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Request for Tender

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| Part C -  Provision of Forest Inventory Services (Standing Offer Arrangement) |

**REQUEST** NUMBER:

**RFT1/2024FG**

**CLOSING TIME:**

3:00 pm, Wednesday, 6 November 2024, Perth, Western Australia

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Part C – Content Requirement and Respondent’s Offer

Note to Respondent

In preparing its Offer, the Respondent must:

1. address each requirement in the form set out in this Part C;
2. take into account the Contract requirements including the Price Schedule (Appendix A); draft Forest Inventory Services Contract (Appendix B), the FPC622 occupational safety and health tender checklist (Appendix C), the map relating to the Service Delivery Area (Appendix D), and the Contractor Procedures and Work Instructions (Appendix E);
3. in respect of the Qualitative Requirements in section 6 of this Part C, provide full details of any claims, statements or examples;
4. assume that the Commission has no knowledge of the Respondent, its activities, experience, or any previous work undertaken by the Respondent for the Commission or any other Public Authority; and
5. specify any Offer Information that the Respondent wishes to expressly and reasonably nominate as confidential for the purposes of the Request.

Identity of Respondent

The Respondent must provide the following details:

|  |  |
| --- | --- |
| **RESPONDENT TO COMPLETE**: | |
| Name of Legal Entity: |  |
| Business Trading Name: |  |
| Registered address or street address of principal place of business: |  |
| Postal address for service of contractual notices: |  |
| ABN: |  |
| ACN (if a company): |  |
| Contact Person: |  |
| Contact Person Position Title: |  |
| Email: |  |
| Mobile phone: |  |
| Telephone: |  |
|  |  |

Note:

1. This Offer does not require the Respondent’s signature.
2. The Respondent, if registered as a legal entity outside the Commonwealth of Australia, must detail any intention of creating a separate Australian legal entity as part of this Request.
3. If the Respondent is registered as a legal entity outside the Commonwealth of Australia, and intends to establish a new, subsidiary Australian legal entity, the Commission will undertake a due diligence to verify the bona fides of this arrangement and without limiting other rights contained in this Request, reserves the right to reject their Offer.

Corporate Status

Please complete, by ticking one of the boxes below, to indicate your corporate status.

Sole trader

Partnership (attach, on a separate sheet, the full names of all partners).

Company (attach a copy of the ASIC registration details including the full names of directors). Should the company be a trustee, please provide the names of the trust and the trust beneficiaries. If successful, the Respondent will be required to provide a copy of the trust deed before executing a contract.

Incorporated Joint Venture (attach a copy of the ASIC registration details including the full names of directors and shareholders).

Unincorporated Joint Venture (i.e. consortium) (attach details of each member of the consortium as appropriate to the corporate structure of the member).

Trading trust (if successful, the Respondent will be required to provide a copy of the trust deed before executing a contract).

Other (attach details).

Plantation Regions

Please tick below which Plantation Regions (Appendix D refers) are applicable to your Offer. The responses below should align with the Price Offer in the Price Schedule (Appendix A refers):

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Albany Plantation Region? |  |  |

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Central Forest Plantation Region? |  |  |

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Central Wheatbelt Plantation Region? |  |  |

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Esperance Plantation Region? |  |  |

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Katanning Plantation Region? |  |  |

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Midwest Plantation Region? |  |  |

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Southern Forest Plantation Region? |  |  |

|  |  |  |
| --- | --- | --- |
| Is the Respondent tendering for Services in the Swan Plantation Region? |  |  |

Compliance and Disclosure Requirements

The Commission, in its Value for Money assessment, will consider the extent to which the Offer satisfies the following Compliance and Disclosure Requirements. The Commission reserves the right to reject any Offer that does not properly address any of the Compliance and Disclosure Requirements or which contains material departures from the Contract.

* 1. Compliance with the Contract

The Respondent must confirm whether it will accept the terms and conditions outlined in the draft Contract.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:**  Does the Respondent agree with the terms and conditions contained in the draft Contract (Appendix B)? |  |  |

If no, please provide details in the space provided below (or a separate attachment that adopts the following format) for each term and condition that the Respondent does not accept.

| **Clause Number** | **Reason** | **Suggested Alternative** |
| --- | --- | --- |
|  |  |  |
|  |  |  |
|  |  |  |

The Respondent must not simply state terms as unacceptable or use generic language for the reason for its unacceptability. The Commission expects the Respondent to precisely identify their concerns with a term or condition and suggest possible ways that this concern can be addressed in a manner that may be acceptable to the Commission. In all cases, a redraft of the clause must be provided.

