



Australian Government

Bureau of Meteorology

**INVITATION TO APPLY FOR INCLUSION ON A
MULTI-USE LIST FOR THE PROVISION OF
CONSULTANCY AND PROFESSIONAL
SERVICES TO THE AUSTRALIAN BUREAU OF
METEOROLOGY IN THE FIELDS OF
HYDROLOGY AND WATER RESOURCES**

REFERENCE NUMBER: MUL 17-2008

Applications must be enclosed in a sealed envelope, endorsed with the above reference number and title, and lodged in the Bureau's Tender Box at the following address:

Bureau of Meteorology,
Floor 5 (Reception Counter),
700 Collins Street, Docklands, Victoria 3008.

Facsimile and email Applications will **not** be accepted.

FURTHER INFORMATION: Further information regarding this invitation to apply for inclusion on the Multi-Use List may be obtained from:

For General Enquiries: Mr Lee Dokolas (Contracts Officer)
Telephone: 03 9669 4450
Email: L.Dokolas@bom.gov.au

For Technical Enquiries: Dr Louise Minty (Assistant Director, Water Division)
Telephone: 03 9669 4542
Email: L.Minty@bom.gov.au

COPIES: Applicants are to submit an original Application and any supporting material in hardcopy form.

PART A:
APPLICATION INFORMATION

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Summary of Requirement

Attachment A: Statement Of Requirement

Attachment B: Multi-Use List Rules

SUMMARY OF REQUIREMENT

1. Overview of Requirement

- 1.1 The overall objective of the Bureau of Meteorology ('the Bureau') is to meet the needs of all Australians for the meteorological information, understanding and services that are essential for their safety, security and general well-being and to ensure that meteorological data and knowledge are effectively applied to Australia's national and international goals.
- 1.2 The Bureau's Water Division has been established to undertake the roles and responsibilities related to water information provided under the *Water Act 2007*. The Act provides the Bureau with powers with respect to the collection of water information and national standards for water information collection, storage and transmission. The legislation also sets out some obligations to the Bureau, including the requirements to perform periodic water resource assessments, manage a national water account and to make water information freely available to the public. The Bureau will continue to provide, and expand on, its hydrological prediction and forecasting services. This will require the Bureau to develop and maintain an integrated, national water information system.

1.3 Corporate Vision

- 1.3.1 A model of efficiency, professionalism and scientific and technical leadership in the provision of user-oriented meteorological, hydrological and oceanographic services in support of the safety, security and general welfare of the Australian community.

1.4 The Bureau Charter

- 1.4.1 Deliver national leadership on environmental issues through excellence in the programs we run and the policy advice we provide.
- 1.5 More information about the Bureau and its mission, goals, objectives and structure is available from the web site: <http://bom.gov.au>.

2. Information for Applicants

- 2.1 A Multi-Use List (MUL) is a list, intended for use in more than one procurement, of pre-qualified potential suppliers who have satisfied the conditions for participation for inclusion on the list.
- 2.2 The process of establishing an MUL is not a procurement. It is a procurement activity which pre-qualifies suppliers who may wish to participate in future procurement processes.
- 2.3 Inclusion on an MUL does not guarantee a potential supplier that they will be included in any future tender processes. It only provides certainty that potential suppliers have been recognised as meeting the conditions for participation.

- 2.4 This MUL process aims to provide the Bureau with a pool of pre-qualified suppliers who have satisfied the conditions for participation for inclusion on the list and who can provide the Services outlined at Attachment A - Statement of Requirement.
- 2.5 Inclusion on the MUL may be used as an essential criterion or condition of participation in an open tender process, or as the basis for selecting suppliers to participate in a restricted tender process.
- 2.6 Once the MUL is established, the Bureau may seek submissions for specific scopes of work from members of the MUL. A more detailed description of the type of Services the Bureau anticipates it is likely to require is at Attachment A (Statement of Requirement).
- 2.7 In seeking submissions from members of the MUL the Bureau will aim to identify a supplier with whom it will then enter a contract with for the provision of those specific Services.
- 2.8 The Bureau may distribute a number of scopes of work at the same time.
- 2.9 The Bureau may, at its discretion, conduct either an open tender process, where inclusion on the MUL may be used as an essential criterion or condition of participation, or approach a select number of suppliers from the MUL where such an approach is commensurate with the value of the contract to be entered into. The Bureau may also exercise its discretion and approach just a single member of the MUL for a specific requirement where it deems this method is appropriate.
- 2.10 The Bureau may, at its discretion, use the MUL to establish a Standing Offer Panel for some or all of the services listed on the MUL through either an open tender process, where inclusion on the MUL may be used as an essential criterion or condition of participation, or a select tender process from suppliers on the MUL.
- 2.11 The Bureau may, at its discretion, conduct financial checks on any of the members of the MUL.
- 2.12 Applicants are required to read the MUL Rules (Attachment B) before completing and submitting their Application (Part B).

