



Australian Government

AusAID

27 MARCH 2010

**INVITATION TO REGISTER INTEREST IN
A MULTI USE LIST
FOR**

AUSAID SHORT COURSE AWARDS

NOTE TO ORGANISATIONS

AusAID is seeking Registrations of Interest from Organisations interested in registering for a Multi Use List for the **AusAID Short Course Awards** (the “Activity”). If your Organisation chooses to lodge a Registration of Interest, it must be submitted, along with any accompanying documents, subject to the terms and conditions of this Invitation.

STRUCTURE OF THE INVITATION

This document is separated into three (3) sections which together will be referred to as the “Invitation.”

Section 1 includes the **Summary of Requirement** which provides details of AusAID’s requirements for the Multi-Use List, including the background and objectives of AusAID Short Course Awards. **Section 1** also includes the **Registration of Interest Particulars** which provides particulars pertaining to lodgement of the Registration of Interest outlining, among other details, closing time and contact email address.

Section 2 outlines the **Conditions for Participation** for inclusion on the Multi-Use List and the categories of services which are required. In order to respond to this Invitation, Organisations are required to provide the details requested in **Section 2**.

Section 3 details the terms and conditions under which this Invitation is offered.

Organisations submitting a Registration of Interest are encouraged to fully inform themselves of the Invitation’s terms and conditions when preparing their submission.

Definitions

Short course awards	Opportunities for formal study or training, generally of less than 3 months duration, and no more than five months duration, delivered by an approved Australian higher education provider ¹ or an Australian Registered Training Organisation (RTO), that will <u>at least</u> result in either a formal transcript of a complete unit (or subject) offered within a course under the Australian Qualifications Framework (AQF) or a formal Statement of Attainment in relation to a skill or competency covered by Australian nationally-registered Vocational Education or Training (VET) material.
Conditions for Participation	Minimum conditions that potential suppliers must meet in order to participate in a procurement process or for submissions to be considered. This may include a requirement to undertake an accreditation or validation procedure.
Managing Contractors	Organisations with which AusAID has entered into an agreement to manage an Activity.
Multi-Use List	A list, intended for use in more than one procurement, of pre-qualified suppliers who have satisfied the conditions for participation for inclusion on the list. Inclusion on the Multi-Use List does not imply that potential suppliers will be included in tender processes or be awarded contracts merely by virtue of inclusion on the Multi-Use List.

¹ Approved Australian higher education providers are listed in Table A, B and C of the *Higher Education Support Act 2003(Cth)*.

SECTION 1 - SUMMARY OF REQUIREMENT

1. Background

- 1.1 AusAID, the Australian Agency for International Development, manages the Australian Government's official overseas aid program. AusAID assists developing countries to reduce poverty and achieve sustainable development, in line with Australia's national interest. AusAID development awards provide rewarding higher education opportunities for people from developing countries to build skills and knowledge to promote development in their home countries and build enduring people to people linkages.
- 1.2 AusAID development awards provide opportunities for individuals from developing countries to undertake study ranging from vocational training, short courses and fellowships to PhD level courses. Through development awards AusAID seeks to develop the capacity and leadership skills of awardees so that they can contribute to development in their home country and to build linkages at the individual, institutional and country levels. Development award programs administered by AusAID include Australian Development Scholarships and Australian Leadership Awards Scholarships.

2. Objective of Project

- 2.1 AusAID's development awards are designed to achieve two mutually beneficial objectives:
 - (a) achieving country and regional program development outcomes through strengthened individual and institutional skills and knowledge; and
 - (b) supporting Australia's broader foreign policy agenda through long-term linkages and partnerships.
- 2.2 The inclusion of short course awards in the Australian development awards will deliver quality Australian training in a cost effective manner, allow AusAID to respond to partner government demands and facilitate priority sectoral capacity building. Shorter awards complement and build on existing long term awards by enabling access to Australian expertise and knowledge while reducing the impact on the home country through long-term absences of key personnel. Short course awards increase the opportunities offered to AusAID's partner countries for targeted skills training and professional development.

3. Overview of Requirement

- 3.1 This Invitation invites Organisations to register as potential providers for the delivery of AusAID Short Course Awards under AusAID's development awards program. The Multi-Use List is likely to be operational until July 2014 and will be readvertised in March each year.

- 3.2 Organisations whose Registrations of Interest are successful will be registered on the Multi-Use List and may be invited to participate in procurement processes for the provision of short course awards under AusAID's development awards.
- 3.3 The Multi-Use List will be used by AusAID and may also be provided to AusAID's Managing Contractors to facilitate their procurement processes as required.
- 3.4 Short course awards will be implemented in Africa and Pakistan in 2010, with several other country and regional programs also considering introducing them to the spectrum of awards delivered under their scholarships programs.
- 3.5 Information about AusAID's scholarships programs and the countries and regions where they are offered can be found on the AusAID website:
www.ausaid.gov.au/scholar/default.cfm

4. Description of the Services

- 4.1 The services which AusAID or its Managing Contractors may request Organisations registered on this Multi-Use List to provide include:
 - (a) Delivery of short course awards under the AusAID development awards program, which:
 - (i) lead to at least either a formal transcript of a complete unit (or subject) offered within a course under the Australian Qualifications Framework (AQF) or a formal Statement of Attainment in relation to a skill or competency covered by Australian nationally-registered Vocational Education or Training (VET) material;
 - (ii) may be conducted in a range of locations both within Australia and internationally;
 - (iii) may be conducted in English or a language other than English; and
 - (iv) are in the thematic priorities and fields of study as specified in **Clause 4.2 below**.
 - (b) Development of customised, relevant and innovative course content, resource materials and delivery methods, tailored to suit specific audiences, including those from a non-English speaking background, and from diverse educational backgrounds; and
 - (c) Management of awardees while on-course in Australia or overseas, which may include payment of allowance, arranging accommodation and return home airfares, and provision of pastoral care.
- 4.2 The thematic priorities and fields of study for short course awards are:
 - (a) Public Policy (including public sector reform, public financial management, diplomacy and trade);

- (b) Child and Maternal Health;
- (c) Agriculture and Food Security;
- (d) Natural resource management (including mining and minerals management/governance);
- (e) Water and Sanitation;
- (f) Leadership; and
- (g) Disability (including service provision and advocacy).

