

Invitation to Offer (ITO) –

ICT Products and Services

<<Customer >>

Invitation Title: <<insert>>

**Reference No:** <<insert>>

**Date of Issue:** <<insert>>

**Invitation to Offer Template (ITO) – ICT Products and Services – Issued January 2022 – Version 3.0.0**

|  |
| --- |
| **INSTRUCTIONS FOR USING THIS DOCUMENT (TO BE DELETED BEFORE SENDING TO SUPPLIER):**  **This is the standard form Invitation to Offer for the purchase of ICT Products and Services for the establishment of a General Contract or Comprehensive Contract under the QITC framework**.  It is appropriate for use where the government agency is conducting an open or closed tender process for one-off purchases under the QITC framework. Guidance Notes are available on https://www.forgov.qld.gov.au/create-ict-contract webpage to help the Customer complete this document. The Customer needs to fill out all yellow highlighted sections with details of the Customer’s requirements.  The Customer is to delete all highlighting and references to Guidance Notes before giving the Invitation to Offer to potential Suppliers.  The Customer must **separately** complete and issue with this Invitation to Offer the applicable documents for a General Contract or a Comprehensive Contract, as applicable.  Instructions to Suppliers are included in ***bold italics***. The Customer should retain the instructions to Suppliers in the final version of the Invitation to Offer.  Schedule C of the document refers to the standandised QITC ITO Conditions and should not be altered. |

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# Information about the opportunity

This section sets out information about the Invitation Process, the Customer’s objectives and key details that the Supplier needs to know in order to submit its offer.

This section will not form part of the Supplier’s offer.

The Supplier must not make any changes to section 1 of the Invitation to Offer.

* 1. Summary of opportunity and Customer objectives

*<<Customer to insert a brief summary of the opportunity. What is the scope of this ITO? What is the Customer looking for?>>*

The Customer has issued this Invitation to Offer with the objectives of:

<<Customer to list objectives>>.

* 1. Closing date and time

Offers must be lodged by **<<time am/pm>>** Australian Eastern Standard Time on **<<day of the week, day, month, year>>**.

* 1. Indicative timetable

*Indicative timetable (subject to change)*

**See guidance note**

##### Invitation issued

<<insert>>

Briefing session (if applicable)

<<insert date and time>>

Closing date for questions

<<insert date and time>>

Closing date and time for offers

<<insert date and time>>

Intended completion date of shortlisting Suppliers

<<insert>>

Intended completion date for evaluation of offers

<<insert>>

Negotiations with Supplier(s)

<<insert>>

Intended date for formal notification of successful Supplier

<<insert>>

Intended Contract start date

<<insert>>

* 1. Briefing session

<<If the Customer is not holding a briefing session with Suppliers then delete this section or insert “Not applicable”.>>

The Customer will hold a briefing session at <<time, date, location>>. It <<is mandatory/is not mandatory>> for Suppliers to attend the briefing session in order to submit an offer.

<<Insert details of other relevant information or restrictions if applicable, e.g. maximum number of attendees, whether Suppliers can ask questions, whether separate or joint sessions.>>

* 1. Evaluation

The Customer is not evaluating offers on the sole criterion of price. The criteria against which the Supplier’s offer will be evaluated includes:

1. capability and relevant experience;
2. ability to meet the Requirements and the Customer’s objectives;
3. quality;
4. cost and value for money;
5. contract compliance;
6. <<[insert other, such as any social procurement criteria>>; and
7. opportunities for innovation and improvement (see Schedule B).

