

## Tender Policy

### Table of Contents

1. Purpose .....	1
2. Scope.....	1
3. Policy Statement.....	1
Obtaining Best Value for Money	2
Ensuring Accountability	2
Promoting Fairness and Impartiality	2
Handling Gifts and Benefits	2
Avoiding Conflicts of Interest	3
Expressions of Interest (EOI):	3
Open Request for Proposal/Tender (RFP/RFT):	3
Closed Request for Proposal/Tender (closed RFP/RFT):	3
Request for Quote (RFQ):	4
Supplier Panels:	4
4. Responsibilities.....	4
Reporting	4
Records management	4
5. Definitions.....	4
6. Related Legislation and Documents.....	4
7. Approval and Review Details .....	5

### 1. Purpose

- 1.1. This policy establishes the parameters under which AFTRS will conduct a tender whenever it is necessary to seek market responses in this form.

### 2. Scope

- 2.1. This policy applies to any formal Approach to Market whenever required by the Administrative Orders.

### 3. Policy Statement

- 3.1. When acquiring goods and services, AFTRS is to achieve best value for money while also maintaining efficiency, equity and fairness. AFTRS should maintain a reputation for fair and transparent dealings in its contracts with the public.

3.2. The two principles underpinning the Policy are:

#### **Economy**

- Value for money, being the benefits achieved compared to whole-of-life costs;
- Efficiency and effectiveness.

#### **Equity**

- Probity and fairness;
- Effective competition.

### **Obtaining Best Value for Money**

3.3. Getting best value for money means considering factors relevant to a particular purchase. While price is important, it is also important to consider whole-of-life costs and non-price factors such as:

- quality;
- reliability;
- delivery time;
- ongoing service; and
- support.

3.4. When contracting services, it is important to consider other factors, such as:

- experience;
- qualifications of personnel;
- knowledge of AFTRS' needs; and
- previous work performance.

### **Ensuring Accountability**

3.5. A member of AFTRS Executive must be assigned as the Project Sponsor to oversee and ensure the whole market approach process is in accordance to this policy and its procedures. Detailed records should be kept throughout the entire process and a report compiled for submission to the Project Sponsor or the CEO.

### **Promoting Fairness and Impartiality**

3.6. Selection criteria and specifications will be established and documented before calling for bids, and will be equally available to all prospective suppliers. If it is necessary to change criteria all tenderers must be given the same information, an equal opportunity and reasonable time to revise their bids.

### **Handling Gifts and Benefits**

3.7. AFTRS staff involved in a procurement process are able to accept gifts of a token kind or moderate acts of hospitality provided they are not in any way compromised or appear to be compromised as a result of this acceptance. If in doubt, advice should be sought from the Director of People & Culture or Head of Human Resources.

3.8. As an aid, the following principles may be used as a guide:

- Would acceptance in any way tend to influence judgement?
- Could it appear to an impartial observer that any person or body is securing or attempting to secure influence or favour through the provision of hospitality or benefits?

3.9. AFTRS officials should avoid all situations where the offer of a gift or benefit may result in these situations. Any substantial gifts, offers or suggestions about benefits that are made to any staff, either directly or indirectly, must be reported to their supervisor, in the first instance.

3.10. In all cases gifts and benefits must be managed according to the Gifts and Benefits Policy and Procedure.

## **Avoiding Conflicts of Interest**

- 3.11. Conflicts of interest arise when AFTRS staff are influenced, or appear to be influenced, by personal interests when doing their jobs. Any staff who has a connection with any of the respondents, or may stand to gain personally from the outcome of a purchasing decision, should not be involved in the process or be able to affect the outcome.
- 3.12. Contractors, consultants and potential suppliers also need to be made aware of the AFTRS policy on conflicts of interest and should be required to disclose any potential conflicts. If they do not do so, AFTRS may have grounds for terminating the contract.

