



Australian Government



REQUEST FOR TENDER (RFT)

AMOUNTS OVER \$100,000

TITLE: EVALUATION OF ORCHESTRAS REVIEW 2005 FUNDING PACKAGE

This document is available until the closing date.

LODGEMENT OF TENDERS

Tenders must be lodged by 2pm local Sydney time on Monday 16 June 2008. Tenders should be in a sealed envelope, marked and delivered as follows:

For hand or postal delivery:

Tenders
Australia Council for the Arts
372 Elizabeth Street,
SURRY HILLS NSW 2010

By email:

tenders@australiacouncil.gov.au

Tenderers may lodge their tender in hard copy or electronically.

If providing the tender in hard copy, tenderers may lodge one (1) unbound, A4, original of their tender, marked "ORIGINAL" and accompanied by supporting documentation such as brochures, handbooks and the like. In addition, one (1) copy of the tender and one (1) copy of any supporting documents are also to be provided. One (1) electronic copy of the tender in Word format is also required. Supporting documents need not be provided in electronic form.

FAX TENDERS will not be accepted.

LATE TENDERS will not be accepted.

CONTACT OFFICER:

Contact for all enquiries relating to this RFT: David Colville Ph: +61 2 9215 9037 or email :d.colville@australiacouncil.gov.au

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PART A -RULES GOVERNING THIS REQUEST FOR TENDER

1. PURPOSE OF TENDER

The Australia Council for the Arts invites tenders for the provision of a detailed assessment of the financial implications of the divestment of Australia's six state symphony orchestras from the Australian Broadcasting Corporation (ABC) and establishment of the orchestras as fully independent companies; and the effectiveness of the Orchestras Review 2005 funding package in ensuring implementation of the government-agreed workplace and governance reforms recommended by the Review. The six state symphony orchestras referred to throughout this RFT are the West Australian Symphony Orchestra, Adelaide Symphony Orchestra, Melbourne Symphony Orchestra, Tasmanian Symphony Orchestra, Sydney Symphony Orchestra and The Queensland Orchestra.

The evaluation is to be completed and provided to the Australia Council no later than 31 August 2008.

- 1.1 This Request for Tender document is a tender brief and designed to assist prospective Tenderers in the preparation and submission of their proposals.

2. NO CONTRACTUAL OBLIGATIONS

- 2.1 This RFT is expressly not a contract between the Australia Council and the Tenderer. Nothing in this RFT or in any tender document is to be construed as to give rise to any contractual obligations, expressed or implied.

A Contract will not necessarily arise or result from the submission of a Tender.

3. TENDERERS TO INFORM THEMSELVES

- 3.1 The onus is on the Tenderer to understand the contents of this RFT and the implications of being involved in this RFT process. The Australia Council does not accept responsibility for any misunderstandings arising from the Tenderer's failure to comply with this RFT.

- 3.2 The Council only accepts tenders on the condition that the Tenderer:

- has examined this RFT and all other information made available to the Tenderer;
- has made all reasonable inquiries regarding relevant risks, contingencies and other circumstances that might affect the tender;
- has satisfied itself as to the correctness and sufficiency of the tender;
- has satisfied itself as to the nature and effect of any laws governing or regulating the provision of the tender services;
- has involved itself in the tender process entirely at its own expense and without any costs being payable by the Council.

4. RIGHT TO VARY OR STOP TENDER PROCESS

The Australia Council reserves the right to stop or vary the tender process, or re-tender, at anytime. Any variation to the original RFT will be given the same distribution as the original RFT.

5. PROCUREMENT TIMETABLE

It is proposed that the following procurement timetable shall apply. The Australia Council will strive to adhere to this timetable but reserves the right to vary dates whenever necessary.

Date	Task
28 May 2008	Tender document distributed
16 June 2008	Tender closing date
19 June 2008	Acknowledge receipt of tenders
23 June 2008	Short listing completed
25 June 2008	Complete tender evaluation
27 June 2008	Completion of approval process
30 June 2008	Notify unsuccessful Tenderers
1 July 2008	Contract issued

- 5.1 Where this timetable varies significantly, the Australia Council will notify prospective Tenderers.

