • No evidence of recent, similar projects	N/A	Medium
	• Deviation from requested format • Lack of local capacity	N/A	High
	• Nominated personnel not fully dedicated • High potential for lack of continuity in personnel	N/A	Medium
	• Personnel not allocated • Lack of capacity to immediately commence services	N/A	High
	• Failed to address full SOR • Consortium risk • Lack of governance/ structure	N/A	High
	• Single resource • No Canberra based presence • Contractual risk	To be managed via contract negotiations	Low
	• Lack of transformation capability	N/A	High
	• Use of unacceptable service tools (Survey Monkey) • Minimal local capacity	N/A	Medium
	• Questionable organizational structure	N/A	Medium

Step 6 - Value for Money Outcome

Following completion of the group scoring phase, the TET met to collectively discuss the outcomes of the evaluation (technical score, price and risk) and determine the preferred Tenderer. This assessment found that the Tenderer with an acceptable risk, price and high technical score as detailed in Table 4 below will provide a Value for Money outcome for this Service.

Table 4 – Value for Money

Tenderer	Total Weighted Score	Risk Rating	VFM Ranking
Sch 2.2(a)(xii), Sch 2.2(a)(xi)	495	Low	6
	450	Medium	7
	505	Medium	5
	545	Medium	3
	355	High	10
	530	Medium	3
	490	High	9
	320	High	11
	750	Low	1
	310	High	12
	440	Medium	8
	555	Medium	2

8. Workplace Gender Equality Act 2012 (Cth)

The TET confirms that the preferred Tenderer is not listed on the following website: http://www.wgea.gov.au/

9. Debriefing Of Unsuccessful Tenderers

On the successful completion of contract negotiations with a preferred Tenderer and the execution of a contract, letters will be sent to all unsuccessful Tenderers and will include:

- appreciation for submitting an offer;
- regret that they were unsuccessful on this occasion;
- advice of public notification on the ACT Government Contracts Register which is available from the Tenders ACT website, Contracts Register;
- an offer to debrief; and
- the encouragement to submit offers in the future.

10. Recommendation

The TET recommends the acceptance of the tender submitted by ***Redrouge Nominees Pty Ltd*** at a total cost of $1,287,500 (GST is included) as this tender response represents the best value for money.

Sch 2.2(a)(ii)

Paul Ryan	**Paula McKenry**	**Al McLean**
Chairperso	Member	Member
19/10/2018	19/10/2018	26/10/2018

11. Delegate Approval

11.1. Recommendation

The TET recommendation is **Approved** and the TET is authorised to:

- arrange for a contract to be prepared between CIT and the preferred Tenderer; and
- provide a debriefing to unsuccessful Tenderers.

Sch 2.2(a)(ii)

Signature: _____ Date: 26/10/18.

Name: Leanne Cover Position: Chief Executive Officer

11.2. Contract Execution Request

I have the properly delegated authority with regard to the above approved procurement expenditure to authorise an officer of Goods and Services Procurement, to **sign**, as may be required to effect the delivery of the Project, the following documents:

		Applicable	Not Applicable
1.	Letter of Acceptance / Intent	☑	☐
2.	Related documents	☑	☐

Signature: Sch 2.2(a)(ii) Date: 2/11/18.

Name: Leanne Cover Position: Chief Executive Officer

12. Chief Executive Officer Approval For Confidential Text

As part of the tender process, Redrouge Nominees Pty Ltd has requested under section 34(1)(a)& (b) of the Government Procurement Act 2001 (GPA) that selected contents of their tender including Specified personnel, Pricing components and names of previous clients and the nature of work undertaken with them to be kept confidential.

In accordance with section 35(1) of the GPA, the responsible Territory entity must not agree to any part of the contract being confidential text, unless satisfied that –

(a) the disclosure of the text would –

- *(i) be an unreasonable disclosure of personal information about a person; or*
- *(ii) disclose a trade secret; or*
- *(iii) disclose information (other than a trade secret) having a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed; or*
- *(iv) be an unreasonable disclosure of information about the business affairs of a person;*
- *(v) disclose information that may put public safety or the security of the Territory at risk; or*
- *(vi) disclose information prescribed by regulation for this section; or*

(b) a requirement imposed under law requires a party to the contract to keep the text confidential

then the Confidentiality request may be granted.

Goods and Services Procurement is satisfied that the exemption is allowable in accordance with the provisions of the legislation. Therefore, it is recommended that you agree to the request from the Consultant to omit from the public text of the proposed contract the specified personnel and pricing components as contained in their tender response, and treat this as confidential text in accordance with section 35 of the GPA.

* NOTE: The confidential text version of the contract will include all information pertaining to the Agreement.

Signature: Sch 2.2(a)(ii) Date: 9/11/18.

Name: Leanne Cover Position: Chief Executive Officer

MINUTES
#24/2019-20
Government Procurement Board Meeting
8:00-10:00am Tuesday 21 January 2020

Ground Floor Boardroom, Nature Conservation House, Belconnen

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1. **Attendees:**

   Bettina Konti (Acting Chair), Damon Hall, Susan Hall, Suzy Nethercott-Watson, Virginia Shaw, Glenn Bain (Ex-Officio), Charlotte Smith (Secretariat)

2. **Apologies**

   Louise Gilding

3. **Declarations of Interest**

   Mr Damon Hall declared that he is an officer of Major Projects Canberra which has some involved with agenda items 4.1 and 5.1. Mr Hall has no direct involvement with these projects; however, noted that he is involved in the new CIT Campus project which is mentioned as part of the documentation for agenda item 4.2.

4. **Procurement Plans**

Out of scope

Out of scope

4.2 Organisational Transformation Strategic Guidance and Mentoring Services for CIT (9.15am)

Attendees:

- Leanne Cover, Chief Executive, Canberra Institute of Technology (CIT)
- Ilze Kemp, Procurement, Contracts and Records Manager, Corporate Services, CIT
- Dom Kraljevic, Senior Director, Procurement ACT, Chief Minister, Treasury and Economic Development Directorate

The Board thanked the attendees for the papers and overview provided.

The Board noted a similar item was provided to the Board on 11 September 2018 for consideration. The Board's comments from that meeting are below.

The Board thanked the proponents for their proposal, and for their explanation of the need to procure these services. The Board:

- **Noted** that through this procurement, CIT are looking for a business partner. CIT have undertaken market testing around a more procedural approach and used that input model as the basis for costing this procurement.
- **Noted** CIT have been working closely with unions.
- **Suggest** the proponents consider summarising the required service outcomes, ensuring there are clear KPIs, to measure the consultant's performance at the end of the engagement. Examples provide included staff engagement and capability uplift.
- **Suggest** the proponents simplify the statement of requirements with plain language and KPIs are measurable and achievable early in the engagement.
- **Noted** the timeframes outlined to go to market and for evaluation were tight.
- **Suggest** an external member be included on the evaluation team (GB can assist CIT regarding the panel composition).
- **Suggest** the proponents consider including a sub-criteria under Criterion 4 ('Qualifications, Organisational Structure and Suitability of Specified Personnel') concerning the availability and time commitment of nominated personnel.