The following criteria are mandatory:

1. The Supplier must comply with the Ethical Supplier Threshold and the Supplier Code of Conduct; and
2. <<[insert other mandatory criteria if relevant]>>.
   1. Documents in the Invitation to Offer which Supplier needs to complete and return

This Invitation to Offer is made up of the following documents.

|  |  |  |
| --- | --- | --- |
|  | **Document** | **Instructions to Supplier** |
| **1.** | **Invitation to Offer** | Provides details of offer conditions, timetable, contacts, evaluation criteria and other general information. Supplier to retain. |
|  | * **Schedule A** (Response Schedule) | ***Supplier to complete, sign and return with offer.*** |
|  | * **Schedule B** (Innovation) | ***Supplier to complete and return with offer  (if applicable).*** |
|  | * **Schedule C** (Invitation to Offer Conditions) | Supplier to retain. |
| **2.** | **Contract Terms**  **General or Comprehensive Contract** | For establishing a one off General Contract or Comprehensive Contract between the Customer and Supplier.  <<As part of this ITO document, the Customer must **separately** provide to the Supplier the documents making up a draft General Contract or Comprehensive Contract under the QITC framework (completed by the Customer as much as possible), for the Supplier to complete and return with its offer.>>  << For a one off purchase insert the text below (or delete in its entirety if not applicable):  ***Supplier to complete and return the documents making up the draft General Contract or Comprehensive Contract, which are provided as part of this Invitation to Offer.*** |

* 1. Formation of a Contract

<<For a one-off purchase to create a General Contract or Comprehensive Contract, insert the text below.>>

A Contract will not be formed until all Contract documentation is agreed to and the *General Contract Details – ICT Products and Services* or *Comprehensive Contract Details – ICT Products and Services* (as applicable) are signed by appropriate representatives of both parties.

## Offer Validity Period

Offers must remain open and capable of being accepted by the Customer for a minimum period of **120 days**.

## Requirements to be a Conforming Offer

To be a Conforming Offer, the offer must:

1. be received by the closing date and time;
2. be received in the format and method described in this Invitation to Offer;
3. be open for the minimum validity period;
4. satisfy all mandatory requirements;
5. respond to all sections of this Invitation to Offer document in full;
6. completed documents making up the draft General Contract or Comprehensive Contract;
7. <<insert other minimum requirements if applicable>>.

## Offer clarifications or questions

All clarifications or questions related to the Invitation to Offer must be communicated in writing directly to the Customer contact identified in 1.13.

## How offers are to be submitted

Offers must be lodged <<electronically/in hard copy>> to <<hard copy tender box address/website address for online submission/email address>>.

<<If the Customer asks, the Supplier must also provide a copy of its response to the draft Details, and Module Orders in Microsoft Word <<insert version numbers if relevant>> format.>>

**See guidance note**

## Invitation to Offer Conditions

The Invitation to Offer Conditions are set out in Schedule C.

**See guidance note**

## Customer contact

The Customer’s contact person/s for the Invitation to Offer:

Name: <<insert>>

Position: <<insert>>

Agency: <<insert>>

Email: <<insert>>

Name: <<insert>>

Position: <<insert>>

Agency: <<insert>>

Email: <<insert>>

## Complaints

If at any time during the Invitation Process, a Supplier considers they have been unreasonably or unfairly treated and the issue has not been able to be resolved with the Customer contact person, the Supplier may request for the issue to be dealt with in accordance with the Customer’s complaint management process and directed to:

Complaint Management

Name: <<insert>>

Position: <<insert>>

Agency: <<insert>>

Email address: <<insert>>

* 1. Privacy Notice

The Customer is collecting Personal Information from the Supplier for the purpose of administering the Invitation Process and Contract. Personal Information may be shared with Queensland Government agencies and bodies, non-government organisations and other governments in Australia for that purpose. Personal Information may be made publicly available in accordance with the requirements of the Queensland Government’s procurement policy. An individual is able to gain access to Personal Information held by the Customer about the individual in certain circumstances.

