

Procurement Plan Agreement and Approval to Approach the Market

To: Robert Day, Assistant Secretary, MW Division DDD Branch Executive SN

Subject: Procurement of Translating Services for Aged Care - Commonwealth

RECOMMENDATIONS:

NOTE the Finance Business Partner has confirmed that uncommitted funding is available to an estimated total value of \$52.8 million (GST inclusive) for the requirement detailed in the attached Procurement Plan (Attachment A).	Noted / Please Discuss
NOTE the Indigenous Procurement Policy mandatory set-aside does not apply to this procurement (Attachment B).	Noted / Please Discuss
NOTE the overall Risk Profile of this procurement is Low (Attachment C).	Noted / Please Discuss
NOTE a Probity Plan has been completed for this procurement (Attachment D) Refer to Probity Principles Guidance -	Noted / Please Discuss
APPROVE the request document in accordance with the Procurement Plan (RFT) (Attachment E).	Approved / Please Discuss
APPROVE the Evaluation Plan for this competitive procurement (Attachment F).	Approved / Please Discuss

ATM, risk profile, probity plan and evaluation plan are approved with edits as marked.

s47F

Rob Day, Assistant Secretary

Dementia, Diversity and Design Branch

8/11/2023

Key Points:

- This Procurement Plan demonstrates the proposed procurement's alignment with the [Commonwealth Procurement Rules](#).
- This procurement will be conducted in accordance with the Department's Procurement Process.

Contact Officer:

Name:	Position:	Branch, Division	Phone
s47E(c), s47F	Assistant Director	Dementia, Diversity and Design Branch Aged Care Market and Workforce Division	s47E(c), s47F

PROCUREMENT PLAN

Translation Services for Aged Care Providers and Recipients – Procurement ID: Health/D23-2128788

1. PROCUREMENT AIM AND JUSTIFICATION

This procurement is part of the Australian Government's aged care reforms which responds to the finding of the Royal Commission into Aged Care Quality and Safety (the Royal Commission) that 'diversity should be core business in aged care.'

The existing contract with Icon Agency for the delivery of translation services was extended until 28 February 2024 to allow for an open tender process to be conducted for the long-term provision of this service. An open, competitive process is recommended to test the market for the best supplier/s to deliver the reduced scope of services and value for money.

The 2020-21 Budget measure Connecting Senior Australians to Aged Care Services: Translating and Interpreting element has delivered fully funded access to translating and interpreting services for aged care providers to improve access to aged care services for older people from culturally and linguistically diverse backgrounds. This measure is ongoing and received a total funding allocation of \$65.2M over 4 years four years from 2020-21 to 2024-25, and ongoing funding thereafter of \$16.2M per annum. Since December 2021, following a tender process, communication specialist Icon Agency has been contracted under this measure to:

- (i) undertake consultation and research to develop a communication strategy to address the barriers to the take-up of TIS National by aged care providers, and to guide the approach to promoting the new free translation service that providers can access;
- (ii) develop and disseminate communication products such as social media tiles and promotional videos to promote the no-cost translating and interpreting services to aged care providers; and
- (iii) establish a website portal for aged care providers to request translation of eligible materials in languages other than English. The service covers translation of providers' written material which assists existing clients to fully engage with the service, such as a welcome brochure or consumer handbook into a specified language/s.

The volume of translating services is driven by demand from providers. Demand has grown steadily since July 2022 as awareness of the service grows, with over \$8.1 million in jobs completed as at September 2023, and just under \$2.4 million currently in the pipeline.

Now that the research and consultation phases have been completed (relating to the development and dissemination of communication products to promote the availability of no cost translating and interpreting services to aged care providers), the Aged Care Communication and Change Branch will disseminate the communication products through their existing channels as BAU. Accordingly, the scope of the current contract has been narrowed to primarily focus on delivering a translation service to aged care providers.

The department continues to require the services of an external agency for the delivery of the translation service. It is appropriate that the market is tested for this narrower scope. Whilst a formal evaluation of the program or supplier has not been conducted, the current supplier's performance under the contract has been mixed and warrants retesting the market on a competitive basis.

Proposed delivery method

For efficiency and certainty of service provision, a four year and five months period is proposed (February 2024 to June 2028, which includes four weeks overlapping with the current supplier to enable a smooth

transition (should a different provider be selected) including website portal continuity for applicants to submit translation requests. Two three-year extension options will be included in the contract with the successful supplier.

The new funding arrangement will allow aged care providers, aged care peaks, Partners in Culturally Appropriate Care (PICACs) and the Department of Health and Aged Care to communicate key written and audio/video messages to aged care recipients in languages other than English and in Easy English, and in formats that meet the needs of diverse communities. This may include information translated into audio or video form, with appropriate co-design, to be suitable for low literacy and cultural requirements.

Scope

This procurement will address the needs of CALD groups only. Auslan and other deafblind languages, and Aboriginal and Torres Strait Islander languages are not within scope of this agreement.

By following the process embedded in the Department of Health and Aged Care [Procurement Method Decision Tree](#), this procurement will be compliant with the requirements of the *Commonwealth Procurement Rules* (CPRs).

2. ESTIMATED PROCUREMENT TIMETABLE

Distribution of RFT to potential supplier/s:	7 November 2023
Closing Date for Responses:	19 December 2023
Response Evaluation:	20 December 2023 – 15 January 2024
Contract Start Date:	1 February 2024
Contract End Date:	30 June 2028
Extension Option:	<p>An extension will be included in the contract of 2 x 1 year for a maximum contract term, including extensions, of 6 years 5 months</p> <p>If one or both extension options are to be exercised, funding approval will be sought before the extension process starts.</p>

3. DETAILED ESTIMATE OF COSTS

The estimated expenditure for the initial contract term is \$52.2m GST exclusive and \$52.8m GST inclusive.

The total estimated expected maximum value of the proposed procurement (including GST (if applicable), options, extensions, renewals or other mechanisms that may be executed over the life of the contract) is \$77.0m GST exclusive and \$84.7m GST inclusive.

Approval to exercise any extension, option or renewal will be sought prior to extending the arrangement.

The expenditure is proposed as follows:

Financial Year	Amount (million including GST)
23-24 (initial contract term)	4.4
24-25 (initial contract term)	12.1
25-26 (initial contract term)	12.1

26-27 (initial contract term)	12.1
27-28 (initial contract term)	12.1
2028-2029 (Extension Option 1, 1 year)	12.1
2029-2030 (Extension Option 2, 1 year)	12.1
Total Estimated Expected Maximum Value	77.0

Any expenditure will be funded from:

Cost Centre Name: Dementia, Diversity and Design Branch

Cost Centre Code: s47E(d)

Financial considerations

The amount proposed would be an upper limit given that the Branch intends to negotiate down if possible with the preferred tenderer/s. It comprises a management component and a translation fee component consistent with the current translation requests of approximately \$1m per month. A financial cap will be placed on the number of translations that can be undertaken by the successful supplier each quarter and the amount of translation services that each eligible organisation can access per annum.

4. INDIGENOUS PROCUREMENT POLICY

The Indigenous Procurement Policy checklist was completed and determined the mandatory set-aside does not apply to this procurement (Attachment B).

5. PROCUREMENT METHOD

The estimated expected maximum value of the proposed procurement is above the relevant procurement threshold (CPRs 9.7).

Consistent with the CPRs this procurement will be advertised through AusTender as an open test of the market.

6. STAKEHOLDER CONSULTATION

Consultations have been undertaken with FBP, PAS and Legals to ensure the approach to market meets departmental and legal requirements and adequate funds are available.

7. RISK ENGAGEMENT

A Risk Profile has been completed (Attachment C) and the overall risk rating is Low. Risks will continue to be monitored throughout the process and reported to the Delegate as appropriate.

8. DOCUMENT DISTRIBUTION AND RECEIPT

Documentation will be handled in line with the requirements of the CPRs and released via AusTender by the Procurement Advisory Service.

9. EVALUATION

The Evaluation Team will review responses to determine the best value for money outcome for the Commonwealth in accordance with the Tender Evaluation Plan (Attachment F).

The Evaluation Team possess the necessary mix of technical/subject matter skills to effectively assess the submission/s. An evaluation report will be provided to the Delegate.

The proposed Evaluation Team is as follows:

Name	Position Title	Branch/Division	Role
s47E(c), s47F	Director	<i>Dementia, Diversity and Design Branch</i>	Chairperson
s47E(c), s47F	Assistant Director	<i>Dementia, Diversity and Design Branch</i>	Contact Officer
s47E(c), s47F	Departmental Officer	<i>Dementia, Diversity and Design Branch</i>	Team member
s47E(c), s47F	Department Officer	<i>Dementia, Diversity and Design Branch</i>	Team member

10. CONTACT OFFICER

Date Completed	Contact Name	Position Title	Division/Branch	Contact Phone
7 November 2023	s47E(c), s47F	Assistant Director	Branch, Division Dementia, Diversity and Design Branch Aged Care Market and Workforce Division	s47E(c), s47F

Attachments:

- A. Expenditure Information
- B. IPP Checklist
- C. Risk Profile
- D. Probity Plan
- E. RFT
- F. Evaluation Plan



PROBITY PLAN for

Request for Tender (RFT) for the Provision of Translation Services for Commonwealth Aged Care Providers and Recipients

Background

The Department of Health is seeking, through a Request for Tender (RFT), the **Provision of Translation Services for Commonwealth Aged Care Providers and Recipients**

Purpose of paper

The purpose of the paper is to outline probity processes and standards for the evaluation and to present these to senior management for consideration and endorsement. The process is being run in accordance with the department's procurement framework as outlined within the [Procurement intranet site](#).

Probity is defined as evidence of ethical behavior in a particular process. It contributes to sound decision-making management processes that accord equal opportunities for all participants. A good outcome is achieved when probity is applied with common sense.

Ethics are the moral principles or values that guide a person in all aspects of their work. Ethical behaviour encompasses the concepts of honesty, integrity, probity, diligence, fairness, trust, respect and consistency. Ethical behavior includes avoiding conflicts of interest, and not making improper use of an individual's position.

The Need for a Probity Plan

This document provides guidance to those involved in managing the procurement process to ensure that processes, procedures and documentation are robust, defensible, transparent and capable of external audit. The Delegate must be advised of any issues of non-compliance with this Plan. This document sets out the minimum, mandatory probity requirements. It does not discuss requirements for post-execution processes apart from the probity principles, or attempt to provide a step-by-step guide for the decision-making process, as these issues are covered in the [Commonwealth Procurement Rules](#) and the [Procurement intranet site](#).

The Probity Plan aims to:

- produce better outcomes against stated objectives;
- minimise conflicts/problems and the potential for litigation;
- avoid the potential for corrupt practices to occur; and
- maintain public sector integrity.

Decisions should not be driven by probity, as only focusing on this aspect could limit the achievement of value for money. Instead, it should be applied to each aspect of the decision-making process with common sense and flexibility.

This document is drawn from a range of guidance material including the Department of Finance Guidance on Ethics and Probity in Government Procurement and the Australian National Audit Office's Better Practice Developing and Managing Contracts.

Objectives of Probity in the Procurement Process

Probity in the procurement process is the responsibility of everyone involved. The broad objectives are to:

- ensure conformity to the process;
- provide accountability;
- ensure that the interests of applicants are protected by an equitable process;
- ensure that all proposals will be assessed against the same criteria;
- preserve the confidence of the public and applicants in the Australian Government processes; and
- improve defensibility of decisions to potential legal challenge.

Probity Principles

There are a number of principles to promote proper and ethical practices. These principles must guide all stages of the process and are:

- fairness and impartiality;
- consistency and transparency of the process;
- use of an appropriately competitive process;
- appropriate security and confidentiality arrangements;
- identification and management of actual and potential conflicts of interest; and
- compliance with legislative obligations and Government policies.

Ethical Decision-Making

Decisions need to be made in a visible manner and appropriately documented to allow them to be understood or justified upon review. Transparency is also a primary consideration throughout the decision-making process from the initial identification of need through to the end of the contract.

Responsibility for important decisions must be clearly defined and appropriately authorised by the delegate and if appropriate, cleared through Procurement Advice Services (PAS) and Legal Services Branch (LSB). In particular, probity principles must be observed in relation to:

- preparing tender documents and related documents;
- analysing proposals, preparing recommendations and making decisions on short listing and successful applicant selection;
- handling applicant information;
- managing liaison with applicants, including the provision of information and negotiation; and
- appropriate consultation with the Minister, other areas of the Department and other parties which are not directly involved in the management of the process but have an interest in its conduct and outcome.

Conflicts of Interest

Conflicts of interest can endanger both the actual and perceived objectivity and ethical standing of the decision-making process. A conflict of interest may arise where either a person involved in managing the process or an applicant, has an affiliation or interest which might be seen to prejudice his or her impartiality.

Conflicts of interest are commonplace and, provided they are identified early and dealt with effectively, they need not be indicative of any wrongdoing. It is important for conflicts of interest to be addressed as early as possible in the process. Personnel must strive to avoid actual or perceived conflicts of interest.

Applicants and non-APS staff involved in the assessment process are required to submit Conflict of Interest Declarations including any actual or perceived conflicts of interest. For non-APS staff, this should include other employment, prior employment or financial interests in organisations that may be potential applicants and relationships with people who have interests in these organisations. Conflicts of interest declarations and further information can be found [here](#).

Responses to a potential or actual conflict of interest may vary. At one extreme, a conflict may result in an individual being excluded from the process. At the other end of the scale, simply documenting and advising, if appropriate, the Expenditure delegate and PAS of the conflict may resolve it. All disclosures of conflict must be fully documented and PAS advised.

Tender Documentation

The Request for Tender is a key probity-related document in the process and should be agreed by all interested parties, including PAS, before being finalised and sent to potential tenderers. The Request for Tender should clearly document the requirements of the decision-making process including:

- restrictions on the eligibility of parties to submit proposals;
- the scope, content and format required (minimum content) of conforming submissions;
- the mandatory requirements of submissions (Conditions of Participation), including any skills or experience which the tenderer must possess in order to participate in the process;
- a statement of the objectives for the project;
- the assessment criteria against which tenders are to be assessed and guidance on the relative importance or 'scoring' of criteria;
- When conducting multi-stage procurements, The initial approach to market for a multi-stage procurement **must** include, for every stage, the criteria that will be used to select potential suppliers, and if applicable, any limitation on the number of potential suppliers that will be invited to make submissions.

- notice that the Department reserves the right to have regard to such other matters as, in its absolute discretion, it regards as relevant;
- the deadline for the receipt of tender applications and the location for lodgement;
- procedures for handling day-to-day contact with potential applicants; and
- other procedures governing the provision of information to potential applicants.

Where the Request for Tender contains a clear rule (such as a deadline), the Tender Evaluation Team should ensure it is strictly applied. If the teams wish to tolerate minor errors or variances from its requirements, they should ensure these are consistent with the explicit provisions in the Request for Tender and the reason for any variation must be fully documented. All deadlines and extensions should be managed consistently for all submissions. Consultation with PAS is mandatory before implementing any variance to the provisions of the Request for Tender documentation.

Conditions for eligibility and assessment criteria must be clearly documented. Decisions on the selection of submissions must be made purely against these criteria. Well defined conditions for eligibility provide potential suppliers with a clear indication of requirements that they must meet, and reduce the resources wasted as a result of lodgement of unsuitable or misdirected proposals. Tender documentation must clearly identify and separate conditions for eligibility from those assessment criteria that are 'desirable' or 'optional'. Proposals must meet the conditions for eligibility. 'Desirable' or 'optional' criteria enable ranking of the proposals and if necessary, can be weighted, but the weighting must be published in the tender documentation.

Note: The evaluation criteria in the approved Tender Evaluation Plan should match the published Request for Tender/Quotation criteria.

