

Tendering Manual - Revision History

Issue Date	Chapter/Appendix (version)	Revision made
November 2010	Edition 3 Version 1.00	<i>Review of entire Tendering Manual.</i> Updated references to Department of Services, Technology & Administration, Tendering Guidelines, GIPA Act, Local Jobs First Plan, NSW Procurement website and related policies and operational procedures.
December 2006	Chapter 9 and all Appendices 9A, 9B, 9C (v 4.01)	<i>Disclosure of Contract Award Information</i> Changes reflect the Freedom of Information (Open Government-Disclosure of Contracts) Amendment Act 2006 which came into effect on 1 January 2007, the NSW Government Tendering Guidelines, and minor editing due to organisational change, and typo/spelling corrections. Appendices 9A, 9B, and 9C have been replaced by <u>new</u> Appendix 9A and also Appendices 9B, 9C which link to the standard government disclosure forms.
December 2006	Chapter 7 (v 4.01)	<i>Tender Evaluation</i> Changes made to the processes for tender recommendation & approval, updates to reflect organisational change, link updates, fixes to typos, improve consistency of wording & format within the TM, the NSW Government Tendering Guidelines, and relevant AUSFTA matters.
December 2004	Chapter 8 (v. 4.00)	<i>Award of Contract</i> Updated.
December 2004	Chapter 1 (v. 4.00)	<i>Overview</i> Updated.
December 2004	Chapter 2 (v. 4.00)	<i>The Law and Tendering</i> Updated.
December 2004	Chapter 9 (v. 4.00)	<i>Disclosure of Contract Information</i> Updated.
December 2004	Chapter 10 (v. 4.00)	<i>Electronic Tendering</i> Updated.
December 2004	Chapter 6 (v. 4.00)	<i>Handling Tenders</i> This Chapter has been largely rewritten and reformatted. It contains sections on: <ul style="list-style-type: none"> • Tender Closing Offices and Tender Receiving Offices • Tenders not Received in a Tender Box as Specified • Receiving Tenders Electronically • Tender Boxes • Receiving Tenders in a Physical Tender Box • Receiving Tenders by Facsimile • Basis for Acceptance of Tenders Submitted Electronically or by Facsimile • Security of Tenders Lodged • Receipt and Storage of Samples and Other Material • Tender Opening Committees

		<ul style="list-style-type: none"> • Accessing the <i>eTendering</i> System • Tender Opening Room • Marking Tender Pages • Recording Tenders • Tender Deposits • Tenders Lodged in Another Tender Box • Handling Late Tenders • Other Mail and Articles Found in the Tender Box • Removing the Seal from the Tender Box • Announcement of Tenders Received
December 2004	Appendix 6A (v. 4.00)	<i>Guideline Procedures for Secretaries of Tender Opening Committees</i> Updated.
December 2004	Appendix 6B (v. 4.00)	<i>Guideline Checklist for use by Tender Opening Committee</i> Updated.
December 2004	Appendix 6C (v. 4.00)	New: <i>Guideline Tender Opening Committee Procedure for Opening Electronic Tenders.</i>
December 2004	Chapter 7 (v. 4.00)	<p><i>Tender Evaluation</i> This Chapter has been largely rewritten and reformatted. It contains sections on:</p> <ul style="list-style-type: none"> • Preparing Tender Evaluation Plans • The Evaluation • Initial Examination and Assessment • Detailed Evaluation • Post Tender Clarification and Communications with Tenderers • Final Checking • Recommendation and Approval • Special Situations • In-House Tenders • Security of Tenders
December 2004	Appendix 7A (v. 4.00)	<i>Evaluation Methodologies.</i> Updated.
December 2004	Appendix 7B (v. 4.00)	<i>GPS Staff in Tender Evaluaton.</i> Updated.
December 2004	Appendix 7C (v. 4.00)	<i>Negotiating Changes During Tender Evaluaton.</i> Updated.
December 2004	Appendix 7D (v. 4.00)	<i>Formal Separation Between Units Submitting and Evaluating Tenders.</i> Updated.
December 2004	Appendix 7E (v. 4.00)	<i>Handling Tenders.</i> Updated.
December 2004	Appendix 7F (v. 4.00)	<i>Tender Evaluation Plan.</i> Updated.
December 2004	Appendix 7F(i) (v. 4.00)	<i>Sample Tender Evaluation Plan.</i> Updated.
December 2004	Appendix 7F(ii) (v. 4.00)	<i>Sample Tender Evaluation Plan.</i> Updated.
December 2004	Appendix 7F(iii) (v. 4.00)	<i>Sample Tender Evaluation Plan.</i> Updated.
December 2004	Appendix 7F(iv) (v. 4.00)	New: <i>Sample Tender Evaluation Plan. Construction Contract (Simpler Processes)</i>

