



Australia Papua New Guinea Subnational Program

REQUEST FOR PROPOSAL APSP-2024-049

for

Organisational Strengthening Phase II for Bougainville 's three Business Associations

Issue date:	Wednesday 08 May 2024
Closing time and date for enquiries:	Friday 24 May 2024
Closing time and date for submission:	Monday 03 June 2024
Abt contact officer:	Leonie Joku-Pakuras png.tenders@amspng.org

STRUCTURE OF REQUEST DOCUMENT

This Request Document is made up of the following information:

- Part 1 – Proposal Particulars
- Part 2 – Specifications
- Part 3 – Request for Proposal Conditions
- Part 4 - Evaluation Process
- Part 5 – Response Schedule (separate document)
- Part 6 - Draft Form of Contract (separate document)

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1. PART 1 – PROPOSAL PARTICULARS

1.1. Important dates

Request date of issue:	Wednesday 08 May 2024
Enquiries closing date and time:	Any enquiries or requests for clarification must be made in writing by email and directed to the Contact Officer. Abt Associates will not respond to enquiries received after Friday 24 May 2024
RFP closing date and time:	Monday 03 June 2024
RFP Briefing details:	N/A
Site visit:	N/A

1.2. Indicative timetable

Completion of evaluation:	Friday 07 June 2024
Approvals:	Monday 10 June 2024
Notification to successful Respondent:	Monday 10 June 2024
Contract executed:	Monday 17 June 2024
Notification to unsuccessful Respondent(s):	Tuesday 18 June 2024
Contract commencement:	Monday 15 July 2024

1.3. Proposals and Lodgement

Form of lodgement:	<input checked="" type="checkbox"/> Electronic <input type="checkbox"/> Hard Copy
Lodgement address:	In <u>electronic copy</u> to: png.tenders@amspng.org Proposals must be received in pdf format by the above closing date and time in the inbox of the email address designated above. Proposals exceeding 20 MB can be sent in multiple emails each email no more than 10Mb.
Subject	Respondents should reference the following subject in their Offers: APSP-2024-049 – Organisational Strengthening Phase II for Bougainville 's Three Business Associations

[Type here]

Offer validity period	60 days
Alternative Tenders	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

1.4. Contact

Contact Officer	Name: Leonie Joku-Pakuras Email: png.tenders@amspng.org
Registration:	Respondents should register their interest in submitting a Proposal with the Contact Officer to ensure they receive any additional information, modifications and/or addenda that may be released by Abt Associates. Registration must include the full name of the Respondent's nominated representative and email address.

1.5. Proposal Details

Specifications	See Part 2- Statement of Requirements
Location	Autonomous Region of Bougainville (ARoB)
Contract type	Subcontract
Evaluation Criteria	<p>Proposals will be assessed by an Evaluation Panel comprising representatives from Abt Associates and other committee member organisations. Assessment of suppliers' proposals will be based upon the following criteria:</p> <ol style="list-style-type: none"> 1. Criterion 1 – <i>Weighting 15%</i> <i>Proposed Approach methodology & implementation plan within timeframe required.</i> 2. Criterion 2 – <i>Weighting 30%</i> <i>Organisation's experience providing similar services.</i> <i>Qualifications and technical experience of personnel proposed to lead the services.</i> 3. Criterion 3 – <i>Weighting 20%</i> <i>Understanding of the Bougainville and PNG business and investment climate context.</i> 4. Criterion 4 – <i>Weighting 15%</i> <i>Approach taken by the service provider to provide the services – tools, systems and methodology to engage with Abt Associates, DFAT and ABG.</i> 5. Criterion 5- Price and cost effectiveness – <i>Weighting 20%</i>

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Proposal submission format	The Proposal must be provided in accordance with Part 5 –Proposal Response Schedules.
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2. PART 2- SPECIFICATIONS

2.1. Introduction / overview

The Bougainville Partnership (BP) has supported Bougainville's three business associations in improving governance, service delivery and engagement, between themselves and with the Autonomous Bougainville Government (ABG). Effective dialogue and advocacy can play an important role in maintaining and improving the quality of the investment climate as Bougainville enters a period of, potentially, high policy uncertainty. The scope below proposes activities and outputs to improve governance and organisational capacity in the three business associations, that will enhance the efficiency and effectiveness of the business associations in improving the District and Regional business environment.