Provision of Information to Tenderers

As a matter of principle, information needs to be available to all interested parties within the same timeframe and each tenderer needs to have access to the same material for the process to remain fair. For fair and equitable access to information for all tenderers it must be ensured that:

- contact between the Department and tenderers is channelled through a nominated Contact Officer only;
- requests for information are provided to the Departmental Contact Officer in writing via email only;
- communication is limited to factual answers and personal opinions are not provided;
- all communication is documented and recorded in a manner that can be readily audited (if required);
- questions and related answers are disclosed to all prospective tenderers via the AusTender website (without disclosing the source of the questions);
- any tenderer confidential information contained in a question (that is nominated as such by the relevant tenderer) will be removed prior to disclosure on AusTender; and
- **a tenderer who communicates other than to the Contact Officer may be disqualified from participating further in the tender.**

These processes will minimise the risks of discriminatory conduct and of disputes with tenderers. It will allow the Department to demonstrate that it has taken all reasonable steps to ensure that all tenderers are provided with the same opportunities to gain information.

Receipt of Tenders

Effort must be made by all staff handling tender submission, evaluation and selection documents, to ensure confidentiality is not compromised and that these documents are stored and accessed in compliance with Department's Record Keeping Policy. Proposals must be registered upon receipt, and entered into an appropriately secure TRIM file, for example, the file should be restricted to the evaluation team and PAS. Physical copies must be labelled 'Commercial-in-Confidence' and stored in a locked facility, for example, a cabinet or compactus when not in use. Information provided by unsuccessful applicants must also be treated as confidential after contracts have been awarded.

Personnel who receive commercially sensitive material from applicants and contractors are subject to confidentiality obligations. Confidentiality of proposal information is particularly important and information should only be shared on a 'need to know' basis. All public servants are under a general obligation of confidentiality. Those involved in the process who are not public servants (eg, non-APS staff involved in the short listing process) must sign a Deed of Non-Disclosure and Confidentiality.

Security measures should also include limiting the number of, and numbering copies made of the documents; limiting access to the proposals, such as only allowing access by authorised staff; and ensuring that documentation is secure at all times.

Electronic security issues should also be considered, including controls over electronic delivery of proposals. Security measures may include transmitting documents as Portable Document Format (PDF) files to prevent alterations and double-checking emails and

attachments before sending to potential applicants. Any e-mail messages of significance, particularly messages regarding the distribution of applicant information should be filed accordingly in TRIM.

Acceptance of Late Applications

Adherence to deadlines is important in maintaining integrity. Applications received after the closing time and date will not be accepted unless the lateness is due to a Departmental error. Approach-to-market documents will state that late proposals will not be accepted. This will ensure that all potential applicants are aware that this is the case.

Requests for Extensions

Any action regarding requests for extensions will be exercised with due care and be fully documented as a decision either way may affect the probity of the process. If a request is received and granted, all potential tenderers must be offered the same extension. However, if a request for extension is refused, the Department may be excluding suitable applicants. Guidance should be sought from PAS and LSB in relation to any request for extension.

It is good practice to specify in the approach to market whether or not requests for extensions will be accepted. A description of the guidelines for extensions should be included in the RFT/RFQ, so all potential tenderers are aware of the procedures that will be followed. A closing date for requests for extensions can also be used to prevent extensions being requested on the morning the proposals are due.

Tender Evaluation and Selection

<Include details of who will be responsible for evaluating tenders e.g. departmental officers only; are there any external advisers or technical specialists; procurement or probity advisors; are there any external parties that need to be consulted such as a steering committee.>

Name	Position Title	Branch/Division	Role
s47E(c), s47F	Director	Dementia, Diversity and Design Branch	Chairperson
s47E(c), s47F	Assistant Director	Dementia, Diversity and Design Branch	Contact Officer
s47E(c), s47F	Departmental Officer	Dementia, Diversity and Design Branch	Team member
s47E(c), s47F	Departmental Officer	Dementia, Diversity and Design Branch	Team member
TBC	Assistant Director/ Departmental Officer	TBC	Team Member
TBC External Advisor	TBC	TBC	Technical Advisor

Each tender needs to be considered in a fair and impartial manner, with no conflicts of interest or bias towards or against certain applicants. Tender assessment related documents are critical documents for ensuring an ethical process. Each part of this stage of the process - assessment, recommendation and decision - must be comprehensively documented and tied explicitly to the assessment criteria.

Note:

- i). the evaluation criteria in the approved Tender/Quotation Evaluation Plan must match the published Request for Tender/Quotation criteria.
- ii). submissions received **must** be evaluated strictly in accordance with the approved Tender Evaluation Plan, using the approved evaluation criteria.

It is critical that Tender Evaluation Teams ensure that the evaluation criteria are applied consistently and transparently to all tenders. Guidance for evaluation is dealt with in the Evaluation Plan.

Recommendations by the Tender Evaluation Team as to the successful tenderers will be based on a consolidated overall decision, which may be derived from individual proposal assessment reports. If the selection of successful tenderers rests on a trade-off between criteria, this should be made explicit in assessment documents, with the reasoning clearly explained. Full records must present a clear paper trail illustrating how and why specific recommendations were made and decisions taken.

Prior to any formal negotiations with tenderers, Expenditure delegate approval must be obtained and tenderers must be informed that the discussions are on a "without-prejudice" basis. Contracts with successful tenderers will need formal COMMITMENT APPROVAL from the COMMITMENT APPROVER **before** they are executed. To maintain fairness in the process, separation of duties is important. Personnel involved in assessment of tenders should not be those who are approving the spending of RELEVANT MONEY.

All documents regarding approval of tenderers must be cleared by PAS before forwarding to the delegate.


Tenderers must be notified in writing whether or not they are successful. Once the successful applicant has been advised and after contract executions have been completed, all unsuccessful applicants should be advised of the outcome of their proposal as soon as possible and offered the opportunity of a de-briefing by the Chair of the Evaluation Team.

Managing Problems

In any tendering and procurement process there is always the possibility that actions, errors or omissions may occur that result in a breach of probity requirements. These problems will need to be addressed quickly and in accordance with guidance provided in the probity plan, or advised by the Probity Advisor. These problems will be resolved jointly with PAS.

The question to be addressed when an error occurs is whether the process can continue while still ensuring all tenderers receive, and are perceived to receive, fair and equal treatment. Where the issue can be resolved, tenderers are to be notified of any factors that may affect their proposals and consideration may need to be given to allowing revised proposals from all parties.

The process by which a decision is made can be just as important as the outcome of the decision. There is always a possibility of a challenge to the decision-making process. It is important that it can be clearly demonstrated that decisions were made using ethical processes.

Delegate (name):	Robert Day
Delegate (signature):	<p>In approving this plan, I note the potential for a probity risk arising from an established supplier (ICON) operating this service. I consider that the measures outlined in this plan as adequate to manage that risk noting that:</p> <ul style="list-style-type: none"> the nature of the services sought in the tender – specifically translation services - are not so bespoke that being the existing provider gives significant inside knowledge. any engagement between the department and ICON during the tender period will be strictly limited to operation of the current contract and noted for file. ICON required to specific any questions about the tender via the same process articulated in the request for tender documentation. the tender evaluation team will include a least one member who is not engaged in management of the current contract. <p>s47F</p> 
Date:	08 November 2023

DEPARTMENT OF HEALTH AND AGED CARE

TENDER EVALUATION PLAN

DESCRIPTION

This document is an internal Department of Health and Aged Care (Department) document used to set out the process for conducting an evaluation where an Open Tender procurement process is conducted. It complements and is linked to the Request for Tender which goes out to the market for a particular procurement.

USER NOTES

Procurement in the Department is subject to the [Commonwealth Procurement Rules](#) (CPRs), the [Resource Management Guide 206](#), the [Government Procurement \(Judicial Review\) Act 2018 \(Cth\)](#) (GPJR Act), the [Accountable Authority Instructions](#) and [Finance Business Rule 3.0 – Procurement](#). You must conduct all procurements in accordance with these policies.

Users should ensure that the terms of this document are consistent with the requirements of the CPRs Division 2 Additional Rules and the provisions of Division 1 declared to be relevant CPRs under GPJR Act (being paragraphs 4.18, 5.4, 7.2, 7.10, 7.13 – 7.18, 7.20, and 9.3 – 9.6) if the total value of the procurement is \$80,000 or greater (including all options). Seek advice from Procurement Advisory Services (PAS) if in doubt.

NOTE:

The evaluation criteria in the approved Tender Evaluation Plan **must be consistent** with the published Request for Tender/Quotation criteria.

Submissions received **must** be evaluated strictly in accordance with the approved Tender/Quotation Evaluation Plan, using the approved evaluation criteria.

CONTACTS

You should not amend, add or delete any of clauses of this document without first consulting PAS and/or Legal Services.



Australian Government
Department of Health and Aged Care



Tender Evaluation Plan
for

Translation Services for Aged Care Providers and Recipients

RFT ID: Health/22-23/E23-180224

ISSUED November 2023

THIS DOCUMENT HAS BEEN RELEASED UNDER
THE FREEDOM OF INFORMATION ACT 1982
BY THE DEPARTMENT OF HEALTH AND AGED CARE

Delegate’s approval of this Tender Evaluation Plan: Name: Robert Day Position: Assistant Secretary	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Not approved (please notate any comments/conditions) Signature: <div>s47F</div> _____ Date 8/Nov/2023
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s47F

Updates to evaluation team composition approved. 2 January 2024.

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THIS DOCUMENT HAS BEEN RELEASED UNDER
THE FREEDOM OF INFORMATION ACT 1982
BY THE DEPARTMENT OF HEALTH AND AGED CARE

SCHEDULE FOR THIS TENDER

Activity	Timing
Release of RFT	7 November 2023
<i>[insert industry briefing or other activity, as applicable]</i>	Not Applicable
Enquiry Cut-Off Date	5 December 2023
Closing Time	1400 ACT Local Time 19 December 2023
Negotiation with preferred Tenderer/s	15 January 2024
Execution of Contract with successful Tenderer	Mid January 2024
Notification of unsuccessful Tenderers	Mid February 2024
Commencement of Services	1 February 2024

PART 1 – INTRODUCTION**1. PURPOSE**

The purpose of this Tender Evaluation Plan is to minimise risks to the Commonwealth arising from the Tender Evaluation Process and to ensure that the RFT process is conducted fairly, transparently and in accordance with the RFT and the *Commonwealth Procurement Rules*.

This Tender Evaluation Plan provides direction to:

- (a) members of the Tender Evaluation Team in their evaluation and recommendation of preferred Tenderer(s);
- (b) Advisers (if used); and
- (c) the Delegate.

This Tender Evaluation Plan is an internal Departmental document and when populated, should be classified as commercial in-confidence. It should not be shown to any person other than the personnel listed under clause 3 below without the permission of the Delegate.

If there is an inconsistency between this Tender Evaluation Plan and the RFT, the RFT prevails.

Any material changes to the Tender Evaluation Process set out in this Tender Evaluation Plan, other than changes to the Tender Evaluation Team personnel, must be approved in writing by the Delegate, including:

- (d) Tender Evaluation Process governance arrangements;
- (e) the process for selecting any preferred Tenderers;

- (f) the process for excluding any unsuccessful Tenderers; and
- (g) any material changes to the Tender Evaluation Process, as determined by the Chair in consultation with the Probity Adviser.

The Chair must seek the advice of the Probity Adviser prior to any changes to this Tender Evaluation Plan.

2. BASIC PRINCIPLES

In conducting the evaluation of Tenders received, the Tender Evaluation Team **must** assess Tenders received strictly against the approved Evaluation Criteria set out in the published RFT and strictly in accordance with the methodology set out in this approved Tender Evaluation Plan.

The Evaluation Criteria approved in this Tender Evaluation Plan must be consistent with the published RFT documentation and in any evaluation assessment forms or tools.

The success of the Tender Evaluation Process will depend on the protection of the process from improper influence by internal or external sources, and on fair dealing during the Tender Evaluation Process. These matters and all related matters are dealt with in this Tender Evaluation Plan and in the Probity Plan (Attachment B) (if used).

A Probity Plan should generally be used where the procurement is high value (more than \$1 million) or high risk. In addition, a suitably qualified Probity Adviser may be appointed. If in doubt, the advice of the Procurement Advice Services (PAS) should be sought.

The PAS acts as default Probity Adviser if no separate Probity Adviser is appointed.

The Legal and Assurance Division (LAD) acts as default Legal Adviser if no separate Legal Adviser is appointed.

The Tender Evaluation Report must clearly substantiate recommendations and demonstrate how the preferred Tenderer(s) (if any) best meets the Department's requirements as specified in the RFT and are value for money.

PART 2 – THE TENDER EVALUATION TEAM**3. THE TENDER EVALUATION PERSONNEL AND THEIR ROLES**

The following persons and entities are responsible for the conduct of this Tender Evaluation Process:

Name	Position
Robert Day	Delegate
s47E(c), s47F	Tender Evaluation Team Chair
s47E(c), s47F	Contact Officer; also will assist with the preliminary assessment of submissions and general secretariat support
s47E(c), s47F	<u>Secretariat: developing a comparison of pricing</u>
s47E(c), s47F	Tender Evaluation Team Member
s47E(c), s47F	Tender Evaluation Team Member
s47E(c), s47F	<u>Tender Evaluation Team Member</u>
s47E(c), s47F	Tender Evaluation Team Member
Mary Ann Baquero Geronimo	Technical Adviser to ensure products are useful for multicultural community members - including the QA process in place for quality assurance of the translations.
	PAS as Probity Adviser
	MinterEllison and LAD as Legal Adviser
	Business Adviser (if used)
Finance Business Partner (FBP)	FBP as Financial Adviser (if used)

The Delegate

The Delegate is responsible for the final decision as to which Tenderer or Tenderers should be awarded a Contract or Contracts. The Delegate is also responsible for the following decisions:

- (a) appointing the Chair;
- (b) appointing and approving changes to Members of the Tender Evaluation Team;
- (c) the exclusion of a Tenderer from the Tender Evaluation Process, including by deciding:
 - (i) whether a Tender is late;
 - (ii) whether a Tender does not conform to the Minimum Content and Format Requirements or has not satisfied a Condition for Participation;

- (iii) whether a Tender has not satisfied an Essential Requirement; and
- (iv) the shortlisting of Tenderers;
- (d) whether to terminate the RFT process;
- (e) adopting or not adopting the recommendations of the Tender Evaluation Team, including taking into consideration any minority report or recommendation of the Tender Evaluation Team; and
- (f) considering and deciding any other significant issues when the Chair seeks the Delegate's input.

The Delegate will also resolve issues in relation to conflict of interest as required, which may be raised by any Member of the Tender Evaluation Team or the Probity Adviser. Should a conflict of interest issue arise in relation to the Delegate, this will be resolved by the Delegate's supervisor with advice from the Probity Adviser and/or Legal Adviser.

The Delegate may appoint a negotiator or negotiators to negotiate the Contract with the preferred Tenderer.

The Chair

The Chair is responsible for managing the Tender Evaluation Process and for ensuring that the process undertaken complies with Commonwealth policies, this Tender Evaluation Plan and the RFT.

The Chair must ensure all persons involved in the evaluation of Tenders have signed Conflict of Interest and Confidentiality Statements in the form of Attachment C and that those persons maintain, on an ongoing basis, the currency of the statements made in those documents.

The Chair must ensure that procedures for the opening, registration, distribution to the Tender Evaluation Team and safekeeping of Tenders are carried out in accordance with clause 5.

The Chair must organise the recording of all aspects of the Tender Evaluation Process on a commercial-in-confidence registry file and according to Departmental record-keeping policies and procedures.

