



Government of South Australia

State Procurement Board

# Suppliers Guide to Winning Government Business

## **CONTENTS**

Introduction	1
Key Information Resources	1
Before Doing Business	2
The Market Approach	4
Evaluation and Negotiation	5
Contract Management	7
7 Tips for Winning Government Business	8

## **INTRODUCTION**

This Guide has been developed to assist businesses to better position themselves to access government business. The Guide provides a summary of the information businesses should know in order to participate effectively in this market.

The South Australian Government operates in many diverse markets with different needs and each year spends over \$3 billion on a variety of goods and services.

Information in this Guide applies only to the supply of goods and services. Building and construction procurement is managed by the Department of Planning, Transport and Infrastructure (DPTI).

## **KEY INFORMATION RESOURCES**

State Procurement Board	<a href="http://www.spb.sa.gov.au">www.spb.sa.gov.au</a>
SA Tenders and Contracts Website	<a href="http://www.tenders.sa.gov.au">www.tenders.sa.gov.au</a>
SA Government	<a href="http://www.sa.gov.au">www.sa.gov.au</a>
Industrial Capability Network	<a href="http://www.icnsa.org.au">www.icnsa.org.au</a>
Centre for Innovation	<a href="http://www.ausinnovation.org">www.ausinnovation.org</a>
South Australian Business	<a href="http://www.southaustralia.biz">www.southaustralia.biz</a>
Business SA	<a href="http://www.business-sa.com">www.business-sa.com</a>
Industry Participation Advocate	<a href="http://www.dpc.sa.gov.au/office-industry-advocate">www.dpc.sa.gov.au/office-industry-advocate</a>

This Guide uses the term agency which is interchangeable with government departments and public authorities.

## **BEFORE DOING BUSINESS**

### **Finding Opportunities**

It is important to research and target the relevant agencies that are most likely to buy your goods and services.

The best place to start your research is at the SA Tenders and Contracts website. All government public tender opportunities are advertised online. In addition to public tenders, the market approach may also include Requests for Proposals, limited or selective tenders, Expressions of Interest, Registrations of Interest, or direct negotiation.

A list of planned procurement activities is published on the SA Tenders and Contracts Website. The list contains planned procurement activity over the next three financial years.

You can access the website at: <http://www.tenders.sa.gov.au/index.do>

Government business for small or low value purchases may not be advertised or published. Building relationships with government buyers may provide access to these.

It is important to note that agencies involved in government procurement must follow the policies and guidelines of the State Procurement Board. This information can be found on the Board's website at: [www.spb.sa.gov.au](http://www.spb.sa.gov.au).

### **Building Relationships**

Here are some tips on marketing to, and doing business with, agencies:

- Identify the agencies most likely to require your goods or services
- Meet with the relevant people and provide information about your goods or services
- Provide information tailored to the agency's needs such as product or services brochures, pricing schedules, corporate profiles, references, and contact details including website addresses, if available
- Develop and maintain a relationship through regular contact with the relevant agency so that they become familiar with your capability and confident in your performance
- Ascertain which information sources the agency buyers use to research products and services

### **Subcontracting and Consortia**

Many of the high value government contracts are let to suppliers who perform the role of head contractor. Small to medium sized enterprises can play a part in these contracts as subcontractors or by forming a consortium capable of undertaking all the work.

Developing relationships with these head contractors can be a relatively simple way to access the government market.

### **Industry Capability Network (ICN) and Other Support Resources**

The aim of the ICN is to promote local businesses through import replacement and opportunities for participation in local, interstate and overseas projects.

The ICN provides government offices and private industry with a free service to identify Australian businesses capable of supplying goods and services.

Registering your business with ICN can introduce products and services to buyers seeking competitive and capable local suppliers.

While there is no obligation for South Australian Government procurement officers to use the ICN, registering through the network may help you to access business opportunities in both the public and private sectors in Australia and internationally. You can register via the website at [www.icnsa.org.au](http://www.icnsa.org.au).