Noting the suggestions and considerations outlined above, the Board **supports** the proposal to conduct an open market tender process to identify an organisation to provide organisational transformation strategic guidance and mentoring services to guide CIT over

the next two years. The Board asked the proponents to provide an update during 2019 to share feedback on KPIs and how the market and staff responded.

The Board noted that proponents did not provide an update during 2019 to share their feedback on KPIs and how the market and staff responded.

The Board:

- **Noted** the procurement will be undertaken by an open tender to market.
- **Noted** the timeframes outlined to go to market and for evaluation were tight.
- **Suggested** the documentation is revised to clearly articulate the role of the contractor, the work to be undertaken, and what outcomes and deliverables are expected (including around cultural and systemic change). This will assist CIT in evaluating responses to the Tender.
- **Suggested** the documentation is revised to clearly articulate how any additional services to those listed in the contract will be entered and how the rates for these services will be negotiated.
- **Suggested** the documentation is more prescriptive in sections to provide clarification about the procurement to those responding to the tender.
- **Suggested** the risk plan is updated to be tailored for this procurement.
- **Noted** the KPIs have been developed from CIT's experiences and the Board **suggested** these are reviewed to ensure they are measurable.
- **Noted** the length of the contract and extension is due to the timing of the current contract ending.
- **Noted** the current contract is not mentioned in the documentation provided. **ACTION:** The Board **requests** an update on the performance of the current contractor against the current contract and if outcomes have been achieved.
- **Suggested** CIT undertake an industry briefing once the tender has been released.

Out of scope

5.

Out of scope

6. Minutes

Minutes from the previous meeting were circulated and endorsed out of session.

7. Action Items Outstanding

Date of Meeting	Action Item	Allocated To	Status

Out of scope

Date of Meeting	Action Item	Allocated To	Status

Out of scope

ACT Government

Procurement ACT

ACTGOV GS002147.110 - RFx Evaluation Report

Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT 2020 to 2021

Contents

1. Executive Summary

1.1. Introduction

1.1.1. This Evaluation Report is for the Request for Tender (RFT) – GS002147.110 – Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT 2020 to 2021, and describes the evaluation process that was undertaken in accordance with the RFT and the approved Evaluation Plan.

1.1.2. This Evaluation Report also details the outcomes of the Value for Money assessment and provides recommendations to the Delegate for the overall evaluation outcome.

1.2. Background

1.2.1. The environment in which all large public institutions operate continues to change at a rapid pace. A variety of factors including economic, social, environmental and technological, are impacting CIT simultaneously. These factors are reshaping expectations, changing the nature of how work is conducted and posing challenges and opportunities for not only CIT but for its students, industry, employers, government and the broader community.

1.2.2. To position CIT for a viable and sustainable future it must shift its employee culture towards a direction that enables CIT staff to meet the emerging training needs of its customers. This direction is one that values increased staff responsiveness and flexibility, and less reliance upon external stakeholder support. This direction recognises that CIT is not an isolated entity, but rather a vital member of the broader Canberra ecosystem. CIT's Board and the Chief Executive Officer (CEO) strongly support this direction.

1.2.3. To deliver on the Boards desired directional shift in CITs ability to adapt and evolve with the ACT ecosystem CIT recognises the need for a contemporary approach to organisational transformation.

1.2.4. The most important aspect of CIT's evolution is CIT's ability to fully realise all of the potential benefits through investing in our people as part of a learning and growth organisation and building on the platform for evolution that has commenced through the elements of the Strategic Compass.

1.2.5. GS002147.110 – Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT 2020 to 2021 was developed utilising the Procurement ACT suite of tendering documents with the assistance of Procurement ACT.

1.2.6. In accordance with the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*, the RFT was issued by the Territory as a Public Tender via Tenders ACT on 26 February 2020 and closed at 2:00pm (ACT Local Time) on 24 March 2020.

1.2.7. Two addenda were issued providing answers to questions of clarification in relation to the RFT and amend the Response Schedule which included a duplicate table.

1.2.8. All Tender responses were lodged using the Tenders ACT electronic distribution functionality, which allows potential Suppliers to submit Tender responses to a secure electronic Tender Box via the Tenders ACT website.

2. Tender Evaluation Team Membership

2.1. Evaluation Team

The Evaluation Team comprised the following members:

ROLE	NAME
Evaluation Team Chair	Andrew Whale
Member	Cheryl Steff
Member	Fiona Mitchell

Original team member Paula McKay was replaced by Cheryl Steff in early March 2020. The external team member Al McLean was replaced after the tender closed due to his inability to assist due to the additional work pressures the Covid-19 pandemic had placed on his role. Given the impact Covid 19 was having on Executives and Senior Managers across the ACTPS it was agreed that under these extraordinary circumstances CIT would replace Al McLean on the Evaluation team with Fiona Mitchell Director of the Business and Leadership college at CIT.

2.2. Technical / Specialist Advisors

The Evaluation Team was supported throughout the evaluation by the following Technical and/or Specialist Advisors, who were called upon on an 'as-required' basis:

TECHNICAL / SPECIALIST ADVISORS	
Advisor	Ilze Kemp Senior Manager CIT Procurement, Contracts & Records Management

2.3. Probity, Disclosure of Conflicts of Interest and Confidentiality

2.3.1. All members of the Evaluation Team were asked to disclose any conflict of interest or association they might have with the Tenderers that have submitted Tender responses.

2.3.2. Cheryl Steff disclosed a conflict of interest with Sch 2.2(a)(xii) to the chair of the Evaluation Team on 30 March 2020. Cheryl has an ongoing friendship with one of the staff members, however has not had any contact with them since before being appointed to the evaluation team. The Chair asked that Cheryl not read the submission from Sch 2.2(a)(xii) and decided that only the Chair and Fiona Mitchell will score the response.

2.3.3. No other Evaluation Team member has disclosed that he or she has a conflict of interest or association with any of the Tenderers.

2.3.4. All documents and proceedings of the Evaluation Team have been treated as confidential.

3. Evaluation Overview

3.1.1. The evaluation was conducted in accordance with the guidelines and methodology detailed in the approved Evaluation Plan refer to **Schedule 1 – Approved Evaluation Plan**.

3.1.2. The evaluation was based upon the requirements published in the RFT and the Assessment Criteria set out in the approved Evaluation Plan. The evaluation approach utilised a weighted scoring system supported by qualitative judgement.

4. Assessment Criteria

4.1. Threshold Assessment Criteria

There were no Threshold Assessment Criteria.

