

Department of Human Services

Tender for: **Evaluation: Quality of Life
Outcomes following Kew
Residential Service
Redevelopment**

Tender No: **T / EMR01 / 04**

Tenders must be received by 2:00 pm on: Thursday 25 March 2004

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Part A: Information for Tenderers

1. Purpose of this Document

- 1.1 This document is a tender brief and has been prepared to provide information to assist prospective tenderers in the preparation and submission of proposals for the Eastern Metropolitan Region's (EMR) Evaluation of the Quality of Life Outcomes following the Kew Residential Services (KRS) Redevelopment.

2. Project Overview

- 2.1 EMR is seeking suitably qualified and experienced parties to evaluate the quality of life outcomes following the KRS Redevelopment. The Redevelopment aims to provide KRS residents with an enhanced quality of life through accommodation support and lifestyle opportunities more consistent with those experienced by the broader community.
- 2.2 The Evaluation must address the following key questions in relation to the KRS Redevelopment:
- What are the reported and observed changes in quality of life for residents moving from KRS into community houses? What are the critical success factors which contribute to an improved quality of life?
 - Are residents, family members, significant others and support staff satisfied with the quality of new accommodation support arrangements? Does satisfaction change over time?
 - Are disability support staff adequately skilled and supported to promote community inclusion of residents? Do these skills and support mechanisms change during the life of the Evaluation?
 - How does the relationship between staff and residents change over time? If so, what impact does this have on interaction and styles of support?
 - How are residents supported to participate in meaningful activities both at home, and outside of the accommodation setting? What is the quality of these supports?
 - What impact has moving into the community had on residents' health and wellbeing? What are the critical success factors which contribute to improved health and wellbeing?
 - To what extent have former residents of KRS who have moved into the community achieved the aspirations of the Disability State Plan?
- 2.3 This brief outlines the three year project which will be commencing in July 2004 and will encompass 5 key phases:
- **Phase One** will formalise the evaluation proposal and implementation plan. This will include the development of an evaluation framework and methodology, identification of core indicators for data collection and provision of a work plan that outlines key tasks, timelines and designated evaluation team members.

- **Phase Two** will complete a literature review; and collect, collate, analyse and report on agreed data, including ongoing evaluation of factors impacting on reported and observed changes in quality of life for former-KRS residents living in community houses.
- **Phase Three** will report on factors impacting on community inclusion and will provide comparisons across a range of supported accommodation services. This phase will also examine and report on factors relating to the structure of day activities and the background and skills of staff.
- **Phase Four** will incorporate the implementation of strategies identified in Phase Three across a broader range of community houses and will provide a report on the outcomes of this implementation.
- **Phase Five** will deliver a comprehensive evaluation report providing an analysis of longitudinal data over the life of the research. This report will document the research, its findings and recommendations.

2.4 Key dates for this tender are indicated below as a guide. EMR will attempt to maintain this schedule, but reserves the right to vary key dates where necessary:

Tenders advertised	Saturday 31 January 2004
Public information/briefing session	4.00pm Conference Rooms 1 and 2 883 Whitehorse Road, Box Hill Monday 16 February 2004
Closing date for submission of tenders	Thursday 25 March 2004
Interviews conducted by	Friday 23 April 2004
All tenderers advised of tender outcome by	May 2004
Service/project commencement by	1 July 2004
Service/project completion	June 2007 with possible extension

2.5 Period of Service

The period of service is to commence on 1 July 2004 and the initial contract period will be for a period of three (3) years until June 2007.

2.6 Extension of Contract

Subject to agreement of the successful tenderer, EMR reserves the right to extend the contract period for two additional, one year periods to a total period of five years. The extensions will be dependent upon satisfactory performance of the successful tenderer, outcomes of the report submitted at the end of the initial three year period and continuation of evaluation priorities.

3. Role of the Evaluation

It is intended that the Evaluation will inform ongoing service provision during the Redevelopment and any future redevelopments undertaken by the Department of Human Services. Further, it is anticipated that the Evaluation will identify critical success factors for providing accommodation supports consistent with the aspirations of the State Disability Plan, and that these findings will add to the body of contemporary research in disability services.

4. Scope

4.1 Focus

The Evaluation will examine changes in quality of life outcomes for former-KRS residents who have moved to community houses over the course of the Evaluation. The Evaluation should include, though not necessarily be limited to:

- Engagement in meaningful activities, both at home and out in the community;
- Involvement in local communities;
- Health and wellbeing of ex-KRS residents and their access to relevant community services;
- Satisfaction of residents, families and significant others with accommodation support over the course of the Redevelopment;
- Critical success factors (including specific work practices) contributing to improved quality of life for people with a disability living in community houses;
- Impact of staff characteristics on quality of outcomes for residents. This could include, though not necessarily be limited to:
 - Attitudes;
 - Skill;
 - Background; and
 - Training.
- Level and quality of interaction between residents and support staff;
- Impact of involvement of families and significant others; and
- An examination of the Redevelopment's outcomes for former KRS residents living in community houses, in terms of the principles of the Disability State Plan.

A satisfaction/experience dimension will form part of the Evaluation and address the experience of residents, families/advocates and staff during the Redevelopment and after the move to a community house.

To complete the Evaluation, the tenderer will be required to:

- Undertake a literature review, indicating areas requiring further research, to ensure the Evaluation is relevant and makes a valuable contribution to contemporary research in the field of disability services;
- Collect, analyse and report on data across a three year period with an option to extend the project to a total of four or five years in duration. Data collection should incorporate historical data from KRS and other relevant research to enrich the project, contribute to baseline data, and provide longitudinal information;
- Adhere to Privacy Legislation requirements and work in accordance with the requirements of the Intellectually Disabled Persons' Services Act (1991); and

- Ensure an equitable representation of views of stakeholders from an appropriate range of geographically, culturally and linguistically diverse backgrounds and with a range of support needs.

4.2 Key Stakeholders

The broad stakeholder group for the KRS Redevelopment will need to provide either a direct or indirect contribution to the Evaluation. The group includes residents, families/advocates, community visitors, the Public Advocate, disability support workers, KRS, Regional and Central Disability Services staff and representatives from key agencies and peak groups.

Therefore, the tenderer will need to interact and work with this broad stakeholder group to ensure the results are indicative of a broad range of perspectives and experiences of the Redevelopment.

5. Background

5.1 Department of Human Services

The DHS is responsible for a wide range of services to diverse client groups across Victoria. The principal function of the Department of Human Services is to ensure the delivery of a range of health, housing and community services.

