

Our Ref: MCPFOI2022/30

Schedule 2.2(a)(ii)

Schedule 2.2(a)(ii)

Schedule 2.2(a)(ii)

Schedule 2.2(a)(ii)

via email: Schedule 2.2(a)(ii)

Dear Schedule 2.2(a)(ii)

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the FOI Act), received by Major Projects Canberra (MPC) on 21 December 2022, in which you sought access to:

"For the Request For Tender (RFT) no. 35491-RFT-004 PAP Services Mawson Flood Mitigation and Placemaking (tender closing date was 20 October 2022) the following documentation: 1. The winning tenderers proposal 2. The winning tenderers confidential text document (forming Attachment 4 of the RFT) 3. The Tender Evaluation Report undertaken by Major Projects Canberra which includes the scoring of all tenderers against weighted criteria and the names of the tender evaluation team members, their recommendations and sign-off To facilitate collection of the required documentation this may be obtained via tendersACT@act.gov.au, and that the winning tenderer was Indesco."

Authority

I am an Information Officer appointed by the Chief Projects Officer under section 18 of the Act to deal with access application made under Part 5 of the Act.

Decision on access

Searches were completed for relevant documents and three (3) 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.

My decision in relation to the documents relevant to your request is summarised as follows:

- Partial access to one (1) document; and
- Withhold access to two (2) documents.

My decision is detailed further in the following statement of reasons.

Statement of Reasons

In making my decision on disclosing government information, I must identify all relevant factors in schedules 1 and 2 of the FOI Act and determine, on balance, where the public interest lies. In reaching my access decision, I have taken the following into account:

Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Section 2.1(a)(i) - promote open discussion of public affairs and enhance the government's accountability; and
- Section 2.1(iv) ensure effective oversight of expenditure of public funds;

The release of this information may possibly help to create positive and informed discussions. I consider that disclosing the contents of the information sought could reasonably contribute to discussion of public affairs. I am satisfied that these are relevant considerations favouring disclosure in this case, and in the interests of enhancing open discussion, I afford them significant weight.

MPC evaluates many tenders both for work MPC undertakes, and on behalf of partner directorates. It is in the Public Interest that our decision making process in relation to these tenders is made available. This information is of interest to any future tenderers, to inform their future submissions. It is also of interest to the general public to confirm that MPC has thorough and impartial tender evaluation processes and therefore has effective oversight of expenditure of public funds.

Factors favouring non-disclosure in the public interest (Schedule 2, Section 2.2)

- Section 2.2(a)(ii) prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*;

The Tender Evaluation report contains personal information and I place significant weight on the right to privacy of individuals and their right to have their personal information protected. Accordingly, I have withheld access to and redacted the personal information contained in the document.

- Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person, and
- Section 2.2 (a)(xiii) prejudice the competitive commercial activities of an agency;

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.

In your application you have requested documents that contain information about negotiations, pricing information, intellectual property and other sensitive commercial information of a third party. Specifically, you have requested the winning tenderers proposal and the winning tenderers confidential text document (forming Attachment 4 of the RFT).

I am satisfied that release of the information in the winning tenderers proposal would have significant impact on the business affairs of that entity. Information contained in the submission is the tenderers Intellectual Property and is therefore considered as part of 'the totality of the money-making affairs of an organisation or undertaking' as defined in the case of *Re Mangan and The Treasury* [2005] AATA 898. Accordingly, I have decided this information is not in the public interest to release.

In relation to the requested confidential text document, I note that this information has already been accepted by MPC as confidential under Section 34 of the *Government Procurement Act 2001 (ACT)*. It is therefore reasonable for the successful tenderer to expect this information to remain confidential. In any event I also rely on Schedule 2 section 2.2(a)(xi) of the FOI Act that these business affairs are contrary to the public interest to release. Further to the above, I have considered the competitive commercial activities of MPC.

As the ACT Government's infrastructure delivery agency, MPC engages with and assesses commercial service providers to deliver vital infrastructure projects. It is essential for MPC to engage in these competitive commercial activities and with commercial third parties to negotiate best value for money for infrastructure developments. This is the case not only for this tender but on all MPC's projects, and I give this factor significant weight when deciding on information requests. The release of this information could reasonably be considered to diminish MPC's bargaining power and ability to negotiate competitive commercial terms. It is therefore contrary to the public interest to release this information at this stage.

Charges

I have decided to waive any charges in relation to this Freedom of Information application.

Online Publishing – Disclosure Log

Under section 28 of the Act, MPC maintains an official 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 MPC disclosure log three (3) days after the date of the decision. Your personal contact details will not be published. You may view the MPC disclosure log at <https://www.act.gov.au/majorprojectscanberra>.

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 the MPC disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision 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

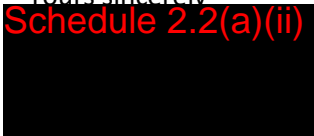
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore Street
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 (02) 6205 5288 or email MPCFOI@act.gov.au.

