



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 2021-184

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)	20
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

To:

[CMTEDD FOI](#)

Subject:

FOI REQUEST - ACTEWAGL EVALUATION REPORTS

Date:

Wednesday, 28 July 2021 4:32:28 PM

Good afternoon,

RE: FREEDOM OF INFORMATION REQUEST – ACTEWAGL EVALUATION REPORTS

I write to request under the *Freedom of Information Act 2016*:

1. The evaluation report for tender ActewAGL 18-2778, October 2019; and
2. The evaluation report for ActewAGL's Request for Pricing 18-2777, April 2019.

Should you require any further information or clarification about my request, please contact my office on [REDACTED]

Kind regards,

[REDACTED]



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2021-184



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 28 July 2021, in which you sought access to:

1. The evaluation report for tender ActewAGL 18-2778, October 2019; and
2. The evaluation report for ActewAGL's Request for Pricing 18-2777, April 2019.

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 25 August 2021.

Decision on access

Despite extensive searches, the document you are seeking at point two of your request could not be found nor could any reference to such a document. Searches were successfully completed for relevant documents in relation to point one of your request and one document was identified that falls within the scope of your request.

Please note that a copy of the contract is publicly available on the Tenders ACT website at: <https://tenders.act.gov.au/contract/view?id=184142>

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 partial access to the document relevant to your request as I consider it to contain information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

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;

Exemption claimed

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

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

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:

- (i) promote open discussion of public affairs and enhance the government's accountability;*
- (ii) contribute to positive and informed debate on important issues or matters of public interest;*
- (iv) ensure effective oversight of expenditure of public funds.*

I consider that disclosing the contents of the information sought would significantly contribute to open discussion and informed debate on the matters contained in the documents including due diligence on costings. I am satisfied there is a public interest in the processes involving the provision of electricity to Canberra. The release of this information would help to create positive and informed debate on issues of importance to the public.

I am satisfied that these are relevant considerations favouring disclosure in this case, and in the interests of enhancing transparency and accountability, I afford them significant weight.

I also note the FOI Act has an express pro-disclosure bias which reflects the importance of public access to government information for the proper working of a representative democracy. This concept is promoted through the objects of the FOI Act. I have considered this overarching concept in making my decision in relation to access.

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 any other right under the Human Rights Act 2004;*
 - (xi) prejudice trade secrets, business affairs or research of an agency or person;*
 - (xii) prejudice an agency's ability to obtain confidential information;*
 - (xiii) prejudice the competitive commercial activities of an agency.*

I consider that the protection of an individual's right to privacy, especially in the course of dealings with the ACT Government is a significant factor as the parties involved have provided their personal contact information for the purposes of working with the ACT Government. I have considered this information and in my opinion the protection of these individuals' personal details (such as names of external consultants and personal details which are not publicly available) outweighs the benefit which may be derived from releasing them. I consider that these individuals are entitled to expect that the personal information they have supplied as part of this process to the ACT Government will be dealt with in a manner that protects their privacy.

I have also considered the impact of disclosing information which relates to business affairs. In the case of *Re Mangan and The Treasury [2005] AATA 898* the term 'business affairs' was interpreted as meaning 'the totality of the money-making affairs of an organisation or undertaking as distinct from its private or internal affairs'. Schedule 2 section 2.2(a)(xi) allows for government information to be withheld from release if disclosure of the information could reasonably be expected to prejudice the trade secrets, business affairs or research of an agency or person. There are a number of examples contained in the information you have requested involving quotes and proprietary service delivery methodologies that are intrinsic to the business affairs of the companies involved. I am satisfied that release of this information would have significant impact on the business affairs of the entities identified as this information is not publicly available.

The companies that have tendered for the provision of electricity to the ACT have done so on trusting that the ACT Government will not release the tender details that could give a competitor an unfair advantage. This trust, if broken, would reasonably be expected to prejudice an agencies ability to obtain confidential information from the private sector suppliers of goods and service to the ACT Government.

Additionally, revealing the weighting percentages of criteria in a tender would skew the responses of potential candidates, prejudicing the commercial activities of an agency in obtaining the best offer available for the ACT.

Having applied the test outlined in section 17 of the Act and deciding that release of personal 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 2018* 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)(e) 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 after 30 August 2021. 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,

A handwritten signature in black ink, appearing to read 'Daniel Riley', with a stylized, flowing script.