3. Applications

- 3.1 Applicants should respond to this MUL by completing Part B and providing a response to each of the matters identified.
- 3.2 Applications should be marked in accordance with the instructions on the front page of this invitation to apply for inclusion on the MUL.

4. Bureau Contacts

- 4.1 All enquiries about this MUL should be directed to the contacts provided on the front page of this invitation to apply for inclusion on the MUL.

ATTACHMENT A - STATEMENT OF REQUIREMENT

Objective

The overall objective of the Bureau is to meet the needs of all Australians for the meteorological information, understanding and services that are essential for their safety, security and general well-being and to ensure that meteorological data and knowledge are effectively applied to Australia's national and international goals.

The Bureau's Water Division has been established to undertake the roles and responsibilities related to water information provided under the *Water Act 2007*. The Act provides the Bureau with powers with respect to the collection of water information and national standards for water information collection, storage and transmission.

The legislation also sets out some obligations to the Bureau, including the requirements to perform periodic water resource assessments, manage a national water account and to make water information freely available to the public. The Bureau will continue to provide, and expand on, its hydrological prediction and forecasting services. This will require the Bureau to develop and maintain an integrated, national water information system.

The MUL is to embrace a wide range of consultancy and professional services including water resources data and information (including quantity, quality, availability, use and trade) discovery and/or estimation, water resources information compilation, analysis and presentation and also analysis in support of the prediction and forecasting of water resources. Applicants are encouraged to offer other categories of services that they believe may have some relevance to the Bureau's operations.

Service Requirements

Services will fall into the following broad categories:

- Identification, collection, compilation and derivation of water information (as defined in the *Water Act 2007*). This includes river flows, groundwater levels, reservoir storage, water quality, water use, water entitlements and water trades. Such data will need to be acquired from over 100 data custodians Australia wide;
- Software development in support of the collection, transmission, storage, quality control of and access to water information;
- Analysis of water information in support of the compilation of National Water Resources Assessments and National Water Accounts;
- Analysis of water information and related information in support of the provision of hydrological forecasting and prediction services;
- Preparation of reports on studies and/or analysis;
- Stakeholder consultation, including user requirements and review of use, value and benefits of products and services; and
- Any other services that may be required in support of the above.

Types of Services Required

The Bureau may require the following types of Services from members of the MUL. The Services will be required in the context of water resources and the functions of the Bureau and related entities:

- a. statistical and data analysis;
- b. advice about stakeholder consultation and engagement;
- c. scientific, engineering and technical analysis;
- d. environmental and ecological analysis;
- e. programme and project management;
- f. hydrologic modelling;
- g. hydrological training advice and services;
- h. general IT services including project management, systems analysis and design, systems administration, programming, Applications development, integration, testing and certification; and
- i. specialist IT services for project engagement, assessment, management and reporting.

Services will be required in a range of forms and timeframes. Applicants need to demonstrate:

- a. an ability to supply personnel for internal placement within the Bureau; and
- b. an ability to contribute to project teams for programmes or initiatives where such project teams cover the Services required and provide an integrated solution to the Bureau.

Applicants could be requested to prepare advice, written briefings, consultations, reports and papers, electronic or hard-copy compilations of data and maps, etc. Applicants may also be requested to participate in, or contribute technical expertise to, committees, as well as train and develop staff or identified groups as required.

Technical and Management Capabilities

Members of the MUL are expected to have and maintain significant knowledge and experience in one or more of the following areas as they relate to water information and hydrological forecasting:

- a. water accounting;
- b. water regulatory frameworks;
- c. water planning and management;
- d. water resources assessment, audit and project risk assessment;
- e. water access entitlements;
- f. stakeholder consultation and engagement;

- g. hydrologic modelling and forecasting;
- h. water and climate change;
- i. management of water dependent eco-systems;
- j. knowledge management and capacity building in water resources and in natural resource management;
- k. programme and project management; and
- l. information technology services including programming and Applications development.