* 1. Compliance with Contractor Procedures and Work Instructions

The Respondent must confirm whether it will undertake the Services in accordance with the applicable Commission Contractor Procedures and Work Instructions (refer to Appendix E).

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:**  Does the Respondent agree to abide by the applicable Contractor Procedures and Work Instructions (Appendix E refers) and third-party codes?  NOTE: The third-party codes include the [Forest Industries Federation (WA) Safety and Health Code for Native Forest (Hardwood) and Softwood Logging](https://www.forestindustries.com.au/s/FIFWA-Forestry-Safety-Code-V2-Full-1.pdf). |  |  |

If no, please provide details in the space provided below (or a separate attachment that adopts the following format) for each part of the procedure that the Respondent does not accept.

| **Appendix** | **Part of the procedure** | **Reason** | **Suggested Alternative** |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

The Respondent must not simply state terms as unacceptable or use generic language for the reason for its unacceptability.

The Commission expects the Respondent to precisely identify their concerns with a term or condition and suggest possible ways that this concern can be addressed in a manner that may be acceptable to the Commission. In all cases, a redraft of the relevant part of the procedure must be provided.

* 1. Commitment to Proposal

Details contained in your Offer in response to this Request will form a commitment that will become enforceable under a Contract (if awarded). Failure to maintain commitments made under your Offer, in the reasonable opinion of the Commission, may be considered an Event of Default under that Contract.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:**  Does the Respondent understand that responses to this Request contained in your Offer will form a commitment under a Contract if awarded? |  |  |

* 1. Participants

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:** | | |
| Is the Respondent acting as an agent or trustee for another person or persons? |  |  |
| Is the Respondent acting jointly or in association with another person or persons? |  |  |
| Has the Respondent engaged, or does the Respondent intend to engage, another person or persons as a subcontractor in connection with any resultant Contract awarded under this Request process? |  |  |

If the Respondent has answered “yes” to any of the above three questions, provide details:

|  |
| --- |
| (extend table or attach information as required) |

* 1. Criminal Convictions

The Respondent must confirm whether the Respondent or any of its personnel have been convicted of a criminal offence that is punishable by imprisonment or detention.

Note: The Respondent is advised that the details disclosed will be considered on a case-by-case basis in relation to any concerns affecting the ability to successfully conduct the Contract requirements.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:**  Has the Respondent or any of its personnel been convicted of a criminal offence that is punishable by imprisonment or detention? (please tick) |  |  |

If “yes”, the Respondent should provide details in the space below (or a separate attachment that adopts the following format) for each term and condition the Respondent does not accept:

|  |
| --- |
| (extend table or attach information as required) |

* 1. Small Business and Australian Disability Enterprise (ADE)

The Respondent must disclose whether it is one or both of the following:

1. a small business that employs less than 20 people; and/or
2. a registered Australian Disability Enterprise (ADE) – registered means to be listed as an approved ADE on the Australian Disability Enterprises website at: [www.ade.org.au](http://www.ade.org.au).

The Respondent should note that its response to this criterion will only be used by the Commission or another Public Authority for statistical purposes only and it will not be used by the Commission in its evaluation of the Offer.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:** | | |
| Is the Respondent a small business that employs less than 20 people? (please tick) |  |  |
| Is the Respondent a registered Australian Disability Enterprise? (please tick) |  |  |

* 1. Aboriginal Economic Development

The Commission is committed to creating more opportunities for Aboriginal participation in the timber industry. This may be achieved by contracting Aboriginal businesses to provide services to the Government forestry sector.

Aboriginal participation may also be achieved through contracts with non-indigenous businesses that train and employ Aboriginal people; source materials, services or supplies from Aboriginal businesses; and/or contribute to Aboriginal wellbeing through sponsorships and community investment. Qualitative Requirement (C) in Section 8 is for Respondents to propose their contribution to achieving positive social outcomes particularly for Aboriginal people. Qualitative Requirement C commitments will be considered when assessing contractor’s performance. Social benefit is part of the ‘value for money’ evaluation as per Part B(1).

