



Attachment A – Definitions

People Panel Professional Contractor Services

Note to Tenderers:

These definitions are in addition to any definitions included in **Attachment C – Head Agreement**.

Term	Meaning
360 Public Portal	The portal provided on the 360 software that enables Tenderers to complete and submit their Tender.
360 Public Portal User Guide	The guide provided at Attachment G – 360 Public Portal User Guide to this RFT to assist Tenderers to complete and submit their Tender.
ACCC	Australian Competition and Consumer Commission.
Accountable Authority	Has the meaning given in the <i>Public Governance, Performance and Accountability Act 2013</i> .
Addenda/Addendum	A notice issued in accordance with paragraph 5.2 of this RFT.
APS Values	The values set out in section 10 of the <i>Public Service Act 1999</i> (Cth).
Archives Act	The <i>Archives Act 1983</i> (Cth).
ATO	Australian Taxation Office.
AusTender	The Australian Government's procurement information system <u>AusTender Homepage: AusTender (tenders.gov.au)</u> . AusTender provides the centralised publication of Australian Government business opportunities, annual procurement plans and contracts awarded. Notification of the release of this RFT will be published on AusTender.
Australian Industry Participation Plan	Means the Australian Industry Participation plan as described in https://www.industry.gov.au/major-projects-and-procurement/australian-industry-participation/australian-government-funded-projects .
Authorised Representative	The person authorised by the Tenderer to complete the Tenderer's Declaration and to submit a Tender on behalf of the Tenderer.
Business Day	A day not being a Saturday, Sunday or a public holiday in the location where the Services are being provided, or if no such location is specified, in Canberra.
Closing Time	The time and date for submission of Tenders set out on the front page of this RFT.

Attachment A - Definitions
People Panel Professional Contractor Services

Commonwealth Entity	A Commonwealth Entity that is subject to the <i>Public Governance, Performance and Accountability Act 2013</i> , including a corporate entity, a non-corporate entity and a Commonwealth company established under the <i>Corporations Act 2001</i> (Cth).
Commonwealth Procurement Rules (CPRs)	The <i>Commonwealth Procurement Rules</i> , available at Commonwealth Procurement Rules Department of Finance , issued by the Minister for Finance under section 105B of the <i>Public Governance Performance and Accountability Act 2013</i> (Cth) as amended from time to time.
Complaints Officer	The Department of Finance's Complaints Officer is the Director, Procurement and Contracting.
Conditions for Participation	The mandatory minimum requirements that the Tenderer must meet before a Tender can progress to the detailed evaluation stage, as set out in paragraph 8.2 of this RFT.
Confidentiality Test	Has the meaning given in the guidance titled Confidentiality throughout the Procurement Cycle Department of Finance .
Conflict of Interest	Means any circumstances: <ul style="list-style-type: none"> • which constitute an actual conflict; • which constitute a known risk of conflict; or • which may be perceived by others to constitute a conflict; <p>(or is likely at some future time to constitute such a conflict, risk of conflict or perceived conflict) between the interests of the Commonwealth or a Commonwealth Entity and those of the Tenderer or its personnel (or between the duties or obligations of the Tenderer or its personnel to the Commonwealth or a Commonwealth Entity and their duties or obligations to another person) in relation to the performance of the Services or otherwise in connection with this RFT and Attachment C – Head Agreement.</p>
Contract	Has the same meaning given in Attachment C – Head Agreement of this RFT.
Corporate Commonwealth Entity	Means: <ul style="list-style-type: none"> (i) A corporate Commonwealth entity; or (ii) A Commonwealth company as defined in the PGPA Act.
Enquiry Cut-off Date	The meaning given in the table in paragraph 4.2 of this RFT.
Entity	Has the same meaning given in Attachment C – Head Agreement of this RFT.
Evaluation Criteria	The Evaluation Criteria set out in paragraph 10.4.2 of this RFT.
Evaluation Process	The process outlined in paragraph 10 of this RFT.
Fees	The fees submitted by a Tenderer in its Tender. Refer to Schedule 8 of Attachment C – Head Agreement of this RFT
Final Determination	The process outlined in paragraph 10.7 of this RFT.