The Department of Human Services' Mission Statement is:

To enhance and protect the health and well being of all Victorians, emphasising vulnerable groups and those most in need.

5.2 Division/Program

Disability Services is a division of the Department of Human Services. Its role is to fund agencies to provide direct continuing care and support for people with intellectual, physical, sensory and neurological disabilities and acquired brain injury in Victoria. The Department also directly provides some continuing care and support services for people with intellectual disabilities.

The State Disability Plan outlines the Victorian Government's vision for the future and some strategies for realising this vision and is available on the Disability Services website, www.dhs.vic.gov.au/disability.

5.3 Eastern Metropolitan Region

EMR comprises seven municipalities: Cities of Boroondara, Knox, Manningham, Maroondah, Monash, Whitehorse and the Shire of Yarra Ranges. Approximately 972,000 people reside within the EMR. DHS employs approximately 1830 effective full time staff, most of which directly provide Disability, Housing, Child Protection, School Nursing, Specialist Children's and Juvenile Justice Services. Forty staff work in partnership with close to 500 organisations in the Region with which DHS has a funding and service agreement. EMR also has responsibility for Kew Residential Services.

5.4 Existing Service System

On 4 May 2001, the Premier announced the redevelopment of KRS, formerly known as Kew Cottages. At the time of the announcement, KRS provided

congregate residential care for around 460 people with intellectual disabilities in 16 residential units on a 27 hectare site in Kew.

KRS was established in 1887. Most of the residents of KRS have lived there since childhood. The average age of Kew residents is now 45. There have been no new admissions to KRS since 1986 apart from a small number from another institution in early 1990.

The accommodation at Kew Residential Services is primarily congregate style. Half of the units provide shared bedrooms, kitchens, bathrooms and living areas for up to 35 residents. Four units were recently reconstructed and converted into modern flats, each accommodating eight people.

The on-site day service, Kew Day Programs, continues to provide day activities and programs for 200 of the residents. KRS still remains the largest institution in Australia.

The Premier supported the announcement of the KRS Redevelopment with a commitment to:

- The creation of a residential sub-division on the KRS site where some 100 residents of KRS can live in community residences as members of a broader community;
- The construction and establishment of community accommodation and other services for the balance of KRS residents across the state;
- Implementation of the Redevelopment on a staged basis over a period of several years;
- High quality supported community accommodation for all residents, with staffing levels appropriate to meet their needs;
- Access to appropriate day activities for all residents;
- Consultation with residents, their families and advocates, staff and significant others. There was also a commitment that decisions about the location of 'off-site' services and the final number of residents who will live in the new community on the KRS site would not be made until these initial consultations were completed;
- All new residential services, both 'on-site' and 'off site' to be staffed and managed by the Department of Human Services. Further, there is a commitment to employ a significant number of additional staff to work in community houses developed through the KRS Redevelopment; and
- The retention of some important aspects within the current KRS site (including the Sport and Recreation Centre).

To date, over 80 residents have moved to new houses in the Northern, Eastern and Southern suburbs of Melbourne. By June 2004, it is planned that a total of 130 people will have moved to community houses in metropolitan Melbourne and rural Victoria. At the Redevelopment's completion in November 2006, the remainder of KRS residents will have moved to community houses across Victoria, with 100 of those living in community houses in a new inclusive suburb built on the current KRS site.

Part B: Tender Specifications

6. Specification and Evaluation**6.1 Specification 1: The Tenderer**

The successful tenderer will require a background relevant to the project and demonstrated capacity to successfully undertake the project.

6.1.1 Status of entity

The tenderer must be a legal entity with which the Department of Human Services is able to contract. The tender response must describe and provide evidence of the legal status of the tenderer, including their Australian Business Number (ABN).

6.1.2 Understanding of requirements

The tenderer must demonstrate an understanding of the requirements of the tender.

6.1.3 Relevant experience

The tenderer must describe their experience in relation to the provision of similar services. References from or contact details of at least two clients for whom the tenderer previously has carried out similar projects must be provided.

6.1.4 Financial, technical, planning and other resource capability

The tenderer must provide sufficient supporting documentation to enable the Department of Human Services to satisfy itself as to the financial, technical, planning and other resource capability of the tenderer to successfully undertake the proposal.

6.1.5 Staffing Policies and Practice

The tenderer must describe staffing policies and practices that will be in operation for the period of the contract. The tenderer must demonstrate a commitment to equal employment opportunity and maintenance of occupational health and safety.

6.1.6 Staff Competencies

The tenderer must describe the minimum competencies of staff and policies to maintain competency over the period of the contract.

6.1.7 Electronic Communication

Tenderers must describe their technical capacity for electronic communication and funds transfer and a commitment to establishing appropriate links to enable such communication with the Department.

6.2 Specification 2: Project Requirements and Deliverables

Tenders should contain a detailed and considered discussion of the proposed evaluation framework and optional methodologies, and how it addresses the key needs of the tender as raised by the information provided in this tender brief. Section 20 outlines submission of alternative proposals.

The following minimum deliverables are required.

6.2.1 Evaluation Framework and Methodology

The development of a detailed evaluation framework and methodologies for designing and conducting the Evaluation must form part of the tender submission. The proposed methodologies must include:

- Proposals for contacting and engaging stakeholders;
- A detailed sampling strategy to ensure adequate stakeholder representation;
- The method proposed to identify, gather and analyse information, with specific attention to the key issues identified in project deliverables;
- Identification of any data requirements not already mentioned in this tender brief and the methods by which this data will be obtained;
- A detailed timetable including key performance indicators, timelines and responsibilities; and
- A detail of any requirements of DHS/EMR regarding staff and data access or any other areas, to complete the project.

6.2.2 Communication requirements

- The tenderer will be required to meet with EMR project personnel within 2 weeks of the commencement of the tender, to propose and obtain formal approval of the work plan outlining specific tasks, methods and timelines involved in the project;
- The tenderer will be required to meet with EMR project personnel on a monthly basis initially and regularly thereafter (approximately 8 weekly) and to provide formal report on progress of the evaluation;
- Verbal progress reports will be provided to EMR project personnel on a regular basis throughout the project;
- The tenderer will be required to meet with the KRS Redevelopment Evaluation Reference Group on a regular basis to report on the progress of the evaluation;
- The tenderer will ensure that all significant questions and concerns of stakeholders during all stages of the project are promptly advised to the EMR project personnel, and addressed as soon as possible.
- The tenderer will provide information to stakeholders that ensures maximum understanding and transparency of the methodology and process, as well as realistic expectations of scope and potential outcomes.