2.2. Scope and context

The overall objective is to contribute to an improved investment climate. This project will support governance and organisational improvements in Bougainville's three business associations. Through improved governance, membership numbers and service delivery to members are expected to be enhanced. This activity falls under the BP's End of Program Outcome (EPOO) 2: ABG and business associations plan and implement together initiatives to improve the private sector environment for inclusive economic growth.

2.3. Objectives

This activity be initiated through contextually relevant and agreed Organisational Capacity Assessments (OCA), to determine baseline capacity of each BBA. Assessed across relevant key capacity focus areas for organisations of this type, OCA data, the results of the internal business sentiment survey, and other program data, will enable a tailored Capacity Development Plan (CDP) for BBAs. Implemented initially over 14 months, capacity development priorities will likely include strengthened governance, improved networking and communication, and basic recording keeping. This will enable a structured approach to positioning the BBAs to engage better with the ABG and strengthen its networks with the Papua New Guinea and Bougainville business communities.

The BP will procure the services of a tier one service provider to lead this work in partnership with the BP. The contract will be structured around four stages:

1. Organisational Capacity Assessment of each BBA (Baseline).
2. Production of a single Capacity Development Plans for the BBAs.
3. Implementation of approved Capacity Building Plan, inclusive of the Callendar of Events.
4. Research for Policy Dialogue and Service Delivery.

This approach is intended to promote a respectful, mutually constructive relationship between the ABG and business associations. The initiative is aligned to President Toroama's Six Point Strategy, particularly point number Four of "mobilizing private sector", Bougainville Vision 2052, as well as the Bougainville Integrated Strategic Development Plan 2023 – 2027 (BISDP) economic sector goal "to encourage a broad-based, diversified and sustainable economy."

This activity will support women in leadership and business through their role in BBAs. The activity will support peer-to-peer learning across Bougainville's BAs and other PNG-based chambers of commerce. As the activity progresses the BP and the tier one service provider will investigate collaboration with First Nations business associations in Australia.

2.4. Statement of requirements

2.4.1 Overview

A service provider knowledgeable of governance in business membership organisations and with experience in Bougainville will be contracted to implement capacity building to the three (3) business associations.

The project aims to support and promote the legitimisation of the business community in Bougainville, by fortifying BBAs and enhancing their capabilities through mentorship and awareness-raising from a professional tier one service provider. By organizing and registering as formal entities, the BBAs can better engage with government agencies, financial institutions, and other stakeholders across PNG to promote their interests, increase membership, and advocate for improved services and policies to enable a business inducing climate.

The resources of the BBAs are thin with reliance primarily on volunteer contributions from members and the executive. The Central SME and Buin Business Associations rely on the time of Office Bearers, who balance many competing pressures on their time. This approach will aim to strengthen the BBAs as “volunteer” organisations with access to information resources and networking.

The BP will provide technical advisory support and quarterly secretariate support for key forums facilitated by the service provider (attended by BBAs and open to the broader business community). Forums will include keynote speakers, discussions on issues identified through the perceptions survey and other evidence. Topics will also speak to supporting the formalisation of the business community in Bougainville, enabling BBAs to be directly engaged on key issues and challenges in advancing business growth.

The scope of BP secretariate support will be determined by a capacity development plan and calendar of events produced by the service provider and agreed by the BP and BBAs. The delivery of this investment initially spans over 18 months. A staged methodology and approach as set out below is required. Any variation to this approach is to be agreed by the BP. The activity stages are:

1. To undertake an Organisational Capacity Assessment of each BBA (baseline).
2. To develop a single Capacity Building Plan for all BBAs.
3. To implement the approved BBA Capacity Building Plan, inclusive of the Calendar of Events.
4. Research for Policy Dialogue and Service Delivery.

The service provider will be required to visit Bougainville and engage directly with each BBA Executive and select members at a minimum of nine visits over the activity lifecycle (18 months).

The support above and tier one service provider contract will be managed by the Team Leader, Economic Development, BP. The Capacity Development Adviser for the Department of Commerce, Trade & Industry (DCTI) will continue to provide advice and guidance to the Team Leader in delivery of the activity.

