



Australian Children's
Education & Care
Quality Authority

Procurement Policy and Procedure

MANUAL

Procurement Policy and Procedure

Table of Contents

1	Responsibilities	4
2	Rules for all procurement	5
	2.1 Value for Money	5
	2.2 Open and Effective Competition	5
	2.3 Efficient, Effective, Economical and Ethical Behaviour	6
	2.4 Procurement Risk	6
	2.5 Accountability and Transparency in Procurement	6
	2.6 Procurement Method	6
3	Delegations of Authority.....	7
4	Conditions of Procurement.....	7
	4.1 Responsibility	7
	4.2 Financial Delegation	7
	4.3 Procurement Value and Methods	8
5	Overview of Procedures.....	10
6	Methods of Procurement	11
	6.1 Minor value – less than \$1,000 and incidental expenses (excluding Travel)	11
	6.2 Low value – \$1,000 to \$10,000	11
	6.3 Medium value – \$10,000 to \$80,000	11
	6.4 High value – \$80,000 and above	12
	6.5 Project & Contract Management	13
	6.6 Direct Negotiations for Substantial Procurement	14
	6.7 Preferred and Unique Suppliers	14
	6.8 Use of Preferred Suppliers List	15
	6.9 Payment of Suppliers	15
7	Aboriginal and Torres Strait Islander Businesses Procurement.....	15
8	Accessing NSW Procurement Websites as a Buyer	16
	8.1 Overview	16
	8.2 Seeking Quotes through Prequalification Schemes	16
	8.3 Publishing requests for tender to eTender	17
9	Australian Government Procurement Processes.....	18

POLICY

Statement and Principles

WHY DO WE HAVE THIS POLICY?

ACECQA is committed to ensuring that the supply of goods and services are conducted legally and in an honest, fair and transparent manner.

ACECQA will ensure that the procurement of goods and services are underpinned by a responsible risk management and financial management approach with due consideration given to ACECQA's environmental and social responsibilities.

In assessing value for money, ACECQA will consider all relevant benefits and costs over the whole procurement cycle and will ensure the selected option meets the procurement need to deliver the best value for money and encourages competition whilst at the same time protecting the reputation of ACECQA.

ACECQA encourages Aboriginal and Torres Strait Islander businesses to supply their goods and services to ACECQA and encourages staff to consider the inclusion of Aboriginal and Torres Strait Islander businesses in the procurement process.

Whilst the Procurement Policy and Procedure relates to the acquisition of goods or services, it does not include:

- sponsorship (whether in the form of a contract or deed)
- investments
- statutory appointments
- the engagement of ACECQA employees, contractors and temporary agency staff
- the payment of sitting fees to members of the Board, its Sub Committees, or other ACECQA panels or committees.

1 Responsibilities

The Procurement Policy and Procedure is a key governance and risk management tool and is endorsed by the Chief Executive Officer or Chief Operating Officer.

The Audit, Finance and Risk Sub Committee is responsible for reviewing compliance with the procurement policy.

The Chief Executive Officer is responsible for the internal control and monitoring of procurement.

The Chief Operating Officer will manage the overall policy and is responsible for ensuring implementation, compliance and best practice in procurement.

The Executives are responsible for the active endorsement and implementation of the procurement principles. All staff that authorise the expenditure of funds for procurement must do so only within their delegated limit of authority and in accordance with this policy.

2 Rules for all procurement

The rules for all procurement activities are outlined below.

2.1 Value for Money

- Value for Money is the core principle that underpins the procurement process.
- Value for Money is determined by evaluating all proposals for a particular procurement activity against the applicable evaluation criteria defined by ACECQA and assessing all relevant risks, costs and benefits on a whole of life basis.
- Best value for money is not determined on price alone. When conducting a procurement, the following financial and non-financial costs of each submission must be considered by the decision-maker where they are relevant:
 - a. quality of the goods and services,
 - b. fitness for purpose of the proposal,
 - c. potential supplier's relevant experience and performance history,
 - d. flexibility of the proposal (including innovation and adaptability over the lifecycle of the procurement),
 - e. environment sustainability of the proposed goods and services (such as energy efficiency, environmental and climate change impact and the use of recycled products), and
 - f. whole-of-life costs.
- Whole-of-life costs could include:
 - a. the initial purchase price of the goods and services;
 - b. maintenance and operating costs;
 - c. transition out costs;
 - d. licensing costs (when applicable);
 - e. the cost of additional features procured after the initial procurement;
 - f. consumable costs, including the environmental sustainability of consumables; and
 - g. decommissioning, remediation and disposal costs (including waste disposal).

