



# TENDERS GUIDE

*T: 08 85690100*

*F: 08 85691931*

*Email: [postbox@mid-murray.sa.gov.au](mailto:postbox@mid-murray.sa.gov.au)*

*[www.mid-murray.sa.gov.au](http://www.mid-murray.sa.gov.au)*

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## **Introduction**

This guide has been developed to assist businesses to better position themselves to access business opportunities within the Mid Murray Council. This guide provides a summary of the information businesses should be aware of in order to participate effectively in quoting and tendering opportunities with the Mid Murray Council.

## **What is Tendering?**

Tendering is the selling of goods, services and works to the Mid Murray Council through the request of formal bids – otherwise known as tenders.

## **Terminology**

- **RFT – Request for Tender**  
A formal offer open to the public to bid for the supply of specified goods, services or works, under specified terms.
- **EOI – Expression of Interest**  
A formal invitation to prospective suppliers to provide information and opinions on the methodologies of meeting a specific requirement
- **Selective Engagement**  
This approach is used where knowledge of the marketplace exists. A specified number of representative suppliers are known. Requires Unique Expertise and limited providers

## **Tendering in Local Government**

Tendering in Local Government is regulated under Section 49 of the *Local Government Act 1999*.

## **Tenders Responsibility**

It is your responsibility as a tenderer to ensure that you have all the information you require to develop your submission. If you are unclear about any aspect of the tender documentation, then clarify the requirements by contacting Council's Nominated Contact Officer, whose details will be listed in the tender/quote documents.

## **How to Target the Best Opportunities**

Ensure that you are registered on the SA Tenders and Contracts Website to receive notification of upcoming public tenders. You can set up a search to email you with relevant tenders once released (by keyword, category, or even Council) by using the following links

1. [SA Tenders Web Site](#)
2. [SA Tender and Contracts Frequently Asked Questions](#)

- Only tender for genuine and well matched opportunities relevant to your business.
- Make sure you have the full capability and resources to deliver the project, and is cost effective to provide.
- Try not to underestimate or over-commit your time and resources. Do not bid for a contract if you are not sure you can deliver either to the specification or to your proposed offer.

## **Key Information Resources**

[Barossa Regional Procurement Group Website](#)

Other relevant website:-

[LGA \(Local Government Association\)](#)

## **Notification and Submission of Tenders**

### **Advertising of Tenders**

Quotes and Tenders and EOIs are open for varying periods of time. When setting the timeframes for the offer to make a submission, the Council takes into account a number of factors, including the complexity of the project, the time of year (i.e. Christmas holiday period), the availability of precise and reliable information, and normal market expectations. As a guide, the normal opening period is 3 weeks. You should check the documentation you receive about the quote/tender to ensure you understand the closing date and time.

### **Closing of Tenders**

The Mid Murray Council generally closes tenders and quotes at 5.00 pm on any given day, so it is important to make yourself aware of the date and time, which can be found on the tender or quote documents for the particular process you are participating in (generally highlighted in bold red text).

### **Late Tenders**

The closing date and time of tenders is one of the most important milestones in the entire tendering process. If you want your submission to be considered, the first step is to ensure that your tender submission is received in the appropriate format and by the appropriate receiving method by the closing date and time as specified in the tender documents. These details will appear several times throughout the tender documents.

Late tenders **will not** be accepted regardless of a Tenderers individual circumstance.

### **Alternative Tenders**

If a tenderer wishes to recommend through their submission an alternate method of process of fulfilling their obligations under the proposed contract conditions, the Mid Murray can only consider this alternate offer if a fully conforming tender is also submitted. Ensure that you highlight any aspect of your submission that includes an alternate proposal for the Mid Murray Council to consider.

***Please note: Whilst care is taken to ensure accuracy, the Mid Murray cannot guarantee that information expressed here is correct and will be interpreted in the way intended. The Mid Murray recommends that users exercise their own skill and care with respect to its use. The Mid Murray makes no warranty or undertaking, whether expressed or implied, nor does it assume any legal liability, whether direct or indirect.***

For Tenders requesting electronic delivery to [tenders@mid-murray.sa.gov.au](mailto:tenders@mid-murray.sa.gov.au) please ensure that:-

- Each file size is to be no larger than five (5) Megabytes (5MB);
- Your response must be submitted in adobe PDF format only (i.e. photos/plans and documents). This ensures all files are non-editable (unless requested otherwise within the tender documents); and

- Each file is labelled with the appropriate Tender identification i.e. MMC T00x - xxxx – Project title – Tenderers name – title of document eg (*egMMC-T001-2015 – Supply of Paving– ABC Company – Tender Response Schedules.pdf*)
- You will receive a confirmation email after successfully submitting a response.

