

QUESTION TAKEN ON NOTICE

SUPPLEMENTARY BUDGET ESTIMATES HEARING: 15 October 2012

IMMIGRATION AND CITIZENSHIP PORTFOLIO

(SE12/0034) PROGRAM – OMARA

Senator Cash (written) asked:

Provide a copy of the Request for Tender document for the tender for this tender.

Answer:

This is provided, refer to attached document.



Australian Government
Department of Immigration and Citizenship

REQUEST FOR QUOTATION (RFQ)

for the provision of

consulting services for the design and development of an ethical framework and methodology to underpin decision making by registered migration agents including a comprehensive toolkit that facilitates the understanding and teaching of that framework

RFQ No. 11/21

North Building, Chan Street Belconnen ACT 2617

PO Box 25 BELCONNEN ACT 2616 • Telephone (02) 6264 1111 • Facsimile (02) 6264 2747 •
Website: www.immi.gov.au

REQUEST FOR QUOTATION

The Department of Immigration and Citizenship (DIAC) is seeking responses from suitably qualified persons or bodies for the provision of consulting services for the design and development of an ethical framework and methodology to underpin decision making by registered migration agents including a comprehensive toolkit that facilitates the understanding and teaching of that framework.

The purpose of this framework is to:-

- provide a model for identifying and solving ethical problems that arise in everyday work;
- understand the benefits of using such a model or framework in decision making;
- distinguish between rules-based approaches, and values-based approaches to decision making in the workplace;
- understand what constitutes a quality decision in the context of the Code of Conduct;
- understand the effect of good and poor decisions on clients;
- distinguish between personal values and beliefs and the requirements of the Code of Conduct;
- acknowledge and support cultural, environmental and linguistic diversity; and
- appreciate the complexity of ethical issues by using a series of short and long scenarios.

Responses are to be submitted by 2 pm on **25 March 2011**

1. REQUIRED PROPERTY AND/OR SERVICES

DIAC requires the following services:

- Design and development of an ethical framework and methodology to underpin decision making by registered migration agents including a comprehensive toolkit that facilitates understanding and teaching of that framework. This framework should meet purposes stated above and cover all aspects of ethical standards and behaviour for registered migration agents and the practical implications for their business operations.
- In developing the above framework and methodology, the following should be considered:-
 - statements of ethics developed for migration agents;
 - Code of Conduct in Schedule 2 and the continuing professional development requirements in Schedule 1 of the *Migration Agents Regulations 1998*;
 - existing ethics methodologies and frameworks for development of ethical intelligence in other professions;
 - workplace competency standards for registered migration agents; and
 - graduate attributes and outcomes from relevant entry pathways.
- Participate in consultation with key stakeholders groups, as required, to be determined by the Office of the MARA, before finalising the products.

Deliverables of the project will include:-

A) Preliminary Report

This document is to contain the analysis from background research and consideration of relevant material, a recommendation for a statement of ethics for migration agents drawing from relevant sources including the Code of Conduct, a proposed framework and methodology and an outline of comprehensive toolkit to be developed.

B) Text and Material

This document is a comprehensive toolkit that will support understanding and teaching of the proposed framework and model. This document should be submitted in electronic word format containing:

- A statement of Ethics, drawn from appropriate sources and relevant to the migration advice profession which is intended to be used in the proposed framework and comprehensive toolkit;
- The purpose of the proposed framework and its relevance to professional practice and the Code of Conduct;
- Step by step specifics and details of the proposed ethical framework and model for decision making including:-
 - identifying and resolving ethical dilemmas;
 - understanding what constitutes a quality decision in the context of the Code of Conduct
 - interacting with people from diverse cultures, political and religious backgrounds;
 - resolving conflicts of interests;
 - resolving non-alignment of personal, cultural and professional values;
- Worked examples, long and short scenarios to promote discussion; and
- Case studies and exercises to test understanding and model answers.