December 2004	Chapter 5 (v. 4.00)	<i>Section on eTendering system functionality added.</i>
December 2004	Chapter 4 (v. 4.00)	<p><i>Preparing the Request for Tender Documents</i> This Chapter has been largely rewritten and reformatted. It contains sections on:</p> <ul style="list-style-type: none"> • RFT Document Components • RFT Number • Forms of Contract • Tender Price Basis • Schedules of Information • Conditions of Contract • Product Specifications • Drawings • Special Formats • Consultation with Industry • Third Party Input • Preparing the RFT documents for <i>eTendering</i> • Document Control • RFT Document Review • Approvals • Pre-Tender Estimate • Record Management
December 2004	Chapter 3 (v. 4.00)	<p><i>Planning the Tender Process</i> This Chapter has been largely rewritten and reformatted. It contains sections on:</p> <ul style="list-style-type: none"> • Tender Process Planning Management • Risk Management • Procurement Strategy • Tender Process Options • Contract Forms • Tender Evaluation Plan • Tender Program • Documentation
December 2004	Appendix 3A (v. 4.00)	New: <i>Risk Management in a Tender Process</i>
December 2004	Appendix 3B (v. 4.00)	New: <i>Sample Procurement Strategy for Design and Construction</i>
December 2004	Release of Version 4 series	<i>See above</i>
June 2004	Chapter 5	<p><i>Request for Tender and Tender Period.</i> This Chapter has been largely rewritten and reformatted. It contains sections on:</p> <ul style="list-style-type: none"> • RFT documents • Getting an RFT Number • Tenders closing Offices and Tender Boxes • Date and Time of Closing Tenders • Lodgement Methods • What Will Be Lodged • Prior Approvals and Pre-Requisites • Tender Period • Advertising RFT and Inviting Tenders • Issuing the RFT Documents • Re-tendering or Issuing Fresh RFT Documents • Charging for RFT Documents • Record Keeping

		<ul style="list-style-type: none"> • Meetings with Tenderers • Tenderer's Enquiries • Issuing Amendments (Addenda) to RFT Documents • Extending the Tender Period • Making Prospective Tenderers' Identity Public
June 2004	Appendix 5C	New: <i>eTendering Implementation Timetable</i>
June 2003	Appendix 5B	New: <i>Application for RFT Number</i>
June 2004	Appendix 5A	New: <i>Checklist for RFT and Tender Period</i>
March 2004	Appendix 7A	Section "Scoring Tenders": words "Reject this proposal" replaced with "May reject this proposal".
January 2004	Chapter 3	<p>References to "bidder" replaced with "tenderer".</p> <p>References to "offer" and "bid" replaced with "tender".</p> <p>Section Heading "Options for Seeking Offers" replaced with "Seeking Tenders".</p> <p>Section heading "Public Offers" replaced with "Open Tenders".</p> <p>Section heading "Confining Offers" replaced with "Other than Open Tenders".</p> <p>Reference to the inclusion of total weighting for price and non price criteria in RFT added to section "Documentation".</p> <p>Consultant Management Manual's site address added to section "Two Envelope Tendering Method".</p> <p>Methods for submitting tenders clarified as being " into the tender box, through the e-Tendering system or by facsimile" in section "Special Conditions of Tender".</p>
December 2003	Appendix 7F(iv)	New: Sample TEP: <i>Construction Contract (with price tender evaluation criteria only)</i>
December 2003	Appendix 7F(iii)	New: Sample TEP: <i>Construction Contract: (with price and non price tender evaluation criteria)</i>
December 2003	Appendix 7F(ii)	New: Sample TEP: <i>Consultant Engagement Two Envelope: (with price and non price tender evaluation criteria)</i>
December 2003	Appendix 7F(i)	New: Sample TEP: <i>Goods and Services – Standing Offer Contract</i>
December 2003	Appendix 7F	New: <i>Tender Evaluation Planning</i>
December 2003	Chapter 7	Reference added to new Appendix 7F in section <i>Preparing Tender Evaluation Plans</i> .
December 2003	Chapter 3	Mini Minor Works and GC21 General Conditions of Contract added to examples of forms of contract and standard special conditions in section <i>Request for Tender (RFT)</i> .
November 2003	Appendix 6A	Section dealing with the need to print a revised Schedules of Tenders for late tendes reworded for greater clarity.
November 2003	Chapter 6	Deleted the words "unless otherwise specified" from the sentence "the