If you have any issues or concerns with your upload please contact the Mid Murray Procurement Officer-

Phone: 08 8569 0100

### **Uploading Tenders via SA Tenders**

SA Tenders recommend that when you upload your electronic submission package you should ensure that:-

- Each file size is to be no larger than two (2) Megabytes (2MB);
- Your response must be submitted in adobe PDF format only (ie photos/plans and documents). This ensures all files are non editable (unless requested otherwise within the tender documents);
- You do not upload more than 10 items at one time; this will cause your browser to fail and all items will have to be uploaded again; and
- Each file is labelled with the appropriate SA Tenders identification i.e. COBOxxxx – Project title – Tenderers name – title of document (*eg MMC T001-2015 – Supply of Pavers– ABC Company – Tender Response Schedules.pdf*)
- You will receive a confirmation email after successfully submitting a response.

If you have any issues or concerns with your upload please contact the SA Tenders support team:-

SA Tenders System Administrator

Phone: 08 8462 1491

Email: [satendersandcontracts@sharedservices.sa.gov.au](mailto:satendersandcontracts@sharedservices.sa.gov.au)

***Please note – All original documentation posted on SA Tenders by the Mid Murray Council will be in the appropriate format to meet such requirements.***

### **Format of Tenders**

The Mid Murray Council has decided to adopt an environmentally friendly philosophy to the way it approaches procurement. As such, it is now mandatory that all tender responses be submitted in electronic format only. This can be via the SA Tenders Website or the Mid Murray email address (as outlined in the tender documents).

The Mid Murray Council believes that utilising electronic formats will make it easier for you to do business with us. We also believe by utilising the free services provided by State Government’s “SA Tenders” website and Mid Murray Council email address you will reduce the expenses incurred to your organisation by:-

- No longer producing multiple colour print outs, elaborate binders or packages;
- Delivery of submissions via couriers to Councils and other miscellaneous courier costs;
- Being automatically notified by email of any changes to the project;
- Your response will invoke an automated deliver receipt with date, time and notice of successful upload; and
- Provides a superior record management tool.

We understand that sometimes adapting to technology change is hard however please contact the Nominated Contact Person for assistance.

## **How to Submit a Tender**

### **Step 1** - Find and review the tender advertisement

The Mid Murray Council publishes tenders online via the SA Tenders, LGA Vendor Panel website or locally.

### **Step 2** - Decide whether or not you are suitable for the project

Read the tender documents very carefully and familiarise yourself with the conditions of tendering, the conditions of contract and all specifications, especially the clauses dealing with delivery and price variations, before deciding whether this tender is suitable for you.

### **Step 3** - Understanding the documents

If you are unsure about the Mid Murray Councils proposed contract, either discuss it with the contact nominated in the tender advertisement or you can have the tender documents reviewed by your legal representative.

For new initiatives, or complex tenders, we may invite suppliers to a tender briefing session. Details of any briefing will be listed in the Conditions of Tender document. On occasion a tender briefing may be considered a mandatory requirement in order to tender for the project.

### **Step 4** - Completing your tender forms

A well structured tender submission will create a good impression in the evaluation process. Tender submissions that are poorly assembled and formatted may be seen as a negative reflection on your organisation.

Once you have filled out all the necessary fields in the document, and answered each of the criteria you are ready for lodgement of the tender document.

***Please note: When finalising the Tender response form, the appropriate forms must be signed and scanned into the PDF format. An original signature must be made on this page and the entire Offer, including the signature must be scanned to PDF before submission. A signature will not include a person's initials, a scanned signature block pasted on the page or any typed font to replicate a signature.***

### **Step 5** - Lodgement of tender documents

The Mid Murray Council will only accept electronic versions via uploading through SA Tenders, LGA Vendor Panel or Mid Murray Council email address.

The Mid Murray Council will **NOT** accept a physical print out of your submission.

## **What Happens Next?**

Once your tender is submitted, the Mid Murray Councils Evaluation Team will examine it for compliance with the conditions of tendering. Each tender submission is read in detail and examined. The perceived strengths and weaknesses of each tender are recorded. You will be advised in writing both when your submission was received and after the evaluation has been completed advising an outcome.

## **Compliance Requirements**

### **What is a Conforming Tender?**

To submit a conforming tender, you must ensure that you have signed and completed all the relevant forms and supplied the Mid Murray Council with all the information required as part of the tender document.









You must ensure that you have addressed the formal evaluation/selection criteria listed in the tender document. Failure to do so will result in your submission being considered non-conforming and it may not be considered.

Following is a guide to some of the information that you may be required to provide to the Mid Murray. However, it is important to remember that all tenders are different; therefore the information you may be required to provide may also be different or additional to the following requirements.

### **Non-compliance Submission Format**





The Mid Murray Council will not accept the following: OR

Tenders may be considered non conforming based on the following reasons and may not be considered for evaluation at the discretion of the Tender Evaluation Team:-

-  Tenders sent to any individual Mid Murray Council email addresses.
-  Tenders submitted in any manner or format other than those stipulated in the conditions of tender.
-  Tenders submissions not containing the required information as stated in the conditions of tender.
-  Tender forms missing or incomplete.
-  Evidence of required plans, policies, licensed or certificates of insurance not provided.
-  Departure from the brief or specification.
-  Departure from the proposed conditions of contract.
-  Tender acceptance and signoff with a person's initials, a scanned signature block pasted on a page or any typed font to replicate a signature.