The Chair is responsible for:

- (g) coordinating and conducting Team meetings and for liaising with the Delegate;
- (h) obtaining from the Delegate decisions in relation to the exclusion of Tenderers and the shortlisting of Tenderers;
- (i) coordinating the use of Advisers as and when needed;
- (j) nominating Members to contact referees (if Tenderer's referees are required)
- (k) approving clarification questions to Tenderers
- (l) ensuring that the scope of the Evaluation Criteria in this approved Tender/Quotation Evaluation Plan has been provided to the market in the published Tender/Quotation documentation and is replicated in any evaluation assessment forms or tools
- (m) ensuring that submissions received are evaluated strictly in accordance with this approved Tender Evaluation Plan, using the approved Evaluation Criteria

- (n) undertake any requested debriefs.

The Chair and Tender Evaluation Team are responsible for preparing the Tender Evaluation Report, including the making of recommendations, and submitting it to the Delegate.

Contact Officer

The RFT nominates a Contact Officer for RFT enquiries. This officer should not be the Chair to ensure that there is clear separation between day-to-day contact with Tenderers and potential Tenderers and the management of the Tender Evaluation Process.

All enquiries, whether from the Department to a Tenderer or from a Tenderer to the Department, must be communicated by or to the Contact Officer.

The Contact Officer must consult with the Chair in connection with any proposed or actual communications with or from Tenderers.

The Tender Evaluation Team

The Tender Evaluation Team is responsible for assessing the Tenders received against the Evaluation Criteria in this approved Tender Evaluation Plan (which **must** be consistent with the published Request for Tender/Quotation criteria) and for making a recommendation or recommendations to the Delegate.

Team meetings will be conducted in a secure office environment or, if necessary, by teleconferencing.

All Members of the Tender Evaluation Team must read this approved Tender Evaluation Plan and the entire RFT, including the Draft Contract. The RFT has been attached at Attachment A. Members cannot be in a position to evaluate Tenders without full knowledge of what is being sought by the Commonwealth and terms and conditions on which the procurement is to occur.

Each Member is also responsible for:

- (o) seeking advice from Advisers, through the Chair, as required;
- (p) identifying where clarification is required from Tenderers and, through the Chair, seeking advice from the Legal Adviser and Probity Adviser on submitting clarifying questions to Tenderers; and
- (q) immediately notifying the Chair of any conflict of interest issues as and when they arise.

The Tender Evaluation Team and the Chair are responsible for preparing the Tender Evaluation Report, including the making of recommendations, and submitting it to the Delegate.

Advisers

Advisers have no role in recommending or deciding the outcome of the Tender Evaluation Process. They are available for consultation and assistance in their areas of expertise.

Decisions about when an Adviser is to be used must be made by the Chair.

Probity Adviser

The role of the Probity Adviser in the Tender Evaluation Process is to advise the Chair and if necessary, the Delegate on the probity aspects of the Tender Evaluation Process and compliance with the processes set out in the Probity Plan (if any).

Where an external Probity Adviser is appointed, the appointment should be made prior to the release of the RFT and the scope of work should include the following:

- (r) providing comment on the RFT and this Tender Evaluation Plan;
- (s) attending meetings as requested by the Chair;
- (t) providing ongoing advice on procedural and probity issues arising during the RFT process;
- (u) providing comments on the Tender Evaluation Report or other reports;
- (v) providing independent "sign off" that the Tender Evaluation Process has been performed in accordance with probity requirements, this Tender Evaluation Plan and the RFT; and
- (w) liaison as necessary with the Legal Adviser.

If a Tender Evaluation Team Member has any concerns in relation to the conduct of the Tender Evaluation Process he or she should contact the Probity Adviser. These concerns may include possible conflicts of interest, incorrect disclosure of confidential information or Tender Evaluation Process irregularities.

If a Probity Plan is not used, "sign off" from the external Probity Adviser (if any) should be specifically sought prior to approaching the market and before a recommendation is put to the Delegate following the Tender Evaluation Process.

PART 3 - PROBITY PROTOCOLS

4. PROBITY PROTOCOLS

Confidentiality

All personnel involved in the RFT process are under a duty of confidentiality in respect of the information provided by Tenderers and information about the Tender Evaluation Process. This duty means that it is not permissible to communicate information outside the Tender Evaluation Team, in particular to other Commonwealth officers who are not involved in this procurement, except with the permission of the Chair.

A person may not have access to any Confidential Information (inclusive of Tenders, proposals and evaluation material) unless authorised by the Chair.

The Chair must ensure that the Tender Evaluation Team only have access to information to the extent necessary to enable the efficient conduct of the Tender (i.e. on a "need to know" basis). The Chair will also consider what information is required by Advisers in order for them to provide advice when requested.

Documents (both hardcopy and electronic format) comprising the Tenders may only be copied or reproduced with the prior approval of the Chair.

Conflicts of Interest

It is essential that Members of the Tender Evaluation Team be free from any real, potential or perceived conflict of interest. Members of the Tender Evaluation Team will be required to:

- (a) prior to the commencement of the Tender Evaluation Process - sign the Conflict of Interest Disclosure and Confidentiality Statements (Attachment C); and

- (b) on an ongoing basis and as requested by the Chair - notify the Chair of any circumstance, including any prior or proposed association with prospective Tenderers, which could possibly be construed as representing a conflict of interest.

A conflict of interest will exist if:

- (c) through any dealings or relationship with a Tenderer or any related body, a member of the Tender Evaluation Team or his or her family might gain a benefit or advantage from the outcome of the Tender Evaluation Process; or
- (d) there is any other reason why a Member of the Tender Evaluation Team might not deal with a Tender or a Tenderer in an objective manner.

A perceived conflict of interest may exist where the person is in a position to appear conflicted as set out above.

A potential conflict of interest may exist where the person may or is likely to become subject to a conflict of interest in the future.

The Delegate may deal with a conflict of interest as the Delegate sees fit, and may remove a Member from the Tender Evaluation Team. An affected Member must immediately comply with any such direction of the Delegate and take any associated action, such as for the return of working papers, as requested.

Communication with Tenderers

The attention of personnel involved in a Tender Evaluation Process is drawn to a warning in the RFT:

All communications related to this RFT should be addressed to the Contact Officer (via the contact details specified above) and not to other Departmental officers or other persons. A Tenderer who communicates other than to the Contact Officer may be excluded from participating further in the RFT process

Note : All communications to and from the contact officer must be in writing and a record must be kept of that communication and the answer/information provided.

Any person other than the Contact Officer who is contacted by a Tenderer must report such contact immediately to the Chair. The Chair will consult with the Probity Adviser and/or Legal Adviser and make a recommendation to the Delegate as to what action is to be taken.

The Contact Officer is responsible for the coordination of all communications with Tenderers from RFT release through to completion of the RFT process.

The Department may, through the Contact Officer, provide answers to any reasonable enquiry from a prospective Tenderer that is received by the Department before the Enquiry Cut-Off Date set out in the RFT, in which case:

- (e) questions and related answers may be disclosed to all prospective Tenderers via AusTender (without disclosing the source of the questions); and
- (f) any Tenderer Confidential Information contained in a question (that is expressly nominated as such by the relevant Tenderer and agreed to by the Department) will be removed prior to disclosure on AusTender.

Business as Usual

The Department recognises that an incumbent service provider may have a potential advantage over other potential Tenderers in terms of their understanding of the

environment in which the Department operates. There is also a higher risk of an incumbent service provider obtaining Confidential Information relating to the Tender Evaluation Process, because of their day to day interaction with the Department.

Accordingly, it is essential in order to maintain the probity of the Tender Evaluation Process that as far as practical the Department treats an incumbent service provider in the same way that it treats other potential Tenderers and ensures an equitable access to information that may be relevant to the outcome of the Tender Evaluation Process.

The Department also recognises that business as usual functions will need to continue, and Tender Evaluation Team will need to continue to work with an incumbent service provider for the purpose of ongoing contract management.

However, as part of "business as usual", Tender Evaluation Team Members and other stakeholders should not enter into discussions with an incumbent service provider in respect of the Tender. If questioned directly about the Tender, the Tender Evaluation Team Member should advise the person that the matter cannot be discussed and report the contact to the Chair.

Tender Evaluation Team Members and Advisers should ensure that:

- (g) that material relating to the procurement is stored securely and separately from their business as usual material; and
- (h) they do not conduct work in relation to the procurement in a location that the incumbent service provider's personnel are able to view related material (e.g. a shared working environment).

The Chair must ensure that any material that will be released to potential Tenderers does not contain information that constitutes the incumbent service providers proprietary or Confidential Information.

Except where approved by the Probity Advisor after consultation with the Chair or as part of attendance at negotiations, any members of the Department who are on the Tender Evaluation Team will not interact with the incumbent service provider during the period from the Closing Time until the execution of the Contract.

Documentation

There must be a clear audit trail of the Tender Evaluation Process to ensure:

- (i) the Tender Evaluation Team have acted consistently and logically and in accordance with the RFT and this Tender Evaluation Plan; and
- (j) the basis for the recommendations in the Tender Evaluation Report can be substantiated.

All conclusions and decisions are to be recorded, including the process and deliberations on which they are based. All judgments on technical and other matters are to be supported, so far as possible, by documentary evidence.

All records are to be retained by the Department in accordance with the *Archives Act 1983* and the Department's record management policies.

Security

All electronic and hard copies of Tenders, and any documents related to the Tender Evaluation Process must be managed and protected.

Where the Department's systems permit, Tender information must only be made available to the Tender Evaluation Team via secure electronic directories with permissions appropriate to the Tender Evaluation Team Members' role.

Any meetings or discussions by the Tender Evaluation Team should take place either in person or over private conference calls (or video calls) where each Member or Adviser takes part from a private room at their location.

The Tender Evaluation Team must ensure that documents and portable data store facilities (such as CD/DVD or memory sticks) in their possession or control containing Tender information are:

- (k) kept in locked offices and/or locked filing cabinets when not in use;
- (l) not left unattended for any period of time;
- (m) not displayed at times or in places where they could be read by unauthorised persons; and
- (n) not made available to a person who is unauthorised.

Tender information which is no longer required is to be considered classified waste and are to be disposed of according to the Department's disposal policies.

PART 4 – EVALUATION OF TENDERS

5. TENDER OPENING, REGISTRATION AND SAFEKEEPING

All Tenders are to be lodged electronically through AusTender in accordance with the RFT and no later than the Closing Time specified in the RFT.

Details of the operation of AusTender are included in the RFT.

After the Closing Time specified in the RFT:

- (a) Tenders will be downloaded from AusTender by PAS to a separate folder or directory and the Chair notified of their availability;
- (b) following completion of the download, the Contact Officer should ensure that all Tenders have downloaded successfully and that they are readable and are not corrupted; and
- (c) all downloaded Tenders must be kept in a secure place consistent with their status as commercial-in-confidence material.

6. STAGE 1 – SCREENING

s47E(c), s47F will initially review all Tenders to determine:

- (a) whether each Tender satisfies the Conditions for Participation (if any) and Minimum Content and Format Requirements of the RFT;
- (b) whether the Tenderer has executed the Tenderer Declaration (Schedule 2 of the RFT); and
- (c) whether the Tender discloses a conflict of interest.

Subject to clarifying any unintentional errors of form, Tenders that are not compliant with a Condition for Participation or Minimum Content and Format Requirement must be excluded from the evaluation and a recommendation to the Delegate to this effect must be made by the Chair.

Any decision to exclude a Tender based on non-compliance with the Conditions for Participation or Minimum Content and Format Requirements must be documented in the Tender Evaluation Report.

Tenderers that appear to have significant conflicts of interest that may impact on the evaluation of that Tender will be referred to the Probity Adviser (and Legal Adviser if necessary) for advice in relation to issues and risks relevant to the Tender Evaluation Process. Any findings and a recommendation will be forwarded by the Chair to the Delegate for final decision.

Tenderers excluded at this Stage 1 must be notified at the earliest opportunity of their exclusion and the reasons for their exclusion.

At this stage, the pricing schedule of the Tenders that continue to evaluation must be removed from the Tender and not provided to the Tender Evaluation Team until Stage 3.

7. GENERAL PRINCIPLES APPLICABLE TO STAGES 2 TO 6 OF THE EVALUATION PROCESS

Assessment against Evaluation Criteria

The Tender Evaluation Team will consider all relevant information for each Evaluation Criterion provided in each Tender. The Tender Evaluation Team may use material tendered in response to one Evaluation Criterion in the evaluation of other Evaluation Criteria in accordance with the RFT. Tenders must be evaluated strictly in accordance with this approved Tender Evaluation Plan, using the approved Evaluation Criteria.

Exclusion of Tenders

The Tender Evaluation Team may, but is not required to, at any time, request that the Chair recommend to the Delegate the exclusion of a Tenderer if the Tender Evaluation Team considers that their Tender is incomplete, clearly not competitive or is not fully capable of undertaking the Contract. Prior to recommending the exclusion of a Tenderer from consideration, the Tender Evaluation Team must seek advice from the Probity Adviser (and Legal Adviser, if necessary).

Tenderers which have been excluded should be notified at the earliest opportunity of their exclusion and the reasons for the exclusion.

Clarification questions

The procedure for clarifying questions raised by the Tender Evaluation Team is as follows:

- (a) the clarifying question is raised by a Tender Evaluation Team Member and should, if necessary, be referred to the Probity Adviser (and Legal Adviser if necessary) for advice before the Chair considers it for sending, through the Contact Officer, to the Tenderer;
- (b) when clarification is sought from a Tenderer, it must be made clear to the Tenderer that the request for clarification is not an opportunity to revisit or revise their Tender or to enter into negotiations;
- (c) the Tenderer's response to the question is reviewed by the Probity Adviser (and Legal Adviser, if necessary) then discussed with the Chair;

- (d) the Tenderer's response is recorded against the clarifying question and assessed by the Tender Evaluation Team.

Site visits and presentations

The conditions under which any Tenderer presentations or site visits will be conducted are:

- (e) Tenderers may be required to limit their presentations to a time limit and format prescribed by the Tender Evaluation Team;
- (f) Tenderers must provide copies of all presentation aids before the presentation;
- (g) Tenderers may be required to answer questions of clarification immediately following the presentation or site visit;
- (h) Tenderers are not permitted to use the presentation or site visit to provide new substantive information and/or documentation that would materially advantage their Tender; and
- (i) if a Tenderer cannot provide an answer to the Tender Evaluation Team at the time of giving their presentation or conducting a site visit, the Tenderer will be required to provide written answers within the time notified in the request.

Referees

The Chair will nominate Members of the Tender Evaluation Team to make contact with referees and undertake referee checks (if necessary). The Tender Evaluation Team must determine the content and format of the referee checks.

The Tender Evaluation Team Members responsible for undertaking the referee checks must keep complete records of the discussions held with the referee.

The Tender Evaluation Team may consider it requires clarification of issues following the referee checks and if so, this should be done in consultation with the Probity Adviser.

8. STAGE 2 – EVALUATION AGAINST TECHNICAL EVALUATION CRITERIA

Each member of the Tender Evaluation Team will initially assess each Tender against the approved Technical Evaluation Criteria independently of the other members. Members should record their initial scores and their substantiation for each score given. An example Tender Evaluation Score Sheet is provided at Attachment E.

Note: The Evaluation Criteria in the Score Sheet(s) **must** be identical to the Evaluation Criteria in this approved Tender Evaluation Plan.

The Tender Evaluation Team will then, as a group, assess each Tender to arrive at an agreed score for each Evaluation Criterion.

During the Tender Evaluation Process, the Tender Evaluation Team will be guided by:

- (a) the strengths and weaknesses of each Tender and how it conforms (including completeness) to the relevant Technical Evaluation Criterion; and
- (b) the degree with which the Tenderer's assertions and claims are demonstrated or supported, and the merit of any supporting information provided.

The information (oral and/or written) and documents provided during presentations, site visits or referee reports may be considered by the Tender Evaluation Team as supporting material for evaluation at this Stage.

In agreeing a score, the Tender Evaluation Team will have regard to all of the information submitted by each Tenderer and may have regard to information available from other sources, such as Departmental records or referee reports.