Yours sincerely

Schedule 2.2(a)(ii)



Damon Hall
Information Officer
Major Project Canberra

13 February 2023

FREEDOM OF INFORMATION REQUEST SCHEDULE

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: <https://www.act.gov.au/majorprojectscanberra/home>

FOI Reference Number		Request Details				
MPCFOI2022/30		<p><i>For the Request For Tender (RFT) no. 35491-RFT-004 PAP Services Mawson Flood Mitigation and Placemaking (tender closing date was 20 October 2022) the following documentation: 1. The winning tenderers proposal 2. The winning tenderers confidential text document (forming Attachment 4 of the RFT) 3. The Tender Evaluation Report undertaken by Major Projects Canberra which includes the scoring of all tenderers against weighted criteria and the names of the tender evaluation team members, their recommendations and sign-off To facilitate collection of the required documentation this may be obtained via tendersACT@act.gov.au, and that the winning tenderer was Indesco.</i></p>				
Ref No.	No. of Folios	Description	Date	Status	Reason for non-release or partial release	Open Access release status
1.	1-7	Major Projects Canberra Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking Principal's Authorised Person (PAP) Services (GC21) Procurement Evaluation Report	18 November 2022	Partial	Section 2.2(a)(ii) prejudice the protection of an individual's right to privacy or any other right under the <i>Human Rights Act 2004</i> & Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person & Section 2.2 (a)(xiii)	Y

					prejudice the competitive commercial activities of an agency	
2.	8-11	Improving Water Management Infrastructure – Mawson Flood Mitigation & Placemaking Indesco Non-Price Submission	Undated	Withheld	Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person	N
3.	-	Improving Water Management Infrastructure – Mawson Flood Mitigation & Placemaking Indesco Financial Offer	Undated	Withheld	Section 2.2(a)(xi) prejudice trade secrets, business affairs or research of an agency or person	N
Total Number of Documents						
3						

Major Projects Canberra

Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking Principal’s Authorised Person (PAP) Services (GC21)

Procurement Evaluation Report

Document Information¹

Document Details

Content owner: Project Manager, Infrastructure Delivery Partners, MPC
Support Contact: Senior Project Manager, Infrastructure Delivery, TCCS
Objective ID: A39724046

Revision History

Version	Issue Date	Position	Details
A	17 November 2022	Evaluation Team Chair	Draft version
B	18 November 2022	IDP Senior Manager and Evaluation Team Members	Reviews and edits
C	18 November 2022	Evaluation Team Chair	Final version



We wish to acknowledge the Ngunnawal people, the Traditional Custodians of the ACT. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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1.0 Overview

This Evaluation Report (Report) is for the Approach to Market (ATM) Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking Principal’s Authorised Person (PAP) Services (GC21) – 35491-RFT-004 and describes the evaluation process that was undertaken, details the outcomes of the value for money evaluation, and provides recommendations to the Delegate in accordance with the ATM and the approved Procurement and Evaluation Plan.

The following changes were made to the initially approved Procurement and Evaluation Plan:

Change	Approval obtained
Changes to the Evaluation Team membership as follows:	Delegate approval (email)
Evaluation Team Chairperson – Schedule 2.2(a)(ii)	
Evaluation Team member – Schedule 2.2(a)(ii)	

1.1 Background

In accordance with the *Government Procurement Act 2001* (ACT) and the *Government Procurement Regulation 2007* (ACT), the ATM was issued by the Territory as a public tender via Tenders ACT on 15 September 2022 and closed at 2:00pm (Canberra Local Time) on 25 October 2022.

Description	Number
Number of addenda issued providing answers to questions, updates, or additional information identified.	3
Number of Responses to the ATM received.	3
Number of Responses that did not meet the conformance requirements and/or threshold evaluation criteria of the ATM and were excluded from further consideration.	0

Addendum 1:

- Confirmation that the Secure Local Jobs Code does not apply to the procurement
- Confirmation that the proposed construction period is 24 weeks
- Site briefing date amended from 26 September to 10 October 2022
- Provision of Schedule of Contract Authorities for the ACT Government modified version of GC21 Edition 2.

Addendum 2:

- Closing date for receipt of tenders amended from to 20 October to 25 October 2022.

Addendum 3:

- Clarification of onsite presence requirement.

In accordance with the approved Procurement and Evaluation Plan, the Evaluation Team determined that the tenders submitted by the following Tenderers should be evaluated.

No.	Tenderer	ABN
1	Schedule 2.2(a)(xi)	
2	Schedule 2.2(a)(xi)	
3	Indesco	37 008 581 066

1.2 Assessment of evaluation criteria

The evaluation of Responses was undertaken in accordance with the process outlined in the approved Procurement and Evaluation Plan and applicable guidelines.

1.3 Acknowledgement and endorsement

As a member of the Evaluation Team, I:

- a) confirm that I have completed the evaluation process in accordance with the approved Procurement and Evaluation Plan;
- b) endorse the recommendations contained in this Report.

Role(s)	Details	Signature / Date
Chair	<p>Schedule 2.2(a)(ii)</p> <p>Project Manager Infrastructure Delivery Partners Major Projects Canberra</p>	<p>Schedule 2.2(a)(ii)</p> <p>18/11/2022</p>
Member	<p>Schedule 2.2(a)(i)</p> <p>Senior Project Manager Infrastructure Delivery Transport Canberra and City Services</p>	<p>Schedule 2.2(a)(ii)</p> <p>18/11/2022</p>
Member	<p>Schedule 2.2(a)(ii)</p> <p>Senior Project Manager Infrastructure Delivery Partners Major Projects Canberra</p>	<p>Schedule 2.2(a)(ii)</p> <p>18/11/2022</p>

2.0 Recommendation and Approval

2.1 Recommendation to enter into contract without negotiations

The Evaluation Team recommends that the Response submitted by Indesco, ABN 37 008 581 066 be accepted at a total cost of \$232,202 (GST inclusive), as this Response represents best value for money.