5. **Registration of Interest**

5.1 Organisations should respond to this Invitation by completing Section 2.

REGISTRATION OF INTEREST PARTICULARS

Activity Name:	AusAID Short Course Awards
Closing Time:	2.00pm (1400 hours) local time in Canberra, Australian Capital Territory on 28 April 2010
Nominated Contact Person:	Multi Use List Manager Australian Scholarships Group AusAID Email: shortcourses@ausaid.gov.au
Mode of Submission:	- Electronically, via AusTender at https://tenders.gov.au before the Closing Time specified above; - Or - in hard copy, by depositing by hand in the Canberra Tender Box before the Closing Time specified above.
Electronic Lodgement Address:	Via AusTender at https://tenders.gov.au
Canberra Tender Box Address:	Tender Box, Ground Floor, AusAID, 255 London Circuit, Canberra ACT 2601, AUSTRALIA
Business Hours for hard copy lodgement:	Monday to Friday, 8:30am to 5:00pm local time in Canberra, Australian Capital Territory Excluding Public holidays
File Format for Electronic Lodgement:	Portable Document Format (PDF)
Number of Copies of Registration of Interest:	For electronic lodgement: - One (1) electronic copy For hard copy lodgement: - One (1) hard copy and one (1) CD containing copies of all files submitted in hard copy

SECTION 2

INFORMATION TO BE PROVIDED BY ORGANISATIONS

Organisations submitting a Registration of Interest should complete Parts 1 to 4 below (inclusive of required annexes) in accordance with the instructions provided.

PART 1. NAME	
Your name or name of contact person:	
Title:	☐ Mr ☐ Ms ☐ Other (please specify)
Given names:	
Family name:	
Organisation's name:	
ABN/ACN Number:	
RTO Provider Number:	
Go to 2	

PART 2. CONTACT DETAILS	
Street address:	
Suburb/Town:	State: Postcode:
Postal address:	
	(if the same as your street address, write 'as above')
Suburb/Town:	State: Postcode:
Contact Numbers:	Work: () Home: () Fax: () Mobile:
	Email: Website address:
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PART 3. CONDITIONS FOR PARTICIPATION

Organisations are to detail how they meet the following Conditions for Participation: (responses should be limited to a maximum of three (3) A4 pages exclusive of required annexes)	
(A) Registration as an approved Australian higher education provider ² or an Australian Registered Training Organisation (RTO).	
(B) Demonstrated ability to deliver short courses leading to (at a minimum) either a formal transcript of a complete unit (or subject) offered within a course under the Australian Qualifications Framework (AQF) or a formal Statement of Attainment in relation to a skill or competency covered by Australian nationally-registered Vocational Education or Training (VET) material.	
(C) Experience in the delivery of short courses in one or more of the categories of services outlined in Part 4 of Section 2 below including demonstrated experience and /or capacity to deliver short course awards outside of Australia and in delivering training to people from a non-English speaking background.	
(D) Experience in developing customised and innovative course content, resource materials and delivery methods, tailored to suit specific audiences, including those from a non-English speaking background, and from diverse educational backgrounds.	
(F) Demonstrated qualifications, skills and relevant expertise of Organisation's personnel in the specified categories of services.	
(G) Capacity to provide appropriate support to, and administration of, international awardees in all issues relating to their study program.	
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² Approved Australian higher education providers are listed in Table A, B and C of the *Higher Education Support Act 2003*

PART 4. CATEGORIES OF SERVICES

Organisations are to specify which category or categories of services they would like to register their interest for in the table below. For each Category of Short Course which Organisations select, one (1) example of a relevant activity the Organisation has previously undertaken which supports their statements addressing the Conditions for Participation should be provided. Examples are to be no longer than one (1) A4 page per example and should be completed on the template provided at Annex One to this Section 2. Organisations should also provide a CV for all personnel listed in the table below in accordance with the instructions provided at Annex Two to this Section 2.

Category of Short Course	Organisations to select category of services they are able to provide, identify the personnel who are able to provide the services and to nominate the languages in which they are able to deliver each Category of Short Course
Public Policy (including public sector reform, public financial management, diplomacy and trade)	<i>Specify eg John Citizen – English, Indonesian</i>
Child and Maternal Health	<i>Specify</i>
Agriculture and Food Security	<i>Specify</i>
Natural resource management (including minerals and minerals management/governance)	<i>Specify</i>
Water and sanitation	<i>Specify</i>
Leadership	<i>Specify</i>
Disability (including service provision and advocacy)	<i>Specify</i>

Note: whilst AusAID is requesting CVs for personnel who are identified in this Registration of Interest, Organisations will retain the right to nominate other personnel for the provision of services when responding to specific requests by AusAID or its Managing Contractors.

Annex One to Section 2

ORGANISATION'S PAST EXPERIENCE FORM

Organisations must provide past experience data in the format indicated below. Details provided per example should not exceed one A4 page.