Attachment A - Definitions
People Panel Professional Contractor Services

Finance	The Department of Finance.
Finance Privacy Policy	The privacy policy published by Finance and updated by Finance from time to time as set out in paragraph 7.4 of this RFT.
Financial Analysis	The process outlined in paragraph 10.5 of this RFT.
FOI Act	The <i>Freedom of Information Act 1982</i> (Cth).
GPJR Act	The <i>Government Procurement (Judicial Review) Act 2018</i> (Cth).
GST	The Goods and Services Tax.
Head Agreement	The Head Agreement set out in Attachment C – Head Agreement .
Head Agreement Period	Has the same meaning as defined in the Head Agreement.
High Value Contract	Means a contract subject to the Mandatory Minimum requirements as defined in the Indigenous Procurement Policy.
Industry Briefing	Means the Industry Briefing described at paragraph 4.3 of this RFT.
Integrity Requirements	Has the same meaning given in Attachment C – Head Agreement of this RFT.
Labour Hire Services	Labour Hire Services covers the provision of labour hire workers (APS1 – SES equivalent) for a defined period in a triangular employment arrangement between the worker, an entity and a labour hire provider.
Late Tender	Any Tender that is not properly submitted by the Closing Time, except where solely due to mishandling by Finance or 360 Public Portal, as determined in accordance with paragraph 8.10 of this RFT.
Lobbying Code of Conduct	The code of conduct of the same name available here: Lobbying Code of Conduct Attorney-General's Department (ag.gov.au)
Minimum Content and Format Requirements	The requirements set out in paragraph 8.3 of this RFT.
Offered Services	The service offerings submitted by a Tenderer in its Tender. Refer to Schedule 2 of Attachment C – Head Agreement of this RFT.
Order	Has the same meaning given in Attachment C – Head Agreement of this RFT.
Ordered Services	Has the same meaning given in Attachment C – Head Agreement of this RFT.
Payment Times Procurement Connected Policy	The Payment Times Procurement Connected Policy as set out in paragraph 9.9 of this RFT.

Attachment A - Definitions
People Panel Professional Contractor Services

People Panel	Has the meaning in paragraph 1.1 of this RFT.
Personal Information	Has the meaning given in the <i>Privacy Act 1988</i> (Cth).
Personnel	Has the same meaning given in Attachment C – Head Agreement of this RFT.
PGPA Act	The <i>Public Governance, Performance and Accountability Act 2013</i> (Cth).
Pricing	Has the same meaning as 'Fees'.
Preferred Tenderer	A Tenderer that is selected to participate in negotiations with Finance in connection with their potential entry into a Head Agreement. For the avoidance of doubt, selection as a Preferred Tenderer does not provide the Tenderer with any additional rights and the Commonwealth may choose not to enter into a Head Agreement with any Preferred Tenderer or exercise any other right granted to it by this RFT.
Proceedings	Any litigation, arbitration, mediation conciliation, proceeding or investigation.
Professional Contractor	Has the meaning in paragraph 2.3.3 of Part B of this RFT.
Professional Contractor Services or Services	The People Panel Professional Contractor Services as described in Attachment B – Work Level Standards and Service Categories .
Professional Contractor Services Panel	The Whole-of-Australian Government Panel for Professional Contractor Services to be established following this RFT.
Recruitment and Search Services Panel	The Whole-of-Australian Government Panel for Recruitment and Search Services established in the first phase of the People Panel series.
Referee(s)	Referees provided by a Tenderer to verify the provision of services by the Tenderers, including as described in paragraph 8.4 of this RFT.
Related Body Corporate	Where a body corporate is: <ul style="list-style-type: none"> (a) a holding company of another body corporate; (b) a subsidiary of another body corporate; or (c) a subsidiary of a holding company of another body corporate; the first-mentioned body and the other body are related to each other.
Relevant Employer	Has the meaning in the <i>Workplace Gender Equality Act 2012</i> .
Reporting Entity	Has the meaning given in the <i>Payment Times Reporting Act 2020</i> (Cth).
Request for Tender (RFT)	This Request for Tender for the provision of People Panel Professional Contractor Services for the Australian Government FIN/PP03/23Phase3.
Request Manager	The point of contact for this RFT as provided for in paragraph 6.1.2 of this RFT.
Respondent	Term used in the 360 Public Portal and is defined as any organisation considering or responding to this RFT. (Also means Tenderer)