### **Office of the Industry Participation Advocate**

The role of the Industry Participation Advocate is to further the aims of the [Industry Participation Policy](#), ensuring local businesses leverage maximum opportunities from the contracts let annually by the State Government.

The Office of the Industry Participation Advocate investigates new ways to drive local investment, develop strong value chains from the State's portfolio of major projects, supports the development of an advanced services sector and leverages opportunities for innovation.

### **Supplier Complaints**

Suppliers who have a complaint regarding the tender process should raise concerns as early as possible with the contact officer nominated in the tender, in accordance with any dispute resolution processes outlined in the tender documentation.

The State Procurement Board's "Supplier Complaints Policy" details the manner in which a complaint should be managed.

As a supplier you have a number of rights, including the right to equal opportunity, fair and professional evaluation of your bids, along with timely communication from agencies.

Suppliers should endeavour to resolve any concerns with the agency managing the procurement before lodging a complaint with the State Procurement Board.

## **THE MARKET APPROACH**

### **Understanding an Opportunity**

You should ensure that you fully understand the tender documentation. If there are parts of the document that are not clear to you, contact the nominated Contact Officer detailed in the tender document.

Suppliers may be invited to attend a pre-tender briefing session for particular procurements. These are usually in relation to complex procurements.

### **The Bid Strategy**

Determine at an early stage whether you are able to provide a competitive solution.

Consider developing a tender bid strategy for large tenders to identify the resources required to fulfill the project.

Follow the instructions in the tender documentation and templates for responses. The templates will assist you in complying with requirements and provide attachments for additional information where necessary.

In the absence of any response templates, present the offer in a simple structured format. Responses are judged on content, not on elaborate presentations.

### **Submitting a Tender**

The tender response should be submitted in the format specified in the tender documents prior to the stated closing time and at the specified location. Be aware of time differences, particularly during daylight saving and when bidding from interstate.

Late tenders will generally not be accepted unless the reason for the late submission is as a result of government's actions and the integrity of the tender process is not compromised.

### **Submitting an Alternative to Requirements**

If the market approach allows flexibility in the requirements then suppliers should feel confident about presenting an innovative solution. A Request for Proposal (RFP) for example may provide an opportunity for suppliers to offer innovative alternatives.

Where specific requirements, with a clearly defined specification, are being sought, offering an innovative alternative may not be appropriate and could result in your response being considered as a non-compliant bid.

In these circumstances, you should seek clarification from the agency Contact Officer to manage the risk of a potentially non-compliant response.

**All submissions will be treated in the strictest confidence.**

## **EVALUATION AND NEGOTIATION**

### **Understanding Evaluations**

Agencies will have developed an evaluation methodology in order to best assess each tender received. The evaluation criteria are required to be included as a guide within the tender documents.

Your bid will be assessed against the evaluation criteria. These criteria are often weighted according to their relative importance and the weightings are not generally publicly released.

The nature and type of the evaluation criteria are determined by the agency but are typically related to:

- Prior performance;
- Demonstrated experience in providing the good/service;
- Level of compliance with specification and statement of requirements;
- Management approach, capability and capacity (including quality systems, risk management approach, methodology, customer service, innovation, proposed work plan, availability of resources);
- Price / cost;
- Level of agreement with draft contract; and
- Level of compliance with government policies (environmental, industry participation policy, work health and safety etc).

### **Negotiation**

If a negotiation is required, suppliers will be notified and formally invited where face-to-face discussion is required. A formal notification of negotiations will normally include an agenda covering the proposed discussion points. When this is not the case it is acceptable to seek clarification. You may also advise of additional items you wish to have included. Consider and be prepared to offer alternative solutions.

### **Awarding and Signing the Contract**

After successful negotiations the preferred supplier(s) will be offered a contract for the tendered requirements.

