



REQUEST FOR TENDER

**FOR THE PROVISION OF DISABILITY MINIMUM WAGE RESEARCH
MONITORING SERVICES – EXPERIENCE OF WORKERS WITH
DISABILITY IN AUSTRALIAN DISABILITY ENTERPRISES (FORMERLY
BUSINESS SERVICES)**

RFT 08/34

1. INTRODUCTION

Background

The Australian Fair Pay Commission (Commission) is an independent Commission responsible for adjusting Federal minimum and classification wages.

The Commission is supported by the Australian Fair Pay Commission Secretariat (Secretariat), providing assistance with research, consultations, submission processes, stakeholder meetings, monitoring and evaluation.

Further information about the Commission can be found at www.fairpay.gov.au

The Requirement

The Commission's wage decisions affect:

- workers with disability
- casual and piece rate workers
- adult workers receiving the Federal Minimum Wage
- workers receiving Australian Pay and Classification Scale wages.

To help inform its minimum wage reviews the Commission is seeking the views of employees with disability working in Australian Disability Enterprises (Disability Enterprises), formerly Business Services.

The Secretariat seeks the services of an expert research agency to provide **focus group research services** on the employment experience and work related circumstances of people with disability working in Disability Enterprises, including information on levels of understanding among those employees about how their wages are calculated. This information will assist to monitor the effects of the Commission's wage-setting decisions on workers with disability employed in Disability Enterprises.

The Tenderer must be able to provide services including all of the following;

- develop discussion and interview guides in consultation with the Secretariat;
- source and recruit participants from a range of Disability Enterprises;
- arrange appropriate venues –allowing for observation where appropriate;
- arrange transport to and from venues for participants;
- arrange support as necessary (for example Auslan interpreters, and communication assistants);
- prepare materials in alternate formats as necessary (for example information in simple English and pictorial resources);
- arrange catering;
- facilitate sessions;
- take audio recordings of discussions at the sessions, to be transcribed;
- prepare feedback notes for the Secretariat and Commissioners;
- provide progressive reports/briefings during the course of the project;
- present findings of the research to the Secretariat and/or Commission;
- liaise with the Secretariat as required;
- conduct any other activities as required; and
- provide the Secretariat with a detailed report of the research findings.

Reporting

Provide the Secretariat with a detailed draft report of the research findings to be finalised based on feedback from the Secretariat.

The Secretariat requires a reporting style that explicitly depicts the views, experiences and opinions of people affected by minimum wages. The reporting requires synthesis of views, but also needs to include the range of opinions and experiences expressed rather than just focussing on the main or repeated themes. Significant space in the report should be given over to direct quotes from research participants that illustrate particular themes as identified by researchers. For examples of social research conducted for the Commission, go to: www.fairpay.gov.au/fairpay/NewsPublications/Commissionedresearch/

The Secretariat requires 3 hard copies of each report and electronic files in Microsoft Word and a PDF format.

Proposed Timetable

The proposed timetable is:

| Activity | Indicative Timing |
|--|--|
| Issue of Request for Tender | 5.00 pm (AEDT), Monday 22 December 2008 |
| Tender Closing Time | 4.00pm (AEDT), Friday 23 January 2009 |
| Evaluation Complete | Wednesday 28 January 2009 |
| Contract Commencement | Thursday 29 January |
| Progress report provided to the AFPC Secretariat | To be confirmed with successful tenderer |
| Presentation of interim report to the AFPC | To be confirmed with successful tenderer |
| Final report delivered | 15 April 2009 |
| Final presentation to the Secretariat | To be confirmed with successful tenderer |

Note: Respondents should note that the timeframe may be altered and/or the project delayed at the Secretariat's discretion.

AusTender

This RFT is advertised on AusTender to allow suppliers registered with AusTender to receive notification if any addendum is issued. Registration is free and information may be obtained from www.tenders.gov.au.