### **Compliance Submission Format**

The Council requires the following submission format:-

-  The tender response submitted electronically addressing applicable criteria.
-  The tender response submitted in the format stipulated in the conditions of tender.
-  The Tender response signed correctly.
-  The Applicable Current Certificates of insurance and necessary licences.



## **Understanding the Tender Document**

### **Pricing Requirements**

Always ensure you are aware of and understand the requirements as asked for any particular tender. Generally a lump sum will be required with a list of schedule of rates completed for any additional works or services, as seen fit by the Mid Murray Council. All submission should be submitted as GST exclusive unless other wise stated?

Pricing is often an important criterion in the evaluation of most tenders so it is critical that you consider any of the conditions that are attached to the pricing request i.e. is there a period where the Mid Murray Council requires the pricing to be fixed; what are the mechanisms within the tender agreements to request a price increase?

### **License and Insurance Requirements**

Generally all tenders will be very specific about the type of licence required and the level of insurance cover you will require in order to successfully fulfil your compliance obligations under the tender. The necessary 'current' licences (occupation/works specific) will be required i.e. building or trade specific licence.

The most common insurances are Public Liability (minimum \$10 million cover), Professional Indemnity, Vehicles, Plant and Equipment; Contract Works Liability and Workers Compensation (Return to Work SA). The level of cover may vary from tender to tender.

### **Consortium Bids/Sub-Contracting**

In some instances, suppliers establish a consortium to tender for a large or complex procurement. Small to medium size businesses can enter into relationships with large (generally head contractor) companies, to deliver specific works or services.

While it is understood that sub-contractors have insurance and other due diligence required, the Principal Contractor must also hold all the current appropriate licensees and insurance details.

### **Intellectual Property**

If your submission contains specific Intellectual Property (IP) information that belongs to a different company, you must ensure that you are entitled to use this IP and indemnify the Council against any future claims that might be related to the use of such IP.

### **Warranties**

The requirement and scope for warranties will vary with each individual tender and depends entirely on the particular goods and services being tendered. Always ensure that you have read and understand these requirements, as you may incur costs associated with the provision of the warranties as contained in the tender documentation.

## **Evaluation and Negotiation**

### **Understanding Evaluations**

Conformity issues are addressed by the evaluation panel as the first item of consideration. In submitting a non-confirming tender, you run the risk that your submission will not be considered for further evaluation. There are different levels of non-conformity and it is solely at the evaluation panel's discretion as to the degree of non-conformance, and therefore whether your submission is further evaluated.

The Mid Murray Council will develop an evaluation matrix in order to best assess each tender received. The evaluation criteria will be specified within the tender documents. Any evaluation criteria should be considered and addressed clearly in your submission.

Your submission will be assessed against the evaluation criteria.

The following criteria may be considered:-

- **Capability/Capacity:**

Understanding of Requirements, Knowledge & Experience in the Industry, Infrastructure, Other Support, Staff Resources and Methodology.

- **Tender Compliance:**

All components of the tender submission are correct and complies with the Mid Murray Council Procurement Policy.

- **Performance:**

Current and previous works, Local Government Experience, Mechanisms for Monitoring Contractual Performance, WHS, Equal Opportunity.

- **Quality Systems Deliverables:**

Quality, Environmental, Policies & WHS.

- **Timeframes:**

Ability to deliver in timeframe, project schedules.

### **Clarifications**

Sometimes clarification is required, or further information is sought which 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 closely ranked in the initial evaluation.

A secondary process may include, but not be limited to:-

- Presentation of the intended project/methodology;
- Clarification of particular aspects of the submission;
- Additional information on some aspect of the tender;

- Responses to additional requirements.

### **Negotiation**

The Mid Murray Council approach to negotiation will differ depending on each specific tender. This may involve (but is not limited to) negotiations on scope, project delivery, milestones, proposed contract conditions, alternative solutions, or revised pricing opportunities.

If a negotiation is required, suppliers will be notified and this will occur according to the Conditions of Tender or Quote. You should clarify what the Mid Murray Council intend to negotiate about and raise any additional issues that you would like to see discussed during negotiations. Consider and be prepared to offer alternative solutions.

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

### **Awarding and Signing of the Contract**

After successful negotiations the Preferred Supplier(s) will be offered a contract for the tendered requirements. Please note that once Suppliers have entered into a contract with the individual Councils, they are bound to fulfil their role for the delivery of services or works as stated in the executed Agreement.

All tender respondents will be notified of the outcome of a Tender, Quote or EOI Process via email and given the option of a telephone tender debrief.

### **Debriefings and Feedback**

The experience of not winning a tender can be disappointing, given the time and effort invested in preparation of your submission. Following advice of the tender outcome, all tenderers are invited to seek a telephone debrief. This is a useful process, which can assist you in understanding what elements of your submission could be improved in future bids. Debriefs are also an opportunity for you to provide feedback to the Council on the tender process.

Please note, that only your submission will be discussed and will outline the strengths and weaknesses of your submission and how the content of your submission compared to other submissions in a general sense (in particular the successful submission). Commercial confidentiality will be ensured.

## **Procurement Flowchart**

