



Australian Government

Department of the Environment, Water, Heritage and the Arts

COMMONWEALTH OF AUSTRALIA

as represented by the

DEPARTMENT OF THE ENVIRONMENT, WATER, HERITAGE AND THE ARTS

The Provision of Training and Education Services for the Capacity Building for Regional National Resource Management (NRM) Bodies in Monitoring, Evaluation, Reporting, And Improvement (MERI) Multi Use List

REFERENCE NUMBER: 0708-102

PART A – APPLICATION INFORMATION

Date: February 2010

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|--|
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SUMMARY OF REQUIREMENT

1. Background

1.1.1. The Department of the Environment, Water, Heritage and the Arts (DEWHA) delivers the Australian Government's environment and heritage legislation, policies and programmes. The department undertakes this work by looking for solutions that are efficient, equitable and feasible, based on:

- Understanding environmental problems using science;
- Adopting economic, regulatory or administrative instruments that can be targeted at environmental problems
- Carrying out the Australian Government's environment and heritage policies and programmes in a way that supports the nation's social and economic interests; and
- Cooperating across all levels of government, with industry, with international partners, and with the community.

1.1.2. More information on DEWHA can be found on the department's website: www.environment.gov.au

2. Overview of Requirement

2.1.1. This Multi Use List (MUL) is proposed to service Capacity Building for Regional NRM Bodies in Monitoring, Evaluation, Reporting, and Improvement (MERI). The MUL is likely to be operational for up to three years with an end date in June 2010.

2.1.2. Registered applicants may be invited to participate in procurement process for the provision of training and education services regarding capacity building to be carried out across Australia's 56 NRM regions.

2.1.3. Information about the 56 NRM regions can be found at: <http://www.nrm.gov.au/index.html>.

2.1.4. The current method of delivery for these services is thorough a two day workshop. The department may seek alternative methods of delivery.

3. Objective of the Project

3.1.1. The key objective of this project is to provide training and education services regarding the MERI capacity building, particularly in the program planning and reporting approaches of Program Logic and Performance Story Reporting by Outcomes, respectively.

3.1.2. The services will support the Australian Government Natural Resource Management (AGNRM), MERI and State Teams, in partnership with the State and Territory Governments and the NRM regional bodies, in developing a more holistic MERI approach, to improve the performance of the Natural Heritage Trust (NHT2), the National Action Plan for Salinity and Water Quality (NAP) and other relevant investments.

- 3.1.3. The success of the project relies on establishing a critical mass of regional stakeholders having an understanding of the key MERI concepts (eg including at least 50% regional body staff and management), as well as empowering key individuals to act as local MERI champions.

4. Information for Applicants

- 4.1.1. The MUL process aims to identify suppliers with the capacity to provide the Services.
- 4.1.2. Once the MUL is established DEWHA may seek submissions for specific scopes of work from members of the MUL. A more detailed description of the Services required is at Attachment A – Statement of Requirement.
- 4.1.3. DEWHA may distribute a number of scopes of work at the same time.
- 4.1.4. DEWHA may approach a select number of Applicants on the MUL where such an approach is commensurate with the value of the contract to be entered into. DEWHA may also approach one member of the MUL for a specific requirement.
- 4.1.5. DEWHA may conduct financial checks on the Applicants organisation.
- 4.1.6. Applicants are required to read the Multi-Use List Rules (Attachment B) and Draft Contract (Attachment C) **before** completing and submitting their Application (Part B).

5. Applications

- 5.1.1. Applicants should respond to this MUL by completing Part B and providing a response to each of the matters identified.
- 5.1.2. Applications should be marked **Application for Training and Education Services for Capacity Building for Regional NRM Bodies in MERI Services Reference - 0708-102** and forwarded to DEWHA for receipt.

Applications are to be prepared electronically and delivered to:

Email address for delivery of application: aqmer@nrm.gov.au.

6. DEWHA Contacts

- 6.1.1. All enquiries about this MUL should be directed to:

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Program Performance (MERI)
Australian Government Land and Coasts
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email aqmer@nrm.gov.au



ATTACHMENT A STATEMENT OF REQUIREMENT

1. Description of the Services

1.1. The services required include, but are not limited to:

- a) Delivery of MERI capacity building training and education services to the NRM regions, which may be supported by a DEWHA nominated consultant;
- b) Facilitation of participative workshops that will lead to building participants' understanding of key MERI processes and approaches;
- c) Organisation of logistical details for the workshop venue and participants; and
- d) Preparation of capacity building materials, including workshop materials such as multimedia presentations, course notes, and any other props that are necessary to assist with workshop delivery.