2.4.2 Stage 1: OCA for each Association.

The contracted service provider will establish a baseline analysis for each of the BBAs by applying the methodology set out below:

- a) Utilising an agreed OCA template, support the BP to produce a contextually relevant OCA for each BBA. The OCA tool will be based on the Bougainville Partnership's “Strongim Social Capital” OCA template, contextually applied. The OCA will require consultations (focus group forums) with respective BBA elected executives (or interim executives) and select members. OCAs will inform a (single) capacity development plan for the three BBAs.
- b) Develop an “internal” BBA perceptions survey instrument to understand the challenges, issues, and opportunities to grow BBA impact and membership. This will require consultations (focus group forums) with BBA elected executives (or interim executives) and select members. The internal perceptions survey will be developed in partnership with the BP and may be facilitated simultaneous to OCAs. It should consider the scope of potential membership and the expected incentives for potential membership.

An OCA mid-line will also be undertaken by the service provider, utilising the same assessment tools and methodology and approach set out above. This is to be undertaken in October/November 2025, the midline analysis enables an analytical assessment of capacity achievements of each of the BBA between August 2024 and November 2025.

Through this comparative analysis, and accompanied by impact case studies, the BP aims to demonstrate increased capacity of the BBAs to advocate for their members and engage effectively with the ABG to improve the private sector environment for inclusive economic growth.

Deliverables for Stage 1 include:

1. OCA tool and reporting template (31/07/2024).
2. An internal perceptions survey undertaken with all BBAs (30/09/2024)
3. OCA Baseline Report incorporating a comparative analysis of trends and issues and baseline scores for each BBA (30/09/2024)
4. OCA Mid-line Report incorporating a baseline/mid-line comparative analysis of trends and issues and mid-line scores for each BBA (31/12/2025).

2.4.3. Stage 2: Capacity Building Plan.

The service provider will produce an agreed capacity development plan (CDP) for the BBAs. The CDP will consider the following sources of information and data to inform production:

- a) The approved BBA OCAs.
- b) A desktop analysis of the existing BBA Strategic Action Plans.
- c) The internal BBA perceptions survey analysis.
- d) Other economic and business-related research, data and information provided to the service provider by the BP.

The analysis of information/data sources above will enable the service provider to also understand perceptions, issues, challenges, and pathways to building business confidence in Bougainville. The service provider will consider the following institutional strengthening priorities:

- a) Supporting the formal establishment of each BBA in accordance with GoPNG and ABG legal framework (including the Investment Promotion Authority; Internal Revenue Commission). Legal registration, the establishment of respective constitutions, codes of conduct and the election of office bearers through democratic governance processes will be fundamental to this requirement. This will enable BBAs to legally operate and advocate for the interests of members and the broader business community in each region.
- b) Core organisational capacity focus areas, required by a “volunteer based” organisation such as the BBAs, may include:
 - Governance arrangements.
 - Financial management and secretariate practices.
 - Record Keeping.
 - Communications.
 - Stakeholder engagement.
 - Progress against Strategic Action Plans.
- c) An events calendar scheduling four annual dialogues in Bougainville, on key issues impacting Bougainville's business community.
- d) The opportunity to support peer-to-peer learning across the BBAs and other PNG-based chambers of commerce. At this point the BP and service provider will identify entry points for collaboration with First Nations business associations in Australia.

Deliverables for Stage 2 include:

5. Draft Capacity Development Plan for each BBA (due 31/10/24)
6. Final Capacity Development Plan for each BBA (due 15/11/24)
7. A BBA Callendar of Events (due 15/11/24)
8. Options for peer-to-peer learning across the BBAs & First Nations associations (due 15/11/24)
9. Project Lifecycle Work Plan (inclusive of in-Bougainville scheduled inputs: 15/11/24).

2.4.4 Stage 3: Implementation of BBA Capacity Development Plan

Implementation of BBA CDPs is expected to commence immediately after deliverable approval from the BP in late-2024. To implement the CDPs the service provider will be required to provide a combination of direct and remote technical support, mentoring and coaching; meeting facilitation support; and technical advice and analytical support to the BP.

In the implementation of BBA CDPs, the service provider is also required to support BBAs to:

- a) Implement their respective Strategic Action Plans.
- b) Implement their respective Membership Action Plans.
- c) Ensure the development and implementation of communications products and an outreach plan for each BBA.