An appropriately detailed and evidence based narrative must be written in accordance with Attachment F to support each score allocated and summary narratives must be provided. The quality of these narratives and summaries is vital to the success of the evaluation and should form the basis of the Tender Evaluation Report.

The Tender Evaluation Team will meet to discuss scores with particular reference to any major differences in the assessment of individual Tender Evaluation Team Members and will confirm, by consensus, the scores for each Tender for each Technical Evaluation Criterion. If this is not possible, Members may record a dissenting report detailing a different score and substantiating narrative.

Essential Requirements

If the RFT contains an Essential Requirement and the Tender Evaluation Team assess a Tender as failing to meet the requirement, the Tenderer must be excluded and a recommendation to the Delegate to this effect must be made by the Chair.

Moderation Process

The Tender Evaluation Team will then compare each Tender against the other Tenders to reduce the likelihood of any relative imbalance between initial agreed Tender Evaluation Team scores. In particular they will consider whether the scores awarded for each Evaluation Criterion should be higher, lower or the same as for other Tenders having regard to their relative merit.

If a Tenderer's score is adjusted during the moderation process, detailed reasons for that adjustment should be recorded in the Tender Evaluation Report.

9. STAGE 3 – EVALUATION OF PRICING

If used, the Financial Adviser should prepare a report on each Tenderer's pricing to assist the Tender Evaluation Team undertake the evaluation of pricing set out below.

In undertaking an evaluation of price, the Tender Evaluation Team should satisfy itself that the prices offered are reasonable. Tenderers have agreed to provide access to such information in order for the Department to determine whether the price is reasonable.

The assessment of price will be undertaken by the Tender Evaluation Team to:

- (a) compare the prices submitted by each Tenderer on a consistent basis (this includes separating the different types of services or supplies and only comparing the prices within the group); and
- (b) determine the cost to the Department of each Tender over the term of the proposed Contract (including options).

In the Tender Evaluation Process, the Tender Evaluation Team may, at its absolute discretion, consider and, if necessary adjust prices in order to establish a common basis for the comparison of Tenders. Such adjustments may include, but are not limited to:

- (c) consideration of normalised and discounted cash flow;
- (d) cost of administration of the proposed Contract;
- (e) any assumptions or other caveats attaching to the price;
- (f) implementation and transition-out costs; and
- (g) other costs, if any, or financial impacts on the Department that may arise from selecting a particular Tenderer.

Discounted cash flow may be used to estimate the net present value of amounts in future years of the proposed Contract, with all assumptions on costs, interest rates and related factors to be determined solely at the discretion of the Tender Evaluation Team.

Each Tenderer from the public sector (if any) must demonstrate in its price that the requirements of competitive neutrality have been met, including payment of relevant taxes and charges, rates of return and costs of funds.

10. STAGE 4 – EVALUATION OF ECONOMIC BENEFIT OF THE PROCUREMENT TO THE AUSTRALIAN ECONOMY (IF APPLICABLE)

Paragraph 4.7 of the CPRs requires the Tender Evaluation Team to consider the economic benefit of the procurement to the Australian economy as part of their value for money assessment, for procurements above **\$4 million** for non-construction goods and services and above **\$7.5 million** for construction services. This assessment will require gathering appropriate information as part of the decision making process (see Schedule 3 of the RFT).

Paragraph 4.7 also apply to the process to establish a panel arrangement when the total value of orders under the arrangement is collectively estimated to be above the relevant thresholds referred above.

Paragraph 4.7 of the CPRs operates within the context of Australia's trade agreements. These agreements require officials to treat all potential suppliers equitably and not to be discriminated against due to their size, degree of foreign affiliation or ownership, location, or the origin of their goods or services.

Evaluation of the economic benefit to the Australian economy should be balanced with the efficient use of Australian government funds. For example, advantages of the production of a good or services in Australia may be outweighed by the cost of a similar good or services produced overseas.

What is included in economic benefit?

In general terms, benefits to the Australian economy result when the procurement:

- (a) makes better use of Australian resources that would otherwise be under-utilised (e.g. employing persons who would be otherwise under- or unemployed, utilising spare industrial capacity, or freeing government funds for other spending); or
- (b) otherwise increases productivity (e.g. adopting new know-how or innovation, or more people acquiring in-demand skills, or allowing resources to be allocated to sectors in which Australia has a comparative advantage).

An increase in productivity-enhancing technology development and adoption is also relevant to economic benefit, in matters such as:

- (c) research and development related activities and investments (including those undertaken with universities);
- (d) transfer of technology to Australian businesses;
- (e) Indigenous workforce participation;
- (f) use of goods and services from a business that provides services of persons with a disability;
- (g) traineeships or apprenticeships in areas of skills shortage; or
- (h) a positive effect on a supplier's international competitiveness (e.g. through greater efficiency or product innovation).

For consistency and efficiency, only direct effects to the Australian economy should be assessed. For example, officials may consider the economic benefit of employing unemployed people, but not second round effects of those employees buying additional goods and services because they are employed.

How can a supplier provide an economic benefit?

There are many ways that a supplier can provide an economic benefit to the Australian economy. Some examples include, but are not limited to:

- (i) competitive pricing;
- (j) building, leasing or procuring infrastructure that supports Australian communities;
- (k) providing skills and training that benefit Australian communities;
- (l) employing workers in Australia;
- (m) paying taxes in Australia;
- (n) the environmental benefit of the proposed solution to Australia, for example, low environmental impact through energy efficient inputs;
- (o) contributing to positive social outcomes in Australian communities;
- (p) using indigenous businesses;
- (q) using SMEs in delivering goods and services, such as a subcontractor or a supplier;
- (r) sharing knowledge, skills and technology with SMEs; and
- (s) using goods and services from a business that provides services of persons with a disability.

11. STAGE 5 – EVALUATION OF RISK

The Tender Evaluation Team's assessment of overall risk in respect of each Tender must take into account the risks posed by the Tenderer's Statement of Non-Compliance with the Draft Contract (at Schedule 4 of the RFT) and should, without limitation, take into account:

- (a) the Tenderer's information provided in response to Schedule 3 of the RFT;
- (b) compliance with Statement of Requirement (as evidenced by its response to Schedule 1);

- (c) the financial viability of the Tenderer;
- (d) risks identified as a result of the assessment of the Tender against the other Evaluation Criteria;
- (e) risks identified from sources other than the Tenderer;
- (f) compliance with regulations and regulatory frameworks; and
- (g) other risks identified during the evaluation of each Tender that have not been considered as part of another Evaluation Criterion.

The Tender Evaluation Team should assign and document an overall risk level to each Tenderer following Stage 5.

12. STAGE 6 – ASSESSMENT OF BEST OVERALL VALUE FOR MONEY

The Tender Evaluation Team will determine which of the Tenders (if any) is likely to be able to provide the services to the Department at the best overall value for money. The Department will not necessarily accept the Tender with the lowest price, or any Tender.

The final agreed scores from the Technical Evaluation Criteria, together with a consideration of the price, economic benefit to the Australian economy and risk Evaluation Criteria, will be used to determine best overall value for money.

Upon agreement of the Tender Evaluation Team as a whole as to the overall evaluation, a final Tender Evaluation Report will be prepared and submitted with appropriate recommendations to the Delegate for decision.

13. TENDER EVALUATION REPORT

The Tender Evaluation Team must prepare the Tender Evaluation Report in the form of Attachment D to be provided to the Delegate. Prior to being provided to the Delegate, the draft Tender Evaluation Report may be provided to the Probity Adviser and Legal Adviser for consideration and comment.

Where a Member or Members of the Tender Evaluation Team do not agree with any aspect of the Tender Evaluation Report they may submit a 'minority' report or reports on any aspect of the Tender Evaluation Process or the recommendations for consideration by the Delegate.

The Delegate may:

- (a) accept the Tender Evaluation Report and its recommendations and:
 - (i) arrange for the proposed Contract to be executed (subject to a letter of compliance with the *Workplace Gender Equality Act 2012* (Cth) being provided, if applicable); or
 - (ii) nominate a negotiator to negotiate particular issues and seek to achieve particular outcomes with the preferred Tenderer(s); or
- (b) request that the Tender Evaluation Team consider amendments to the Tender Evaluation Report that are designed to address deficiencies in the clarity or substantiation of recommendations in the Tender Evaluation Report; or
- (c) reject the recommendations in the Tender Evaluation Report; or

- (d) decide to terminate part or all of the RFT process in accordance with the RFT and the *Commonwealth Procurement Rules*.

Any decision by the Delegate to terminate the RFT process (or any part of the RFT process) must be supported by legal advice from the Legal Adviser.

The Chair will ensure that any decision and associated reasons provided by the Delegate is recorded and appropriately filed.

PART 5 – POST-EVALUATION PROCEDURES

14. NEGOTIATION WITH PREFERRED TENDERER(S)

In the event that negotiations are necessary with any Tenderer, the Delegate or a negotiator appointed by the Delegate (if not already appointed) will engage in negotiations with the preferred Tenderer(s). The Delegate or appointed negotiator must list the preferred outcomes to be achieved in the negotiations. Negotiations should be limited to issues approved by the Delegate and which have been identified in the Tender Evaluation Report, which may include but are not limited to:

- (a) negotiation of the scope of services;
- (b) the expertise of the providers of the services;
- (c) pricing;
- (d) any non-compliance with the Draft Contract;
- (e) other contractual and risk issues.

Where issues are likely to include contractual and risk issues advice should be sought from the Legal Adviser.

Negotiations can be conducted with more than one Tenderer (parallel negotiations).

The negotiations phase is a sensitive and critical stage. Negotiations must be conducted by the Delegate or the person nominated by the Delegate as a negotiator, assisted by the Legal Adviser and the Probity Adviser when required. Legal and probity advice may be sought by the negotiator as appropriate during this phase. Legal and probity advice must be obtained in relation to any parallel negotiations.

It is not permissible to conduct a “Dutch auction”, that is, telling one Tenderer another Tenderer’s price with a view to obtaining a lower price.

It is not permissible to disclose one Tenderer’s innovative idea to another Tenderer with a view to persuading the latter to include the idea.

It is permissible to invite best and final offers.

The Department may determine that a negotiation protocol or plan is required. A negotiation protocol or plan will be required where parallel negotiations are to occur.

The negotiator must ensure that all negotiation outcomes are summarised and, at the completion of negotiations, the negotiator must prepare a negotiation report for approval by the Delegate. A draft of this negotiation report may be provided to the Probity Adviser and Legal Adviser for consideration and comment prior to it being submitted to the Delegate for approval.

The negotiation report must include:

- (f) summaries of the negotiation process;
- (g) the outcomes of the negotiations against the outcomes approved by the Delegate;
- (h) details of any issues arising from the negotiations that may adversely impact on the value for money assessment previously approved by the Delegate;
- (i) recommendations to the Delegate regarding the selection of successful Tenderer(s), with supporting reasons; and
- (j) details of any issues that need to be dealt with during implementation or as future contract management issues.

The Delegate may:

- (k) approve or reject the recommendations in the negotiation report; or
- (l) require further negotiation, including further negotiation with any other shortlisted Tenderer(s); or
- (m) terminate the RFT process.

The Chair will ensure that any decision (and reasons) are recorded and appropriately filed. Any decision by the Delegate to terminate the RFT process and not award a Contract must be supported by legal advice from the Legal Adviser.

15. NOTIFICATION TO AND DEBRIEFING OF TENDERERS

Once a Contract has been executed by the successful Tenderer and the Department, the Department must notify all remaining Tenderers of the outcome of the Tender Evaluation Process.

All Tenderers must be offered the opportunity for a debriefing on their Tender.

Debriefs may be undertaken in person or via teleconference.

The Chair or his/her authorised representative and at least one other Member of the Tender Evaluation Team should provide the requested debrief. The Chair may consult with the Probity Adviser and the Legal Adviser before briefing unsuccessful Tenderers.

Specific comparisons with other individual Tenders should not usually be made, however, general overall statements of comparison, without specific reference to any other Tender may be made. Tenderers cannot be given any Confidential Information of the successful Tenderer (or any other Tenderer).

16. COMPLAINTS HANDLING

The Department requires all complaints to be in writing detailing all relevant issues. All complaints (including complaints made under the *Government Procurement (Judicial Review) Act 2018* (Cth)) will be handled in accordance with the Procurement Complaints Handling Policy.

If a complaint is received under the GPJR Act, the RFT process (including the evaluation process) may need to be suspended while a complaint is being investigated and resolved. Refer to the Procurement Complaints Handling Policy for further information.

PART 6 – GLOSSARY

Term	Definition
Advisers	means the Business Adviser (if any), Financial Adviser (if any), external Probity Adviser (if any), external Legal Adviser (if any) and any other persons or organisations who are appointed to provide advice which is related to the RFT process.
Chair	means the Chair of the Tender Evaluation Team.
Conditions for Participation	means the mandatory conditions (if any) identified in clause 11 of the RFT, and which a Tenderer must comply with in order to participate in the RFT process.
Confidential Information	means information (whether or not owned by the Commonwealth) that: <ul style="list-style-type: none"> (a) is by its nature confidential; or (b) the receiving party knows or ought to know is confidential, but does not include information which: <ul style="list-style-type: none"> (c) is or becomes public knowledge other than by breach of the Contract; (d) is in the possession of a party without restriction in relation to disclosure before the date of receipt; or (e) has been independently developed or acquired by the receiving party.
Contact Officer	means the person for all matters pertaining to this RFT process, as identified in clause 5 of the RFT.
Delegate	means the Delegate identified in clause 0 who carries out responsibilities identified in clause 0
Department	means the Department of Health and Aged Care.
Draft Contract	means the document attached as Schedule 6 to the RFT being the proposed <i>Contract</i> to be entered into between the Department and the successful Tenderer(s).
Essential Requirements	means the mandatory conditions (if any) identified at clause 13 of the RFT, and which a Tenderer must comply.
Evaluation Criteria	means the criteria set out in clause 19 of the published RFT that will be used to evaluate the Tenders.
Member(s)	means members of the Tender Evaluation Team and includes the Chair.
Minimum Content and Format Requirements	means those mandatory content and format requirements identified in clause 12 of the RFT, and which a Tenderer must comply with in order to participate in the RFT process.

Term	Definition
RFT	means the Request for Tender for the provision of Translation Services for Commonwealth Aged Care Providers and Recipients Health/23-24/E23-180224 , attached as Attachment A.
Technical Evaluation Criteria	means all Evaluation Criteria except Price, Economic Benefit to the Australian Economy and Risk.
Tender	means a response submitted by a Tenderer to the RFT.
Tenderer	means an entity that submits a Tender, and includes a potential Tenderer.
Tender Evaluation Plan	this plan as approved by the Delegate.
Tender Evaluation Process	the process of evaluating Tenders commencing at the Closing Time and completing on the execution of a Contract with a preferred Tenderer or the termination of the RFT process.
Tender Evaluation Team	the persons identified in clause 3.
Tender Evaluation Report	the report prepared by the Tender Evaluation Team as required by clause 13.

ATTACHMENT A - REQUEST FOR TENDER

ATM ID: Health/ ~~22-23/E23-180224~~ for the provision of: **Request for Tender (RFT) for Translation Services for Commonwealth Aged Care Providers and Recipients**

THIS DOCUMENT HAS BEEN RELEASED UNDER
THE FREEDOM OF INFORMATION ACT 1982
BY THE DEPARTMENT OF HEALTH AND AGED CARE

ATTACHMENT B - PROBITY PLAN

See E23-180224

THIS DOCUMENT HAS BEEN RELEASED UNDER
THE FREEDOM OF INFORMATION ACT 1982
BY THE DEPARTMENT OF HEALTH AND AGED CARE

**ATTACHMENT C - CONFLICT OF INTEREST DISCLOSURE AND
CONFIDENTIALITY STATEMENT – APS EMPLOYEES**

I have been asked to disclose any interests that I may have which might preclude me from undertaking my role as a Member of the Tender Evaluation Team, the Delegate or being otherwise involved in the evaluation or negotiation of Tenders to the Request for Tender being undertaken by the Department of Health and Aged Care for the procurement of **Health/22-23/E23-180224** for **Translation Services for Aged Care Providers and Recipients (Tender Process)**.