Daniel Riley
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate
25 August 2021



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST					Reference NO.	
The evaluation report for tender ActewAGL 18-2778, October 2019.					CMTEDDFOI 2021-184	
Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-56	Request for Tender ACT 31131 – Tender Evaluation Report	October 2019	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xi) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xiii)	Yes
Total No of Docs						
1						



ACT
Government

Procurement ACT

REQUEST FOR TENDER (RFT) ACT31131 - Tender Evaluation Report

**Whole of Government (WhoG) Supply of Electricity to
ACT Government sites**

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1. Executive Summary

1.1. Introduction

- 1.1.1. This Evaluation Report is for the Request for Tender (RFT) – ACT31131 supply of electricity to ACT Government sites 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 Territory has an ongoing requirement for the supply of electricity to its large, small and unmetered sites. The current contract of supply expires 31 December 2019.
- 1.2.2. The current whole of government contract for the supply of electricity to ACT Government sites expires 31 December 2019. The aim of this Request for Tender is to secure a competitive contract with an appropriately licensed electricity supplier that delivers the best value for money for the ACT Government in terms of price, commercial terms and value adding services over the life of the contract, along with a contract management protocol that ensures that benefits are delivered within expectations.
- 1.2.3. The Whole of Government electricity contract currently comprises both electricity supply and metering services across approximately 711 sites consuming in the order of 173 GWh electricity per annum. Large site metering is removed and subject to a separate procurement process. This RFT scope therefore includes electricity supply for all sites and metering services for small sites only. For the purposes of this RFT, the sites have been grouped into the following categories:
 - (a) Large Sites;
 - (b) Small Sites; and
 - (c) Unmetered Sites. e.g. streetlights.
- 1.2.4. The Government Procurement Board (GPB) endorsed the strategic review on 30 April 2019 and the subsequent procurement review on 20 August 2019.
- 1.2.5. ACT31131 – ‘Supply of electricity to ACT Government Sites’ was developed utilising the suite of tendering documents approved by 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 6 August 2019 and closed at 2:00pm (ACT Local Time) on 02 October 2019.
- 1.2.7. One addendum was issued providing answers to questions of clarification in relation to the RFT.
- 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.

- 1.2.9. Three Tender responses were received with all progressing through to the Threshold Assessment Criteria stage of the RFT after passing the compliance requirements.

1.3. Value for Money Assessment Summary

- 1.3.1. A Value for Money Assessment was conducted in accordance with the approved Evaluation Plan and the following table summarises the final scores in order of merit for the Tender responses:

TENDERER	TOTAL PRICE	TOTAL WEIGHTED TECHNICAL SCORE	RISK RATING	VFM RANKING
ActewAGL Retail	\$118,688,028 (ex GST)	Schedule 2.2(a)(xi)		

Schedule 2.2(a)(xi)

- 1.3.2. The Tender Evaluation Team (TET) through this Evaluation Report wishes to seek Delegate approval of Schedule 2.2(a)(xi) as the preferred Tenderer.

2. Tender Evaluation Team Membership

2.1. Evaluation Team

- 2.1.1. The Evaluation Team comprised the following members:

ROLE	NAME	DIRECTORATE
Evaluation Team Chair	Thao Le	CFO - Environment, Planning and Sustainable Development Directorate (EPSDD)
Evaluation Team Facilitator (Procurement Officer - G&S Procurement)	Nick Edmondson	Procurement ACT
Member	Elliot Fraval	Canberra Health Services (CHS)
Member	Beth Mitchell	Education Directorate
Member	Trish Campbell	Transport Canberra and City Services Directorate (TCCS) - Sustainability, Facilities and Fleet Unit
Member	Chris Deschamps	TCCS – Streetlight Asset Manager
Member	Phil Yapp	Property ACT
Member	John Wildermuth	EPSDD – Procurement and Contracting
Member	Danny Warburton	Procurement ACT

2.2. Technical / Specialist Advisors

- 2.2.1. 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	Schedule 2.2(a)(ii)
Advisor	Chris Clery (Government Solicitors Office)
Advisor	Peter J Williams (Government Solicitors Office)

2.3. Probity Advisors / Auditor

- 2.3.1. The Evaluation Team was supported throughout the evaluation by the following Probity Advisors / Auditors, who were called upon on an 'as-required' basis:

PROBITY ADVISOR	
Advisor	Rebecca Stewart (Government Solicitors Office)

3. Probity, Disclosure of Conflicts of Interest and Confidentiality

- 3.1.1. 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.

TEAM MEMBER	OUTLINE OF CONFLICT	ASSESSMENT OUTCOME
Chris Deschamps	<ul style="list-style-type: none"> Contract managed the streetlight contract (2000 – 2017) in which ActewAGL were the Contractor; Schedule 2.2(a)(ii) Ongoing dealings with tenderer daily through business as usual work; and Has been an evaluation team member for the past two processes. 	Acknowledged by the Chair who supports team member continuation on evaluation team.
Phillip Yapp	Ongoing dealings with tenderer through business as usual work.	Acknowledged by the Chair who supports team member continuation on evaluation

		team.
Danny Warburton	Contract Manager for the current Supply of Electricity to ACT Government where ActewAGL are the supplier.	Acknowledged by the Chair who supports team member continuation on evaluation team.

