



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 2022-260

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)	60
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]
Sent: Wednesday, 24 August 2022 12:17 PM
To: CMTEDD FOI
Cc: [REDACTED]
Subject: 2022-260 FOI Request | Tender Evaluation Documents

Good Afternoon,

RE: FOI REQUEST – TENDER DOCUMENTS

I write to request under the *Freedom of Information Act 2016* a copy of any tender evaluation documents including but not limited to tender evaluation reports and or/approvals, business cases, and tender response relating to tender: GS0315976

For further clarification, you can find the tender here: [Contract - GS0315976](#)

I would like my request to include any Ministerial briefs, including attachments, and Ministerial correspondence including emails and letters.

I ask that my request be transferred to other entities that may hold relevant information. Duplicate documents may be excluded.

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

Best,

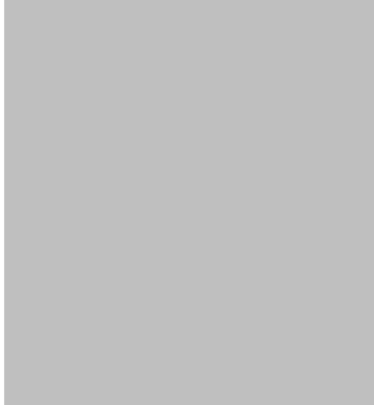




ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI2022-260



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 24 August 2022, in which you sought access to tender documents.

Specifically, you sought *'a copy of any tender evaluation documents including but not limited to tender evaluation reports and or/approvals, business cases, and tender response relating to tender: GS0315976'*.

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 and following a 15-day extension of time granted under section 41, CMTEDD was required to provide a decision on your access application by 14 October 2022. However, following third-party consultation as required under section 38 of the Act, the due date for a decision on your access application is now 04 November 2022.

Decision on access

Searches were completed for relevant documents and five 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 partial access to two documents relevant to your request. I have decided to refuse access to three documents as I consider them to be 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 in accordance with section 54(2) of the Act, and the documents released to you are provided as **Attachment B** to this letter.

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 views of the relevant third parties consulted under section 38 of the Act
- the *Information Privacy Act 2014*

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 interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

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 [public interest] 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 under Schedule 2 s2.1:

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

- promote open discussion of public affairs and enhance the government’s accountability.*
- contribute to positive and informed debate on important issues or matters of public interest.*
- ensure effective oversight of expenditure of public funds.*

I consider the disclosure of this information could reasonably be expected to contribute to open discussion on matters pertaining to government procurement, expenditure, and

due diligence, in addition to the Government's investment in safeguarding the Territory's environmental future.

I am satisfied that there is public interest in the Sustainable Household Scheme and the release of this information would help to stimulate positive and informed debate on issues of importance to the public.

I am satisfied that these are relevant considerations favouring disclosure for documents 1 and 2 (refer **Attachment A**), and in the interests of enhancing transparency and accountability, I afford them significant weight. Regarding documents 3, 4, and 5 (refer **Attachment A**) I afford these considerations minimal weight. The latter documents while demonstrating due diligence was followed by the Government, are entirely composed of information that is otherwise not in the public interest.

I also note the 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 Act. I have considered this overarching concept in making my decision in relation to access.

Factors favouring nondisclosure in the public interest Schedule 2 s2.2:

(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 during business 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 consultants and personal details which may not be 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 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.

These documents contain commercially sensitive information involving pricing models, credit portfolio information, business methodologies, relationships with vendors and so

forth. Release of this information could or would significantly prejudice an organisation's ability to compete in the non-bank lending market by creating an uneven competitive landscape to those that have chosen to do business with the ACT Government. 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 participated in this procurement have done so trusting that the ACT Government will not release the tender details. This trust, if broken, would, or could, reasonably be expected to prejudice an agency's ability to obtain confidential information from private sector suppliers of goods and services to the ACT Government.

Additionally, revealing the weighting percentages of criteria in a tender would, or could lead to misleading responses of future 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.

Documents 3, 4 and 5 of the identified documents contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act. These are financial assessments completed on companies that participated in the request for proposal, the content of which is not in the public interest.

Charges

Fees for this access application are waived under section 107 (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. 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 on the 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:

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,



Emma Hotham
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate
4 November 2022



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
Any tender evaluation documents including but not limited to tender evaluation reports and or/approvals, business cases, and tender response relating to tender: GS0315976	CMTEDDFOI 2022-262

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-49	ACTGOV GS0315976 – RFP Evaluation Report – Sustainable Household Scheme Management	June 2021	Partial	Sch 2 s2.2 (a)(xi) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xiii)	Yes
2	50-60	Attachment A GS0315976 - Sustainable Household Scheme Management Services	June 2021	Partial	Sch 2 s2.2 (a)(xi) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xiii)	Yes
3		Attachment B1 Financial Assessment	May 2021	Exempt	Sch 2 s2.2 (a) (ii) Sch 2 s2.2 (a)(xi) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xiii)	No
4		Attachment B2 Financial Assessment	May 2021	Exempt	Sch 2 s2.2 (a) (ii) Sch 2 s2.2 (a)(xi) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xiii)	No
5		Attachment B3 Financial Assessment	May 2021	Exempt	Sch 2 s2.2 (a) (ii) Sch 2 s2.2 (a)(xi) Sch 2 s2.2 (a)(xii) Sch 2 s2.2 (a)(xiii)	No
Total No of Docs						
5						