The Evaluation Team seeks authorisation for the Territory to:

- a) enter into contract with the preferred Tenderer without additional post-tender negotiations; and
- b) arrange notification of the public text version of the contract consistent with the requirements of the Confidential Text Delegate's agreement and the *Government Procurement Act 2001* following contract execution.

2.2 Delegate approval

Approval of the Report and recommendations

As the Delegate for this procurement, I have reviewed the Report and considered the recommendations made by the Evaluation Team. The Report including its recommendations, and requested authorisations is:

APPROVED WITHOUT QUALIFICATION

APPROVED WITH QUALIFICATION as follows:

[Delegate to insert details]

NOT APPROVED

For the following reasons:

Probity advice has been sought²

REQUIRES CLARIFICATION

As described below:

NOT APPROVED – ALTERNATIVE DIRECTION

As described below:

Probity advice has been sought³

Signed

Date

Jeremy Smith
Executive Branch Manager
Infrastructure Delivery and Waste
Transport Canberra and City Services

Approval to enter into a contract and to expend public money

I, Jeremy Smith, have the properly delegated authority from the Director General of the Transport Canberra and City Services Directorate with regard to the above approved procurement to enter into a contract and to expend public money. Accordingly, I authorise:

- Entering into a contract and expenditure of public money of \$232,202 including GST.
- An MPC Officer with Authority to sign, either electronically or wet signature, as may be required to affect the delivery of the contract, the following documents:
 - a) Unsuccessful Tenderer letter;
 - b) Contract or Deed; and
 - c) Variation or claim contract notice/letter (subsequent to Delegate approval, as may be applicable).

Signed

Date

Jeremy Smith
Executive Branch Manager
Infrastructure Delivery and Waste
Transport Canberra and City Services

3.0 Project Background

3.1 Procurement description

Project name	Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking
Procurement title	Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking Principal’s Authorised Person (PAP) Services (GC21)
ATM No.	35491-RFT-004
Procurement risk rating⁴	Medium
Probity risk rating⁵	Low
Procurement type⁶	Consultancy
Market approach type⁷	Public (open market)
Request type⁸	Single Stage - RFT
Contract type⁹	Construction Related Consultancy Agreement

3.2 Scope of procurement

GC21 Principal’s Authorised Person and associated site management team services including construction surveillance for stormwater and placemaking improvement works at the Mawson Group Centre.

3.3 Evaluation Report

This Report summarises the evaluation process undertaken and the outcomes reached by the Evaluation Team. The Report provides recommendations to the Delegate for approval.

In conducting the evaluation, consensus of all Evaluation Team members was achieved.

3.4 Procurement timeline

The timeline of this procurement did not align with the dates in the approved Procurement Plan Minute (PPM) as follows. The reason for the delay in the process is due to the discovery of contaminated material in the carpark adjacent to the site of works after approval of the PPM. This resulted in the need to delay the issue of the ATM until further site investigations had been conducted and preparation and approval of an addendum to the Contaminant Management Plan.

Tasks	Planned	Actual / revised target
ATM advertised	19 April 2022	15 September 2022
Industry briefing	27 April 2022	10 October 2022
ATM closed	19 May 2022, 2.00 pm	25 October, 2.00 pm
Tender evaluation	Late May/Early June 2022	Late October/Early November 2022
Report submitted to Delegate	Early June 2022	Mid-November 2022

Tasks	Planned	Actual / revised target
Delegate responds to Evaluation Report	Early June 2022	Mid-Late November 2022
Negotiations	Mid-June 2022	Not required
Award contract	Mid-Late June 2022	Late November 2022
Unsuccessful Tenderers advised and offered a debriefing	Early July 2022	Late November 2022
Date of completion of the works	December 2022- January 2023	June 2023

3.5 Funding

A project budget of \$3.22m including GST has been approved, consisting of capital funding of \$1.01m from the Territory's 2021-22 budget and \$2.21m from the Commonwealth's National Flood Mitigation Infrastructure Program. The budget identified for this procurement prior to issuing the ATM was Schedule 2.2(a)(ii) including GST.

The funding required to enter into contract based on the procurement outcome recommended in this Report is within this budget.

4.0 Probity

This evaluation process was conducted in a manner consistent with the probity principles outlined in the *Probity in Procurement Guide* and the approved Procurement and Evaluation Plan.

A probity notice was not issued.

4.1 Confidentiality and conflict of interest

All documents and proceedings of the Evaluation Team were treated in a manner consistent with the approved Procurement and Evaluation Plan and probity plan/requirements. A list of Procurement Personnel with access to all or any of the documentation is attached.

Confidentiality undertaking and conflict of interest disclosure documents were completed by Procurement Personnel prior to receiving Responses for evaluation or for the provision of advice.

No actual, perceived, or potential conflict of interests were identified.

4.2 Probity support officers and advisors

This procurement was not supported with the appointment of a probity advisor.

4.3 Probity matters arising and advice requested during this procurement

No probity matters were identified during the course of the procurement.

5.0 Evaluation Process

The receipt and evaluation of Responses was undertaken in accordance with the process outlined in the approved Procurement and Evaluation Plan, the requirements in the approved ATM documents including addenda, and the Evaluation Criteria.

5.1 Receipt and registration of Responses

There were two Responses received by the closing time and date and registered by Tenders ACT.

