

EOI 15518 – Site 8: Education and Community/Ancillary



Revitalising Central Dandenong

Response Forms

PART C

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PART C – Response Forms

Bidders are required to complete and submit all the following forms of this PART F as part of their Response:

1. **Form A – Bidder’s Declaration**
2. **Form B – Capability & Experience**
3. **Form C – Site Vision and Supporting Information**
4. **Form D – Bidder’s Confidential Information**
 - a. Bidders may choose to complete and return this form to identify any information it requires to be treated as confidential. If this form is not provided, Development Victoria will assume that none of the information provided by the Bidder needs to be treated as commercial in confidence.

NOTE ON USE OF PART C TEMPLATES

The Bidder is invited to utilise the templates provided by DV to complete their Response, however, it is also acceptable for Bidders to reproduce their own templates under the conditions that:

- a. The required criteria are not manipulated, amended or omitted from their Response;
- b. The overall format of each requested Response matrix is identical; and
- c. The Response is well presented, legible and easy to understand.

The Bidder is required to include all attachments in their Response’s appendices and clearly nominate the attachment reference number in the **relevant** form.

Form A

Bidder's Declaration



Form A – Bidder’s Declaration

NOTE TO BIDDERS: The Victorian State Government’s Supplier Code of Conduct (as amended from time to time) is available at the Buying for Victoria website: <https://www.buyingfor.vic.gov.au/supplier-code-conduct>.

Development Victoria’s Modern Slavery Policy is available on the Internet at <https://www.development.vic.gov.au/about/policies-and-disclosures/policies/modern-slavery-policy>.

The Commitment from Tender Participants is available from Section 4.1.5 of the Instructions for Public Construction Procurement in Victoria available from <https://www.dtf.vic.gov.au/public-construction-policy-and-resources/ministerial-directions-and-instructions-public-construction-procurement>.

Declaration **[Bidder to complete]**

I

[Insert full name]

of

[Insert address]

.....

[Insert occupation]

make the following declaration:

Definitions

In this declaration:

“*Bidder*” means:

[Insert name of company, other body corporate, firm, or individual]

“*Contract*” means the proposed contract for the works or services (as the context requires) described in Part B of the EOI for the Project in the form attached to the EOI;

“*Development Victoria*” means Development Victoria of Level 9, 8 Exhibition Street, Melbourne, Victoria 3000;

“*EOI*” means the expression of interest issued by Development Victoria for the Contract;

“*Response*” means the Bidder’s proposal in response to this EOI;

“*Response Forms*” has the meaning given in the EOI;

Preamble

1. I hold the position of of the Bidder and I am duly authorised by the Bidder to make this declaration on its behalf.
2. I make this declaration on behalf of the Bidder and on behalf of myself.

Acceptance of the EOI Conditions

3. The Bidder accepts the requirements of the EOI including the EOI Conditions in Part A of the EOI.

Submission of the Response

4. The Bidder declares that the information set out in its Response (including any information provided in support of any preceding expressions of interest or accreditation process) is true and correct.
5. The Bidder submits its Response, including all attached Response Forms, in good faith and in the genuine belief that they are accurate and complete.

6. The Bidder:

- a. confirms it has made its own inquiries and has not relied upon the information in the EOI in submitting its Response; and
- b. acknowledges and agrees that nothing in the EOI or the conduct of the EOI process has resulted in the formation of a process contract between Development Victoria and the Bidder.

Probity and Conflict of Interest

7. Neither the Bidder, nor any of its employees or agents has a potential, actual or perceived potential conflict of interest in relation to the Project, except as listed below:

IDENTIFIED CONFLICTS OF INTEREST	DESCRIPTION

8. If an actual, potential or perceived probity issue arises, or appears likely to arise, after the lodgement of its Response, the Bidder will:
- a. immediately notify Development Victoria in writing as soon as such actual, potential or perceived probity issue becomes apparent to the Bidder and provide details of such probity issue; and
 - b. take all steps required by the Development Victorian to prevent, end, avoid, mitigate, resolve or otherwise manage the actual, potential or perceived probity issue;

Bidder Details

9. The details of the Bidder are as follows:

Name:	
Registered Office:	
ABN:	
ACN:	
Contact Name (Authorised Agent):	
Title:	
Phone:	
Email:	
Company Registration Numbers (<i>where applicable</i>) – e.g. Builder’s Registration Number:	

Additional Information

Form A – Bidder’s Declaration

10. The Bidder will provide Development Victoria with any information or documents reasonably requested, which may include any documentation required for compliance with any government policy requirements.