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

4. Evaluation Overview

4.1. Evaluation Approach

- 4.1.1. The evaluation was conducted in accordance with the guidelines and methodology detailed in the approved Evaluation Plan dated 15 August 2019.
- 4.1.2. 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.
- 4.1.3. As outlined in the approved Evaluation Plan, the evaluation process was divided into the following stages and parts:

Stage 1: Compliance Assessment

1A: Receipt and Registration of Tender Responses (Tenders ACT)

- *Lodgement*
- *Late Tenders*

1B: General Compliance

- *General Compliance*
- *Incomplete Tender Responses*
- *Redaction and Removal of Pricing Information*

Stage 2: Threshold Criteria

- *Threshold Assessment Criteria*

Stage 3: Technical Assessment

Stage 3A: Technical Evaluation

Stage 3B: Regional Commitment and Industry Participation

Part 1: Local Industry Participation Policy

Stage 3C: Interviews, Presentation, Demonstrations, Samples, Prototypes (if required)

Stage 3D: Clarifications

Stage 3E: Shortlisting

Stage 4: Risk Assessment

Stage 4A: Assessment of Risk

Stage 4B: Referee Information (if required)

Stage 4C: Additional Corporate / Financial Information (if required)

Stage 4D: External Feedback Procedures (if required)

Stage 5: Value for Money Assessment

Stage 6: Shortlist and seek in-principle agreement from shortlisted suppliers to contractual terms and conditions

Stage 6A: Structured Negotiations (if required)

Stage 6B: Best and Final Offer (BAFO)

Stage 7: Evaluation Report

Stage 8: Finalise Selection of the Preferred / Successful Tenderer

Stage 8A: Selection of the Preferred / Successful Tenderer and Finalising the Contract

Stage 8B: Notification of the Preferred / Successful Tenderer

Stage 8C: Notification of Unsuccessful Tenderers and Debriefing

4.2. Evaluation Methodology

4.2.1. Prior to commencing the evaluation process, all Evaluation Team members and Advisors involved in the evaluation completed and/or familiarised themselves with:

- (a) declarations of confidentiality and conflict of interest;
- (b) the RFT, Standard Conditions of Tender and all addenda;
- (c) the relationship between the Assessment Criteria, the Goods and Services and the Territory's requirements / operations; and
- (d) the evaluation processes (as relevant to them) outlined in the approved Evaluation Plan; and
- (e) all requirements of the Territory's procurement, probity and financial policies.

5. Assessment Criterion

5.1. Threshold Assessment Criterion

5.1.1. Tender responses were assessed against the following Threshold Assessment Criteria:

NO.	THRESHOLD ASSESSMENT CRITERION	YES/ NO
TC 1	Licence and Registrations Tenderers must provide evidence demonstrating compliance with requisite licences and registrations to supply electricity in the ACT.	

5.2. Weighted Assessment Criteria

5.2.1. Tender responses were assessed against the following Weighted Assessment Criteria:

NO.	WEIGHTED ASSESSMENT CRITERIA	WEIGHTING
WC 1	Proposed Delivery Tenderers are required to demonstrate the extent to which their tender response satisfies the Territory's requirements including (but not limited to): <ul style="list-style-type: none"> • Volume Flex; • Data management; and • Billing, regulated fees/ charges and reporting requirements as set out in this RFT. 	Schedule 2.2(a)(xiii)
WC 2	Capacity Tenderers are required to demonstrate its capacity and past performance to provide the required services. This may include information on supply reliability, internal systems, people, policy and procedures that would be used to support the contract.	
WC 3	Innovation and value adding services The Tenderer may detail any value adding services at weighted criterion 3, <u>Attachment 3</u> that may be of benefit to the ACT Government. This may include smart grid technology/enhancements (including integration with the Territory's smart cities network), demand response strategies including curtailment services, community sponsorships, training, and information or additional benefits for not for profit elements of the Territory. Benefits must be directly linked to the contract and would not otherwise have been provided.	
WC 4	Transition Plans (Engagement and Disengagement)	

	<p>The Tenderer is required to provide a methodology with full details of all assistance that will be provided to the Territory in engaging and disengaging the services in a timely manner by providing a Transition-in Plan and a Transition-out Plan.</p> <p>Both plans must detail resources available, data and resources required (if any).</p> <p>Tenderers to specify:</p> <ul style="list-style-type: none"> • what your organisation would do, if successful in this RFT, to assist the Territory and the incumbent contractor during the transition of the Services from the incumbent to your organisation; and • as an incumbent contractor what you would do to assist transition to a new contractor and how you would minimise any disruption to the Territory's business and minimise cost to the Territory during a handover to a new contractor. The engagement and disengagement plans must be for a minimum period of 30 days. 	Schedule 2.2(a)(xiii)
WC 5	<p>Local Industry Participation Policy</p> <p>The Territory 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.</p> <p>Tenderers must prepare and submit a Local Industry Participation Plan by completing the relevant template available at: https://www.procurement.act.gov.au/__data/assets/pdf_file/0008/13919/75/CBR-Region-LIPP-Local-IP-Plan-\$5m-.pdf (CBR-Region-LIPP-Local-IP-Plan-5m).</p>	
WC 6	<p>Pricing</p> <p>Tenderers are required to complete the Pricing Schedule at ATTACHMENT 3. Prices are to be in Australian Dollars and GST inclusive. Tenderers should provide costings based on a three, and seven-day validity pricing period.</p>	

5.3. Non-Weighted Assessment Criteria

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

NO.	NON-WEIGHTED ASSESSMENT CRITERIA
NWC 1	<p>Referees</p> <p>Tenderers are required to provide details of three (3) of their major corporate and/or Government clients including contact names, telephone number and positions held as specified.</p>