There was one Response received after the closing time and date.

There was one alternative Response received.

No.	Registered business name of Tenderer	ABN	Submitted on time	Alternative Response
1	Schedule 2.2(a)(xi)		No	No
2			Yes	Yes
3	Indesco	37 008 581 066	Yes	No

5.2 Conformance assessment

A conformance assessment was completed on all Responses provided in the Tender Box Opening Report.

The *Conformance and Administrative Checklist* is attached.

Responses assessed as conforming proceeded to the assessment of evaluation criteria.

The following Responses were deemed to be non-conforming and a decision was made to include or exclude the Responses from further assessment against the evaluation criteria, as follows.

No.	Tenderer	Non-conformance ¹⁰	Included	Justification ¹¹
1	Schedule 2.2(a)(xi)	1.Tender not lodged in the correct location by the closing time and date 2.Tenderer Declaration not completed in full 3.Ethical Suppliers Declaration not completed in full	Yes	1.No commercial advantage from late lodgement (tender was lodged prior to the closing time and date, but in the incorrect Tenders ACT folder) 2.Immaterial non-conformance not affecting the tender evaluation process 3.Immaterial non-conformance not affecting the tender

No.	Tenderer	Non-conformance ¹⁰	Included	Justification ¹¹
				evaluation process
2	Schedule 2.2(a)(xi)	1.Tenderer Declaration not completed in full 2.Ethical Suppliers Declaration not completed in full	Yes	1.Immaterial non-conformance not affecting the tender evaluation process 2.Immaterial non-conformance not affecting the tender evaluation process

Responses which were to proceed to evaluation were provided to Procurement Personnel, relevant to their role, in full or in part.

5.3 Threshold evaluation criteria

All Responses were assessed against the threshold criteria as documented in the evaluation worksheet attachment.

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xii) submitted non-conforming Ethical Suppliers Declarations due to the omission of requested information and not completing the Declaration as per instructions. As the non-conformances are minor in nature, they were ignored in accordance with Section 6.1.2. (b) of the *Standard Conditions of Tender Construction*, and all Responses were included for further consideration in the evaluation process.

5.4 Weighted evaluation criteria

The Evaluation Team considered all information in the Responses and conducted an objective analysis, scoring each response to the weighted criteria using the rating table and the weightings included in the approved Procurement and Evaluation Plan.

A detailed assessment of Responses against each criterion is contained in the evaluation worksheet attachment.

The total weighted scores and initial ranking of Tenderers are shown below. It should be noted that risks associated with Tenderers' responses to the weighted criteria were considered in the determination of the consensus scores shown in the evaluation worksheet attachment.

Tenderer	Total Weighted Score	Initial ranking
Schedule 2.2(a)(xi)	685	2
	665	3
Indesco	745	1

5.4.1 Pricing assessment¹²

The Evaluation Team undertook an analysis of pricing submitted in the Responses and a comparative assessment, consistent with the process described in the Procurement and Evaluation Plan. The assessment included consideration of the total tendered price, the hourly rates of the nominated personnel, and any pricing assumptions and exclusions.

Any risks associated with the price information are detailed in the evaluation worksheet attachment and reflected in the assigned consensus scores.

The total submitted price and consensus score for Weighted Evaluation Criterion 4, Financial for each Response is shown in the following table. Justification for the consensus scores is detailed in the evaluation worksheet attachment.

Tenderer	Price (GST incl.)	Consensus Score
Schedule 2.2(a)(xi)		8.0
		6.5
Indesco	\$232,202	7.5

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xii)

5.5 Non-weighted evaluation criteria

A compulsory tender briefing session was included as a non-weighted evaluation criterion. All three Tenderers attended the briefing.

5.6 Response risk assessment

Throughout the evaluation process, the Evaluation Team identified risks associated with the information submitted against the evaluation criteria. The risks are documented as “Weaknesses” in the evaluation worksheet attachment.

5.7 Requests for additional information and clarifications

5.7.1 Requests for additional information and clarifications

No requests for additional information or clarification were made.

5.7.2 Interviews, presentations or demonstrations

No interviews, presentations or demonstrations occurred.

5.7.3 Tenderer financial assessments

A financial assessment of specific Tenderers was not requested.

5.7.4 Referee reports

No referee reports were sought or required.

5.8 External feedback

This procurement did not require external feedback to be requested from Unions ACT, Environmental Protection Agency, WorkSafe, and the ACT Long Service Leave Authority regarding the Tenderers.

5.9 Value for money assessment

In accordance with the approved Procurement and Evaluation Plan and following the assessment of Responses against the evaluation criteria, the Evaluation Team conducted a qualitative assessment of overall value for money.

The Evaluation Team discussed and considered all relevant information gathered and documented during the evaluation process, including the extent to which:

- the Tenderer’s offer sufficiently manages, mitigates, or eliminates any identified risks

- the Territory can eliminate, manage, mitigate or accept risks associated with the Tenderer's offer
- the Tenderer's offer is competitive for the market
- the Tenderer's offer provides the best balance of quality and whole of life cost
- there are broader social or economic benefits to the Tenderer's offer e.g., the procurement offers opportunities to meet the procurement values such as employment or economic opportunities for marginalised or disadvantaged groups or incorporate sustainable environmental practices

In conducting the value for money evaluation, the Evaluation Team recognised that the Response representing the best value for money outcome for the Territory might not necessarily be the Tenderer with the highest weighted score or lowest priced Response.