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# Schedule A – Response Schedule

***The information in this schedule is required for evaluation purposes.***

***As the Supplier, please respond to all questions in this schedule. All information must be complete, accurate, up to date and not misleading.***

<<This Schedule is ‘free text’ – the Customer can include as many questions as it needs to properly evaluate suppliers. The headings below are suggestions only and can be deleted / modified as the Customer sees fit. All questions should directly link to the evaluation criteria specified earlier in the Invitation to Offer.>>

<<Note: Review the example clauses set out in the Social Procurement Clauses factsheet issued by the Office of the Chief Adviser – Procurement and insert appropriate clauses.>>

## Supplier details

***Please provide your details, including the full legal name and contact details of any other entities which are participating in a joint offer.***

**Supplier Name:**

***Name:***

***ABN/ACN (or ABRN):***

**Names of other entities participating in a joint offer with the Supplier:**

***Insert details or “Not applicable”.***

**Contact person for this Invitation to Offer:**

***Name:***

***Position:***

***Email address:***

***Phone number:***

***Postal address:***

## Ethical Supplier Threshold

It is a mandatory criteria that the Supplier must comply with the Ethical Supplier Threshold. Please provide the following details about the Supplier:

At any time from 1 August 2019, has the Supplier:

Yes  No (a) contravened a civil remedy provision of Chapter 2 or Chapter 3 of the Fair Work Act 2009 (Cth), or committed an offence against the Fair Work Act?

Yes  No (b) contravened a civil remedy provision of Chapter 2, 3, 4, 5, or 7 of the Industrial Relations Act 2016, or committed an offence against the Industrial Relations Act, or failed to pay employment related levies, or other payments, established under Queensland legislation?

Yes  No (c) failed to make superannuation contributions on behalf of employees in accordance with law?

Yes  No (d) purported to treat employees as independent contractors, where they are not?

Yes  No (e) required persons who would otherwise be employees to provide an Australian Business Number so that they could be treated as independent contractors?

Yes  No (f) engaged persons on unpaid work trials or as unpaid interns, where they should be treated as employees?

Yes  No (g) entered into an arrangement for the provision of labour hire services with a person who is not licensed under the Labour Hire Licensing Act 2017, or a supplier who is an unlicensed provider under the Act?

Yes  No (h) paid employees wages below those provided for in an applicable modern award?

**If the Supplier answered “yes” to any of the above, insert details about the “yes” response in a separate page attached to this document.**

## Financial Information

**See guidance note**

## Conflict of interest

Please provide details of any possible Conflict of Interest that exists or may arise in relation to the Invitation Process, or performance of the Contract (if you, as the Supplier are successful).

If there is nothing to declare, insert “Nil”.

**Supplier to insert response**

## Small to medium enterprises

Please indicate how many people you employ by marking one of the boxes below:

0 to 50 Employees  51 to 200 Employees  201+ Employees

Note: As a guide, people are both employees and contractors employed by the supplier.

## Background Information

* + 1. **Supplier overview**

Please provide a brief description of the business and its overall qualifications to meet the requirements. Background information may include: number of years of relevant experience, rate of growth, size, locations, annual turnover etc. Please limit your response to this question to <<1>> page.

**Supplier to insert response.**

* + 1. **Differentiating factors**

What differentiates you from your competitors? What is it about the your offer that you believe is unique to your offer? Limit your response to <<1>> page.

***Supplier to insert response.***

## Referees

Please provide details of <<insert number>> referees. Include for each referee:

1. Name and position;
2. Telephone number, email address and postal address;
3. Brief description of the work performed by the Supplier for the referee.

***Supplier to insert response.***

## Overview of the Supplier’s offer

Please provide an overview of your offer to supply to the Customer, demonstrating how the Customer’s requirements will be met. This can be a summary of the detailed requirements/specifications that will appear in the Contract.

Please insert the detail to be included in the Contract specific to the supply of the Products/Services under the Contract, comprehensively addressing the Customer’s requirements.

***Supplier to insert response***

## Relevant experience

Provide enough information about recent (and relevant) experience to demonstrate your capability to meet the requirements. What is your recent track record in providing the same/similar Products or Services? The response to this question should be limited to <<2>> pages.

***Supplier to insert response***

## Capacity and capability

Customer to insert question here if required.>>

***Supplier to insert response***

## Ability to meet timeframes

<<Customer to insert question here if required. For example: “The Supplier must provide a high-level schedule for performing the work, including any applicable lead times, phases of work and key deliverables, and estimated timeframes to complete phases of work. Include any assumptions that the Supplier has made in preparing the high-level schedule.”