1.2. The focus on the services will be on the following approaches:

- a) program logic - building investment strategies, plans and programs at all scales to improve program design, evaluation and adaptive management activities; and
- b) performance story - reporting NRM program performance against an outcomes hierarchy, emphasising intermediate outcomes, including social and industry, particularly through appreciative inquiry techniques such as Most Significant Change.

A full description of program logic and performance story reports can be found at Attachment I.

1.3. On assessment of individuals' technical abilities DEWHA may provide technical training and peer support or mentoring to service providers, prior to undertaking services. Training and support may be provided to suppliers following a test of the MUL.

2. Desired Attributes

2.1. Experienced personnel with excellent organising, interpersonal, facilitation and adult education skills.

2.1.1. A general understanding of:

- the current suite of NRM investment programs supported by the Australian Government;
- the role of Regional NRM bodies and State Government Departments in their delivery;
- the National Monitoring and Evaluation Frameworks for NRM and their application;
- the application of program logic in building NRM programs/strategies,
- the range of evaluative approaches applied in NRM;
- performance stories and reports for NRM investment evaluation and reporting;
- Most Significant Change (MSC) and/or related techniques; and
- outcome based report formats, such as Performance Story reporting.

- 2.1.2. Demonstrated experience in delivering adult learning workshops to a wide range of stakeholders, including government and private sector employees, regional body staff, scientific experts, non-government organisations, landholders, and other providers of NRM services.

ATTACHMENT I

WHY A PERFORMANCE STORY REPORT?

State, Territory and Australian Governments, along with community groups, industry and land managers are investing resources to address natural resource management issues across Australia. The Natural Heritage Trust (NHT) and the National Action Plan for Salinity and Water Quality (NAPSWQ) are two major Australian Government investment programs intended to support actions to achieve NRM outcomes. Effective MERI arrangements are required to measure the efficiency, effectiveness and success of these investments in delivering the desired outcomes.

The Natural Resource Management Ministerial Council, which includes representatives of the Australian Government and all state and territory governments, was established to develop a coordinated approach to issues affecting natural resource management in Australia. The Council has previously endorsed two national level documents to assist with setting targets, monitoring, evaluation and reporting on natural resource management. They are the:

National Framework for Natural Resource Management Standards and Targets; and

National Natural Resource Management Monitoring and Evaluation Framework.

The Australian National Audit Office (ANAO) in their review of the first NHT phase of the Trust recognised that;

'----- determining suitable performance information can be technically difficult when measuring change in environmental conditions. This is because there are substantial time lags between an action (such as revegetation in a catchment) and the result expected (for example, increased biodiversity and/or reductions in the level of the water table to control salinity)' and recommended that;

'----- in order to monitor medium term performance including the management of program risks, Environment Australia and Department of Agriculture, Fisheries, Forestry - Australia, and implement intermediate performance measures as an integral part of accountability arrangements for the NHT and future natural resource management and environment programs'. (ANAO, 2006)

Ideally our monitoring and evaluation activities for natural resource management (NRM) investment programs should: manage risk; identify state of and trend condition of natural resources and assess the impact, effectiveness, efficiency and appropriateness of our investment. To date the majority of the monitoring and evaluation effort has gone towards developing the programs, supporting governance, financial, project and input/output reporting and establishing monitoring arrangements. At this point in the investment cycle (3 to 5 years) intermediate outcomes (people and practice, aggregate landscape change and point of investment change) are beginning to be realised, and desired biophysical change is yet to be realised.

In response the NRM investment programs the Australian and State/Territory Governments has embarked on a program to:

Broaden the concept of Monitoring and Evaluation (M&E) to include Program Improvement, i.e.: MERI;

Encourage and build capacity for the application of a 'program logic' approach in building investment strategies, plans and programs at all scales to improve program design, evaluation and adaptive management activities;

Include social and relevant sustainable rural industry outcomes in NRM investment programs and MERI plans at all levels to recognise the role of social and economic elements in successful NRM program delivery;

Increase focus on monitoring, evaluating and reporting on intermediate outcomes; and

Use a performance story report format that is based on appropriate quantitative and qualitative evidence collected at all levels of outcomes.