NWC 2	Financial Viability Tenderers must provide copies of audited financial records for the past two years. A financial assessment may be undertaken by the Territory to assess the tenderer's financial viability and creditworthiness.
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6. Stage 1: Compliance Assessment

6.1. Stage 1A: Receipt and Registration of Tender Responses (Tenders ACT)

- 6.1.1. Tender responses were received and registered in accordance with the approved Evaluation Plan and the Territory's electronic Tender Box protocols.
- 6.1.2. Tender responses received were securely stored by the Evaluation Team Facilitator and the information contained in them was treated as Commercial-In-Confidence.
- 6.1.3. Three responses were received from the following Tenderers by the Closing Time and Date and registered by the Tenders ACT team:

Schedule 2.2(a)(xi)

6.2. Stage 1B: Late Tenders

- 6.2.1. No Late Tenders were received after the Closing Time and Date for ACT31131 Supply of electricity to ACT Government sites RFT.

6.3. General Compliance

- 6.3.1. Procurement ACT undertook a conformity/compliance check on all lodged Tender responses.
- 6.3.2. All Tender responses were assessed as compliant with the general compliance requirements and proceeded to **Stage 2: Threshold Criteria**.

6.4. Incomplete Tender Responses

- 6.4.1. Schedule 2.2(a)(xi), Schedule 2.2(a)(xii); submitted a Tender response that was not complete. This related to Attachment 3 – returnable schedules – Weighted Criterion 5 - where a response was not provided.
- 6.4.2. A clarification question was sent through to the Tenderer and a response was received 16 October 2019. All other Tender responses were assessed as “complete” and proceeded to **Stage 2: Threshold Criteria**.

- 6.4.3. Schedule 2 were noted to have returned all Schedules during the compliance check but during the evaluation process, the Tender Evaluation Team noted the absence of a referred attachment “SME contract and unbundled offer” at item 2 (small sites pricing) in the schedule 2 – pricing schedule.

6.5. Redaction and Removal of Pricing Information

- 6.5.1. 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.
- 6.5.2. 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 2: Threshold Criteria

7.1. Threshold Assessment Criteria

- 7.1.1. All Tender responses were assessed as “compliant” with the Threshold Assessment Criteria and proceeded to **Stage 3: Technical Assessment**.

8. Stage 3: Technical Assessment

8.1. Stage 3A: Technical Evaluation

- 8.1.1. 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.
- 8.1.2. A summary of each Tenderer’s weighted technical scores is provided in the following table, which is ranked in descending order (order of merit):

STAGE 1 WEIGHTED TECHNICAL SCORES (PRE-BAFO)							
TENDERER	WC1	WC2	WC3	WC4	WC5	WC6	TOTAL WEIGHTED TECHNICAL SCORE
Schedule 2.2(a)(xi)							

- 8.1.3. A detailed summary of each Tender response, against each of the individual assessment criterion is provided at **Schedule 1 - Detailed Summary of Tender Responses**.

8.2. Stage 3B: Regional Contribution and Industrial Relations

- 8.2.1. The Evaluation Team considered all relevant information provided as part of the Regional Contribution and Industrial Relations assessment criterion against Weighted Criteria five (WC5).
- 8.2.2. A summary of each Tender Response's technical scores for Regional Contribution and Industrial Relations is provided in the following table, which is ranked in descending order (order of merit):

TENDERER	WEIGHTED SCORE
Schedule 2.2(a)(xi)	

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

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

8.4. Stage 3D: Clarifications

- 8.4.1. As part of the evaluation process, the Evaluation Team deemed it was necessary and appropriate to request clarifications from the Tenderers.
- 8.4.2. All clarifications were managed by the Evaluation Team Facilitator with assistance of other Evaluation Team members, and in accordance with the approved Evaluation Plan.
- 8.4.3. A summary of the Tender response clarification outcomes for each Tenderer is provided in the following table:

TENDERER	REQUIREMENT	RESPONSE / OUTCOME
Schedule 2.2(a)(xi)		

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

- 8.4.4. The results of the clarifications were discussed by the Evaluation Team and, where appropriate, were factored into the evaluation scores.

8.5. Stage 3E: Shortlisting

- 8.5.1. Evaluation shortlisting was specified in the published RFT as an available option after **Stage 3: Technical Assessment**.
- 8.5.2. The Evaluation Team undertook a shortlist process after completion of the **Stage 3: Technical Assessment**.
- 8.5.3. The objective of **Stage 3: Technical Assessment** was to identify which Tenderers can deliver requirements to a satisfactory level based on their Tender response and set aside Tender responses from further evaluation in accordance with the following:
- (a) where a conflict of interest exists or is perceived to exist;
 - (b) where the Tender response demonstrates a low level of compliance with the Assessment Criteria, the Draft Contract and any other conditions that may apply;
 - (c) where there is lack of experience in providing Goods and Services of a similar nature;
 - (d) insufficient evidence of demonstrated capability to efficiently and effectively manage and provide the Goods and Services;
 - (e) an adverse security, integrity and/or probity check of the Tenderer;
 - (f) an adverse or insufficient financial capability assessment of the Tenderer; or
 - (g) the Tender responses is not demonstrably viable based on the tendered pricing.
- 8.5.4. The following tenderers were shortlisted to proceed to **Stage 4: Pricing Assessment**:

Schedule 2.2(a)(xi)

9. Stage 4: Risk Assessment

9.1. Stage 4A: 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 Goods and 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:

9.2. Stage 4B: Referee Information

9.2.1. No references were sought or required during the evaluation process.

9.3. Stage 4C: Additional Corporate / Financial Information

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

9.4. Stage 4D: External Feedback Procedure

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

10. Stage 5: Value for Money Assessment

10.1. Pricing Analysis (pre BAFO)

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

10.1.2. The Evaluation Team ranked Tender responses based upon the assessment of each Tenderer's Total Price, in terms of whole of life costs and the benefit to the Territory.

10.1.3. The Total Price for each Tender Response is provided in the following table, which is ranked in ascending order (order of merit):

TENDERER	TOTAL PRICE	SUMMARY OF PRICING ANALYSIS PRE BAFO
Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)		

11. Stage 6: Shortlist and seek in-principle agreement from shortlisted suppliers to contractual terms and conditions

Stage 6A: Structured Negotiations

- 11.1.1.** Not used.

Stage 6B: Best and Final Offer

- 11.1.2. As part of the evaluation process, the Evaluation Team deemed it was necessary and appropriate to seek a Best and Final Offer (BAFO) from the following Tenderers:

Schedule 2.2(a)(xi)

- 11.1.3. A BAFO process was deemed appropriate and necessary because the industry standard for price validity is extremely short requiring a revision of pricing after the closing time and date.
- 11.1.4. The Tenderers will be given two days to respond to the BAFO.
- 11.1.5. The BAFO was released to shortlisted Tenderers 10.30am 11 November 2019 and closed 2pm 13 November 2019.
- 11.1.6. A summary of the BAFO outcomes for each Tenderer is provided in the following table:

TENDERER	TOTAL PRICE	SUMMARY OF PRICING ANALYSIS POST BAFO
Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)		

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

- 11.1.7. Below is the revised weighted technical scoring results post stage 6: Best and final offer stage:

STAGE 2 - REVISED WEIGHTED TECHNICAL SCORES (POST-BAFO)							
TENDERER	WC1	WC2	WC3	WC4	WC5	WC6	TOTAL WEIGHTED TECHNICAL SCORE
Schedule 2.2(a)(xi)							

12. Stage 7: Evaluation Report

- 12.1.1. This Evaluation Report has been prepared to:

- describe the evaluation process that was undertaken in accordance with the RFT and the approved Evaluation Plan;
- detail the outcomes of the Value for Money assessment;
- provide recommendations to the Delegate based on the overall evaluation outcome for consideration and approval.

13. Stage 8: Finalise Selection of the Preferred Tenderer

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

- 13.1.1. As an outcome of the Value for Money assessment activities, the Evaluation Team determined that the Tender Response ActewAGL Retail, ABN 21221314841 represents the best Value for Money outcome for the Territory and should be considered as the preferred Tenderer.
- 13.1.2. The Evaluation Team assessment was based on the following key factors:
- (a) the Evaluation Team was satisfied that ActewAGL Retail, ABN 21221314841 demonstrated a high standard of capability and capacity to deliver the Goods and Services;
 - (b) The total contract cost provided by ActewAGL Retail, ABN 21221314841 was also the lowest; and
 - (c) the Evaluation Team considered that ActewAGL Retail, ABN 21221314841 represented an acceptable level of commercial risk that could be mitigated through Contract negotiations.
- 13.1.3. The Evaluation Team confirms that the preferred Tenderer is compliant with the Workplace Gender Equity Act 2012 and ActewAGL Retail, ABN 21221314841 is not listed on the following website: <http://www.wgea.gov.au/>
- 13.1.4. Following on from Delegate approval of this Evaluation Report, contract negotiations with the preferred Tenderer will be conducted and selection of the successful Tenderer will be finalised.

13.2. Stage 8C: Notification of Unsuccessful Tenderers and Debriefing

- 13.2.1. On the successful completion of Contract negotiations with the preferred Tenderer and the execution of a Contract, letters will be sent to all/the unsuccessful Tenderer 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.