2.2 Open and Effective Competition

- There must be open and effective competition in the procurement of goods and services unless there is a reason to use a direct source approach.
- Open and effective competition will be used to achieve efficiency and innovation, and gives transparency and probity to the procurement process. Open and effective competition requires:
 - a. a selection methodology and process to suit the particular procurement, its level of risk and timeframe that avoids creating unnecessary costs for potential suppliers and delivers the best value for money
 - b. staff involved in procurement must ensure their knowledge of the market is sound and up-to-date and that potential suppliers with the suitable capability have a reasonable opportunity to compete
 - c. all potential suppliers must be provided with the same specification information and evaluation criteria which encourages competition
 - d. specifications must not be prepared to favour a particular supplier or group of suppliers, unless the procurement outcome cannot be reasonably met without such specifications;

- e. any actual, potential or perceived conflict of interest between staff involved in a procurement process and potential suppliers must be declared and managed.

2.3 Efficient, Effective, Economical and Ethical Behaviour

- Probity and ethical behaviour governs the conduct of all procurement activities. All staff with the authority to procure goods and services or who are otherwise involved in the procurement process must act ethically, with integrity and probity. In particular, they are required to:
 - deal fairly, impartially and consistently with all suppliers;
 - keep confidential all information obtained as part of the procurement process;
 - declare any potential conflict of interest prior to the commencement of a procurement activity and abstain from any procurement activity where it has been deemed that a perceived or actual conflict of interest exists;
 - ensure that the procurement records demonstrate adequately the decision making process complies with this policy.
- Where possible, ACECQA staff procuring goods or services are encouraged to consider the inclusion of Aboriginal and Torres Strait Islander businesses in the procurement process.

2.4 Procurement Risk

- The risks associated with procurement activity will be managed in accordance with the ACECQA Risk Management Plan. The Risk Management Plan outlines identified risks and appropriate risk mitigation controls in place.

2.5 Accountability and Transparency in Procurement

- The principle of responsible financial management must be applied to all procurement activities including:
 - the availability of existing funds within an approved budget, or source of funds, must be established prior to the commencement of any procurement action for the supply of goods or performance of services
 - staff must not authorise the expenditure of funds in excess of their delegated limit of authority
 - funds must be used with transparency and accountability for the stated purpose to procure goods and services and every attempt must be made to contain the time and costs of the procurement process.

2.6 Procurement Method

- The expected value of a procurement must be estimated before a decision on the procurement method is made. The expected value is the maximum value (including GST) of the proposed procurement.
- Where a procurement is to be conducted in multiple parts with contracts awarded either at the same time or over a period of time, the expected value of the goods and services being procured must include the maximum value of all the contracts.
- Minor value purchases less than \$1,000 can occur without a written quotation. An ACECQA preferred supplier should be used where available.
- Low value purchases of between \$1,000 and \$10,000 require at least one written quotation and evidence of pre-purchase authorisation if the procurement is made by a person without financial delegation.

- Medium value purchases of between \$10,000 and \$80,000 require at least three written quotes unless an exception applies, and evidence of pre-purchase authorisation if the procurement is made by a person without financial delegation.
- High value purchases of \$80,000 or more require an open tender or select tender unless an exception applies, and evidence of approval by an appropriate financial delegate based on the recommendations from the tender evaluation committee.
- Open Tender involves publishing an open approach to market and inviting submissions using the ACECQA website at a minimum. The NSW eTender website can also be used by ACECQA to publish its requests for tender.
- Select Tender involves ACECQA approaching one or more potential suppliers to make submissions, where the process is not suited for open tender.
- Direct negotiations of high value procurement should be avoided. Exceptional circumstances are permitted if the decision to enter into direct negotiation is approved by the CEO or the Board.

3 Delegations of Authority

- The ACECQA Board sets and reviews financial delegations for ACECQA. The Board will review the delegations on an annual basis and will make adjustments as necessary.
- A register of financial delegations is available for all staff to access on the intranet.
- The Executive and Senior Managers have a responsibility to ensure that all their staff who hold a delegation understand the powers and limitations of their delegations, and understand their responsibilities in relation to delegations.
- Staff with delegations have a responsibility to ensure they:
 - only act within the power and limitation of their delegation;
 - undertake procurement activities in accordance with this policy and other ACECQA financial management policies and procedures.
- Failure to comply with this policy may result in disciplinary action.

4 Conditions of Procurement

4.1 Responsibility

It is the responsibility of the staff with delegated authority to select and document an appropriate procurement method that suits the procurement activity and its level of risk, time requirement, avoids creating unnecessary costs for suppliers and delivers the best value for money for ACECQA.