Activity Name:			
Activity Value:			
Activity Location(s):			
Activity Duration			
Client/Donor:			
Year Completed:			
Brief description of the activity and the Organisation's role:			
Brief description of activity outcomes:			
Statement of the similarities between this activity and the requirements of the category of services in which your Organisation has registered interest and how this activity supports your statements addressing the Conditions for Participation:			
Referees:			
1. Name:		2. Name:	
Address:		Address:	
Email:		Email:	
Phone:		Phone:	

AusAID USE OF PERFORMANCE INFORMATION

1. AusAID reserves the right to take into account in the assessment of this Registration of Interest the past performance, in previous AusAID and non-AusAID activities, or activities of:
 - (a) any Organisation; and
 - (b) any member of the proposed personnel,in its or their capacity as:
 - (a) contractor, consultant or sub-contractor;
 - (b) an associate or employee of a contractor, consultant or sub-contractor; or
 - (c) a joint venture partner.
2. AusAID reserves the right to use any relevant information obtained in relation to a Organisation or proposed personnel obtained during the Registration of Interest period by providing it to the Selection Panel (SP) or to any other relevant person for the purposes of Registration of Interest assessment, and such information may be taken into account in the course of assessment of the Registration of Interest by the SP and AusAID.
3. AusAID may, at any time, make independent inquiries of:
 - (a) any person or entity which it reasonably believes to have actual knowledge of the performance of the Organisation or proposed personnel on a previous project or activity, whether or not that person or entity is nominated in the Registration of Interest as a referee for the Organisation or proposed personnel; and
 - (b) any Australian Government department, agency or other government entity in Australia whether Australian Government or State, or any other country, including law enforcement agencies in relation to proposed personnel or an Organisation.
4. AusAID may request an Organisation to provide additional or clarifying information in relation to information obtained during the assessment process following the **Closing Time** for the purpose of assessment of the Registration of Interest.
5. Information obtained as a result of inquiries made by AusAID in relation to performance on previous activities will be sought on a confidential basis and AusAID shall not be obliged to disclose the content or source of prior performance information about a Organisation or individual to any person.

6. AusAID shall not be liable upon any claim, demand, proceeding suit or action by any Organisation or any proposed personnel in relation to any matter, thing or issue arising out of or in any way in relation to the collection of information from any source or the use of any information collected pursuant to the Registration of Interest assessment process.

Annex Two to Section 2

ORGANISATION'S PERSONNEL

1. Organisations should provide a curriculum vitae (CV) for all personnel listed in **Part 4 of Section 2** of this Invitation that conforms with the following requirements:
 - (a) The CV must include the following information:
 - (i) name and personal contact details (this can be an email address or phone number);
 - (ii) nationality and if relevant permanent resident status;
 - (iii) professional qualifications, including institution and date of award; and
 - (iv) details of recent relevant professional and development work experience, including the duration and extent of inputs.
 - (b) CVs must be no longer than 1 A4 page and must be signed and dated by the proposed personnel, and must include the following certification:

“I, *[insert name]*, declare that:

 - (a) the information provided in this CV is accurate and hereby authorise the Commonwealth to make whatsoever inquiries it may consider reasonable and necessary in relation to the information I have provided in this CV;
 - (b) I am a person of good fame and character; and
 - (c) I have not been convicted of an offence of, or relating to, bribery of a public official, nor am I subject to any proceedings which could lead to such a conviction.”

While an original signature on CVs is preferred, copies are allowed.

Section Three – Terms and Conditions

1. LODGEMENT OF REGISTRATIONS OF INTEREST

- 1.1 Registrations of Interest must be lodged either:
 - (a) Electronically, via AusTender at <https://tenders.gov.au> before the **Closing Time** specified in the Registration of Interest Particulars (**Section 1** of this Invitation), and in accordance with the lodgement procedures set out in **Attachment Two** to this Invitation and on AusTender; or
 - (b) Physically, by depositing by hand in the Canberra Tender Box, during **Business Hours** and before the **Closing Time** specified in the Registration of Interest Particulars (**Section 1** of this Invitation).
- 1.2 AusAID's preference is for electronic lodgement of Registrations of Interest. However, if electronic lodgement is not possible, you may lodge a hard copy of your Registration of Interest instead.
- 1.3 Registrations of Interest submitted by email or facsimile will not be considered.
- 1.4 Organisations should include all information required by this Invitation in their Registration of Interest.
- 1.5 Organisations accept that their failure to provide all information required, in the format specified, may result in their Registration of Interest being considered non-conforming and liable to rejection.
- 1.6 The Registration of Interest and any additional documents submitted with the Registration of Interest must be in English.
- 1.7 Failure to submit a Registration of Interest in accordance with the particulars listed in **Section 1** of this Invitation may render the Registration of Interest liable to rejection.
- 1.8 A person or persons having authority to lodge the Registration of Interest must complete, sign and submit the Organisation's Declaration Form provided as **Attachment One to this Invitation** along with the Registration of Interest. Failure to do so may see an Organisation's Registration of Interest ruled non-conforming and liable for rejection.
- 1.9 AusAID will only accept and assess where appropriate one Registration of Interest per Organisation.
- 1.10 AusAID may extend the **Closing Time** at its sole and absolute discretion, and will issue an Addendum notifying any decision to extend.

Conditions Applying to Electronic Lodgement of Registrations of Interest

- 1.11 Electronic Registrations of Interest must be lodged electronically via the Australian Government Tender System, AusTender, at <https://www.tenders.gov.au> before the **Closing Time** specified in **Section 1** of this Invitation and in accordance with the electronic lodgement procedures set out in **Attachment Two to this Invitation** and on AusTender.
- 1.12 Where there is any inconsistency between the lodgement procedures set out on AusTender and those set out in this Invitation, this Invitation will prevail.
- 1.13 Electronic Registrations of Interest not submitted in accordance with **Clause 1.11** will be excluded from evaluation.
- 1.14 It is the responsibility of Organisations to ensure that their infrastructure including operating system and browser revision levels meet the minimum standards as defined on AusTender. Neither AusAID nor the Commonwealth takes any responsibility for any problems arising from Organisations' infrastructure and/or Internet connectivity.