6. REFEREE AND OTHER REPORTS

- 6.1 Tenderers are required to provide details of three (3) contactable referees. The Tenderer acknowledges that the Australia Council may obtain third party, independent financial, business, credit and security checks on a Tenderer or its personnel to determine the Tenderer's viability and capacity to perform and provide the services.
- 6.2 The onus for establishing the financial viability and capacity to satisfactorily perform and meet the outputs required under this RFT is on the Tenderer. Tenderers should not proceed in responding to this RFT if they are unable to provide acceptable evidence of their organisation's financial viability and capacity to undertake and satisfactorily perform the tendered services.

7. CONFLICT OF INTEREST

Tenderers and their personnel must not place themselves in a position that may, or does, create a conflict of interest concerning this RFT. Any potential or actual

conflict of interest that may arise in the performance of their obligations under the RFT must be fully disclosed.

Identification of a potential or actual conflict of interest does not necessarily preclude a Tenderer's submission from consideration. However, the Council will carefully consider the circumstances surrounding the conflict of interest to determine whether it will compromise the attainment of Council's requirements, and if so, will promptly notify the Tenderer.

8. INQUIRIES BY TENDERER

8.1 All inquiries by potential Tenderers for information should be addressed only to the nominated contact officer named on the cover of this RFT.

8.2 Where, in the opinion of the Australia Council, further information provided to one potential Tenderer should be provided to all potential Tenderers, such information will be given the same distribution as the original RFT.

9. TENDER CONTENT

9.1 Should a potential Tenderer find any discrepancy, ambiguity, inconsistency, error or omission in this RFT document, they should notify the Australia Council in writing as soon as possible, and in any case before the closing date for the tender so that the Australia Council may take any corrective action it considers necessary.

10. WHAT TO LODGE

Tenderers are required to lodge six (6) copies of the tender submission by the deadline. The original is to be marked 'Original' and the remaining copies to be marked 'copy 1' and so on respectively. The original and the copies should include any supporting material.

A tender evaluation panel/committee will evaluate submissions in response to this RFT. This panel/committee will assess the submission according to the criteria specified in this RFT.

11. LODGEMENT OF TENDERS

The Tender Closing Time is shown on the cover page of this RFT.

11.2 Tenders may be deposited by hand in the tender box, sent as a postal article or emailed to the email address shown on the cover page of this RFT. The onus is on Tenderers to ensure that any tenders sent by mail are posted:

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- (a) within sufficient time to reach the Australia Council by the Closing Time; and
 - (b) by an appropriate means to ensure the Tenderer can track the progress of the tender and confirm its delivery. The Australia Council will be under no obligation to provide Tenderers with confirmation of delivery of tenders.

12. LATE TENDERS

- 12.1 Tenders lodged after the tender closing time will be opened and registered separately and will be deemed late.
- 12.2 Late tenders will only be admitted for evaluation at the discretion of the Australia Council and only in exceptional circumstances, (eg failure of the tenders received by the due date to meet the Selection Criteria).

13. ALTERATIONS, ERASURES OR ILLEGIBILITY

- 13.1 Tenders are liable to be rejected where they contain alterations or erasures, incomplete, ambiguous or illegible prices or terms, or insufficient information to enable proper evaluation.
- 13.2 Alterations cannot be made to tenders after the Tender Closing Time unless it can be clearly demonstrated to the satisfaction of the Australia Council that a clerical or keying error has been made by the Tenderer.

14. ADDITIONAL INFORMATION

- 14.1 Tenderers may include additional information to any features of the tender not covered by the requirements. This information, if considered of value, may be considered as part of the evaluation.

15. OWNERSHIP OF TENDER DOCUMENTS

- 15.1 All tender documents will become the property of the Australia Council on lodgement.
- 15.2 Intellectual property owned by the Tenderer or third parties and contained in the tender documents will not pass to the Australia Council with the property in the tender documents.

However, the Australia Council is licensed to use and copy that intellectual property to the extent necessary to conduct an efficient tender process. All information made available in response to this RFT will be treated as commercial in confidence.

16. COMPLIANCE

- 16.1 The Tenderer will be taken to agree and comply with all rules and conditions of the RFT.
- 16.2 Tenderers may choose not to comply with a condition or rule or part of the RFT (non-compliance). Tenderers shall detail the extent of and reasons for such non-compliance. However, as non-compliance will be considered during the evaluation of tenders, significant non-compliance may render a tender ineligible for further consideration.
- 16.3 Responses will be considered non-compliant where Tenderers in any way limit, qualify, confuse or make compliance conditional in their tenders.