		<p>Department accepts tenders by facsimile, unless otherwise specified".</p> <p><i>Section Tenders Lodged in Another Office's Tender Box</i> rewritten to:</p> <ul style="list-style-type: none"> • reflect late tendering policy; • provide guidance on dealing with a tender received from a Tender Receiving Office by a Tender Closing Office when the Tender Closing Office TOC has concluded its business; and • provide guidance on checking the name and tender price from a tender received from a Tender Receiving Office against advice received earlier by facsimile regarding that tender from a Tender Receiving Office.
November 2003	Chapter 3	<p>Under Section <i>Types of Tenders</i>:</p> <ul style="list-style-type: none"> • Added "Request for Proposals" • Inserted "Quotations Written and Oral" (from "Alternative Methods") • Moved "Two Envelope Tenders" to a stand alone section. <p>Deleted reference to the Public Sector Management (Goods and Services) Regulation 2000, part 4, section 26.</p>
November 2003	Introduction, Change Request Form, Chapter 1, Chapter 3, Chapter 5, Chapter 6, Chapter 10, Appendix 7D	<p>Groupwise address changed from "dpws" to "commerce".</p>
September 2003	Appendix 6A	<p>All sections (with the exception of the section dealing with two envelope tenders) reworded for greater clarity.</p> <p>Added purpose of the Appendix is to describe the function of the TOC and the processes to be observed when opening and recording tender responses. Includes a note emphasising that "Initial Tender Recording" must be completed for the tender in hand before the TOC processes the next tender.</p> <p>Deleted reference to electronic responses being processed once hard copy tenders have been dealt with.</p> <p>Deleted reference to recording the name that appears on page 1 of the tender response and added direction that where there is any doubt about a Tenderer's correct name, a search should be made for an ABN number and the associated company name recorded in CCMS.</p>

		<p>Added reference to late tenders received through the <i>eTendering</i> system automatically being marked "late".</p> <p>Reassigned the duties associated with checking tender responses against the Schedule of Tenders from the Secretary to the Convenor.</p> <p>Added direction that all members of the TOC sign each Schedule of Tenders beneath a statement declaring that the information on the Schedule is correct, the Code of Conduct for the Tendering Process was complied with and there was no conflict of interest in participating in the TOC for that job.</p> <p>Added direction that any late tenders are added by hand to the Schedule of Tenders below the listing of on-time tenders; the Convenor verifies the late tender entries; the Secretary stamps the TOC stamp under the last late tender entry and all TOC members initial within the stamp.</p> <p>Revised codes for late tenders from "LNS – Late not Scheduled" to "RBS – Received before Scheduling", and from "LOC – Late outside Tenderer's control" to "RAS – Received after Scheduling".</p>
September 2003	Appendix 6B	<p>New section explaining "Initial Tender Recording"</p> <p>New Section "Distributing Tender Responses"</p> <p>Clarified the procedures for scheduling, late tenders and electronic tenders.</p>
September 2003	Appendix 3A	Reference to <i>NSW Supply</i> replaced with <i>State Procurement</i> .
September 2003	Appendix 1B	New Appendix <i>Records Risk Management Matrix</i> which identifies the type of documents that must be retained on an official Departmental file as they may later be required for legal purposes.
September 2003	Chapter 10	<p>Revised the purpose of the chapter to explain it provides an overview of electronic tendering, and the actual electronic tendering processes are incorporated throughout the manual in the relevant chapters.</p> <p>Under <i>Security and Probity of the eTendering System</i>, clarified the difference between security and probity.</p> <p>Removed references to forthcoming Appendices.</p>

