

Adelaide Hills Council

Supplier Guide: Doing Business with Council



Key points in tendering for Adelaide Hills Council work

Understand the opportunity

- Make sure you read and understand what is being sought.
- If in doubt seek clarification from Council.
- Read all documentation and any addendums or clarification issued.

Target the best opportunities

- Only tender for opportunities you can provide.
- Make sure the project is core to your business and is cost effective to provide.
- Make sure you have the full capability and resources to deliver the project.
- Try not to underestimate or over-commit your time and resources.
- Mandatory is mandatory. If you can't meet the requirement, then you can't be considered.

Be sure that your submission is compliant

- Follow the bid rules to provide everything required.
- Read the questions – do you need to provide a full document/manual – or “evidence of” (e.g. a summary).
- Address all criteria requirements.
- Fully complete and sign the tender lodgement form.
- Lodge by the closing date and time, and in the manner requested.
- If a response document is provided, use it.

Sell yourself

- Sell yourself as to why you are the best option. Are you sustainable in your business practices - environmentally aware; provide employment to disadvantage groups (indigenous or other); socially responsible etc.
- Identify any value added or innovation solutions that may be of interest to Council.
- Highlight any recycled content in your product; Circular Procurement is important to Council.
- If you are based in the Adelaide Hill Council area ensure you mention it; local economic development is important to Council.
- Use any debriefs as an opportunity to improve future competitive bids, and provide useful feedback to Council.

The following information is provided to help you understand how procurement for goods and services is undertaken at Adelaide Hills Council.

We want to build mutually beneficial, strong, engaging, collaborative, and rewarding relationships with our suppliers.

Each year Adelaide Hills Council spends approximately \$30M on a wide variety of works, goods, and services. The procurement for these projects varies in method relative to the risk, complexity, and value.

Adelaide Hills Council has seven key principles underpinning our procurement processes:

1. Encouragement of open and effective competition.
2. Obtaining value for money.
 - Involves obtaining goods, works, or services that best meet Council's needs.
 - Is not restricted to price alone.
3. Probity, ethical behaviour, and fair dealing.
4. Accountability, transparency, and reporting.
5. Ensuring compliance with all relevant legislation.
6. Sustainability.
 - A process whereby Council meets its procurement needs in a way that achieves value for money whilst generating benefits not only to council, but also to our community, local economy, and the environment.
7. Work Health and Safety.

Procurement Policy

Adelaide Hills Council's Procurement Policy can be found on our website

ahc.sa.gov/procurement

Finding Opportunities

Adelaide Hills Council uses *the SA Tenders and Contracts* website to advertise public tenders with a value above \$100,000.

tenders.sa.gov.au

Tenders and requests for quotes of a lesser value may also be advertised on this website.

SA Tenders and Contracts has a useful frequently asked questions section:

tenders.sa.gov.au/tenders/faqs/browse.

It also has a search function that allows the setup of a weekly auto-search for tenders. This is a useful tool which we recommend you use.

Tip: a search request for "all new tenders" will ensure that you never miss an opportunity.

In addition to Public Tenders, the market approach may include Limited or Select Tenders, Request Expressions of Interest (REOI), Request for Quote (RFQ), Request for Proposal (RFP), or direct negotiation. A number of factors are considered when determining the most appropriate method to seek submissions, including the potential value of the contract, capability of the market, timeliness, and experience.

Contracts are established following the competitive bid processes with the aim of ensuring all parties understand their responsibilities.

Purchases with a value between \$10,000 and \$50,000 will normally undergo a written quotation process, generally from a small number of providers.

Purchases with a value under \$100,000 can be either a Public or Select Tender depending on the market or risk factors.

Suppliers should also take note of purchasing tenders released by the Local Government Association Procurement group (released on *SA Tenders and Contracts*). As well as being a secondary source of opportunities, Adelaide Hills Council often utilises these contracts if they are beneficial.

Building Relationships

Tips for doing business with Adelaide Hills Council:

- Monitor *SA Tenders and Contracts* for new opportunities. Set up an auto search for relevant tenders.
- Develop and maintain a relationship with Council so that your contacts become familiar with your capabilities, and confident in your performance.
- Ensure that when applying for tenders, or submitting quotations, you are addressing all sections of the document.
- Should you be unsuccessful in a tender or quote, don't hesitate to request a debrief session to determine what you could do better in future bids.
- If you wish, you can provide your business information such as company name, contact details, and what product or services you can provide. This will be used when undertaking market research to determine where a Select Tender will be distributed to.