17. ACCEPTANCE OF TENDERS

- 17.1 The Australia Council is not bound to accept the lowest priced tender or any tender. Tenderers whose tenders are not accepted will be notified.
- 17.2 Australia Council reserves the right to negotiate with other Tenderers in the event that a contract cannot be successfully negotiated between Australia Council and the preferred Tenderer.

18. COLLUSIVE TENDERING

- 18.1 Tenderers and their personnel must not engage in any collusive bidding, anti-competitive conduct or similar conduct with any other Tenderer or other person in preparing or lodging a tender.

19. JOINT TENDERING

- 19.1 A Tender submitted by a consortium will only be considered if the consortium contracts with the Australia Council as a single separate legal entity and the Tender clearly specifies the details of all members of the consortium. A single point of contact for the consortium must be specified for negotiation and contract management matters.

The Australia Council reserves the right at its complete discretion to accept or reject a joint Tender submitted on the basis that two or more organisations will be jointly and severally liable.

20. MISLEADING AND DECEPTIVE CONDUCT

20.1 Tenderers must not engage in misleading or deceptive conduct, including making statements or misrepresentations during the RFT process.

21. SHORTLISTING

21.1 The Australia Council reserves in its absolute discretion, to make a shortlist of any Tenderers and seek further information from those Tenderers before choosing a preferred Tenderer. In the event of a shortlist being compiled by the Australia Council, Tenderers not on the shortlist will be advised as soon as possible.

22. DISCLOSURE OF INFORMATION

22.1 Tenderers are informed that Australian Government agencies are subject to the operation of the *Freedom of Information Act 1982*, allowing public access to many government documents. Refer Part B paragraph 2.

23. IMPROPER ASSISTANCE

23.1 Tenderers should note that it is Australian Government policy to exclude from further consideration tenders that have been compiled with improper assistance of employees of the Australia Council, ex-employees of the Australia Council and/or contractors or ex-contractors of the Australia Council, or that have been compiled using information unlawfully obtained from the Australia Council.

PART B – PROCESSES GOVERNING THIS RFT

1. GENERAL INFORMATION

The Australia Council will evaluate submissions against the following criteria: -

1. Acknowledgement and Compliance with the Rules governing this Request for Tender, Part A.
2. Compliance with Australian Government Policies, Part C.
3. Understanding and Compliance with the Tender Specifications, Response Format, Selection Criteria, and completion of the Compliance statement, Parts D to G.
4. Price; and
5. Standards and Capacity.

Note, however, that in this evaluation:

- The Australia Council may seek information from sources other than the Tenderer, including information regarding the quality of products.
- The selection of a preferred tenderer will be based on the most efficient and effective outcome for the Australia Council. This involves assessing value for money and quality of service against this RFT.

The following process will apply:

1. A Committee, consisting of representatives from the Australia Council, and where necessary, an independent expert, will conduct the evaluation of Tenders.
2. Strict confidentiality will be maintained by the Panel/Committee in relation to information received and the proceedings of the team in managing the evaluation and selection process.
3. Any tender that does not provide all required information or which contains false or misleading information may be excluded from consideration.
4. The Committee may make independent inquiries about any matters that may be relevant to the evaluation of a tender;
5. The Australia Council may determine a preliminary short list of Tenderers. Any Tenderers that are not short-listed may be excluded from further consideration.
6. The Australia Council may request Tenderers, or preliminary short listed Tenderers to provide presentations, undertake interviews and may contact referees or undertake clarification to assist in its assessment of the tenders.

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7. The comparative assessment of Tenders for the purpose of short-listing and recommending preferred Tenderers will involve a weighted score ranking methodology (as detailed in Part F), and a value for money and risk assessment.

PART C – REQUIREMENT OF COMPLIANCE WITH AUSTRALIAN GOVERNMENT POLICIES

1. **EQUAL EMPLOYMENT OPPORTUNITIES, DISABILITY DISCRIMINATION AND INDUSTRIAL RELATIONS**

- 1.1 It is an Australian Government policy requirement that its agencies and Authorities, including the Australia Council, do not acquire goods or services from a supplier who does not comply with the *Equal Opportunity for Women in the Workplace Act 1999*, and/or the *Disability Discrimination Act 1992*.
- 1.2 The Australia Council is also required to ensure that its contracting and tendering processes, that the *Workplace Relations Act 1996*, the *Workplace Relations Amendment (Work Choices) Act 2005* and relevant Government policy, be fully recognised and complied with by those who seek to do business with the Council, to the extent applicable to their activities.