		<p>Removed reference to charging for soft copy tenders.</p> <p>Clarified that contact officers must ensure extensions to tender closing dates are promptly amended in the <i>eTendering</i> system.</p> <p>Changed reference to <i>NSW Government Internet portal</i> to <i>NSW Government eTendering Home Page</i>.</p>
September 2003	Chapter 6	<p>For tenders lodged in another office's tender box, the time the tender is received has been added to the list of details provided by the TOC Secretary at the receiving office to the TOC Secretary at the closing office.</p> <p>All references to <i>Tender Opening Committee</i> replaced with <i>TOC</i>.</p> <p>Note added to the section Opening the Tender Box directing that any unscheduled openings of the Tender Box must be documented in the TOC minute book and authorised by Regional Managers, and in McKell Building by the Manager Tenders or the Manager, Government Procurement Management.</p>
September 2003	Chapter 5	<p>References to advertising tenders in the <i>Sydney Morning Herald</i> on Wednesdays deleted.</p> <p>Reference to not advertising tenders in the <i>Sydney Morning Herald</i> on public holidays deleted.</p> <p>Reference to advertising tenders in the <i>NSW Government Gazette</i> deleted.</p> <p>Reference to submitting requests for advertising on the <i>eTendering</i> web site to the McKell Tenders Section replaced with direction to forward such request to the local eTendering administrator in good time to allow the web site advertisement to appear within the same timeframe as the advertisement in the newspaper.</p>
September 2003	Chapter 3,5,7 and 10	<p>References to <i>Strategic Procurement Services</i> changed to <i>Government Procurement Management</i>.</p>
September 2003	Chapter 1	<p>Client Capital Procurement Advisors, Procurement Consultants/Advisors, Contract Documenters, Business Resource Managers and Support Officers added to list of people who should be familiar with and apply the procedures contained in the Tendering Manual.</p>

September 2003	Chapters 1,3,4,5,6,7,8 and 9	Section <i>Records Risk Management</i> added to alert persons involved in the procurement process that procurement documents that form the contract or may be required by law must be retained in an approved format on an official Departmental file.
September 2003	Revision History	Reversed order of notifications to appear in reverse chronological order.
September 2003	Appendix 7D	<p>Updated to reflect Procurement Procedures Circular 294, which introduces improved procedures for managing processes for effective separation when the Department is Tenderer and assessor.</p> <p>In examples of conflict of interest scenarios, deleted references to PMG, AES and CABS and replaced with business units applicable to Department of Commerce.</p> <p>Added directive that any departmental officer becoming aware of a NSW Government Agency intending to submit a bid for any NSW Government contract should advise the Manager, Procurement Management, GPM.</p> <p>References to <i>Strategic Procurement Services</i> replaced with <i>Government Procurement Management</i>.</p>
September 2003	Appendix 7B	<p>References to <i>Strategic Procurement Services</i> replaced with <i>Government Procurement Management</i>.</p> <p>Deleted reference to Policy Services Division.</p>
September 2003	Appendix 7E	<p>Emphasised arrangements to safeguard security of tender assessments where no internal tender has been submitted should not be any less than the security arrangements surrounding projects where an internal tender has been submitted.</p> <p>References to <i>Strategic Procurement Services</i> replaced with <i>Government Procurement Management</i>.</p> <p>References to <i>NSW Supply</i> replaced with <i>State Procurement</i>.</p>
June 2003	About this Manual	<p>Explanation added of how to search within the manual.</p> <p>Internet address of the Manual provided for use by External Project Managers.</p> <p>Links inserted to <i>Revision History</i> and <i>Change Request Form</i>.</p>