WHAT IS A PERFORMANCE STORY REPORT?

A 'Performance Report' is a succinct account that summarises the performance of a NRM project/ program or strategy/plan in totality. A Performance Story report summarises a 'slice' of a NRM project, program or strategy/plan. As well as explaining *what* a program has achieved, a Performance Report or Performance Story report also describes the causal links that show *how* the achievements were accomplished. Performance Reports and Performance Story reports are structured around some form of outcome hierarchy, for example, a program logic model.

A Performance Story report about NRM program investments can be built by collecting evidence (relevant to agreed indicators for biophysical, social and relevant sustainable rural industry 'assets') and assessing progress at different levels of outcomes as identified in the investment program logic, as identified below:

- *Longer Term Outcomes 20 to 50 years (Resource Condition Target's and Regional Aspirational Goals);*
- *Intermediate Outcomes 5 to 10 years (Management Action Target's);*
- *Inputs/Outputs/Activities; and*
- *Foundation Outcomes - knowledge, plans and strategies.*

WHAT IS PROGRAM LOGIC?

Program logic is the rationale behind a program – what are understood to be the cause-and-effect relationships between program activities, outputs, intermediate outcomes, and ultimate outcomes. Represented as a diagram or matrix, program logic shows a series of expected consequences, not just a sequence of events. In the international literature this tool is usually referred to as 'program logic'. The National NRM M&E Framework recommends the use of program logic.

Monitoring and evaluation techniques can be greatly improved where NRM investment programs use a 'program logic' framework for program design that describes expected outcomes, the assumptions used and the causal linkages between program funded activities, anticipated outcomes and the desired ultimate resource condition change. Re-surfacing 'program logic from the original program design and M&E frameworks and applying it in the re-development and review of NRM investment strategies/plans and programs provides a clear guide for prioritising what to measure, assess and report on for evaluation. Program improvements can then be made.

WHAT ARE EVALUATION QUESTIONS?

At all outcome levels, evaluative questions asked allow us to test assumptions, point to the type of measurements required, test the causal links between outcome levels and to prioritise monitoring and evaluation activities. Quantitative and qualitative measurements can be used to answer the evaluative questions, with varying techniques and sources of evidence employed at each level of outcomes.

WHAT ARE LINES OF EVIDENCE?

Data derived from resource condition monitoring delivers base line information (state of resource condition) to support the development of foundation outcomes. This data also provides for resource condition trend analysis and assessment of progress towards final resource condition outcomes desired.

Data collected about intermediate outcomes provides evidence to assess progress made towards achieving resource condition targets, as well as to support 'program improvement' and 'performance reports' that can inform practice change and decision making.

WHAT ARE INTERMEDIATE OUTCOMES?

Intermediate outcomes are the ways in which project activities lead to long-term changes in resource condition. These 'intermediate outcomes' are stepping stones towards the achievement of resource condition targets. Intermediate outcomes generally relate to the setting of 1-5-year time frame.

In practical terms, there tends to be three types of intermediate outcomes:

- Firstly they concern aggregate changes in how the region has been managed (total Ha or % of region managed in a certain way) – e.g. reduction in pest damage, or an increase in the hectares of land protected;
- Secondly they concern change in the attitudes and practices of community, land managers, e.g. what land managers are doing differently as a result of participation in projects and awareness raising activities; and
- Thirdly they concern the impact made in an area of investment.

PROJECT STAKEHOLDERS:

- 1) Australian Government Natural Resource Management (AGNRM) team;
- 2) State and Territory Government NRM Offices/Policy Areas; and
- 3) Regional NRM Bodies.

RECOMMENDED READING

- National Framework for Natural Resource Management Standards and Targets;
- National Natural Resource Management Monitoring and Evaluation Framework;
- Regional Programs Report;
- NHT Annual Reports;
- Western Australian Swan Catchment Council NRM Strategy and Investment Plans Documents; and
- Most Significant Change Technique Documents.

Natural Resource Management (NRM) – Outcomes Hierarchy and Program Logic

Establishing a logical framework for desired outcomes in the development of investment plans/programs provides a clear guide for choosing what to measure, assess and report on for evaluation. Program improvements can then be made.