6.2.3 Intellectual Property

Section 8 of the DHS Standard Contract refers to conditions relating to Intellectual Property that will apply to information and reports for this project. The clauses outline the use and ownership of information. Any request to vary the clauses in the contract must be submitted as part of the tenderer's response.

6.2.4 Ethics Approval

Consultation with residents and family members will require an application to, and approval by, the DHS Human Research Ethics Committee (HREC) where the tenderer does not have access to an alternative HREC. Ethics approval will need to be obtained prior to any communication and/or liaison with stakeholders and data collection relating to individuals.

6.2.5 Project Deliverables

The expected products of the research will relate to each of the project's phases.

Phase One: Development of a Negotiated Evaluation Proposal

The successful tenderer will be required to provide to the EMR a detailed evaluation proposal incorporating changes and amendments as may have been identified, discussed and agreed to with the EMR following notification. The evaluation proposal must display adherence to the evaluation questions and detail methodology, milestones and timeframes. The proposal should include provision for the following evaluation design issues:

- Identification of data to be collected and tools for collecting data;
- A valid and reliable evaluation design;
- Consideration of rural and metropolitan issues;
- All relevant confidentiality and ethical issues;
- An evaluation process which provides an evaluation framework, approach and tools which have application beyond the period of the five year evaluation; and
- Participation that creates as minimal disruption for respondents as possible.

Product	Scope	Due Date
Evaluation Proposal – Phase One	Detailed description of milestones and data collection methodology.	August 2004

Phases Two, Three and Four: Data Collection and Reporting

The successful tenderer will be required to establish collaborative working relationships with key stakeholders throughout the duration of the evaluation. A key aspect of the KRS Redevelopment is its commitment to improving the quality of life for former-KRS residents. As such, the evaluators must have an emphasis on working concurrently with key stakeholders to have a positive impact on the quality of life of people with a disability living in supported community accommodation.

Data collection must include:

- Consideration of the data which is currently collected in the service sector, and the capacity of existing data systems to provide relevant and/or additional data;

- Consideration of any information, training and/or support requirements that may be essential to the successful implementation of data collection activities;
- Development of a feedback or reporting strategy to ensure the findings of the evaluation are provided to diverse key stakeholder groups in a manner which is accessible and appropriate to their particular needs and informs ongoing service provision.

For each phase, the evaluators will need to provide detailed progress reports identifying themes from data analysis and outcomes from implementation of strategies recommended in previous reports.

Product	Scope	Due Date
First interim report – Phase Two	Preliminary report, describing progress to date, and identifying emerging trends in terms of critical success factors.	December 2004
Second Interim report – Phase Three	Analysis of data to date, identifying trends and issues, and including recommendations. This report might include comparisons across a range of supported accommodation services and will also examine factors relating to the structure of day activities.	December 2005
Third Interim Report – Phase Four	–Progress Report on outcomes from implementing the strategies relating to the critical success factors and the maintenance of these strategies and outcomes.	December 2006

Phase Five – Final Project Report

Delivery of the final project report must include:

- Formulation of a draft report, which meets the project's objectives and addresses key evaluation questions. The draft report should include description, analysis and detail of each phase of the evaluation process.
- The draft report is to be submitted to the Project Manager on an agreed date prior to the completion of the evaluation. The report will be reviewed by the EMR and other DHS stakeholders and comment provided to the tenderer.

- Following agreement with the Project Manager the evaluator must submit a final report.
- The final report should be submitted to the EMR within 4 weeks of receiving comments on the final draft report and prior to the project completion. 3 copies of the report including an unbound copy and a soft copy compatible with Microsoft Word 2000 (or any update thereof) should also be provided.
- Statements throughout the report should be expressed in a language appropriate to the human services sector. It must include the following:
 - An executive summary
 - The background and objectives of the project
 - Detail and description of the methodology, data collection tools, analysis, sample and quantitative and qualitative data collected for all elements of the evaluation
 - Findings on each of the key evaluation questions
 - A report on the outcomes of the evaluation
 - Recommendations in relation to service development, ongoing service delivery to the target group and funding arrangements
 - Recommendations in relation to evaluation of longer term outcomes

Product	Scope	Due Date
Draft Final Report – Phase Five	Comprehensive report providing an analysis of longitudinal data over the life of the Research. This report will document the research, its findings and recommendations	May 2007
Final Report – Phase Five	Completed and updated report.	June 2007

Further reporting cycles would depend upon continuation of the Evaluation as previously described.

6.3 Specification 3: Rates and Budget

6.3.1 Price

Prices quoted should be competitive and commensurate with the key activities and outputs/deliverables required. Price should be provided for each different methodological approach proposed.

6.3.2 Price Variation

Any variation to price over the period of the contract must be quantified, justified and agreed.

6.3.3 Quotations GST Inclusive

All quotations must include the full impact of the new tax system introduced by the Australian Government in July 2000, including GST (where applicable) and offsets for embedded tax savings.

7. Evaluation of Tenders

The following criteria will be used for the evaluation of all tenders and determination of the successful tenderer. Complying proposals will be assessed on a value-for money basis. Price will be considered as part of the tender assessment but will not be scored or weighted.

Criteria specified as 'mandatory' must be met. Failure against these criteria will mean the submission is designated 'non-compliant': non-compliant submissions may be rejected without further consideration unless clearly indicated as alternative, non-conforming proposals and documentation is provided that supports their validity in achieving the requirements of this Evaluation.

7.1 Tender Evaluation Criteria

Criterion 1 This criterion is **mandatory**

The tender includes sufficient supporting documentation to demonstrate satisfactory financial, technical, planning, sustainability and other resource capability for projects of a similar size/duration. Responses should consider, but not be limited to:

- Audited financial statements from annual reports from the last two financial years;
- A business or corporate plan covering the current financial year;
- Advice on technical and planning resources (e.g. information technology capacity and financial management strategies, including budget management strategies and organisational review processes).

Criterion 2 This criterion is **highly important**

The proposal demonstrates a thorough understanding of the scope and complexity of the evaluation requirements and presents a valid, innovative and cost effective approach to the delivery of outcomes and outputs specified.