ACT
Government

Procurement ACT

**ACTGOV GS01315976 – RFP
Evaluation Report**

**Sustainable Household
Scheme Management**

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1. Executive Summary

1.1. Introduction

- 1.1.1. This Evaluation Report is for the Request for Proposal (RFP) – ACTGOV GS0315976 Sustainable Household Scheme Management and describes the evaluation process that was undertaken in accordance with the RFP 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.

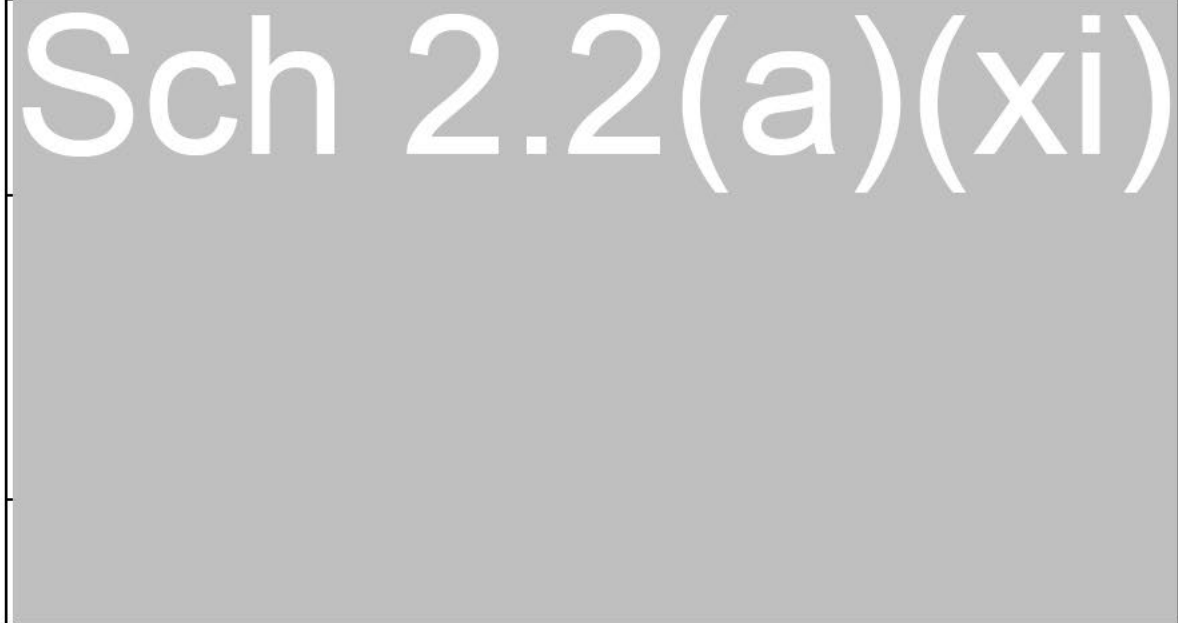
1.2. Background

- 1.2.1. The Territory had a requirement to market test the provision of a service provider to manage and administer the Scheme to support its requirements and operations.
- 1.2.2. ACTGOV GS0315976 Sustainable Household Scheme Management was developed utilising the Procurement ACT suite of tendering documents with the assistance of Procurement ACT.
- 1.2.3. In accordance with the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*, the RFP was issued by the Territory as a Public Tender via Tenders ACT on 12 April 2021 and closed at 2:00pm (ACT Local Time) on 10 May 2021.
- 1.2.4. Two (2) addenda were issued providing answers to questions of clarification in relation to the RFP.
- 1.2.5. All responses were lodged using the Tenders ACT electronic distribution functionality, which allows potential Consultants to submit responses to a secure electronic Response Box via the Tenders ACT website.
- 1.2.6. Three responses were received, with zero set aside due to not meeting the compliance requirements and/or Threshold Assessment Criteria of the RFP.

1.3. Value for Money Assessment Summary

- 1.3.1. A Value for Money Assessment was conducted in accordance with the approved Evaluation Plan. The following table includes actual costs over the 10 year life of the loan (including cost of capital) and summarises the final scores in order of merit for the responses:

RESPONDENT	TOTAL PRICE (ACTUAL COST OF 10 YEAR LOANS)	TOTAL WEIGHTED TECHNICAL SCORE	RISK RATING	VFM RANKING
Brighte Capital Pty Ltd	\$0 (including GST) 10 year comparative cost estimate \$0 (including GST)	Sch 2.2(a)(xi)		



1.3.2. The Evaluation Team (Evaluation Team) through this Evaluation Report wishes to seek Delegate approval of Brighte Capital Pty Limited, ABN/ACN 609 165 906 as the successful Respondent.