NRM plan/program effectiveness can be assessed by measuring indicators, asking the right evaluative questions and assessing impacts at the different levels of outcomes identified below:

Level 1 Longer Term Outcomes 20 years (RCT's, Aspirational Goals)

- Enhanced, protected or restored natural/environmental resources;
- Enhanced contribution of industry to sustainable development; and
- Enhanced state of managers, organisations, communities and institutions.

Level 2 Intermediate Outcomes 1 to 5 years (MAT's)

- Enhanced trends in resource condition at points of investment;
- Aggregate result (Landscape basis) from behaviour/practice change;
- Practice and behaviour change;
- Changes in knowledge, norms, aspirations, skills, attitudes, confidence;
- Changes in organisations and networks;
- Reactions in people exposed to the program; and
- Systemic changes – corporate policy, laws, and infrastructure.

Level 3 Inputs/Outputs and their Reach

- Partnerships/organisations established;
- Proportion of target area and target group engaged or reached;
- Activities carried out-biophysical(works) and non biophysical; and
- Resources applied – time, staff, money.

Level 4 Foundation Outcomes

- Changes in our knowledge base (eg research, baseline assessments);
- Development of plans, strategies, programs; and
- Changes in agency policy (incentives, regulation, education).

Note:

1. The causal links between each outcome component and the resource condition longer term outcome need to be documented and progressively tested / demonstrated.
2. Evaluative questions asked lead to the type of measurements made.
3. Both quantitative and qualitative evidence can be used to answer evaluative questions and to populate a performance story report.
4. Techniques are to be identified for measuring each level of outcome.
5. Outputs/outcomes information should be geospatially identified wherever possible.

6. NRM Performance Report (story) – Elements and Evidence

| Outcomes | Elements of outcomes | Type of Data and example |
|--|---|--|
| Level 1. Longer term Outcomes, 20 plus year targets | State/trend resource condition | Monitoring data from Resource Condition Targets (RCTs) and Matters for Target (MfT). |
| | Enhanced contribution of industry to sustainable development. | Expert panel interpretation model (Signposts for Agriculture). |
| | Enhanced state of managers, organisations, communities and institutions. | Data based on Social Economic National Consultative Committee (SENCC) indicators. Unexpected outcomes such as 'drought tolerance' and 'farmer resilience'. |
| Level 2. Intermediate Outcomes 1 to 5 year targets | Point of investment outcomes. | Point of investment evidence Before and after photos. |
| | Aggregate change (Landscape basis) from behaviour/practice change. | X% of target area of landscape treated differently or according to recommended practice - aggregated output data, surveys. |
| | Practice and behaviour change. | % of target group of Land managers planning and implementing cross boundary works, achieving Management Action Targets (MATs) best practice - survey, landcare group data, MSC, other Appreciative Inquiry, Social and Economic National Coordination Committee (SENCC) indicators & associated surveys. |
| | Changes in capacity of managers, organisations, communities and institutions. | SENCC indicators and associated surveys. |
| | Changes in knowledge, norms, aspirations, skills, attitudes, confidence in users. | MSC, AI Techniques, SENCC indicators & associated surveys |
| | Changes in organisations and networks. | % of target group of land managers adopting different norms etc. MSC, AI Land managers, community groups maintaining effective organisations and networks – numbers of networks and organisations and activities. MSC/AI etc. |
| | Reactions in people exposed to the program. | Partnerships formed, investment leverage, membership of NRM, landcare groups, MSC, AI etc. |
| | Systemic changes – corporate policy, laws, and infrastructure. | Institutional changes |

| | | |
|---|--|--|
| <p>Level 3. Outputs, inputs & Reach Outcomes</p> | <p>Partnerships/organisations changed.</p> <p>Proportion of Target area impacted.</p> <p>Users engaged.</p> <p>Activities carried out- biophysical(works) and non biophysical</p> <p>Resources applied – time, staff, money.</p> | <p>Number and nature of:</p> <p>X% Target area impacted upon</p> <p>% of target group engaged & level of participation/engagement &</p> <p>Output data – 10km fencing, x trees planted, Workshops held, field days held, groups formed</p> <p>1 year project, staff appointed, money spent etc</p> |
| <p>Level 4. Foundation Outcomes</p> | <p>Changes in our knowledge base</p> <p>Development of plans, strategies, program.</p> <p>Changes in agency policy (incentives, regulation, education).</p> | <p>Resource condition assessments</p> <p>RDC / CSIRO reporting on research priority projects</p> <p>% of Regional Catchment Strategy and Investment Plans completed.</p> <p>Types of changes and when occurred.</p> |

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1. Rules

1.1. Interpretation

1.1.1. Throughout this MUL, unless the contrary intention appears:

- a. words in the singular include the plural and the plural include the singular; and
- b. words importing a person include a partnership and a body, whether corporate or otherwise.