4.2. Weighted Assessment Criteria

Tender responses were assessed against the following Weighted Assessment Criteria:

NO.	WEIGHTED ASSESSMENT CRITERIA	WEIGHTING
WC 1	**Experience, Capability and Capacity** Tenderers must provide information demonstrating their past performance and experience in the provision of similar Services. Tenderers must provide the: a) name of the organisation for whom the Services were provided; b) when the Services were provided as well as the period over which the Services were provided; and c) an outline of the outcomes achieved.	25%
WC 2	**Understanding of the CIT Strategic Compass 2020 and ability to develop high quality Services relevant to CIT** Tenderers are required to provide information demonstrating their understanding of CITs Strategic Compass 2020 - Evolving Together and any VET or CIT specific legislation and policies that may be incorporated in the provision of the Services detailed in the **Statement of Requirements.**	25%

NO.	WEIGHTED ASSESSMENT CRITERIA	WEIGHTING
WC 3	**Methodology** Tenderers are required to provide a program approach demonstrating how the Services will be delivered within the timeframes set out in the **Statement of Requirements.**	20%
WC 4	**Qualifications, Organisational Structure and Suitability of Specified Personnel** Tenderers are to provide details of: a) their organisational structure and location of operations; b) any professional bodies to which the Tenderer and specified personnel are accountable to; c) the skills and experience of specified personnel including at a minimum, a Curriculum Vitae (CV) with the following evidence: i) name; ii) position/level; iii) specific area/s of subject matter expertise; iv) qualifications including certificates/registration; v) number of years' experience; and vi) brief description of key projects undertaken/completed.	20%
WC 5	**Local Industry Participation Policy** CIT will assess the extent to which the Tenderer has demonstrated that it will ensure capable local businesses are given full, fair and reasonable opportunity to participate in the provision of the Services during the term of the proposed contract.	10%

4.3. Non-Weighted Assessment Criteria

Tender responses were assessed against the following Non-Weighted Assessment Criteria:

NO.	NON-WEIGHTED ASSESSMENT CRITERIA
NWC 1	**Price** Tenderers are required to complete the Pricing Schedule. All pricing breakdown categories within the Schedule should be populated. The Tenderer must provide a fixed fee for the twenty (20) month contract period. Prices are to be in Australian Dollars and GST inclusive.
NWC 2	**Referee Reports** The Tenderers are to provide contact details of three referees, including: a) Name; b) Organisation; c) Address; d) telephone number; and e) email address; that are able to attest to the capacity of the Tenderer against the **Statement of Requirements**.

5. Stage 1: Receipt and Registration of Tender Responses

5.1. Stage 1A: Lodgement

5.1.1. Tender responses were received and registered in accordance with the approved Evaluation Plan and the Territory's electronic Tender Box protocols.

5.1.2. 12 responses were received from the following Tenderers by the Closing Time and Date and registered by the Tenders ACT team:

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

5.1.3. The response was registered in the Goods and Services Electronic Document and Record Management System (EDRMS).

5.2. Stage 1B: Late Tenders

There were two late tenders submitted from:

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

Both Tenderers contacted Tenders ACT and requested assistance to submit their Tenders before the closing date and time. Given the pandemic Tenderers were attempting to submit from home and were experiencing unexpected errors. The Evaluation Team does not believe either Tenderer had an unfair advantage by submitting a late tender and both were accepted for evaluation.

6. Stage 2: Compliance Assessment

6.1. Stage 2A: General Compliance

6.1.1. Procurement ACT undertook a conformity/compliance check on all lodged Tender responses.

6.1.2. All Tender responses were assessed as compliant with the general compliance requirements and proceeded to **Stage 3: Technical Assessment.**

6.2. Stage 2B: Threshold Assessment Criteria

There were no Threshold Criteria.

6.3. Stage 2C: Incomplete Tender Responses

All Tender responses were assessed as complete and proceeded to **Stage 3: Technical Assessment.**

6.4. Stage 2D: Redaction and Removal of Pricing Information

6.4.1. In accordance with the approved Evaluation Plan, pricing elements were redacted and removed from all Tender responses to ensure a two-stage evaluation process was conducted, whereby price does not influence evaluation of the technical assessment.

6.4.2. Pricing elements were provided to the Evaluation Team at the completion of the **Stage 3: Technical Assessment**, in preparation for the **Stage 4: Pricing Assessment**, **Stage 5: Risk Assessment** and **Stage 6: Value for Money Assessment.**

7. Stage 3: Technical Assessment

7.1. Stage 3A: Technical Evaluation

7.1.1. The Evaluation Team considered all relevant information, conducted an objective analysis and scored each evaluation criterion of the Tender responses using the Scoring Scale as detailed in the approved Evaluation Plan.

7.1.2. The Evaluation Team undertook the technical assessment of tenders in two virtual session using WebEx on the 1st and 2nd of April 2020.

7.1.3. Evaluation Team members initially assessed each Tender as an individual, assigning each criterion a score from 1 to 10 (as per the rating scale stated in the approved evaluation plan). The TET then met to agree upon a consensus score for each criterion. During the discussions, risks were considered and the scores amended to reflect the discussions.

7.1.4. A summary of the technical assessment findings for each of the tenders is outlined below:

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

[redacted]

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

[redacted]

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

[redacted]

7.1.6. A summary of each Tenderer's weighted technical scores is provided in the following table, which is ranked in descending order (order of merit):

TENDERER	WC1	WC2	WC3	WC4	WC5	TOTAL WEIGHTED TECHNICAL SCORE
Sch 2.2(a)(xii), Sch 2.2(a)(xi)	175	225	180	160	20	760
	175	175	120	120	50	640
	175	125	120	140	70	640
	125	150	120	140	60	595
	125	75	120	140	70	530
	150	100	80	100	60	490
	125	100	100	100	60	485
	100	100	60	120	60	440
	150	125	80	80	0	435
	100	75	60	100	70	405
	100	100	60	80	60	400
	75	100	40	80	60	355
	75	75	60	80	0	290
	50	0	60	60	60	230

7.1.7. A detailed summary of each Tender response, against each of the individual assessment criterion is provided at **Schedule 2 - Detailed Summary of Tender Responses.**

7.2. Stage 3B: Regional Contribution and Industrial Relations

7.2.1. The Evaluation Team considered all relevant information provided as part of the Regional Contribution and Industrial Relations assessment criterion.

7.2.2. A summary of the LIPP assessment findings for each of the tenders is outlined below:

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

[redacted]

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

7.3. Stage 3C: Interviews, Presentations, Demonstrations, Samples and Prototypes

No interviews, presentations, demonstrations, samples or prototypes were sought or required during the evaluation process.

7.4. Stage 3D: Clarifications

No Tender response clarifications were sought or required during the evaluation process.

7.5. Stage 3E: Shortlisting

Evaluation shortlisting was not specified in the published RFT as an available option after **Stage 3: Technical Assessment** and therefore did not occur.

8. Stage 4: Pricing Assessment

8.1.1. As part of the evaluation process, the Evaluation Team undertook an analysis of pricing submitted by the Tenderers as part of their Tender response.