C) Final Material

This document will be submitted in word format and contain text and material submitted in (B) above after incorporating comments and feedback from consultation with the Office of the MARA Advisory Board, key stakeholders, where relevant, and the Office of the MARA.

D) Briefing to the Advisory Board to the Office of the MARA

A presentation briefing of the final framework and methodology and comprehensive toolkit to the Advisory Board to the Office of the MARA.

Timetable for delivery of project outcomes:

- 11 April to 22 April 2011 – Commencement of Project, Background Research and Planning by Consultant, Production of Preliminary report
- 26 to 29 April 2011 - Consultation with Office of the MARA on preliminary report
- 2 May to 20 May 2011– Design and development of framework and model and toolkit;
- 20 May 2011 – Submission of Draft framework and toolkit to Office of the MARA;
- 23 to 27 May 2011 – Evaluation and feedback from Office of the MARA and key stakeholders, where relevant
- 7 June 2011 (or as rescheduled) – Presentation to Advisory Board of framework and toolkit

- 17 June 2011 – Submission of Final version of framework and toolkit

2. CONTRACT DURATION:

It is proposed that the contract will commence on 11 April 2011 and end on 30 June 2011.

3. INFORMATION REQUIRED

You **must** provide **all** the information detailed in paragraphs 3a - 3j below. Responses which do not include all this information may be excluded from consideration. In providing this information please be aware of the evaluation criteria listed in Section 4 of this RFQ. The information you provide in response to 3a - 3j will be assessed using these evaluation criteria.

a. Contact Details

- i. RFQ number;
- ii. Business Name;
- iii. ABN;
- iv. Business address, phone number and email address;
- v. Contact person name, address, phone number and email address.

b. Ability to deliver required property and/or services

- i. A statement of how you will meet the Department's requirement for services; and
- ii. A statement of your technical capability and resource capacity to meet DIAC's requirements, including:
 - a break-down of key deliverables and timelines; and
 - a statement of relevant experience in meeting such requirements.

c. Pricing

Prices must:

- i. be in Australian dollars and be inclusive of GST;
- ii. detail all costs [specify costing breakdown required - eg whole-of-project cost or per unit cost (hour/day) or other basis]; and
- iii. be inclusive of all applicable royalties, levies, duties, taxes and charges.

d. Compliance with Contract

A statement of your ability to comply with the attached draft contract.

e. Referees

Details of at least two referees, including names, phone numbers and email addresses, for whom you have recently provided property and/or services similar to those required.

f. Sub-contractors

A statement providing details of any subcontractors you propose to engage to undertake all or part of the property and/or services, including their name, ABN and scope of work.

g. Equal Opportunity for Women

A statement that you, and any proposed subcontractors, comply with your obligations under the *Equal Opportunity for Women in the Workplace Act 1999* and are not named by the Equal Opportunity for Women in the Workplace Agency as an employer currently not complying with the Act. (See sections 8A and 9 of the *Equal Opportunity for Women in the Workplace Act 1999* and http://www.eowa.gov.au/Reporting_And_Compliance/Complying_With_The_Act.asp)

If you, or a subcontractor, is currently named as non compliant under the *Equal Opportunity for Women in the Workplace Act 1999*, a letter of compliance from the Equal Opportunity for Women in the Workplace Agency must be obtained to be eligible for Commonwealth business. The letter of compliance must either accompany any response made to DIAC, or be provided to DIAC prior to the date by which responses are to be accepted.

h. Prohibition of Illegal Workers

As it is DIAC policy not to contract with providers who engage Illegal Workers, your response must include a statement confirming that you will comply with this policy.

For the purposes of this paragraph, an Illegal Worker is a person who:

- i. has unlawfully entered and remains in Australia;
- ii. has lawfully entered Australia, but remains in Australia after his/her visa has expired; or
- iii. is working in breach of his/her visa conditions.

i. Employee Entitlements

A statement that at the time of submitting your response, you and any of your subcontractors, do not have any judicial decision against you (including any decisions under appeal) relating to unpaid employee entitlements.

j. Small Business Status

In order to establish your Small Business Status you must advise the number of 'full time equivalent' persons you employ. "Full time equivalent" is currently defined by the Australian Bureau of Statistics as the total hours worked divided by the average hours worked in full-time jobs.