The Secretariat accepts no responsibility if a potential Tenderer does not obtain any addendum by failing to monitor AusTender or contact the Secretariat during the period the RFT is open to the market.

Contact Officer

The Contact Officer for all enquiries in relation to this requirement is Shannon-Kate Archer phone (03) 8621 8253, email shannon-kate.archer@fairpay.gov.au.

The Secretariat may publish relevant questions and answers to enquiries without detailing the information of the enquiring party on www.fairpay.gov.au.

Definitions

The definitions in the standard Contract apply to the RFT as a whole.

2. MANDATORY REQUIREMENTS

Tender Content

The tender must include:

- A detailed proposal on how best to ascertain qualitative information on the employment experience of employees in Disability Enterprises including information to determine the level of understanding about how wages are calculated.
- How the tenderer will source participants for the focus group employed in a range of Disability Enterprises, and if the proposed methodology should include employers, how the tenderer will engage with employers.
- How questions will be developed and delivered to best ascertain views on the employment experience of employees in Disability Enterprises and the employees' understanding about how their rate of pay is calculated.
- The benefits of also exploring other types of diversity within the focus group e.g., geographical, gender etc.,
- How the focus groups will be conducted.
- A description of experience in working with people with disability, in particular working with people with intellectual disability.
- A detailed description of any similar projects which have been conducted by the tenderer.

Format

- The Tender may be submitted in the format of;
 - one unbound hardcopy plus one electronic copy in Word format on CD or disk,OR
 - one electronic copy emailed in Word format to tenders@fairpay.gov.au.
- A signed Statutory Declaration in the format provided at section 6 must be included in the Tender.
- Tenderers must supply a response to sections 1, 4, and 5. The responses must be in English and in a straight forward manner.
- Tenderers level of compliance to the Contract must be stated in a simple table format. The Contract template is available at www.fairpay.gov.au/fairpay/AboutSecretariat/Tenders/ or by phoning the Contact Officer.

- All values must be in Australian dollars and inclusive of GST and identify a cost per participant for methodology proposed (e.g. per focus group).

Non-compliance with one or more of the above criteria may exclude a Tender from evaluation.

Consortium Tenders

Consortium Tenders are permitted for the purpose of providing the services provided that the Tenderers clearly identify the arrangement and details of both the primary and secondary parties at the forefront of the Tender. The Secretariat will require the primary party to retain full responsibility for the delivery of the services

If elements of the project are required to be sub-contracted, a list of proposed subcontractors must be outlined in the proposal including their relevant expertise and project staff.

Subcontracting and joint tendering is not permitted after the commencement of the Contract unless prior written consent is obtained from the Secretariat.

Incomplete Tenders

Incomplete Tenders or Tenders that do not propose to provide all required services will not be considered for evaluation.

Deadline

Tenders must be hand delivered or mailed to **Locked Bag 35003, Collins Street West, MELBOURNE VIC 8007 OR emailed to tenders@fairpay.gov.au**, by no later than **4.00 AEDT in Victoria on Friday 23 January 2009**.

Tenders received by the Secretariat later than the Deadline will not be accepted for evaluation, and will be returned to the Tenderer. All other Tenders will become the property of the Secretariat once submitted.

The Deadline may be extended at the Secretariat's discretion by issuing an addendum on AusTender.

Tender Validity Period

The Tenderer must state the validity period of the Tender commencing from the Deadline. The Secretariat recommends that a validity period of at least 8 weeks be considered.

Compliance

Tenderers and their associated parties must not violate any Commonwealth Law or policy during the period of this RFT or during the delivery of the Services.

Pricing and Rates

All pricing and rates must be inclusive of all disbursements and must be listed in one schedule of the tender only. All values must be in Australian dollars and inclusive of GST.

Insurance

Tenderers must have the required level of insurance as stated in the Contract.

Details must be available on request to support the Tenderers stated public liability and professional indemnity insurance cover.

Supporting Documentation

Supporting documentation should be marked clearly and kept to a minimum.