Based on the value for money evaluation, the Evaluation Team ranked the Responses as set out in the following table, in order of merit.

Tenderer	Price Inc. GST	Weighted evaluation criteria score	Initial ranking	Overall risk rating	VFM ranking
Schedule 2.2(a)(xi)		685	2	Low	2
		665	3	Low	3
Indesco	\$232,202	745	1	Low	1

The value for money ranking reflects the initial ranking as no additional risks were identified with the tenders during the value for money assessment.

The Evaluation Team recommends that the first ranked Tenderer is approved as the preferred Tenderer. The recommendations are described in the Delegate approval section of this Report.

5.10 Negotiations¹³

Negotiations are not required.

5.11 Procurement Values

The Procurement Plan Minute identified that the Business Development and Innovation, Diversity, Equality and Inclusion, Environmentally Responsible, Fair and Safe Conditions for Workers and Transparent and Ethical Engagement procurement values were to be achieved by this procurement.

The procurement has achieved this as follows:

- Business Development and Innovation – assessment of Tenderers' Economic Contribution Tests submitted in response to Weighted Evaluation Criterion 5, Local Industry Participation, and recommendation of a Canberra Region small-to-medium enterprise as the preferred Tenderer
- Diversity, Equality and Inclusion – establishing that the Tenderers do not appear on the Workplace Gender Equality Agency's non-compliant list
- Environmentally Responsible – the services will include a review of the contractor's Construction Environmental Management Plan (CEMP) and ongoing audits of the contractor's implementation of the approved CEMP

- Fair and Safe Conditions for Workers – consideration of the information provided in Tenderers’ Ethical Suppliers Declarations and the successful Tenderer will be required to comply fully with the *Work Health Safety Act 2011 (ACT)* and *Work Health and Safety Regulation 2011 (ACT)*
- Transparent and Ethical Engagement – use of an ACT Government Prequalification Scheme and consideration of the information provided in Tenderers’ Ethical Suppliers Declarations.

6.0 Award and Debrief

6.1 Award of contract

After completion of negotiations and/or the Delegate approves the creation and execution of a contract, the parties will enter into contract.

The contract will be awarded through an executed contract.

The contract will be prepared by the MPC PMO Contracts Team.

6.2 Agreement to Confidential Text

In accordance with section 35(1) of the *Government Procurement Act 2001* (ACT), the Director General or his/her delegate must agree to any Confidential Text.

Delegate agreement to Confidential Text will be sought as described in the *Procurement Evaluation Report-Confidential Text* attachment.

6.3 Debrief of Tenderers

The unsuccessful Tenderers will be notified in writing¹⁴ after contract execution¹⁵ and offered the opportunity to receive a verbal debrief.

The successful Tenderer will also be offered the opportunity to receive a verbal debrief.

Debriefing sessions will be conducted in accordance with the *Procurement Factsheet Supplier Debriefing*¹⁶.

A record¹⁷ of the debriefing session will be included in the official procurement record.

Debriefing sessions will be undertaken / supported by Procurement Personnel as requested by the Chair and nominated in the *Procurement Personnel Register* within the Report.

6.4 Notifiable contract register

Within 21 days of contract award the MPC PMO Contracts Team will provide the public text version of the executed contract to Procurement ACT for publishing on the Notifiable Contracts Register.

7.0 Official Procurement Record

The procurement process has been documented through the storage of records in accordance with the *Territory Records Act 2002 (ACT)* and the MPC Records Management Framework, including the use of MPC's Electronic Document Record Management System (EDRMS), *Objective*, and the MPC project folder structure.

Transport Canberra and City Services is responsible for fulfilling its obligations under the *Territory Records Act 2002 (ACT)* for the Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking project. This includes maintaining and storing records created throughout the procurement process.

8.0 References and Resources

8.1 Acronyms

ATM	Approach to Market
ETWE	Ethical Treatment of Workers Evaluation – see <i>Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2021</i>
FSEE	Fair and Safe Employment Evaluation
MPC	Major Projects Canberra
Officer	ACT Public Servant
PDF	MPC Project Delivery Framework
SLJC	Secure Local Jobs Code

8.2 Definitions

Term	Definition
Active Certification	The process for auditing Prequalified Contractors' WHS management systems at various stages of construction projects in accordance with the <i>ACT Work Health and Safety Active Certification Policy</i> .
Approach to Market (ATM)	An Approach to Market is a request for an entity/entities to submit a quote, tender or other response in relation to a procurement.
Confidential Text <i>Government Procurement Act 2001 (ACT) Section 34</i>	Any part of the contract that a party to the contract, including the Territory or a Territory entity, proposes be confidential text and which is accepted as confidential text.
Confidential Text Delegate	The Confidential Text Delegate is the Officer specified under the Directorate (which is responsible for funding the contract which will result from the procurement) instrument of delegation relating to the approval of Confidential Text in a notifiable contract document under Section 35 (3) of the <i>Government Procurement Act 2001</i> .
Delegate	The Delegate is the Officer specified under the Directorate (which is responsible for funding the contract which will result from the procurement) instrument of delegation to commit expenditure and to enter into a contract.
Evaluation Report (or Report)	The report prepared and signed by the Evaluation Team following evaluation of the Responses, and submitted to the Delegate with recommendations.
Evaluation Team	The persons responsible for the assessment of Responses to the ATM as nominated in the approved Evaluation and Procurement Plan, or otherwise approved by the Delegate.
Fair and Safe Employment Evaluation and Recommendation Report	Report prepared by SLJC Branch Representatives following evaluation of the Tenderer in accordance with the Fair and Safe Employment Evaluation criteria.