8.1.2. The Pricing Schedule completed by Tenderers requested a breakdown of cost per the three identified tasks. Each Tender Response was given a rank as provided in the following table, which is shown in ascending order:

TENDERERS	REGULAR STRATEGIC GUIDANCE, COACHING AND MENTORING OF THE CIT CEO	REGULAR COACHING AND MENTORING OF KEY STAFF	PROVIDE BESPOKE WORKSHOPS	TOTAL FIXED FEE
Sch 2.2(a)(xii), Sch 2.2(a)(xi)				$254,260.00
				$308,000.00
				$379,360.00
				$390,720.00
				$488,400.00
				$687,500.00
				$707,800.00
				$769,169.00
				$770,811.25
				$855,580.00
				$1,013,657.70
				$1,087,900.00
				$1,705,000.00
				$2,917,200.00

8.1.3. For more information on the different pricing schedules see **Schedule 3 – Pricing Comparison**.

9. Stage 5: Risk Assessment

9.1. Stage 5A: Assessment of Risk

9.1.1. As part of the evaluation process, the Evaluation Team undertook a risk assessment of the various Tenderers to identify risks associated with a Tender response and if required, any mitigating actions that could be applied to the Services to render the bid to an acceptable/low risk.

9.1.2. A summary of risks identified for each Tenderer and the mitigations proposed is provided in the following table:

TENDERER	RISK RATING	SUMMARY OF RISKS IDENTIFIED
Sch 2.2(a)(xii)	Low risk	Sch 2.2(a)(xii), Sch 2.2(a)(xi)
	Low risk	
	Low risk	
	Low risk	
	Medium risk	
	Medium risk	
	Low risk	
	Low risk	
	Low risk	
	Low risk	
	Low risk	
	Low risk	
	Medium risk	
	Low risk	

9.2. Stage 5B: Referee Information

No references were sought or required during the evaluation process.

9.3. Stage 5C: Additional Corporate / Financial Information

No corporate and/or financial viability assessments were sought or required during the evaluation process.

9.4. Stage 5D: External Feedback Procedure

No contact was made by UnionsACT, Environmental Protection Agency or the Long Service Leave Board during the evaluation process.

10. Stage 6: Value for Money Assessment

10.1. Stage 6A: Value for Money Analysis

10.1.1. In accordance with the approved Evaluation Plan, members of the Evaluation Team were responsible for performing and determining the Value for Money assessment.

10.1.2. In conducting the Value for Money assessment, the Evaluation Team recognised that the Tender response representing the best Value for Money outcome for CIT might not necessarily be the lowest priced Tender response.

10.1.3. The Evaluation Team held a moderation workshop to discuss and consider all information gathered and documented during the evaluation process, including:

(a) whole of life costs represented in the Pricing Schedules;

(b) technical worth represented by the Weighted Technical Scores;

(c) the level of risk a Tender Response is likely to pose to CIT;

as determined during the **Stage 3: Technical Assessment**, **Stage 4: Pricing Assessment** and **Stage 5: Risk Assessment.**

10.1.4. Based on the Value for Money assessment, the Evaluation Team ranked the Responses as set out in the following table, which is ranked in descending order (order of merit):

TENDERER	TOTAL WEIGHTED TECHNICAL SCORE	PRICE RATING	RISK RATING	VFM RANKING
Sch 2.2(a)(xii)	760	13	Low	1
	640	10	Low	2
	640	7	Low	3
	595	4	Low	4
	530	14	Med	5

TENDERER	TOTAL WEIGHTED TECHNICAL SCORE	PRICE RATING	RISK RATING	VFM RANKING
Sch 2.2(a)(xii)	490	5	Low	6
	485	2	Low	7
	440	6	Med	8
	435	11	Low	9
	405	1	Med	10
	400	12	Low	11
	355	9	Low	12
	290	8	Low	13
	230	3	Low	14

10.2. Stage 6B: Best and Final Offer

Not used.

10.3. Stage 6C: Structured Negotiations

Not used.

11. Stage 7: Evaluation Report

This Evaluation Report has been prepared to:

(a) describe the evaluation process that was undertaken in accordance with the RFT and the approved Evaluation Plan;

(b) detail the outcomes of the Value for Money assessment; and

(c) provide recommendations to the Delegate based on the overall evaluation outcome for consideration and approval.

12. Stage 8: Finalise Selection of the Preferred Tenderer

12.1. Stage 8A: Selection of the Preferred Tenderer and Finalising the Contract

12.1.1. Sch 2.2(a)(xii), Sch 2.2(a)(xi)

12.1.2.

12.1.3. The Evaluation Team confirms that the preferred Tenderers are all compliant with the Workplace Gender Equity Act 2012 and are not listed on the following website: http://www.wgea.gov.au/

12.1.4. Following on from Delegate approval of this Evaluation Report, and if required undertaking Contract negotiations with the preferred Tenderer, the Evaluation Team will finalise the selection of the successful Tenderer.

12.2. Stage 8B: Notification of Unsuccessful Tenderers and Debriefing

On the successful completion of Contract negotiations with the preferred Tenderer and the execution of the Services Agreement, letters will be sent to all/the unsuccessful Tenderers and will include:

(a) appreciation for submitting a response;

(b) regret that they were unsuccessful on this occasion;

(c) advice of public notification on the ACT Government Contracts Register;

(d) an offer to debrief; and

(e) the encouragement to submit offers in the future.

13. Evaluation Team Endorsement

As members of the Evaluation Team for GS002147.110 – Provision of Organisational Transformation Strategic Guidance and Mentoring Services to CIT 2020 to 2021, we confirm that the Tender evaluation process was conducted in accordance with the RFT, the approved Evaluation Plan.

EVALUATION TEAM: ENDORSEMENT	
Evaluation Team	**Signature**
Name: Andrew Whale Title: Executive Director – Corporate Services Date: 3/4/2020	Signature Sch 2.2(a)(ii) Evaluation Team Chair
Name: Cheryl Steff Title: Senior Director - HR Date:	Signature: _____ Evaluation Team Member
Name: Fiona Mitchell Title: Director – Business & Leadership Date:	Signature: _____ Evaluation Team Member

14. Evaluation Recommendation

The Evaluation Team recommends that you approve:

(1) the selection of Redrouge Nominees Pty Ltd Sch 2.2(a)(xii) [redacted] as the successful Tenderer.

(2) the selection of the above Tenderer as representing the best Value for Money outcome for CIT; and

(3) entering into Contract with the above Tenderer for a term of 20 months, with no option of extension, pending a successful negotiated outcome.

15. Delegate Approval

The Evaluation Team recommendation is Approved / Not Approved and the Evaluation Team is authorised to:

(a) Arrange for CITs Procurement, Contract and Records Manager to prepare a Services Agreement between CIT and the preferred Tenderer, provided the outcomes of the Contract negotiations are successful;

(b) Arrange public announcement (as applicable) following Contract execution; and

(c) Provide a debriefing to unsuccessful Tenderers following Contract execution.

