



Australian Government

Department of Education, Employment and Workplace Relations

PSPPROC409A Receive and select offers

Release: 1

PSPPROC409A Receive and select offers

Modification History

Unit Descriptor

This unit covers the receiving and selecting of offers as a result of a formal request for offer process. It includes receipt and evaluation managing the distribution and receipt of offers, selecting preferred providers, formalising contractual arrangements, and debriefing the market and other stakeholders.

In practice, receiving and selecting offers may overlap with other public sector generalist and specialist work activities such as acting ethically, complying with legislation, applying government processes, working with diversity, using resources, etc.

This unit replaces **PSPPROC403A Award contracts**. The units are not equivalent, as receipt of requests has been added.

There is however, multi-unit equivalence between new and superseded units. The combination of:

PSPPROC401A Plan procurement + PSPPROC402A Request and receive offers+
PSPPROC403A Award contracts

is equivalent to the combination:

PSPPROC408A Develop requests for offers+ PSPPROC409A Receive and select offers

Application of the Unit

Licensing/Regulatory Information

Pre-Requisites

Employability Skills Information

This unit contains employability skills.

Elements and Performance Criteria Pre-Content

Elements are the essential outcomes of the unit of competency.

Together, performance criteria specify the requirements for competent performance. Text in **bold italics** is explained in the Range Statement following.

Elements and Performance Criteria

Elements and Performance Criteria

Element	Performance Criteria
1 Manage distribution and receipt of offers	<p>1.1 Dissemination of request for offers is actioned in accordance with organisational procedures and guidelines, and meets public sector standards</p> <p>1.2 Briefings and clarification of information in the request for offer are undertaken as required in accordance with procurement plan, organisational procedures, guidelines and public sector standards</p> <p>1.3 Offers are received in accordance with organisational procedures, guidelines and public sector standards</p> <p>1.4 Probity issues in closing offers are observed</p> <p>1.5 Late offers and non-conforming bids are dealt with in accordance with procurement plan and request for offer documentation</p>
2 Select preferred provider/s	<p>2.1 Evaluation panel is coordinated and specialist expertise is obtained where necessary to assist with evaluation of offers</p> <p>2.2 Offers are evaluated in accordance with procurement plan, organisational probity requirements and public sector standards</p> <p>2.3 Clarification and negotiation of matters contained in offers, are undertaken with bidders in accordance with organisational guidelines and public sector standards</p> <p>2.4 Preferred provider/s are selected and recommendations for allocation of business are developed, justified and documented against selection criteria in accordance with policy and procedures and governance requirements</p> <p>2.5 Approvals are obtained for the recommended offer/s</p> <p>2.6 Successful provider/s are notified in accordance with organisational protocols</p>

- 3 **Formalise contractual arrangements**
 - 3.1 Approvals are obtained to enter negotiations, when required, and negotiation of the final wording of the **contract** is conducted in accordance with organisational policy and procedures and defined probity frameworks as set out in the evaluation plan
 - 3.2 Approvals to enter into contract/s are obtained in accordance with policy and procedures
 - 3.3 No commitments are made and contractors do not commence until contracts are signed
 - 3.4 Contracts are entered into that are valid and legally binding to the parties
 - 3.5 Contracts are structured to capture and address identified risks, protect both parties, and provide the basis for due performance
 - 3.6 Advice on the contractual arrangements is provided to stakeholders in accordance with organisational policy and procedures
- 4 **Debrief market and other stakeholders**
 - 4.1 Unsuccessful bidders are informed and debriefed with constructive feedback on their proposals upon request
 - 4.2 Details of successful provider/s are made public in accordance with probity requirements, organisational protocols and public sector standards

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the essential skills and knowledge and their level, required for this unit.