Send this information to:

Procurement Coordinator
procurement@ahc.sa.gov.au

- Adelaide Hills Council will assist suppliers with understanding its templates for the procurement process. Please contact the Procurement Coordinator for assistance. Most SA councils use variations of the same templates.

Environmental Considerations

In March 2019 Adelaide Hills Council became the second Council in South Australia, and thirteenth in Australia, to declare a Climate Emergency. The decision reflects Council's preparedness to provide leadership for our community in addressing the unprecedented threat of climate change.

As such, Council's evaluation of a Tender or Quote will take environmental issues into consideration.

The Adelaide Hills Council is one of nine local councils participating in a pilot Circular Procurement Trial, whereby we have made a

commitment to prioritise the purchase of goods with recycled content.

The aim of the pilot project is to increase market demand locally for recycled content products and materials, and provide stability and ongoing markets for the recyclable material that our residents place in their kerbside recycling bins.

Products and materials where Council will prioritise recycled material include office stationery/paper, fixtures such as street furniture, bollards, and fencing, construction materials, and compost.

This pilot project aligns with Council's recently adopted Resource Recovery and Recycling Strategy, which identifies the need to work towards a circular economy through sustainable procurement in relation to developing and supporting local and national recycling markets.

Our Tender Documents

Always note the closing time and date for a tender. Late tenders will not be accepted.

The Adelaide Hills Council endeavours to assist the supply market with clear documentation and transparent processes. This is ongoing.

Our documents can have up to five parts:

- Section A: Background and general information.
- Section B: Details of the bid rules and conditions of tendering.
- Section C: Contract documentation.
- Section D: The specification or scope.
- Section E: The "Tender Response" document. This will assist you in providing the information Council is seeking.

Our documentation will state what specification Council requires. This may refer to Australian Standards, DIT standards, or any other requirement Council determines to be relevant.

There may be parts of the documentation that you do not understand. Please contact the nominated Contact Officer detailed in the Bid Rules by email and they will assist you. Note that

clarification and additional information garnered from your enquiries may be provided to all potential respondents.

Adelaide Hills Council may invite suppliers to a tender briefing session. Sometimes these briefings are mandatory and non-attendance at a mandatory briefing will exclude your submission from evaluation. All mandatory briefings will have an attendance sheet; ensure you sign it.

Your Tender Submission

You need to determine whether you can meet the specification to deliver a competitive solution. If there are any mandatory criteria listed, are you able to meet these? Mandatory criteria are not subjective; they are yes/no options. Suppliers unable to meet the mandatory criteria are not eligible for further consideration.

The tender response document will provide you with detail about specific information required. It will help you meet these requirements, and you have the option to add attachments.

Try to answer the questions listed and, unless you are submitting additional options, you will generally find the template straight-forward. There is no need to provide layers of marketing materials, annual reports etc. unless asked. In the absence of a response template, present your submission in a simple and clear format.

We evaluate submissions against the criteria listed in the bid rules. This is to get the best value for money outcome for Council with the minimum level of risk. Please note that 'value for money' does not necessarily equate to the lowest price.

Your submission must be complete, submitted in the format requested, and be lodged in the required format prior to the closing time.

A word of caution: when emailing electronic files, try to keep the size under 10MB per email. This will upload with ease. If you are uncertain call the Procurement Coordinator on 8408 0400 for assistance with the process.

Submitting an "Alternative" Offer

Generally Council is seeking a specific outcome. Even a Request for Tender (RFT) or Request for Quote (RFQ) will identify known specifications which are quite prescriptive. Failure to address the specifications will generally see your submission identified as non-compliant, and you run the risk of being eliminated from consideration.

It is strongly recommended that where you wish to submit an alternative offer, you consider also lodging a compliant submission.

A Request for Proposal (RFP) is where Council is seeking a proposed solution. In this instance there is an opportunity to provide an innovative solution.

If you are uncertain about your offer, seek clarification from the nominated Contact Officer detailed in the Bid Rules and they will assist you.

Evaluation

Prior to releasing a market approach Council will have identified its evaluation criteria (and relevant weightings).

Criteria identified in your tender documents may include (but is not limited to):

- Demonstrated ability to provide the goods or services sought.
- A local economic benefit.
- Environmental factors.
- Methodology or project management experience.
- Proposed personnel or capability of staff.
- Ability to manage risk.
- Pricing.
- Compliance with stated contract conditions.

Any evaluation criteria listed should be considered as a guide only. Your bid will be assessed against the evaluation criteria, each weighted according to their relative importance. Weightings are generally not identified to suppliers as we wish to see the best of all your service, not just the highest-weighted criteria.