The Respondent is required to disclose whether it is a registered Aboriginal Business – the business is to be registered on the Aboriginal Business Directory WA at: [www.abdwa.com.au](http://www.abdwa.com.au) and/or on Supply Nation’s Indigenous Business Direct at: <https://supplynation.org.au/>.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:** | | |
| Is the Respondent a registered Aboriginal Business?  The business is to be registered on the Aboriginal Business Directory WA at: [www.abdwa.com.au](http://www.abdwa.com.au) and/or on Supply Nation’s Indigenous Business Direct at: <https://supplynation.org.au/>. | Yes | No |
| Does the Respondent agree to work with the Commission to achieve improved social outcomes for Aboriginal people in accordance with the Commission’s Reconciliation Action Plan, as updated from time to time? | Yes | No |

If no to the second question, the Respondent will still qualify for evaluation however, justification for the inability to agree to this requirement is required and will aid the evaluation:

|  |
| --- |
| **(extend text box or attach information as required)** |

* 1. Gender Equality in Procurement

The Western Australian Government is committed to advancing gender equality in Western Australia as demonstrated by [Stronger Together: WA’s Plan for Gender Equality](https://www.wa.gov.au/government/publications/stronger-together-was-plan-gender-equality). Further information on how to advance gender equality in your business/organisation is available [here](http://www.communities.wa.gov.au/genderequalityinprocurement).

For further information about this disclosure clause, refer to the [Gender Equality in Procurement Guideline](https://www.wa.gov.au/government/publications/gender-equality-procurement).

|  |  |
| --- | --- |
| **Complete this disclosure requirement if your business/organisation employs 100 or more people or select “Not Applicable” below.**  ☐ Not applicable – business/organisation employs less than 100 people. | |
| The *Workplace Gender Equality Act* *2012* (Cth) requires both non-public sector and Commonwealth public sector employers with 100 or more employees to submit a report annually to the Workplace Gender Equality Agency. Non-public sector employers can find further information about reporting requirements at [Preparing to report | WGEA](https://www.wgea.gov.au/reporting-guide/ge/steps-report).   1. Does the Respondent’s business comply with the Workplace Gender Equality Agency gender equality reporting requirements?   *(WGEA reporting requirements are available at* [*Reporting Guide | WGEA*](https://www.wgea.gov.au/reporting-guide#tendering-for-government-contracts)*.)* | |
| Yes | No |
| 1. Has the Respondent attached a letter of compliance with the *Workplace Gender Equality Act 2012* (Cth)?   *(Information about how to obtain a letter of compliance from WGEA is available from* [*Eligibility & compliance | WGEA*](https://www.wgea.gov.au/reporting-guide/ge/eligibility-compliance#_3-tendering-for-government-contracts)*.)* | |
| Yes | No |
| If you have answered No to (A) and/or (B) above, please provide reasons or explanation for doing so: | |

* 1. Conflict of interest

The Respondent must declare and provide details of any actual, potential or perceived conflict of interest.

The Respondent should also note that the requirement to declare a conflict of interest is an ongoing requirement throughout the Term of any Contract awarded under this Request.

Should the Commission become aware of any conflict of interest that the Respondent did not disclose, but should have disclosed in their Offer, then Commission may consider this an Event of Default for any Contract awarded and reserve all its rights in this regard.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:**  Does the Respondent have an actual, potential or perceived conflict of interest in relation to this Request and performance of any subsequent Contract (if awarded)? | Yes | No |

If yes, state the reasons why in the space provided below:

|  |
| --- |
| (extend table or attach information as required) |

* 1. Financial Assessment

The financial capacity of the Respondent is critical for the Commission. The Respondent is required to complete, as part of the Respondent’s Offer, the following questionnaire:

| **Question** | | **Yes / No** | **Explanation (if answered yes for questions 1 to 8 and no for question 9.) If more space is required, the Respondent must outline in a separate attachment.** |
| --- | --- | --- | --- |
| 1 | Are there any significant events, matters or circumstances, which have arisen since the end of the most recent financial year which may significantly affect the operations of the Respondent? |  |  |
| 2 | Are there any mergers/acquisitions either recent (within the past 12 months) or which are imminent? |  |  |
| 3 | Are there any proceedings, either actual (in the past 5 years) or threatened, against the Respondent, its parent or associated entities; or, against any director of the Respondent, its parent or associated entities? If yes, the Respondent is required to detail what remedial action has been taken in respect to such proceedings. |  |  |
| 4 | Are there any bankruptcy actions against any director of the Respondent, its parent or associated entities; or has there been within the past five years? |  |  |
| 5 | Are there any deregistration actions against the Respondent, its parent or associated entities underway, or have there been any within the past five years? |  |  |
| 6 | Are there any insolvency proceedings, actual (in the past five years) or threatened (including voluntary administration, application to wind up, or any other like action) against the Respondent, its parent or associated entities? |  |  |
| 7 | Is the Respondent, its parent or associated entities currently in default of any agreement, contract, order, or award that would be likely to affect the financial capacity of the Respondent? |  |  |
| 8 | Are there any other factors, which could adversely affect the financial ability of the Respondent? |  |  |
| 9 | Is the Respondent solvent and able to meet its debts as and when they fall due in the normal course of business? |  |  |