Skill requirements

Look for evidence that confirms skills in:

using communication and negotiation with contractors and other stakeholders involving complex oral and written exchanges

networking, within probity boundaries, with diverse clients, contractors and end users

responding to diversity, including gender and disability

reading and applying complex documents such as contracts, legislation and guidelines and ensuring legal and probity officers are satisfied

analysing and comparing written information to ensure key elements from the specification and procurement plan are captured in the written contract

applying occupational health and safety and environmental requirements in the context of receiving and selecting offers

Knowledge requirements

Look for evidence that confirms knowledge and understanding of:

Commonwealth/State/Territory Government legislation, policies, practices and guidelines relating to award of contracts, including environmental purchasing guidelines

procurement policies, practices and approval processes

probity principles and issues

ethical issues related to receipt and selection of offers

aspects of law of contract, laws of tort, trade practices law, commercial law and other legislation relating to receipt and evaluation of offers, negotiation and award of contracts

equal employment opportunity, equity and diversity principles

public sector legislation including occupational health and safety and environment

Evidence Guide

The Evidence Guide specifies the evidence required to demonstrate achievement in the unit of competency as a whole. It must be read in conjunction with the Unit descriptor, Performance Criteria, the Range Statement and the Assessment Guidelines for the Public Sector Training Package.

Units to be assessed together

Pre-requisite units that **must** be achieved **prior** to this unit: **Nil**

Co-requisite units that **must** be assessed **with** this unit: **Nil**

Co-assessed units that **may** be assessed with this unit to increase the efficiency and realism of the assessment process include, but are not limited to:

PSPETHC401A Uphold and support the values and principles of public service

PSPGOV406B Gather and analyse information

PSPGOV422A Apply government processes

PSPLEGN401A Encourage compliance with legislation in the public sector

PSPPOL404A Support policy implementation

PSPPROC407A Establish procurement need

PSPPROC408A Develop requests for offers

Overview of evidence requirements

In addition to integrated demonstration of the elements and their related performance criteria, look for evidence that confirms:

the knowledge requirements of this unit

the skill requirements of this unit

application of the Employability Skills as they relate to this unit (see Employability Summaries in Qualifications Framework)

receipt and selection of offers in a range of (3 or more) contexts (or occasions, over time)

Resources required to carry out assessment

These resources include:

legislation, policy, procedures and protocols

relating to receiving and selecting offers
case studies and workplace scenarios to capture the range of contracting situations likely to be encountered

Where and how to assess evidence

Valid assessment of this unit requires:

a workplace environment or one that closely resembles normal work practice and replicates the range of conditions likely to be encountered when receiving and selecting offers, including coping with difficulties, irregularities and breakdowns in routine receipt and selection of offers in a range of (3 or more) contexts (or occasions, over time)

Assessment methods should reflect workplace demands, such as literacy, and the needs of particular groups, such as:

people with disabilities

people from culturally and linguistically diverse backgrounds

Aboriginal and Torres Strait Islander people
women

young people

older people

people in rural and remote locations

Assessment methods suitable for valid and reliable assessment of this competency may include, but are not limited to, a combination of 2 or more of:

case studies

demonstration

portfolios

questioning

scenarios

simulation or role plays

authenticated evidence from the workplace and/or training courses

For consistency of assessment

Evidence must be gathered over time in a

range of contexts to ensure the person can achieve the unit outcome and apply the competency in different situations or environments

Range Statement

RANGE STATEMENT

The Range Statement provides information about the context in which the unit of competency is carried out. The variables cater for differences between States and Territories and the Commonwealth, and between organisations and workplaces. They allow for different work requirements, work practices and knowledge. The Range Statement also provides a focus for assessment. It relates to the unit as a whole. Text in **italics** in the Performance Criteria is explained here.

Request for offers may include

invitations to submit:

- a tender
- a proposal
- a quotation
- an expression of interest

Requests for offers must incorporate

- elements necessary to make proper offer lodgment procedures
- information to be supplied by bidder
- draft contracts
- general/special conditions of contracts
- specifications
- terms and conditions

Probity principles are

- accountability
- transparency
- confidentiality
- management of conflicts of interest
- maintained to:
 - ensure conformity to processes
 - facilitate accountability
 - ensure proponents are treated in a fair and equitable manner
 - encourage commercial competition
 - preserve public and private sector confidence in government processes

Offers may include

- delivery of goods for use or into store
- provision of services

	maintenance agreements
	leasing agreements
	consultancies
	research and development
Evaluation must include	processing offers
	determining value for money
	checking/investigation
	collation of information
	comparative statements
	accountability
	and may include staged procurement
Allocation of business may include	many successful bidders
	many contracts as a result of a single request for offer
Contracts may include	memoranda of understanding/memoranda of agreement
	in-house option directives
	common use arrangements/standing offers
	inter/intra-government agreements
	deeds of agreement

Unit Sector(s)

Competency field

Procurement&Contract Management