June 2003	Chapter 1	Hyperlinks inserted to: <ul style="list-style-type: none"> • <i>Code of Conduct for the Tendering Process</i> • <i>SCCB Delegations to Officers of State Procurement, April 2003</i> • <i>Contract Management Committees, Role, Scope of Activities, Code of Conduct</i>
June 2003	Chapter 1	Section: <i>Legislation and Regulations</i> : Reference to Schedule 3 Agencies replaced with "All other Public Authorities/Agencies".
June 2003	Chapter 1	Section: <i>Intended Audience</i> : External Project Managers added to the list of people to whom the Tendering Manual applies.
June 2003	Chapter 1	Section: <i>Board of Advice and Reference</i> : Text regarding membership and functions of the Board of Advice and Reference (BAR) replaced with hyperlink to the <i>BAR Member Guidelines</i> .
June 2003	Appendix 1A	List of Schedule 1 Agencies (obliged to use the contracts and services of the State Contracts Control Board) updated. List of Schedule 3 Agencies "Declared Authorities" deleted. List of "Non Schedule Agencies" deleted.
June 2003	Chapter 1	Section: <i>SCCB Delegations</i> : Text regarding General Purchasing Delegation, Consulting Delegation and Printing Delegation replaced with hyperlinks to: <ul style="list-style-type: none"> • Consultancies Delegation • General Purchasing Delegation • Printing Delegation • Disposals Delegation
June 2003	Chapter 1	References to <i>Strategic Procurement Services</i> replaced with <i>Government Procurement Management</i> . References to <i>NSW Supply</i> replaced with <i>State Procurement</i> , and related name changes.
June 2003	Chapter 9	Updated to reflect Procurement Procedures Circular 293, which introduces a tendering form for use across the Department for collecting Contract Award Information. Hyperlinks established to the Contract Award Information form and to a list of CCMS Administrators. All references to Strategic Procurement Services replaced with Government Procurement Management. All references to NSW Supply replaced with State Procurement.

May 2003	Chapters 2, 4, 8 10	All references to DPWS replaced with NSW Department of Commerce, or the Department.
May 2003	Chapter 5	Updated to reflect removal of fees from Contracts Manual after Procurement Procedures Circular 279. Fees charged for construction related RFT inserted in section <i>Charge for Request for Tender (RFT)</i> . All references to DPWS replaced with NSW Department of Commerce, or the Department.
May 2003	Chapters 1, 3, 6, 7 9 Appendices A, B(a), B(b), C(a), C(b), D, E, F, G, H, I, J	Appendices renumbered to reflect the associated chapter. (Eg. Appendices B(a) and B(b) have changed to 3A and 3B (Chapter 3, Appendix A and Chapter 3, Appendix B; Appendices C(a) and C(b) have changed to 6A and 6B (Chapter 6, Appendix A and Chapter 6, Appendix B)). All references to DPWS replaced with NSW Department of Commerce, or 'the Department'.
February 2003	Chapters 3, 4, 9, Appendix D.	Tenders which split the weighting of tender evaluation criteria between price and non price components, must specify in the Request for Tender document the percentage weighting for the price component (say 70%) and percentage weighting for the non price component (say 30%). The breakup of the weightings for non-price criteria must not be specified in the RFT.
February 2003	Chapters 6, 7. Appendix C(a)	Above policy replaced with a new policy which states: from 1 March 2003, tender responses will only be released after certification is made to the Tender Closing Office responsible for closing the tender by the DPWS person responsible for making the recommendation to accept the tender that a Tender Evaluation Plan has been prepared. Ref Procedures Circular 281.
December 2002	Chapters 6, 7. Appendix C(a).	From 1 February 2003, tender responses will only be released to Project/Contract Officers after a copy of the Tender Evaluation Plan has been provided to the Tender Closing Office responsible for closing the tender. Ref Procedures Circular 280. [This Policy has been since withdrawn]
December 2002	Chapter 5	Discontinue charging for electronic RFT (downloaded from the <i>eTendering</i> web site) issued from 1 February 2003. Ref. Procedures Circular 279.
February 2002	Edition 2 of the Manual released	Review of Edition 1 of the Manual and electronic publication through DPWS, now Commerce, Intranet rather than in a

		paper manual.
--	--	---------------