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Request for Tender : NSWEC 2007/01

for

Dynamic Web Site Services

for

New South Wales Electoral Commission (NSWEC)

Amendments

Version	Date	Comment	Prepared by
1	11/7/07	Initial Draft	IB
2	12/7/07	Revised draft reviewed by TF	IB
3	20/7/07	Revised submission time and method	IB
4	25/7/07	Revised to reflect electronic submission	IB

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Request for Tender

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1. Introduction

NSWEC is seeking a contractor to provide services for the development of a dynamic web site using XML technologies. The web site will repurpose data produced by our core business system EMA, and be for the Local Government Election (LGE) to be held in September 2008.

2. Background

2.1 NSWEC Business Environment

The NSWEC conducts elections for the Parliament of New South Wales, and for local government and commercial and community clients on a contract basis.

The conduct of elections is a mission critical activity with a high public profile. NSW legislation (Local Government Act 1993 No 30, *The Constitution Act* 1902 and the *Parliamentary Elections and Electorates Act* 1912) governs the manner and way in which elections are conducted.

The Local Government Act 1993 No 30 (LG Act) Section 296 requires the NSW Electoral Commissioner to conduct NSW local government elections. Section 287 of the act defined the date of the next general local government election as the fourth Saturday of September 2008.

Persons are elected to local government as councillors for 4-year terms under a system which is preferential (wherever 1 or 2 positions must be filled) and proportional (wherever 3 or more positions must be filled). Voting is compulsory for residents but optional for non-resident ratepayers, occupiers and ratepaying lessees.

When an area is not divided into wards, councillors are elected by the area. When it is divided, councillors may be elected by wards (or, if so decided at a referendum, by wards and area). In some local government areas mayors may be directly elected.

Registered political parties, candidates, the media and the voting public have a stake in the way elections are conducted.

2.2 Present Status

The LGE held in 2004 elections results web site was manually driven and only held final election results¹.

The results web site for the recent NSW State General Election was dynamically driven from EMA and used data entered on election night by Returning Officers². The data that feed the Virtual Tally Room (VTR) web site was exported from the EMA system in XML format³ and transformed html on the fly. Note the VTR experienced over 2M hit per hour at its peak on election night.

¹ http://www.elections.nsw.gov.au/local_government_elections/local_government_results/local_government_general_election_2004

² <http://vtr.elections.nsw.gov.au/>

³ <ftp://ftp.elections.nsw.gov.au/Doco/EMAFile>

2.3 Proposed New Web Site

It is proposed that the new web site for the LGE will contain some or all of the components listed below.

- 2.3.1 Virtual Tally Room (VTR) – dynamically feed web site which publishes results from EMA for election night and post election night operations. It also has facilities to publish final results from proportional representation type counting systems in pdf format.
- 2.3.2 Candidate – Candidate nomination data will be published from EMA after the close of nominations and will be placed on the web site. This data should be relatively static in nature after being initially published. It is anticipated that the LGE will have over 4,000 candidates. The candidate data information to be published is similar to that published for the 2007 State General Election⁴.
- 2.3.3 Polling Places and Pre-Polling Locations – The XML geocode data used to publish the Google Maps for Polling Places and Pre-Polling Locations will be published from EMA and linked via the dynamic web site to the Google API and have a similar appearance to the maps prepared for the 2007 State General Election⁵.

3. Terms of Reference

3.1 Special Condition

Notwithstanding anything stated in this section the NSWEC, at its absolute discretion and without compensation to the contractor, will determine the tasks and scope of work which the contractor will undertake during the course of the contract.

3.2 Tasks

The NSWEC may require a contractor to undertake the following works, as a minimum, to fulfil their obligations under this contract.

- 3.2.1 Assist the NSWEC define the scope of the web site for the 2008 LGE.
- 3.2.2 Prepare a requirements and functional specification for the new web site.
- 3.2.3 Define the XML schemas for the datafeeds from the EMA system.
- 3.2.4 Develop the software required for the web proposed new web site defined in section 2.3.
- 3.2.5 Provide support for the web site during the election period.
- 3.2.6 Attend project meetings on regular basis.

⁴ http://www.elections.nsw.gov.au/state_government_elections/state_election_2007/candidates

⁵ http://www.elections.nsw.gov.au/state_government_elections/state_election_2007/polling_place_maps_index

3.3 Deliverables

The NSWEC may require a consultant to prepare following deliverables, as a minimum, to fulfil their obligations under this contract.