Term	Definition
MPC Operational Protocols	The MPC policy document which identifies the MPC Officers with Authority (OWA) to approve, accept, or endorse requirements and services which support the delivery of projects.
Notifiable Contracts Register <i>Government Procurement Act 2001 (ACT) Section 27</i>	The public register of written contracts for procurement entered into by the Territory with a total consideration that exceeds a prescribed amount.
Officer with Authority	The Officer nominated in the MPC Operational Protocols to approve, accept, endorse requirements associated with operational activities, including procurements.
Partner Directorate	The Territory entity with which Major Projects Canberra delivers an infrastructure project.
Procurement and Evaluation Plan	The approved plan for the evaluation of Responses and other matters for this procurement.
Procurement Personnel <i>Probity in Procurement Guide Appendix C – Probity Statement</i>	Any person who is participating in the procurement including: <ol style="list-style-type: none"> 1. decision-makers, including chief executive officers (or their delegate, if relevant) 2. members of the Evaluation Team for the procurement 3. internal support or specialist advisors to the procurement 4. external support or specialist advisors to the procurement as specified in the <i>Procurement Personnel Register</i> attached to this Evaluation Report.
Response	The information submitted by a Tenderer in response to an ATM.
Tender Box Opening Report	A report of the Responses received to an ATM. The report is produced by Tenders ACT or, if the ATM was not undertaken through Tenders ACT, by the Evaluation Team Facilitator or Chair.
Tenderer <i>Government Procurement Act 2001 (ACT) Section 22E</i>	In relation to a procurement, means an entity that (depending on context) submits a quote, tender or other response in relation to the procurement.
Tenders ACT	Tenders ACT is the part of the ACT Government that facilitates an ATM through an electronic platform.
Territory	The Australian Capital Territory.

9.0 Attachments

No.	Document	Comment
A	Delegate Agreement for Confidential Text	
B	Charter of Procurement Values Report	
C	Procurement Personnel Register	
D	Evaluation Worksheet	
E	Conformance and Administrative Checklist	See separate document titled "35491-RFT-004 Attachment D Conformance and Administrative Checklist"

Attachment A: Delegate Agreement to Confidential Text

Project name	Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking
Procurement name	Improving Water Management Infrastructure – Mawson Flood Mitigation and Placemaking Principal’s Authorised Person (PAP) Services (GC21)
ATM No.	35491-RFT-004

The contract resulting from this procurement will be or may become notifiable under the *Government Procurement Act 2001* (ACT) (“Act”).

In accordance with Division 3.4 of the Act, the parties to the contract can propose any part of the contract be Confidential Text, in accordance with Section 35 of the Act.

The preferred Tenderer, Indesco, has requested that the information in Section 6.1 of their Response is treated as Confidential Text, should it form part of the contract. This includes:

- the proposed project team and methodology
- hourly rates and breakdowns of the total tendered price.

In accordance with the request for Confidential Text, the Evaluation Team recommends that the following information provided with the Tenderer’s Response, should it form part of the contract, is agreed to be Confidential Text:

Description of Text	Grounds for Confidential Text
Names and personal information of the Tenderer’s nominated personnel	Section 35 (1) (a) (i) unreasonable disclosure of personal information
The Tenderer’s methodology for the services	Section 35 (1) (a) (iii) information having commercial value which would be diminished if disclosed
Schedule of rates and breakdowns of the total tendered price	Section 35 (1) (a) (iii) information having commercial value which would be diminished if disclosed

In accordance with Section 35 of the Act, based on the above recommendation, it is agreed that the nominated information, should it form part of the contract, will be Confidential Text and is to be redacted from the public text version of the contract.

Signed	Date of agreement
Jim Corrigan	Deputy Director-General, City Services, Transport Canberra and City Services
Name	Title

Attachment B: Charter of Procurement Values Report

<p>Does the procurement meet the Aboriginal and Torres Strait Islander Economic Participation Procurement Value?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>If Yes, indicate how the policy was met by selecting one or more of the following options:</p> <p><input type="checkbox"/> Engaged an Aboriginal and Torres Strait Islander Enterprise</p> <p><input type="checkbox"/> Aboriginal and Torres Strait Islander Enterprise Subcontractor</p> <p><input type="checkbox"/> Aboriginal and Torres Strait Islander Employment Targets</p> <p><input type="checkbox"/> Other</p>
<p>Does the procurement meet the Business Development and Innovation Procurement Value?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If Yes, indicate how the policy was met by selecting one or more of the following options:</p> <p><input checked="" type="checkbox"/> Local Industry Participation Policy</p> <p><input checked="" type="checkbox"/> Engaged a Canberra Region Business</p> <p><input checked="" type="checkbox"/> Engaged a Small to Medium Enterprise</p> <p><input type="checkbox"/> Unsolicited Proposal</p> <p><input type="checkbox"/> Other</p>
<p>Does the procurement meet the Diversity, Equality and Inclusion Procurement Value?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If Yes, indicate how the policy was met by selecting one or more of the following options:</p> <p><input checked="" type="checkbox"/> <i>Workplace Gender Equality Act 2012 (Cth)</i></p> <p><input type="checkbox"/> Social Enterprise</p> <p><input type="checkbox"/> Other</p>
<p>Does the procurement meet the Environmental Responsibility Procurement Value?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If Yes, indicate how the policy was met by selecting one or more of the following options:</p> <p><input type="checkbox"/> Sustainable Procurement Policy 2015</p> <p><input checked="" type="checkbox"/> Other</p> <p>The services will include a review of the contractor's Construction Environmental Management Plan (CEMP) and ongoing audits of the contractor's implementation of the approved CEMP.</p>
<p>Does the procurement meet the Fair and Safe Conditions for Workers Procurement Value?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If Yes, indicate how the policy was met by selecting one or more of the following options:</p> <p><input type="checkbox"/> Secure Local Jobs Code 2019</p> <p><input type="checkbox"/> ACT Work Health Safety Active Certification Policy</p> <p><input type="checkbox"/> Guidelines for Managing Work Health and Safety on construction work with a value of \$250k or more</p> <p><input checked="" type="checkbox"/> Other</p> <p>Consideration of the information provided in Tenderers' Ethical Suppliers Declarations and the successful Tenderer will be required to comply fully with the <i>Work Health Safety Act 2011 (ACT)</i> and <i>Work Health and Safety Regulation 2011 (ACT)</i>.</p>

