



## Protocols for Probity & Confidentiality Issues in Interviews, Presentations, and Demonstrations

During a tender process, before the commencement of supplier demonstrations, presentations or interviews, the Principal's personnel should consider probity and confidentiality issues which should apply or may arise.

### Confidentiality Principles:

To observe requirements for safeguarding the confidentiality of commercially sensitive information:-

- **Never** reveal or discuss any aspects of any nature of one Supplier's tender with any other supplier; or
- **Never** speak in comparative terms of any one supplier against another or others;
- **Never** informally indicate to a supplier that its tender is likely to be accepted or rejected, either on the basis of what is demonstrated or presented, or on any preceding elements of evaluation, or
- **Never** provide any opportunity for a supplier to see evaluation sheets of any kind.

Remember that all tendered documentation and evaluation information is Confidential.

### Probity Protocols:

The principles of presentations and demonstrations are to:

- **Confirm** or validate information provided in the Supplier's tender and any successive Clarification questions;
- **Clarify** the functional, technical, process, and management issues in a tender as it relates to the specification in the Request for tender (RFT) documents; and
- **Establish** the Supplier's functional, technical, process, and management performance relative to the RFT.

To achieve these outcomes:

- **The Principal must be in control** of all aspects, and **Chair the process**.
- **Conduct an equitable process by a structured approach**. Develop and apply a pre-planned structure to the presentations and/ or demonstrations.
- **Clarification, amplification, and confirmation will differ** from supplier to supplier in respect of a response, but should not result in the supplier changing the substance of the response.
- **Avoid gathering any new information outside of scope** of what was requested in the invitation documents. The time to canvas new information was before the Invitation was issued, not during evaluation.
- **If additional information is essential to differentiate submissions, seek it from all** Tenders at interview and make it part of their response. This



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must be managed with great care to avoid inequity and to preserve integrity of the total procurement process.

- **Set aside new information** which emerges and is **not part of the clarification** or confirmation process. There are issues of equity, confidentiality, and any intellectual property associated with the new information if it becomes used. New Information should only be used to differentiate between closely competing submissions.
- **Ensure the supplier understands your expectations and intentions from the 'meeting'**. Aim to ensure that all suppliers have the same opportunity to address the requirements of the 'meeting'.
- **Suppliers should be evaluated under the same criteria**, although the nature of clarifications may vary.
- **Confine suppliers to the stated objectives**, and stick to the developed agenda.
- **Allow equitable time and confine suppliers to the time.**
- Structure questions to suppliers for equity - **act impartially**.
- Structure the process to **collect information, not to convey information**. **The process should be 'one-way'** with the supplier supplying the information on their product and Principal's staff not providing any new information.
- Principal's representatives should **avoid being isolated individually** by a supplier, and **avoid the potential for lack of corroboration** of actions, information, or findings; and also to avoid exposing an individual to supplier pressure or questioning.
- **Revisit you conflicts of interest**. Refrain from any interest in the shares or shareholding, trust or other form benefit from the commercial activities of a supplier.
- **No gifts, benefits, favours, or inducements** should be accepted.
- **Never allow the supplier to provide any hospitality**. Any necessary catering is to be provided by the Principal, should be kept to a basic level, and be equitable if more than one supplier is demonstrating.
- At the outset, **advise Suppliers that solicitations or inducements may prejudice their submission**. Refer to the relevant tender Conditions if they exist.
- **Do not respond to any overtures or solicitations**, but document them and report them as possible impropriety.
- **Do not respond to any 'bonus' deals** from suppliers but document them and report them as possible impropriety.
- **Protect the confidentiality and security** of the evaluation and assessment documentation and your notes.
- **Information the supplier provides should become part of their submission**.
- **Restrict Suppliers to the details of their submission and the scope** during any closing address/ summation.