2. Tender Evaluation Team Membership

2.1. Evaluation Team

2.1.1. The Evaluation Team comprised the following members:

ROLE	NAME
Evaluation Team Chair	Emma Humphreys
Member	Jo Dawson
Member	Gene McGlynn
Member	Stuart Friend

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	
Evaluation Team Facilitator (Procurement Officer - G&S Procurement)	Fiona Vink
Advisor	Daniel Harding

Advisor	Kathy Goth
---------	------------

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 ADVISORS / AUDITORS	
Advisor	Rebecca Stuart

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 Respondents that have submitted responses.
- 3.1.2. No Evaluation Team member has disclosed that he or she has a conflict of interest or association with any of the Respondents.
- 3.1.3. 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 12 April 2021.
- 4.1.2. The evaluation was based upon the requirements published in the RFP 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: Receipt and Registration of Responses (Tenders ACT)

Stage 1A: Lodgement

Stage 1B: Late Responses

Stage 2: Compliance Assessment

Stage 2A: General Compliance

Stage 2B: Threshold Assessment Criteria

Stage 2C: Incomplete Responses

Stage 2D: Redaction and Removal of Pricing Information

Stage 3: Technical Assessment

Stage 3A: Technical Evaluation

- Stage 3B: Regional Commitment and Industry Participation (if applicable)*
 - Part 1: Local Industry Participation Policy (if applicable)*
 - Part 2: Secure Local Jobs Code (if applicable)*
- Stage 3C: Interviews, Presentation, Demonstrations, Samples, Prototypes (if required)*
- Stage 3D: Clarifications (if required)*
- Stage 3E: Shortlisting (if required)*
- Stage 4: Price Assessment
- Stage 5: Risk Assessment
 - Stage 5A: Assessment of Risk*
 - Stage 5B: Referee Information (if required)*
 - Stage 5C: Additional Corporate / Financial Information (if required)*
 - Stage 5D: External Feedback Procedures (if required)*
- Stage 6: Value for Money Assessment
 - Stage 6A: Value for Money Assessment*
 - Stage 6B: Best and Final Offer (BAFO) (if required)*
 - Stage 6C: Structured Negotiations (if required)*
- Stage 7: Evaluation Report
- Stage 8: Finalise Selection of the Preferred / Successful Respondent
 - Stage 8A: Selection of the Preferred / Successful Respondent and Finalising the Contract*
 - Stage 8B: Notification of the Preferred / Successful Respondent*
 - Stage 8C: Notification of Unsuccessful Respondents 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 RFP, Standard Conditions of Response and all addenda;
 - (c) the relationship between the Assessment Criteria, the 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 Criteria

5.1. Weighted Assessment Criteria

5.1.1. Responses were assessed against the following Weighted Assessment Criteria:

NO.	WEIGHTED ASSESSMENT CRITERIA	WEIGHTING
WC 1	Experience – Loans Program Delivery	Sch 2.2(a)(xiii)
WC 2	Capability – Loans Administration	
WC 3	Capability – Program Administration/reporting	
WC 4	Capability – Supplier/Installer Management	
WC 5	Capacity	
WC 6	Regional Contribution and Industrial Relations	

5.2. Non-Weighted Assessment Criteria

5.2.1. Responses were assessed against the following Non-Weighted Assessment Criteria:

NO.	NON-WEIGHTED ASSESSMENT CRITERIA
NWC 1	Cost to the Territory

6. Stage 1: Receipt and Registration of Response Responses

6.1. Stage 1A: Lodgement

6.1.1. Responses were received and registered in accordance with the approved Evaluation Plan and the Territory’s electronic Response Box protocols.

6.1.2. 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 Respondents by the Closing Time and Date and registered by the Tenders ACT team:

Sch 2.2(a)(xi)

6.1.4. These were registered in the EDRMS WIRE Record Number: TRSY2021/422.

6.2. Stage 1B: Late Responses

6.2.1. No Late Responses were received after the Closing Time and Date for ACTGOV GS0315976 Sustainable Household Scheme Management.

7. Stage 2: Compliance Assessment

7.1. Stage 2A: General Compliance

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

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

7.2. Stage 2B: Threshold Assessment Criteria

7.2.1. Not used.

7.3. Stage 2C: Incomplete Responses

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

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

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

7.4.2. 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**.

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 responses using the Scoring Scale as detailed in the approved Evaluation Plan.

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

RESPONDENT	WC1	WC2	WC3	WC4	WC5	WC6	TOTAL WEIGHTED TECHNICAL SCORE
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Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

8.1.3. A summary of the technical evaluation commentary of each Response is provided in the following table:

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

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



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



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



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

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

8.1.5. The Evaluation Team’s individual and final assessment of each response, inclusive of their scores and commentary, is provided at **Schedule 2 - Detailed Evaluation Workbook**.

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.

8.2.2. A summary of each Response’s technical scores for Regional Contribution and Industrial Relations is provided in the following table:

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

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

- 8.3.1. As part of the evaluation process, the Evaluation Team deemed it was necessary and appropriate to request Interviews from the Respondents.
- 8.3.2. All Interviews were managed by the Evaluation Team Facilitator with assistance of other Evaluation Team members, and in accordance with the approved Evaluation Plan.
- 8.3.3. A summary of the follow up questions and responses from the interviews are below.