All tender respondents will be notified of the outcome of the tender.

### **Contract Disclosure**

There is a requirement that specified SA Government contracts are disclosed on the SA Tenders and Contracts website within 60 days of the signing of the contract.

## **Debriefings/Feedback Sessions**

The experience of not winning a tender should not be seen as a sign of failure. Debriefing sessions between the supplier and the key government contact are a useful source of information to help potential suppliers submit more competitive bids in the future.

Debriefing should be straightforward and outline the strengths and weaknesses of your submission. No comparisons will be made with any other submission received and commercial confidentiality will be ensured.

Debriefs can be an opportunity for suppliers to provide feedback to government on the tender process.

For the purpose of improving future processes, agencies may include a questionnaire in the tender documents. The feedback on the process will not be used as part of the evaluation.

## **CONTRACT MANAGEMENT**

### **Establishing the Contract**

Contract management is the process by which the supplier and the government meet the respective contractual obligations. This process ensures that both parties achieve the negotiated objectives through satisfactory performance of the contract.

It is in the interest of both the supplier and government to have a successful contract built on a strong relationship rather than a reliance on the terms and conditions.

### **Communications**

All communication should be directed through the contract managers and written records maintained at all times.

All changes, additions and variations should be documented. Significant amendments may require approval from the contract signatories.

### **Managing Contract Risks**

The degree of contract management effort required depends on the complexity of the contract and the assessed levels of risks involved.

Having a good understanding of the risks will assist in the delivery of satisfactory contract performance.

### **Monitoring the Contract**

Monitoring performance will ensure that any delivery issues are identified as early as possible and remedial measures can be implemented.

### **Managing Delivery**

Ensure that you understand the delivery requirements and clarify details such as delivery time and location before commencing delivery.

### **Managing Payments**

Government will authorise payment of invoices on receipt of an acceptance note signed by an authorised officer or the completion of any required compliance certification.

Contracts high in complexity and/or high in value may require dedicated contract management plans that are agreed between the government and the supplier, and may include a payment schedule.

## **7 TIPS FOR WINNING GOVERNMENT BUSINESS**

The following tips are provided as an easy guide to assist suppliers to participate effectively in the South Australian Government market.

### ***Target the best opportunities***

- Supplying to government should enhance your business.
- Ensure you have the capability and resources to meet the requirements.
- Take the time to determine whether each opportunity is potentially rewarding and cost effective to pursue.
- Look for opportunities on the SA Government Tenders and Contracts website.

### ***Understand all the requirements***

- Be sure to read the tender documents carefully, highlight key points and seek clarification from the agency contact if you are uncertain about any issue.
- Attend pre-tender briefing sessions, where offered.

### ***Be sure that your submission is compliant***

- Address all mandatory requirements.
- Ensure all relevant documents are completed and signed.
- Allow plenty of time to meet the deadline.
- Provide relevant examples, product information and references.

### ***Be innovative and flexible***

- Distinguish yourself from the competition and explain why your solutions offer the best value for money.
- Identify any value added services.
- Be innovative in terms of technology, business processes and the manner in which you achieve outcomes.
- Demonstrate sustainability in your business practice (e.g. financial viability, environmentally friendly manufacturing/sourcing and social responsibility).

### ***Be prepared to negotiate for mutual benefit***

- Clarify with the agency what they intend to negotiate about.
- Include any additional issues you want discussed.
- Be prepared to offer alternative solutions.

### ***Seek feedback on your bid***

- Take the opportunity to learn from an unsuccessful bid.
- Provide your own feedback to government on the procurement process.
- Build and maintain good ongoing relationships.

### ***Manage the contract***

- Appoint a single point contract manager.
- Agree on a meeting regime.
- Confirm the requirements, specifications and delivery arrangements of the contract.
- Confirm the performance criteria and reporting requirements.
- Deal with emerging issues as early as possible.
- Maintain strong relationships.