4.2 Financial Delegation

All procurement must be approved in accordance with the Financial Delegations Policy and in the case where a procurement exceeds budget, is considered a high risk or an authorised procurement is varied, the following will apply:

- where purchases exceed set budget but are within ACECQA's overall annual budget, the purchase must be approved by the designated General Manager or the Chief Executive Officer,
- where it is determined that the level of risk of the procurement is high or extreme, a higher level of delegation of authority may be applied,
- where there is a variation which increases the cost of the original value of the procurement, approval must be sought from the appropriate financial delegate in accordance with the Financial Delegations Policy,

- all purchases other than incidental expenses made by a person without the appropriate financial delegation will require a pre-purchase authorisation. The evidence of pre-purchase authorisation (approved by an appropriate financial delegate) must be provided to the Finance team if the procurement value is over \$1,000.
- All purchases made by a person with the appropriate financial delegation must comply with the methods of procurement as outlined in this policy.
- A request for purchase approval must be made through a requisition being raised in TechnologyOne.

4.3 Procurement Value and Methods

4.3.1 The conditions applicable for each Procurement Value threshold are as per **Table 1**.

4.3.2 The expected value of a procurement must be estimated before a decision on the procurement method is made. The expected value is the maximum value (including GST) of the proposed contract, including options, extensions, renewals or other mechanisms that may be executed over the life of the contract.

4.3.2 When a procurement is to be conducted in multiple parts with contracts awarded either at the same time or over a period of time, with one or more suppliers, the expected value of the goods and services being procured must include the maximum value of all of the contracts.

4.3.3. A procurement must not be divided into separate parts solely for the purpose of avoiding a relevant procurement threshold.

4.3.4 When the maximum value of a procurement over its entire duration cannot be estimated the procurement must be treated as being valued above the relevant procurement threshold.

Table 1 Procurement thresholds

Procurement Value ¹ (incl GST)	Selection process	Exceptions
Less than \$1,000 or incidental expenses	Written quotes are not required	No exception
\$1,000 – \$10,000	A minimum of one written quote is required	No exception
\$10,000 – \$80,000	At least three written quotes are required	The procurement activity may proceed with a minimum of one written quote in any of the following circumstances:

¹ Threshold amounts represent the total value of the procurement or contract, in Australian Dollars and inclusive of GST

Procurement Value ¹ (incl GST)	Selection process	Exceptions
		<ul style="list-style-type: none"> • fewer than the required number are received despite reasonable efforts to obtain the required number of quotes and is authorised by the COO or CEO, • the procurement is with a preferred supplier on the Preferred Suppliers List and is authorised by an appropriate financial delegate, or • a unique supplier exists and is authorised by the COO or CEO.
\$80,000 and above	Select Tender with at least three potential suppliers or Open Tender process	<p>The procurement activity may proceed with a minimum of one written quote in any of the following circumstances:</p> <ul style="list-style-type: none"> • fewer than the required number are received despite reasonable efforts to obtain the required number of quotes and is authorised by the CEO, • the procurement is with a preferred supplier on the Preferred Suppliers List, and is authorised by an appropriate financial delegate, or <p>a unique supplier exists, and is authorised by the CEO.</p>

PROCEDURES

5 Overview of Procedures

Methods of Procurement



6 Methods of Procurement

6.1 Minor value – less than \$1,000 and incidental expenses (excluding Travel)

Incidental Expenses are minor expenses that are incurred whilst undertaking day to day business activities. Incidental expenses may include postage, utilities and minor office expenses.

Incidental Expenses are low risk by nature and are of a low value and should not exceed \$1,000. A quotation or an indication of the cost should always be sought or estimated before entering into procurement. Incidental costs and other procurement transactions of \$1,000 or less can occur without a written quotation but only in exceptional circumstances.

A pre-purchase authorisation must be obtained from a financial delegate by a staff member without an appropriate financial delegation. The only exception is travel related costs which must comply with ACECQA's Travel Policy.

An ACECQA preferred supplier should be used where available.

6.2 Low value – \$1,000 to \$10,000

Low value purchases of goods and services of between \$1,000 and \$10,000 require:

- a description of the goods or services to be purchased,
- a written quote from at least one potential supplier and
- an evidence of pre-purchase authorisation by a financial delegate if the procurement is made by a staff member without financial delegation.

Quotations

A quotation from a supplier must outline a description of the goods or services to be supplied, the timeframe for supply where appropriate, the details of the supplier (name, ABN, contact details), the quantity and price (cost/fee) of supply, whether the price is inclusive or exclusive of GST and the payment terms.

A catalogue or internet/store pricing can be used to establish the description of the goods and services and the quoted cost.

6.3 Medium value – \$10,000 to \$80,000

Medium value purchases of goods and services of between \$10,000 and \$80,000 require:

- a description of the goods or services to be purchased,
- an initial approval by a financial delegate of the procurement requirements where appropriate,
- written quotes from at least three potential suppliers unless an exception applies
- evaluation of the quotes, and
- an evidence of pre-purchase authorisation by a financial delegate if the procurement is made by a staff member without financial delegation.