1. To the best of my knowledge and belief, I: (Print Name)
 - (a) have not had, do not have and am unlikely to have in the future, any relationship (whether professional, commercial or personal) with any of the tenderers or known likely tenderers, or their employees for this project or related bodies, such that:
 - (i) myself or an associate or member of my family stands to gain a benefit or advantage from the outcome of the Tender Process; or
 - (ii) I might not deal with a tender or a tenderer in an objective manner; or
 - (b) make the disclosures described below.
2. I am aware of the Department's requirement for probity in the Tender Process and if I subsequently discover that there is a relationship of a kind mentioned in paragraph 2 with any of the tenderers or known likely tenderers or their employees or related bodies, I will immediately report it to the Chair of the tender evaluation team or probity adviser.
3. I will also immediately report to the Chair of the tender evaluation team or probity adviser any contact that I have with any tenderer or known likely tenderers, or their employees or related bodies, which is not officially authorised, including any approach made to me in the way of a direct or implied offer of future employment or other benefit.
4. I will treat as confidential all tender evaluation and negotiation information in accordance with the request for tender documentation and keep secure all associated documentation to which I have access in accordance with the applicable probity plan. I will not disclose this information without the prior written authority of the Chair of the tender evaluation team.
5. I will immediately disclose any conflict that arises or breach that occurs subsequent to signing this declaration to the Chair of the tender evaluation team. In the event that the person making the disclosure is the Chair of the tender evaluation team or the delegate, the disclosure will be made to the probity adviser.

Signed: _____

Dated: _____

Witnessed: _____

Set out below or attach any other disclosure by the signatory, as required:

**CONFLICT OF INTEREST DISCLOSURE AND CONFIDENTIALITY
STATEMENTS – NON-APS EMPLOYEES**

THIS DEED POLL is made on _____ 2018 _____

BY:

_____ of _____

PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

(Confidant)

IN FAVOUR OF:

Commonwealth of Australia represented by the Department of Health and Aged Care (Commonwealth).

RE: RFT Translation Services for Aged Care Providers and Recipients - Health/23-24/E23-180224

BACKGROUND

A. The Commonwealth either:

(1) will engage or has engaged:

(a) the Confidant; or

(b) the Confidant's employer, principal, or the Confidant's contractor (as relevant),

to undertake work in relation to the approach to market; or

(2) will invite, or has invited, the Confidant to attend meetings convened by the Commonwealth or to otherwise participate in the approach to market,

which may require the Confidant to obtain, access or develop certain documents, material, data or other information about the Commonwealth, other commercial providers, and/or about policies, processes or methodologies employed by the Commonwealth and/or about natural persons.

B. The information to be provided by the Commonwealth or to be made available to the Confidant will include commercially confidential or Personal Information belonging to, or in the possession of, the Commonwealth.

C. The Confidant agrees that it is necessary to take all reasonable steps (including the execution of this Deed) to ensure that the confidential information and any Personal Information is kept confidential.

IT IS AGREED AS FOLLOWS:**1. Background**

The Confidant acknowledges the truth and accuracy of the Background in every particular.

2. Interpretation

2.1 The following definitions apply in this Deed unless the context otherwise requires.

"Confidential Information" means the kind of information about the approach to market that:

- (1) is or relates to documents, submissions, consultations, policies, strategies, practices and procedures of the Commonwealth which are by their nature confidential;
- (2) is notified (whether in writing or not) by the Commonwealth to the Confidant as confidential;
- (3) the Confidant knows or ought to know is confidential; or
- (4) is Personal Information;
- (5) is information that forms part of a person's bid or proposal as part of an approach to market, or relates to the assessment or outcome of such process;

but does not include information which:

- (6) is or becomes public knowledge other than by breach of this Deed;
- (7) has been independently developed or acquired by the Confidant; or
- (8) has been notified in writing by the Commonwealth to the Confidant as being not confidential.

"Deed" means this deed poll.

"Commonwealth" means the Commonwealth of Australia represented by the Department of Health and Aged Care.

"Personal Information" has the meaning given in the *Privacy Act 1988* (Cth).

2.2 In this Deed, unless the context otherwise requires:

- (1) words in the singular number include the plural and vice versa; and references to legislation or to provisions in legislation include references to amendments or re-enactments of them and to all regulations and instruments issued under the legislation;
- (2) clause headings are for convenient reference only and have no effect on the interpretation of the provisions to which they refer; and
- (3) a reference to a "person" includes a body corporate.

3. Non-disclosure of confidential information

- 3.1 The Confidant must not, at any time during or after undertaking activities associated with the approach to market, without the prior written consent of the Commonwealth, nor at any time after the expiration of this Deed, disclose the Confidential Information to any person nor remove the Confidential Information from the possession or premises of the Commonwealth.
- 3.2 The Commonwealth may grant or withhold its consent for purposes of **clause 3.1** in its absolute and unfettered discretion. If the Commonwealth grants its consent, it may impose conditions on that consent and the Confidant must comply with those conditions.
- 3.3 The Confidant will maintain strict confidentiality regarding the Confidential Information and will divert all attempted unauthorised communications to the Commonwealth representative named in **clause 15.2(1)**, where "unauthorised communications" mean communications entered into with the Confidant by a person who is not a Commonwealth employee and who is not directly engaged by the Commonwealth for the purpose of undertaking work in relation to the approach to market.
- 3.4 The obligations of the Confidant under this Deed will not be taken to have been breached where the Confidential Information is legally required to be disclosed.
- 3.5 The Confidant must immediately deliver to the Commonwealth all documents in their control containing the Confidential Information as soon as they are demanded by the Commonwealth

(whether in writing or not). If Confidential Information is stored on any electronic devices, the Commonwealth may direct that the Confidant permanently deletes the Confidential Information from those devices.

4. Restrictions on use

The Confidant will use the Confidential Information only for the purposes of undertaking the approach to market, and as otherwise directed by the Commonwealth.

5. Conflict of interest

The Confidant:

- (1) warrants that, except as notified in writing to the Commonwealth at the date of this Deed, no conflict of interest exists or is likely to arise in the performance of its role in relation to the approach to market and of its other obligations under this Deed; and
- (2) must not place itself in any position that may or does give rise to any risk of a conflict of interest between the Commonwealth and Confidant.

6. Management of conflicts of interest

- (1) The Confidant acknowledges that probity and the ongoing management of any potential conflicts of interest is a priority for the Commonwealth.
- (2) The Commonwealth may require the Confidant:
 - (a) at the time of executing this Deed, to honestly, fully and accurately complete a declaration as to its interests, in a form to the Commonwealth's satisfaction;
 - (b) update that declaration when there is any change in the Confidant's interests; and
 - (c) immediately notify the Commonwealth of any updated declaration.
- (3) If a conflict of interest or a risk of a conflict of interest arises, the Confidant must:
 - (a) immediately notify the Commonwealth in writing; and
 - (b) comply with any requirement that the Commonwealth imposes to eliminate or otherwise deal with that conflict or risk of conflict, which may include directing the Confidant not to participate in the approach to market, or not to undertake certain activities in relation to the approach to market.

7. Indemnity

- (1) The Confidant being a corporation will indemnify and keep indemnified the Commonwealth, its employees and agents in the event of all claims, costs and expenses made against any of them in respect of injury, loss or any damage suffered by any person as a consequence of the Confidant breaching this Deed, except to the extent to which a relevant claim arises out of the act or omission of the Commonwealth.
- (2) Individual Confidants are not required to provide an indemnity.

8. Injunctive relief and termination of engagement

- (1) The Confidant acknowledges that damages may not be an adequate remedy for the Commonwealth for any breach of this Deed, and that the Commonwealth is entitled to injunctive relief as a remedy for any breach, suspected breach or threatened breach of this Deed by the Confidant, in addition to any other remedies available at law or equity.

- (2) Notwithstanding **clause 8(1)**, if the Confidant breaches this Deed, the Commonwealth may, at its absolute discretion, suspend or terminate the engagement of the Confidant.

9. No exclusion of law or equity

This Deed must not be construed to exclude the operation of any principle of law or equity intended to protect and preserve the confidentiality of the Confidential Information.

10. Survival

This Deed will survive the expiration or termination of the provision of the approach to market.

11. No Waiver

- 11.1 No waiver by the Commonwealth of a breach of any obligation or provision in this Deed or implied will operate as a waiver of another breach of the same or of any other obligation or provision in or implied in this Deed.
- 11.2 None of the provisions in this Deed will be taken either at law or in equity to have been varied, waived, discharged or released by either party unless by its express consent in writing.

12. Remedies cumulative

- 12.1 The rights and remedies provided under this Deed are cumulative and not exclusive of any rights or remedies provided by law or any other such right or remedy.
- 12.2 Subject to the other covenants of this Deed, the rights and obligations of the parties pursuant to this Deed are in addition to and not in derogation of any other right or obligation between the parties under any other deed or agreement to which they are parties.

13. Variations

No term or provision of this Deed may be amended or varied unless by deed and signed by both parties.

14. Governing law

This Deed is governed and construed in accordance with the law for the time being in force in the Commonwealth and the parties submit to the non-exclusive jurisdiction of the Courts of the Commonwealth.

15. Notices

- 15.1 Any notice, or other communication required or otherwise to be given or sent to the Commonwealth or to the Confidant under this Deed must be in writing and will be deemed to have been received:

- (1) if delivered by hand, on delivery;
- (2) if sent by prepaid mail, on the expiration of 2 days after the date on which it was so sent;
- (3) if sent by electronic mail, on the other party's acknowledgement of receipt by any means.

to the address or email address set out in **clause 15.2**, or such other address or email address as may be notified by a party to the other from time to time.

- 15.2 Addresses of the Commonwealth and the Confidant for the purpose of providing notice under this Deed are as follows:

- (1) for the **Commonwealth**:

Name: _____

Position: _____

Address: _____

Email: _____

(2) for the **Confidant**:

Name: _____

Position: _____

Address: _____

Email: _____

EXECUTED as a deed poll

SIGNED by _____)

)

)

)

PRINT NAME OF CONFIDANT IN FULL

)

Signature of Confidant

in the presence of:

)

)

Signature of witness

Date

Name of witness

ATTACHMENT D – TENDER EVALUATION REPORT

1. Under clause 0 of the Tender Evaluation Plan, the Tender Evaluation Team must prepare a Tender Evaluation Report which includes the following:
 - (a) an executive summary with recommendations for the:
 - (i) appointment of preferred Tenderer(s) and the approach to negotiations (if necessary);
 - (ii) RFT process to be terminated; or
 - (iii) taking of some other action by the Delegate;
 - (b) a summary of the Tender Evaluation Process;
 - (c) a description of the RFT process followed, including any industry briefing, the issuing of addenda or clarification questions;
 - (d) advice whether the RFT process was conducted in accordance with Departmental purchasing/procurement procedures and, in particular, that all relevant approvals have been obtained in relation to the RFT process;
 - (e) advice whether the Probity Adviser (if used) has reviewed the conduct of the RFT process and “signed off” on process issues;
 - (f) advice whether the Legal Adviser (if used) has reviewed the Tender Evaluation Report and “signed off” as to compliance with the legal aspects of the RFT process;
 - (g) advice whether other Advisers (if used) have “signed off” on areas within their responsibility;
 - (h) disclosure of any actual or potential conflicts of interest of any Tender Evaluation Team member and how it was managed;
 - (i) identification of actual or potential conflicts of interest by any of the Tenderers;
 - (j) identification of risks associated with each Tender together with any risk management strategies proposed for risks identified for the preferred Tenderer(s);
 - (k) a summary of the assessment of each Tender;
 - (l) reasons for why any Tender was excluded from evaluation or further evaluation;
 - (m) ranking of Tenderers;
 - (n) reasons for the making of the recommendations to the Delegate; and
 - (o) details of any issues that need to be resolved during subsequent negotiations (if any).
2. The Tender Evaluation Report must include copies of, or immediate access to, all of the relevant reports and records referred to in it.

ATTACHMENT E – PRO FORMA TENDER EVALUATION SCORE SHEET

Tenderer:

Evaluation Team Member:

Date:

THIS DOCUMENT HAS BEEN RELEASED UNDER
THE FREEDOM OF INFORMATION ACT 1982
BY THE DEPARTMENT OF HEALTH AND AGED CARE




ATTACHMENT F – PROPOSED SCORING SCALE AND WORD DESCRIPTIONS

3. Scoring of the technical (non-price) Evaluation Criteria will be done on an eleven-point scale (10 highest, 0 lowest) and a word description (Exceptional down to Non-compliant) as set out below:

Score	Description	Definition
10	Exceptional	Requirements significantly exceeded in all areas. Claims are fully substantiated.
9	Outstanding	Requirements are exceeded in most key areas and addressed to a very high standard in others. Most Claims are fully substantiated with others very well substantiated.
8	Very Good	Requirements met to a very high standard in all areas. All claims are well substantiated.
7	Good	Requirements met to a high standard in all areas. Claims are well substantiated in key areas.
6	Fair	Requirements are addressed well in all areas. Claims are well substantiated in most areas. Some minor shortcomings.
5	Acceptable	Requirements addressed to a consistent acceptable standard with no major shortcomings. All Claims are adequately substantiated. Some proposals may be questionable.
4	Marginal	Requirements not fully met. Some claims unsubstantiated; others only adequate. Some proposals may be unworkable.
3	Poor	Requirements poorly addressed in some areas or not at all. Claims largely unsubstantiated. A number of proposals may be unworkable.
2	Very Poor	Requirements inadequately dealt with in most or all areas. Claims almost totally unsubstantiated. A number of proposals may be unworkable.
1	Unacceptable	Specification requirements not met. Claims unsubstantiated and unworkable.
0	Non-compliant	Tenderer completely failed to address, or refused to provide a response.

ATTACHMENT G – RISK ASSESSMENT MATRIX

The following table can be used to assist in determining the risks presented by Tenderers.

 Australian Government Department of Health			RISK ASSESSMENT MATRIX				
Date Approved:			Likelihood				
			Rare	Unlikely	Possible	Likely	Almost Certain
General description of Consequences			Exceptional circumstances only	Not expected to occur	Could occur at some time	Will probably occur in most circumstances	Expected in most circumstances
Consequence  	Would stop achievement of functional goals/objectives	Severe	High	High	Extreme	Extreme	Extreme
	Would threaten functional goals/objective(s)	Major	Medium	Medium	High	High	Extreme
	Requires significant adjustment to overall function to achieve objective(s)	Moderate	Medium	Medium	Medium	High	High
	Would threaten an element of the function and would require some adjustment to achieve objective(s)	Minor	Low	Medium	Medium	Medium	High
	Lower consequence to achievement of objectives.	Insignificant	Low	Low	Low	Medium	Medium



Commitment Approval Minute

To: Emma Gleeson
A/g First Assistant Secretary
Market and Workforce Division

COMMITMENT APPROVAL TO ENTER INTO NEGOTIATIONS WITH Think HQ Pty Ltd for TRANSLATION SERVICES FOR COMMONWEALTH AGED CARE PROVIDERS AND RECIPIENTS
Procurement ID: RFT Health/E23-180224

RECOMMENDATIONS:

APPROVE commencement of negotiations with Think HQ Pty Ltd as the preferred supplier for the provision of translation services for Commonwealth Aged Care Providers and Recipients.	<u>APPROVED</u> / NOT APPROVED
SIGN the letter to the preferred supplier notifying them of our wish to enter into negotiations (Attachment A).	<u>SIGNED</u> / PLEASE DISCUSS
APPROVE expenditure for a total of up to \$52.8 million (GST inclusive) under Section 23(3) of the <i>Public Governance, Performance and Accountability Act</i> to allow pricing to be discussed in negotiations.	<u>APPROVED</u> / NOT APPROVED
NOTE the Indigenous Procurement Policy mandatory set-aside does not apply to this procurement (Attachment B).	<u>NOTED</u> / PLEASE DISCUSS
NOTE the approved Evaluation Report (Attachment C).	<u>NOTED</u> / PLEASE DISCUSS
NOTE the Pricing Assessment Table (Attachment D).	<u>NOTED</u> / PLEASE DISCUSS
NOTE the Expert Advisors Report at Attachment E .	<u>NOTED</u> / PLEASE DISCUSS
NOTE PAS endorsement of the RFT package at Attachment F .	
CONFIRM the information provided in this commitment approval has fully addressed the Delegate's Checklist before exercising a delegation to approve the commitment of funds - PGPA Act Section 23 (3) - or enter into an arrangement - PGPA Act Section 23 (1). Delegates need to assure themselves that the procurement is compliant and documented.	<u>CONFIRMED</u> / PLEASE DISCUSS
NOTE the draft contract published in the Request for Tender will be sent to Think HQ Pty Ltd to assist negotiations upon your approval of this minute.	<u>NOTED</u> / PLEASE DISCUSS

Prepared by:

.....
s47E(c), s47F
A/g Director
Diversity and Inclusion Section
30 / 01 / 2024

s47F
.....
Emma Gleeson
A/g First Assistant Secretary
Market and Workforce Division
30 / 01 / 2024

1. BACKGROUND/CONTEXT

An evaluation of RFT Health/E23-180224 submissions for the *PROVISION OF TRANSLATION SERVICES FOR COMMONWEALTH AGED CARE PROVIDERS AND RECIPIENTS* has been undertaken.