14. Evaluation Team Endorsement

- 14.1.1. As members of the Evaluation Team for ACT31131, Supply of Electricity to ACT Government sites, 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: Thao Le Title: Chief Financial Officer / Utilities Stakeholders Group Deputy Chair, EPSDD. Date: 13/11/2019	Signature: ____Thao Le____ Evaluation Team Chair
Name: Elliot Fraval Title: Building Services Manager, CHS. Date: 13/11/2019	Signature: ____Elliot Fraval (via email) ____ Evaluation Team Member
Name: Beth Mitchell Title: Assistant Director – Asset Strategies, Education Directorate. Date: 13/11/2019	Signature: ____Beth Mitchell____ Evaluation Team Member
Name: Trish Campbell Title: Director, Sustainability, Facilities and Fleet, TCCS. Date: 13/11/2019	Signature: ____Trish Campbell (via email) ____ Evaluation Team Member
Name: Chris Deschamps Title: Manager Streetlight Asset, TCCS. Date:	Signature: ____On extended leave (has provided verbal agreement)____ Evaluation Team Member
Name: Phil Yapp Title: Assistant Director Sustainability, ACT Property Group. Date: 13/11/2019	Signature: ____Phil Yapp____ Evaluation Team Member

Name: John Wildermuth Title: Director Procurement and Contracts, EPSDD. Date: 13/11/2019	Signature: __ John Wildermuth (via email) ____ Evaluation Team Member
Name: Danny Warburton Title: Director, Contracts and Category Management Team, Procurement ACT. Date: 13/11/2019	Signature: __ Danny Warburton ____ Evaluation Team Member

15. Evaluation Recommendation

15.1.1. The Evaluation Team recommends that you approve:

- (a) the selection of ActewAGL Retail, ABN 21221314841 as the preferred Tenderer;
- (b) the selection of the ActewAGL Retail, ABN 21221314841 Response with a Total Price of \$118,688,028 (ex GST) as representing the best Value for Money outcome for the Territory;
- (c) the commencement of Contract negotiations with ActewAGL Retail, ABN 21221314841;
- (d) setting aside the remaining ranked responses from further consideration, pending a successful negotiated outcome with ActewAGL Retail, ABN 21221314841; and
- (e) entering into a contract with ActewAGL Retail, ABN 21221314841 for an initial term of four years, with one extension option of one year pending a successful negotiated outcome of the contractual terms and conditions.

15.1.2. In the event that the Territory is unable to come to a successful negotiated outcome with the preferred Tenderer that represents best Value for Money, the Evaluation Team will re-approach the Delegate to commence negotiations with the next ranked Tenderer if suitable.

16. Delegate Approval

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

- (a) Enter into contract negotiations with the preferred Tenderer within the parameters outlined in their recommendation.
- (b) Arrange for Procurement ACT to prepare a Contract between the Territory and the preferred Tenderer, provided the outcomes of the Contract negotiations are successful as outlined in the Evaluation Team recommendation.
- (c) Arrange public announcement (as applicable) following Contract execution.
- (d) Provide a debriefing to unsuccessful Tenderers following Contract execution.

DELEGATE: APPROVED / NOT APPROVED	
Name	David Nicol
Position	Under Treasurer
Signature	
Date	
Statement	This Evaluation Report is approved.
Comments	

16.2. Contract Execution Request

16.2.1. As the properly delegated authority with regard to the above approved procurement expenditure, I have authority to execute (sign) the Contract. I authorise an officer of Procurement ACT, to sign, as may be required to affect the delivery of the Project, the following documents:

- (a) Letter – Successful; and
- (b) Other Related Documents.

DELEGATE: APPROVED / NOT APPROVED	
Name	David Nicol
Position	Under Treasurer
Signature	

Date	
Statement	Approval of Contract Execution Request as outlined in this Evaluation Report.
Comments	

17. Director General Approval for Confidential Text

- 17.1.1. The Government Procurement Act 2001 requires that the Territory publish on the Territory's Contracts Register, all Contracts for procurement with a value of \$25,000 or more.
- 17.1.2. Section 35 (Grounds for Confidentiality of Information) of the Act sets out certain grounds upon which the Territory may approve text of the Contract as Confidential Text, in which is to be redacted in the public text version of the Contract.
- 17.1.3. As the responsible Territory directorate for the Contract between the Territory and ActewAGL Retail, ABN 21221314841, you may approve the proposed text identified at Paragraph 17.1.5 to be treated as confidential, if you are satisfied that it accords with the requirements under Section 35 of the Act
- 17.1.4. Confidential Text can be approved on the following grounds:
- (a) where the disclosure of the relevant text would be an unreasonable disclosure of personal information about a person [35(1)(a)(i)]; or
 - (b) where the disclosure of the relevant text would disclose a trade secret [35(1)(a)(ii)]; or
 - (c) where the disclosure of the relevant text would 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 [35(1)(a)(iii)]; or
 - (d) where the disclosure of the relevant text would be an unreasonable disclosure of information about the business affairs of a person [35(1)(a)(iv)]; or
 - (e) where the disclosure of the relevant text would disclose information that may put public safety or the security of the Territory at risk [35(1)(a)(v)]; or
 - (f) where the disclosure of the relevant text would disclose information prescribed by regulation for this section [35(1)(a)(vi)]; or
 - (g) a requirement imposed under law requires a party to the Contract to keep the text confidential [35(1)(b)].
- 17.1.5. Through the RFT process, ActewAGL Retail, ABN 21221314841, has requested under Section 35(1)(a)&(b) of the Act that following aspects of their Contract be kept confidential.

CONFIDENTIAL TEXT			
Tender Reference	Description of Text	Basis for Claim	Reasoning
Attachment 3, Schedule 2, Part 1	Pricing Schedule	35(1)(a)(iv)	Disclosure of contract price would provide competitors with an unfair commercial advantage.