Quotations

A quotation from a supplier must outline a description of the goods or services to be supplied, the timeframe for supply, the details of the supplier (name, ABN, contact details), the quantity

and price (cost/fee) of supply, whether the price is inclusive or exclusive of GST and the payment terms.

ACECQA may seek quotations from pre-qualified suppliers on the NSW Government prequalification schemes. More detail is outlined below.

6.4 High value – \$80,000 and above

High value purchases of goods and services of \$80,000 or more require:

- a suitable business case outlining the nature of and reasons for the purchase, the estimated cost, the proposed procurement method (Open Tender or Select Tender) and a specification for the selection of supplier,
- an approval of the requirement and business case by the designated General Manager, COO or CEO where appropriate,
- a Request For Tender (see Appendix A) to be prepared and sent to at least three potential suppliers or the open market using the ACECQA website at a minimum unless an exception applies,
- a tender evaluation committee to be established, comprising a committee Chair of senior manager or above level and at least two members. Members of the Audit, Finance and Risk Sub-Committee may chair or participate on a tender evaluation committee if the procurement is deemed high risk or high value or specific to their functions (for example - selecting an internal audit provider),
- the Chair may appoint appropriate external members (e.g. sector representatives, Regulatory Authority representatives, relevant professional advisers) on the committee to participate in the tender evaluation process for high value, complex or sensitive procurement,
- a declaration of conflicts of interest to be made by all members of the tender evaluation committee prior to the commencement of the evaluation process,
- a reference to confidentiality and ACECQA's privacy policy to be made by the Chair of the tender evaluation committee at the commencement of the evaluation process,
- an evaluation of the tenders against the established selection criteria using Tender Evaluation Report (see Appendix B),
- a completion of a minute recommending to the financial delegate as to the successful tenderer and requesting purchase approval which is to be supported by the Tender Evaluation Report,
- an approval of the request by a financial delegate within their limit of delegated authority and
- the preparation of a contract or supplier agreement.

For high value procurements, the request for tender template at **Appendix A** must be used and should outline:

- the contact details of the project owner who can be contacted by potential tenderers for further information,
- the scope of requirements,
- a time frame for evaluation of tender submissions,
- the intended dates of notification of tender submission outcomes and
- the selection criteria for the evaluation of tenders and conditions under which the tender may be accepted or refused.

A tender evaluation plan should be developed and a tender project owner be appointed. The plan should identify the selection criteria and the method and basis for assessing the tenders against the criteria in order to rank the tenders.

When developing the selection criteria, the factors to be considered include:

- cost, quality and value for money,
- management of identified risk,
- previous performance of the tenderer (if applicable or relevant),
- depth of relevant experience of the provider and / or provider's personnel,
- capability and capacity to deliver including resources, technical and management skills and
- evidence of financial viability and compliance (legal and insurances).

The request for tender should be advertised on the ACECQA website and the attention of market suppliers and potential tenderers should be drawn to the request for tender. In addition, ACECQA is also able to use the NSW Procurement website (eTender) to advertise its requests for tender. More information on using the eTender website is at Section 8.

The selection of the supplier will be determined on the tenderer's response to the selection criteria in each tender. Each tender will be assessed in terms of how well the information provided meets the selection criteria to determine the highest ranking tender using the Tender Evaluation Report (see **Appendix B**).

To avoid conflicts of interest, ACECQA employees are not permitted to submit tenders for their associates or themselves.

After selection, a minute to the financial delegate must be completed recommending the successful tenderer and requesting purchase approval. The document is to include reference to the business case for the procurement and the details of the selected supplier and goods and services to be supplied.

Once approval is obtained, a contract or supply agreement must be developed before the engagement of the selected supplier and supply of the goods and services. Generally ACECQA's standard contract template should be used as it contains ACECQA-specific terms and conditions, for example related to the protection of personal information.

The standard contract templates are available via the Board and Governance team.

All other tenderers must be notified of the outcome of their tender using the Letter to Unsuccessful Tenderer template (see **Appendix C**). The tender project owner is required to provide the Contract Award Notice to the Financial Controller for uploading onto the eTender website if the NSW eTender system is used.

All tender processes must be conducted in a timely manner. Depending on the complexity of the tender, there should be no more than four weeks between the closing date of the RFT and notifying the successful and unsuccessful tenderers of the outcome following the evaluation process, unless there are exceptional circumstances.

6.5 Project & Contract Management

Where it is identified that a procurement is complex or entails high levels of risk to ACECQA, then appropriate strategies must be put in place to manage the project and contract. Project

management and contract management disciplines are considered appropriate and may include:

- detailed project planning (time, cost & quality)
- project monitoring and control
- project reporting
- ongoing risk & issue management
- provision of evidence from the supplier to manage the risks identified
- provision of appropriate insurance certificates of currency from the supplier
- provision of other appropriate licences or certificates suitable to the nature of the provision
- of the goods and services from the supplier
- establish performance and review mechanism with the supplier as a requirement of purchase.