The evaluation is the culmination of:

- A Procurement Plan approved by Rob Day on 8 November 2023
- A Tender Evaluation Plan approved by Rob Day on 8 November 2023
- The RFT released on 10 November 2023
- Submissions closed on 19 December 2023

An Evaluation Team was established to evaluate the tenders against the published selection criteria. The Team consisted of:

s47E(c), s47F – Committee Chair

s47E(c), s47F – Contact Officer/Evaluation Committee Member

s47E(c), s47F - Evaluation Committee Member

s47E(c), s47F - Evaluation Committee Member

s47E(c), s47F – Pricing Evaluation Assessor (**Attachment D**)

The panel also engaged **Mary Ann Baquero Geronimo**, CEO, Federation of Ethnic Communities' Councils of Australia (FECCA) as an expert advisor on translation quality assurance processes. Mary Ann's report is at **Attachment E**.

2. PROCUREMENT METHOD

This procurement was conducted using an Open Tender market approach. The requirements of Divisions 1 and 2 of the Commonwealth Procurement Rules (CPRs) have been applied.

3. INDIGENOUS PROCUREMENT POLICY - MANDATORY SET-ASIDE (MSA)

The IPP Mandatory Set-aside does not apply to this procurement (**Attachment B**).

4. OUTCOME OF EVALUATION / VALUE FOR MONEY

The Evaluation Team recommends that Think HQ be selected as preferred tenderer. Further detail is in the Evaluation Report at **Attachment C**.

5. TIMEFRAME

The contract term will commence upon execution until 30 June 2028. The contract allows for two optional extensions of 1 year duration. Any extension of the services contract will be at the sole discretion of the Commonwealth and subject to a separate commitment approval.

6. CONTRACTUAL ARRANGEMENT

The preferred Supplier will be provided with the draft contract that was published in the RFT. If negotiations achieve an agreed position between the Commonwealth and the preferred supplier, a contract will be drafted for signing by both parties. If the negotiations fail to meet an agreed position, the second and, if required, the third highest ranked tenderers will be approached.

Advising unsuccessful suppliers

Unsuccessful compliant submissions will be advised when a contract has been executed with the successful supplier.

Contract Manager

The nominated Contract Manager for this arrangement will be the s47E(c), s47F, **Diversity and Inclusion Section, Dementia, Diversity and Design Branch**. The nominated Contract Manager will monitor compliance with all aspects of the contract in line with the [CONTRACT MANAGEMENT PLAN](#).

7. EXPENDITURE APPROVAL AND FUNDS AVAILABILITY

The cost to the Department for the services is up to \$48,000,000.00 (GST Exclusive), \$52,800,000.00 (GST inclusive). This is within your delegation limit under the Accountable Authority [Financial Delegations](#) Schedule 1, Table 1, Item 2, to approve proposals to commit relevant money up to \$100,000,000.00.

The Finance Business Partner has confirmed that funds will be made available from the nominated Administered Cost Centre s47E(d)

8. STAKEHOLDER CONSULTATION

Endorsement by Procurement Advisory Services

The procurement process has been undertaken in accordance with the Department's Procurement Process and the *Commonwealth Procurement Rules* (CPR). Procurement Advice Service (PAS) has provided endorsement to this document package (**Attachment F**).

9. GENERAL

Risk Management

The risk profile developed as part of the Procurement Plan has been reviewed. The risk profile remains **Low**.

Internal Reporting Requirements

Under the Department's Procurement Processing and Management policy, contracts must be registered within 5 business days of execution.

External Reporting Requirements

If negotiations are successful, the contract, once signed, will be reported on the Department's website in accordance with the Senate Order requirements of July 2001 (Murray Motion). As the contract is valued over \$10,000 it will be reported on AusTender within 42 days of entering into the contract, in line with the Commonwealth Procurement Rules (Division 1, Item 7, Reporting arrangements).

Documentation

The documentation is held on TRIM File **PH23/18968**. All relevant documentation leading up to the contract has been filed in accordance with [Corporate Business Rule 2: Information Management and Record Keeping](#).

10. COMPLIANCE WITH FINANCIAL AND PROCUREMENT POLICIES

This procurement was conducted in accordance with the Department's financial and procurement policy framework ([Delegate's Checklist](#)).

Attachments:

- Attachment A – Letter of Offer to enter into negotiations
- Attachment B – IPP
- Attachment C – Evaluation Report
- Attachment D – Pricing Report
- Attachment E – FECCA Advisory Report
- Attachment F – PAS Endorsement of Procurement process



Indigenous Procurement Policy (IPP) Checklist

Request for Tender (RFT) for the Provision of Translation Services for Commonwealth Aged Care Providers and Recipients

The Department of Health and Aged Care must comply with the [Indigenous Procurement Policy](#). The IPP includes two policy elements in the form of:

1. a **mandatory set-aside** has been established (MSA) that gives Indigenous SMEs the chance to demonstrate value for money, before the procuring officer makes a general approach to the market. At Health, this mandatory set-aside applies to all remote procurements and all other domestic procurements where the estimated value of the procurement **at, or under \$200,000 (GST inclusive)**, excluding procurements to which paragraphs [2.6](#) and [10.3](#) of the CPRs apply, procurements through a Whole-of-Government arrangement, and procurements where the purchase is made using an exemption to [Appendix A](#) of the CPRs.
2. **mandatory minimum requirements (MMR)** that include Indigenous participation targets mandated in high value contracts wholly delivered in Australia valued above \$7.5 million in [specified industry categories](#).

Section 1 - Mandatory Set-aside (MSA)

Q1. Is your procurement being conducted under any of the following circumstances:

- [Mandatory Whole of Government Arrangement](#)

Enter the details of the arrangement: [insert SON and panel title]

- [10.3 \(Conditions for limited tender\)](#)

Enter the condition (e.g.: 10.3.d.iii): [insert condition]

- [Appendix A – Exemptions from Division 2](#)

Enter Appendix A Exemption that applies: [insert exemption]

- [2.6: necessary for the maintenance or restoration of international peace and security, to protect human health, for the protection of essential security interests, or to protect national treasures of artistic, historic or archaeological value](#)

Approved by Accountable Authority (the Secretary): [insert TRIM #]

Yes ☐ No ☒

If you answered "YES" to Q1 and provided required details, the MSA does not apply. Proceed to **Section 2**.

Q2. Is the procurement valued at, or under \$200,000 (GST inclusive)?

As a Supply Nation Member, our Department has [committed](#) on a best endeavours basis to identify and/or create business opportunities for Supply Nation certified Indigenous suppliers. Hence, the mandated threshold for procurements valued at, or under \$200,000 (this valuation should also include any possible extension options). Please search for Indigenous suppliers on [Supply Nation](#).

Yes ☐ No ☒

Q3. Will the majority (by value) of the goods/services be delivered in [remote areas](#)?

Yes ☐ No ☒

If you answered "NO" to both Q2 and Q3, the Mandatory Set-aside does not apply. Proceed to **Section 2**.

If you answered "YES" to either Q2 or Q3, the Mandatory Set-aside applies and you must conduct a search for a suitable Indigenous supplier on [Supply Nation](#) and document the outcomes of that search in your [Procurement Plan](#). Proceed to **Section 2**.

Section 2 – Mandatory Minimum Requirements (MMR)

Is the procurement valued over \$7.5m (GST inclusive) and the majority of the value falls within one of the highlighted industry categories [here](#)?

Yes ☐ No ☒

If "YES" MMR clauses are required in your Approach to Market and contract documentation. Please contact [Procurement Advisory Services](#).



Updated September 2021

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BY THE DEPARTMENT OF HEALTH AND AGED CARE



Australian Government

Department of Health and Aged Care

RFT/RFQ EVALUATION REPORT

REQUEST FOR TENDER FOR THE PROVISION OF TRANSLATION SERVICES FOR COMMONWEALTH AGED CARE PROVIDERS AND RECIPIENTS

RFT/RFQ Health/E23-180224

(TRIM Reference: E23-180224)

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Delegate's approval of this Tender Evaluation Report:

Name: Emma Gleeson

Position: A/g FAS, Market and Workforce

Division _____

☐ Approved ☐ Not approved

(please note any comments/conditions)

Signature: _____

Date **01**

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1. INTRODUCTION

a. Background

This is a report on the evaluation of RFT Health/E23-180224 for *THE PROVISION OF TRANSLATION SERVICES FOR COMMONWEALTH AGED CARE PROVIDERS AND RECIPIENTS*

The evaluation is the culmination of:

- A Procurement Plan approved by Rob Day on 8 November 2023
- A Tender Evaluation Plan approved by Rob Day on 8 November 2023
- The RFT released on 10 November 2023
- Submissions closed on 19 December 2023 with the guidance of the Approach to Market Coordinator.

b. Purpose

This report seeks approval of the recommendations outlined in **Section 5 - Recommendations**.

2. MANAGING THE TENDERING PROCESS

a. Tendering Process

Over the period open for submissions:

- A total of 10 suppliers registered and downloaded the documentation from AusTender;
- 83 requests for clarification were received;
- 0 individually addressed clarification was issued; and 83 clarification questions were issued to the entire field of suppliers;
- 5 Formal Addenda were drafted and posted to AusTender;
- Copies of all communications during this period are retained on TRIM E23-180224.

b. Submissions Received

10 submissions were received electronically via AusTender by Procurement Advice Services (PAS) at the closing time.

c. Screening and Compliance Issues

Of the submissions registered at closing, 0 were excluded from evaluation on the basis of failing to meet:

- Conditions for Participation (0 excluded);
- Minimum Content and Format Requirements (0 excluded); and
- All of the Essential Requirements (0 excluded).

d. Variations from the Evaluation Plan

There were changes to the evaluation panel members due to one panel member that was to undertake secretariat, s47E(c), s47F, needing to work on another project; and one panel member, s47E(c), s47F; having a family emergency so she needed to withdraw. The panel members who assessed the submissions were s47E(c), s47F and s47E(c), s47F, with secretariat assistance from s47E(c), s47F who analysed the pricing.

e. Integrity and Probity Issues

The documentation has been endorsed by the Procurement Advice Service (PAS), who have not identified any issues.

f. Conflict of Interest Issues

s47E(c), s47F

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All Tender Evaluation Personnel, including the TEC and advisers participating in this RFT process have signed Conflict of Interest (COI) forms and confidentiality statements, which are saved on TRIM at E23-407887.

g. Evaluation Team

The Evaluation Team consisted of:

Name	Position Title	Branch and Division / Organisation	Role
s47E(c), s47F	Director	Dementia, Diversity and Design Branch/ Market and Workforce Division	Chair

s47E(c), s47F	Assistant Director	Dementia, Diversity and Design Branch/ Market and Workforce Division	Panel member/contact officer
s47E(c), s47F	Departmental Officer	Dementia, Diversity and Design Branch/ Market and Workforce Division	Panel member
s47E(c), s47F	Departmental Officer	Aged Care Workforce Branch/Market and Workforce Division	Panel member

3. DETAILED EVALUATION

47E(b)

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4. VALUE FOR MONEY ASSESSMENT

Achieving value for money is the core rule of the CPRs. Officials responsible for a procurement must be satisfied, after reasonable enquiries, that a procurement achieves a value for money outcome. When conducting a procurement, officials must consider the relevant financial and non-financial costs and benefits of the submission including, but not limited to:

- The quality of the goods and services
- Fitness for purpose of the proposal
- The potential supplier's relevant experience and history
- Flexibility of the proposal (including innovation and adaptability over the lifecycle of the procurement)
- Environmental sustainability of the proposed goods and services; and
- Whole-of-life-costs.

A Value for Money (VFM) assessment was conducted and the findings of this analysis are outlined below.

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5. RECOMMENDATIONS

a. Engage a Supplier

The Evaluation Team recommends that:

- The Department enter into negotiations with Think HQ Pty Ltd as the preferred tenderer to discuss the following points:

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Name	Role	Signature	Date
s47E(c), s47F	Evaluation Committee Member	s47E(c), s47F	19/01/2024
s47E(c), s47F	Evaluation Committee Member	s47E(c), s47F	19/01/2024
s47E(c), s47F	Evaluation Committee Member	s47E(c), s47F	19/01/2024

6. DECLARATION BY THE CHAIR OF THE EVALUATION TEAM

- I certify that this report accurately reflects the conduct of the evaluation process and the conclusions of the tender evaluation team members. The project file TRIM E23-180224 contains endorsement of the tender evaluation team members to this report and recommendation.
- The evaluation criteria in the approved Evaluation Plan was replicated to match the Request for Tender (RFT) documentation.
- Submissions received were evaluated strictly in accordance with the approved Evaluation Plan, using the approved evaluation criteria.
- This Evaluation Report has been examined by Procurement Advice Services (PAS) and any comments have been incorporated.

s47E(c), s47F

Signature

Name:

s47E(c), s47F

Position:

Evaluation Committee Chair

Date: 30 January 2024

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BY THE DEPARTMENT OF HEALTH AND AEL CAPE

Tender for the Provision of Translation Services for Commonwealth Aged Care Providers and Recipients

Assessment of Quality Control Mechanisms

Assessed by: Mary Ann Baquero Geronimo, CEO, FECCA

Overarching feedback / insights

1. FECCA has collaborated in various initiatives with the following tender participants:
 - a. Language Loop – conference sponsor; current CEO of Language Loop was previous CEO of ECCV (FECCA member in Victoria)
 - b. LOTE – conference sponsor; FECCA team actively participated in the initial stages of its advisory group for aged care translation services together with ICON Agency
 - c. Ethnolink – conference sponsor; translator for EnCOMPASS materials; FECCA CEO will speak in its webinar in February which was arranged before CEO confirmed as an assessor
 - d. s47G [REDACTED]
 - e. 2M & Polaron (partners of Icon Agency) – conference sponsors
 - f. Icon Agency – FECCA team actively participated in in the initial stages of its advisory group for aged care translation services together with LOTE
2. Language support is a major pillar in FECCA's submission to the Multicultural Framework Review and one of the key initiatives will be a review on communities' access to language support services. Fundamental to this would be the tendering process and engagements to build awareness of the services across all government agencies.
3. This assessment did not aim to choose a top tender but to summarise what each tender is offering as their quality control mechanism. The comments highlight information that may be missing or are inadequate. There are also discussions / insights for areas where FECCA has more knowledge because of its involvement.
4. Lastly, the recommendations below are more crucial as FECCA's aim is to ensure the success of a program that plays a critical role to achieving access and equity in aged care.