17.1.6. Procurement ACT has reviewed the abovementioned aspects of the Contract and is satisfied that they are in accordance with the grounds for confidentiality of information outlined in the Act.

17.1.7. Therefore, we seek your agreement to treat the abovementioned aspects of the Contract as Confidential Text, and for them to be redacted from the public text version of the Contract in accordance with the Act.

17.1.8. Following your approval of the proposed Confidential Text, the redacted public text version of the Contract will be published on the Territory's Contract Register in accordance with the Act.

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

17.2. Confidential Text Recommendation

17.2.1. That you:

- (a) approve this Minute requesting the pricing schedule from the ActewAGL Retail, ABN 21221314841 Contract be treated as Confidential Text under Section 35 of the Act; and
- (b) approve for a public text version of the Contract redacting the Confidential Text be uploaded on the Territory's Contracts Register in accordance with the Act.

17.3. Under Treasurer Approval

UNDER TREASURER: APPROVED / NOT APPROVED	
Name	David Nicol
Position	Under Treasurer
Signature	
Date	
Statement	Approval of Confidential Text outlined in this Evaluation Report
Comments	

Schedule 1. Detailed Summary of Tender Responses

Schedule 2.2(a)(xi)	
THRESHOLD CRITERIA (TC)	
TC1	Licence and Registrations Tenderers must provide evidence demonstrating compliance with requisite licences and registrations to supply electricity in the ACT.
Compliance	Did the response comply with the Threshold Criteria? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
WEIGHTED CRITERIA (WC)	
WC1	Proposed Delivery Tenderers are required to demonstrate the extent to which their tender response satisfies the Territory's requirements including (but not limited to): <ul style="list-style-type: none"> • Volume Flex; • Data management; and • Billing, regulated fees/ charges and reporting requirements as set out in this RFT.

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)



WC2	Capacity Tenderers are required to demonstrate its capacity and past performance to provide the required services. This may include information on supply reliability, internal systems, people, policy and procedures that would be used to support the contract.
Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)	

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

<p>WC3</p>	<p>Innovation and value adding services</p> <p>The Tenderer may detail any value adding services at weighted criterion 3, Attachment 3 that may be of benefit to the ACT Government. This may include smart grid technology/enhancements (including integration with the Territory's smart cities network), demand response strategies including curtailment services, community sponsorships, training, and information or additional benefits for not for profit elements of the Territory. Benefits must be directly linked to the contract and would not otherwise have been provided.</p>
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC4	<p>Transition Plans (Engagement and Disengagement)</p> <p>The Tenderer is required to provide a methodology with full details of all assistance that will be provided to the Territory in engaging and disengaging the services in a timely manner by providing a Transition-in Plan and a Transition-out Plan.</p> <p>Both plans must detail resources available, data and resources required (if any).</p> <p>Tenderers to specify:</p> <ul style="list-style-type: none"> • what your organisation would do, if successful in this RFT, to assist the Territory and the incumbent contractor during the transition of the Services from the incumbent to your organisation; and • as an incumbent contractor what you would do to assist transition to a new contractor and how you would minimise any disruption to the Territory's business and minimise cost to the Territory during a handover to a new contractor. The engagement and disengagement plans must be for a minimum period of 30 days.
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC5	<p>Local Industry Participation Policy</p> <p>The Territory 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.</p> <p>Tenderers must prepare and submit a Local Industry Participation Plan by completing the relevant template available at: https://www.procurement.act.gov.au/__data/assets/pdf_file/0008/1391975/CBR-Region-LIPP-Local-IP-Plan-\$5m-.pdf (CBR-Region-LIPP-Local-IP-Plan-5m).</p>
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC6	<p>Pricing</p> <p>Tenderers are required to complete the Pricing Schedule at ATTACHMENT 3. Prices are to be in Australian Dollars and GST inclusive. Tenderers should provide costings based on a three, and seven-day validity pricing period.</p>
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

NON-WEIGHTED CRITERIA (NWC)	
NWC1	Referees Tenderers are required to provide details of three (3) of their major corporate and/or Government clients including contact names, telephone number and positions held as specified.
Strengths	Not Assessed.
Weaknesses	Not Assessed.
Opportunities	Not Assessed.

NWC2	Financial Viability Tenderers must provide copies of audited financial records for the past two years. A financial assessment may be undertaken by the Territory to assess the tenderer's financial viability and creditworthiness.
Strengths	Not Assessed.
Weaknesses	Not Assessed.
Opportunities	Not Assessed.
RISK ASSESSMENT	
Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)	

Schedule 2.2(a)(xi)

THRESHOLD CRITERIA (TC)

TC1	Licence and Registrations Tenderers must provide evidence demonstrating compliance with requisite licences and registrations to supply electricity in the ACT.
Compliance	Did the response comply with the Threshold Criteria? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

WEIGHTED CRITERIA (WC)

WC1	Proposed Delivery Tenderers are required to demonstrate the extent to which their tender response satisfies the Territory's requirements including (but not limited to): <ul style="list-style-type: none">• Volume Flex;• Data management; and• Billing, regulated fees/ charges and reporting requirements as set out in this RFT.
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

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internal systems, people, policy and procedures that would be used to support the contract.