Conditions Applying to Hard Copy Lodgement of Registrations of Interest

- 1.15 For hard copy lodgement, the Organisation is responsible for the delivery of their Registration of Interest. The Registration of Interest must be placed in AusAID's Canberra Tender Box. The Registration of Interest must be delivered by the **Closing Time** specified in **Section 1** of this Invitation. Failure to submit a Registration of Interest in accordance with this clause may render the Registration of Interest liable to rejection.
- 1.16 The Original Registration of Interest document and any copies requested should be bound using a plastic comb binding, and should contain no plastic page separators.
- 1.17 The Registration of Interest should be endorsed with the name of the Activity and marked: "Registration of Interest: Attention **Contact Person.**"

2. ENQUIRIES

- 2.1 Any enquiries that Organisations may have concerning this Invitation or the Multi-Use List must be submitted in writing to the contact person's email address specified in **Section 1** of this Invitation as soon as possible and not later than 14 days prior to the **Closing Time**.
- 2.2 AusAID will respond to any Organisation's enquiries no later than 7 days prior to the **Closing Time**.
- 2.3 AusAID reserves the right to issue or publish answers to any enquiries to all Organisations.

3. LATE SUBMISSION

Conditions Applying to Registrations of Interest Lodged Electronically

- 3.1 A Registration of Interest lodged electronically is a late submission in accordance with the conditions specified in **Clause 6 of Attachment Two to this Invitation**. Late Registrations of Interest that have been lodged electronically will be excluded from evaluation.
- 3.2 For Registrations of Interest submitted electronically, the time displayed on AusTender is deemed to be the correct time and will be the means by which AusAID will determine whether Registrations of Interest lodged electronically have been lodged by the **Closing Time**.
- 3.3 The judgement of AusAID as to the time a Registration of Interest has been lodged electronically will be final.

Conditions Applying to Registrations of Interest Lodged in Hard Copy

- 3.4 A hard copy Registration of Interest lodged after the **Closing Time** is a late Registration of Interest.
- 3.5 AusAID will admit to evaluation a hard copy Registration of Interest that was received late solely due to AusAID mishandling. AusAID mishandling does not include mishandling by a courier or mail service provider engaged by an Organisation to deliver their Registration of Interest. It is the responsibility of organisations to ensure that their Registration of Interest is dispatched in sufficient time for it to be received by AusAID by the **Closing Time**.
- 3.6 Late hard copy Registrations of Interest that are rejected by AusAID will be returned to organisations unopened, except in cases where a Registration of Interest must be opened to identify the return address of the Organisation or to establish which selection process the Registration of Interest was for.
- 3.7 If a hard copy Registration of Interest is taken to be late, the Organisation may be asked to provide explanatory evidence in an appropriate form to the **Nominated Contact Person** specified in the Registration of Interest Particulars.

4. NON-CONFORMING REGISTRATIONS OF INTEREST

- 4.1 Subject to **Clause 3 (Late Submission) of this Section**, Registrations of Interest will be regarded as non-conforming if they fail to conform with one or more of the requirements of this Invitation.
- 4.2 AusAID reserves the right to seek clarification of non-conforming Registrations of Interest.
- 4.3 Subject to **Clause 3 (Late Submission) of this Section**, AusAID may, at its absolute discretion, assess or exclude from evaluation any non-conforming Registration of Interest and will not enter into any correspondence or discussion about a decision to assess or exclude a non-conforming Registration of Interest.

5. **VALIDITY OF REGISTRATION OF INTEREST**

- 5.1 Organisations which submit a successful Registration of Interest and are included on the Multi-Use List will remain listed on the Multi-Use list indefinitely, subject to their ongoing ability to meet the Conditions for Participation detailed in **Section 2** of this Invitation.

6. **ASSESSMENT OF REGISTRATIONS OF INTEREST**

- 6.1 AusAID may convene a Selection Panel (SP) to undertake assessment as deemed appropriate by AusAID.
- 6.2 Registrations of Interest will be assessed and will be deemed to have ‘met’ or ‘not met’ the Conditions for Participation stipulated in **Section 2** of this Invitation. Registrations of Interest will not be assessed on a comparative basis, nor will any ranking of Registrations of Interest occur as part of the selection process.
- 6.3 Personnel to support such a decision will be chosen at AusAID’s absolute discretion and may include AusAID Staff or technical specialists as deemed appropriate by AusAID.
- 6.4 The assessment of Registrations of Interest will be treated on a “commercial-in-confidence” basis and AusAID will not enter into any discussion or correspondence over the outcome of these assessments.
- 6.5 Personnel used to assess Registrations of Interest will not be permitted to discuss matters relating to the technical assessment of any Registration of Interest with any party not engaged in relation to the SP.
- 6.6 AusAID reserves the right to take into account Past Performance in the assessment of any Organisation or associated individuals submitting a Registration of Interest.
- 6.7 Personnel assessing Registrations of Interest may take past performance into account in their assessment of the suitability of Organisations.