The Commission reserves the right to:

1. undertake a financial due diligence assessment of the Respondent from a recognised and independent business intelligence provider;
2. take into account past financial performance by the Respondent who has or has had contract/s with the Commission or other State Agencies where this is considered to be relevant; and
3. amend the terms and conditions of any contract entered into through RFT1/2024FG to accommodate contract risk.
   1. Safety Requirements

Any appointment to the Panel will contain the Commission’s work health and safety (WHS) requirements (Clause 15 in Appendix B refers).

These requirements have been developed with reference to the Australian, New Zealand and International Standard for Occupational Health and Safety Management Systems: AS/NZS ISO 45001:2018.

Throughout the Term of any Contract awarded through this Request, the Commission will continue to promote best practice and continuous improvement in relation to health and safety.

The WHS requirements for this Request must be addressed by the Respondent in three phases:

**Phase 1 – Submitting an Offer**

1. Using the tick box below, agree to continually develop its Safety Management Plan (SMP) in accordance with the Commission’s requirements throughout the Term of any awarded Contract; and
2. Complete the FPC622 Occupational Health and Safety Tender Checklist (Appendix C) and submit it, along with supporting information, as part of the Respondent’s Offer. The checklist refers to the minimum requirements that the Commission expects to be contained in the Contractor’s SMP.

**Phase 2 – Preferred Respondent**

If identified as a preferred Respondent, the Commission will require the Respondent, at their own expense, to provide documented evidence of approved independent verification of their SMP prior to the commencement of Services. This must be in the form of:

1. a certificate confirming compliance to either AS/NZS ISO 45001:2018; or
2. endorsement from an approved WorkSafe Plan assessor within the last three years verifying that the Respondent’s SMP meets the minimum requirements of the Contract (if awarded).

A directory of WorkSafe Plan assessors is available from the Government of Western Australia Department of Mines, Industry Regulation and Safety under ‘[find a WorkSafe Plan assessor](https://www.commerce.wa.gov.au/worksafe/find-worksafe-plan-assessor)’.

Note: the WorkSafe Plan assessor must use the FPC’s ‘Contractor Safety Management Plan Evaluation Template’ available for download from <https://www.wa.gov.au/government/publications/contractor-safety-management-plan-evaluation> when conducting the independent verification.

If the Respondent’s SMP has already achieved the above requirement(s), the Respondent is requested to include documented evidence as part of its Offer.

**Phase 3 – Preparing the Contract**

An SMP accepted by the Commission will become a provision of any resulting contract along with a requirement for continuous verification of the SMP. If a successful Respondent’s SMP does not yet meet the requirements of the above Phase 2, the Contract will be drafted to include a Condition Precedent that requires the Contractor to provide the Commission, within a defined period, with evidence that their SMP meets the minimum requirements of the Contract.

Continuous verification will depend on how the Respondent has met the requirements of Phase 2. For those Respondents that are certified to AS/NZS ISO 45001:2018, a copy of any replacement certificates must be provided to the Commission when reissued and the Contractor must notify the Commission if they lose certification. For those Respondents that are not certified, the Contract will include a requirement for the SMP to be independently verified when specifically requested by the Commission.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:** | | |
| Does the Respondent agree to continue developing its SMP in accordance with the Commission’s safety requirements? |  |  |
| Has the Respondent completed and included the FPC622 OHS Tender Checklist and included it with its Offer? |  |  |
| Does the Respondent agree to obtain independent verification of its SMP? |  |  |

If the Respondent’s SMP is already independently verified, please specify what evidence is included as part of its Offer:

If no to any of the above three questions, please explain why:

|  |
| --- |
| (extend or attach information as required) |

* 1. Insurance Requirements

The insurance requirements are as follows:

The Respondent must confirm that in the event of being appointed to the SOA, the insurance requirements as outlined below will be maintained:

1. **Public liability insurance** covering the legal liability of the Contractor and the Contractor’s Personnel and Subcontractors arising out of the Services for an amount of not less than **$5 million** for any one occurrence and unlimited in the number of occurrences happening in the period of insurance;
2. **Workers’ compensation insurance** in accordance with the provisions of the Workers’ Compensation and Injury Management Act 1981 (WA), including cover for common law liability for an amount of not less than **$50 million** for any one occurrence in respect to Personnel and Subcontractors of the Contractor. The insurance policy must be extended to cover any claims and liability that may arise with an indemnity under section 175(2) of the *Workers’ Compensation and Injury Management Act 1981*; and
3. **Comprehensive Motor vehicle insurance** including coverage for legal liability against property damage and bodily injury to, or death of, persons (other than compulsory third party motor vehicle insurance) caused by motor vehicles used in connection with the Services for an amount of not less than **$20 million** for any one occurrence or accident owned/hired by the Contractor. Insurance coverage to be for “business use”.

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE:**  Does the Respondent agree to maintain the insurance requirements as described in the above section 5.11 of this Part C and in accordance with the draft Contract (Appendix B)? |  |  |

If you have answered “no”, provide an explanation in the space below:

|  |
| --- |
| (extend table or attach information as required) |

Qualitative Requirements

The Commission, in its Value for Money assessment, will consider the extent to which the Offer satisfies the following Qualitative Requirements. The Commission may consider negotiating matters raised in the Responses to the Qualitative Requirements but reserves the right to reject any Offer that does not properly address and satisfy any of the Qualitative Requirements.

|  |
| --- |
| The Respondent must provide a detailed written response against each Requirement and either include these responses in the text boxes in this document or in an attachment to their Offer titled: **Response to Qualitative Requirements – RFT1/2024FG.** |

The Qualitative Requirements do not have equal weighting. Refer to the percentage weighting for each requirement listed below.

1. ****ORGANISATIONAL EXPERIENCE AND CAPACITY (40% WEIGHTING)****

The Respondent is to outline their organisational capacity and demonstrated experience in providing plot measurement services.

The Respondent must:

1. Provide an overview of their company/business history:
   1. how long have you been in business?
   2. how many full-time equivalent staff do you have?
2. Details of previous similar contracts:
   1. With whom and for what?;
   2. Brief detail of the service provided and the outcome achieved; and
   3. Start and end year.
3. Identify two referees; and
4. Provide other information to demonstrate organisational capacity:
   1. Do you have any training programs? If yes, provide details;
   2. What is your recruitment and retention strategy?; and
   3. Provide a brief description on how you are going to ensure your organisation remains available for the Commission over the Term of the Contract;

|  |
| --- |
| **Response** (extend table or attach information as required): |

|  |  |  |  |
| --- | --- | --- | --- |
| **Referee Name** | **Position and Company/Agency** | **Phone No** | **Email Address** |
|  |  |  |  |
|  |  |  |  |

1. ****SKILLS, QUALIFICATIONS, AND EXPERIENCE OF KEY PERSONNEL (40% WEIGHTING)****

The Respondent must provide relevant qualifications, training undertaken, copies of licences/permits, specialised skills and abilities of key personnel including:

1. number of years’ experience in similar work;
2. attach a curriculum vitae; and
3. any other information to demonstrate skills and experience of key personnel.

|  |
| --- |
| **Response** (extend table or attach information as required): |

1. ****SOCIAL PROCUREMENT (10%** WEIGHTING**)****

This qualitative requirement addresses the Commission’s social procurement responsibilities, including initiatives relating to sustainability, local communities and employment as outlined in the Western Australian Social Procurement Framework (<https://www.wa.gov.au/government/publications/western-australian-social-procurement-framework>).

The Respondent must:

1. detail any recycling programs utilised in the field, workshop or office;
2. detail the measures used to reduce waste through recycling or technology;
3. detail its approach to promoting and sourcing the employment of Aboriginal people;
4. identify the type of training that it expects to provide for Aboriginal people; and
5. provide details regarding how it will support other Western Australian businesses (whether subcontracting or not) or material supply arrangements.

|  |
| --- |
| **Response** (extend table or attach information as required): |

1. PARTICIPATION PLAN (10% WEIGHTING)

The *Western Australian Jobs Act 2017* (WA) and the Western Australian Industry Participation Strategy (WAIPS) made under it contain obligations for agencies to require from prospective suppliers, and to assess, participation plans in connection with the supply of goods or services.