DELEGATE	
Name	Leanne Cover
Position	Chief Executive Officer
Signature	
Date	
Statement	This Evaluation Report is approved.
Comments	

Schedule 1. Approved Evaluation Plan

See document attached separately.

Schedule 2. Detailed Summary of Tender Responses

See document attached separately.

Schedule 3. Pricing Comparison

See document attached separately.

ACT Government

Procurement ACT
Address: GPO Box 158 Canberra ACT 2601
Phone: +61 2 6205 9797
Email: procurementact@act.gov.au

From: "Smith, Charlotte" <Charlotte.Smith@act.gov.au> on behalf of "Government Procurement Board" <GovernmentProcurementBoard@act.gov.au>
Sent: 27/01/2020 9:53 PM
To: "Cover, Leanne" <Leanne.Cover@cit.edu.au>;"Kemp, Ilze" <ilze.Kemp@cit.edu.au>;"Kraljevic, Dom" <Dom.Kraljevic@act.gov.au>;"Udvardi, Carla" <Carla.Udvardi@act.gov.au>
Cc: "Government Procurement Board" <GovernmentProcurementBoard@act.gov.au>
Subject: Government Procurement Board Advice - 21 January 2020

UNCLASSIFIED Sensitive

Good morning,

Thank you for your presentation to the Government Procurement Board (the Board) on 21 January 2020.

Please note the below from the Board:

Organisational Transformation Strategic Guidance and Mentoring Services for CIT

Attendees:

- *Leanne Cover, Chief Executive, Canberra Institute of Technology (CIT)*
- *Ilze Kemp, Procurement, Contracts and Records Manager, Corporate Services, CIT*
- *Dom Kraljevic, Senior Director, Procurement ACT, Chief Minister, Treasury and Economic Development Directorate*

The Board thanked the attendees for the papers and overview provided.

The Board noted a similar item was provided to the Board on 11 September 2018 for consideration. The Board's comments from that meeting are below.

The Board thanked the proponents for their proposal, and for their explanation of the need to procure these services. The Board:

- ***Noted** that through this procurement, CIT are looking for a business partner. CIT have undertaken market testing around a more procedural approach and used that input model as the basis for costing this procurement.*
- ***Noted** CIT have been working closely with unions.*
- ***Suggest** the proponents consider summarising the required service outcomes, ensuring there are clear KPIs, to measure the consultant's performance at the end of the engagement. Examples provide included staff engagement and capability uplift.*
- ***Suggest** the proponents simplify the statement of requirements with plain language and KPIs are measurable and achievable early in the engagement.*
- ***Noted** the timeframes outlined to go to market and for evaluation were tight.*
- ***Suggest** an external member be included on the evaluation team (GB can assist CIT regarding the panel composition).*
- ***Suggest** the proponents consider including a sub-criteria under Criterion 4 ('Qualifications, Organisational Structure and Suitability of Specified Personnel') concerning the availability and time commitment of nominated personnel.*

*Noting the suggestions and considerations outlined above, the Board **supports** the proposal to conduct an open market tender process to identify an organisation to provide organisational transformation strategic guidance and mentoring services to guide CIT over the next two years. The Board asked the proponents to provide an update during 2019 to share feedback on KPIs and how the market and staff responded.*

The Board noted that proponents did not provide an update during 2019 to share their feedback on KPIs and how the market and staff responded.

The Board:

- ***Noted*** *the procurement will be undertaken by an open tender to market.*
- ***Noted*** *the timeframes outlined to go to market and for evaluation were tight.*
- ***Suggested*** *the documentation is revised to clearly articulate the role of the contractor, the work to be undertaken, and what outcomes and deliverables are expected (including around cultural and systemic change). This will assist CIT in evaluating responses to the Tender.*
- ***Suggested*** *the documentation is revised to clearly articulate how any additional services to those listed in the contract will be entered and how the rates for these services will be negotiated.*
- ***Suggested*** *the documentation is more prescriptive in sections to provide clarification about the procurement to those responding to the tender.*
- ***Suggested*** *the risk plan is updated to be tailored for this procurement.*
- ***Noted*** *the KPIs have been developed from CIT's experiences and the Board* ***suggested*** *these are reviewed to ensure they are measurable.*
- ***Noted*** *the length of the contract and extension is due to the timing of the current contract ending.*
- ***Noted*** *the current contract is not mentioned in the documentation provided.* ***ACTION:*** *The Board* ***requests*** *an update on the performance of the current contractor against the current contract and if outcomes have been achieved.*
- ***Suggested*** *CIT undertake an industry briefing once the tender has been released.*

Should you require clarification about this message, please contact me. If you wish to speak with a Board member about this decision, please contact Ms Bettina Konti (Acting Chair for the meeting of 21 January 2020).

NOTE: It is the responsibility of the Project Officer to:

- Ensure that you are familiar with the Part 3 Notifiable Contracts requirements of the *Government Procurement Act 2001* including Section 26 Meaning of notifiable amendment, Division 3.3 Availability of notifiable contracts, and Division 3.4 on Confidential Text, and have planned to include the required information on the Contracts Register within 21 days after the contract is made. Refer to Procurement Circular PC16 Notifiable and Reportable Contracts at http://www.procurement.act.gov.au/About/procurement_circulars and the Contracts Register at http://www.procurement.act.gov.au/contracts
- Seek clarification immediately from the sender on the meaning of this message, if not absolutely clear;
- Advise all appropriate staff associated with the project of the Board's decision and any additional actions resultant from this advice;
- Should the process outlined above not commence within 3 months of this notice, provide a revised timetable;
- Complete all actions associated with this decision.

Kind Regards,

Charlotte Smith | Government Procurement Board Secretariat
Phone: 02 6207 0254 | Email: governmentprocurementboard@act.gov.au
Procurement ACT | Chief Minister, Treasury and Economic Development Directorate |ACT Government
GPO Box 158, Canberra City | act.gov.au

Board Comment	CIT comments
Noted *the procurement will be undertaken by an open tender to market.*	N/A
Noted *the length of the contract and extension is due to the timing of the current contract ending.*	N/A
Suggested *the documentation is revised to clearly articulate the role of the contractor, the work to be undertaken, and what outcomes and deliverables are expected (including around cultural and systemic change). This will assist CIT in evaluating responses to the Tender.*	Current documentation includes the requirement for the role to be one of guiding and support. Clause 1.3.4 states the direction as valuing: - Increased staff responsiveness - Increased staff flexibility; and - Less reliance upon external stakeholder support. Clause 2.2.1 talks about the range of services to be delivered by the Consultant including 'strategic advice and guidance' The current SOR expands on the outcomes and deliverables in the 2018 version to include tools etc.
Suggested *the documentation is revised to clearly articulate how any additional services to those listed in the contract will be entered and how the rates for these services will be negotiated.*	Clause 3.1.3 of the SOR states that all other Services will be discussed with the CEO at the bimonthly meetings. Clause 2.2.2 of the SOR is very broad. These 2 clauses have been combined to a new Clause 3.1.3. *The Services detailed through the course of the SOR may evolve as the needs of CIT are further recognised and with guidance from the Consultant additional requirements are identified. Any additional services will be discussed and negotiated with the CIT CEO at bimonthly meetings detailed in* ***Section 5.*** The previous RFT asked for a fixed rate for each year as well as disbursements and assumptions. The current agreement has not required an increase to the fixed fee.