2. **DISCLOSURE OF INFORMATION**

- 2.1 The *Freedom of Information Act 1982* gives to members of the public rights of access to official documents of the Australian Government. Generally, the business, commercial or financial affairs of an organisation is not disclosed.
- 2.2 Information may also be disclosed for accountability reasons, such as a request from Parliament or a Statutory officer, such as the Auditor-General or the Ombudsman.
- 2.3 Notwithstanding anything in this RFT, the Australia Council reserves the right, in its absolute discretion and without any liability to any Tenderer, to disclose, and/or to allow the disclosure of, at anytime, any information contained in or relating to any tender to any Australian Government department, agency, authority or Minister, or any disclosure as otherwise required by Law.

Tenderers should note that embedded in the Commonwealth Procurement Guidelines is a requirement that agencies make a considered judgement at the time a contract is being negotiated or finalised about whether or not commercial information should be protected as confidential. Any party seeking to maintain confidentiality needs to make a substantiated case that disclosure would harm their commercial interest.

3. **PROTECTION OF PRIVACY**

The Australia Council is obliged by the provisions of the Privacy Act 1988 to take contractual measures to ensure that contractors and subcontractors do not perform an act, or engage in a practice, that would breach the Information Privacy Principles.

PART D – TENDER SPECIFICATIONS

1.1 BACKGROUND TO THE TENDER

The 2005 Orchestras Review

The Australian Government commissioned an “Orchestras Review” to address the issue of the sustainability of Australia’s symphony and pit orchestras. The purpose of the Review was to examine a range of operational, marketplace, financial and governance issues that were confronting Australia’s symphony and pit orchestras. Its report – *A New Era – Orchestras Review 2005* - was submitted to the (then) Minister for the Arts and Sport, Senator Kemp, in February 2005.

The Review found that significant reform was required if Australia’s symphony orchestras were to be sustainable in the years to come, and made a number of important recommendations to improve the sustainability of the orchestras.

A copy of the report – *A New Era – Report of the Orchestras Review 2005* – can be downloaded at

http://www.arts.gov.au/_data/assets/pdf_file/25083/ORCHESTRAS_Review_2005.pdf.

The then Australian Government agreed to the following thirteen recommendations of the Review:

- divestment of the six symphony orchestras from the ABC and their subsequent reconstitution as public companies limited by guarantee with appropriate governance structures and reporting requirements (Recommendations 1, 5 and 6);
- provision of funding to eliminate the six symphony orchestras’ accumulated deficits, in order to satisfy the requirements for their incorporation as public companies limited by guarantee (Recommendation 2);
- negotiation of appropriate service-level agreements between each symphony orchestra and the ABC to preserve the mutual benefits of prior promotion and broadcasting arrangements (Recommendation 3);
- development of a new funding model that makes realistic assumptions as to the limited flexibility of the predominant cost of people and to the growth in non-government income which can be achieved to offset the declining value of government funding due to the application of the efficiency dividend (Recommendation 8);
- negotiation between orchestra management and musicians to continue to achieve improvements in workplace flexibility and productivity (Recommendation 9);
- establishment of a program to assist orchestras with the funding of loss-of-proficiency cases (Recommendation 10);
- provision of one-off financial support for the development and implementation of improved occupational health and safety injury

prevention strategies in the eight professional orchestras (Recommendation 12);

- examination of governance and funding arrangements relating to the delivery of orchestral services in support of the Sydney and Melbourne seasons of Opera Australia and The Australian Ballet, and the provision of interim funding to cover the operating costs of the Australian Opera and Ballet Orchestra until new arrangements are agreed and implemented (Recommendations 17 and 18);
- provision of annual funding to the Canberra and Darwin Symphony Orchestras to enable them to build their relationships with the state symphony orchestras and to access support services (Recommendation 19); and
- implementation of alternative arrangements for the delivery of the services and programs previously provided by Symphony Australia.