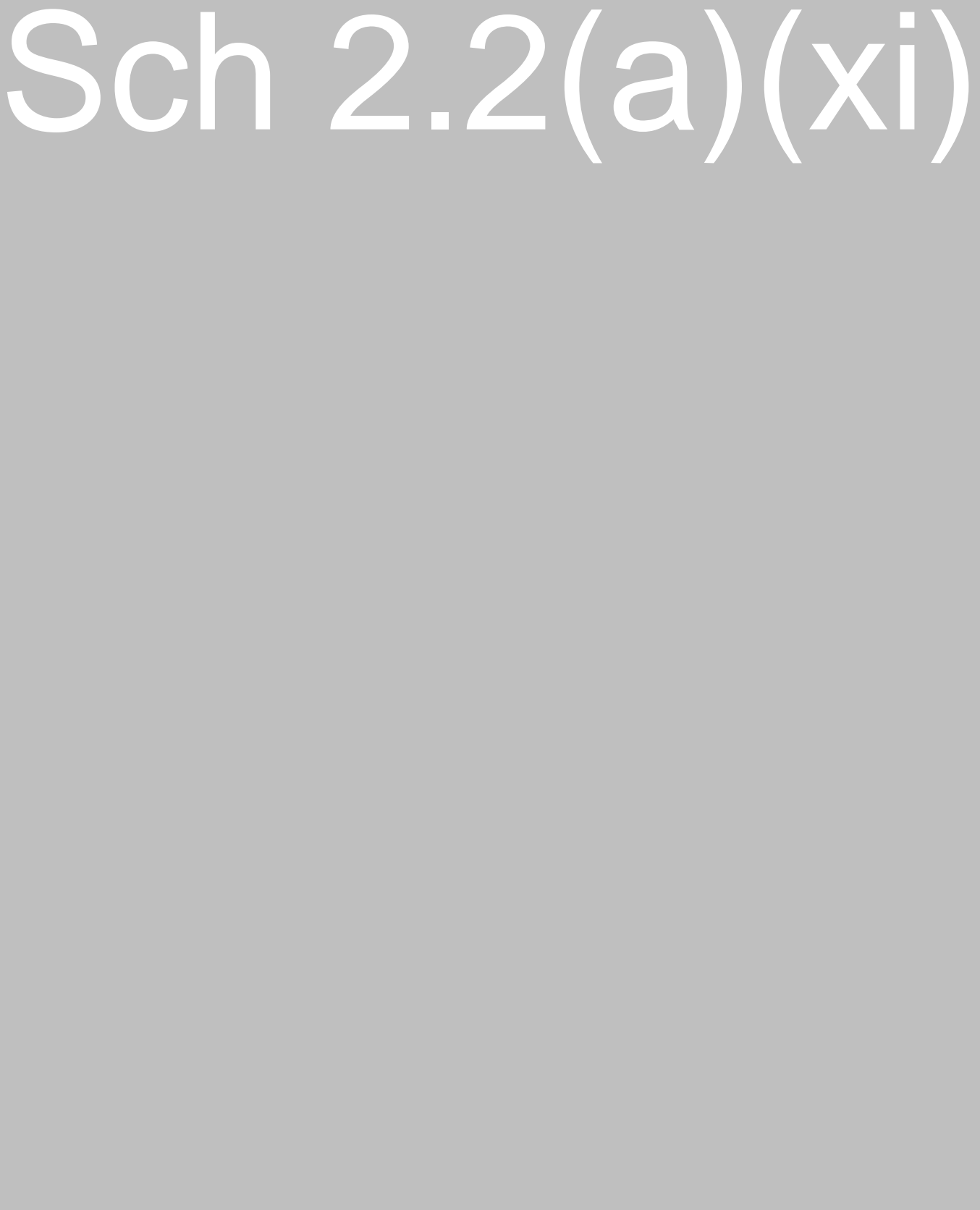
Sch 2.2(a)(xi)

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

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 Respondents.
- 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 Response clarification outcomes for each Respondent is provided in the following table:



Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

Sch 2.2(a)(xi)

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 RFP as an available option after **Stage 3: Technical Assessment**.

8.5.2. The Evaluation Team **did not** undertake 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 Respondents can deliver requirements to a satisfactory level on the basis of their Response response and set aside Response responses from further evaluation in accordance with the following:

- (a) where a conflict of interest exists or is perceived to exist;
- (b) where the Response 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 Services of a similar nature;
- (d) insufficient evidence of demonstrated capability to efficiently and effectively manage and provide the Services;
- (e) an adverse security, integrity and/or probity check of the Respondent;
- (f) an adverse or insufficient financial capability assessment of the Respondent; or
- (g) the responses are not demonstrably viable based on the tendered pricing.