Highly Sensitive and Confidential Information

Tenderers should be able to demonstrate previous experience working with highly sensitive and/or confidential material.

3. EVALUATION OF TENDERS

The overall tender evaluation will be based on the principle of best value for money in compliance with Commonwealth procurement principles. This includes evaluation of evidence provided of the Tenderers ability to provide the Services against the Selection Criteria, compliance with the tender requirements as outlined in this RFT, and past performance (including external references and the Secretariat's previous performance reviews of the supplier, if applicable).

Where required, further discussions may be undertaken with the Tenderer to confirm their suitability to provide the Services.

Tenderers may then be shortlisted, and contract negotiations commenced.

At any time the Secretariat may exercise any right of the Commonwealth under Law or elsewhere in the RFT in the best interest of the public.

4. SELECTION CRITERIA

The Secretariat will evaluate each Tender against the following criteria:

- the extent to which the proposal meets the Secretariat's requirements, including time frame;
- experience in facilitating focus groups or conducting research with people with disability, in particular, people with intellectual disability;
- proposed project methodology;
- whole of project costs;
- response/delivery times;
- experience of personnel;
- experience in undertaking similar services;
- any non-quantifiable benefits and costs;
- past performance;
- demonstrated understanding of the Secretariat's research requirement and the Commission's use of this research;

- demonstrated expertise in the field of qualitative research, in particular, experience producing detailed reports of a publishable standard;
- relevant experience of researching labour market issues;
- experience of personnel (particularly in relation to facilitation of focus groups under the observation of clients, and report writing to a publishable standard; and
- recommendation of relevant referees (up to three referees).

If elements of the project are required to be sub-contracted, a list of proposed subcontractors must be outlined in the proposal including their relevant expertise and project staff.

5. TENDERERS INFORMATION

General Information

The below information must be displayed at the front of the Tender for all parties. The Tenderer must notify the Secretariat should any of the below details change during the period of the RFT and life of the Contract:

- Full business name/s
- Full trading name/s
- Registered office address/s
- Australian Registered Body Number/s
- Australian Company Number/s
- Classification of small business (employs less than the full time equivalent of 20 persons)
- Corporate structure/s
- Corporate objectives and priorities/s
- Business profile/s
- Any relevant legal and financial relationships
- Any prosecutions or pending investigations within the past 5 years of the Tenderer, Body Corporate, partner, director, or officer, relating to :
 - any payments to the Commonwealth of Australia or any taxing authority,
 - malfeasance, misfeasance, or nonfeasance of any duties imposed by Law in Australia or any foreign jurisdiction,
 - participation in, or acquiescence to, any practices in the dealing with any government that are unlawful.

Financial Details

This information must be provided with the Tender for all parties:

- Any other changes or anticipated changes in the Tenderers financial position,
- Any actions or anticipated actions that may affect the assets or ownership of the Tenderer,
- Any actions or anticipated actions that may affect the Tenderers ability to perform the Services.

6. STATUTORY DECLARATION

**COMMONWEALTH OF AUSTRALIA
STATUTORY DECLARATION**

I,**[insert name]**
of.....**[address]**
a director/ authorised officer of
.....**[company name]**,
(ACN.....) (ABN) "Tenderer")