1.2. Definitions

1.2.1. The following words have these meanings in this MUL unless the contrary intention appears:

- a. **Applicant** means any person or organisation considering or applying for this MUL.
- b. **Application** means any application submitted in response to this MUL.
- c. **Attachment** means an attachment to the MUL.
- d. **Contract** means the Draft Contract for the provision of the Services annexed to this MUL (Attachment C).
- e. **DEWHA** means the Department of the Environment, Water, Heritage and the Arts;
- f. **Essential Requirements** are those requirements that DEWHA deems as essential in the provision of the Services.
- g. **MUL** means this Application for Training and Education Services Multi-Use List including any schedules and Attachments.
- h. **Project Officer** means the DEWHA Contact Officer detailed at clause 6 of the MUL.

1.2.2. Unless the context indicates otherwise, where words used in this MUL are defined terms under clause 1.1 of the Draft Contract, they have the same meaning in this MUL.

1.3. AusTender - Australian Government Tendering System

1.3.1. AusTender is the Commonwealth's business opportunities website, located at www.tenders.gov.au. AusTender allows Applicants to download documentation electronically.

1.3.2. DEWHA accepts no responsibility if an Applicant fails to become aware of any alteration, correction or notice, which would have been apparent from a visit to the AusTender website or from other information available from the Project Officer.

1.3.3. Applicants should direct all communications relating to this MUL to the Project Officer.

1.4. Invitation Documents

1.4.1. Application documents upon which the Applicant is invited to respond are:

- a. Part A of this MUL;
- b. Part B of this MUL; and
- c. the Draft Contract issued with this MUL.

1.5. **Application Lodgement**

1.5.1. Applications must be lodged in accordance with of the Summary of Requirement and must include:

- a. A completed Part B; and
- b. Copies of any required documentation.

1.5.2. The MUL remains open for lodgement of applications until DEWHA determines there is no longer a need for the Services. At this time the department will advise all members of the MUL and any current applicants for membership of the list that the MUL is to be terminated.

1.6. **Errors & Alterations**

1.6.1. Applicants should immediately notify the Project Officer in writing at the address detailed in clause 6 of the MUL if an Applicant reasonably believes there is discrepancy, error, ambiguity, inconsistency or omission in this MUL.

1.7. **Privacy Legislation**

1.7.1. The Draft Contract will require the successful Applicant to comply with the Information Privacy Principles contained in the *Privacy Act 1988* (Cth) and its amendments, in relation to personal information handled by the Applicant.

1.8. **Disclosure of Information**

1.8.1. Subject to 1.8.2, DEWHA will keep all Applications submitted confidential.

1.8.2. Applicants should note that DEWHA may disclose any information contained in or regarding an Application without written authority of the Applicant to:

- a. Parliamentary Committees;
- b. Employees and advisers engaged by the Commonwealth; and
- c. other Commonwealth departments, agencies, bodies, enterprises, authorities and Ministers, for the purposes of this Application process, and any legal, policy or other Commonwealth accountability requirements.

1.9. **Freedom of Information**

1.9.1. Applicants should be aware that the *Freedom of Information Act 1982* gives members of the public certain rights of access to documents in the possession of the Commonwealth and its agencies. The Act extends as far as possible the right of the Australian community to access information (generally documents) in the possession of the Commonwealth, which may include the Application, any subsequent contract and related documents.

1.10. **Compliance with Commonwealth Policies and Legislation**

1.10.1. The successful Applicants must, when using the Commonwealth's premises or facilities, comply with all reasonable directions and procedures relating to occupational health (including the Commonwealth's smoke free work place policy), safety and

security in effect at those premises or in regard to those facilities, as notified by the Commonwealth or as might reasonably be inferred from the use to which the premises or facilities are being put.

