

Collaborative procurement review criteria – Stage 2: Sourcing

Anticipated documentation

Agencies can submit their sourcing documents (for example, ROI, RFI, RFP etc) and draft contract **prior** to releasing them to the market. Agencies should use the Government Model RFx templates where appropriate.

If you have any queries, contact us at procurementplanning@mbie.govt.nz

Review criteria	Guidance
1. RFx scope and objective <ul style="list-style-type: none"> • Key procurement objective. • Clear in-scope and out-of-scope statements for the procurement. • Alignment of scope and objective with Planning phase (stage one). • Clear statement of contract type (Common Capability, Open Syndicated). • Governance structure. • Specific economic benefits targeted. • Overarching strategies relevant to the procurement. • Sustainability, including “future-proofing” aspects. • Health & Safety and/or other regulatory or legislative requirements. • ICT Strategy and Action Plan. 	<p>What is the procurement attempting to achieve or overcome? What is the vision?</p> <p>Does the RFx document detail whether it will be a single or multi-stage procurement?</p> <p>Identify the Lead Agency and any initial Participating Agencies.</p> <p>Outline the Secondary Procurement process, if any.</p> <p>Describe any over-arching strategies that may be relevant (for example, related to the long-term goals of the agency or cluster).</p> <p>Describe any specific economic benefits targeted.</p>
2. RFx timelines <p>Suppliers need to have sufficient time to respond to an RFx (Rule 16).</p>	<p>Ensure sufficient time for questions, response, evaluation, and transition; ensure timeline meets Government Procurement Rules.</p> <p>RFx document outlines when and how suppliers should respond (for example, notification of intent; questions; negotiations; demonstrations / presentations etc).</p>
3. Assessment criteria <ul style="list-style-type: none"> • The RFx includes the evaluation criteria that will be used to assess responses. • Relative importance of each criterion is detailed. 	<p>Ensure the evaluation criteria aligns to the questions asked in the RFx and relates to the outcomes the agency is seeking from the RFx; criteria are weighted or ranked.</p>

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<ul style="list-style-type: none"> • A clear statement of pre-conditions, if any, ensuring the RFX document lists the pre-conditions that apply (Rule 14). 	<p>An outline of the planned evaluation process is included in the RFX.</p> <p>Ensure there is a statement as to what happens if a respondent fails to meet the pre-conditions; and ensure pre-conditions do not unnecessarily exclude respondents.</p>
<p>4. Requirements fit</p> <ul style="list-style-type: none"> • The requirements align with the scope of the RFX and the business objectives stated in the planning phase (part one), and are clearly articulated for the services and/or products required. • Indicate the level of capability and capacity required. • Consideration of economic benefits, sustainability, health and safety, other relevant legislation / standards / regulations have been articulated. • Key performance indicators / service levels are indicated, and are relevant, achievable and succinct. • Reporting requirements are indicated, and include consideration for collaborative aspects. • The RFX outlines how conflicts of interest will be managed – both agency and supplier. • Where relevant to do so, the RFX states process aspects related to probity – for example how due process will be followed, confidentiality maintained, and the six principles of government procurement supported. If it is a complex, risky, or strategic procurement, agencies may want to consider an independent probity advisor. 	<p>Have the overall requirements of the procurement been fully considered and aligned to the desired outcomes?</p>
<p>5. Historic consumption analysis</p> <ul style="list-style-type: none"> • The RFX states required volume, usage and other statistical and technical information (by agency, if known), and volume/value ranges are realistic. • Scope and scale elements are considered (how much the contract is intended to be allowed to grow in participating agency numbers, spend or volume) and whether a cap is necessary. 	<p>Is there the potential for distortion of the market to occur over the life of the contract? If so, some type of capping mechanism should be considered.</p> <p>A background strategy could also be stated if this is considered useful for suppliers.</p>

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<p>6. Price</p> <ul style="list-style-type: none"> • A price / statement of work (SOW) or similar template is provided for suppliers to populate as applicable. • Consideration has been given to a sliding scale for volume (or similar model) to encourage suppliers to consider incentives for collaboration. 	<p>If a price template is difficult to construct, given the nature of the category/product/service, consider a case study and have respondents' price in relation to the case study, to compare like with like.</p>
<p>7. Draft contract</p> <ul style="list-style-type: none"> • A draft contract is included that aligns with the services / products and includes relevant clauses: <ul style="list-style-type: none"> ○ Delivery, Payment, Warranties, Indemnity, Liability, Reporting, KPIs, Secondary Procurement Process, Termination etc. • Clear clauses pertaining to the planned contract type (Common Capability, Open Syndicated) are evident, including: <ul style="list-style-type: none"> ○ Volume-based pricing structure (if applicable) ○ Termination clauses that accommodate: <ul style="list-style-type: none"> ▪ Termination by Lead Agency ▪ Termination by Participating Agency ○ Scope and scale aspects/capping mechanism, if applicable – at what point the contract will reach an upper limit in terms number of participating agencies, or whole-of-life value, or term ○ Governance and escalation of issues. 	<p>Include common use provision clauses and/or common capability clauses; and collaborative aspects around reporting, contract management, termination etc.</p> <p>Does the contract contain provisions for the syndicated data collection reporting requirement to NZGP? – Refer reporting template.</p> <p>Does the contract contain clauses and reporting relevant to Economic Benefit delivery (including reporting to NZGP)?</p>