Recommendations:

1. Some of the tenderers have claimed access to or have networks of community groups across the country that could help them with co-design and community review. However, many, if not, most of them have been relying on FECCA's networks, that of other peaks, and community-based organisations to conduct outreach and disseminate information. However, many of these organisations felt that supports provided do not reflect value of their work. It is critical that Department highlight this to successful tenderer.
2. It is important that successful tenderer implement co-design and Community Review or Community Testing as SOP, a critical quality control mechanism for key documents for each language.

3. FECCA has both facilitated and participated in various community review processes. In many cases, language service providers and their translators would not take on the suggested revisions from communities. Department and successful tenderer need to have a guideline on how to resolve such situations otherwise there is no value to having community input.
4. To ensure credibility of community reviews / testing, it is best that successful tenderer engage independent / third party community-based stakeholders.
5. For languages that do not have NAATI-certified local translators or professionals with language-related degrees, Department and successful tenderer need to be open to collaborating with community members and follow a capacity building approach to assist potential community member/s in acquiring certification.
6. A higher proportion of resources needs to be invested in community outreach, including support for community organisations, instead of above-the-line strategies e.g. media placements. Costs of advertising over radio and newspapers are high but the ROI is often low as COVID-19 experience has shown.
7. For a program of such magnitude, an advisory body should be mobilised (peaks, PICACs, service providers etc) to advice on quality control mechanisms, language selection, appropriate engagement strategies etc.

Summary of assessment

s47, s47E(b)

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s22

From: s47E(d)
Sent: Monday, 29 January 2024 2:32 PM
To: s47E(c), s47F, s22
Cc: s47E(c), s47F
Subject: RE: Take 2 - revised RFT package for review [SEC=OFFICIAL] CCEMS:07360002422
Attachments: Commitment to Engage Think HQ Ltd. Ptd. Approval Minute - PAS29012024AR.docx

Importance: High

Hi s47E(c),
s47F

Please see minor change within the minute only, no other changes suggested.

Once change actioned, cleared to proceed.

Kind regards,

s22

Snr Adviser

Procurement Advisory Services

Financial Management Division | Corporate Operations Group
 Australian Government Department of Health and Aged Care
 T: 02 6289 s22 | E: s47E(d) @health.gov.au
 GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health and Aged Care acknowledges First Nations peoples as the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to all Elders both past and present.

To ensure prompt responses, please address any replies to this inbox and not to personal inboxes.

----- Original Message -----

From: s47E(c), s47F @health.gov.au>;
Received: Wed Jan 24 2024 18:28:06 GMT+1100 (Australian Eastern Daylight Time)
To: s22 @health.gov.au>; s47E(d) @health.gov.au>; s22 @health.gov.au>; s47E(d) @health.gov.au>;
Cc: s47E(c), s47F @health.gov.au>;
Subject: Take 2 - revised RFT package for review [SEC=OFFICIAL]

Sorry s22

Just realised I hadn't actioned your last advice to specifically add in the points for negotiation into the evaluation report.

Please review attached material rather than the docs in the previous email.

Thanks again

s47E(c),
s47F

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Tender Evaluation - [TENDERER]		Criterion A /35		Criterion B /30		Criterion C /35		Total /100	0
Clause	Requirement	Criterion A - Reference	Rating (A)	Criterion B - Reference	Rating (B)	Criterion C - Reference	Rating (C)		
SOR 1.3	The successful Tenderer will be required to provide the Services in a culturally appropriate and safe manner.								
SOR 1.4	The successful Tenderer will be required to create translated products, including (a) written information; (b) audio; and (c) audio and captioning for videos, to communicate key provider-specific in scope information and aged care material from Eligible Material.								
SOR 1.6	The successful Tenderer will be required to:								
(a)	(a) monitor requests and total funding equitably to ensure quality and assurance over how the program funding is spent and equity in access for users;								
SOR 1.6	(b) undertake Program promotional activities, including working with the Department's internal communication team, to promote use and full expenditure of the Program funds;								
SOR 1.6	(c) until transition stage 2 is achieved, manage the translation email inbox, including the online submission process and provide an initial response to requests within 48 hours of receipt via email within business working hours, Monday to Friday;								
SOR 1.6	(d) from acceptance of transition stage 2, manage the Translation Website and Translation Support Line, including the online submission process and provide and initial response to requests within 48 hours of receipt via email within business working hours, Monday to Friday;								
SOR 1.6	(e) work with the Department to access and manage an internal Department email inbox for incoming translation requests;								
SOR 1.6 (f)	establish a SharePoint site, or similar management tool approved in writing by the Department, to manage incoming and outgoing translation requests;								
SOR 1.6	(g)(i) assess all incoming requests for translation services received through the translation email inbox or Translation Website (as relevant) including to assess whether each request meets:								
	i. the requirements of the Contract (if any), including any approved plans or procedures;								
SOR 1.6	(g)(ii) ii. the eligibility requirements for the Program (as specified: Eligibility checklist Diversity Aged Care – Aged Care Translation (health.gov.au) including as further described in sections 2, 3 and 4;								
SOR 1.6	(g)(iii) iii. the requirements that the language that is requested to be translated into is one of the languages included in Appendix A to the Statement of Requirement or another language approved in writing by the Department;								
SOR 1.6	(g)(iv) iv. the intention of the Program which is to ensure aged care recipients receive information about their care in their preferred language and are supported to make informed decisions about the aged care they receive;								
SOR 1.6	(g)(v) v. the requirement that each request is reasonable and demonstrates value for money including assuring that the translation request is meeting existing need. This may require the successful Tenderer to liaise with the requesting Eligible Body to clarify the need/demand for the requested material to ensure program funds are not used to translate material that is not required;								
SOR 1.6	(h) work with the relevant Eligible Body to understand the requirements of the request, if required;								
SOR 1.6 (i)	discuss and require changes and refinements to requests where required to ensure that the Services provide value for money for the Department and meet a need in the community or facility;								
SOR 1.6 (j)	consider translation requests between different Eligible Bodies to ensure equitable access within the program funding limits;								
SOR 1.6	(k) notify the body requesting the translation whether or not their request meets the eligibility requirements for the Program;								
SOR 1.6	(l)(i) if the request meets the requirements of the Program;								
	i. translate the Eligible Material into the requested language (which must be one of the languages specified in Appendix A or another language approved in writing by the Department);								
SOR 1.6	(l)(ii) ii. make the translated product accessible to the Eligible Body via SharePoint or similar management tool approved by the Department in writing;								
SOR 1.7	(a) The successful Tenderer and its personnel will be required to meet Departmental IT security requirements, including those set out in the Contract (if any). Police checks:								
	(a) will be required of Personnel requiring access to a departmental inbox; and								
SOR 1.7	(b) may be required of other Personnel. Where this is required, the Department will notify the successful Tenderer in writing.								
SOR 4.1	The successful Tenderer will be required to monitor and manage the number of value of requests received in a quarter and overall program administration costs.								
SOR 4.2	Despite meeting other eligibility criteria, the successful Tenderer must not provide translation services to Eligible Bodies where the translation services requested will exceed the following financial limits and thresholds unless approved unless approved in writing by the Department:								
SOR 5.1	The successful Tenderer will be required to implement and effect transition of the Services from the Department's current supplier to it in an orderly and timely manner and so as to achieve: (a) acceptance of transition stage 1 by 1 March 2024; and (b) acceptance of transition stage 2 by 1 May 2024.								
SOR 5.2	The successful Tenderer will be required to work with the Department's current supplier (if different from the successful Tenderer) over a period of approximately four weeks from 1 February 2024 to ensure the smooth transition of existing services.								
SOR 5.3	(a) The successful Tenderer will be required to prepare the following documents by the following timeframes for the Department's approval:								
	a) Transition in Plan – addressing details of transition including how the existing services will be transitioned to the successful Tenderer, including how transition from current website to Translation Website and current 1800 support line to the Translation Support Line will occur and timeframes, sector communications, jobs in progress;								
SOR 5.3	(b) Project Plan – outlining the key dates, milestones, deliverables, and provides a risk management plan;								
SOR 5.3	(c) Standard operating procedures – outlining key staff roles and responsibilities, tasks, timeframes, standards, quality control mechanisms and ongoing continuous improvement strategies to be adopted in providing the Services.								
SOR 5.4	During transition, weekly meetings will be held with the Department, the successful Tenderer and existing supplier to support this process.								
SOR 6.1	All Services will be required to be provided in a professional, accurate and responsive way to assist Eligible Bodies to have Eligible Documents translated and audio and captioning for videos translated, to improve communications with aged care recipients.								
SOR 6.2	The successful Tenderer is required to translate the Eligible Material provided by an Eligible Body into one of the languages set out in Appendix A or another language approved by the Department in writing and provide the translated product in the same format as the current product.								
SOR 6.3	The Department expects that more complex documents will require backtranslation. Complex documents comprise approximately ten percent of overall requests.								
SOR 6.4	Translation services are required to meet the standards specified in section 10 and to be provided by culturally appropriately qualified personnel. The successful Tenderer will be required to have appropriate quality assurance mechanisms in plan to ensure the specified standards are met.								

SOR 7.1	The successful Tenderer will be required to establish a translation information/support line to assist Eligible Bodies to effectively access the translation services. The translation support line will be required to fulfil the functions as identified in sections 7.2 and 7.3						
SOR 7.2	The successful Tenderer will be required to maintain, operate and manage the Translation Support Line to assist Eligible Bodies to effectively access the translation service.						
SOR 7.3	The assistance that the successful Tenderer may be required to provide could include assisting providers to: (a) upload documents; (b) populate the request for translation form; (c) navigate the SharePoint site or similar management tool approved in writing by the Department; and (d) access the final translated document.						
SOR 7.4	The Translation Support Line must be available to assist users from Monday to Friday during business hours. The Department will provide further information in relation to the required Translation Support Line to the successful Tenderer as part of transition.						
SOR 8.1	The successful Tenderer will be required to establish a Departmental translation webpage to be published at diversityagedcare.health.gov.au . The Translation Website must meet be compliant with the Department's selected platform – GovCMS and website protocols.						
SOR 8.2	The successful Tenderer will be required to maintain, operate and manage Translation Website to ensure currency, ease of use and accuracy through monthly revisions and updates (as needed) compliant with the Department's selected platform – GovCMS and website protocols.						
SOR 8.3	The website will be required to provide: (a) general information about the translation service; (b) what entities are eligible and what documents are eligible for translation; and (c) access to the online translation request form.						
SOR 9.1	The successful Tenderer will be required to provide a written report to the Department on a monthly basis and provide program and demographic reports that will comprise: (a) written updates to the Department on the program activity; (b) key demographics including size of provider, cost, description of translation, location (state and rurality) of jobs; (c) reporting on key data as required by the Department, including number of translations categorised by size and remoteness and other data to enable an analysis of uptake and demographics gaps; and (d) for every third monthly report, itemised trimonthly invoices in accordance with the Contract.						
SOR 9.2	The successful Tenderer will be required to provide a quarterly progress report outlining key demographics for the quarter and a report against the Project Plan components.						
SOR 9.3	The successful Tenderer is required to provide its written report to the Department within 10 days after the reporting period.						
SOR 9.4	The successful Tenderer will be required to provide verbal reports to the Department on request.						
SOR 10.1 (a)(i)	The Services must meet the following standards: (a) Australian Government accessibility requirements, including: i. adhering to the Web Content Accessibility Guidelines version 2.0 (WCAG 2.0) at level AA;						
SOR 10.1 (a)(ii)	ii. the Australian Government Language Services Guidelines: Supporting access and equity for people with limited English; and						
SOR 10.1 (a)(iii)	iii. the Federation of Ethnic Communities' Councils of Australia (FECCA) Translating Documents for Community Use: Getting it Right						
SOR 11.1	The successful Tenderer will be required to minimise waste to landfill over the term of the Contract. [Note to Tenderers: Tenderers should refer to clause 37 of the RFT, clause 19.15 of the Draft Contract and section 13 of Schedule 3 for further information. This requirement will be updated and completed following negotiations with the preferred Tenderer based on the preferred Tenderer's response.]						
Additional resources (CRITERION B ONLY)							
Non Weighted 1	(a) the Tenderer's past performance and/or demonstrated commitment in relation to increasing Indigenous participation, including, where relevant, by having regard to the Tenderer's past compliance with any mandatory minimum requirements;						
	(b) the extent to which the Tenderer's proposed Indigenous Participation Plan will meet the mandatory minimum requirements;						
Non Weighted 2	(c) the Tenderer's proposed strategies to contribute to the economic benefit of the Australian economy; and						
Non Weighted 3	(d) the environmental sustainability of the proposed goods and services.						

Assessment template for Translation RFT applications

December 2023

Name of applicant	Weighting (if any)
The Tenderer's ability to deliver the Services within the Department's timeframes, as demonstrated by (a), (b), and (c) below:	/100
Assessor overarching comments on the application	
(a) the Tenderer's proposed methodology and approach	/35
Assessor comments on criteria (a)	
(b) the personnel (including their availability) and other resources offered by the Tenderer	/30
Assessor comments on criteria (b)	
(c) the experience of the Tenderer and its key personnel in delivering services that are similar to the Services	/35
Assessor comments on criteria (c)	
<p>In evaluating Tenders, the Department will take into consideration:</p> <p>(a) the Tenderer's past performance and/or demonstrated commitment in relation to increasing Indigenous participation, including, where relevant, by having regard to the Tenderer's past compliance with any mandatory minimum requirements;</p> <p>(b) the extent to which the Tenderer's proposed Indigenous Participation Plan will meet the mandatory minimum requirements;</p> <p><i>[Note to Tenderers: A Tenderer that has no past experience with any mandatory minimum requirements will not be disadvantaged by this alone. Its response will be assessed on other actions it has taken in the past]</i></p>	Not weighted

Name of applicant	Weighting (if any)
<p><i>to increase Indigenous participation and on its proposed Indigenous Participation Plan.]</i></p> <p>(c) the Tenderer's proposed strategies to contribute to the economic benefit of the Australian economy; and</p> <p>(d) the environmental sustainability of the proposed goods and services.</p>	
Assessor comments on the above non-weighted criteria (a,b,c,d)	
Pricing	Not weighted
Assessor comments on pricing	
<p>Risk</p> <p>(a) compliance with Statement of Requirement and the Draft Contract;</p> <p>(b) financial viability of the Tenderer; and</p> <p>(c) any other risks identified in the evaluation process that have not been considered as part of another Evaluation Criterion.</p>	Not weighted
Assessor comments on risk	

s22

From: Mary Ann Baquero Geronimo <ceo@fecca.org.au>
Sent: Wednesday, 10 January 2024 5:06 PM
To: s47E(c), s47F
Cc: s47E(c), s47F; s47E(c), s47F; s47E(c), s47F
Subject: RE: Tenders for your assessment - further notes and one tender [SEC=OFFICIAL]

Hi s47E(c),
s47F

No worries, the program is important and I'm happy to assist to make sure there's better uptake of the service in the future.

On your query, yes, I was referring to significant documents as you have described.

Feel free to ring any time except from 3pm onwards as I need to go for a meeting.

Cheers,
Mary Ann

Mary Ann Baquero Geronimo
Chief Executive Officer
 Federation of Ethnic Communities' Councils of Australia (FECCA)
 P: 02 6282 5755 | E: ceo@fecca.org.au | W: www.fecca.org.au | [Facebook](#) | [Twitter](#)



We acknowledge Aboriginal and Torres Strait Islander people as traditional custodians of Country and we pay our respects to their Elders past, present and emerging.

