



Probity Briefing Notes Evaluation/Assessment

1. **Project:**

2. **Overall Objectives:**

The integrity objectives of the evaluation are to:

- Pass the 'Media' test, i.e. the test of public opinion.
- Comply with Code of Conduct
- Be able to defend all processes, decisions, and outcomes
- Ensure accountability and transparency,
- Maintain objectivity and impartiality (free from bias),
- Preserve competitiveness,
- Maintain confidentiality and security,

3. **Evaluation/Assessment Plan:**

An Evaluation/ Assessment Plan has been developed and approved, and must be followed. Any failure to do so may breach legal accountability. Key issues are:

- Maintain consistency between Request for Tender (RFT) and the evaluation.
- Maintain consistency in dealings with the offers.
- Selection criteria are expected to differentiate between offers, and will lead to value.
- Weightings (where applied) reflect of the demands and priorities of the Agency.
- The Evaluation/Assessment Plan should not be varied once offers are received (at closing).

4. **Evaluation/ Assessment:**

An Evaluation/ Assessment Panel member must agree that:

- They must conduct the evaluation in accordance with the Evaluation/ Assessment Plan.
- They are expected to be credible and objective.
- Must not change the weightings once the offers are opened.
- They don't bring bias for or against any Vendor.
- They use a consistent set of forms for scoring and recording.
- They evaluate each offer point by point solely against the criteria.
- Individual knowledge can be introduced if it objective and is not capricious or arbitrary.
- They make notes and comments to justify scores, particularly high or low ones. (Provides good data for feedback sessions and an audit trail).
- Their individual scoring records are accountable documents.
- Clarification questions of the submissions must pass through a single point of contact (to control the contact between the Offers & the Evaluators).
- Special care will be taken where there is 'normal course of business' dealings with any Vendor or its representative that the procurement and/or evaluation is not discussed.
- Care is taken with Referee checks and Due Diligence where the information is used for moderation of scores or disqualification.
- The final score must be reflective of the individual and consensus scores.
- Any evaluator has the right to dissent on a score.
- The outcomes must be fully defensible from the evaluation process.
- If in doubt or difficulty, the matter will be referred to the Panel Chair.
- If no consensus can be achieved, the details will be recorded.
- Any Shortlist is normally on merit; but also may consider any risks, and document the reasoning.

5. **Conflicts of Interest:**

The Evaluation/Assessment Panel member must act without any bias or the perception of bias. The decision as to any apprehension of bias is a public 'Objective Test' and not at the member's discretion. It is acknowledged that:

- Conflicts of interest can include any gifts, gratuities, benefits, hospitality, and anything of nominal value.
- The Public Service Directive and guide on gifts and benefits applies.
- An Acknowledgement of Obligations for Confidentiality and Disclosure of Conflicts of Interest will be completed prior to receiving any Offer.
- The purpose of disclosure is to preserve impartiality and heighten awareness of responsibilities.
- Real, potential, or perceived conflicts of interest are all important to disclosure.
- Any close family member or close associate of the member are also affected by the conflict of interest.
- Conflicts of interest may not be obvious at the start; so disclosures need to be revisited throughout the evaluation processes.
- All persons have a fiduciary duty to act in the Agency's best interests.

6. Confidentiality:

The Evaluation/ Assessment Panel member is aware that:

- Protection of the Commercial Confidentiality of Vendors' information is critical.
- Protection of evaluation information is also critical.
- A single point of contact applies to all contact with the Vendors for communications on the Offer and evaluation.
- No discussion of offer or evaluation information will occur outside the Panel, and avoid being overheard in authorised discussions.
- Potential additional confidentiality risks are associated with site visits and other contact with Vendors.
- The Confidentiality survives the processes and until the information is released publicly.
- No information will be left unsecured in the workplace.
- No work will occur in unsecured environments (e.g. home, public transport, public places).
- Any documentation provided becomes the responsibility of the individual for its security and confidentiality.
- Particular care will be taken with electronic documents to ensure the files are not lost, misplaced, or accessed without authority.
- Statutory requirements for ethics and misconduct apply

7. Security & Storage:

The Evaluation/ Assessment Panel member is aware that:

- All offer and evaluation documents are to be held securely when not being worked on.
- No copies are to be taken without written authority of the Project Manager.
- All copies are to be recovered and accounted for at the end of the evaluation process.
- No information on progress or shortlisting to be passed outside the Evaluation Panel without authority of the Project Manager.
- A Secure working environment is required where documentation is not easily viewed, conversation not easily overheard, and the room can be secured.
- Information Standard 18 on Security of Information applies.

8. Meetings:

- Essential minutes of all meetings, interviews, and site visits will be taken.

9. Interviews, Trials, Presentations or Site visits:

If these are conducted, the Evaluation/ Assessment Panel member is aware that:

- The Clarification process may require verification of information through additional evaluation strategies.
- Any interviews, presentations, site visits, etc require to be planned for fairness and equity.
- No hospitality, gifts, or benefits will be accepted from any supplier in these processes.
- The process is to collect or confirm information, not to convey information.
- They must refuse any overtures or solicitations, but report any to the Project Manager.

- They must restrict the Vendors to the details of their offer at closing, and avoid new information that alters the substance of the Offer.
- They must refuse or set aside any new documents presented.
- All questions to the Vendor to be structured for equity.

10. Post-offer Negotiations:

If these are conducted, the Evaluation/ Assessment Panel member is aware that:

- The negotiations are to be conducted under controlled and documented terms.
- Negotiations may be iterative, but care must be taken with fairness and consistency.
- They must avoid permitting or leading change to the substance of any submission.
- The processes can include negotiation to secure better value for money, providing it does not introduce any inconsistency or unfair dealing .
- Negotiation must be conducted only with Vendors selected from the evaluation process.

11. Unsuccessful Offers:

Unsuccessful offers are entitled to be debriefed. The Panel member is aware that:

- Debriefing will be conducted usually after a contract has been effected with the successful offer(s).
- Debriefs only will address the strengths and weakness of the Offer.
- The procurement process will not be discussed or debated.
- No comparison with others in any measure will be provided in the debrief.
- The Debrief can disclose how many offers, but not who, other than who wins.
- No written debriefs will be provided, oral debrief only.
- All information in the debrief must be defensible and factual, and not misleading.

12. Probity Adviser:

The Probity Adviser::

- Has a role to observe, advise, and report on the probity and accountability.
- Reports to the Project Manager and the Accountable Officer.
- May be contacted by any person or even a Vendor at any time.

13. Acknowledgment

I acknowledge that I have read and understand the above; and I agree to the items marked '☐'.

(Signature)

(Name *please print*)

_____/_____/20_____
(Date)