Each of the SAPs includes capacity development objectives and behaviours in good governance, accountability and transparency, relationship building and inclusive participation, among others. Key capacity development outputs will include:

- a) Register the associations with the IPA (as applicable) inclusive of the association's constitution.
- b) Establish the associations governance structure, roles, and responsibilities of the executives, members, and any working group(s) to be established by the association.
- c) Open a Business Association bank account (if applicable).
- d) Document formal meetings in accordance with regulatory requirements and schedules (normal meetings, Annual General Meetings, and appointments of executive).
- e) Support each BBA to implement its Membership Action Plan, as set out in the SAP (consisting potentially of bi-monthly meetings, workshops, social events, and the use of social media).
- f) Develop relationships with Chambers of Commerce in Lae and East New Britain.

Deliverables for Stage 3 include:

10. Quarterly Activity Progress and Financial Reports (due 31/12/24, 30/06/25).
11. Six Month Activity Progress and Financial reports (due 30/09/24, 31/03/25, 30/09/25)
12. Completion and Sustainability Report (due 31/12/2025).

** Meetings minutes and action items of all visits are to be recorded and annexed to progress reports.

2.4.5 Stage 4: Research for Policy Dialogue and Service Delivery.

Early during implementation of CDPs the service provider will be required to support the BP undertake a business sentiment perceptions survey within the three towns of Buka, Arawa and Buin:

- a) The survey instrument will be developed by the BP with input from the service provider, to ensure alignment with BBA CDPs and the program's logical framework.
- b) The BP will provide tools, tablets, and enumerators for the survey. Enumerator training will be provided by the BP with technical support from the service provider.
- c) A sample size will be agreed with the service provider prior to the BP facilitating the survey.
- d) The BP will analyse and report on the survey, with input from the service provider. The survey will provide data and information to the BP (and the service provider) to help inform priority options for further research and dialogue between the BBAs and ABG on public policy dialogue (PPD) and service delivery issues.
- e) The service provider will socialise the findings of business sentiment perceptions survey reports with BBAs and identify and agree to priority options for further research and PPD with the ABG. This will be documented in a brief report, Policy, and Service Delivery Dialogue Options Paper.

The business sentiment perceptions survey will seek to understand:

- a) Business sentiment and confidence, and how this impacts business growth and opportunity.
- b) The challenges, risks, and opportunities the investment climate poses for businesses.
- c) Whether there is any untapped potential membership for the BBAs and their potential for more than just voluntary membership; and

- d) The experience of women, people with disabilities (PWD) and other vulnerable groups in the business community

The survey findings will be used and disseminated at forums, attended by local level government, ABG and GoPNG representatives.

Proposed options for further research that are agreed by BBAs and the BP, will be subject of a concept note (prepared by the BP) which will be submitted to DFAT and then the Economic Development Technical Working Group for consideration. The topic must be relevant and provide sufficient justification to promote policy dialogue and engage with the ABG on business sentiment and service delivery issues on behalf of BBA membership.

TWG approved research and analysis for PPD will be funded through the Economic Development Discretionary Fund. Research will be undertaken an independent organisation, with the findings and recommendations to be presented to the ABG and service providers to enable evidence-based approaches to engage in policy dialogue.

Deliverables for Stage 4 include:

- 13. Policy and Service Delivery Dialogue Options Paper (31/12/2024).

¹This is a different survey to the internal BBA perceptions survey.

²The business sentiment survey may be designed similarly to the Institute of National Affairs Private Sector Surveys. Previously the BP had produced Rapid Investment Climate Analysis' (RICA), which is a "business sentiment perceptions survey" by another name. As the name suggest, the RICAs were "rapid" and limited resource was put into presenting the RICA's in a digestible format, therefore they were not widely circulated. The tier one service provider will produce more digestible reports that can be shared with relevant stakeholders.

2.5. Location

The location in which the services will be delivered is Autonomous Region of Bougainville (ARoB).

2.6. Deliverables, milestones, reporting

The Service provider is required to submit the following deliverables on the indicative dates set out in the table below. In addition to the specific deliverables set out above the Service provider will provide the following periodic reports.

