

STANDING OFFER ARRANGEMENT – CONDITIONS OF OFFER
MAJOR DIFFERENCES BETWEEN VERSION 002 DATED 1 JULY 2009 AND VERSION 003 DATED 1 JULY 2011

The most significant differences between Version 002 and Version 003 of the Standing Offer Arrangement – Conditions of Offer are outlined below. [*This document does not represent a comprehensive list of every amendment incorporated in the new Version dated 1 July 2011.*](#)

CLAUSE TITLE	CLAUSE NUMBER	SIGNIFICANT DIFFERENCES BETWEEN VERSIONS
Definitions and Interpretation	1	
Definitions	1.1	<p>New definitions:</p> <ul style="list-style-type: none"> • Personal Information; and • Standing Offer. <p>Existing definitions with significant changes:</p> <ul style="list-style-type: none"> • Additional Provisions; • Business Day; • Confidential Information; • Deed of Agreement; • Non-Government Organisation or NGO; • Order; and • Standing Offer Arrangement.
Interpretation	1.2.5	<ul style="list-style-type: none"> • clause amended regarding documents that constitute the Arrangement.
	1.2.6	<ul style="list-style-type: none"> • clause amended regarding hierarchy of documents.
	1.2.7	<ul style="list-style-type: none"> • clause amended regarding documents that constitute the Contract.

Compliance with the Invitation	2.6 & 2.7	<ul style="list-style-type: none"> new clauses include the requirements specified in clause 4.3.1 of the Invitation to Offer (ITO) regarding page limits and the format, font, questions and headings of Response Forms.
Essential Information	5.1	<ul style="list-style-type: none"> clause amended to more clearly specify the requirements in regard to information required by an Offeror that is a trust.
Confidential Information, Privacy and Personal Information	12.3	<ul style="list-style-type: none"> new clause includes the return of documentation by the Offeror to the Principal.
	12.4 & 12.5	<ul style="list-style-type: none"> new clauses include provisions regarding privacy and personal information.
Insurances	15.3	<ul style="list-style-type: none"> clause been amended to specify that Offerors (if a member of a Scheme under the Professional Standards Act) must provide relevant details of that Scheme in Response Form 6.4 of the ITO and attach a copy of the applicable Scheme.
Commissions, Incentives, Conflict of Interest and Collusion	23.3	<ul style="list-style-type: none"> previous clause 23.3 has been deleted and clauses 23.4 and 23.5 have been renumbered as 23.3 and 23.4.
	23.5 – 23.9	<ul style="list-style-type: none"> new clauses include provisions regarding collusion and anti-competitive behaviour of Offerors.
Acceptance and/or Rejection	27.1(e)	<ul style="list-style-type: none"> clause amended to include the Principals right to accept Offers that may be non-conforming, alternative offers and/or innovative solutions
Right to Information and Disclosure	33.5	<ul style="list-style-type: none"> clause amended to include the new disclosure and publication of procurement results for contracts over \$10 million requirements (as per clause 9.2 of the State Procurement Policy).