6.6 Direct Negotiations for Substantial Procurement

As a general rule, direct negotiations should be avoided as they may raise perceptions of improper behaviour, may appear to avoid scrutiny and may be seen as involving preferential treatment and favouritism.

Special circumstances may warrant entering into direct negotiations with a single selected supplier without obtaining competitive quotes or tenders.

A decision to enter into direct negotiations must be approved by the Chief Executive Officer or the Board (in line with financial delegations).

Staff responsible for the procurement must clearly identify the circumstances that demonstrate such direct negotiation will result in the best purchase outcome for ACECQA.

Procurement may occur through direct sourcing in the following circumstances:

- where, in response to an approach to the market, no supplier responses were deemed suitable;
- where, for reasons of extreme urgency, brought about by unforeseen events the goods or services could not be obtained in sufficient time under normal procurement procedures;
- for purchases made under exceptionally advantageous conditions that only arise for a short time;
- where the goods or services can only be supplied by a particular business and there are no reasonable alternatives or substitutes;
- for additional deliveries of goods or services by the original supplier or authorised representative that are intended either as replacement parts, extensions or continuing services for existing equipment, software, services or installations; where a change in supplier would compel the organisation to procure goods or services that do not meet requirements of compatibility with existing goods or services and
- where an organisation procures a prototype or a first purchase of goods or services that is intended for limited trial or that is developed at its request in the course of and for a particular contract for research, experiment, study or original development.

6.7 Preferred and Unique Suppliers

A Preferred Suppliers List is a selection of preferred suppliers from which the supplier can be selected for designated services without requiring further competitive quotes.

To include a supplier on the Preferred Suppliers List, the following must be met:

- the supplier was selected through a competitive process and / or was able to provide value for money goods and services to meet ACECQA's needs,
- the supplier provides ongoing or continuing professional services or technological solutions to meet ACECQA's requirements, and
- it has been assessed that the supplier will fulfil any legal and financial requirements in the future based on their past performance.

A unique supplier is a supplier providing goods and services where there is no reasonable alternative or substitute, for example, due to an absence of competition for technical reasons

The CEO or COO must approve any changes to the list. The Preferred Suppliers List should be reviewed annually. As a part of the annual review process, the preferred suppliers no longer being used should be removed.

Notwithstanding a supplier is on the Preferred Supplier List, when appropriate, quotes or other evidence of competitive measurement may be required to ensure the suppliers continue to provide value for money services to ACECQA.

6.8 Use of Preferred Suppliers List

Suppliers can be selected from the Preferred Suppliers List with a brief scope of services required and following a request for a quote. If the quote is acceptable then arrangement can be made for the supplier to be engaged.

6.9 Payment of Suppliers

The payment of suppliers must be completed in accordance with the ACECQA Payment of Accounts Policy and Procedure.

All payments must be made against a suitable invoice from the supplier that is checked by staff responsible for the purchase and approved for payment by a delegate within their limit of delegated authority.

7 Aboriginal and Torres Strait Islander Businesses Procurement

ACECQA is committed to improving opportunities and outcomes for Aboriginal and Torres Strait Islander peoples. To strengthen supplier diversity, ACECQA staff should consider Aboriginal and Torres Strait Islander businesses in procurement considerations wherever there is a possible supplier, especially in the areas of stationery, artwork, venue hire, event management and catering procurement.

An Aboriginal and Torres Strait Islander Business is a business that is:

- 50 per cent or more owned by Indigenous Australians as defined by the Commonwealth Indigenous Procurement Policy, or
- certified as an Indigenous business by Supply Nation, or
- certified as an Indigenous business by the NSW Indigenous Chamber of Commerce.

Supply Nation maintains a free Indigenous Business Direct Portal that can be used to search for Aboriginal and Torres Strait Islander businesses.

Refer to these links:

<https://www.supplynation.org.au/search>

A list of selected Aboriginal and Torres Strait Islander Businesses for particular services can be found in the [Procurement of Aboriginal and Torres Strait Islander Businesses Fact Sheet](#) from the ACECQA Corporate Documents section of the EDRMS Portal.

An Aboriginal and Torres Strait Islander Business Register is maintained by the Finance team.

Whenever ACECQA engages an Aboriginal and Torres Strait Islander Business for the first time, staff procuring the goods or services must advise the Finance team to add the business to the register. This is to ensure that ACECQA meets its reporting obligations under its Indigenous Participation Plan on expenditure with Aboriginal and Torres Strait Islander businesses.