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC3	<p>Innovation and value adding services</p> <p>The Tenderer may detail any value adding services at weighted criterion 3, Attachment 3 that may be of benefit to the ACT Government. This may include smart grid technology/enhancements (including integration with the Territory's</p>
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smart cities network), demand response strategies including curtailment services, community sponsorships, training, and information or additional benefits for not for profit elements of the Territory. Benefits must be directly linked to the contract and would not otherwise have been provided.

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC5	<p>Local Industry Participation Policy</p> <p>The Territory 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.</p>
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	<p>Tenderers must prepare and submit an Local Industry Participation Plan by completing the relevant template available at: https://www.procurement.act.gov.au/__data/assets/pdf_file/0008/1391975/CBR-Region-LIPP-Local-IP-Plan-\$5m-.pdf (CBR-Region-LIPP-Local-IP-Plan-5m).</p> <p>Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)</p>
<p>WC6</p>	<p>Pricing</p> <p>Tenderers are required to complete the Pricing Schedule at ATTACHMENT 3. Prices are to be in Australian Dollars and GST inclusive. Tenderers should provide costings based on a three, and seven-day validity pricing period.</p> <p>Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)</p>

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

NON-WEIGHTED CRITERIA (NWC)

NWC1	Referees Tenderers are required to provide details of three (3) of their major corporate and/or Government clients including contact names, telephone number and positions held as specified.
Strengths	Not Assessed.
Weaknesses	Not Assessed.
Opportunities	Not Assessed.
NWC2	Financial Viability Tenderers must provide copies of audited financial records for the past two years. A financial assessment may be undertaken by the Territory to assess the tenderer's financial viability and creditworthiness.
Strengths	Not Assessed.
Weaknesses	Not Assessed.
Opportunities	Not Assessed.

RISK ASSESSMENT

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi)

THRESHOLD CRITERIA (TC)

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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)



Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC2

Capacity

Tenderers are required to demonstrate its capacity and past performance to provide the required services. This may include information on supply reliability, internal systems, people, policy and procedures that would be used to support the contract.

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

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WC3	<p>Innovation and value adding services</p> <p>The Tenderer may detail any value adding services at weighted criterion 3, Attachment 3 that may be of benefit to the ACT Government. This may include smart grid technology/enhancements (including integration with the Territory's smart cities network), demand response strategies including curtailment services, community sponsorships, training, and information or additional benefits for not for profit elements of the Territory. Benefits must be directly linked to the contract and would not otherwise have been provided.</p>
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

<p>WC4</p>	<p>Transition Plans (Engagement and Disengagement)</p> <p>The Tenderer is required to provide a methodology with full details of all assistance that will be provided to the Territory in engaging and disengaging the services in a timely manner by providing a Transition-in Plan and a Transition-out Plan.</p> <p>Both plans must detail resources available, data and resources required (if any).</p> <p>Tenderers to specify:</p> <ul style="list-style-type: none"> • what your organisation would do, if successful in this RFT, to assist the Territory and the incumbent contractor during the transition of the Services from the incumbent to your organisation; and • as an incumbent contractor what you would do to assist transition to a new contractor and how you would minimise any disruption to the Territory's business and minimise cost to the Territory during a handover to a new contractor. The engagement and disengagement plans must be for a minimum period of 30 days.
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC5	<p>Local Industry Participation Policy</p> <p>The Territory 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.</p> <p>Tenderers must prepare and submit an Local Industry Participation Plan by completing the relevant template available at: https://www.procurement.act.gov.au/__data/assets/pdf_file/0008/1391975/CBR-Region-LIPP-Local-IP-Plan-\$5m-.pdf (CBR-Region-LIPP-Local-IP-Plan-5m).</p>
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

WC6	<p>Pricing</p> <p>Tenderers are required to complete the Pricing Schedule at ATTACHMENT 3. Prices are to be in Australian Dollars and GST inclusive. Tenderers should provide costings based on a three, and seven-day validity pricing period.</p>
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Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

NON-WEIGHTED CRITERIA (NWC)

NWC1	Referees Tenderers are required to provide details of three (3) of their major corporate and/or Government clients including contact names, telephone number and positions held as specified.
Strengths	Not Assessed.
Weaknesses	Not Assessed.
Opportunities	Not Assessed.
NWC2	Financial Viability Tenderers must provide copies of audited financial records for the past two years. A financial assessment may be undertaken by the Territory to assess the tenderer's financial viability and creditworthiness.
Strengths	Not Assessed.
Weaknesses	Not Assessed.
Opportunities	Not Assessed.

RISK ASSESSMENT

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2.2(a)(xi), Schedule 2.2(a)(xii)

Schedule 2. Corporate / Financial Viability Report(s)

Not used.

Schedule 3. Agency Feedback Form(s)

Not used.



Procurement ACT

Address: GPO Box 158 Canberra ACT 2601

Phone: +61 2 6205 9797

Email: procurementact@act.gov.au