9. Stage 4: Pricing Assessment

9.1. Stage 4: Pricing Analysis

- 9.1.1. As part of the evaluation process, the Evaluation Team undertook an analysis of pricing submitted by the Respondents as part of their Response response.
- 9.1.2. The Evaluation Team ranked each Response based upon the assessment of each Respondent's Total Price, in terms of whole of life costs and the benefit to the Territory.
- 9.1.3. The Total Price for each Response is provided in the following table, which is ranked in ascending order (order of merit):

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

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

10. Stage 5: Risk Assessment

10.1. Stage 5A: Assessment of Risk

- 10.1.1. As part of the evaluation process, the Evaluation Team undertook a risk assessment of the various Respondents to identify risks associated with a response and if required, any mitigating actions that could be applied to the Services to render the bid to an acceptable/low risk.
- 10.1.2. A summary of risks identified for each Respondent and the mitigations proposed is provided in the following table. (Risk rating determined after identifying controls):

RESPONDENT	SUMMARY OF RISKS IDENTIFIED	IMPACT	CONTROL	RISK RATING
------------	-----------------------------	--------	---------	-------------

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

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

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

10.2. Stage 5B: Referee Information

- 10.2.1. As part of the evaluation process, the Evaluation Team deemed it was unnecessary to contact referees to validate claims made by the Respondents. Due to familiarity with the

operation of these organisations in other markets and past discussions with other program managers who have worked with them.

10.3. Stage 5C: Additional Corporate / Financial Information

10.3.1. The Evaluation Team engaged the financial assessor Corporate Scorecard Pty Ltd who have been contracted to carry out corporate and/or financial viability assessments on behalf of the Territory for the following Respondents:

Sch 2.2(a)(xi)

10.3.2. The results of the corporate and/or financial viability assessments were discussed by the Evaluation Team and, where appropriate, were factored into the risk assessment. A copy of the corporate and/or financial viability assessments are located at **Schedule 3 – Corporate / Financial Viability Report(s) Attachment B**.

10.4. Stage 5D: External Feedback Procedure

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

11. Stage 6: Value for Money Assessment

Stage 6B: Best and Final Offer

NOT USED.

Stage 6C: Structured Negotiations

11.1.1. NOT USED.

11.2. Stage 6A: Value for Money Analysis

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

11.2.2. In conducting the Value for Money assessment, the Evaluation Team recognised that the Response representing the best Value for Money outcome for the Territory might not necessarily be the lowest priced Response.

11.2.3. 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 by the Total Price;
- (b) technical worth represented by the Weighted Technical Scores;
- (c) the level of risk a Response is likely to pose to the Territory;

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

11.2.4. 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):

RESPONDENT	TOTAL PRICE (ACTUAL COST OF 10 YEAR LOANS)	TOTAL WEIGHTED TECHNICAL SCORE	RISK RATING	VFM RANKING
------------	--	--------------------------------	-------------	-------------

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

12. Stage 7: Evaluation Report

12.1.1. This Evaluation Report has been prepared to:

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

13. Stage 8: Finalise Selection of the Preferred Respondent

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

- 13.1.1. As an outcome of the Value for Money assessment activities, the Evaluation Team determined that the Response from Brighte Capital Pty Ltd, ABN/ACN 609165906 represents the best Value for Money outcome for the Territory and should be considered as the preferred Respondent.
- 13.1.2. The Evaluation Team assessment was based on the following key factors:
- (a) the Evaluation Team was satisfied that Brighte Capital Pty Ltd, ABN/ACN 609165906 demonstrated to a high standard the capability and capacity to deliver the Services; and
 - (b) the Evaluation Team considered that Brighte Capital Pty Ltd, ABN/ACN 609165906 represented an acceptable level of commercial risk that could be mitigated through Contract development. And by additional assurance activities by the contract manager.
- 13.1.3. The Evaluation Team confirms that the preferred Respondent is compliant with the Workplace Gender Equity Act 2012 and Brighte Capital Pty Ltd, ABN/ACN 609165906 is not listed on the following website: <http://www.wgea.gov.au/>
- 13.1.4. Following on from Delegate approval of this Evaluation Report and, if required, undertaking Contract negotiations with the preferred Respondent, the Evaluation Team will finalise the selection of the successful Respondent.

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

- 13.2.1. On the successful completion of Contract negotiations with a preferred Respondent and the execution of a Contract, letters will be sent to all/the unsuccessful Respondent 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 ACT GOV GS0315976 FOR THE PROVISION of a Sustainable Household Scheme, we confirm that the Response evaluation process was conducted in accordance with the RFP, the approved Evaluation Plan.