Procurement with Aboriginal and Torres Strait Islander Businesses is still required to follow the rules of procurement as outlined in this policy.

8 Accessing NSW Procurement Websites as a Buyer

8.1 Overview

ProcurePoint is the NSW Government procurement information site. It is managed by NSW Procurement (a division of NSW Department of Finance, Services and Innovation) to assist NSW government agencies to purchase in accordance with the policies and directions issued by the NSW Procurement Board. The site publishes the policies and directions for NSW agencies to follow as well as the prequalification schemes (i.e. lists of prequalified suppliers by products and services).

ProcurePoint also contains links to its related eTendering system, which provides a secure online platform for the advertising, distribution, lodgement and opening of tenders at:

<https://tenders.nsw.gov.au/>.

It delivers a single entry point for all government organisations and suppliers to notify, access, and respond to government business opportunities. The evaluation of tenders is managed outside the eTendering system by the agency which published the tender.

NSW Government allows other non-NSW government agencies to use the platform to achieve value for money procurement goals.

ACECQA is registered with NSW Procurement as an eligible buyer.

8.2 Seeking Quotes through Prequalification Schemes

NSW Government's prequalification schemes help eligible agencies to find suppliers prequalified to work with government. ACECQA is an eligible buyer to use the suppliers on the NSW prequalification schemes.

The schemes cover a wide range of services and goods. They may be broken down into specific categories or capabilities.

Current prequalification schemes can be found on the NSW Government's procurement website at: <https://www.procurepoint.nsw.gov.au/contracts-search?ctype%5B2%5D=2>.

The schemes include some goods and services that ACECQA may require (e.g. contingent workforce, advertising and digital communications services, ICT services, office furniture, performance and management services, legal services panel etc.). Some goods and services on the schemes are not applicable to ACECQA (e.g. general construction works, motor vehicles, operational telecommunications equipment, infrastructure and services). Information about the scope of each scheme is available on the website.

The benefits of using NSW prequalification schemes are that ACECQA can:

- access panels of a wide range of expert resources that can assist in development of business cases and project quality assurance reports,
- streamline its competitive tendering processes by accessing prequalified suppliers with a demonstrated track record and
- enhance probity standards through third-party assessment and selection of suppliers.

ACECQA staff are encouraged to seek quotes from the suppliers on the schemes for any procurement. The ACECQA Procurement Policy and Procedure still applies for all purchases from the suppliers on the schemes.

For example, ACECQA is seeking an ICT supplier to provide a quote for ICT testing services. The step by step process to find a group of desired suppliers for quotes is:

- click the prequalification schemes link above to display a list of the whole-of-government contracts, prequalification schemes and panels,
- browse by entering the relevant parameters to find ICT Services,
- follow the link of ICT Services to find Information for buyers / Prequalified suppliers / participants / members and download the list of registered suppliers (Note: there are over 1,200 suppliers on the list with 83 capabilities / specialised areas),
- choose the capability of 'M08 Testing Services' as 'Yes' as filters to obtain a short list of approximately 369 suppliers and
- select one or more supplier/s for quote/s depending on the procurement value.

8.3 Publishing requests for tender to eTender

For more complex and high value procurement, NSW's tender system (eQuote) is used by the NSW Government to publish tenders on their eTender website. ACECQA has access to eQuote to publish ACECQA's tenders on the NSW Government eTender website.

eTender is an open approach to the market and invitation to submit a tender response. For high value (>\$80k) and/or complex procurement, ACECQA staff are encouraged to utilise the NSW tender system to publish ACECQA's procurement on the eTender website in addition to the ACECQA website.

To publish on the eTender website, the process requires:

- a tender project owner who will prepare the business case, obtain approval of the requirements, draft the RFT, the tender title, a short description of the tender, a long description, some additional details if necessary, any conditions for participation etc.,
- the ACECQA Request for Tender document to be published on the NSW eTender website by the Financial Controller or the system administrator,
- the appointment of two witnesses to be present for the Tenderbox Opening event with the Financial Controller as the administrator. One witness should be the tender project owner and the other can be the Finance Manager, COO or Board Secretary.
- the appointment of the tender evaluation committee to receive all the tenders in the Tenderbox.