A Small Business is one that employs less than the full time equivalent of 20 persons on the day that the written contract is entered into. If you form part of a group, then the number of full time equivalent persons is applied to the group as a whole.

4. EVALUATION

The preferred supplier will be selected on the basis of having submitted the response providing best value for money for DIAC, as determined by an assessment of each response against the following evaluation criteria:

- a. Fitness for purpose:
 - i. proposed approach to providing the services; and/or
 - ii. proposed ethical framework and methodology and toolkit that best achieves desired purposes;
 - iii. capacity to provide resources in the required timeframe; and
 - iv. technical ability to provide the required services.
- b. Performance history:
 - i. demonstrated experience providing services similar to those required, specifically experience in designing, developing or facilitating discussions around ethical frameworks and models and facilitating the development of ethical intelligence and sound decision making principles;
 - ii. demonstrated understanding and knowledge of application of ethics in the migration advice profession; and
 - iii. referees reports.
- c. The relative risk of each response;
- d. Price and financial considerations (including all relevant direct and indirect benefits and costs over the whole procurement cycle);
- e. Extent of compliance with the draft contract;
- f. Extent and breadth of experience in design, knowledge of contemporary adult learning principles.

5. LODGEMENT OF RESPONSES

Your response must be lodged on or before **2pm on 25 March 2011** via the *AusTender* system at www.tenders.gov.au.

DIAC will not accept hardcopy, oral, faxed or email copies of responses to RFQs.

Any RFQ response which is lodged after the RFQ Closing Time is late. DIAC **will not** consider late RFQs, unless the respondent can demonstrate that the lateness was due to circumstances beyond the control of the respondent.

Your attention is drawn to Attachment 1 – AusTender Terms & Conditions.

6. DIAC CONTACT

If you have any further queries about this RFQ, please contact:

Dora Chin-Tan
 Director, Professional Development
 dora.chin-tan@mara.gov.au

7. CONDITIONS OF LODGEMENT

- a. DIAC reserves the right, among other things:
- i. not to proceed with this procurement if:
 - it is not in the public interest to do so;
 - if there is a change of government policy; or
 - if it considers that none of the responses submitted provide value for money for DIAC;
 - ii. change, vary or modify its requirements at any time without prior notification to any party;
 - iii. not to accept the lowest priced response;
 - iv. to, at any time, approach the market to conduct a tender or other procurement process in relation to the subject matter of this RFQ, and
 - v. to enter into negotiations with, or seek further information from, a selected respondent or selected respondents.
- b. In submitting your response, you acknowledge that:
- i. nothing in this request will be construed as creating any legally binding contract (express or implied) between DIAC and your organisation;
 - ii. the terms of DIAC's request are based exclusively on this RFQ, and any addenda to this RFQ that has been issued by DIAC;
 - iii. DIAC is not responsible for any costs or expenses incurred by your organisation in addressing the requirements of this RFQ; and
 - iv. you have:
 - examined this RFQ, any documents referenced in this RFQ, and any other relevant information provided by DIAC;
 - relied entirely upon your own enquiries in respect of the subject matter of your response;
 - not relied on any warranty, representation, conduct, letter, document or arrangement made by DIAC, whether oral or in writing, except as expressly provided in this RFQ or any addenda issued to the RFQ by DIAC;
 - satisfied yourself as to the correctness and sufficiency of your response, including prices; and
 - submitted your best and final offer.

- c. In submitting your response, you agree that DIAC may, without your consent, disclose at any time any information contained in, or regarding, your response:
- i. where DIAC is required to disclose that information:
 - by law;
 - to meet any Commonwealth accountability obligation; or
 - to comply with any direction of a parliamentary committee, agency or authority; or
 - ii. in order to satisfy any legal or policy interest.