Board Comment	CIT comments
Suggested *the documentation is more prescriptive in sections to provide clarification about the procurement to those responding to the tender.*	Refer back to the role of the contractor.
Noted *the KPIs have been developed from CIT's experiences and the Board* ***suggested*** *these are reviewed to ensure they are measurable.*	CIT has reviewed the new KPIs and believes they are all measurable.
Noted *the timeframes outlined to go to market and for evaluation were tight.*	As detailed at the GPB meeting these timeframes have been increased since the last process and CIT believes they are achievable.
Suggested *the risk plan is updated to be tailored for this procurement.*	The risk plan has been tailored for this procurement.
Suggested *CIT undertake an industry briefing once the tender has been released.*	CIT does not want to be overly prescriptive regarding what services are offered. We are looking for the diversity of approaches. CIT doesn't believe there is any additional information that could be provided as part of an industry briefing. No addenda were issued as a result of any questions asked by Tenderers in the previous process. However, should any Tenderers have questions these can be answered as an addendum.
Noted *the current contract is not mentioned in the documentation provided.* ***ACTION:*** *The Board* ***requests*** *an update on the performance of the current contractor against the current contract and if outcomes have been achieved.*	It appears that the information on the previous contract was omitted from the Procurement Plan Minute (PPM) when transferring the content to the new Procurement ACT templates. This information has been added back into the PPM.

MEMO

Canberra Institute of Technology

PROCUREMENT OF SERVICES: EVOLVING TOGETHER AND DEALING WITH VOLATILITY, UNCERTAINTY, COMPLEXITY AND AMBIGUITY (VUCA) IN THE VET MARKET PLACE

TO: Leanne Cover, Chief Executive Officer (CEO)

PURPOSE

The purpose of this brief is to provide the CEO of CIT with advice regarding the procurement methodologies available to procure services from Mr Patrick Hollingworth to assist CIT with transformation and change and dealing with VUCA in the Vocational Education and Training (VET) marketplace.

BACKGROUND

In February 2017, Mr Hollingworth was the keynote speaker at CIT's 'Evolving Together' event. His keynote address introduced the key concepts in his book *The Light and Fast Organisation*. Since that time CIT's transformation has followed this concept and Mr Hollingworth has also undertaken a small amount of consulting and mentoring work with CIT's CEO regarding the transformation and change required at CIT.

Mr Hollingworth has worked with a range of people, teams and organisations to help them deal with a world which is becoming increasingly more volatile, uncertain, complex and ambiguous (VUCA). Mr Hollingworth is well across the challenges facing the CIT Board, you as CEO, the new executive team and CIT as an organisation. Mr Hollingworth has recently provided a proposal to you (refer **Attachment A**) with the following objectives:

- To guide transformation of CIT over 18 months towards a sustainable future, in keeping with the direction of the CIT's *Strategic Compass 2020*.
- To coach and mentor the CEO, the new executive team and the leadership group, with regard to the previously described transformation.
- To assist with the design and delivery of various workshops and events, with regard to the previously described transformation.

Further details of the deliverables and the associated timeframes are included in **Attachment E** – Short form contract.

The estimated cost for the work is $180,000 (excluding GST). Including GST the estimated cost is $198,000. Other expenses such as accommodation and travel costs, venue hire will be invoiced separately at cost.

Revised date:
TRIM reference: CIT2017/1614

When procuring goods and/or services, ACT Government agencies are required to adhere to the ACT Government Procurement Framework (the Framework).

The CIT's Procurement Policy is consistent with the Framework and provides the following procurement and purchasing thresholds as follows:

a) ***Purchases less than $5,000 (including GST)*** – One oral quotation is required. An approval e-mail from a Delegate is adequate for pre-approval. A purchase order is not required.
b) ***Purchases greater than or equal to $5,000 (including GST) to less than $25,000 (including GST)*** – One oral quotation and a purchase order are required.
c) ***Purchases greater than or equal to $25,000 (including GST) to less than $200,000 (including GST)*** – Buying Goods and Services Risk Assessment to be undertaken to identify the level of risk of the purchase.
    - High risk purchases will be processed on a case by case basis and may be managed in consultation with Shared Services Procurement.
    - Low risk purchases - three written quotations and a purchase order are required.
    - Written justification for exemption from providing three written quotations for purchases within this threshold must be approved by a Delegate with delegation. Procurement planning and evaluation processes must be followed.
d) ***Purchases greater than or equal to $200,000 (including GST)*** - are required to be managed in consultation with Shared Services Procurement.

ISSUES

As the estimated cost for the work falls between the $25,000 and $200,000 procurement and purchasing threshold, section 6 of the *Government Procurement Regulations 2007* (the Regulations) requires that at least three written quotations be obtained from suppliers.

Section 10 of the Regulations, however, allows that the responsible Chief Executive to be exempted from the requirements of section 6, as long as they are satisfied, on reasonable grounds, that the benefit of not complying with the requirement outweighs the benefits of complying with the requirement.

It is important to note that section 22A of the *Government Procurement Act 2001* ('Act') – to which the Regulations are subordinate and therefore cannot be overridden – prescribes that a Territory entity 'must pursue value for money in undertaking any procurement activity.' Value for money means the best procurement outcome, having regard for:

- probity and ethical behaviour;
- management of risk;
- open and effective competition;
- optimising whole of life costs; and
- anything else prescribed by regulation (for example, quotation and tender requirements).

That is, the procurement must achieve the best return and performance for the money being spent. Price is not the only indicator of value.

A Chief Executive may only exempt a procurement activity from the requirements of section 6 of the Regulations if the above aspects of value for money are taken into account.

A value for money assessment for the work is provided below.

Value for Money Assessment

Probity and ethical behaviour: procurement policies and procedures for the CIT are consistent with the ACT Government's "Buying Goods and Services Website and Simplified Procurement User Reference Guide". CIT has prepared a risk assessment, procurement plan and an evaluation process form which are provided at **Attachments B, C and D** respectively.

Management of risk: a risk assessment for this procurement has been undertaken and the risk has been assessed as low. In summary, the risks have been assessed as low as only two questions in the risk assessment were answered with 'yes' and this related to the question about going outside the Canberra region to source specialist expertise and the question about making staged and periodic payments for milestone payments for work completed. Please Refer **Attachment B.**

Open and effective competition: As Mr Hollingworth has undertaken some work for CIT and is an international expert in how VUCA is impacting on organisations, it is considered prudent for Mr Hollingworth to undertake this transformation work as the previous work provides Mr Hollingworth with a solid basis to undertake this further work.