For example, ACECQA is seeking an ICT supplier to provide infrastructure as a service. The step by step process to publish and award the tender is:

- the project owner provides the approved RFT document, the tender title, a short description of the tender, and any additional details if necessary to the Financial Controller;
- the Financial Controller logs into the eTender website and enter all the information required by the system;
- as ICT services has prequalified suppliers, the system allows the administrator to add scheme details and capability details with the RFT. When the RFT is published, the system will send an alert email to all the suppliers on the scheme with the chosen capability;
- the Financial Controller enters the tender closing date and clicks 'Publish' to publish the tender on the NSW eTender website;
- the tender responses from suppliers will be stored on the eTender system in the 'Tenderbox' and will not be accessible until the tender closing date;
- the Financial Controller creates two witnesses in the eTender system;
- after the tender closing date, the Financial Controller and two witnesses log into the system, click on 'Open Tender Box'. The tender responses are displayed on the screen;
- the Financial Controller will copy/download each tender response from the system and save it in a secure container in ACECQA's EDRMS;
- at the completion of the copy/download process, the Financial Controller will log off from the eTender website and provide all the tender responses to the tender project owner for evaluation and selection in accordance with this policy;
- at the completion of the tender evaluation process, the tender project owner is required to provide the Contract Award Notice information to the Financial Controller to be published on the eTender system and
- the tender project owner will notify all unsuccessful tenderers of the outcome of the tender using the Letter to Unsuccessful Tenderers template (see Appendix C).

When using the NSW eTender system, the other requirements of the ACECQA Procurement Policy and Procedure continue to apply.

9 Australian Government Procurement Processes

For IT software purchasing, ACECQA is able to purchase under a volume sourcing agreement administered by the Digital Transformation Agency (DTA).

APPENDIX A

Request for Tender



Contents

1	LODGEMENT OF PROPOSALS	3
2	BACKGROUND	4
2.1	Background	4
2.2	Purpose and explanation	4
2.3	Scope and / or methodology	4
2.4	Other Information	4
3	STATEMENT OF REQUIREMENTS	4
3.1	Requirement / Method	4
3.2	Outputs / services	4
3.3	Procurement / Project planning and management	4
3.4	Summary of deliverables	4
4	TIME FRAME	5
5	RESPONSE FORMAT	5
5.1	Cost breakdown	5
6	SELECTION CRITERIA	6
7	TERMS OF REQUEST FOR TENDER	7
7.1	Disclaimer	7
7.2	Privacy notice	7
7.3	Conflict of interest	7
7.4	Probity and ethical behaviour	7



1 LODGEMENT OF PROPOSALS

Closing date	5pm, xx xx 20xx Late submissions will not be accepted.
Lodgement method	Email to: xx.xx@acecqa.gov.au Email subject line: xxx - RFT
Questions about this proposal	Please send any questions by email to xx.xx@acecqa.gov.au Email subject line: xxx - Enquiry
ACECQA project owner	Name: xx xx Position: xx xx Email: xx.xx@acecqa.gov.au Telephone: xxxxxxxx



Australian Children's
Education & Care
Quality Authority

2 BACKGROUND

2.1 Background

Insert background information that will be useful to the tenderer in preparing the submission

2.2 Purpose and explanation

Insert purpose of RFT and any explanation that will be useful to the tenderer in preparing the submission.

2.3 Scope and / or methodology

Insert scope of RFT or methodology that will be useful to the tenderer in preparing the submission.

2.4 Other Information

Insert other information relating to the RFT that will be useful to the tenderer in preparing the submission.

3 STATEMENT OF REQUIREMENTS

3.1 Requirement / Method

The tenderer is required to xxxxx.

3.2 Outputs / services

The successful tenderer will be required to deliver xxxxx.

3.3 Procurement / Project planning and management

The successful tenderer will be expected to xxxxx.

3.4 Summary of deliverables

In summary, the successful tenderer will be required to:



4 TIME FRAME

Below is an indicative time frame for the procurement / project. However, tenderers are welcome to propose and justify new time frames. The final time frame will be agreed with the successful tenderer prior to commencement of the procurement / project.

RFT closing date	[Insert date]
Successful tenderer notified	[Insert date]
Contract commences and project briefing	[Insert date]
Other milestones	[Insert date]
Final delivery	[Insert date]

5 RESPONSE FORMAT

Responses to this RFT must include:

- A. tenderer name, address and ABN
- B. name, address, email and phone number of contact person for queries
- C. details of how the procurement will be managed / delivered, including XXXXX
- D. detailed cost estimates as outlined in section 5.1, including any incremental costs
- E. names of specific personnel to be involved in the procurement / project and (optional: their qualifications and experience and their allocated time to the project)
- F. brief descriptions of previous procurement / project / tender of a similar nature
- G. demonstrated capability and capacity to meet the procurement requirements
- H. contact details for two referees that can demonstrate the tenderer's capacity to deliver to high quality, on time and within budget

Insert other response requirement xxxxxxxxx

Response To Tenders should be received no later than xx xx 20xx. Late submissions will not be accepted.

5.1 Cost breakdown

Insert cost breakdown requirement.