- 1.10.2. Commonwealth policies require DEWHA to publish on AusTender (Contracts Reported) website the award of all contracts valued at \$10,000 or more. It is also required that DEWHA published a list of all contracts valued at contracts with a value of \$100,000 or more as a list accessible through its website. This includes details of whom the contract was awarded to, the contract price, and include details at to confidentiality. Guidance on deciding if information can be maintained under a confidentiality provision can be found at website:
http://www.finance.gov.au/procurement/confidentiality_contractors_info.html
- 1.10.3. Applicants should be in compliance with their obligations under the *Equal Opportunity for Women in the Workplace Act 1999* and not be proposing to enter into any subcontracting arrangements with a subcontractor named by the Equal Opportunity for Women in the Workplace Agency as an employer currently not complying with the Act. It is also Australian Government policy not to contract with parties engaging illegal workers.
- 1.10.4. The attention of Applicants is drawn to Division 2 of the *Archives Act 1983* (the Archives Act), particularly section 24 dealing with the disposal, destruction or transfer of Commonwealth records (as that term is defined in the Archives Act), which must be effected with the permission of the National Archives of Australia or in accordance with a practice or procedure approved by the National Archives of Australia. Applicants should obtain, and will be deemed to have obtained, their own advice on the impact of this legislation on their participation in this process.
- 1.11. **GST**
- 1.11.1. All Applicants should be aware that under the GST Law, the Commonwealth is treated as a taxable enterprise. GST will be applied to goods and services supplied by a successful Applicant in respect of the performance of a contract.
- 1.12. **Australian Business Number**
- 1.12.1. Your ABN should be stated in Part B.
- 1.13. **Applicable Law**
- 1.13.1. The Law applying in the Australian Capital Territory applies to the MUL, and the Application process. Each Application must comply with all relevant laws in preparing and lodging its Application and taking part in the MUL process.
- 1.14. **Ownership of Application**
- 1.14.1. All documents submitted in response to this MUL shall become the property of the Commonwealth. The Commonwealth may use, reproduce or modify any Application for the purposes of assessing the Application, but will keep Applications confidential (subject to clause 1.8).

1.15. **Financial Viability**

- 1.15.1. Applicants should indicate in Part B, Paragraph 7, that their organisation is financially viable. Financially viable means an Applicant has not had any of the following events occur in respect of it:
- a. A meeting of creditors being called or held;
 - b. The appointment of a liquidator, provisional liquidator or administrator;
 - c. The appointment of a controller (as defined in section 9 of the Corporations Act), or analogous person appointed, including in respect of any of its property;
 - d. A failure to comply with a statutory demand in respect of the payment of any debt;
 - e. An inability to pay debts as they fall due or otherwise becoming insolvent;
 - f. Becoming incapable of managing its own affairs for any reason;
 - g. Taking any step resulting in insolvency under administration as defined in section 9 of the Corporations Act);
 - h. Any action being commenced to bankrupt or wind-up its affairs; or
 - i. Entering into a compromise or arrangement with, or assignment for the benefit of, any of its creditors, or any analogous event.
- 1.15.2. DEWHA may request an Applicant supply relevant financial statements to conduct evaluations of an Applicant's financial position. For this purpose, Applicant should be prepared to provide details of relevant financial data concerning the applicant.
- 1.15.3. provide the financial data concerning the Applicant as specified in the MUL. DEWHA may conduct detailed evaluations of an Applicant's financial position. For this purpose, Applicants should be prepared to provide details of relevant financial data concerning the Applicant.
- 1.15.4. In agreeing to supply relevant financial statements, the Applicant also agrees that the information supplied represents a true and fair statement of the affairs of the Applicant.

1.16. **Applicants to Meet Own Costs**

- 1.16.1. Applicant's participation in any stage of the MUL process is at the Applicant's sole risk, cost and expense. The onus is on the Applicant to inform itself appropriately.

1.17. **Right to Terminate**

- 1.17.1. DEWHA may terminate this MUL process at any time if it is in the public interest to do so.

1.18. **Right to Request Further Information**

- 1.18.1. Notwithstanding any other requirement of the MUL, DEWHA may require the Applicant to submit additional information to allow further consideration of its Application.
- 1.18.2. Should the Applicant fail to submit any of the information so required by the date and time stipulated by DEWHA, its Application may be excluded from further consideration.