I do solemnly and sincerely declare as follows:-

1. that I am authorised by the Tenderer to make this declaration on behalf of the Tenderer;
2. the Information provided in the Tender to which this statutory declaration is appended is complete and constitutes an offer to the Commonwealth to provide the Services on the terms set out in the Tender;
3. each person or organisation identified in the Tender as the Tenderer is jointly and severally liable to the Commonwealth for any offer made in the Tender;
4. the Tenderer has read, understands and agrees to all conditions including without limitation obligations and acknowledgements included in the RFT under which this declaration is provided;
5. the Tenderer has conducted its own inquiries, investigations and appraisal of the RFT, including the Services to be provided and any assumptions, uncertainties and contingencies which may affect the Commonwealth's future business;
6. the Tenderer acknowledges and accepts that the Commonwealth may, in its absolute discretion at any time exercise any rights it has under the RFT or otherwise;
7. the Tender has not been prepared with the benefit of:
 - (a) information obtained from a current or former officer or employee of the Commonwealth in circumstances that constitute a breach of confidentiality or fidelity on the part of that person or a breach of section 70 or 79 of the *Crimes Act 1914* or the Public Service Regulations; or
 - (b) information otherwise improperly obtained from the Secretariat or from employees or ex-employees or from a contractor or ex-contractor of the Secretariat or of any other Commonwealth department or agency.
8. the Tender has been developed fully in accordance with principles of competitive neutrality, where relevant, and therefore takes account of matters such as relevant taxes, rates of return and the cost of funds;

9. the Tenderer has kept and will keep information included in and provided with the RFT confidential at all times and will not use the information except for developing a Tender;
10. the Tender is accurate in every respect. The Tenderer acknowledges that if the Tenderer is found to have made false or misleading claims or statements, or to have used confidential information, except in accordance with the RFT, or to have received improper assistance, the Commonwealth may reject at any time any Tender lodged by or on behalf of the Tenderer;
11. the Tenderer, its officers, employees, agents and advisers has not engaged in any collusive tendering, anti-competitive conduct or other similar unlawful conduct with any other Tenderer or any other person in relation to the preparation or lodgement of Tenders;
12. the Tenderer, its employees, agents and contractors has no knowledge of the Tender or the Tender price for the Services of any other Tenderer prior to the Tenderer submitting its Tender for the Services;
13. prior to the Tenderer submitting its Tender for the Services the Tenderer, its employees, agents and contractors has not entered into any deed, agreement, arrangement or understanding that the successful Tenderer for the Services would pay any money, or would provide any other benefit or other financial advantage, to or for the benefit of any other Tenderer who unsuccessfully Tendered for the Tender;
14. the Tenderer **[and name any consortium members]** through its officers, employees, agents and contractors, has not attempted and will not attempt, to influence improperly any officer or employee of the Commonwealth in connection with the assessment of the Tender;
15. the Tenderer or any party proposed by the Tenderer to deliver any Services to the Commonwealth, has not been named under the *Equal Opportunity for Women in the Workplace Act 1999* (Cth);
16. the Tenderer understands and agrees to all conditions including without limitation obligations and acknowledgments included in the RFT document;
17. the Tenderer hereby consents to and authorises the Commonwealth, its officers, employees, agents or advisers to undertake the necessary security (at the Suppliers expense), probity and/or financial checks from comparing information contained within the Tender with, or obtaining additional information from:
 - (a) other Commonwealth agencies such as the Australian Securities and Investments Secretariat;
 - (b) State or Territory agencies;
 - (a) law enforcement agencies;
 - (b) courts or tribunals; or
 - (e) any other appropriate organisation or person reasonably required as part of these checks.
18. the Tenderer agrees to provide at the Tenderers expense reasonable assistance to the Commonwealth to assist them in any checking they wish to have undertaken under or in respect of the RFT and the Tenderer warrants and undertakes that:
 - (a) at the date of submitting this tender, no conflict of interest, other than a conflict of interest that is declared in the Tender, exists or is likely to arise concerning

itself or a related entity affecting the provision of the Services should it be successful with its Tender;

- (b) if, before finalisation of the RFT process, a conflict of interest arises concerning itself or a related entity, the Tenderer will notify the Commonwealth immediately in writing of that conflict or risk of conflict; and
- (c) it has the resources, or will be able to obtain the resources, likely to be required to properly provide the Services.

I make this solemn declaration by virtue of the *Statutory Declaration Act 1959* (Cth) and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

..... (1)

Declared at the day of 2008,

before me

..... (2)

Notes:

- (1) Signature of the person making the declaration.
- (2) Signature and title of the person before whom the declaration is made.