Responses should consider, but not be limited to:

- An overview of the issues facing people with an intellectual disability, and those significant in their lives;
- An understanding of the needs of people with a disability to support active participation in community life;
- A detailed understanding of the disability service system, key priorities, legislation and policies;
- A description of the anticipated focus of the literature review;
- Details of the methodology including key quality of life indicators and measures, and any optional approaches to collecting and analysing data and a rationale for each of these approaches; and
- A full costing of the methodology including any optional approaches (see section 20).

Criterion 3 This criterion is **highly important**

The tenderer has relevant and adequate experience and expertise in evaluation in the human services sector, with a demonstrated ability to deliver projects within prescribed timeframes and designated budgets.

Responses should consider, but not be limited to:

- A demonstrated ability to complete similar projects within the human services sector;
- An outline of the tenderer's experience in conducting research using a range of methodologies;
- An ability to produce high quality reports, and
- An outline of the tenderer's track record of completing projects on time and within budget; including key learnings in achieving timely project completion.

Criterion 4 This criterion is **highly important**

The tenderer demonstrates the capacity to sensitively and effectively engage, consult, and as appropriate, form collaborative partnerships with key stakeholders, including residents, families/advocates, staff and service providers.

Responses should consider, but not be limited to:

- Experience and expertise in working with people with a disability with a range of support needs;
- A demonstrated capacity and willingness to genuinely involve people with a disability in the study;
- An understanding of the issues faced by the range of stakeholders; and
- An outline of strategies to engage and consult with a broad range of stakeholders, including individuals and organisations not directly involved with the KRS Redevelopment.

Criterion 5 This criterion is **important**

The proposal includes detailed information relating to tenderer project management and strategies to enable the completion of the project tasks within the specified timelines.

Responses should consider, but not be limited to:

- A structured schedule outlining key performance indicators and milestones for the life of the project;
- Availability to commence and complete work within the required timeframes;
- Management strategies to ensure efficient administration and prioritisation of resources for the project;
- An outline of internal management processes, including a profile of the project team, roles and specific responsibilities; and
- An outline of expectations and requirements of DHS in order to complete project tasks and timelines.
- An intention to seek approval from a Human Research Ethics Committee and the anticipated timelines.

7.1 Tender Evaluation Process

Submissions will be evaluated against the indicated criteria. An initial evaluation will be used to short-list proposals. Tenderers not short-listed will be notified in writing at this stage that their submission has been unsuccessful.

Following short-listing, one or more tenderers may be approached to make a presentation to the evaluation panel to provide clarification or further information.

Short-listed tenderers will be required to submit an 'Ethical Employment Statement'. The Ethical Employment Policy has been designed to encourage all Victorian employers to adopt a co-operative approach to industrial relations. The Policy requires government departments to run checks on businesses which tender for government contracts, to ensure that all businesses which contract with the government satisfy the Government's ethical employment standard. The standard Ethical Employment Statement is Attachment II to this document and short-listed tenderers will be required to submit a completed statement as part of the evaluation process.

All tenderers will be advised in writing of the final outcome of the tender, including the identity of the successful tenderer.

7.2 Scoring

Submissions will be initially scored against the following scale:

Tender Evaluation	Score
Exceeds criterion	4
Fully meets criterion	3
Substantially meets criterion	2
Partially meets criterion	1
Fails to meet criterion	0

7.3 Weighting

The evaluation criteria have been weighted to reflect their relative importance. The weighting scale is:

Importance of criterion	Weighting
Mandatory	Met / Not met
Highly important	7
Important	5

Part C: Conditions of Tender

8. General Conditions

- 8.1 Organisations or individual wishing to tender should submit their proposal in accordance with the Department of Human Services' requirements as set out in this document. The conditions under which a response must be made are indicated in this section. Tenderers should familiarise themselves with this tender brief and ensure proposals conform. Tenderers are deemed to have:
- 8.1.1 examined the tender documents and other information made available by the Department of Human Services to the tenderers for the purpose of tendering;
 - 8.1.2 examined all information relevant to risks, contingencies, and other circumstances having an effect in their tender and which is obtainable by making reasonable inquiries;
 - 8.1.3 examined statutory requirements and satisfied themselves they are not participating in any anti-competitive, collusive, deceptive or misleading practices in structuring and submitting their tender;
 - 8.1.4 satisfied themselves as to the correctness and sufficiency of their tenders and that their tendered prices are GST inclusive and cover the cost of complying with all conditions of tender and matters and things necessary for due and proper performance and completion of work described in the tender documents;
 - 8.1.5 complied with all relevant Government procurement policies as set out on the Victorian Government Purchasing Board (VGPB) website (<http://www.vgpb.vic.gov.au>);
 - 8.1.6 complied with the Trade Practices Act and Australian Competition & Consumer Commission (ACCC) guidelines on price exploitation relating to the introduction of the new tax system from July 1 2000.
- 8.2 Financial Assessments
- 8.2.1 The Department reserves the right to engage a third party to carry out assessments of tenderers' financial, technical, planning and other resource capability.
- 8.3 Format of Response
- 8.3.1 A response schedule is at Part D of this document. Tenderers must address their responses to the specifications and will be assessed against the advertised evaluation criteria. The response schedule is structured to reflect the information requirements of this tender and tenderers are advised to use the response schedule in preparation of their submissions.
- 8.4 Legal Entity
- 8.4.1 Tenderers must provide proof of their legal status. A legal agreement/contract can only be entered into by the Department of Human Services with an agency or individual with legal status established under:
 - Associations Incorporation Act
 - Co-operatives Act
 - Corporations Law

- Health Services Act
- An Individual Act of Parliament
- Natural Person (person at least 18 years of age, with mental capacity to understand the agreement, not under any order or bankrupt)
- Trustee Act.

8.4.2 The Department of Human Services' prefers to deal with suppliers who have an Australian Business Number (ABN), unless there is clear evidence that the relevant supply is not assessable for income tax purposes (hobby or recreational interest).

8.5 Consortia

8.5.1 There are three legal and management options available to consortia wishing to tender. Each of these types of arrangements is acceptable to the Department of Human Services:

- Incorporate as a single body
- Each Member signs as part of a Non Incorporated Consortium
- Subcontracting by the Lead Agency to members of the Consortium

8.5.2 Where the tenderer is a consortium, the tender must indicate which parts of the service it is proposed that each entity comprising the Consortium would provide and how the Contractor and Sub-contractor(s) would relate to each other to ensure full provision of the required service.