Optimising whole of life costs:

The Whole-of-Life cost of a purchase is the sum of all the costs that will be associated with a purchase during its effective life. The cost for this *Evolving Together and dealing with VUCA in the VET marketplace* work is $198,000 (inclusive of GST) plus expenses associated with travel and accommodation.

Mr Hollingworth is uniquely placed to assist CIT with providing advice on transformation and change and dealing with uncertainty as he has worked with a wide range of clients, including multinational companies such as German car company Mercedes Benz, British retailer Marks and Spencer, and Australian companies such as Bankwest, Ramsey Health and numerous government departments. In addition, it is widely acknowledged that the VET marketplace since it has been opened up to private providers is extremely volatile, uncertain, complex and ambiguous (VUCA). This is due in part to CIT and other TAFEs competing with some private providers who have been proven to be unscrupulous; and the digital disruption that has occurred nationally and internationally in the education and training market place. Mr Hollingworth is also known to CIT staff members as he has introduced the vision of VUCA world in February 2017 at the staff forum and it is critical to ensure that CIT maximises its momentum in continuing its transformational journey by further engaging Mr Hollingworth and utilising his prior knowledge of CIT.

As a result, it is considered to be more efficient and cost effective to engage Mr Hollingworth to undertake this work.

Based on the above assessment for this transformation work, the single select methodology outweighs the benefit of compliance with the requirement to obtain three quotes.

A short form contract has been drafted and is at **Attachment E** for your signature.

Sch 2.2(a)(xii), Sch 2.2(a)(xi)

FINANCIAL IMPACT
The estimated cost for the work is $180,000 (exclusive of GST), with $127,273 being required in the 2017-18 financial year, and $52,727 being required in the 2018-19 financial year.

The Chief Operating Officer (COO) has advised there is currently $87, 570 (exclusive of GST) available within CIT's 2017 calendar year Budget. The remaining $92,430 (exclusive of GST), will be funded out of CIT's 2018 calendar year Budget which is yet to be developed.

RISKS / SENSITIVITIES
Any procurement in excess of $25,000 is published on the ACT Government's Notifiable Invoice Register and this contract will be published on the ACT Government's Contract Register.

Single select procurements do attract scrutiny from Legislative Assembly members.

The risk associated with the single select procurement has been assessed as low.

RECOMMENDATION
It is recommended that you:

- note the contents of this brief;

NOTED / PLEASE DISCUSS

- agree to exempt under Section 10 of the Regulations from the requirement to undertake the required procurement activities specified in the Regulations for the *Evolving Together and dealing with VUCA in the VET marketplace* work and sign the Procurement Plan and Evaluation Process Form at **Attachments C and D**;

AGREED / NOT AGREED / PLEASE DISCUSS

- agree to engage Mr Patrick Hollingworth by signing the short form contract at **Attachment E**; and

AGREED / NOT AGREED / PLEASE DISCUSS

- agree to the pricing against each milestone/deliverables under Item 3 of the short form contract at Attachment E be considered confidential text under Section 35 of the Act and be omitted from the public text to be published on the Government Contracts Register.

AGREED / NOT AGREED / PLEASE DISCUSS

Leanne Cover
/ /

FROM
Anita Hargreaves
Executive Director, Transformation and Change
26 July 2017

Buying Goods and Services
RISK QUESTIONNAIRE

RISK – A SIMPLE APPROACH

To help you consider and embrace to notion of risk in relation to your purchase Shared Service procurement together with ACTIA (Insurance advisors) have created this simple questionnaire.

Please read each question and answer Yes or No.

Depending on how you answer the questions you will either be provided with guidance on how you might wish to proceed and / or some comfort that your decisions are unlikely to trigger unanticipated consequences from proceeding with your purchase.

Questions

1.	**Is your purchase significantly different from past purchases made by the organisation?** ***Consider:*** *is the purchase something your organisation uses all the time? Has it been purchased before? Is it common?*	☐ Yes ☒ No
2.	**Does the purchase require any specific design or are you creating something new?** ***Consider:*** *is it deemed innovative or non-standard?*	☐ Yes ☒ No
3.	**Is the purchase for both goods and services?** ***Consider:*** *does the purchase require installation, set-up or on-going maintenance or support?*	☐ Yes ☒ No
4.	**Will you need to go outside the Canberra Region to source your purchase?** ***Consider:*** *Will a local supplier be suitable?*	☒ Yes ☐ No
5.	**Does the purchase require any changes or additions to the ACT Government standard terms and conditions for contracts or requests for quote?** ***Consider:*** *Do you need to pay any money in advance to secure the purchase?*	☐ Yes ☒ No
6.	**Will you need to make stage or periodic payments for your purchase?** ***Consider:*** *does the purchase require any payment upon delivery of specific agreed tasks or outputs?*	☒ Yes ☐ No
7.	**Is there the potential for negative impact on other people? i.e. Minister, Director General, general public, community groups.** ***Consider:*** *the environmental or social impact of your purchase as well as any potential reputational risks.*	☐ Yes ☒ No

Summary

If you have answered "no" to all of the questions above you should have some comfort that your purchase appears to be low risk*.

If you have said "yes" to one or more answers it is recommended that you visit the ACTIA website and view the sections on Risk where you may wish to undertake some further assessments.

Please note that a "yes" answer to one or more questions does not necessarily preclude you from continuing your task; It merely alerts you to the need for further consideration of the risk(s)potentially associated with your purchases and the action that might be appropriate to help you manage these.

**This simple assessment is not a substitute for a risk assessment process. If in doubt you should seek guidance and assistance on assessing and treating Risk from ACTIA or seek further information from www.treasury.act.gov.au/actia/*

Buying Goods and Services
PURCHASE PLAN

Purchase for:	☐ Goods	X Services	☐ Both
RFQ Title: Evolving Together and dealing with volatility, uncertainty, complexity and ambiguity (VUCA) in the VET market place.	N/A	N/A	N/A
Agency:	Select your directorate	CIT	N/A
Contact Officer:	Cathy Hudson	Delegate: Leanne Cover	N/A

PLAN YOUR PURCHASE

1. Describe what you need to purchase on behalf of the ACT Government:

   Expert external advice is sought to assist the CEO, the new CIT Executive Team and the Leadership Group to transform CIT in line with the Board's directions in the *Strategic Compass 2020 – Evolving Together.*

   The purpose of the work is to provide guidance, coaching and mentoring and co design workshops and events to assist CIT with understanding the volatility, uncertainty, complexity and ambiguity (VUCA) in the VET market place and assist with the cultural change and transformation required for a sustainable future.

