

# Tender Conformity Evaluation - Construction

## Introduction

The following matrix provides guidance on the approach to be taken by the tender evaluation panel when issues of conformity with the tender documents arise in the tenders submitted. Where the evaluation panel is unsure, the matter should be referred to the Manager Strategic Sourcing.

## Tender Conformity Resolution Matrix

### Definitions

Refer to panel	No discussion with tenderer – the tender as submitted is evaluated by the tender evaluation panel.
Non conforming	No discussion with the tenderer – the tender is not considered further.
Opportunity to conform	The tenderer is given an opportunity to clarify the tender/withdraw any tender qualifications provided the submitted total price is unchanged.
Price adjustment by Principal	The Principal adjusts the price used in tender evaluation to exclude unspecified (and priced) services.
Price adjustment by Tenderer	The tenderer is given an opportunity to correct the price
Information	The tenderer is requested to provide missing information

Issue	Refer to panel	Non-conforming	Opportunity to conform	Price adjustment by Principal	Price adjustment by Tenderer	Information	Comment
Addenda not acknowledged						✓	Tenderer to confirm in writing.
Additional services/information not specified submitted	✓						
Additional services not specified submitted with additional price identified				✓			Additional services to be excluded from tender price before evaluation. (May be an alternative)
Alternative(s) offered instead of specified services		✓					
Alternative(s) offered as well as specified services	✓						All alternatives submitted assessed in accordance with policy before further evaluation of tenders.
Arithmetic error in price					✓		Evaluation panel to satisfy itself that the error appropriately rectified.
Designated subcontractors specified not submitted – major		✓					
Designated subcontractors specified			✓				No price adjustment permitted.

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Issue	Refer to panel	Non-conforming	Opportunity to conform	Price adjustment by Principal	Price adjustment by Tenderer	Information	Comment
not submitted – minor							
Industry Participation Plan not submitted			✓				Must ensure that this does not result in an advantage to the Tenderer.
Late tender		✓					Refer <a href="#">PR361</a>
Preliminaries price includes unspecified items (managing contractor only)				✓			Additional preliminaries to be excluded from tender price before evaluation. (May be an alternative)
Preliminaries price not provided (managing contractor only)		✓					
Preliminaries rates high (managing contractor only)	✓						
Prequalified subcontractor(s) not included as specified			✓				No price adjustment permitted.
Price error - written text differs from numerical					✓		Evaluation panel to satisfy itself that the error appropriately rectified.
Price not submitted		✓					
Price outside Departmental benchmark range	✓						Evaluation panel to determine whether tender should be discarded.
Principal's alternatives not priced		✓					
Principal's alternatives priced but incorrectly included in tender sum						✓	e.g. requested a net tender sum plus options but tenderer included options in single tender sum. Evaluation panel to satisfy itself that the error appropriately rectified with no change
Program not submitted			✓				
Qualified tender - contract conditions amendment proposed			✓				
Qualified tender - insurance varied from that specified			✓				
Qualified tender - tender documents are ambiguous or incomplete					✓		Principal to clarify requirements and invite tender field (or part of tender field) to re-price.
Schedule of Rates not submitted		✓					This is a component of the tender price and no price adjustment is permitted post tender close.
Schedule of Separate Items (included or excluded) not submitted		✓					This is a component of the tender price and no price adjustment is permitted post tender close.
Services criteria not addressed (value selection only)		✓					
Services criteria partially addressed	✓						

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Issue	Refer to panel	Non-conforming	Opportunity to conform	Price adjustment by Principal	Price adjustment by Tenderer	Information	Comment
(value selection only)							
Specified services/works excluded from tender - major		✓					
Specified services/works excluded from tender - minor			✓				No price adjustment permitted.
Subcontractor details not submitted			✓				
Workforce participation declaration not made			✓				