8.6 Form and application of Agreement

8.6.1 The successful tenderer will be required to enter into the applicable standard Department of Human Services agreement, a sample copy of which is supplied as Attachment I.

8.6.2 A contract for delivery or provision of goods or services described in this document does not exist until both parties have executed the applicable standard Department of Human Services agreement.

8.7 Statement of Departures

8.7.1 Tenderers must state in their tenders that there are no departures from the specification (Part B) of this document and the conditions of the DHS standard form contract (Attachment I) or, where there are departures to these sections, submit with their tender a tabulated statement detailing the departures in order of the relevant clauses.

8.7.2 By submission of a tender in response to this document, tenderers are deemed to have accepted these Conditions of Tender.

8.8 EC4P

8.8.1 It is the Department's objective to arrange all future supplier transactions through EC4P. EC4P is the Victorian Government's electronic commerce for procurement system established to facilitate electronic ordering, invoicing and payment for goods and services. This system is described on the following website :
www.ec4p.dtf.vic.gov.au

8.8.2 The Department is therefore encouraging the use of electronic catalogues with its suppliers in line with the Government's EC4P policy. Participation in this program by suppliers will be highly

regarded. Tenderers' bids should therefore indicate their willingness and technical ability to participate.

9. Lodgement of Proposals

- 9.1 The proposal must be enclosed in a sealed envelope and clearly endorsed:

Confidential
Tender T/EMR01/04
Department of Human Services
Tender Box
883 Whitehorse Road
Box Hill, 3128

and must be deposited in the Tender Box at the above address by no later than **2:00pm, on Thursday 25 March 2004**.

- 9.2 If shortlisted, the Ethical Employment statement must be submitted in a separate sealed envelope and clearly endorsed:

Confidential
Ethical Employment Statement
Tender T/EMR01/04
Tender Box
Department of Human Services
883 Whitehorse Road
Box Hill, 3128

and must be deposited by 2.00pm by the requested date.

- 9.3 **Late, facsimiled, incomplete or e-mailed** proposals will **not** be accepted.
- 9.4 Proposals received after the closing time will be recorded as such, with the date and time of receipt, and the documentation will be returned to the sender.
- 9.5 Proposals delivered by the tenderers or their representative (including couriers) must be lodged in the tender box before the specified closing time. Department of Human Services officers cannot accept responsibility for lodging tenders on behalf of tenderers.
- 9.6 Proposals forwarded through Australia Post should be posted (addressed as above) to ensure receipt no later than the closing time (registered post advisable).
- 9.7 Proposals must be signed and dated by an authorised officer of the tenderer.
- 9.8 An original and 2 copies of the entire proposal must be submitted.
- 9.9 All proposals must be in the English language.
- 9.10 Proposals will be opened after 2:00pm on the closing date of tenders and notification of receipt will be forwarded to each tenderer.

10. Requests for Further Information

10.1 Clarification of Processes

Prospective tenderers may telephone Debora Brown on 9843 6150 or by email debora.brown@dhs.vic.gov.au to clarify matters relating to the tender process. Oral explanations or instructions given to prospective tenderers prior to the acceptance of the proposal shall not bind the Department of Human Services.

10.2 Clarification of Tender Specification and Requests for Additional Information

10.2.1 Requests for clarification of tender specifications and requests for additional information must be made in writing. Address such requests to:

Confidential
Department of Human Services
Kristine Rawlinson
Kew Residential Services
Princess Street
Kew 3101

Or

Email: kristine.rawlinson@dhs.vic.gov.au

10.2.2 Written requests for clarification or for additional information may be submitted by facsimile, addressed as above, to: Kristine Rawlinson, Fax 9853 0807.

10.2.3 All requests for clarification or for additional information must be lodged by 9 March 2004 to allow sufficient time for response and information to be provided to all parties requesting tender documentation.

10.2.4 All requests made, and additional information supplied will be documented (without identifying the source of the inquiry) and provided to all parties who have requested tender documentation.

10.3 Additional Information Required by the Department of Human Services

10.3.1 If additional information to that contained in a proposal, is required by the Department of Human Services when proposals are being considered, written information and/or interviews may be requested to obtain such additional information at no cost to the Department of Human Services.

10.3.2 The name and telephone number of an officer or employee of the Tenderer capable of clarifying technical and commercial aspects of the proposal must be provided.

10.3.3 Shortlisted tenderers will be required to complete and submit an Ethical Employment statement. A tenderer who does not submit an Ethical Employment Statement when required to do so by the Department of Human Services will be disqualified from the tendering process. The Department will assess whether a tenderer satisfies the ethical employment standard in accordance with government policy. Information about the Ethical Employment Policy can be found on the

Victorian Government Purchasing Board website at
www.vgpb.vic.gov.au.

10.4 References

Tenderers must indicate at least two organisations which have been supplied with services similar to those requested in this project brief, and of whom officers considering proposals may make inquiries to assist in establishing the suitability of any item or service tendered.

11. Reservations

11.1 Withdrawal From Process

The Department of Human Services reserves the right to withdraw from the tender process described in this document for whatever reason, prior to the signing of any Agreement/Contract with any party for the delivery of goods or services described in this document.

11.2 Lowest Cost Proposal

The lowest cost proposal, or any proposal, will not necessarily be accepted.

11.3 Negotiation

The Department of Human Services reserves the right to negotiate with short-listed tenderers after the nominated closing date for tender submission.

11.4 Part Offers

The Department of Human Services reserves the right to accept tenders in relation to some and not all of the scope of activity described, or appoint one, more than one or no organisation on the basis of the tenders received.

12. Conflicts of Interest

12.1 Declaration

Tenderers must declare to the Department of Human Services any matter or issue which is, may be perceived to be or may lead to, a conflict of interest regarding their proposal or participation in supply of the services described. Tenderers must describe a strategy so that any conflict of interest will be avoided.

13. Confidentiality

13.1 Ownership of Proposals

All proposals and any accompanying documents become the property of the Department of Human Services.

13.2 Ownership of Information

Ownership of all information, reports or data provided by the Department of Human Services to tenderers resides in the State of Victoria. The tenderer shall not, without written approval of the Secretary to the Department of Human Services, use the information or reports other than in the development of the proposal or the performance of the assignment. Such information, in whatever form provided by the Department of Human Services or converted by the tenderer, must be destroyed in a secure fashion following advice of the outcome of the tender or at completion of the assignment.