## **Expressions of Interest (EOI):**

- 3.13. This method involves publishing an open and public Request for EOI and accepting all responses received that comply with the published terms.
- 3.14. This method must be approved in accordance with the Administrative Orders.
- 3.15. This method can be used for the following purposes:
  - Seeking market input for the procurement of products and/or services where the requirements are in development and may depend on factors that are specific to a proposed solution.
  - Using a limited set of essential or key requirements to pre-select from an expected large respondent pool prior to a detailed closed Request for Tender or Request for Proposal.
- 3.16. An EOI should be published for a reasonable period to allow the respondents to prepare a submission. As the nature of this method is intended to be brief it is expected that a reasonable period may be in the order of 10 business days.
- 3.17. An EOI does not result in the awarding of a contract.

## **Open Request for Proposal/Tender (RFP/RFT):**

- 3.18. This method involves publishing an open and public Request document and accepting all responses that comply with the published terms.
- 3.19. This method must be approved in accordance with the Administrative Orders.
- 3.20. An RFP is used where AFTRS is seeking the design and implementation of a solution according to stated business requirements. An RFT is used to procure against specific technical requirements where little or no design deliverables are required.
- 3.21. An approach of this kind must be published for a reasonable period to allow the respondents to prepare a submission. Given the detailed nature of these methods it is expected a reasonable period is no less than 20 business days.
- 3.22. An RFP/RFT may result in the awarding of a contract, however AFTRS standard invitation documents retain our right to award a contract for all, part or none of the goods or services requested.

## **Closed Request for Proposal/Tender (closed RFP/RFT):**

- 3.23. This process is only open to those respondents selected and invited to respond. In all other respects this method is the same as the Open method and all policy and procedures apply equally.
- 3.24. This method must be approved in accordance with the Administrative Orders.
- 3.25. To be selected and invited to respond to a closed RFP/RFT an invitee must be:
  - a selected respondent to an EOI; or
  - a respondent to a recent and similar RFP/RFT that was open and public; or
  - on an established government multi-use list; or
  - have been granted a specific license or comply with a legal requirement, in which it is essential to the conduct of the procurement.

## Request for Quote (RFQ):

- 3.26. This method involves a direct invitation to one or more suppliers.
- 3.27. This method must be approved in accordance with the Administrative Orders.
- 3.28. Selected invitees must represent a reasonable selection of the market that ensures fair competition and achieves AFTRS' goals of economy and equity.
- 3.29. An RFQ may result in the awarding of a contract, however AFTRS retains the right to award a contract for all, part or none of the goods or services requested.

## Supplier Panels:

- 3.30. A panel may be established by an open tendering process or closed tendering process or by AFTRS entering into contracts or deeds of standing offer for the provision of identified goods or services.

## 4. Responsibilities

### Reporting

- 4.1. If a contract is prepared and the total value is \$100,000 or more it must be reported as per the Senate Order for Entity Contracts regarding contracts over \$100,000.
- 4.2. No additional reporting is required.

### Records management

- 4.3. If a contract is prepared it must be recorded in accordance with the Administrative Orders, Financial Delegations and Contract Management Framework
- 4.4. All records relevant to administering this policy and procedure will be maintained by the Policy and Governance Officer.

## 5. Definitions

**Approach to Market:** includes any of Request for Tender (RFT), Request for Proposal (RFP), Expression Of Interest (EOI), Request for Quote (RFQ) and Panels.

**Panels:** A panel is defined as an arrangement under which a number of suppliers may each supply goods or services to AFTRS as specified in the panel arrangements.

## 6. Related Legislation and Documents

- *Senate Order for Entity Contracts*
- Administrative Orders
- Financial Delegations
- Contract Management Framework
- Gifts and Benefits Policy and Procedure
- Tender Procedure

## 7. Approval and Review Details

Approval and Review	Details
Approval Authority	CEO
Responsible Officer	Chief Financial Officer
Contact Officer	Chief Financial Officer
Distribution	Intranet and AFTRS website
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Approval and Amendment History	Details
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Minor Amendment Approval and History	N/A <i>&lt;&lt;DD/MM/20YY — Xxxxx&gt;&gt; [Add the date the Responsible Officer approved the minor amendment and details of amendment or just insert &lt;&lt;N/A&gt;&gt; ]  [Do not amend Original Approval Authority]  [E.g., 01/12/2020 —administrative amendment: update of role titles aligned to restructure.]</i>