

Tender Committee

TERMS OF REFERENCE

1. TITLE OF COMMITTEE

Tender Committee

2. ESTABLISHMENT

The Tender Committee is established under Part 3 Section 19(1) of the [Charles Darwin University Act 2003](#).

3. FUNCTIONS AND RESPONSIBILITIES

The Tender Committee reports to Council and has the following functions and responsibilities:

The Tender Committee is responsible for reviewing tenders, expressions of interest, certificates of exemption or other means of procurement in excess of the University's \$10,000 procurement threshold ("Procurement Processes").

The Committee has been established to:

- Review the assessments undertaken by Tender Boards for all tender responses and where required;
- Request supporting documentation, more information or clarification if necessary;
- Query discrepancies;
- Review recommendations provided by Procurement for all tender processes and where required amend, reject or endorse any recommendation(s);
- Act as an Appeal Board for issues raised by external parties arising from procurement activities;
- Consider matters relating to the efficiency and effectiveness of the procurement process; and
- Provide recommendations to the Vice-Chancellor for the letting of contracts for procurement activity.

4. MEMBERSHIP

The membership of the Tender Committee shall comprise the following:

- Chancellor (or nominee from Council);
- Senior member of Council nominated by the Chancellor;
- Pro Vice-Chancellor, Strategy and Planning;
- Executive Director, Finance and Asset Services;
- Director, Strategic Services and Governance;

- The Manager, Procurement will provide advice to the Committee on the evaluations undertaken by each Tender Board.

The Tender Committee will also have the right to co-opt other members as deemed necessary.

If at any meeting of the Tender Committee there is to be discussed any matter in which a member has a direct personal or pecuniary interest or involvement, then that member must immediately declare his or her interest or involvement.

5. CHAIR

The Chancellor (or nominee) will chair the committee.

6. SECRETARY

The Manager, Procurement shall act as secretary for the Tender Committee.

7. TERM OF OFFICE

The membership of the Tender Committee will be reviewed on an annual basis with a report made to Council.

8. QUORUM

A quorum shall comprise three members of the Tender Committee of which one must be a member of Council.

9. MEETINGS

The Tender Committee shall meet as necessary to consider the outcomes of tender process. The Committee may conduct business by way of electronic means as circumstances require.

The University Tender Committee relies upon Procurement and a Tender Board to provide technical assistance at various stages of a tender process, particularly the assessment stage where technical specifications and details may necessitate such use in order to properly assess detailed and/or highly technical documentation requiring specific expertise not available within the membership of the University Tender Committee.

Recommendations of Procurement and a Tender Board will be in an advisory capacity to the Tender Committee which can request clarification, amend, reject or endorse any recommendations.

The Tender Board is required to produce an Evaluation Summary and Recommendation document which will be provided to Tender Committee members along with other relevant documentation for review at Tender Committee meetings.

The Manager, Procurement has the responsibility to oversee the tender process. The Tender Committee relies upon Procurement to review and assess commercial and/or technical elements and the cost/price of procurement processes and to provide recommendations to the Committee.

10. RESOLUTIONS OF THE TENDER COMMITTEE

Matters requiring a resolution by the Committee are to be determined by consensus of the members.

11. AGENDA

The agenda is to be distributed with supporting documentation normally at least seven (7) days prior to the meeting date.

12. REPORTING

The report from the meeting of the Tender Committee will be provided to the next meeting of Council.

13. RELEVANT DEFINITIONS

In the context of this document:

Evaluation Summary and Recommendation document means the document prepared by a Tender Board in evaluating expressions of interest, requests for proposal and tenders and other means of procuring goods and services. The evaluation of submissions is to be in accordance with the criteria set out in the documents released to the market; and

Tender Board means the committee constituted to review expressions of interests, requests for proposal and tenders

Document History and Version Control

Last amendment:	15 Dec 2017
Sponsor:	Director, Strategic Services and Governance
Contact Officer:	Director, Strategic Services and Governance

Version	Date Approved	Approved by	Brief Description
1.00	31 Aug 2010	Council	Creation of original document and upload to CDU website.
2.00	3 Dec 2010	Council	<ul style="list-style-type: none"> • Correction of terminology – Assessment Panel to Tender Board. • Addition to Functions and Responsibility to include “Appeals Board” and changes to Quorum – reduction in number and clarification. • Addition of interpretation definitions.
2.01	27 Dec 2010	Governance	Convert document to new template
2.02	30 Dec 2011	Governance	<ul style="list-style-type: none"> • Change title of contact officer • Minor changes to spelling, grammar and formatting. • Replace SDVC with PVCSP due to organisational chart changes
2.03	14 Mar 2013	Governance	<ul style="list-style-type: none"> • Converted document to new template • Updated and added hyperlinks • Minor changes to wording, formatting and grammar • Assigned document number
2.04	14 Sep 2017	Governance	<ul style="list-style-type: none"> • Conversion to new Governance template due to new University branding