2. In this section fill in the time frame for your purchase. Consider when you need it and for how long.

   For services: To commence as soon as possible. To conclude by January 2019.

3. ACT Government Arrangements – there are no existing contract arrangements that can be utilised for this procurement.

4. Have you assessed the risk of this purchase? Is the risk acceptable?

   The risk has been assessed as low.

> *You will need to be satisfied about the risks associated with this purchase. Assessing risk is an important part of planning your purchase. In doing this you are trying to identify those things that can go wrong, for example, you fail to adequately define your requirements or you have inadequate resources to manage a contract.*
>
> *A risk plan allows you to take action to minimise both the likelihood of the event occurring and the consequences if it does.*
>
> *Use the Risk Assessment Matrix or the Simple Risk Assessment Questionnaire to help you perform a risk assessment. If the risk is more than you are prepared to manage or you need assistance you can contact Shared Services Procurement to discuss the risks and how to proceed.*

5. What is your budget (inclusive of GST)? $140,000 in 2017-18 and $58,000 in 2018-19

PROCEED TO AND COMPLETE THE GENERAL INFORMATION, SELECTION CRITERIA AND EVALUATION PERSONNEL SECTIONS ON THE EVALUATION FORM BEFORE YOU SEND BOTH FORMS TO YOUR DELEGATE FOR APPROVAL.

YOU MUST HAVE DELEGATE APPROVAL OF YOUR PURCHASE PLAN AND EVALUATION FORM BEFORE YOU PROCEED TO STEP TWO – SEEK OFFERS.

ACT Government

Buying Goods and Services
EVALUATION FORM

Evaluation

Before you send your purchase to your delegate for approval you will need to complete the general information section of the evaluation as well as complete the evaluation criteria.

General Information

Purchase for:	Evolving Together and dealing with volatility, uncertainty, complexity and ambiguity (VUCA) in the VET market place.	RFQ Number:	Insert RFQ Number
Agency:	CIT	Section/Business Unit:	CIT
RFQ Type:	Single Select	Referees Requested:	Yes – as outlined in proposal
Date of RFQ Issue:	**10/07/2017**	RFQ Closing Date:	10/07/2017

Suppliers

Once you have received your responses complete the supplier information followed by the evaluation criteria assessment and scoring. If you are using a single select only fill in the information for your selected suppliers.

All fields are mandatory.

Company Name:	Patrick Hollingworth	Supplier Responded:	Yes
ABN / ACN :	ABN 98 563 981 390	Response saved to I Drive:	Yes
Business Address:	The Trustee for the Patrick Hollingworth Family Trust PO Box 201 Thirroul NSW 2515	Contact Phone:	Sch 2.2(a)(ii)
Contact Person:	Patrick Hollingworth	Contact Email:	Sch 2.2(a)(ii)

Evaluation Criteria

Before you send out your RFQ you need to have determined your evaluation approach, this will help you achieve best value for money. You will need to assess each quote against the same predetermined criteria.
There are three recommended criteria which cover:

1. *Capability; can the supplier meet the requirements – Patrick Hollingworth has worked with a range of people, teams and organisations nationally and internationally to help them deal with a world which is increasingly more volatile, uncertain, complex and ambiguous. His approach is outlined in his book 'The Light and Fast Organisation' and is very relevant to the transformation challenges facing CIT.*
2. *Capacity; can it be delivered/produced within the timeframe: Patrick Hollingworth has advised that he can complete the work over the next 18 months.*
3. *Affordability; is it within your budget or cost expectations CIT has allocated $120,000 in 2017-18 for this work and $60,000 in 2018-19. The cost is estimated to be $198,000 (inclusive of GST)*

While the three recommended criteria are sufficient to evaluate your quotes, you may wish to add extra criteria to assist in determining a recommended supplier. Considerations may include:

- *Social Procurement; social, ethical and community considerations*
- *Supplier's experience and personnel*
- *Innovation*
- *Warranties and guarantees*
- *Communication, reporting and quality assurance*

Please remember that in evaluating supplier's responses risk should be considered as part of the score; for example, is there valuable information missing from the quote? Are there possible probity issues?

***Value for money** is generally assessed as the provision of goods and services at the optimum price and quality over an acceptable timeframe with due regard to whole of life costs and an acceptable level of risk. **For example,** a quote may come in considerably higher than another however the supplier has an excellent reputation for running community engagement projects. Just because the price is lower does not mean that a quote represents good value for money. Value for money assessment has been undertaken*

***IMPORTANT** -The ACT Government is committed to providing regional Small to Medium Enterprises (SMEs) with opportunities to win business. Giving the status of SMEs additional consideration is mandatory and you must consider this information as part of your evaluation.*

Evaluation Rating Scale

Use the rating scale to help you rate each of the suppler responses against each of your criteria.

Scale	Definition
0	No response/ does not meet requirement at all
1	Does not meet requirement to a satisfactory level
2	Partially meets requirement
3	Meets requirement to a satisfactory level
4	Meets requirement to a good level
5	Meets requirement to an exceptional level

CRITERION ONE: Does the response from the supplier demonstrate that it can meet the requested requirements?

Supplier	Score	Notes
Patrick Hollingworth	☐ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 X 5	Please refer to responses in red text above

CRITERON TWO: Does the response from the supplier demonstrate that it can meet your timetable for delivery and or start and finish work?

Supplier	Score	Notes
Patrick Hollingworth	☐ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 X 5	As above

CRITERION THREE: Does the response from the supplier meet your budget or cost expectations?

Supplier	Score	Notes
Patrick Hollingworth	☐ 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 X 5	As above

Summary

Once you have evaluated all the responses, tally the score for each supplier.

Supplier	Score
Patrick Hollingworth	15 out of 15

Regional Small to Medium Enterprise (SME) Consideration

Once you have totaled each supplier's score you now need to consider if the supplier is a local SME or if they have indicated in their response that they are subcontracting to a local SME.

Calculate the percentage based on the supplier's response to obtain their total score. *A scale of 0% indicates that the supplier in not a SME and 5% indicates that the supplier is an SME. Percentages 1 – 4 are for suppliers that are not SMEs but will engage a local SME for part of their delivery method.*

Supplier	Percentage
Patrick Hollingworth	X 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 (%)

Final Score

Total each supplier's score: include the SME consideration - for example ***Score is 15 + 5% = 15.75***

Supplier	Final Score	Notes
Patrick Hollingworth	15 out of 20	Patrick Hollingworth is nationally and internationally known for his work helping organisations deal with volatility, uncertainty, complexity, ambiguity, and for his book 'The Light and Fast Organisation'.

Evaluation Recommendation

Complete the information for your recommended supplier. Include notes to support your recommendation.

Recommended Supplier	Total Score	Notes
Patrick Hollingworth	15 out of 20	As above

Evaluation Personnel

Complete the information for the evaluation personnel.

Evaluation Approach:	X Individual	Anita Hargreaves 78960 Anita.Hargreaves@cit.edu.au