6 SELECTION CRITERIA

Tenders will be assessed using the following criteria:

No	Criteria	Weighting
1	Insert criteria. These should match the tender requirements	[eg, Very High, High, Medium or Low]
2		
3	Risk management (mandatory)	
4	Financial viability and compliance (legal and insurances) (mandatory)	High
5	Pricing - Prices offered will be assessed in conjunction with tenderer's evaluation according to the above criteria to enable selection based on value for money (mandatory)	High

The selection of a preferred tenderer will be based on the most efficient and effective outcome for ACECQA. This involves assessing value for money and quality of service against this Request for Tender (RFT).

7 TERMS OF REQUEST FOR TENDER

7.1 Disclaimer

ACECQA is not obliged to enter into any legally binding agreement with a respondent.

Nothing in this Request for Tender (RFT) creates or implies a legally binding agreement between ACECQA and the respondent.

ACECQA will not be liable for any acts or omissions of the respondent or costs or expenses incurred, as a result of the information provided by ACECQA in this RFT.

The respondent is deemed to have read and understood all relevant information associated with the RFT and warrants that their submission is complete and contains accurate information.

7.2 Privacy notice

Respondents should familiarise themselves with other policies relevant to this RFT including:

- ACECQA Privacy Policy
- ACECQA Freedom of Information Policy

7.3 Conflict of interest

If a respondent is concerned about the existence of, or potential existence of, a conflict of interest, they should notify ACECQA immediately. ACECQA will then determine how the matter should best be handled.

7.4 Probity and ethical behaviour

Probity and ethical behaviour governs the conduct of all procurement activities at ACECQA. All staff with the authority to procure goods and services or otherwise involved in the procurement process must act ethically, with integrity, probity, and in line with the ACECQA Procurement Policy.

ACECQA requires the same standards from those with whom it deals.

APPENDIX B

Tender Evaluation Report

TENDER EVALUATION REPORT

ASSESSMENT & RANKING AGAINST SELECTION CRITERIA



	[Name of tenderer 1]		[Name of tenderer 2 if applicable]		[Name of tenderer 3 if applicable]		[Name of tenderer 4 if applicable]		[Name of tenderer 5 if applicable]	
	Weighting (total must be 100%)	Score (1-10)	Weighted score	Reason for the score (optional)	Score (1-10)	Weighted score	Reason for the score (optional)	Score (1-10)	Weighted score	Reason for the score (optional)
Selection criteria 1 [insert criteria]	e.g. 30%	e.g. 9	2.70							
Selection criteria 2 [insert criteria]	10%	9	0.90							
Selection criteria 3 [insert criteria]	20%	9	1.80							
Selection criteria 4 [insert criteria]	20%	6	1.20							
Selection criteria 5 [insert criteria]	20%	3	0.60							
Insert more criteria if required. Total weighting must be 100%										
Total non-pricing score	100%	27	7.20		0	-		0	-	

Total estimated procurement cost (exclusive of GST) _____

Overall comments _____

Recommendation:
On the basis of the above evaluation, the Tender Evaluation Committee recommends [insert name] of tenderer [number] as the successful tenderer for [insert name of project / goods / services].

Tender Evaluation Committee

Chair: _____

Member 1: _____

Member 2: _____

Date: _____

APPENDIX C

Letter to Unsuccessful Tenderer Template



*[Name of contact person]
[Position Title]
[Organisation Name]
[Address]*

Dear *[Title and name of contact person]*

[TITLE OF TENDER]

Thank you for your response to the request for tender for the provision of *[Title of Tender]*. We appreciate the effort that has been invested by your organisation's submission.

Your tender has been evaluated against the selection criteria and following a detailed evaluation, I regret to advise that on this occasion *[organisation name]* has been unsuccessful.

To assist you in future tendering for ACECQA, I will be available to provide you with a debriefing in relation to your tender submission at the conclusion of the tender process. If you wish to take up this option please contact *[Name and contract details]* to arrange a meeting.

Thank you for the time and effort in participating in this tender.

Yours sincerely

*[Name]
[Position title]
Chair of the Tender Evaluation Committee*

Date

APPENDIX D

Glossary

Aboriginal and Torres Strait Islander business	An Aboriginal and Torres Strait Islander Business is a business that is: <ul style="list-style-type: none"> • 50 per cent or more owned by Indigenous Australians as defined by the Commonwealth Indigenous Procurement Policy, or • certified as an Indigenous business by Supply Nation, or • certified as an Indigenous business by the NSW Indigenous Chamber of Commerce.
Open Tender	An open tender involves publishing an open approach to market and inviting submissions. This includes multi-stage procurements, provided the first stage is an open approach to market.
Preferred Suppliers List	A selection of approved preferred suppliers for designated services without requiring further competitive quotes
Select Tender	A select (or limited) tender involves approaching one or more potential suppliers to make submissions or proposals, when the process does not meet the rules for open tender.
Unique supplier	A supplier providing goods and services where there is no reasonable alternative or substitute, for example, due to an absence of competition for technical reasons