The Government did not agree to the following recommendations:

- reductions in the size of the ensembles of the Tasmanian Symphony Orchestra, The Queensland Orchestra and the Adelaide Symphony Orchestra (Recommendations 13 – 16);
- allowing orchestra members who currently belong to Australian Government superannuation schemes to retain their membership of those schemes once the orchestras are established as companies independent of Government (Recommendations 4 and 11), although existing members will not lose their accrued benefits; and
- the removal of the efficiency dividend from ongoing funding to the orchestras (Recommendation 7).

The six state symphony and two specialist opera and ballet orchestras were provided with a package of additional funds of \$25.4 million over four years, commencing 2005-06, to secure their ongoing financial and artistic sustainability and enable the implementation of the agreed recommendations. At the September 2006 Cultural Ministers Council meeting, Ministers noted that the Australian Government would conduct a detailed evaluation in 2008 of the effectiveness of funding provided to the six symphony orchestras through the Orchestras Review Package.

The Australian Government Minister for the Environment, Water, Heritage and the Arts, the Hon Peter Garrett MP AM, has asked the Australia Council to manage the evaluation. The Australia Council is issuing this Request for Tender for the evaluation.

1.2 PURPOSE OF THE TENDER

The Australia Council invites tenders for a detailed assessment of the financial implications of the six state symphony orchestras' divestment from the ABC and establishment as fully independent companies, and the effectiveness of the funding package in ensuring implementation of the government-agreed workplace and governance reforms.

1.3 OUTPUTS TO BE ACHIEVED

The successful tenderer will provide an interim report by the mid-point of the project (31 July 2008) and the full evaluation report to the Australia Council by no later than 31 August 2008. The full report will be presented to the Minister for the Environment, Water, Heritage and the Arts, and will consist of:

- A high-level summary for possible public release, outlining the findings of the evaluation and presenting aggregated financial and other quantitative data; and
- A confidential report presenting and analysing individual orchestras' financial and other quantitative data in greater detail.

Scope of the evaluation

The evaluation will cover the outcomes of the \$25.4 million Australian Government Orchestras Review 2005 funding package, provided to assist orchestras with divestment from the ABC and establishment as fully independent companies, and the ramifications of implementing the key government-agreed recommendations of *A New Era: Report of the Orchestras Review 2005*.

Key elements

The evaluation will assess the effectiveness of the following key elements of the Australian Government funding package in delivering the desired outcomes:

- \$9.9 million to ensure that the current size of orchestras in Tasmania, Queensland, South Australia and Western Australia can be maintained;
- Over \$4.1 million to establish the orchestras as independent companies limited by guarantee;
- \$3.1 million for a two-year program to improve artistic standards in the orchestras;
- Approximately \$0.4 million for an initiative to improve the occupational health and safety standards and conditions for orchestral musicians;
- \$4.7 million to secure the longer-term sustainability of the orchestras; and
- \$1 million to implement alternative service delivery arrangements to those formerly provided by Symphony Australia.

This additional funding was matched by appropriate additional contributions from each of the State governments and was linked to orchestras' acceptance of the key workplace changes recommended in the Orchestras Review Report.

The evaluation will also consider the extent to which these required workplace changes have been implemented, including:

- The establishment of the six state symphony orchestras as fully independent companies, no longer owned by the ABC, and the

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- development of service level agreements between the ABC and the orchestras to preserve the mutual benefits;
 - Significantly strengthened governance and accountability requirements for the orchestras;
 - More flexible workplace arrangements for musicians, allowing the orchestras greater ability to earn commercial revenue.

Other issues to be considered as part of the evaluation include:

- The current financial position of orchestras in comparison to that reported in the Orchestras Review 2005;
- The financial impact of the six state symphony orchestras' greater organisational independence, including consideration of government funding as a proportion of total income;
- The impact of transferring employees' superannuation from Australian Government to equivalent private schemes;
- The impact of transferring workers compensation insurance to State government schemes; and
- The impact of organisational changes on community ownership of, and investment in, the six state symphony orchestras.

Process management

The evaluation process will be managed by the Major Performing Arts Board (MPAB) of the Australia Council. To assist the successful tenderer in the evaluation process, the MPAB will engage at its own cost a specialist advisor with expertise in business operations, government administration and the orchestral music sector. This specialist advisor will be asked to prepare a short introductory statement to accompany the report produced by the successful tenderer.