14. Probity of Tender Procedures

14.1 Notification of Probity Breach Required

Should any Tenderer consider that the tender process under this document has failed to accord it fair right to be considered as a successful bidder or that it has been prejudiced by any breach of these Conditions of Tender or other relevant principle affecting the Tenders or their evaluation, the Tenderer must provide immediate notice of the alleged failure or breach to the Contact Person. Notification must set out the issues in dispute, the impact upon the Tenderer's interests, any relevant background information and the outcome desired.

14.2 Timeliness of Notification

Delay in notification of probity breach, or notification after the announcement of the successful Tender will preclude a Tenderer from relying upon or taking action based upon such breach.

14.3 Resolution of Disputes

Dispute over the notification of breach will be resolved according to the Dispute Resolution section and clauses in the DHS standard agreement, attached.

15. Disclosure

15.1 Presumption to Full Disclosure

The Victorian Government has a strong presumption in favour of disclosing contracts and, in determining whether any clauses should be confidential, specific FOI principles (including a public interest test) will apply. The Government cannot pre-empt the workings of the FOI Act or constrain the Auditor General's powers to secure and publish documents as he sees fit.

15.2 Disclosure of tender and contract details

Subject to this clause and the Conditions of Contract, all documents provided by the Tenderer will be held in confidence so far as the law permits. Notwithstanding any copyright or other intellectual property right that may subsist in the tender documents, the Tenderer, by submitting the tender, licenses the Department of Human Services to reproduce the whole or any portion of the tender documents for the purposes of tender evaluation

In submitting its tender the Tenderer accepts that the Department will publish (on the internet or otherwise) the name of the successful or recommended Tenderer(s), the value of the successful tender(s) and the Contractor's name together with the provisions of the Contract generally.

15.3 Non-disclosure of contract provisions

Non-disclosure of contract provisions must be justified under the principles for exemption within Section 34(1) of the *Freedom of Information Act 1982*, providing that information acquired by an agency or a Minister from a business, commercial or financial undertaking is exempt under the Act if the information relates to trade secrets or other matters of a business, commercial or financial nature and the disclosure would be likely to expose the undertaking unreasonably to disadvantage. The Department will consider these arguments in the tender evaluation and negotiations with tenderers.

16. Lobbying of Tenders

- 16.1 Any attempt by any tenderer to exert influence on the outcome of the assessment process by lobbying, directly or indirectly, Department of Human Services staff or Members of Parliament, will be grounds for disqualification of the tender from further consideration.

17. Dumping of Goods

- 17.1 Tender bids from suppliers who are offering goods subject to an Australian Customs Dumping Notice will be disqualified from further consideration.
- 17.2 The Department reserves the right to suspend an agreement where the supplier is providing goods subject to an Australian Customs Dumping Notice.

18. Pricing

- 18.1 The Department of Human Services anticipates that savings will arise from tax system changes of July 2000. For long-term contracts it is anticipated additional cost savings from both capital and non-capital inputs will accrue. Tendered prices must reflect the net financial impact of the introduction of the tax reforms with the impact of direct and indirect embedded tax savings on prices over the period of supply of the goods or services and GST (if applicable) included.
- 18.2 Tenders must contain a detailed cost summary as well as relevant stage and total project costing. The quotation must state the price for each unit of output.
- 18.3 All prices shall be fixed for at least 90 days from the date of submission of offers: tenderers must indicate the period of price validity with the prices submitted.
- 18.4 Price variations over the period of the contract must be advised. Tenderers must state the factor and reasons for any variation.
- 18.5 All prices quoted must be represented in Australian dollars.

19. Payments

- 19.1 Tenderers must indicate whether they have the capacity to accept electronic funds transfer as a facility for contract payments.
- 19.2 A payment schedule will be negotiated with the successful tenderer. The Department of Human Services' preferred position is to make payments according to delivery of outputs or satisfactory achievement of key project stages.

20. Alternative Proposals

- 20.1 Tenderers may submit more than one offer. Each such offer must be made on separate tender documentation and clearly marked "Alternative Proposal".
- 20.2 Tenders which do not comply with the requirements of these Conditions of Tender may be considered at the Department of Human Services' sole discretion.

21. General Conditions of Response

- 21.1 Tenders should be submitted using the Tender Response Schedule included within Part D of this document, or in the format indicated in the Tender Response Schedule.
- 21.2 All parts of the Tender Response Schedule should be completed and submitted before the nominated closing date for submissions.
- 21.3 Any additional supporting information should be attached to the completed Tender Response Schedule and clearly referenced.
- 21.4 The Tender Response Schedule must be signed by an authorised officer of the tenderer.

Part D: Tender Response Schedule

Tender Response Schedule**For****Evaluation: Quality of Life Outcomes following
Kew Residential Service Redevelopment**

Note: These response schedules are available on diskette in electronic format (in Word for Windows format) on request from the Department of Human Services at:

Kristine Rawlinson
Kew Residential Services
Princess Street
Kew 3101
Ph: 9854 1437
Email: Kristine.rawlinson@dhs.vic.gov.au

Or

Debra Brown
883 Whitehorse Road
Box Hill, 3128
Ph: 9843 6150
Email: Debra.brown@dhs.vic.gov.au

Alternatively, the entire document, including these response schedules may be downloaded from the Victorian Government Purchasing Board's Internet site (*Tender Opportunities* link) at:

<http://www.vgpb.vic.gov.au>

**Tender Response Schedule—Part 1
Tenderer Details**

Tendering Organisation

Entity Name												
Entity Status												
ACN number												
Registration for GST	Yes:						No:					
Australian Business Number (ABN)												
Place of Incorporation												
Postal Address												
Principal office in Vic												
Contact Person												
Position/Title												
Telephone No						Facsimile No						
E-mail address												

Sub-Contractor # 1

Name											
Address											
Tasks/aspects/scope of project to be undertaken											

Sub-Contractor # 2

Name											
Address											
Tasks/aspects/scope of project to be undertaken											

(Repeat as Required)

**Tender Response Schedule—Part 2
Supporting Information**

Tenderers are required to describe the nature and extent of any relevant experience.

Tenderers are required to disclose sufficient information to ensure that they have adequate experience and financial, technical and other resources capability to successfully undertake the proposal. Provide details (Title, year, etc..) of relevant supporting documents and attach copies to your submission.

