

PR115-1 Confidentiality and Conflict of Interest Declaration – Tender Evaluation



Government of South Australia
Department for Infrastructure and Transport

This form is for a Tender Evaluation Team Member to declare a conflict(s) of interest. A Team Member has a duty to declare any potential conflict of interest that may impact or possibly be seen to impact upon a tender evaluation decision. When an issue arises, the Team Member must, as soon as practicable, disclose full and accurate details of the interest or issue to the Tender Evaluation Panel ("the Panel") Chairperson.

Project	[INSERT NAME OF PROJECT & CONTRACT NUMBER]
Name of Evaluation Team Member	I, _____, have been appointed by the Department for Infrastructure and Transport to participate in the tender evaluation for the Project.
Organisation	
Position	
Telephone	

Declaration and undertaking

I declare and undertake that:

1. There is no matter I am aware of concerning my interests, financial or otherwise, past or present, that may call into question the probity of the Panel appointed for the Project, or give rise to any real or perceived conflict with my responsibilities as a Team Member of that Panel.
2. Regardless of whether or not I am an employee under the [Public Sector Act 2009](#) (SA), I am aware that I must exercise my responsibilities as a member of the Panel in accordance with the:
 - [Code of Ethics for the South Australian Public Sector](#), including in relation to the confidentiality requirements set out in that Code;
 - [Division 6 – Duties of Persons Performing Contract Work of the Public Sector \(Honesty and Accountability\) Act 1995](#) (SA)
 - DP165 DIT Gifts and Benefits Policy; and
 - DIT Conflict of Interest Policy.
3. As a member of the Panel, I understand and agree to comply with the following conditions:
 - I acknowledge that I will be given access to confidential information while carrying out duties for the Panel.
 - I acknowledge that all information, acquired by verbal or written means, provided or acquired in the course of my duties, including any intellectual property, is strictly confidential and I shall not disclose or reveal to any other party or person.
 - I shall not use or copy any confidential information without first obtaining the written consent of the Chairperson for any other purpose other than my Panel duties.
 - I shall keep Confidential Information in accordance with [State Records Act 1997](#) (SA) principles, where applicable, taking all necessary precautions to prevent disclosure to any unauthorised persons or parties.
 - I shall notify the Chairperson immediately if I become aware of any unauthorised acts undertaken by any persons, including unauthorised use, disclosure, reproduction, copying or publication of any part of the Confidential Information.

- On request by the Chairperson or at the expiry or termination of my duties or contract in relation to the Panel, I shall immediately deliver to the Chairperson all Confidential Information in my control, including any records or documents which contain Confidential Information.

4. I shall not make contact with any respondent or any of their employees, agents or contacts about any matters related to this evaluation process, except as may be required by the evaluation procedure or plan.

Where it is necessary to communicate with any tenderer for the purpose of clarification of any matter related to the responses, any such communication shall only be made by the Chairperson or their representative and shall be confirmed in writing.

While engaged as a part of the evaluation panel, I will immediately notify the Chairperson in writing of any situation where I believe a real or perceived conflict of interest has arisen or may arise, whether or not I am a party to a potential conflict.

I shall not, during the period of the evaluation, engage in any activity or obtain any interest likely to conflict with or restrict my ability to evaluate the responses in a fair and independent manner.

5. I have the following interests in corporations, partnerships, businesses or other organisations that may be relevant to the activities of the Panel. This can include former employment, and the interests of an associate, family member or close relative.

Sources of income	
Membership of boards & committees	
Interest & positions in corporations	
Interests & positions in trade unions & professional or business associations	
Personal bias which would in any way affect my decisions in relation to the Project	
Other (please detail)	

Proposed action to manage conflicts of interest

- Restrict - not take part in any discussion of the panel relating to the interest/issue
- Relinquish - divest the interest/issue that is creating the conflict
- Resign – leave the panel if conflict cannot be managed/resolved by any other option
- Other (specify)

6. I will formally advise the Chairperson of any change in circumstances that may affect the accuracy of this declaration and undertaking.

Name			
Signature		Date	

Submitting this form

➔ **Team Member:** Send the completed form to the Chairperson for the Panel of which you are a Team Member.

Approval - Tender Evaluation Panel Chairperson

- Approved
- Not approved and reason

Name			
Signature		Date	

A scanned, signed version of this form should be saved in KNet with the contract number and/or project descriptor.

Privacy: Information collected will not be given to any other third party except where required by law. All information provided will be held by the chairperson of the panel and will be managed in accordance with provisions under the [Information Privacy Principles Instruction](#) (SA) requirements of the *Privacy Act 1998* (Cwlth).