The successful tenderer will be required to consult with the following as part of the evaluation:

- Managements and Board Members of the six state symphony orchestras
- State government officials
- Representatives of orchestral musicians
- Administrators of the ABC

1.3 PRICING

- Prospective Tenderers should note that it is expected that the costs of this Tender be no more than \$150,000 plus GST.
- Prices shall be expressed in Australian currency.
- Your price, which is a best and final offer, is to include all costs of complying with the RFT. It should include:

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- ❑ All taxes and charges (both overseas if applicable, and Commonwealth, State and Local Government taxes and charges);
 - ❑ Travel and accommodation;
 - ❑ Quality Assurance;
 - ❑ Business Processes etc,

and show separately the amount of any GST included in the cost.

1.3 Invoice Details

- ❑ The Australia Council will require payment to be made in instalments against the satisfactory completion of certain milestones. The first instalment will be made on signing of the contract; the second payment on receipt of an interim report; and the third and final instalment on satisfactory completion and acceptance by the Australia Council of the final evaluation report.
- ❑ All payments will be due within 14 days of the receipt of a Tax Invoice.
- ❑ Tenderers must provide a schedule of components and activities for the provision of the services and the costs associated with each of the activities. The tenderer should also include hourly rates of fees that will be charged for each category of work (where applicable). Eg, Senior consultant, junior consultant, other related support.

Any charge not stated in the RFT as being additional shall not be allowed as a charge against any transaction under any resultant Contract.

1.4 RISK ASSESSMENT

1.4.1 In developing proposals, tenderers should take into account the following specific issues.

- Avoiding delays in report delivery in light of the inflexible government timetable for the project
- Maintaining the confidentiality requirements of the detailed, non-public report

Describe any risk management tools that might assist the operation of an agreement, including any specific warranties you would be providing.

1.4.2 Insurance required

- a. Public risk/Liability Insurance

The tenderer is required to have not less than \$10,000,000 per claim covering liability owed to another person who suffers loss or damage by reason of your business activities

b. Professional Indemnity Insurance

The tenderer is required to have professional indemnity type insurance for not less than \$5,000,000 per claim covering acts or omissions in the exercise of your trade or profession that give rise to liability (eg negligence)

c. Workers Compensation

As required by State/Territory law, the tenderer is required to have workers compensation scheme sufficient for any place that your personnel are involved with, or, if you are an individual, appropriate disability income insurance for illness or injury.

The Tender should include a description of the tenderer's current insurance cover.

PART E – RESPONSE FORMAT

Tender documents should include the following:

- A background section setting out what are seen to be the key issues concerning this tender, and demonstrating an understanding of and any relevant existing experience in:
 - the cultural/creative sectors; and
 - the business sector, particularly relating to the provision of detailed financial analysis and evaluation.
- A full and reasoned explanation of the methodology and approach proposed, and an account of any analytical processes to be deployed that demonstrates that your organisation is able to meet the Tender Specifications in Part D and ensure that the outcomes are met or exceeded.
- A list of names and functions of tenderer representatives who will be actively involved throughout the evaluation and reporting process.
- A proposed timetable of stages, including reporting milestones, assuming a commencement date of 1 July and a completion date of 31 August 2008.
- A total budget for the project, including GST with detailed costing identifying separately staff costs, office and travel costs and all other costs that may be incurred during the course of the project.
- Company or organisation information such as corporate status, registered place of business, size, number of staff & turnover, and copies of financial statements demonstrating financial viability.
- A risk analysis, setting out perceived potential risks, the level of potential impact of such risks and the contingencies to mitigate any potential damage resulting from such risks.
- Supporting information concerning the proposing organisation, its management structures and procedures, quality assurance procedures and demonstrated experience in this and related areas that is the subject of this RFT. Qualifications of the staff to be designated to the project.
- Three referees to whom the Australia Council may address enquiries concerning previous experience in this area.
- A statement declaring any partial or non-compliance with any provisions of this RFT (including the draft conditions of contract stating reasons and alternatives where appropriate)

You are therefore required to address each section of this RFT, including any relevant schedules or attachments, and indicate in the table below full understanding and acceptance, non-compliance, or non-applicability.