Quality and Standards

MUL members must maintain consistency and high quality in the provision of any Services.

For any particular scope of work, the Bureau may set a level of quality or standards which must be adhered to in performing the Services. These quality levels of standards, where applicable, will be used as performance indicators in assessing the work provided by a member of the MUL.

Timing

Members of the MUL will be asked to provide the Services within timeframes set by the Bureau or agreed with the Bureau. Members of the MUL may be asked to provide Services in urgent timeframes or over a planned program of work including milestones or phases.

Location of Services

Members of the MUL may be requested to provide Services at any location. It is expected this MUL will provide national coverage to the Water Division of the Bureau and its associated offices in Melbourne and Canberra, as well as the Bureau's Regional Offices.

Period of Services

The MUL will be operational for a period of five years. The MUL will take effect 01 September 2008 and conclude 31 August 2013.

Invitations to apply for inclusion to the MUL will be advertised continuously for the life of the MUL.

Government Legislation and Policies Affecting the Services

Members of the MUL will be required to adhere to all relevant Government legislation as outlined in Attachment B (Multi-Use List Rules). This legislation covers areas such as occupational health and safety, privacy, records and record keeping and confidentiality.

Failure to adhere to **all** relevant Government legislation as outlined in Attachment B will prevent a potential supplier from gaining inclusion on the MUL.

ATTACHMENT B - MULTI-USE LIST RULES

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1. Rules

1.1. Interpretation

- 1.1.1 Throughout this Multi-Use List (MUL), unless the contrary intention appears:
- a. words in the singular include the plural and the plural include the singular; and
 - b. words importing a person include a partnership and a body, whether corporate or otherwise.

1.2. Definitions

- 1.2.1 The following words have these meanings in this MUL unless the contrary intention appears:
- a. **Applicant** means any person or organisation considering or applying for this MUL;
 - b. **Application** means any Application submitted in response to this MUL;
 - c. **Attachment** means an attachment to the MUL;
 - d. **Bureau** means the Bureau of Meteorology;
 - e. **Contract** means the Contract used for the provision of any of the Services listed in this MUL;
 - f. **Contracts Officer** means the Bureau Contact Officer detailed at clause 4 of the MUL;
 - g. **Essential Requirements** are those requirements that the Bureau deems as essential in the provision of the Services;
 - h. **MUL Contracts Officer** means the Bureau Contact Officer detailed at clause 4 of the MUL; and
 - i. **Successful Applicant** means a supplier that has met the conditions for participation and has been included on the MUL.
 - j. **Unsuccessful Applicant** means a supplier that has failed to meet the conditions for participation and has not been included on the MUL.

1.3. AusTender - Australian Government Tendering System

- 1.3.1 AusTender is the Commonwealth's business opportunities website, located at www.tenders.gov.au. AusTender allows Applicants to download documentation electronically.
- 1.3.2 The Bureau accepts no responsibility if an Applicant fails to become aware of any alteration, correction or notice, which would have been apparent from a visit to the AusTender website or from other information available from the Bureau.
- 1.3.3 Applicants should direct all communications relating to this MUL to the Contracts Officer.

1.4. Invitation Documents

- 1.4.1 The invitation for inclusion on this MUL consists of the following documents:
- a. Part A (Application Information); and
 - b. Part B (Application Form).

1.5 Application Lodgement

- 1.5.1 Applications must be lodged in accordance with the Summary of Requirement (Attachment A) and must include:
- a. a completed Part B; and
 - b. copies of any requested documentation.
- 1.5.2 The MUL remains open for lodgement of Applications until the Bureau determines there is no longer a need for the Services. At this time the Bureau will advise all members of the MUL and any current Applicants for membership of the list that the MUL is to be terminated.

1.6 Errors & Alterations

- 1.6.1 Applicants should immediately notify the Contracts Officer in writing at the address detailed in clause 4 of the MUL if an Applicant reasonably believes there is a discrepancy, error, ambiguity, inconsistency or omission in this MUL.

1.7 Privacy Legislation

- 1.7.1 The MUL will require Successful Applicants to comply with the Information Privacy Principles contained in the *Privacy Act 1988 (Cth)* and its amendments, in relation to personal information handled by the Applicant.