The template Participation Plan can be downloaded at: (<https://www.wa.gov.au/government/publications/waips-participation-plan-template>).

As part of its Offer, **the Respondent must** submit a **Core** Participation Plan which addresses each of the matters outlined in the template Participation Plan.

When considering the details to include in its Participation Plan, the Respondent should base its commitments on a potential 1-month duration. Note that this does not represent a commitment for this quantity of work to be allocated by the Commission and throughout the term of any contract, if awarded, the Commission will consider Participation Plan commitments in the context of the quantity of services allocated to the contractor.

**Industry Link Advisory Service** or **ILAS** is part of the Industry Development division of the Department of Jobs, Tourism, Science and Innovation and is located at Level 6, 1 Adelaide Terrace, East Perth, Western Australia 6004. ILAS plays a key role in liaising with agencies and bidders in WAIPS applicable projects and procurements. ILAS is able to provide advice to Respondents on preparation of a Participation Plan and on maximising the opportunities for local industry and workers. More information on ILAS can be found on the WA Industry Link portal at [www.industrylink.wa.gov.au](http://www.industrylink.wa.gov.au).

All requests for assistance from ILAS need to be made not later than five business days prior to the Closing Date in order to allow ILAS sufficient time to respond.

Pricing Requirements

* 1. Offered Price and Price Schedule

The Commission, in its Value for Money Assessment, considers the extent to which the Offer satisfies the following Offered Price and pricing requirements. The Commission reserves the right to reject any Offer that does not properly address and satisfy any of the Offered Price and pricing requirements.

* 1. Pricing Requirements

1. The Respondent must submit its Offered Price by completing the Price Schedule in Appendix A and returning Appendix A as part of their Offer.
2. Referring to the ‘Respondent’s Identity’ section of the Price Schedule, the Respondent must provide its legal entity name, trading name and ABN, and consider the information and instructions that relate to the Price Schedule.
3. The Respondent must state its Offered Price in Australian Dollars and be inclusive of GST.
4. The Commission will not pay for any items where an Offered Price has not been provided.
5. The Offered Price will be deemed to include the cost of complying with this Request (including all Appendices) and the cost of complying with all matters and things necessary or relevant for the due and proper performance of the Contract including travelling and meals. Any charge not stated as being additional to the Offered Price will not be payable by the Commission.
   1. Unusually Low Price Submissions

When evaluating Offers, if a Respondent’s Offered Prices seem unusually low, the Commission may seek additional information from the Respondent to further explain the economics of the method of forest inventory, any technical solution offered, or if there are any exceptionally favourable conditions to the Respondent that allow their prices to be more competitive.

* 1. Additional Advice Regarding Price Offers

Depending on the scale of Services required from a Panel Member appointed to the SOA, at any point in time, the Commission’s Authorised Officer may, at its discretion, request an itemised quote for Services.

For the avoidance of doubt, the Offered Price nominated by the Respondent in the Price Schedule is inclusive of all consumables, travel and accommodation.

Regional Price Preferences

The Western Australian Government provides price preferences to Western Australian businesses when they are in competition with other Western Australian businesses for government contracts where the purchase or contract delivery point is in regional Western Australia.

The two types of regional price preferences are Regional Business Preference and Regional Content Preference. Respondents participating in goods and services procurements can claim *either* the regional business preference or the regional content preference, but not both.

In circumstances where one or more Offers are received from businesses located in other States or Territories of Australia or New Zealand and these Offers are not being considered in the final analysis, then the Regional Business Preference or the Regional Content Preference will be applied. The Commission retains the complete discretion to determine those Offers in the final analysis.

The Commission reserves the right to request the Respondent to provide documentary evidence to the Commission’s reasonable satisfaction to verify the validity of any claim for a Regional Price Preference. Where the Respondent is unable to provide evidence to the Commission’s reasonable satisfaction to verify its claimed preference, the Commission may consider any such applicable preference to be invalid and not applied to the Request.

Details regarding the regional price preferences and how they are applied are documented in the Western Australian Government’s WA Buy Local Policy 2022. The policy can be viewed and downloaded at <https://www.wa.gov.au/government/publications/western-australian-buy-local-policy-2022>.