Profile of Tenderer

Range of services currently delivered	
Years of operation in this capacity	

Financial/ Planning/ Technical Capability

Annual Report					
Annual Company Return					
Audited Financial Statement					
Will you provide valid tax invoices?	Yes:		No:		
Proof of insurance cover					
Business Plan					
Summary of entity's achievements					
Technical capability					
Quality Accreditation Standard					

Qualifications and Experience of Key Project Staff

Name	
Title/Office Held	
Qualifications	
Previous Experience	
Role/functions to be performed	

Name	
Title/Office Held	
Qualifications	

Previous Experience	
Role/functions to be performed	

Name	
Title/Office Held	
Qualifications	
Previous Experience	
Role/functions to be performed	

(Repeat as Required)

**Tender Response Schedule—Part 3
References**

Referee # 1

Company Name	
Postal Address	
Street Address	
Contact Person	
Position/Title	
Telephone No	
Facsimile No	
Nature of work performed	

Referee # 2

Company Name	
Postal Address	
Street Address	
Contact Person	
Position/Title	
Telephone No	
Facsimile No	
Nature of work performed	

Tender Response Schedule—Part 4 Proposal

1 Overview

The Selection Criteria that will be relevant to the evaluation of this part of your submission relate primarily to Part A (sections 2, 3 and 4) and Tender Specifications (section 6), particularly Specification 2 (Project Requirements and Deliverables). Evaluation criteria are detailed in section 7 of this document.

Consider the following aspects of the project in preparing and documenting a response to this part:

- broad approach to the project,
- how the key questions (section 2) will be addressed;
- implementation plan indicating sequence and duration of each task, prepared in accordance with the key dates nominated in this brief;
- inclusion of key deliverables and outcomes for each phase of the project in the methodology;
- data collection and analysis arrangements;
- other stakeholder input or partnering relationships required and how they will be established and managed;
- how the project will integrate with and/or complement services provided by the tenderer or other agencies within the service system;
- conflict of interest declaration;
- details addressing intellectual property requirements (if any);
- statement outlining your capacity to accept electronic funds transfer;
- outline of tenderer inputs;
- information addressing each criterion:

Criterion 1 (information to assess criterion is not limited to the following dot points. Additional information can be provided if required)

- Complete Part 2 relating to Financial / Planning / Technical Capacity;

Criterion 2 (information to assess criterion is not limited to the following dot points. Additional information can be provided if required.)

- An overview of the issues facing people with an intellectual disability, and those significant in their lives;
- An understanding of the needs of people with a disability to support active participation in community life;
- A detailed understanding of the disability service system, key priorities, legislation and policies;
- A description of the anticipated focus of the literature review;
- Details of the methodology including key quality of life indicators and measures, any optional approaches to collecting and analysing data and a rationale for each of these approaches; and
- A full costing of the methodology including any optional approaches.

Criterion 3 (information to assess criterion is not limited to the following dot points. Additional information can be provided if required.)

- Complete Part 2 relating to Profile of Tenderer;

- A demonstrated ability to complete similar projects within the human services sector;
- An outline of the tenderer's experience in conducting research using a range of methodologies;
- An ability to produce high quality reports, and
- An outline of the tenderer's track record of completing projects on time and within budget; including key learnings in achieving timely project completion.

Criterion 4 (information to assess criterion is not limited to the following dot points. Additional information can be provided if required.)

- Experience and expertise in working with people with a disability with a range of support needs;
- A demonstrated capacity and willingness to genuinely involve people with a disability in the study;
- An understanding of the issues faced by the range of stakeholders; and
- An outline of strategies to engage and consult with a broad range of stakeholders, including individuals and organisations not directly involved with the KRS Redevelopment.

Criterion 5 (information to assess criterion is not limited to the following dot points. Additional information can be provided if required.)

- Complete Part 2 relating to Qualifications and Experience of key project staff;
- A structured schedule outlining key performance indicators and milestones for the life of the project;
- Availability to commence and complete work within the required timeframes;
- Management strategies to ensure efficient administration and prioritisation of resources for the project;
- An outline of internal management processes, including a profile of the project team, roles and specific responsibilities; and
- An outline of expectations and requirements of DHS in order to complete project tasks and timelines.
- An intention to seek approval from a Human Research Ethics Committee and the anticipated timelines.

2 Price/ Cost of Proposal

To enable the viability of pricing to be evaluated, the quotation must include an itemised budget with costings for each stage of the project. All prices quoted must be in Australian dollars.

All prices must be fixed for at least 90 days from the date of submission of offers: tenderers should indicate the period of price validity with the prices submitted. If price varies over the period of the contract, indicate the factor and reasons for the variation.

All prices must include the full impact of the new tax system introduced by the Australian Government in July 2000, including GST (where applicable) and offsets for embedded tax savings.

Price validity

Prices quoted remain valid from the date of submission until:	
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Price variation

Degree (%)	From (date)	Rationale

A table may facilitate costings for specific purposes. This should be structured to allow unit output prices to be calculated for comparison with benchmarks and establishment of a uniform basis for comparison against other tenders. The following is an **EXAMPLE ONLY**: delete or replace with a table to suit your specific proposal(s).

Summary of Costs

Phase	Year 1 (\$)	Year 2 (\$)	Year 3 (\$)	Year 4 (\$)	Year 5 (\$)
Phase 1					
Phase 2					
Phase 3					
Phase 4					
Phase 5					
Total Price:					

3 Impact of GST-related tax reform

1 Do you have net savings in your overall costs arising from the new tax system from 1st July, 2000? (If no, please advise reasons)

Yes	No
-----	----

2 Has the total amount of savings been excluded from your cost base

Yes	No
-----	----

- NB** When considering price adjustments, calculations should be based on the ACCC guidelines which are summarised as follows:
- prices should be reduced immediately to pass on the full effect of embedded tax reductions;
 - any increase in price based on the GST should include a full offset for other indirect tax reductions which includes wholesale sales tax; FID/debits tax; bed taxes (NSW); stamp duty – securities, and changes to excise and diesel fuel rebates.
 - no mark up should be applied to the GST component of price;
 - prices should reflect only actual, not anticipated, tax increases. The ACCC allows an exception to this in special cases.
 - businesses should not take the opportunity to increase the difference between cost and price in dollar terms (the Dollar Margin rule).
 - margin will not increase to cover increased compliance costs caused by GST.

**Tender Response Schedule—Part 5
Disclosure of Tender and Contract Information**

The Conditions of Tender include provision for disclosure of contract information. If you wish to withhold the disclosure of specific contract information, you must detail how the release of this information will expose trade secrets or expose the business unreasonably to disadvantage. The Department will consider these arguments in the tender evaluation and negotiations with tenderers.