Does the procurement meet the
Transparent and Ethical
Engagement Procurement
Value?

Yes No

If Yes, indicate how the policy was met by selecting one or more of the following options:

- Modern Slavery Requirements in Tender and Contract
- ACT Government Prequalification Scheme
- Supplier completed an Ethical Suppliers Declaration
- An Advance Tender Notice was published in relation to the procurement activity prior to approach to market
- Other

Attachment C: Procurement Personnel Register

Role	Personnel	Backup Personnel	Directorate / Organisation	Debrief Participant?	
				Yes	No
Delegates					
Delegate	Jeremy Smith	As determined by acting arrangements	Transport Canberra and City Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Confidential Text Delegate (if different to the Delegate)	Jim Corrigan	As determined by acting arrangements	Transport Canberra and City Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MPC Officer with Authority	Schedule 2.2(a)(ii)	As determined by acting arrangements	Major Projects Canberra	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluation Team					
Evaluation Team Chair (Chair)	Schedule 2.2(a)(ii)	Schedule 2.2(a)(ii)	Major Projects Canberra	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluation Team Member	Schedule 2.2(a)(ii)	Schedule 2.2(a)(ii)	Transport Canberra and City Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluation Team Member	Schedule 2.2(a)(ii)	Schedule 2.2(a)(ii)	Major Projects Canberra	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluation Team Support Officers					
Communications Officer	Schedule 2.2(a)(ii)	Schedule 2.2(a)(ii)	Major Projects Canberra	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evaluation Team Facilitator	Not applicable			<input type="checkbox"/>	<input type="checkbox"/>
MPC Quality Assurance	Schedule 2.2(a)(ii)	As determined by acting arrangements	Major Projects Canberra	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Probity Advisor	Not applicable			<input type="checkbox"/>	<input type="checkbox"/>
Secure Local Jobs Code Branch					
SLJC Branch Representative(s)	Not applicable			<input type="checkbox"/>	<input type="checkbox"/>
Specialist Advisors					
WHS Superintendent of Works	Not applicable			<input type="checkbox"/>	<input type="checkbox"/>
Specialist Advisor:	Nil			<input type="checkbox"/>	<input type="checkbox"/>
Observers					

Role	Personnel	Backup Personnel	Directorate / Organisation	Debrief Participant?	
				Yes	No
Evaluation Observer	Nil			<input type="checkbox"/>	<input type="checkbox"/>

Attachment D: Evaluation Worksheet

D1: EVALUATION SUMMARY

TENDERER			
Schedule 2.2(a)(xi)		Indesco	
Weighted Assessment Criterion (Weighting)	Consensus Score (Weighted Score)		
WC1 – Appreciation and Understanding of the Project Requirements and Tasks (25%)	6.5 (162.5)	6.5 (162.5)	7.5 (187.5)
WC2 – Relevant Experience, Skills and Past Performance of the Head Consultant, and Proposed Sub-consultants, on Similar Projects Completed in the Last Five Years (25%)	6.5 (162.5)	6.5 (162.5)	7.5 (187.5)
WC3 – Technical, Managerial Skills and Resources to Complete the Project (20%)	7.0 (140)	7.0 (140)	7.5 (150)
WC4 – Financial (20%)	8.0 (160)	6.5 (130)	7.5 (150)
WC5 – Local Industry Participation (10%)	6.0 (60)	7.0 (70)	7.0 (70)
Total Weighted Score	685	665	745
Rank	2	3	1

- All tenderers demonstrated an understanding of the project’s goals and objectives and submitted detailed information on the project tasks and the proposed methodology.
- Indesco’s list of project tasks and methodology is more project-specific **Schedule 2.2(a)(xi)**
- Indesco provided the most comprehensive risk analysis of the three tenderers.
- Indesco’s reference projects are more relevant to the works **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** Indesco’s reference projects also demonstrated that it has experience delivering construction phase services under the GC21 form of contract. **Schedule 2.2(a)(xi)**
- All tenderers have nominated appropriately qualified and experienced teams **Schedule 2.2(a)(xi)**
- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