From: s47E(c), s47F @health.gov.au
Sent: Wednesday, January 10, 2024 5:42 PM
To: Mary Ann Baquero Geronimo <ceo@fecca.org.au>
Cc: s47E(c), s47F @health.gov.au; s47E(c), s47F @Health.gov.au; s47E(c), s47F Health.gov.au
Subject: FW: Tenders for your assessment - further notes and one tender [SEC=OFFICIAL]

Hi Mary Ann

Thanks so much for this, it is very much appreciated, particularly given that you have given up your leave to work on this! Your declarations of involvement with the listed tenderers is also noted as potential perceived conflicts of interest.

Can I clarify one point? In relation to the below, what do you mean by 'key documents'? Is it significant documents that would have a long life and reach, or something else?

'It is important that successful tenderer implement co-design and Community Review or Community Testing as SOP, a critical quality control mechanism for key documents for each language.'

If we have any other questions I will let you know and text you an alert tomorrow or Friday if that's OK.

Thanks again

s47E(c),
s47F

From: Mary Ann Baquero Geronimo <ceo@fecca.org.au>
Sent: Wednesday, 10 January 2024 4:41 PM
To: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>
Cc: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>
Subject: RE: Tenders for your assessment - further notes and one tender [SEC=OFFICIAL]

Hi s47E(c),
s47F

Alas, I was held up by meetings on the new Aged Care Act's exposure draft and was unable to complete this yesterday.

Attached is my assessment, I hope you find them in order. Happy to chat if you need to clarify anything.

Cheers,
Mary Ann

Mary Ann Baquero Geronimo

Chief Executive Officer

Federation of Ethnic Communities' Councils of Australia (FECCA)

P: 02 6282 5755 | E: ceo@fecca.org.au | W: www.fecca.org.au | [Facebook](#) | [Twitter](#)



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From: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>
Sent: Monday, January 8, 2024 5:52 PM
To: Mary Ann Baquero Geronimo <ceo@fecca.org.au>
Cc: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>
Subject: RE: Tenders for your assessment - further notes and one tender [SEC=OFFICIAL]

Thanks Mary Ann. That sounds great!

All the best

s47E(c),
s47F

s47E(c), s47F

Director, Diversity and Inclusion Section (she/her)

Dementia, Diversity and Design Branch
 Aged Care Market and Workforce Division
 Australian Government Department of Health
 T: 02 6289 s47E(c), s47F | E: s47E(c), s47F @health.gov.au

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From: Mary Ann Baquero Geronimo <ceo@fecca.org.au>
Sent: Monday, 8 January 2024 9:57 AM
To: s47E(c), s47F @health.gov.au>
Cc: s47E(c), s47F @health.gov.au>
Subject: RE: Tenders for your assessment - further notes and one tender [SEC=OFFICIAL]

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H s47E(c), s47F

Thanks to s47E(c), s47F for bringing the documents all the way to my place!

Happy New Year to you both!


Noted the new deadline but I may be able to send through my assessment latest tomorrow afternoon.

Cheers,
 Mary Ann

Mary Ann Baquero Geronimo
Chief Executive Officer
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From: s47E(c), s47F <[s47E\(c\), s47F@health.gov.au](mailto:s47E(c), s47F@health.gov.au)>
Sent: Thursday, January 4, 2024 11:57 AM
To: Mary Ann Baquero Geronimo <ceo@fecca.org.au>
Cc: s47E(c), s47F <[s47E\(c\), s47F@health.gov.au](mailto:s47E(c), s47F@health.gov.au)>
Subject: FW: Tenders for your assessment - further notes and one tender [SEC=OFFICIAL]

Hi Mary Ann

Happy New Year! Thank you again for providing this expert advice to us and for your text message confirming receipt! I just have a few updates to add to the below:

- Please use the attached Ethnolink application rather than the hard copy. It was also submitted by the due date and the tenderer advises it supercedes the first one that was printed for you.
- There are 10 tenders in total. Note there is a duplicate copy of Schedule 3 of Language Partners Pty Ltd (also known as eTranslate) in your pack. You can discard this – it's located between s47G and Icon Agency and is the 7th tender in your pack (86 pages long).
- In terms of timing, we have had a last minute change in panel membership which is delaying us by a few days and will give you more time. Could you please reply with your comments regarding quality control by **COB next Wednesday 10 January?**
- Please update the conflict of interest declaration as needed after reading the tenders. For example s47F from LOTE notes that LOTE sponsors the annual FECCA conference and has partnered with FECCA. This may not be a conflict of interest but worth considering, and any other such connections with FECCA that are included in any tender.

Let me know if any questions

Thanks s47E(c), s47F

From: s47E(c), s47F
Sent: Sunday, 24 December 2023 5:27 PM
To: Mary Ann Baquero Geronimo <ceo@fecca.org.au>
Subject: Tenders for your assessment - notes and one document [SEC=OFFICIAL]

Hi Mary Ann

I hope you are well and enjoying a relaxing break.

As discussed, we will deliver the box of tenders to your home at 9am on 4 January, for your advice please as to **whether each one has suitable quality control mechanisms in place to make sure translations are useful for the community.** Could you comment on this aspect in relation to each tender? Your assessment of the relative merits of their proposed quality control mechanisms will be appreciated. There is no need to assess against the tender criteria as we will do so as the tender evaluation panel.

I am attaching one document from Think HQ which might be easier to read on a screen with a zoom!

If you could email me back with your comments by **Monday 8 January** we will be on track with this tender evaluation process, which has tight timelines to maintain service provision for the translation service. We have not copied all of the documents (e.g. Indigenous Participation Policy and certifications that aren't relevant to the above considerations) given the focus of your technical advice but are happy to do so.

Please store the hard copies to meet security requirements and feel free to contact me if you have any questions.

Many thanks

s47E(c),
s47F

s47E(c), s47F

Director, Diversity and Inclusion Section (she/her)

Dementia, Diversity and Design Branch
Aged Care Market and Workforce Division
Australian Government Department of Health
T: 02 6289 s47E(c), s47F | E: s47E(c), s47F @health.gov.au

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s22

From: s47E(c), s47F
Sent: Friday, 5 January 2024 8:50 AM
To: s47E(c), s47F
Cc: s47E(c), s47F
Subject: RE: Addendum Info Regarding Promotion of Service [SEC=OFFICIAL:Sensitive]

Just adding the below also as I only sent it to you and s47E(c), s47F yesterday s47E(c), s47F – so FYI for s47E(c), s47F

Response to 23,

The successful supplier will be expected to undertake reasonable promotional activity as outlined in Schedule 1, clause 1.6, as part of its routine business operations; such as social media and website notices, when engaging with stakeholders and participation in industry events.

The successful supplier will not be expected to develop or conduct as substantial advertising campaign. The Department will undertake its own communication planning and promotion around translating and interpreting more broadly, factoring in the products/activities the supplier is delivering.

The Department will work collaboratively with the successful supplier involved on communication planning and activities.

From: s47E(c), s47F @Health.gov.au>
Sent: Friday, 5 January 2024 9:37 AM
To: s47E(c), s47F @health.gov.au>
Cc: s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>
Subject: Addendum Info Regarding Promotion of Service [SEC=OFFICIAL:Sensitive]

Hi all,

As discussed in the meeting, below is the added info on promotion of the service via addendum.

Q 55: Are you able to advise what type of 'grass roots' activity was initiated by the current provider into promotion of the translation service?

A 55: Our current provider undertakes grassroots stakeholder engagement activities such as working closely with organisations such as the Partners in Culturally Appropriate Care (PICAC) organisations and Older Persons Advocacy Network to educate and promote the use of translating services to aged care providers. This is done through virtual meetings and workshops.

Q 56: When you refer to 'further promotional activities' by the Department to promote the service, can you advise what that is likely to be. Will it be handled internally by the Department?

A 56: Yes, the Department's internal Aged Care Communications team will undertake its own communication planning and promotion around the translating service as part of its promotion of aged care services, factoring in the products/activities the supplier is delivering. The Department will work collaboratively with the successful supplier involved on communication planning and activities. These activities are likely to include videos, brochures and other promotion at conferences and in webinars; promotion through the Department's aged care sector newsletters; and other opportunities as they arise.

Thanks all

Kind regards,

s47E(c), s47F

Departmental Officer, Diversity and Inclusion Section (he/him)

Dementia, Diversity and Design Branch
Market and Workforce Division
Australian Government Department of Health
M: s47E(c), s47F | E: s47E(c), s47F [@health.gov.au](mailto:s47E(c), s47F@health.gov.au)

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From: [DAY, Robert](#)
To: s47E(c), s47F
Subject: RE: Two requests of FECCA [SEC=OFFICIAL]
Date: Wednesday, 15 November 2023 2:00:34 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Yes, I agree thanks s47E(c), s47F

Mary Ann saw me briefly in the corridor yesterday and we spoke about this. I said the main perspective I was hoping the FECCA rep could bring was to the quality control mechanisms tenderers had in place to make sure translations were useful for the community.

Cheers

Rob

From: s47E(c), s47F @health.gov.au>

Sent: Friday, 10 November 2023 2:46 PM

To: DAY, Robert s22 @health.gov.au>

Subject: FW: Two requests of FECCA [SEC=OFFICIAL]

Hi Rob

On the second item I think a FECCA staff member would be fine and we don't need that sort of specialist expertise. It's more about proposing someone who can comment on quality assurance and governance for the tender proposals to establish the translation service. What do you think?

Thanks s47E(c), s47F

From: Mary Ann Baquero Geronimo <ceo@fecca.org.au>

Sent: Friday, 10 November 2023 2:11 PM

To: s47E(c), s47F @health.gov.au>

Cc: s47E(c), s47F @health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>; DAY, Robert s22 @health.gov.au>

Subject: RE: Two requests of FECCA [SEC=OFFICIAL]

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Thank you, s47E(c), s47F

s22

For the second item, do you need specific expertise such as someone who has NAATI certification, or a bilingual, bicultural worker familiar with navigating the language support system?

Regards,

Mary Ann

Mary Ann Baquero Geronimo

Chief Executive Officer

Federation of Ethnic Communities' Councils of Australia (FECCA)

P: 02 6282 5755 | E: ceo@fecca.org.au | W: www.fecca.org.au | [Facebook](#) | [Twitter](#)



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From: s47E(c), s47F @health.gov.au>

Sent: Thursday, November 9, 2023 6:06 PM

To: Mary Ann Baquero Geronimo <ceo@fecca.org.au>

Cc: s47E(c), s47F [redacted]@health.gov.au>; s47E(c), s47F [redacted]@health.gov.au>; s47E(c), s47F [redacted]@Health.gov.au>; DAY, Robert <s22 [redacted]@health.gov.au>

Subject: Two requests of FECCA [SEC=OFFICIAL]

Hi Mary Ann

I hope you are well, and congratulations on your promotion to CEO of FECCA, it is well deserved. We look forward to working with you in that capacity and meeting your replacement in your former role in due course.

I am writing to ask FECCA for two things:

s22 [redacted]

2. We would like to ask if FECCA would like to propose someone who would be interested in providing specialist advice to an open tender assessment panel assessing tenders to provide the translation service in multicultural languages currently managed by Icon Agency. This tender will close on 19 December and we anticipate assessing applications until 22 December and from 2 to approx. 9 January, with a view to offering a contract in mid January for commencement on 1 February 2024.

I am happy to provide further information about either of these. FECCA's expertise for both would be much appreciated

Thanks very much

s47E(c),
s47F [redacted]

Director, Diversity and Inclusion Section (she/her)

Dementia, Diversity and Design Branch

Aged Care Market and Workforce Division

Australian Government Department of Health

T: 02 6289 s47E(c), s47F [redacted] | E: s47E(c), s47F [redacted]@health.gov.au

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From: [Mary Ann Baquero Geronimo](#)
To: s47E(c), s47F ; s22 ; s47F, s47E(c)
Cc: s47E(c), s47F ; s47E(c), s47F s47E(c), s47F ; s47E(c), s47F
Subject: RE: Participation on translation tender as a technical advisor - for reply this week please [SEC=OFFICIAL]
Date: Thursday, 14 December 2023 11:32:51 AM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)

Hi s47E(c),
s47F

Sorry, there's a change in plan. I will join the panel, instead.

Kindly email me and my EA, s47F the documents.

Thank you.

Cheers,

Mary Ann

Mary Ann Baquero Geronimo

Chief Executive Officer

Federation of Ethnic Communities' Councils of Australia (FECCA)

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From: s47E(c), s47F @health.gov.au>

Sent: Thursday, December 14, 2023 11:21 AM

To: Mary Ann Baquero Geronimo <ceo@fecca.org.au>; s22 @fecca.org.au>

Cc: s47E(c), s47F @health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F @Health.gov.au>

Subject: RE: Participation on translation tender as a technical advisor - for reply this week please [SEC=OFFICIAL]

Thanks so much Mary Ann for your quick reply and to s22 for being available!

We will send through the conflict of interest form today for s22 to consider and sign, prior to a briefing meeting of the panel and s22 as technical advisor, planned for Monday at 4pm. We'll be in touch to send you the relevant Request for Tender documentation once we've received your signed forms.

s47E(c), s47F, could you send these documents today please?

Happy to discuss

Thanks again

s47E(c), s47F

s47E(c), s47F

Director, Diversity and Inclusion Section (she/her)

Dementia, Diversity and Design Branch

Aged Care Market and Workforce Division

Australian Government Department of Health

T: 02 6289 s47E(c), s47F | E: s47E(c), s47F @health.gov.au

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From: Mary Ann Baquero Geronimo <ceo@fecca.org.au>

Sent: Wednesday, 13 December 2023 6:19 PM

To: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>; s22 <s22@fecca.org.au>

Cc: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>; s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>; s47E(c), s47F <[@Health.gov.au](mailto:s47E(c), s47F)>; s47E(c), s47F <[@Health.gov.au](mailto:s47E(c), s47F)>

Subject: RE: Participation on translation tender as a technical advisor - for reply this week please [SEC=OFFICIAL]

Hi s47E(c), s47F

I'm nominating s22, Acting Senior Policy and Project Officer. She's on cc here.

s22 has extensive work in co-designing community campaigns on COVID-19 vaccination as the lead for CALD COVID-19 Small Grants Project. She also provides inputs to ongoing COVID-19 translation requirements by the Department and has working relationship with AusIT, the national peak body of translators and interpreters.

Feel free to get in touch with her.

Cheers,

Mary Ann

Mary Ann Baquero Geronimo

Chief Executive Officer

Federation of Ethnic Communities' Councils of Australia (FECCA)

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From: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>

Sent: Wednesday, December 13, 2023 5:48 PM

To: Mary Ann Baquero Geronimo <ceo@fecca.org.au>

Cc: s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>; s47E(c), s47F <[@health.gov.au](mailto:s47E(c), s47F)>; s47E(c), s47F <[@Health.gov.au](mailto:s47E(c), s47F)>; s47E(c), s47F <[@Health.gov.au](mailto:s47E(c), s47F)>

Subject: Participation on translation tender as a technical advisor - for reply this week please [SEC=OFFICIAL]

Hi Mary Ann

s22

In relation to the translation assessment panel, applications are due next Tuesday and we expect to review them during next week (we have a close down from 22 December to COB 1 January) and then evaluate them as a panel from 2 to 6 January. Is there someone else from FECCA who might be available during this period to be a technical advisor? Could you reply this week so we can provide them with the conflict of interest form etc. As Rob mentioned when he saw you in the Department, the main perspective we were hoping the FECCA rep could bring was to the quality control mechanisms tenderers had in place to make sure translations are useful for the community.

Thanks very much

s47E(c), s47F
s47E(c), s47F

Director, Diversity and Inclusion Section (she/her)

Dementia, Diversity and Design Branch

Aged Care Market and Workforce Division

Australian Government Department of Health

T: 02 6289 s47E(c), s47F | E: s47E(c), s47F <[@health.gov.au">s47E\(c\), s47F">@health.gov.au](mailto:s47E(c), s47F)>

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