7. **RULES OF OPERATION**

- 7.1 The following Rules of Operation will apply to this Multi Use List:
- (a) The Multi Use List will be compiled and managed by the **Nominated Contact Person** identified in **Section 1** of this Invitation;
 - (b) Organisations registered on the Multi-Use List must advise AusAID of any matter which might affect the Organisation’s ability to meet the Conditions for Participation and their eligibility for inclusion on the Multi-Use List as soon as possible;
 - (c) Organisations which cease to meet the required conditions for inclusion on the Multi-Use List shall be removed from the Multi-Use List;
 - (d) The Multi-Use List will be readvertised on an annual basis in order to allow Organisations to register interest. Organisations which have previously

registered interest and been accepted on the Multi-Use List will not need to reapply unless:

- (i) the Organisation wishes to apply for additional Categories of Services;
or
 - (ii) the Organisation has been removed from the Multi-Use List in accordance with **Clause 7.1(c) above** and wishes to re-apply for inclusion on the Multi-Use List;
- (e) AusAID will add to or remove the Categories of Services as outlined in **Section 2** of this Invitation at its sole discretion on an annual basis when re-advertising the Multi-Use List;
 - (f) The Multi-Use List will be used by AusAID and by its Managing Contractors. AusAID and/or its Managing Contractors may seek submissions for specific scopes of work from members of the Multi-Use List;
 - (g) Organisations will be eligible to provide those categories of services which they have nominated in their Registration of Interest and for which they have been accepted by AusAID;
 - (h) In the event that an Organisation registers interest in multiple categories of services, AusAID reserves the right to accept an Organisation's Registration of Interest on a limited basis i.e. an Organisation may be accepted in only one or some of the categories in which it has registered interest;
 - (i) AusAID and/or its Managing Contractors may distribute a number of scopes of work at the same time;
 - (j) AusAID and/or its Managing Contractors may approach a select number of Organisations on the Multi-Use List where such an approach is commensurate with the value of the procurement. AusAID and/or its Managing Contractors may also approach one Organisation on the Multi-Use List for a specific requirement;
 - (k) AusAID and/or its Managing Contractors may conduct financial checks on the Organisation; and
 - (l) AusAID and/or its Managing Contractors may procure the services detailed in this Multi-Use List without use of or reference to the Multi-Use List.

8. REGISTRATION OF INTEREST FORMAT

8.1 The Registration of Interest must:

- (a) indicate the Organisation's nominated contact person and contact details on the cover page;
- (b) be in a type font of no less than 12 point on A4 paper;

- (c) have left and right page margins of no less than 2.5 cm, and top and bottom page margins of no less than 3 cm, excluding headers, footers and page numbers;
- (d) not have the AusAID logo or any other representation or mark which may indicate that the Organisation is in any way related to or connected with AusAID; and
- (e) be no longer than the page limit detailed in **Section 2** of this Invitation.

9. OWNERSHIP OF THE INVITATION AND REGISTRATION OF INTEREST

- 9.1 All Registrations of Interest become the property of AusAID on lodgement.
- 9.2 Such intellectual property rights as may exist in the information contained in each Registration of Interest will remain the property of the Organisation.
- 9.3 The Organisation authorises AusAID to copy, adapt, amend, disclose, or reproduce any Registration of Interest, as AusAID requires, at AusAID's sole discretion.
- 9.4 AusAID reserves copyright of the Invitation to Register Interest in a Multi-Use List detailed in this document.

10. AUSAID'S RIGHTS

- 10.1 AusAID reserves the right to:
 - (a) seek Registrations of Interest from any Organisation;
 - (b) accept or reject any Registration of Interest at its sole discretion;
 - (c) terminate, extend or vary its selection process;
 - (d) request clarification in relation to a Registration of Interest; and
 - (e) evaluate Registrations of Interest as AusAID sees appropriate.

11. ORGANISATION'S ACKNOWLEDGEMENT

- 11.1 The Registration of Interest is submitted on the following basis:
 - (a) no legal obligation or agreement whatsoever is intended to be or is created between AusAID and any Organisation by virtue of the Registration of Interest process or any selection process that may arise from the submission of an Registration of Interest;
 - (b) the Organisation acknowledges and agrees that AusAID, its employees, agents and advisers are not, and will not be responsible, or liable for the accuracy or completeness of any information contained in this Invitation or a Registration of Interest submitted by the Organisation; and
 - (c) the Organisation is responsible for all costs of and incidental to the preparation and delivery of the Registration of Interest, including obtaining this Invitation,

or any subsequent stage of the process, including answering any queries and providing any further information sought by AusAID.

12. **DEBRIEFING OF ORGANISATIONS**

- 12.1 If requested by an Organisation that has lodged an unsuccessful Registration of Interest, AusAID will provide the Organisation with a brief statement indicating the reasons that its submission was not successful.
- 12.2 AusAID will not enter into any further discussion or communications on the assessment of the Registration of Interest or written statement.
- 12.3 AusAID will not provide a statement for Organisations that lodge a successful Registration of Interest.

13. **JOINT VENTURES AND CONSORTIUMS**

- 13.1 Organisations submitting a Registration of Interest as part of a joint venture or consortium must clearly nominate the lead Organisation.

14. **PAST EXPERIENCE**

- 14.1 Organisations are required to submit Past Experience Forms that comply with the format outlined in **Annex One to Section 2** of this Invitation.
- 14.2 Where an Organisation has failed to submit the specified number of Past Experience Forms requested in **Section 2** of this Invitation, or where these sheets have not been completed correctly by the Organisation, AusAID will reserve the right to reject the Registration of Interest as non-conforming.
- 14.3 AusAID reserves the right to contact referees nominated by organisations in their Past Experience Forms or conduct independent referee checks as deemed appropriate by AusAID at AusAID's sole discretion.
- 14.4 Organisations may include AusAID activities amongst their Past Experience Forms but must not include AusAID staff as referees for these activities.