***Supplier to insert response***

## Quality

<<Customer to insert question/s here if required.>>

***Supplier to insert response***

## How does the Supplier’s offer meet the Customer’s objectives?

<<Customer to insert question/s here>>

***Supplier to insert response***

## Account and relationship management

<<Customer to insert question/s here>>

***Supplier to insert response***

## How does the Supplier’s offer meet the Customer’s social procurement objectives?

<<Customer to insert statement of intent of social procurement objectives>>

***Supplier to insert response***

## Value for money/value adds

<<Customer to insert question/s here>>

***Insert Supplier response***

## [Customer to insert other questions as required]

## Additional information offered by the Supplier

<<If the requirements are very well defined and the Customer is not interested in receiving additional information, it may be appropriate to delete this section.>>

Please set out any other information that is relevant to the Invitation to Offer and which a reasonable person would think may affect the Customer’s decision whether to enter a Contract with the Supplier.

Clearly indicate the purpose of the additional information and which part of the offer the additional information relates to. Where the additional information relates to an earlier item in this Schedule A – Response Schedule, the Supplier is to include a reference to the applicable section number. Keep the information brief and to the point.

The Customer is not required to consider any additional information that the Customer did not specifically request.

***Supplier to insert response***

# Supplier execution of offer

## Acknowledgements and certifications

The Supplier:

1. accepts these Invitation to Offer Conditions
2. offers to provide the Products and/or Services to the Customer on the terms described in the Supplier’s offer and the Invitation to Offer Conditions. The Customer may accept the Supplier’s offer during the validity period.
3. certifies that it has read, understands, and complies with all the requirements of this Invitation to Offer, including any changes made by the Customer and notified to the Supplier in accordance with the Invitation to Offer Conditions.
4. represents that all the information contained in the Supplier’s offer is complete, accurate, up to date and not misleading in any way.
5. acknowledges that the Customer will rely on the information contained in the Supplier’s offer (including the warranties and declarations) when deciding whether or not to accept the Supplier’s offer and that if the Customer accepts the Supplier’s offer, the Customer will enter into a Contract relying on that information.
6. acknowledges that the Customer may suffer damage if any of the information in the Supplier’s offer is incomplete, inaccurate, out of date or misleading in any way.

## Execution of offer

|  |  |  |
| --- | --- | --- |
| Date:  **EXECUTED** for and on behalf of:    Name of Supplier  by its authorised representative, in the presence of:    Signature of witness    Name of witness (block letters)    Address | )  )  )  )  )  )  )  )  )  )  )  )  )  ) | Signature of authorised representative  By executing this offer the signatory warrants that the signatory is duly authorised to submit this offer on behalf of the Supplier    Name of authorised representative (block letters)    Position of authorised representative |

# Schedule B – Innovation

## Alternative offers, innovation and improvements

The Customer welcomes proactive suggestions from the Supplier about innovations or improvements (e.g. to our own processes, workflows, supply chains, or specifications) that will benefit the Customer and meet the Customer’s objectives. If the Supplier wishes to make an alternative offer, then it must set out details of its alternative offer/suggested innovations or improvements in this Schedule (by answering the questions below.)

* + 1. **What is your alternative offer/suggested innovation or improvement?**

***Supplier to insert response***

* + 1. **What are the benefits to the Customer of your alternative offer/suggestion?**

***Supplier to insert response***

* + 1. **Explain how your alternative offer/suggested innovation or improvement offers better value for money, and better achieves the Customer’s objectives**

***Supplier to insert response***

* + 1. **Outline any assumptions on which your claimed customer benefits are based**

***Supplier to insert response***

* + 1. **Is there any other important information that the Customer should know about your alternative offer/suggested innovation or improvement?**

***Supplier to insert response***

## 

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# Schedule C – Invitation to Offer Conditions





