1.8 Disclosure of Information

- 1.8.1 Subject to clause 1.8.2, the Bureau will keep all Applications submitted confidential.
- 1.8.2 Applicants should note that the Bureau may disclose any information contained in or regarding an Application without written authority of the Applicant to:
- a. Parliamentary Committees;
 - b. Employees and advisers engaged by the Commonwealth; and
 - c. other Commonwealth departments, agencies, bodies, enterprises, authorities and Ministers,
- for the purposes of this Application process, and any legal, policy or other Commonwealth accountability requirements.

1.9 Freedom of Information

- 1.9.1 Applicants should be aware that the *Freedom of Information Act 1982* gives members of the public certain rights of access to documents in the possession of the Commonwealth and its agencies. The Act extends as far as possible the right of the Australian community to

access information (generally documents) in the possession of the Commonwealth, which may include the Application, any subsequent Contract and related documents.

1.10 Compliance with Commonwealth Policies and Legislation

- 1.10.1 The Successful Applicants must, when using the Commonwealth's premises or facilities, comply with all reasonable directions and procedures relating to occupational health (including the Commonwealth's smoke free work place policy), safety and security in effect at those premises or in regard to those facilities, as notified by the Commonwealth or as might reasonably be inferred from the use to which the premises or facilities are being put.
- 1.10.2 The Bureau is required to publish the award of all Contracts valued at \$10,000 or more in accordance with Commonwealth policy. This includes details of whom the Contract was awarded to and the Contract price and includes details as to confidentiality.
- 1.10.3 Applicants should be in compliance with their obligations under the *Equal Opportunity for Women in the Workplace Act 1999* and not be proposing to enter into any subcontracting arrangements with a subcontractor named by the Equal Opportunity for Women in the Workplace Agency as an employer currently not complying with the Act. It is also Australian Government policy not to contract with parties engaging illegal workers.
- 1.10.4 Applicants should not be on the list of persons and entities designated as terrorists under part 4 of the *Charter of United Nations Act 1945* and the *Charter of United Nations (Terrorism and Dealing with Assets) Regulations 2002*.
- 1.10.5 The attention of Applicants is drawn to Division 2 of the *Archives Act 1983* (the Archives Act), particularly section 24 dealing with the disposal, destruction or transfer of Commonwealth records (as that term is defined in the Archives Act), which must be effected with the permission of the National Archives of Australia or in accordance with a practice or procedure approved by the National Archives of Australia. Applicants should obtain, and will be deemed to have obtained, their own advice on the impact of this legislation on their participation in this process.

1.11 GST

- 1.11.1 All Applicants should be aware that under the GST Law, the Commonwealth is treated as a taxable enterprise. GST will be applied to goods and services supplied by a Successful Applicant in respect of the performance of a Contract.

1.12 Australian Business Number (ABN)

- 1.12.1 Your ABN must be stated in Part B.

1.13 Applicable Law

- 1.13.1 The law applying in the State of Victoria applies to the MUL, and the Application process. Each Application must comply with all relevant

laws in preparing and lodging its Application and taking part in the MUL process.

1.14 Ownership of Application

1.14.1 All documents submitted in response to this MUL shall become the property of the Commonwealth. The Commonwealth may use, reproduce or modify any Application for the purposes of assessing the Application, but will keep Applications confidential (subject to clause 1.8).

1.15 Financial Viability

1.15.1 Applicants should provide the financial data concerning the Applicant as specified in the MUL. The Bureau may conduct detailed evaluations of an Applicant's financial position. For this purpose, Applicants should be prepared to provide details of relevant financial data concerning the Applicant.

1.15.2 In agreeing to supply relevant financial statements, the Applicant also agrees that the information supplied represents a true and fair statement of the affairs of the Applicant.

1.16 Applicants to Meet Own Costs

1.16.1 An Applicant's participation in any stage of the MUL process is at the Applicant's sole risk, cost and expense. The onus is on the Applicant to inform itself appropriately.

1.17 Right to Terminate

1.17.1 The Bureau may terminate this MUL process at any time if it is in the public interest to do so.

1.18 Right to Request Further Information

1.18.1 Notwithstanding any other requirement of the MUL, the Bureau may require the Applicant to submit additional information to allow further consideration of its Application.

1.18.2 Should the Applicant fail to submit any of the information so required by the date and time stipulated by the Bureau, its Application may be excluded from further consideration.

1.18.3 Any request by the Bureau for further information shall not be, nor be deemed to be, a representation by the Bureau that the Application will be, or is likely to be, accepted.