15. **AUSTRALIAN GOVERNMENT AND AUSAID LAWS, GUIDELINES AND POLICIES**

15.1 Freedom of Information

- (a) The *Freedom of Information Act 1982* gives members of the public rights of access to official documents of the Australian Government and its agencies. The *Freedom of Information Act 1982* extends, as far as possible, the right of the Australian community to access information (generally documents) in the possession of the Australian Government, limited only by considerations of the protection of essential public interest and of the private and business affairs of persons in respect of whom information is collected and held by departments and public authorities.

- (b) Organisations should obtain, and will be deemed to have obtained, their own advice on the impact of the *Freedom of Information Act 1982* on their participation in this EOI process and any subsequent Activity.

15.2 Privacy

- (a) The *Privacy Act 1988* establishes a national scheme providing, through codes of practice adopted by private sector organisations and the National Privacy Principles, for the appropriate collection, holding, use, correction, disclosure and transfer of personal information by private sector organisations.
- (b) The Organisation will comply with the *Privacy Act 1988*, including the Information Privacy Principles and the National Privacy Principles whether or not the Organisation is an organisation subject to the *Privacy Act 1988*.
- (c) The Organisation acknowledges that the Privacy Act 1988 reflects the principles of the International Covenant on Civil and Political Rights and OECD Guidelines, in particular, the OECD Guidelines on the Protection of Privacy and Transborder Flows of Personal Data.
- (d) Organisations should obtain, and will be deemed to have obtained, their own advice on the impact of the *Privacy Act 1988* on their participation in this EOI process and any subsequent Activity.

15.3 Access by Australian National Audit Office

- (a) Attention of Organisations is drawn to the *Auditor-General Act 1997* which provides the Auditor-General, or an authorised person, with a right to have, at all reasonable times, access to information, documents and records.
- (b) In addition to the Auditor-General's powers under the *Auditor-General Act 1997*, the Organisation will provide the Auditor-General, or an authorised person, access to information, documents, records and agency assets, including those on the Organisation's premises. Such access will apply for the term of the Activity and for a period of seven years from the date of expiration or termination.
- (c) Organisations should obtain, and will be deemed to have obtained, their own advice on the impact of the *Auditor-General Act 1997* on their participation in the EOI process and any subsequent Activity.

15.4 Access by Ombudsman

- (a) Attention of Organisations is drawn to the *Ombudsman Act 1976* which gives Australians access to a government officer, known as an ombudsman, who investigates complaints from the public about government agencies and their operations and decisions, and reports on ways in which they may be resolved.
- (b) In addition to the ombudsman's powers under the *Ombudsman Act 1976*, the Organisation will provide the ombudsman, access to information, documents, records and agency assets, including those on the Organisation's premises. Such

access will apply for the term of the Activity and for a period of seven years from the date of expiration or termination.

- (c) Organisations should obtain, and will be deemed to have obtained, their own advice on the impact of the *Ombudsman Act 1976* on their participation in the EOI process and any subsequent Activity.

15.5 *Equal Employment Opportunity for Women in the Workplace Act 1999*

- (a) Australian Government policy prevents AusAID from entering into agreements with Organisations who are currently named as non compliant under the *Equal Employment Opportunity for Women in the Workplace Act 1999* (EEO Act).
- (b) AusAID will exclude from consideration any Registration of Interest from an Organisation who is named or whose subcontractor is named as not complying with the EEO Act.

15.6 United Nations Act, *Criminal Code Act 1995* and World Bank List

- (a) AusAID will exclude from consideration any Registration of Interest from a Organisation who is listed:
 - (i) by the Minister for Foreign Affairs under the *Charter of the United Nations Act 1945* and/or listed in regulations made under Division 102 of the *Criminal Code Act 1995* (Cth). Further information about listed persons and entities is available from the Department of Foreign Affairs and Trade website at www.dfat.gov.au/icat/UNSC_financial_sanctions.html and from <http://www.nationalsecurity.gov.au/>
 - (ii) by the World Bank on its “Listing of Ineligible Firms” or “Listings of Firms, Letters of Reprimand” posted at www.worldbank.org (the “World Bank List”) and/or any similar list maintained by any other donor of development funding.

15.7 Other Australian Government and AusAID Policies

- (a) Organisations should familiarise themselves with AusAID policies including:
 - (i) the policy *Gender Equality in Australia’s Aid Program – Why and How* (March 2007). This document is available on AusAID’s website at <http://www.aid.gov.au/publications/default.cfm>;
 - (ii) The strategy 'Development for All: Towards a Disability-Inclusive Australian Aid Program 2009-2014', and in particular the strategy’s six guiding principles, located at http://www.aid.gov.au/publications/pdf/FINAL%20AusAID_Disability%20for%20All.pdf;
 - (iii) AusAID’s policy on the environment as set out in the *Environmental Management Guide for Australia’s Aid Program*. This document is

available on AusAID's website at
<http://www.aisaid.gov.au/keyaid/envt.cfm>;

- (iv) AusAID's *Child protection policy*, in particular the child protection compliance standards at Attachment 1 to the policy. This document is available on AusAID's website at
<http://www.aisaid.gov.au/publications/default.cfm>;
- (v) *Family Planning and the Aid Program: Guiding Principles* (August 2009). This document is available on AusAID's website at:
<http://www.aisaid.gov.au/keyaid/health.cfm>; and
- (vi) any other policies published from time to time on
<http://www.aisaid.gov.au> or as otherwise notified to Organisations.

16. **APPLICABLE LAW**

- 16.1 The laws of the Australian Capital Territory apply to the Invitation and the Registration of Interest process.

Attachment One

ORGANISATION'S DECLARATION

I, [name, address and corporation of person making the declaration], do solemnly and sincerely declare that:

1. DEFINITIONS

1.1 In this declaration:

“**AusAID**” means the means the Australian Agency for International Development and represents the Government of Australia;

“**Organisation**” means [list name, address and ABN and ACN if appropriate].