2. Compliance with terms of the enclosed draft agreement

The terms of the draft agreement represent the basis upon which the Australia Council proposes to contract. Accordingly, considerable importance will be placed on the Tenderers acceptance of those terms or, if non-compliant, on provision of acceptable alternative wording.

You are therefore required to address each part and clause of the draft agreement, including any relevant schedules or attachments, and indicate in the table below full understanding and acceptance, non-compliance, or non-applicability.

Clause or Part	Comply/Don't comply	Reason	Alternative Proposal

Table of Requirements for submission to RFT:

To assist in the evaluation of tenders, the following information must be provided:

Compliance criteria	Information Required
RFT Compliance	A signed statement declaring any partial compliance or non-compliances with any clauses of the RFT (including the draft conditions of the Contract, stating reasons and alternatives where appropriate).
Conflict of Interest	A statement declaring any conflict of interest or potential conflict of interest that would exist if the Tenderer was contracted.
Confidentiality Provisions	Any elements of your tender, which would become part of any subsequent contract, which you would regard as confidential and provide reasons for them.
Tenderer's information	<input type="checkbox"/> your name and corporate status, including registration number, Australian Business Number (ABN) for GST purposes (if applicable); <input type="checkbox"/> any proposed subcontractors, i.e. who will be utilised in the performance of services, including name and type of services; <input type="checkbox"/> recent performance and at least three (3) referees <input type="checkbox"/> principal place of business;

	<ul style="list-style-type: none"> □ any internet address for your business □ details of your representative during Tender process, including: <ul style="list-style-type: none"> ○ name and title; ○ postal and physical address; ○ telephone and facsimile numbers; ○ email address.
Tender lodgement requirements	Meet the deadline for the lodgement and provide the correct number of copies in the format requested.
Insurance	Provide details of insurance such as public liability, professional negligence and workers compensation coverage.
Compliance with Government Policies	Detail whether or not your acceptance and compliance of applicable government policies

PART F – EVALUATION CRITERIA

EVALUATION CRITERIA

Tenders will be assessed on the basis of the following criteria (percentage weightings of the importance of each of the criteria are indicated):

Experience in detailed financial analysis and evaluation (50%)

- The experience of the organisation and staff in:
 - Conducting detailed financial analysis and evaluations;
 - Knowledge of, and experience in, superannuation management; and
 - A demonstrated understanding of workers' compensation issues.
- Previous performance on comparable projects, indicating the tenderer's dependability and quality of work.

Proposed approach (20%)

Does the proposed approach:

- Cover the required elements of the evaluation?
- Include effective strategies to collect and analyse the information required for the evaluation in a timely and comprehensive manner?
- Demonstrate a robust and credible evaluative methodology which has been proven to work in other, similar projects, and is benchmarked against best practice?

Value for money (20%)

Does the program demonstrate value for money?

Understanding of the arts/government environment (10%)

The tenderer's understanding of the arts environment, including the orchestral sector. In addition, the tender should demonstrate an understanding of the role of governments in supporting the orchestral sector.

Administrative requirements

- Confirmation of the proposed timetable and the schedule of work.
- Acceptance of the draft conditions of contract.
- Acknowledgement of insurances required.
- Analysis of the risks and how risks are proposed to be managed.

Contract compliance

Tenderers are required to indicate compliance with each section of the Draft Contract, including any amendments to those sections that may be issued by the Council during the RFT process.

PART G – COMPLIANCE STATEMENT

Please complete this form and submit with your Tender. **Tenderer's Details**

Company Name: _____

ACN: _____

ABN: _____

or

If a Partnership, the Trading Name (if any) and full names of the Partners:

or

If a Sole Trader, Trading Name (if any) and the full name of the Trader:

or

Other, and the full name of the organisation:

Contact for Liaison and Notices:

Mr/Mrs/Ms/Dr _____

Postal Address: _____

Telephone: () _____

Facsimile: () _____

E-mail: _____

Statement of Compliance: I certify that I have read, understood and, unless otherwise specified below, all Parts to this Request for Tender and comply with each Part. Where I do not comply, I have set out a detailed response to that part of the non-compliance part or provision.

PART G – COMPLIANCE STATEMENT

Part	Section	Level of Exception *	Details / Reasons

* Code DNC Does not comply
 PC Partially complies
 FC Fully complies
 SER Significantly exceeds requirements
 NA Not applicable

.....
Signature of Tenderer