EVALUATION TEAM: ENDORSEMENT

Evaluation Team

Signature

Name: Emma Humphreys Title: Director, Sustainability Household Scheme Date:	Signature: _____ Evaluation Team Chair
Name: Gene McGlynn Title: EGM Climate Change and Energy Date:	Signature: _____ Evaluation Team Member
Name: Stuart Friend Title: Executive Branch Manager, Expenditure Review Branch, TREASURY Date:	Signature: _____ Evaluation Team Member
Name: Jo Dawson Title: Executive Branch Manager, Light Rail Operations, TRANSPORT CANBERRA AND BUSINESS SERVICES Date:	Signature: _____ Evaluation Team Member

15. Evaluation Recommendation

15.1.1. The Evaluation Team recommends that you approve:

- (a) the selection of Brighte Capital Pty Ltd, ABN/ACN 609165906 as the preferred Respondent;
- (b) the selection of the Brighte Capital Pty Ltd, ABN/ACN 609165906 Response with a Total Price of **\$0** (including GST) as representing the best Value for Money outcome for the Territory;
- (c) the commencement of Contract negotiations with Brighte Capital Pty Ltd, ABN/ACN 609165906;
- (d) setting aside the remaining Responses from further consideration, pending a successful negotiated outcome with Brighte Capital Pty Ltd, ABN/ACN 609165906; and
- (e) entering into Contract with Brighte Capital Pty Ltd, ABN/ACN 609165906 for an initial term of 1 year, with a 1 year extension option, pending a successful negotiated outcome.

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

16. Delegate Approval

16.1.1. The Evaluation Team recommendation is Approved, and the comments on the tenderers noted. The Program Delivery Team (Climate Action Office in CMTEDD and Sustainable Household Scheme Team in EPSDD) is authorised to:

- (a) Enter into contract negotiations with the preferred Respondent within the parameters outlined in the Evaluation Team recommendation.
- (b) Arrange for Procurement ACT to prepare a Contract between the Territory and the preferred Respondent, provided the outcomes of the Contract negotiations are successful as outlined in the Evaluation Team recommendation.

DIRECTOR GENERAL / DELEGATE: APPROVED / NOT APPROVED	
Name	Sam Engele
Position	Coordinator General - Climate Action, Policy and Cabinet, CMTEDD
Signature	
Date	
Statement	This Evaluation Report is approved.
Comments	

16.2. Contract Execution Request

16.2.1. I have the properly delegated authority from the Director General of Chief Minister, Treasury and Economic Development with regard to the above approved procurement expenditure to 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;
- (b) Contract; and
- (c) Other Related Documents.

DIRECTOR GENERAL / DELEGATE: APPROVED / NOT APPROVED	
Name	Sam Engele
Position	Coordinator General - Climate Action, Policy and Cabinet, CMTEDD
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 / entity for the Contract between the Territory and Brighte Capital Pty Ltd, ABN/ACN 609165906, you may approve the proposed text identified at Paragraph 4.1.1 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 ACT GOV GS0315976 FOR THE PROVISION of a Sustainable Household Scheme process, Brighte Capital Pty Ltd, ABN/ACN 609165906, has requested under Section 35(1)(a)&(b) of the Act that following aspects of their Contract be kept confidential.

Request for Proposal GS0315976

Attachment B - Response Schedules

TABLE 11 – CONFIDENTIAL TEXT

The Tenderer must specify in writing any information they may wish to be treated as confidential in any subsequent agreement

DRAFT CONTRACT / TERMS AND CONDITIONS	*GROUNDS FOR CONFIDENTIALITY	REASON FOR COFIDENTIALITY
We understand that Brighte's response to this RFP will be confidential in its entirety. In particular, we would expect that Attachment C, Pricing Schedule, should be confidential on the basis of the grounds set out in section 35 of the <i>Government Procurement Act 2001 ACT</i> (Act)		
Draft MSA provided by Brighte Capital in accordance with Section 1 Table 12 of this Response to RFP (MSA) clause 26 Supplier Indemnities	iii)	Brighte considers that its positions in respect to contractual negotiations around liability and indemnities to be information (other than a trade secret) that has a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed. Negotiated legal positions becoming public could significantly prejudice Brighte's ability to negotiate commercially in future.
MSA clause 27	iii)	As above
MSA clause 28	iii)	Brighte considers that its disclosures with respect to its insurance to be information (other than a trade secret) that has a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed. Brighte's insurance is sensitive to it and disclosure of such information may prejudice Brighte's ability to negotiate and receive commercially appropriate insurances in future.

***NOTE: The Tenderer should be aware that the Territory may be required to disclose information:**

- i) under the *Freedom of Information Act 2016 (ACT)* or when required by the responsible Minister in the Legislative Assembly;
- ii) when authorised or required by law to disclose information;
- iii) when required to provide disclosure by the Territory to the responsible Minister;
- iv) under the requirement to publish details of its agreements or standing offers with an estimated liability of \$25,000 or more on the Territory Contracts Register within 21 days of entering into the agreement or standing offer;
- v) due to compliance with record keeping obligations under the *Archives Act 1983 (Cth)* and other standards and guidelines;
- vi) due to the requirement to disclose information to the Legislative Assembly and its committees in response to a request.