- 1.18.3. Any request by DEWHA for further information shall not be, nor be deemed to be, a representation by DEWHA that the Application will be, or is likely to be, accepted.
- 1.19. **DEW Right to Negotiate**
- 1.19.1. DEWHA may negotiate the contents of an Application with any Applicant.
- 1.19.2. Any request by DEWHA to negotiate all or any part of a Application shall not be, nor be deemed to be, a representation by DEWHA that the Application will be, or is likely to be, accepted.
- 1.20. **Addenda**
- 1.20.1. If DEWHA amends this MUL, the electronic advice will be issued to current suppliers listed on the MUL. Applicants should ensure details provided in their application are correct and up to date.
- 1.21. **No Contract**
- 1.21.1. Nothing in this MUL shall be construed so as to give rise to any contract between DEWHA and any Applicant until a Contract is entered into with one of the successful Applicants.
- 1.22. **Removal from the MUL**
- 1.22.1. DEWHA may at any time after the establishment of the MUL exercise its discretion to remove an applicant from the MUL.

2. Evaluation

2.1. Evaluation Process

- 2.1.1. Applications will be assessed on a pass / fail basis consistent with Commonwealth purchasing policies.
- 2.1.2. Applicants should complete Part B and submit the completed document as their Application. Applicants must provide the evidence required at a particular item or indicate compliance with the rules outlined in Part B in order to be successful in applying for membership of the MUL.

2.2. Essential Requirements

- 2.2.1. DEWHA will exclude an Application from further consideration if DEW considers that the Application does not comply with an essential requirement identified in the Statement of Requirement (Attachment A).

2.3. Clarification and Additional Information

- 2.3.1. DEWHA may seek clarification of Applications or require further information from all or any Applicants.

2.4. **Successful Applicants**

- 2.4.1. DEWHA will advise successful applicants that they have been included on the multi-use list in writing at the end of the evaluation process.

2.5. **Advice to Unsuccessful Applicants**

- 2.5.1. DEWHA will promptly notify each unsuccessful Applicant in writing that its Application has not been accepted/ shortlisted and, where requested, provide unsuccessful Applicants with an explanation of the reasons for its decision.

2.6. **Debrief**

- 2.6.1. All unsuccessful Applicants are entitled to a debrief. This debrief will provide feedback on the relative merits of their Application bid against the requirements outlined in Part B, but will not refer to any other Application and will not disclose the confidential information of any other Applicant.

3. **Applications**

3.1. **Preparing Applications**

- 3.1.1. Applicants should respond to the MUL by completing Part B and addressing the matters identified.

3.2. **Subcontracts**

- 3.2.1. The Draft Contract requires that the Applicant not subcontract the whole of its obligations under a Contract but the Applicant may, with the prior consent of DEWHA, subcontract part of its obligations.

3.3. **Security Clearance**

- 3.3.1. Vetting and clearance requirements will depend upon the degree and level of physical and information access required to provide the Services.
- 3.3.2. Copies of documents relevant to any security clearance should be provided. If Applicants have no security clearance they will be required to undergo security clearance processes for themselves, their staff and any subcontractors. The costs of such clearance processes will be borne by the Applicant under the Contract.

3.4. **General Conditions of the Draft Contract**

- 3.4.1. DEWHA expects successful Applicants to provide the Services in accordance with the Contract. Applicants should complete the statement in Part B indicating their acceptance of the terms and conditions of the Draft Contract.
- 3.4.2. DEWHA reserves the right to negotiate the terms and conditions of the Draft Contract with any or all of the Applicants. If DEWHA and an Applicant cannot agree on the terms and conditions to be applied to the Contracts created under this MUL, DEWHA reserves the right to exclude the Applicant from the final MUL.

3.5. **Insurance**

- 3.5.1. The successful Applicant must, at its own expense, take out, provide and maintain during the Term of any Contract entered into with DEWHA, the insurances specified in the Draft Contract.
- 3.5.2. If requested, the Applicant must provide DEWHA with a copy of a certificate of currency or any other proof of insurance which is acceptable to DEWHA. The Applicant's insurance policy details or compliance with this requirement must be provided in Part B.

ATTACHMENT C DRAFT CONTRACT

Refer to the **Attachment C - Draft Contract.pdf** document included in the **0708-077.zip** package.