Non-disclosure of contract provisions must be justified under the principles for exemption within Section 34(1) of the *Freedom of Information Act 1982*, providing that information acquired by an agency or a Minister from a business, commercial or financial undertaking is exempt under the Act if the information relates to trade secrets or other matters of a business, commercial or financial nature and the disclosure would be likely to expose the undertaking unreasonably to disadvantage.

1 Trade secrets

In considering whether specific information should be categorised as a trade secret, submitters should assess:

- The extent to which it is known outside of your business
- The extent to which it is known by the persons engaged in your business
- Any measures taken to guard its secrecy
- Its value to your business and to any competitors
- The amount of money and effort invested in developing the information
- The ease or difficulty with which others may acquire or develop this information

Trade Secrets not to be Disclosed:

2 Unreasonable disadvantage

In determining whether disclosure of specific information will expose your business unreasonably to disadvantage, you should consider section 34(2) of the FOI Act. Broadly, you should consider whether:

- The information is generally available to competitors
- It could be disclosed without causing substantial harm to the competitive position of the business

Unreasonable Disadvantage disclosure would cause

Tender Response Schedule - Part 6 Acceptance Of Terms & Conditions

An authorised officer of the tenderer must signify acceptance of the terms and conditions under which the tender is advertised. Signature as indicated in this part, and submission of a tender in response to the tender brief, signifies acceptance of all terms and conditions unless specifically indicated in this section by the tenderer.

Tenderers must indicate their understanding and acceptance of each part of this tender document, including the attached Department of Human Services standard form agreement, by signing or initialling in the table below. Where any part of this tender is not understood or accepted, tenderers must attach a tabulated Statement of Departures with explanation of why that part is not accepted

Acceptance of Conditions

Part	Acceptance (initial)	Non-Acceptance (initial, and attach tabulated Statement of Departures)
Part A: General Information for Tenderers		
Part B: Tender Specifications		
Part C: Conditions of Tender		
Part D: Tender Response Schedules		
Attachment I: Department of Human Services' Standard Form Contract		

Endorsement

Signature of Authorised Officer for Tenderer	
Name of Authorised Officer	
Title/Office Held	
Date	

Attachment I
Department of Human Services Standard-form Agreement

Attachment II

Sample Ethical Employment Statement

Note to Tenderers:

Only complete and submit this Attachment if you have been expressly requested to do so by the Agency.

To complete this form, view the document in 'Web Layout'. Select the 'View' menu then 'Web Layout'. Only fill in the white sections on the form.

Name of the Tenderer:

ABN of the Tenderer:

Name of the Agency:

Department of Human Services

Tender Number:

Description of the Tender:

Date of submission of this Statement:

Ethical Purchasing Policy

For a tender process to which the Ethical Purchasing Policy applies, shortlisted tenderers (or, where there is no short listing, such tenderers as determined by the Department) are required to complete an Ethical Employment Statement. These statements will be used to assess whether shortlisted tenderers satisfy the ethical employment standard.

The **ethical employment standard** is the requirement for businesses that supply or propose to supply goods and services to the Victorian Government to demonstrate to the reasonable satisfaction of the Department, and in accordance with the requirements of the Ethical Purchasing Policy, that the relevant contracting or tendering entity meets its obligations to its employees under **Applicable Industrial Instruments and Legislation** at the time a contract is awarded and continues to meet such obligations during the term of that contract.

Details of Applicable Industrial Instruments and Legislation are set out in the Ethical Purchasing Policy located at www.vgpb.vic.gov.au.

When notified by the Department, shortlisted tenderers are required to complete this Statement within the timeframe specified by the Department.

The Department may request further details about the information provided by the tenderer in this Ethical Employment Statement.

The State will not enter into contracts with tenderers that do not satisfy the ethical employment standard. Such tenderers will be disqualified from the tender process and their names will be placed on a register maintained by the Department of Treasury and Finance (the **Ethical Employment Reference Register**) for a period of 24 months from the date the tenderer is disqualified from the tendering process.

The tenderer will be informed if, in the assessment by the Department, it has failed to satisfy the ethical employment standard before disqualification occurs. The tenderer will have an opportunity to provide additional information at that time.

Definitions

Full Details means details of:

- the nature of the breach or offence or alleged breach or offence;
 - any conviction recorded or adverse finding made in respect of the breach or offence;
 - any penalty or orders imposed by a court, tribunal, commission or board in respect of the breach or offence and the maximum penalty that could have been imposed under the Applicable Industrial Instruments and Legislation;
 - the name of the court, tribunal, commission or board, the State or Territory in which the proceeding or prosecution is brought, the date on which the proceeding or prosecution was commenced and the number or description assigned to the proceeding or prosecution by the court, tribunal, commission or board;
 - the name of the entity against which the finding or conviction was made or the proceeding or prosecution was initiated;
 - this Contract; and
- further information about any of the above, if required by the Department.

Tendering entity means the legal entity (individual or company) that will enter into a contract with the State at the end of the tender process. Partnerships, unincorporated joint ventures or consortia planning to enter into a contract with the State will need to complete an Ethical Employment Statement for each entity forming part of the bidding team.

1. **Provide details of any industrial instrument (award or agreement) that specifically applies to the employees of the tendering entity and is binding on it (applicable industrial instruments).**

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2. **Provide full details of any findings against the tendering entity by a court, tribunal, commission or board of a breach of an applicable industrial instrument, including a finding of a breach in a non-confidential consent order, in the preceding 24 months.**

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3. Provide full details of any convictions under the following legislation (applicable legislation) in the preceding 24 months:

- *Dangerous Goods Act 1985 (Vic)*
- *Equipment (Public Safety) Act 1994 (Vic)*
- *Federal Awards (Uniform System) Act 2003 (Vic)*
- *Long Service Leave Act 1992 (Vic)*
- *Occupational Health and Safety Act 1985 (Vic)*
- *Outworkers (Improved Protection) Act 2003 (Vic)*
- *Workplace Relations Act 1996 (Cwlth)*
- Any other legislation designated by the Victorian Government as applicable legislation under the Ethical Purchasing Policy from time to time.

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4. Provide full details of any current proceedings or prosecutions in respect of a breach of an applicable industrial instrument or an offence under applicable legislation.

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5. Provide details of remedial measures implemented to ensure future compliance with applicable industrial instruments and applicable legislation.

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