Genuine Competition

11. The Bidder is genuinely competing for the Project.
12. The Bidder has experience and expertise in supplying the goods or carrying out works or (as the context requires) described in Part B of the EOI.
13. As at the date of this declaration, the Bidder has the capacity and resources to supply the goods or carry out the works or services (as the context requires) described in Part B of the EOI in a timely, competent and professional manner in accordance with the requirements (including the timing requirements) set out in the EOI.

Compliance with Victorian State Government’s Supplier Code of Conduct, Development Victoria’s Modern Slavery Policy and applicable Victorian Government Policies

14. The Bidder has read and understood the Victorian State Government’s Supplier Code of Conduct (the Code) and the Development Victoria Modern Slavery Policy (the Modern Slavery Policy).
15. The Bidder acknowledges that in the event that it is selected to supply goods, works or services to Development Victoria, the relevant Contract will contain an ongoing requirement for the Bidder to comply with all legal requirements, which in turn will require the Bidder to:
 - a. understand the Code and the Modern Slavery Policy, including any amendments made from time to time; and
 - b. meet the State’s expectations of Suppliers as set out in the Code.

Commitment from Tender Participants

16. The Bidder warrants that:
 - a. it must conduct itself fairly and honestly;
 - b. it must not engage in any practice that would defeat the purpose of a fair and transparent selection process, including engaging in collusive tendering or any other anti-competitive practices such as, but not limited to:
 - i. an agreement between EOI participants about who should be the successful Bidder;
 - ii. any meeting of EOI participants to discuss the EOI before the submission of Responses if Development Victoria is not present;
 - iii. an exchange of information between EOI participants about the Response before awarding of the Contract or a commission;
 - iv. an agreement or exchange of information between EOI participants for the payment of money or securing of reward or benefit for unsuccessful EOI participants by the successful Bidder;
 - v. agreements between EOI participants to fix the prices or conditions of the Contract (this means any collaboration between EOI participants of prices or conditions to be included in contracts or commissions without the consent of Development Victoria);
 - vi. a submission of a cover response or to provide any assistance to any EOI participant to submit a cover response (that is, a Response submitted as genuine but which has been deliberately priced in order not to win the Contract or a commission);
 - vii. any agreement between EOI participants prior to submission of a Response to fix the rate of payment of employer or industry association fees where the payment of such fees is conditional upon the Bidder being awarded the Contract or commission; and
 - viii. payment to any third party of money, fees, incentives or other concessions contingent on the success of the Response that do not relate to the provision of proper services relevant to the Response; and
 - c. it must not;

- i. accept or provide any secret commissions;
- ii. enter into any improper commercial arrangements with other contractors, subcontractors, suppliers, agents or parties;
- iii. seek to influence contract decisions by improper means during the EOI process; or
- iv. accept incentives to provide contracts or services to other contractors, subcontractors or suppliers that financially disadvantage Development Victoria.

Confirmation of Receipt of Addenda

17. The Bidder confirms receipt of any addenda issued during the EOI process and that they have incorporated all requirements set out in the addenda in their Response.

TENDER ADDENDUM (NUMBER & DATE)	RECEIVED AND REQUIREMENTS INCORPORATED?
	YES <input type="checkbox"/> / NO <input type="checkbox"/>
	YES <input type="checkbox"/> / NO <input type="checkbox"/>

Authorisation

18. On behalf of the Bidder, I authorise Development Victoria to obtain such information as it reasonably requires in relation to the Bidder’s Response from third parties including, without limitation:

- a. any employees that the Bidder lists in its Response;
- b. any referees or client or other contacts whether provided by the Bidder in its Response or not and
- c. any other government bodies who have knowledge or experience of the Bidder.

I confirm that I am authorised to make this declaration on behalf of the Bidder, it is true and correct to the best of my knowledge and that I have read and accept all the terms set out in this declaration on behalf of the Bidder.

Signature of person making the declaration

Date

on

Form B

Capability & Experience



Form B – Capability & Experience 40% Weighting

Bidder Name:	
EOI Reference Number:	15518

Mandatory Capability Criteria

- Question B-1
- Mandatory Criteria

Bidders are required to demonstrate their experience with the below mandatory criteria by selecting YES or NO and attaching relevant proof.