- 3.3.1 Documentation supporting the development of the web site (see 3.2.2 and 3.2.3)
- 3.3.2 Software required to run the web site (see 3.2.4)
- 3.3.3 Support staff competent in the operation of the web site (see 3.2.5)
- 3.3.4 Programme Status Report (typically fortnightly) (see 3.2.6)

4. Tender Requirements

4.1 Proposal & Contract Terms

- 4.1.1 It is highly desirable that respondents complete their responses in accordance with section 6.3 of this document.
- 4.1.2 It is highly desirable that respondents agree to comply with the proforma contract as outlined in Attachment A.
- 4.1.3 It is **mandatory** that respondents who are not willing to comply with all terms of the proforma contract in Attachment A, clearly state the areas to which they are not willing comply and the reason/s for non compliance and, if appropriate, their proposed alternative term/s.

4.2 Organisational Experience

- 4.2.1 It is highly desirable that respondent organisation have experience conducting assignments in a high profile, mission critical environment.
- 4.2.2 It is highly desirable that respondent organisation can provide evidence of extensive experience developing web sites, with a strong corporate commitment to excellence, and a demonstrated ability to complete tasks within immovable time lines.
- 4.2.3 It is highly desirable that respondent organisation has a sound financial basis
- 4.2.4 It is highly desirable that respondent organisations have a proven record in the provision of developing high volume dynamic web sites.
- 4.2.5 It is highly desirable that respondent provide names and contact details for three reference projects. This list should contain reference to projects, for which person proposed to work on this consultancy had an active part. The list should clearly state the role of the organisation and the way in which the experience gained from the reference project will be utilised for this project.

4.3 Industry or Similar Knowledge

- 4.3.1 It is desirable that the respondent's proposed personnel have a demonstrable knowledge of the development approaches required for dynamically feed web infrastructure for either electoral or other large events.

-
- 4.3.2 It is desirable that the respondent's organisation have successfully completed projects of a similar nature to this consultancy in a events or Government environment.

4.4 Nominated Project Personnel

- 4.4.1 It is **mandatory** that respondents nominate the key technical person or persons (specified personnel) who will be undertaking the project.
- 4.4.2 It is **mandatory** that specified personnel must be available for the duration of the project on a part time basis for between 2 to 3 days per week. Note failure to provide specified personnel as required will be considered a fundamental breach of contract and as such the contract or negotiations may be terminated.
- 4.4.3 It is **mandatory** that key specified personnel's detailed resume is included in the respondent's proposal.
- 4.4.4 It is highly desirable that the specified personnel have experience working on projects of a similar size and complexity to that proposed in the last 3 years.
- 4.4.5 It is highly desirable that the specified personnel have worked with the respondent's organisation for at least 1 year on similar or larger projects and has a strong working knowledge of the respondent organisation's methodology and quality assurance systems.

4.5 Methodologies and Quality Assurance

- 4.5.1 It is highly desirable that the respondent's organisation proposes to use on this project an appropriate project/programme management methodology.
- 4.5.2 It is highly desirable that the respondent's organisation has a quality assurance system. It is preferable that this system is certified by an independent third party.

4.6 Scope of Works

- 4.6.1 It is highly desirable that the respondent's organisation is able to complete all the work defined in section 3.

4.7 Value for Money

- 4.7.1 Respondents should be aware the information provided in response to this section will be used to assess proposal value.
- 4.7.2 It is **mandatory** that the respondent provide a "fixed daily rate" for the consultancy based on a 7.5 hour day.
- 4.7.3 It is **mandatory** that the respondent provide a list of all equipment and services the NSWEC will need to provide to support the project team while they are undertaking this consultancy.

5. Evaluation Process

5.1 Criteria

The following evaluation criteria will be used in the assessment of RFT responses. The criteria will be interpreted using in accordance with the associated requirements stated in section 3.

- a) Compliance with terms of RFT and proposed contract terms and quality of response.
- b) Organisation's experience.
- c) Knowledge of industry and event management.
- d) Relevant experience and skill of nominated specified personnel
- e) Use of appropriate methodologies and quality assurance systems.
- f) Extent to which respondent organisation are willing to meet requirements in section 3.
- g) Value for money (or best value)

Note: the above criteria order should not be used as an indication of a given criteria's significance.

The best value bid will be the one which best addresses the selection criteria determined by the agency. Best value bid does not simply mean the 'lowest cost'. It is the product of the factors, such as expertise and experience, which are reflected in the selection criteria.

Responses that fail to meet **mandatory** requirements of the RFT will be discarded.

5.2 Evaluation by Tender Evaluation Team (TET)

Evaluation of Proposals will proceed in the following stages:

- a) Stage 1 – Mandatory Requirement Check - The initial cull will eliminate any proposals that are substantially incomplete, do not meet the **mandatory** requirements of the RFT.
- b) Stage 2 – Proposal Evaluation - This stage of the evaluation will assess the operational, and capability aspects of the remaining proposals and their potential contribution to the achievement of business objectives against the finally approved evaluation criteria.