- 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 abovementioned aspects of Brighte Capital Pty Ltd, ABN/ACN 609165906 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. Head of Service Approval

DIRECTOR GENERAL: APPROVED / NOT APPROVED	
Name	Kathy Leigh
Position	Head of Service and Director General
Signature	
Date	DD MM YYYY
Statement	Approval of Confidential Text outlined in this Evaluation Report
Comments	

Schedule 1. Detailed Summary of Responses

Sch 2.2(a)(xi)	
WEIGHTED CRITERIA (WC)	
WC1	Experience – Loans Program Delivery
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC2	
Strengths	

Weaknesses	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Opportunities	
Technical Score	
WC3	
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC4	
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)

	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Opportunities	
Technical Score	
WC5	Capacity – Sch 2.2(a)(xi)
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC6	Regional Contributions and Industrial Relations – Sch 2.2(a)(xii)
Strengths	Sch 2.2(a)(xii), Sch 2.2(a)(xi)

Weaknesses	Sch 2.2(a)(xii), Sch 2.2(a)(xi)
Opportunities	
Technical Score	
RISK ASSESSMENT	
RISK 1	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
RISK 2	
RISK 3	
RISK 4	
RISK 5	
RISK 6	
FINANCIAL ASSESSMENT	
PRICE	Sch 2.2(a)(xi)
Strengths	
Weaknesses	
Opportunities	
Sch 2.2(a)(xi)	
WEIGHTED CRITERIA (WC)	
WC1	Experience – Loans Program Delivery <small>Sch 2.2(a)(xii)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)

	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC2	Capability – Loans Administration (
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC3	Capability – Program Administration/reporting
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	

WC4	Capability – Supplier/Installer Management <small>Sch 2.2(a)(xi)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC5	Capacity – <small>Sch 2.2(a)(xi)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC6	Regional Contributions and Industrial Relations – <small>Sch 2.2(a)(xii)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
NON-WEIGHTED CRITERIA (NWC)	

NWC1	Sch 2.2(a)(xi)
Strengths	
Weaknesses	
Opportunities	
RISK ASSESSMENT	
RISK 1	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
RISK 2	
RISK 3	
RISK 4	
RISK 5	
RISK 6	
FINANCIAL ASSESSMENT	
PRICE	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Strengths	
Weaknesses	
Opportunities	
Sch 2.2(a)(xi)	
WEIGHTED CRITERIA (WC)	
WC1	Experience – Loans Program Delivery <small>Sch 2.2(a)(xi)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	

	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Opportunities	
Technical Score	
WC2	Capability – Loans Administration <small>Sch 2.2(a)(xii)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC3	Capability – Program Administration/reporting <small>Sch 2.2(a)(xi)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	

WC4	Capability – Supplier/Installer Management <small>Sch 2.2(a)(x ii)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC5	
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	
Opportunities	
Technical Score	
WC6	Regional Contributions and Industrial Relations – <small>Sch 2.2(a)(xiii)</small>
Strengths	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Weaknesses	

Opportunities	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Technical Score	
NON-WEIGHTED CRITERIA (NWC)	
NWC1	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Strengths	
Weaknesses	
Opportunities	
RISK ASSESSMENT	
RISK 1	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
RISK 2	
RISK 3	
RISK 4	
RISK 5	
RISK 6	
FINANCIAL ASSESSMENT	
PRICE	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Strengths	
Weaknesses	
Opportunities	

Schedule 2. Detailed Evaluation Workbook

Attachment A

Schedule 3. Corporate / Financial Viability Report(s)

Attachment B

Schedule 4. Agency Feedback Form(s)

Not used

Schedule 5. Content Controls

1. Automated - Format

1.1. Automated: Procurement Type Full Text

1.1.1. Request for Proposal (RFP)

1.1.2. Request for Proposal (RFP)

1.1.3. Request for Proposal (RFP)

1.2. Automated: Procurement Type Abbreviated

1.2.1. RFP

1.2.2. RFP

1.2.3. RFP

1.3. Automated: Tenderer; Respondent; Evaluation Teamlist

1.3.1. Respondent

1.3.2. Respondent

1.3.3. Respondent

1.4. Automated: Tender; Quotation; Response; Submission

1.4.1. Response

1.4.2. Response

1.4.3. Response

1.5. Automated: Supplier; Contractor; Consultant; Evaluation Teamlist

1.5.1. Consultant

1.5.2. Consultant

1.5.3. Consultant

1.6. Automated: Contract Delivery Method

1.6.1. Services

1.6.2. Services

1.6.3. Services



Procurement ACT

Address: GPO Box 158 Canberra ACT 2601

Phone: +61 2 6205 9797

Email: procurementact@act.gov.au

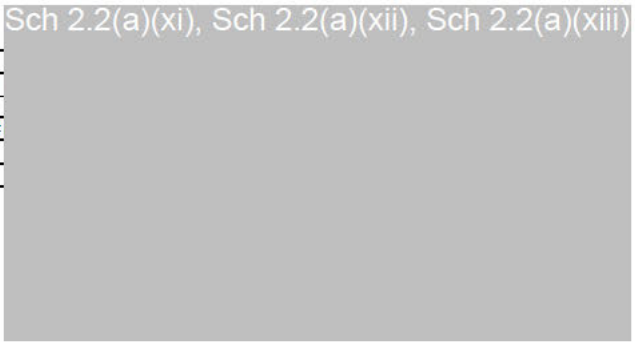
GS0315976 - Sustainable Household Scheme Management Services