Attachment A - Definitions
People Panel Professional Contractor Services

Response	A response to this RFT completed and submitted by a Tenderer through the 360 Public Portal also referred to as "Tender").
Satisfactory	Means meets the conditions set out in Part 6.b of the <i>Shadow Economy Procurement Connected Policy</i> or, if the circumstances in Part 6.c of the <i>Shadow Economy Procurement Connected Policy</i> apply, the conditions set out in Part 8.b of the <i>Shadow Economy Procurement Connected Policy</i> .
Service Area	The service areas described in Attachment B – Work Level Standards and Service Categories .
Service Category	A category of Services within a Service Area as described in Attachment B – Work Level Standards and Service Categories .
Services Commencement Date	Has the meaning set out in paragraph 4.2 of this RFT.
Service Descriptor	A service descriptor provided under each Service Category which is a broad indication of the types of Professional Contractor Services required under that Service Category, not intended to be definitive or exhaustive. The service descriptors for each Service Category are set out in Attachment B – Work Level Standards and Service Categories .
Service Provider	A Tenderer who is appointed to the Professional Contractor Services Panel and enters into a Head Agreement with Finance.
Shadow Economy Procurement Connected Policy	means the <i>Shadow economy – increasing the integrity of government procurement: Procurement connected policy guidelines October 2024</i> available at https://treasury.gov.au/publication/p2019-t369466 .
Simplylogical.net	The company based in Canberra, ACT that owns the 360 Tender System.
Small to Medium Enterprise (SME)	An Australian or New Zealand firm with fewer than 200 full-time equivalent employees.
Statement of Requirement	The requirements set out in Schedule 2 (Services) to Attachment C – Head Agreement .
Statement of Tax Record or STR	Means a Statement of Tax Record issued by the Australian Taxation Office following an application made in accordance with the process set out at Statement of tax record Australian Taxation Office (www.ato.gov.au) .
Subcontractor	Has the same meaning given in Attachment C – Head Agreement of this RFT.
Successful Tenderer	A Tenderer that is selected to enter into a Head Agreement.
Supplier	A Supplier has the same meaning as Service Provider.
Sustainable Procurement	Has the meaning given in the Sustainable Procurement Guide, available at https://www.dcceew.gov.au/sites/default/files/documents/sustainable-procurement-guide-2024.pdf .

Attachment A - Definitions
People Panel Professional Contractor Services

Tender	A response to this RFT completed and submitted by a Tenderer through the 360 Public Portal.
Tenderer	Any organisation or sole trader considering or responding to this Request for Tender.
Tenderer's Declaration or Declaration	The declaration made by the Tenderer in the Request for Tender process for the establishment of the Panel as set out in Attachment I – Tenderer's Declaration Information
Tender Evaluation Team	The Tender Evaluation Team referred to in paragraph 10.1 of this RFT.
Tender Response Questionnaire	The series of questions and instructions within the 360 Public Portal that the Tenderer is required to complete/follow in order to submit their Tender.
Tender Validity Period	The period described in paragraph 8.13.1 of this RFT.
Unsuccessful Tenderer	A Tenderer who is advised by Finance as not being successful in this RFT process.
Valid	Means valid in accordance with Part 7.e of the <i>Shadow Economy Procurement Connected Policy</i> .
Value for Money Assessment or VFM Assessment	Has the meaning set out in paragraph 10.6.1 of this RFT.
Verification Activities	The activities set out in paragraph 11 of this RFT.
WGE Act	The <i>Workplace Gender Equality Act 2012</i> (Cth).
Whole of Australian Government or WoAG	An arrangement that was established as a coordinated procurement that is mandatory for Non-corporate Commonwealth entities to purchase goods and/or services through. Details of these arrangements, which are updated from time to time, are available at: https://www.finance.gov.au/government/procurement/whole-australian-government-procurement
Work Level Standards	The Work Level Standards described in Attachment B – Work Level Standards and Service Categories .