



# Attachment D – Information and Guidance about the Tender Response Questionnaire

## Note to Tenderers:

The Tender Response Questionnaire, in the 360 Public Portal, contains a series of questions that once completed and submitted will form the Tenderer's Tender.

The Tender Response Questionnaire contains a number of sections that are represented by tabs on top of each page. The information required in each section (tab) is summarised below. Further information is available through guidance notes in the Tender Response Questionnaire and in the 360 Public Portal Tenderer's User Guide.

Section	Requirements
Request Information (RFT)	Contains information about the Request for Tender.
Tenderer Information	The section requires the Tenderer to include information about the Tendering entity.
About the Tenderer	This section requires the Tenderer to: <ul style="list-style-type: none"> <li>• indicate if it is a Small to Medium Enterprise (SME) (i.e. an entity employing fewer than 200 full time equivalent employees) as defined in the <a href="https://www.finance.gov.au">Commonwealth Procurement Rules 2024 (finance.gov.au)</a>;</li> <li>• indicate its type of legal entity;</li> <li>• indicate the year it was formed; and</li> <li>• indicate if it is an Indigenous enterprise as defined in the <a href="https://www.niaa.gov.au">Indigenous Procurement Policy (IPP Guide) December 2020 (niaa.gov.au)</a>.</li> </ul>
Head Agreement Details	This section requires the Tenderer to provide contact details for the Tenderer's Representative, Senior Executive, Agency Contact and Address for Notices, that will be used to populate <b>Schedule 1 – Head Agreement Details</b> of the Head Agreement, and nominate the correct signature block for the Tender if the Tenderer is successful.
Compliance with Head Agreement	This section requires the Tenderer to detail its compliance with all the clauses, terms, and conditions of <b>Attachment C – Head Agreement</b> of this RFT, except where non-compliance is expressly stated.
Conditions for Participation	This section requires the Tenderer to comply with each of the Conditions for Participation provided in paragraph 8.2 of this RFT. Tenderers must

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	comply with each of the Conditions for Participation to be able to submit their response.
Minimum Content and Format Requirements	<p>This section requires the Tenderer to comply with each of the Minimum Content and Format Requirements provided in paragraph 8.3 of this RFT. Tenderers must comply with each of the Minimum Content and Format Requirements to be able to continue with their response.</p> <p>In this section, Tenderers will also be required to upload all Statement(s) of Tax Record required for their entity type .</p>
Conflict(s) of Interest	<p>The section requires the Tenderer to:</p> <ul style="list-style-type: none"> <li>• identify any actual, potential or perceived conflicts of interest in relation to this RFT and if it were to enter into a Head Agreement with Finance;</li> <li>• advise if it has processes in place to identify and manage conflicts of interest;</li> <li>• detail any actual, potential or perceived Conflicts of Interest and how they will be managed.</li> </ul>
Court Proceedings involving the Tenderer	<p>This section requires the Tenderer to provide details of:</p> <ul style="list-style-type: none"> <li>• any court or alternative dispute resolution proceedings that are taking place, pending or threatened (either in Australia or overseas) concerning the Tenderer; and</li> <li>• any investigations, or any court proceedings that the Tenderer is subject to in relation to a possible or actual breach of any legislation, or any previous breach of any legislation within the past two (2) years.</li> </ul>
Tenderer's Confidential Information	The section requires the Tenderer to identify any information in its Tender that it requests to be treated as confidential information if it enters into the Head Agreement. Refer paragraph 8.24 of this RFT.
Commonwealth Policy Requirements	<p>This section requires the Tenderer to provide details of:</p> <ul style="list-style-type: none"> <li>• whether the Tenderer is the subject of previous contraventions of the anti-competitive provisions of the <i>Competition and Consumer Act 2010</i> (Cth) or equivalent laws in Australia or overseas;</li> <li>• any material breach in the past three (3) years, or current material breach, of any law, regulation or code that would be relevant to any resultant Head Agreement;</li> <li>• whether there are any adverse comments or findings made by a court, commission, tribunal, or other statutory or professional body regarding the conduct or performance of the Tenderer, or impacting on the professional capacity or capability of the Tenderer's Personnel to deliver the Services (if selected as a Successful Tenderer);</li> <li>• whether there are any other significant matters, including the commencement of legal or regulatory action, disciplinary action by</li> </ul>

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	<p>an independent person or disciplinary action internal to the Tenderer, involving the Tenderer or its Personnel, agents or Subcontractors that may adversely impact on:</p> <ol style="list-style-type: none"> <li>a) the Tenderer's compliance with Australian Government policy or legislation; or</li> <li>b) Finance's or an Entity's compliance with Australian Government policy or legislation; or</li> <li>c) the Commonwealth's reputation; or</li> <li>d) the professional capacity or capability of the Tenderer or its Personnel to deliver the Services;</li> </ol> <ul style="list-style-type: none"> <li>• whether the Tenderer is a 'relevant employer' under the <i>Workplace Gender Equality Act 2012</i> (Cth) (and if 'Yes', upload their letter of compliance);</li> <li>• any judicial decisions against the Tenderer (except for decisions under appeal) relating to employee entitlements where it has not satisfied any resulting order;</li> <li>• areas in which the Tenderer's Offered Services provide an economic benefit to the Australian Economy;</li> <li>• whether the Tenderer is a 'Reporting Entity' for the purpose of the Payment Times Procurement Connected Policy;</li> <li>• whether the Tenderer has the capability to deliver eInvoices through the PEPPOL framework and if eInvoicing is their preferred method of invoicing;</li> <li>• whether the Tenderer and Subcontractors have complied with all applicable laws and Commonwealth policies in their participation in this RFT process and will do so in the provision of Services under any resultant Head Agreement;</li> <li>• indicate if they are registered for GST;</li> <li>• their country of tax residency, and, if applicable, the ultimate parent entity's country of tax residency;</li> <li>• information relating to Modern Slavery reporting, policies and practices;</li> <li>• compliance with the Commonwealth Supplier Code of Conduct Policy;</li> <li>• how the Tenderer complies with ethical issues;</li> <li>• the practices and processes in place to protect the confidentiality of Commonwealth material and how these are monitored, communicated, and enforced within its organisation; and</li> <li>• the environmental sustainability of the proposed services.</li> </ul>
Offered Services	This section requires the Tenderer to detail its service offerings. Refer to <b>Schedule 2 of Attachment C – Head Agreement</b> of this RFT.
Corporate and Technical	This section requires the Tenderer to respond to the two evaluation criteria set out in paragraph 10.4.2 of the RFT.

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Evaluation Criteria	
Schedule of Fees	This section requires the Tenderer to detail its Pricing for its service offerings. Refer to <b>Schedule 8 of Attachment C – Head Agreement</b> .
Tenderer's Declaration	This section provides the Tenderer's Declaration. The Authorised Representative is required to confirm that they have the authority to make the declaration on behalf of the Tenderer.
Final Step	This section provides the option for Tenderers to review their answers to the questionnaire and either amend or submit.

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