Stage	Deliverable / Reports	Indicative Due Date	Acceptance By
<i>OCA's for each BBA.</i>	1. OCA tool and reporting template.	31/7/2024	Abt Associates Contract Manager
	2. An internal perceptions survey undertaken with all BBAs.	30/9/2024	
	3. OCA Baseline Report: A comparative analysis of trends and issues and baseline OCA scores for each BBA.	30/9/2024	
	4. OCA Mid-line Report: A comparative analysis of baseline-endline OCA scores, and trends and issues for each BBA.	31/12/2025	
<i>CDPs completed for each BBA.</i>	5. Draft Capacity Development Plans for each BBA.	31/10/2024	Abt Associates Contract Manager
	6. Final Capacity Development Plans for each BBA.	15/11/2024	
	7. A BBA Calendar of Events	15/11/2024	
	8. Options for peer-to-peer learning across the BBAs & First Nations associations	15/11/2024	
	9. Project Lifecycle Work Plan	15/11/2024	
<i>Implementation of BBA Capacity Development Plan</i>	10. Quarterly Activity and Financial Progress Reports.	31/12/2024 30/06/2025	Abt Associates Contract Manager
	11. Six Month Activity and Financial Progress reports.	30/9/2024 31/3/2025 30/9/2025	
	12. Completion Report (inclusive of deliverables above).	31/12/2025	
<i>Policy dialogue Options Paper.</i>	13. Policy and Service Delivery Dialogue Options Paper.	31/12/2024	Abt Associates Contract Manager

2.7. Financial information and cost estimate

The Subcontract will be structured with the following Fee Payment Schedule. Respondents should advise in their response if different payment arrangements are required.

Milestone No	Deliverables	Indicative Milestone Date	Fee Percentage
Milestone 1	<ul style="list-style-type: none">Six Month Activity and Financial Progress reports (1 of 3)Deliverables due before 31 October 2024 (listed in table above)	31 October 2024	25%
Milestone 2	<ul style="list-style-type: none">Quarterly Activity and Financial Progress Reports (1 of 2)Deliverables due before 31 December 2024 (listed in table above)	31 December 2024	25%
Milestone 3	<ul style="list-style-type: none">Quarterly Activity and Financial Progress Reports (2 of 2)Six Month Activity and Financial Progress reports (2 of 3)Deliverables due before 30 June 2025 (listed in table above)	30 June 2025	25%
Milestone 4	<ul style="list-style-type: none">Six Month Activity and Financial Progress reports (3 of 3)Completion ReportDeliverables due before 31 December 2025 (listed in table above)	31 December 2025	25%
	TOTAL:		100%

3. PART 3 – RFP CONDITIONS

3.1. About this Request document

This Request for Proposal (RFP) is an invitation to treat and shall not be construed, interpreted, or relied upon, whether expressly or impliedly, as an offer capable of acceptance by any professional, firm or organisation or as creating any form of contractual, quasi-contractual, restitutionary or other relationship.

No binding legal relationship will arise out of this process until execution of a contract with the Preferred Respondent.

3.2. Queries

Up to and including the Queries Closing Date, Respondents may submit a query or request for clarification arising from this RFP to the nominated Contact Officer set out in Part 1.4 - RFP Particulars. Abt Associates does not guarantee that it will respond to any query, particularly queries received after the Queries Closing Date. All such queries are to be via email only. Telephone enquiries will not be taken.

3.3. Briefing and Site Inspections

RFP briefing details are included in Part 1.1 – Important Dates. Suppliers should register their intention to attend the briefing with the Contact Officer. If a Respondent is unable to attend the briefing they will be provided with the information supplied to all attending Respondents along with responses to any requests for information raised during the briefing.

Site inspection details are included in Part 1.1 – Important Dates. If no site visit is nominated, it is assumed that Respondents have familiarised themselves with any site conditions and have taken them into consideration in the preparation of their Proposal. Site inspections can be requested in writing to the Contact Officer prior to the deadline for enquiries nominated in Part 1.4 – Contact.

3.4. Proposal Modification Procedure

Abt Associates may, in its absolute discretion, issue modifications to this RFP before the Offer Closing Date and Time and may extend the Offer Closing Date and Time to enable Respondents to amend their Proposal.

If Abt Associates elects to issue modifications, Abt Associates will issue a formal addendum via email to all registered Respondents. It is the responsibility of Respondents to ensure they have registered their interest and contact details with the Contact Officer so that they are able to receive all modifications.

All conditions and rules of this RFP will apply to all addenda unless modified by the addenda. Any such addenda will become part of the RFP.

3.5. Conditions for Participation

The following conditions must be met by the Respondents

- a. the Respondent must exist as a legal entity at the Offer Closing Time and Date
- b. at the time of lodgement of their Proposal, the Respondent must not have been:

- i. precluded from bidding for Australian Government funded work or
- ii. subject to a judicial decision against them relating to employee entitlements (not including decisions under appeal, and have not paid the claim
- c. the Respondent must be solvent and financially capable to undertake the proposed contract work and to perform such work and to undertake the necessary expenditure without anticipated financial difficulties and must be able to so demonstrate prior to contract award.