- Each of the tenderers has identified backup personnel **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**
[Redacted]
[Redacted]
[Redacted]
- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** all pricing is well within the project budget.
- All three tenderers have a local presence and will deliver the services using local resources, **Schedule 2.2(a)(xi) &**
[Redacted]
[Redacted]

D2: DETAILED OBSERVATIONS

WC1: APPRECIATION AND UNDERSTANDING OF THE PROJECT REQUIREMENTS AND TASKS (25%)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

WEAKNESSES:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

CONSENSUS SCORE: 6.5/10 (Good-Very Good)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

WEAKNESSES:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

CONSENSUS SCORE: 6.5/10 (Good-Very Good)

TENDERER: INDESCO

STRENGTHS:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

WEAKNESSES:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

[Redacted]

[Redacted]

[Redacted]

Schedule 2.2(a)(vi) & Schedule 2.2(a)(viii)

CONSENSUS SCORE: 7.5/10 (Very Good-Excellent)

WC2: RELEVANT EXPERIENCE, SKILLS AND PAST PERFORMANCE OF THE HEAD CONSULTANT, AND PROPOSED SUB-CONSULTANTS, ON SIMILAR PROJECTS COMPLETED IN THE LAST FIVE YEARS (25%)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)
[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

WEAKNESSES:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)
[Redacted text]

[Redacted text]

[Redacted text]

CONSENSUS SCORE: 6.5/10 (Good-Very Good)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)
[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

[Redacted text]

WEAKNESSES

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)
[Redacted text]

[Redacted text]

CONSENSUS SCORE: 6.5/10 (Good-Very Good)

TENDERER: INDESCO

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

WEAKNESSES:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]
- | [REDACTED]

CONSENSUS SCORE: 7.5/10 (Very Good-Excellent)

WC3 – TECHNICAL, MANAGERIAL SKILLS AND RESOURCES TO COMPLETE THE PROJECT (20%)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**
[Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

WEAKNESSES:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**
[Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

CONSENSUS SCORE: 7.0/10 (Very Good)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**
[Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

WEAKNESSES:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

CONSENSUS SCORE: 7.0/10 (Very Good)

TENDERER: INDESCO

STRENGTHS:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

WEAKNESSES:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)

CONSENSUS SCORE: 7.5/10 (Very Good-Excellent)

WC4: FINANCIAL (20%)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

- █ **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]

CONSENSUS SCORE: 8.0/10 (Excellent)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

- █ **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]

CONSENSUS SCORE: 6.5/10 (Good-Very Good)

TENDERER: INDESCO

- █ **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]
- █ [REDACTED]

CONSENSUS SCORE: 7.5/10 (Very Good-Excellent)

WC5: LOCAL INDUSTRY PARTICIPATION (10%)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]
- [Redacted]

WEAKNESSES:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]

CONSENSUS SCORE: 6.0/10 (Good)

TENDERER: **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)**

STRENGTHS:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

WEAKNESSES:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]

CONSENSUS SCORE: 7.0/10 (Very Good)

TENDERER: INDESCO

STRENGTHS:

- **Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)** [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)
[Redacted]

[Redacted]

WEAKNESSES:

Schedule 2.2(a)(xi) & Schedule 2.2(a)(xiii)
[Redacted]

[Redacted]

CONSENSUS SCORE: 7.0/10 (Very Good)

Endnotes

- ¹ The Document Information should be completed for the relevant procurement for which the report relates. For example – the Officer approving the report for release as identified in the Procurement Plan Minute in accordance with the authorities outlined in the MPC Operational Protocols.
- ² The Procurement and Evaluation Plan requires probity advice to be sought if the Delegate intends not to accept all or any recommendations of the Evaluation Report and/or the Delegate directs one or more alternative recommendations.
- ³ The Procurement and Evaluation Plan requires probity advice to be sought if the Delegate intends not to accept all or any recommendations of the Evaluation Report and/or the Delegate directs one or more alternative recommendations.
- ⁴ Use the ATIA Risk Register template to assess the procurement risk.
- ⁵ Risk rating in accordance with *Probity in Procurement Guide* risk assessment.
- ⁶ A two stage procurement involves a Request for Expression of Interest (REOI) stage resulting in a shortlist of Tenderers, and then a Request for Tender (RFT) stage issued to the shortlisted Tenderers only.
- ⁷ Refer to Procurement ACT Factsheet.
- ⁸ Refer to Procurement ACT Factsheet.
- ⁹ If you wish to choose 'Other', you can delete the drop down box and type free text in its place.
- ¹⁰ Provide a succinct description of each non-conformance.
- ¹¹ Provide the justification for including or excluding the non-conforming response, with reference to the Procurement and Evaluation Plan.
- ¹² Include/locate Pricing Assessment in the applicable section of the plan i.e., weighted criteria, non-weighted criteria, or value for money assessment. Align with Procurement and Evaluation Plan.
- ¹³ Includes simple negotiations with a preferred Tenderer, complex negotiations with a single Tenderer, negotiations with multiple Tenderers, or if undertaking a BAFO process. Text in this section to be selected and edited accordingly. If undertaking a BAFO process, it will need to be fully described in this section of the Evaluation Report including ensuring probity.
- ¹⁴ *Template – Letter of Decline-MPC-PDF* is available for this purpose.
- ¹⁵ Best practice is within one week.
- ¹⁶ Or relevant updated or replacement factsheet from time to time.
- ¹⁷ *Template – Procurement Debrief Minute-MPC-PDF* is available for this purpose.