The Regional Contract Delivery Points (nominated central points) for this Contract are:

* Kojonup Licenced Post Office, 104 Albany Highway (prescribed distance 200 kilometres);
* Moora Licenced Post Office, 62 Padbury Street (prescribed distance 200 kilometres); and
* Esperance Post Shop, 23 Andrew Street (prescribed distance 400 kilometres).

1. Regional Business Preference

Respondents who meet the following requirements are eligible to claim the Regional Business Preference:

* Maintains a permanent operational office within the prescribed distance that is resourced by at least one person who resides in the region and that the business address aligns with its marketing such as a telephone directory listing or the address listed on its website.
* Has had its office established and has conducted similar business and contracting from the office for at least six months prior to current Request release.
* Proposes to manage/deliver the majority of the contract outcomes from the office.

The Commission, when comparing Offers received from an eligible regional business with Offers received from Western Australian based businesses located outside the Prescribed Distance, including Zone 1, Perth Region, will reduce the price of the Offer received from the eligible regional businesses, for evaluation purposes only, by 10% of the total Offer cost calculated to a maximum of $250,000. The preference is calculated by the Commission.

Respondents participating in goods and services procurements can claim either the Regional Business Preference or the Regional Content Preference, but not both.

To receive the regional business preference and to ensure the preference is applied correctly where appropriate, Respondents that wish to claim eligibility for the regional business preference must complete the following.

To receive the regional business preference and to ensure that the preference is applied correctly where appropriate, regional businesses must be able to answer ‘Yes’ to the six questions below:

|  |  |  |
| --- | --- | --- |
| **RESPONDENT TO COMPLETE** |  |  |
| Is your business located within the prescribed distance from any of the above two contract delivery points (excluding zone one, the Perth metropolitan area)? |  |  |
| Does your business maintain a permanent operational office within the prescribed distance? |  |  |
| Has your business maintained and conducted business from this office for the past six months or more prior to the date this Request was released? |  |  |
| Is your business resourced by at least one person who permanently resides in the region? |  |  |
| Will your business manage/deliver the majority of the contract outcomes from the regional business located within the prescribed distance of any of the nominated contract delivery points? |  |  |
| The regional business preference is only available to eligible Respondents that bid from their regional business location. Have you bid from an office within the prescribed distance of any of the nominated contract delivery points?? |  |  |

1. Regional Content Preference

If the Respondent qualifies for the Regional Business Preference in the above point (i), there is no need to complete this section for regional content.

A regional content preference is available to Western Australian businesses located outside the prescribed distance, including businesses located in Zone 1, Perth Region. The regional content preference is only applied to the cost of the services or materials that will be purchased from other businesses that are located within the prescribed distance of a regional contract delivery point and will be used in the delivery of the contract outcomes.

Eligible regional content is goods, materials or services purchased and used in the delivery of contract outcomes. Eligible costs also include travel, accommodation and meal costs associated with working on a regional contract and all ongoing travel, accommodation and meal costs associated with the delivery of the contract outcome. Land property rental or leasing are not eligible regional content, however other forms of leasing, renting and hiring of services are eligible costs.

In comparing Offers received from Western Australian based businesses, the cost of the declared regional content must be reduced, for evaluation purposes only, by 10% calculated to a maximum of $250,000. The preference is calculated by the Commission.

Respondents participating in goods and services procurements can claim either the regional business preference or the regional content preference, but not both.

Respondents must show the actual cost of their regional content by completing the following.

|  |  |  |  |
| --- | --- | --- | --- |
| **RESPONDENT TO COMPLETE** | |  |  |
| Does your business intend purchasing goods and services for use in this contract from regional businesses that are located within the prescribed distance from any of the two nominated contract delivery points [excluding zone one, the Perth region]?  If yes, list details of the goods and services, including proposed subcontracting arrangements, your business intends purchasing for use on this contract from regional businesses that are located within the prescribed distance from the contract delivery points. Include the value of the goods and services (attach additional list if required): | |  |  |
| Description of the  Goods or Services | Supplier’s Name & Location | Cost $ | |
|  |  |  | |
|  |  |  | |
|  |  |  | |
|  |  |  | |
|  |  |  | |
| Total Cost of Regional Content: | | $ | |

Respondent’s Checklist

Before submitting your Offer, please check the following:

|  |  |
| --- | --- |
|  | Have you read and understood all the Conditions stipulated in parts A, B, C of this Request as well as all Appendices? |
|  | Have you completed all the requirements in Part C, Appendices A and C, and any other relevant attachments? |