Abt Associates will exclude from consideration any Proposal if the Respondent or one of its related entities is listed by:

- a. the Australian Minister for Foreign Affairs under the Charter of the United Nations Act 1945 and/or listed in regulations made under Division 102 of the Criminal Code Act 1995. Further information about listed persons and entities is available from the Australian Department of Foreign Affairs and Trade website at www.dfat.gov.au
- b. the World Bank on its “Listing of Ineligible Firms” or “Listing of Firms Letters of Reprimand” posted at www.worldbank.org (the “World Bank List”); or
- c. any other donor of development funding on a list similar to the World Bank List; or
- d. the Workplace Gender Equality Agency as not complying with the Australian Government Workplace Gender Equality Act 2012 (Cth).

3.6. Minimum Content and Format Requirements

Abt Associates will exclude a Respondent’s Proposal from further consideration if Abt Associates considers in its absolute discretion that the Respondent’s response does not meet the minimum content and format requirements listed in this clause:

- a. the Proposal must be lodged in accordance with the instructions provided in Part 1.3 – Proposals and Lodgement;
- b. the Respondent must submit a complete Offer in the format as set out in Part 1.5 – Proposal Details;
- c. the Respondent must complete Part 5 – Response Schedules and include all specified attachments;
- d. the Proposal, including all attachments and supporting material, must be written in English, or if in a foreign language, must be correctly translated into English; and
- e. Alternative Proposals will only be considered where the Supplier also provides in its Proposal a response that conforms to the specified requirements of this RFP.

3.7. Late Lodgement Policy

Abt Associates will exclude late Proposals and will not admit them to the evaluation process unless Abt Associates has caused or contributed to the failure to lodge by the Offer Closing Date and Time. The Proposal response is considered late if:

- a. it is submitted after the Proposal Closing Date and Time (specified in Part 1.1 – Important Dates); or
- b. it is incomplete as at the Proposal Closing Date and Time (including where the Offer response includes electronic files that cannot be read or unencrypted).

3.8. Unintentional Errors of Form

If an unintentional error of form in a Respondent's response is identified prior to award of a contract, Abt Associates may in its absolute discretion allow correction of that error by the Respondent by the submission of a correction, variation or additional information.

An unintentional error of form is an error that Abt Associates is satisfied in its absolute discretion:

- a. represents incomplete information not consistent with the Respondent's intentions and, if relevant, capabilities at the time the submission was lodged; and
- b. does not materially affect the competitiveness of the Respondent's response.

3.9. Ownership of Response Material

All material submitted in response to this RFP becomes the property of Abt Associates. By submitting a Proposal, the Respondent allows Abt Associates to copy and do anything necessary to material, including the Respondent's intellectual property contained in the response, for the purpose of evaluating the Respondent's response and negotiating a Contract if the Respondent proceeds to that phase of the process.

3.10. Conflict of Interest

During the Request For Proposal (RFP) process, the Respondent must immediately advise Abt Associates in writing of any circumstances or relationships constituting an actual, potential or perceived Conflict of Interest in respect to its Offer, or the Respondent's obligations under the Contract if the Respondent is awarded the Contract. Abt Associates may in its absolute discretion:

- a. enter into discussions to seek to address such Conflict of Interest;
- b. exclude the Respondent from the process and further evaluation; or
- c. take any other action it considers appropriate.

3.11. Health, Safety and Security

The Respondent, if appointed, must at all times, identify, comply with and exercise all necessary, duties and precautions for the health, safety and security of all persons including the Respondent's employees, subcontractors, subcontractor's employees, employees of Abt Associates and other persons who may be affected by the delivery of the contract work.

The Respondent will inform itself of all workplace health, safety and safety duties, codes of practice, policies, procedures or measures applicable to the Location detailed in 1.5 RFP Details. The Respondent will comply with all such duties, codes of practice, policies, procedures or measures; and in the event of any inconsistency, will comply with such duties, codes of practice, policies, procedures or measures that produce the highest level of health, safety and security. The Respondent must comply with any and all directions by or on behalf of Abt Associates relating to safety and security.

3.12. Insurance

All potential Respondents must have appropriate insurance cover as a condition of submitting a Proposal and, at a minimum, the insurance requirements specified in Part 6 - Draft Contract. If the Respondent is not yet covered by any of these insurances, Abt Associates requires the Respondent to provide a certification that it is willing to get coverage of these insurances once selected as the successful Respondent.