Parts of your tender response will be built into final contract, so the detail is important in the ongoing contract management.

Sometimes clarification or further information is sought and this is included in a secondary evaluation process. This will generally occur where there is a need to differentiate between short-listed submissions, or where a number of providers are very close in capability and price.

A secondary process may include (but is not limited to):

- Presentation of the intended process or methodology.
- Clarification of particular aspects of the submission.
- Additional information on some aspect of the tender.
- Responses to additional requirements.
- Negotiations on personnel, delivery, milestones, and price.

Note that if additional information is required as part of a short-listing process, you will be notified of that.

Negotiation

Sometimes Council may request a discussion or revision of a submission (particularly where pricing has significantly exceeded budget). This may result in a reduction to the scope, an alternative solution, or revised pricing opportunities.

Suppliers will be advised if negotiation is sought, and notified of the negotiation subject. You can also raise additional topics that you want included in negotiations.

Any discussions and decisions will be recorded formally and form part of the overall evaluation process.

Awarding and Signing the Contract

After successful negotiations the preferred supplier(s) will be offered a contract for the tendered requirements.

All tender respondents will be notified in writing of their submission's outcome.

Debriefing

If your bid is unsuccessful you can request a debrief. This can be a valuable source of information on the strengths and weaknesses of your submission and help you prepare improved responses in future bids.

The purpose of a debrief is not to justify the selection of the winning tender, but to give you feedback on your response. So that next time you can improve your submission.

A debrief can be held in person or by phone and can be requested by contacting the nominated Contact Officer listed in the tender documentation.

An unsuccessful bid does not affect future opportunities with Adelaide Hills Council.

SUCCESSFUL APPLICANTS

Establishing the Contract

Contract management is the process by which the supplier and the Council meet respective contractual obligations.

This process ensures that both parties achieve negotiated objectives through satisfactory performance. It is in the interest of both the supplier and Council to have a successful contract built on a strong relationship, rather than a reliance on terms and conditions.

Once you have been awarded a contract you will receive copies to sign. The contract commences after signed copies have been returned to Council for formal execution. Council will also send a signed copy to you for your records.

Communications

All communication should be managed through the Superintendent (or their specific nominee) who will maintain written records at all times. Any changes, additions and variations will be documented. Some amendments and variations (or high value or risk) may require approval from the contract signatories and further Council authorities.

Monitoring the Contract

Monitoring performance will ensure that any delivery issues are identified as early as possible and remedial measures can be implemented. Contractor performance assesses not only the delivery of the project, goods or service, but the variations, reporting, and anything relevant to the contract.

The contract will clarify details such as delivery time and location, requirements before commencing delivery, ownership of intellectual Property or any reporting requirements. Any uncertainty should be resolved as early as possible with the Superintendent.

Managing Payments

Payments will only be made after submission of the appropriate paperwork (noting the purchase order and contract number) and authorisation by the council officer, as well as the completion of any required compliance certification. In the case of a supply of goods or services the authorised officer must be satisfied that the goods or service has been delivered as per the requested specification or scope of works. Payment will be made in line with the agreed payment terms in the contract or purchase order.

Freedom of Information

The *Freedom of Information Act 1991 (SA) (FOI Act)* gives members of the public rights to access documents of the Council. The *FOI Act* promotes openness in governance, and accountability of government agencies, and confers the public with a legally enforceable right to be given access to documents, including contracts entered into

by the Council, except where those contracts or provisions must be kept confidential for the purpose of public interest, the preservation of personal privacy, or commercial confidence.

Independent Commissioner Against Corruption (ICAC)

Suppliers who enter into a contract with Council will be considered Public Officers for the purposes of the *Independent Commissioner Against Corruption Act, 2012 (SA) (ICAC Act)* and will be obliged to comply with the *ICAC Act* and the Directions and Guidelines issued pursuant to the *ICAC Act*.

Online business information resources

Department of Industry (Federal)

business.gov.au

Department of State Development

statedevelopment.sa.gov.au

Business SA

business-sa.com

Industrial Capability Network

icnsa.org.au

SA Government

sa.gov.au

SA Tenders and Contracts

tenders.sa.gov.au

State Procurement Board

spb.sa.gov.au

Office of the Industry Advocate

dpc.sa.gov.au/office-industry-advocate

ICAC SA.

icac.sa.gov.au

Ombudsman SA

ombudsman.sa.gov.au

Information has been tailored for Adelaide Hills Council from the information provided in "Suppliers Guide to winning Government business" (SA Government Sept 2010), Adelaide Hills Council Procurement Policy/Framework and "Supplier Tendering Guide V3" (City of Salisbury)