Ranking - after Technical Scoring		
Tenderer	/1000	Ranking
Sch 2.2(a)(xi), Sch 2.2(a)(xii)		

FINAL RANKING				
Tenderer	Technical Score /1000	Risk Rating	Price	Overall Ranking
Sch 2.2(a)(xi), Sch 2.2(a)(xii)				

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

WC1	Experience -Loans Program
WC2	Capability loans administration
WC3	capability program
WC4	Supplier/ Installer Management
WC5	Capacity
WC6	Regional Contribution and



G2015876 - Sustainable Household Scheme Management Services

Table 4 - Assets		Schedule 2				Schedule 3	
Asset	Weighting %	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
1.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
2.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
3.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
4.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
5.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
6.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
7.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
8.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
9.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
10.00	100%	Asset 1	Asset 2	Asset 3	Asset 4	Asset 5	Asset 6
Total Weighting		100%					

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

04022019 - 2022 Public Household Income Management System	
Year	Amount
2019	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
2020	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
2021	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
2022	Sch 2.2(a)(xi), Sch 2.2(a)(xii)
Total	Sch 2.2(a)(xi), Sch 2.2(a)(xii)

Year	Amount
2019	Sch 2.2(a)(xii)
2020	Sch 2.2(a)(xii)
2021	Sch 2.2(a)(xii)
2022	Sch 2.2(a)(xii)
Total	Sch 2.2(a)(xii)

10 year cashflow of costs (excludes principal repayments)

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

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

Loan amount	Number of loans
\$5 000	500
	1000
	2000
	3000
	4000
	5000
	6000
\$5 000	500
	1000
	2000
	3000
	4000
	5000
	6000
\$10 000	500
	1000
	2000
	3000
\$10 000	500
	1000
	2000
	3000
\$15 000	500
	1000
	2000
\$15 000	500
	1000
	2000

Sch 2.2(a)(xiii)

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

Loan amount	Number of loans
\$5,000	500
	1000
	2000
	3000
	4000
	5000
	6000
\$10,000	500
	1000
	2000
	3000
\$15,000	500
	1000
	2000

Sch 2.2(a)(xiii)

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

Loan amount	Number of loans
\$5,000	500
	1000
	2000
	3000
	4000
\$10,000	500
	1000
	2000
	3000
\$15,000	500
	1000
	2000

Sch 2.2(a)(xiii)

Sch 2.2(a)(xi)

Request for Proposal G50315976

Attachment B - Response Schedules

TABLE 11 – CONFIDENTIAL TEXT

TABLE 11 – CONFIDENTIAL TEXT		
The Tenderer must specify in writing any information they may wish to be treated as confidential in any subsequent agreement		
DRAFT CONTRACT / TERMS AND CONDITIONS	REASONS FOR CONFIDENTIALITY	REASON FOR CONFIDENTIALITY
We understand that Brighte's response to this RFP will be confidential in its entirety. In particular, we would expect that Attachment C, Pricing Schedule, should be confidential on the basis of the grounds set out in section 35 of the Government Procurement Act 2003 (ACT).		
Draft MSA provided by Brighte Capital in accordance with Section 1 Table 12 of this Response to RFP (MSA) clause 26 Supplier Indemnities	iii	Brighte considers that its positions in respect to contractual negotiations around liability and indemnities to be information (other than a trade secret) that has a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed. Negotiated legal positions becoming public could significantly prejudice Brighte's ability to negotiate commercially in future.
MSA clause 27	iii	As above
MSA clause 28	iii	Brighte considers that its disclosures with respect to its insurance to be information (other than a trade secret) that has a commercial value that would be, or could reasonably be expected to be, destroyed or diminished if the information were disclosed. Brighte's insurance is sensitive to it and disclosure of such information may prejudice Brighte's ability to negotiate and receive commercially appropriate insurances in future.

*NOTE: The Tenderer should be aware that the Territory may be required to disclose information

- i) under the Freedom of Information Act 2016 (ACT) or when required by the responsible Minister in the Legislative Assembly;
- ii) when authorised or required by law to disclose information;
- iii) when required to provide disclosure by the Territory to the responsible Minister;
- iv) under the requirement to publish details of its agreements or standing offers with an estimated liability of \$25,000 or more on the Territory Contracts Register within 24 days of entering into the agreement or standing offer;
- v) due to compliance with record keeping obligations under the Archives Act 1983 (CH) and other standards and guidelines;
- vi) due to the requirement to disclose information to the Legislative Assembly and its committees in response to a request;

TABLE 12 - DRAFT CONTRACT COMPLIANCE RESPONSE

In evaluating Tenders, the Territory will have regard to the Tenderer's response below. Tenderers are to provide their suggested form of agreement, including terms and conditions, for the Territory to consider.

If the Tenderer has any doubt about its appropriateness for engaging with the Territory the Tenderer should identify and provide commentary here. Commentary may be used to assist the Territory in evaluating the Tender.

Please see Attachment "11.7.2 Proposed Services Agreement"

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



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