2. BASIS OF DECLARATION

2.1 I hold the position of [*managing director or other title*] of the Organisation and am duly authorised by the Organisation to make this declaration.

2.2 I make this declaration on behalf of the Organisation and on behalf of myself.

2.3 I declare as follows:

- (a) the Registration of Interest is accurate in every respect; and
- (b) I acknowledge that if the Organisation is found to have made false or misleading material claims or statements in the Registration of Interest or in this Declaration, or to have used confidential information, or received improper assistance, AusAID will reject at any time any Registration of Interest lodged by or on behalf of the Organisation.
- (c) I acknowledge and agree to the matters specified in **Clause 10** (AusAID's Rights) and **Clause 11** (Organisation's Acknowledgement) of **Section 3**.
- (d) I acknowledge that each party constituting the Organisation is bound jointly and severally by this Registration of Interest.
- (e) I confirm that I will advise AusAID of any matter which might affect the Organisation's ability to meet the Conditions for Participation and their eligibility for inclusion on the Multi-Use List in accordance with **Clause 7.1(b)** in **Section 3** of the Invitation.

3. ADDENDA TO THE INVITATION

3.1 I acknowledge receipt of the following Addenda, the terms of which are incorporated in the Invitation:

Number _____ Dated _____
Number _____ Dated _____

Number _____ Dated _____
Number _____ Dated _____

4. ADDRESS OF ORGANISATION

Address or Registered Office of Organisation

Address for service of notices (NOT PO. BOX)

Telephone Number: Fax Number:

SIGNED for and on behalf of *insert*)
organisation/ company name ABN (and)
ACN if applicable) by:)

insert name and title

Signature

Attachment Two

CONDITIONS FOR USE OF AUSTENDER, THE AUSTRALIAN GOVERNMENT ONLINE TENDER SYSTEM

1. **AUSTENDER, THE AUSTRALIAN GOVERNMENT ONLINE TENDER SYSTEM**
 - 1.1 AusTender is the online tendering system for Australian Government Agencies. Organisations must first register with AusTender at <https://www.tenders.gov.au>.
 - 1.2 Access to and use of AusTender is subject to terms and conditions. Organisations must agree to comply with those terms and conditions and any applicable instructions, processes, procedures and recommendations as advised on AusTender.
 - 1.3 It is the responsibility of Organisations to ensure that their infrastructure including operating system and browser revision levels meet the minimum standards as defined on AusTender. Neither AusAID nor the Commonwealth take any responsibility for any problems arising from Organisations' infrastructure and/or Internet connectivity.
 - 1.4 Organisations must inform themselves concerning all security measures and other aspects of the AusTender technical environment. Organisations must make their own assessment of the AusTender system prior to using it for any matter related to this Invitation and no responsibility will be accepted by AusAID arising in respect of any use or attempted use by any party of AusTender.
2. **REGISTERED ORGANISATIONS AND NOTICES**
 - 2.1 In the event that AusAID elects to vary or supplement this Invitation or change the conditions this Invitation, it will make reasonable efforts to inform Organisations in accordance with this **Clause 2**.
 - 2.2 Organisations may be informed by notices and other information issued as addenda posted on the webpage for this Invitation on AusTender.
 - 2.3 Organisations that have registered and downloaded the documentation for this Invitation will be notified by AusTender via email of any addenda issuance. It is in the interest of Organisations to ensure they have correctly recorded their contact details prior to downloading documentation for this Invitation. If Organisations have not recorded their details correctly, they should amend their details and download documentation for this Invitation again.
 - 2.4 Organisations are required to log in to AusTender and collect addenda as notified.

- 2.5 The Commonwealth will accept no responsibility if an Organisation fails to become aware of any addendum notice which would have been apparent from a visit to the AusTender page for this Invitation.
- 2.6 If an Organisation has obtained the documentation for this Invitation other than from AusTender, they must visit AusTender, register as a user and download the documentation for this Invitation.

3. **AUSTENDER HELP DESK**

- 3.1 All queries and requests for technical or operational support must be directed to:

AusTender Help Desk
Telephone: 1300 651 698
Email: tenders@finance.gov.au

The AusTender Help Desk is available between 9am and 5pm Canberra Time, Monday to Friday (excluding ACT and national Australian public holidays).

4. **PREPARING TO LODGE A REGISTRATION OF INTEREST ELECTRONICALLY**

Virus Checking

- 4.1 In submitting their Registrations of Interest electronically, Organisations warrant that they have taken reasonable steps to ensure that Registration of Interest response files are free of viruses, worms or other disabling features which may affect AusTender and/or AusAID computing environment. Registrations of Interest found to contain viruses, worms or other disabling features will be excluded from the evaluation process.

Registration of Interest File Formats, Naming Conventions and Sizes

- 4.2 Organisations must lodge their Registration of Interest in accordance with the requirements set out in this **Clause 4** for file format/s, naming conventions and file sizes. Failure to comply with any or all of these requirements may result in the Registration of Interest not uploading successfully and/or may eliminate the Registration of Interest from consideration.
- 4.3 AusAID will accept Registrations of Interest lodged in the **File Formats for Electronic Registrations of Interest** specified in the Registration of Interest Particulars (**Section 1**).
- 4.4 The Registration of Interest file name/s must:
- (a) incorporate the Organisation's company name
 - (b) reflect the various parts of the Registration of Interest they represent, where the Registration of Interest comprises multiple files;