1.19 Bureau's Right to Negotiate

1.19.1 The Bureau may negotiate the contents of an Application with any Applicant.

1.19.2 Any request by the Bureau to negotiate all or any part of an Application shall not be, nor be deemed to be, a representation by the Bureau that the Application will be, or is likely to be, accepted.

1.20 Addenda

1.20.1 If the Bureau amends this MUL, electronic advice will be issued to current suppliers listed on the MUL. Applicants should ensure details provided in their Application are correct and up to date.

1.21 No Contract

1.21.1 Nothing in this MUL shall be construed so as to give rise to any Contract between the Bureau and any Applicant until a Contract is entered into with one of the Successful Applicants.

1.22 Removal from the Multi-Use List

1.22.1 The Bureau may at any time after the establishment of the MUL exercise its discretion to remove a Successful Applicant from the MUL if the Bureau becomes aware that the Successful Applicant ceases to meet the conditions for participation.

2. Evaluation

2.1 Evaluation Process

- 2.1.1 Applications will be assessed on a pass/fail basis consistent with Commonwealth purchasing policies. The *Commonwealth Procurement Guidelines* may be found at the Department of Finance & Deregulation website: www.finance.gov.au.
- 2.1.2 Applicants must complete Part B and submit the completed document as their Application. Applicants must provide the evidence required at a particular item and confirm compliance with the rules outlined in Attachment B in order to be considered for membership of the MUL.

2.2 Clarification and Additional Information

- 2.2.1 The Bureau may seek clarification of Applications or require further information from all or any Applicants.

2.3 Successful Applicants

- 2.3.1 The Bureau will advise Successful Applicants that they have been included on the MUL in writing at the end of the evaluation process.

2.4 Advice to Unsuccessful Applicants

- 2.4.1 The Bureau will promptly notify each Unsuccessful Applicant in writing that its Application has not been accepted/shortlisted and, where requested, provide Unsuccessful Applicants with a debrief of the reasons for its decision.

2.5 Debrief

- 2.5.1 All Unsuccessful Applicants are entitled to a debrief upon request. This debrief will provide feedback on the relative merits of their Application bid against the requirements outlined in Part B, but will not refer to any other Application and will not disclose the confidential information of any other Applicant.

3. Applications

3.1 Preparing Applications

3.1.1 Applicants must respond to the MUL by completing Part B and addressing the matters identified.

3.2 Subcontracts

3.2.1 Any Contract entered into requires that the Applicant not subcontract the whole of its obligations under a Contract but the Applicant may, with the prior consent of the Bureau, subcontract part of its obligations.

3.3 Security Clearance

3.3.1 Vetting and clearance requirements will depend upon the degree and level of physical and information access required to provide the Services.

3.3.2 Copies of documents relevant to any security clearance should be provided. If Applicants have no security clearance they will be required to undergo security clearance processes for themselves, their staff and any subcontractors. The costs of such clearance processes will be borne by the Applicant under the Contract.

3.4 General Conditions of Contract

3.4.1 The Bureau expects Successful Applicants to provide the Services in accordance with the Bureau's Contract terms and conditions.

3.4.2 The Bureau reserves the right to negotiate the terms and conditions of any Contract entered into with any or all of the Applicants. If the Bureau and an Applicant cannot agree on the terms and conditions to be applied to the Contracts created under this MUL, the Bureau reserves the right to remove the Applicant from the MUL in accordance with clause 1.22.

3.4.3 The Bureau does not warrant or make any representation that a Successful Applicant will be invited to participate in a tender process for any work or will be guaranteed any or any quantity of work.

3.4.4 The Bureau may, at its discretion, procure any of the type of Services covered by this MUL without using any of the suppliers listed on the MUL.

3.4.5 Where the Bureau rejects an expression of interest or an Application for inclusion on the MUL or ceases to recognise a potential supplier as having satisfied the conditions for participation in either, the Bureau will promptly inform the potential supplier and, on request, promptly provide the potential supplier with a written explanation of the reasons for its decision.

3.5 Insurance

3.5.1 The Successful Applicants must, at their own expense, take out, provide and maintain during the Term of any Contract entered into with the Bureau, the insurances specified in that Contract.

- 3.5.2 If requested, the Applicant must provide the Bureau with a copy of a certificate of currency or any other proof of insurance which is acceptable to the Bureau. The Applicant's insurance policy details or compliance with this requirement must be provided in Part B.