The extent to which each proposal conforms with technical and contractual requirements and adds value are important considerations. These factors will be largely assessed from the proposals submitted. It is therefore important that the submitted proposals closely represent each Respondent's "best and final" position.

It is expected that not more than three proposals will be short-listed.

- c) Stage 3 – Value Analysis. The short-listed responses will be subject to a value analysis, interviews of key personnel and reference checks.

At the conclusion of the evaluation of Proposals, a preferred Respondent will be selected by the NSWEC. At this time the NSWEC will enter into contract negotiations. In the event that

negotiations are terminated or not progressing to the satisfaction of the NSWEC, another preferred Respondent(s) may be selected.

The evaluation of the response will be carried out by a Tender Evaluation Team (TET) drawn from NSWEC resources and other stakeholders as required.

5.3 Approval and Acceptance

A Tender Steering Committee (TSC) of senior personnel drawn from NSWEC and other stakeholder organisations, will oversee the RFT process.

Once the evaluation is complete, the TET will recommend an outcome to the TSC.

The RFT process will be complete either when a Contract is arranged or when the NSWEC notifies all Respondents that the RFT process has been discontinued.

Until a legally enforceable agreement is concluded between the NSWEC and the selected contractor, no Respondent shall represent that it has been selected as the successful contractor.

6. Tender Submission

6.1 Electronic Procurement

6.1.1 All successful tenderers are required to accept Orders and other business documents and communications by electronic communication in accordance with the Electronic Transactions Act (NSW) 2000. More information on the NSW Government's policy about electronic procurement and smartbuy® can be seen at:

<http://www.smartbuy.nsw.gov.au>

and

<http://www.dpws.nsw.gov.au/About+Us/Publications/Government+Procurement+Publications.htm>

6.2 Closing Date and Time and Location

6.2.1 The Tender will close on the Tuesday 14/8/2007 at 9:30am.

6.2.2 It is **mandatory** that the respondent submit their proposal in accordance with section 6.2.1.

6.2.3 It is **mandatory** proposals be lodged using the NSW Governments tendering web site <https://tenders.nsw.gov.au>

6.3 Proposal Content

6.3.1 It is highly desirable that the following information is provided in the respondent's proposal. The respondent should use the section numbers shown below.

1. Table of Contents
2. Executive summary indicating how the response supports each of the evaluation criteria listed in this document.
3. Provide a detailed response to each to all the non mandatory and mandatory requirements defined in section 4 of this RFT and to any other mandatory

requirements in the RFT. Responses to requirements should be either Comply or Not Comply or Alternative Compliance. If Alternative Compliance a statement should be made outlining the alternative compliance. The response should use same numbering and order as defined in the section and restate the each requirement before the response.

4. Attach any additional material including subcontractor letters, promotional material and resumes, Tenderer Identification Details form, etc.

7. Contract Formation

The contract for the works for the proposed project will be formed under the contract provided in Attachment A.

The NSWEC may, at its absolute discretion, elect not to proceed with either the project or any of the provided responses, or may elect to request additional responses.

8. Fully Informed

The respondent is to fully inform themselves of all issues relevant to their offer prior to submitting their Tender. This will include all matters related to the actual Tender documentation and NSW Procurement Policy⁶.

9. Contract Disclosure

Respondents should be aware of the requirements Premier's memorandum "2007 - 01, Public Disclosure of Information Arising From NSW Government Tenders and Contracts" places on the Office and "M2002-07⁷ Engagement and Use of Consultants".

10. Definition of Terms

In this Request for Tender (RFT) document, the terms as listed shall (unless the context otherwise requires) have the following meanings:

"Person" shall include a corporation.

"RFT" means the Request for Tender and includes all the information contained in this document and any subsequent amendments and clarifying correspondence, including all definitions, conditions and requirements.

"NSWEC" means the NSW Electoral Commission, Level 25, 201 Kent Street Sydney 2000.

"Tenderer" means any person or organisation that submits a proposal for the supply of services.

⁶

<http://www.dpws.nsw.gov.au/Government+Procurement/Procurement+Policy+Framework/Procurement+Policy+Framework.htm>

⁷ <https://tenders.nsw.gov.au/nsw/guidelines/>

11. Attachments

Attachment A – Proforma Contract

The link below is to the proforma agreement for contract;

http://www.premiers.nsw.gov.au/our_library/Business/ConsultancyAgreementMarch2005.doc

The link below is to the notes and guidelines for proforma agreement above;

http://www.premiers.nsw.gov.au/our_library/Business/NotesConsultancyAgreementMarch2005.doc

http://www.premiers.nsw.gov.au/our_library/business/ConsultantsGuidelinesV4.doc