3.13. Ethical dealing, financial and probity checks

Abt Associates' policy is to engage in the highest standards of ethical behaviour and fair dealing throughout the Offer process. Abt Associates requires the same standards from those with whom it deals. Respondents must compile responses without improper assistance of employees or former employees of Abt Associates and without the use of information improperly obtained or in breach of an obligation of confidentiality. Respondents should not:

- a. engage in misleading or deceptive conduct in relation to the procurement process;
- b. engage in any collusive submissions, anti-competitive conduct, or any other unlawful or unethical conduct with any other Respondent, or any other person in connection with the procurement process; or
- c. attempt to influence improperly any officer, employee or agent of Abt Associates, or violate any applicable laws or Abt Associates policies regarding the offering of inducements in connection with the procurement process.

Abt Associates may exclude from consideration any Proposal lodged by a Respondent which, in Abt Associates' reasonable opinion, has engaged in any behaviour contrary to this section in relation to the procurement process.

Abt Associates (or its agents) may perform such security, probity, and financial investigations and procedures as Abt Associates may determine are necessary in relation to any Respondent, its employees, officers, partners, associates, sub-contractors or related entities including consortium members and their officers, employees and sub-contractors.

Respondents should promptly provide Abt Associates with such information or documentation that Abt Associates requires in order to undertake such investigation. A Proposal may be rejected by Abt Associates if the Respondent does not promptly provide, at its own cost, all reasonable assistance to Abt Associates in this regard or based on the outcomes of the investigations or procedures.

Abt Associates may also make independent enquiries about any matters that may be relevant to the evaluation of a Proposal.

3.14. Safeguarding

The successful Respondent must have appropriate child protection policies in place and/or be willing to comply with Abt Associates and DFAT's latest *Child Protection Policy*. DFAT's *Child Protection Policy* is available on its website. The successful Respondent will be required to work with Abt Associates to implement any necessary Child Protection Implementation Plan for medium and high-risk activities.

The successful Respondent should be aware of the DFAT Preventing Sexual Exploitation, Abuse and Harassment Policy available on the DFAT website. The successful Respondent may be required to submit a narrative response and risk assessment in relation to this policy and to work with Abt Associates to implement any requirements for medium and high-risk activities.

3.15. Alternative Proposals

Abt Associates may, at its discretion, consider a Proposal that does not comply fully with this RFP only if the Respondent:

- a. also provides a Proposal that fully conforms to the requirements in Part 2 – Specifications;
- b. proposes a solution that satisfies the functional requirements of the Specifications;
- c. is otherwise a complete Proposal;

- d. fully describes the advantages, disadvantages, limitations and risks of the alternative approach; and
- e. includes sufficient information to enable a comparison of the Alternative Proposal with Proposals that comply with the Specifications.

3.16. Right Not to Proceed

Abt Associates is not bound contractually, or in any other way to the Respondents who respond to this RFP. Abt Associates reserves the right not to proceed with this RFP or any part of it, and to suspend or vary the RFP and/or its requirements at any stage.

3.17. Costs Borne by Supplier

All costs and expenses incurred by Respondents in any way associated with the development, preparation and submission of the Proposal, including but not limited to attendance at meetings, site visits, discussions, presentations and providing any additional material required by Abt Associates, will be borne exclusively by the Respondents.

3.18. Supplier Acknowledgements

Respondents are considered to have:

- a. examined this RFP, any documents referenced in this RFP and any other information made available by Abt Associates to Respondents for the purpose of responding;
- b. examined all further information which is obtainable by the making of reasonable enquiries relevant to the risks, contingencies, and other circumstances having an effect on their Proposal;
- c. undertaken their own professional advice in respect of this RFP, any other information provided to Respondents and the procurement process generally, as appropriate;
- d. satisfied themselves as to the correctness and sufficiency of their Proposal response including submitted prices; and
- e. satisfied themselves as to the terms and conditions of the Draft Contract and its ability to comply with the Draft Contract.

Responses are submitted on the basis that Respondents acknowledge:

- a. they do not rely on any representation, letter, document or arrangement, whether oral or in writing, or other conduct as adding to or amending these conditions other than addenda; and
- b. they do not rely upon any warranty or representation made by or on behalf of Abt Associates, except as are expressly provided for in this RFP, but they have relied entirely upon their own inquiries and inspection in respect of the subject of their Proposal.

