

**SENATE STANDING COMMITTEE ON  
EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS**

**QUESTIONS ON NOTICE**

**Inquiry into the DEEWR Tender Process to award employment services contracts**

**EEWR\_SIH\_W49**

Senator Humphries provided in writing.

**Question**

On page 9 of its submission, NESA says “The industry recommended that a communication process be implemented which provided in confidence notification to tenderers to enable them to instigate appropriate strategies for their organisation, particularly preparing for staff briefings.”

If so, why did it choose not to follow this course?

**Answer**

The Department provided an early in confidence “without prejudice” to preferred tenderers in accordance with Section 4.14.7 of the Request for Tender on 16 March 2009.

In addition to being an opportunity for preferred tenderers to bring any issues, or other relevant matters, to the Department's attention, this early advice also allowed preferred tenderers to plan within their organisations and allow appropriate preparations and planning to commence.

It was open to those recipients of the preferred tenderers advice to able to share this information with appropriate members of their organisation who had a need to know subject to treating the information with the appropriate confidentiality considerations.

The Department also provided general updates on the progress of the tender throughout the process and towards the end of the tender process updates were also posted on the Department's workplace.gov.au website. It was appropriate to post these updates on the internet in order to inform all interested parties in the progress of this tender.