- (c) not contain \ / : * ? " < > | characters. Check your files and re-name them if necessary; and
 - (d) not exceed 100 characters.
- 4.5 Registration of Interest files:
- (a) must not exceed a combined file size of 5 megabytes per upload;
 - (b) should be uploaded from a high level directory on an Organisation's desktop, so as not to impede the upload process; and
 - (c) should be zipped (compressed) together for transmission to AusTender.
- 4.6 AusTender will accept up to a maximum of five files in any one upload of an Registration of Interest. Each upload should not exceed the combined file size limit of 5 megabytes. If an upload would otherwise exceed 5 megabytes, the Organisation should either:
- (a) transmit the Registration of Interest files as a compressed (zip) file not exceeding 5 megabytes; and/or
 - (b) lodge the Registration of Interest in multiple uploads ensuring that each upload does not exceed 5 megabytes and clearly identify each upload as part of the Registration of Interest.
- 4.7 If a Registration of Interest consists of multiple uploads, due to the number of files or file size, the Organisation should ensure that transmission of all files is completed before the specified **Closing Time**.
- 4.8 Registrations of Interest must be completely self-contained. No hyperlinked or other material may be incorporated by reference.

Scanned or Imaged Material, including Statutory Declarations

- 4.9 Scanned images of signed and/or initialled pages within the Registration of Interest, including Statutory Declarations and Deeds of Confidentiality, where they are required, are permitted so long as the total file size does not exceed the 5 megabyte limit. The use of scanned or imaged material, where it expands the file size beyond the 5 megabyte limit per upload, is prohibited.

5. ELECTRONIC LODGEMENT PROCESS

- 5.1 Before submitting an electronic Registration of Interest, Organisations must:
- (a) ensure their technology platform meets the minimum requirements identified on AusTender;
 - (b) refer to AusTender's Help guidance, if required, on uploading tenders;

- (c) take all steps to ensure that the Registration of Interest is free from anything that might reasonably affect useability or the security or operations of AusTender and/or AusAID computing environment;
 - (d) ensure that the Registration of Interest does not contain macros, script or executable code of any kind unless that specific material has previously been approved in writing by AusAID; and
 - (e) ensure that the Registration of Interest complies with all file type, format, naming conventions, size limitations or other requirements specified in **Clause 4 above** or otherwise advised by AusAID or required by AusTender.
- 5.2 Organisations must allow sufficient time for Registration of Interest lodgement, including time that may be required for any problem analysis and resolution prior to the **Closing Time** specified in **Section 1** of this Invitation.
- 5.3 Organisations should be aware that holding the “Lodge a Response” page in the web browser will not hold the electronic tender box open beyond the specified **Closing Time**. An error message will be issued if the lodgement process is attempted after the specified closing time.
- 5.4 Registrations of Interest lodged through AusTender will be deemed to be authorised by the Organisation.
- 5.5 If Organisations have any problem in accessing the AusTender website or uploading a Registration of Interest, they must contact AusAID via the Contact Person nominated in **Section 1** of this Invitation or the AusTender Help Desk (**Clause 3.1 above**) prior to the Closing Time specified in **Section 1 of this Invitation**. Failure to do so will exclude a Registration of Interest from consideration.
6. **LATE REGISTRATIONS OF INTEREST, INCOMPLETE REGISTRATIONS OF INTEREST AND CORRUPTED FILES**
- 6.1 Any attempt to lodge a Registration of Interest electronically after the **Closing Time** will not be permitted by AusTender. Such a Registration of Interest will be deemed to be a Late Registration of Interest.
- 6.2 Where electronic submission of a Registration of Interest has commenced prior to the **Closing Time** but concluded after the **Closing Time**, and upload of the Registration of Interest file/s has completed successfully, as confirmed by AusTender system logs, the Registration of Interest will not be deemed to be a Late Registration of Interest. Such Registrations of Interest will be identified by AusTender to AusAID as having commenced transmission prior to, but completed lodgement after, the **Closing Time** specified in **Section 1** of this Invitation.
- 6.3 Where a Registration of Interest lodgement consists of multiple uploads, due to the number and/or size of the files, the Organisation must ensure that

transmission of all files is completed and receipted before the specified **Closing Time** and **Clause 6.2 above** will only apply to the final upload.

- 6.4 Late Registrations of Interest, incomplete Registrations of Interest, including those with electronic files that cannot be read or decrypted, Registrations of Interest which AusAID believes to potentially contain any virus, malicious code or anything else that might compromise the integrity or security of AusTender and/or AusAID's computing environment, will be excluded from evaluation.

7. PROOF OF LODGEMENT

- 7.1 When a Registration of Interest lodgement has successfully completed, an official receipt is provided on screen. The on-screen receipt will record the time and date the Registration of Interest was received by AusTender and will be conclusive evidence of successful lodgement of a Registration of Interest. It is essential that Organisations save and print this receipt as proof of lodgement. A separate email confirming receipt of the Registration of Interest will also be automatically dispatched to the email address of the registered user whose details were recorded at login.
- 7.2 Failure to receive a receipt means that lodgement has not completed successfully. Where no receipt has been issued by AusTender, the attempted lodgement will be deemed to have been unsuccessful. Organisations should refer to **Clauses 5.2 and 5.5 above**.

8. AUSTENDER SECURITY

- 8.1 Organisations acknowledge that although the Commonwealth has implemented the security measures described on AusTender, the Commonwealth does not warrant that unauthorised access to information and data transmitted via the Internet will not occur.
- 8.2 Organisations acknowledge that:
- (a) lodgement of their Registration of Interest on time and in accordance with these conditions is entirely their responsibility; and
 - (b) AusAID will not be liable for any loss, damage, costs or expenses incurred by Organisations or any other person if, for any reason, a Registration of Interest or any other material or communication relevant to this Invitation, is not received on time, is corrupted or altered or otherwise is not received as sent, cannot be read or decrypted, or has its security or integrity compromised.