3.19. Rights of Abt Associates

Without limiting any other rights contained in this RFP, Abt Associates may do any or all of the following at any time:

- a. not proceed with the procurement activity;
- b. suspend, defer or change the structure and timing of the procurement activity;
- c. determine at any time a short list of Respondents;

- d. seek amended Proposals or call a new request for proposal;
- e. forward any clarification about this RFP to all known Respondents on a non-attributable basis and without disclosing any confidential information of a Respondent;
- f. allow or not allow another legal entity to take over a Proposal in substitution for the original Respondent where an event occurs that has the effect of substantially altering the composition or control of the Respondent or the business of the Respondent;
- g. negotiate with one or more persons who have not submitted Proposal responses or enter into a contract or other binding relationship for similar Specifications outside of this procurement process; and/or
- h. terminate any negotiations being conducted at any time with the Respondents.

4. PART 4 – EVALUATION PROCESS

4.1. RFP Response

The Respondent is to provide a written response to the RFP requirements in accordance with the requirements set out in Part 1.5 – Proposal Details and Part 5 – RFP Response Schedules.

The proposal will be assessed by an Evaluation Panel as specified in Part 1 – RFP Particulars, specifically in 1.5 – RFP Details, *‘Evaluation Criteria’*.

The Respondent’s written response to the requirements set out in Part 2 – Specifications will be used by the Evaluation Panel to evaluate Proposals against the evaluation criteria.

The Evaluation Panel may also use any relevant information obtained in relation to the RFP (whether from the Respondent as part of clarification, reference checks, negotiations, presentations or by any other independent inquiry) in the evaluation of proposals.

4.2. Evaluation Process

The purpose of the evaluation process is to identify and select the Respondent that represents the best value for money to Abt Associates, consistent with the Commonwealth Procurement Rules and Abt Associates procurement standards and procedures.

Proposals will be assessed in accordance with the evaluation criteria to determine which Respondent provides the best value for money. In evaluating each Proposal, Abt Associates will have regard to:

- a. Each of the specific evaluation criteria identified in Part 1.5 – Proposal Details; and
- b. The overall value for money proposition presented in the Proposal.

In this context, value for money is a measurement of benefits represented by a Respondent’s submission, including:

- a. The quality of goods and/or services;
- b. Fitness for purpose;
- c. Relevant experience and performance history;
- d. Innovation and adaptability over the life-cycle;
- e. Environmental sustainability of the proposed goods and services;
- f. Risk and compliance; and
- g. Whole of life costs.

Respondents should ensure that they provide all required information in their Proposals to fulfil each evaluation criteria by submitting all requirements set out in Part 1.5 - Proposal Details and Part 5 – RFP Response Schedules.

The Proposal evaluation process will be divided into the following phases:

- a. Receipt and registration of Proposals;
- b. Screening of proposals for compliance with RFP requirements and conditions of participation;
- c. Technical proposal assessment;
- d. Financial proposal assessment;
- e. Due diligence checks;

- f. Evaluation of value for money and risk; and
- g. Evaluation Report.

As part of, and in addition to the evaluation process, Abt Associates may:

- a. Require clarifications and/or presentations from Respondents at any time during the evaluation process. Should such presentations be required, dates, times and venues for presentations will be notified to all Respondents participating in the evaluation or the shortlisted Respondents from the evaluation process. A list of areas and issues for Respondents to address will be provided prior to the presentations; and
- b. Conduct reference checks (including site visits, if relevant) on Respondents. Reference checks may be conducted with any referee proposed by the Respondent in its Proposal response or with any other organisation selected by Abt Associates at its discretion. Abt Associates may also request further information from Respondents during the evaluation process.

4.3. Negotiations with Respondents

Abt Associates may engage in discussion with one or more respondent for the purpose of clarifying its Proposal response. Where information of a material nature is provided to one respondent, it will also be provided concurrently to all other Respondents who are currently participating in the evaluation process.

Abt Associates reserves the right to, at any time conduct post-proposal negotiations with any or all of the Respondents on any aspect of their Proposal. This may involve conducting parallel negotiations with several Respondents. These post-RFP negotiations may result in changes to the terms of the Draft Contract.

4.4. Debriefing

Respondents may request a debriefing following the award of a contract. Respondents requiring a debriefing should contact the Abt Associates Contact Officer.