1.	A minimum of 5-years consecutive registration as an education provider	YES <input type="checkbox"/> / NO <input type="checkbox"/>
	Proof attached	Attached? YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:
2.	Certified Victorian Curriculum	YES <input type="checkbox"/> / NO <input type="checkbox"/>
	Proof attached	Attached? YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:

SECTION A: Relevant Organisational Experience

Question B-2

Bidders are to provide a brief overview of their company highlighting:

REQUIREMENTS	ATTACHED? (Include Reference)
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Form C – Capability & Capacity

1.	Brief corporate biography describing the company’s establishment, current scope of operations, and number of employees.	YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:
2.	Company/organisation ownership structure	YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:

Question B-3

Please provide specific operational examples that demonstrate your relevant experience to develop and deliver education and community/ancillary services.

For each example nominated, the following must be clearly provided:

- Entity name
- Address/location
- Years of operation and year of launch
- Scope of school development e.g., refurbishment or new build.
- Education pathways and services offered.
- Any other supporting entity e.g., student accommodation, work-integrated learning partnerships

Limit: 1 x A4 Page (Per Example)

SECTION B: Proposed Key Personnel

Question B-4

The Bidder is required to nominate persons from its organisations who will fill the following key positions noted in the table below (noting that Bidder’s may add additional roles not currently mentioned). This should include key members from the Board/Relevant Council and Executive Team.

ROLE	TEAM MEMBER NAME	KEY RESPONSIBILITIES AND QUALIFICATIONS (Please limit to 400 words per response)

SECTION C: Organisational and Governance Structure

Question B-5

Form B – Capability & Experience

Bidders are required to develop and provide a clear Organisational Chart and Governance Structure demonstrating the core educational provision pathway and any other associated entities. The information provided identifies interdependencies within the organisational structure and the proposed operational structure for this site.

REQUIREMENT(S)		ATTACHED? (Include Reference)
1.	Organisational Chart	YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:
2.	Governance structure	YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:
3.	Most recent annual report	YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:

Form C

Site Vision and Supporting Information



Form C – Site Vision and Support Information

60% Weighting

Bidder Name:	
RFP Reference Number:	15518

SECTION A: Site Vision

Question C-1

Bidders are requested to submit a comprehensive vision statement outlining their long-term goals and aspirations for the site. This should include:

- Clearly defined objectives for the site.
- Community aspirations.
- Implementation strategy.

REQUIREMENT(S)	ATTACHED? (Include Reference)
1. Site Vision	YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:

SECTION B: Supporting Information

Question C-2

Bidders are requested to provide supporting information for their vision. This should include:

- A project timeline.
- Target demographics.
- A community needs assessment.

Although suggestions are provided above, these are indicative and non-exhaustive. Bidders are encouraged to provide supporting information relevant to their Site Vision.

REQUIREMENT(S)	ATTACHED? (Include Reference)
1. Supporting Information	YES <input type="checkbox"/> / NO <input type="checkbox"/> Attachment No:

Form D

Bidder's Confidential Information



Form D – Bidder’s Confidential Information

Bidder Name:	
EOI Reference Number:	15518

If a Bidder wishes to withhold the disclosure of specific information, the Bidder must clearly identify the types of information and outline how the release of this information will expose trade secrets or expose the business unreasonably to disadvantage.

Trade Secrets

In considering whether specific information should be categorised as a trade secret, Bidders should assess:

- the extent to which it is known outside of the Bidder’s business;
- the extent to which it is known by the persons engaged in the Bidder’s business;
- any measures taken to guard its secrecy;
- its value to the Bidder’s business and to any competitors;
- the amount of money and effort invested in developing the information; and
- the ease or difficulty with which others may acquire or develop this information.

Question D-1

1.	The Bidder considers the following information to be Trade Secrets, and requests it be treated as confidential:	
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NOTE: The Bidder may wish to respond “N/A”.

Unreasonable Disadvantage

In determining whether disclosure of specific information will expose a Bidder’s business unreasonably to disadvantage, Bidders should consider section 34(2) of the *Freedom of Information Act*. Broadly, Bidders should consider:

- whether the information is generally available to competitors; and
- whether it could be disclosed without causing substantial harm to the competitive position of the business.

Question D-2

1.	The Bidder considers disclosure of the following information would expose it to unreasonable disadvantage and requests it be treated as confidential:	
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NOTE: The Bidder may wish to respond “N/A”.

Development Victoria may consider these applications in the evaluation of the Response.

Development Victoria

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