

- iii. your response to the questions in Part E of this RFP demonstrate your ability to provide high quality Services to the Ministry.
39. The Ministry's preference is to accept Proposals on the basis of this RFP. However, the Ministry may (at its option) consider non-conforming Proposals. Any non-conforming Potential provider should clearly identify the aspects of your Proposal that do not conform to the Proposal requirements.
 40. In considering your Proposal, the Ministry may ask you for further information, or to verify information, in relation to any aspects of your Proposal.
 41. If the Ministry's discussions with Potential providers or other circumstances make it necessary to extend the indicative date by which the Ministry wishes to select preferred provider(s) as described in paragraph 15, the Ministry must notify parties who have submitted a Proposal of the necessary extension of time.
 42. The Ministry reserves the right to:
 - i. accept or reject all or any Proposal(s);
 - ii. consider, accept, or reject any non-conforming Proposal, at the Ministry's sole discretion;
 - iii. suspend or cancel (in whole or in part) this Proposal and the Proposal process at any time;
 - iv. re-invite Proposals;
 - v. seek additional Proposals;
 - vi. waive any irregularities or informalities in the Proposal process;
 - vii. amend any timetable in the RFP;
 - viii. amend this RFP, or any associated documents, by the issue of a written amendment notice;
 - ix. consult with the public and/or any other party interested in the delivery of the required Services;
 - x. notify all other Potential providers and offer any of the other Potential providers the opportunity to amend their Proposals where, as a result of one or more proposals received or for any other reason, the Ministry decides to change the Services that the Ministry intends to purchase;
 - xi. negotiate and/or conclude a formal contract with any party, whether or not that party has submitted a Proposal;
 - xii. negotiate concurrently with one or more Potential provider pending execution of an agreed contract by the Ministry;
 - xiii. negotiate with any Potential provider or providers, at any time before or after acceptance of a Proposal, and upon any terms and conditions;
 - xiv. not accept the lowest priced Proposal(s);
 - xv. amend the Indicative Service Specifications during contract negotiations;
 - xvi. not enter into any contract in relation to the matters described in this RFP.
 43. A decision to select a Proposal may be conditional, for example, subject to certain revisions being agreed. It is likely that such conditions will be discussed with the Potential providers before negotiations commence towards written agreement.

Evaluation criteria and weightings

44. Proposals will be evaluated against the criteria and weightings, which will be judged by the Ministry at its sole discretion.
45. Potential providers **must** first meet the Minimum Standards set out below. Potential providers should note that these Minimum Standards are **mandatory** and that failure to provide adequate evidence of how these standards are met may result in exclusion from the tendering process:

Minimum Standards	
Response format	Proposals are formatted and answered sequentially in accordance with all questions in Part E
Insurance	Confirmation that the organisation has adequate insurance cover
Referees	Details of at least two referees for whom you have provided and demonstrated the ability to provide these (or similar relevant) Services
Statement of Compliance	The Statement of Compliance is completed
Declaration for Potential providers	The Proposal is signed by an authorised signatory
Declaration of Interest	The Conflict of Interest declaration is completed

46. Each Potential provider(s) complying with the Minimum Standards will then be subject to a quality and commercial evaluation. The quality analysis will:
- i. ensure the Potential provider(s) have met the service requirements as set out in Part C – The Services; and
 - ii. ensure the Potential provider(s) have answered the questions in Part E – Information Required.
47. The commercial analysis will ensure the Potential provider's financial offer provides value for money in relation to their quality score.
48. The criteria and weightings for the quality and commercial aspects of the evaluation are set out below:

Price / Quality Ratio		Criteria	Weighting
Price	30%	Ability to deliver a full range of required services across a region at a reasonable price per FTE	100%
Quality	70%	Organisational strength and stability requirements	12.5%
		Ability to deliver the required Services	15%
		Successful experience in delivery of similar services	7%
		Capability of staff proposed to deliver the required Services	15%
		Alignment of Services with the health and social service sector	10%
		Performance and Quality measures to ensure the quality of Services	7.5%

		Ability to deliver all clinical and public health services required in a region	3%
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Shortlist presentations

49. The Ministry may, at its sole discretion, request a shortlist of Potential providers to provide a presentation of their Proposal, skills, experience, key attributes of personnel, and/or to demonstrate an understanding of the Service requirements described in this RFP.
50. Notice of any presentations and an outline of expectations for the contents will be provided to the relevant Potential providers as and if required.

Acceptance process

51. The Ministry will notify preferred provider(s) (if any) in writing if its Proposal has been selected.
52. Unless otherwise notified, your Proposal may be selected by the Ministry at any time from the date that the preferred Proposal will be identified in paragraph 15. Unless invited by the Ministry, your Proposal may not be amended or withdrawn after that date.
53. Upon selection by the Ministry of a preferred Proposal(s), the Ministry and the preferred provider(s) will enter into negotiations with a view to entering into a contract on the basis of this RFP and the indicative contract terms (Appendix A). Where the date for the signing of the contract(s) in paragraph 15 needs to be extended, the Ministry will advise the preferred providers it is negotiating with.
54. Unsuccessful Potential providers, who have not already been notified, will be notified in writing by the Ministry that their Proposals have not been successful once a contract has been executed between the Ministry and the preferred provider.

Contract

55. An indicative contract is attached (Appendix A). Inclusion of the contract at this stage is to inform you about the Ministry's standard terms and conditions and to assist you to plan your Proposal. If there are clauses of the contract that your organisation will not accept, please identify them in your Proposal and by completing the table in Appendix B. Your Proposal should explain the difficulty and, if you wish, suggest an alternative approach.
56. The Ministry's selection of a preferred provider will be influenced by the willingness of the provider to negotiate a contract that meets the Ministry's requirements, in a responsive and co-operative manner.
57. The Ministry reserves the right to amend any part of the indicative contract before and during negotiations.
58. Also included are indicative Service Specifications (Appendix C). Potential providers may choose to be considered for all or some of the Services indicated in this Service Specification. Potential providers are required to indicate which Services within the Service Specifications they wish to be considered for within their Proposal using the response template in Part E.

General

59. This RFP may result in negotiations with a view to entering a contract for services, but of itself is not an offer that Potential providers accept by submitting Proposals. Instead, this RFP is to be based on common law relating to Proposals, being that the RFP is an invitation to treat and each Proposal is an offer upon which the Ministry may negotiate with a view to acceptance once a written contract is executed. Accordingly, Potential providers should take note that in relation to Proposals submitted, negotiations entered into before execution of a written contract are negotiations only, and are not binding until the execution of a written contract. In this context, your attention is drawn to the proposal selection process in paragraphs 37 – 43 inclusive.
60. The Ministry is not liable (whether in contract, tort or otherwise) for any liability, loss (including a direct, indirect or consequential loss), cost or expense arising from your Proposal or from the preparation or lodgement of your Proposal.
61. Potential providers and their officers, employees, agents and advisers must not engage in any collusion, anti-competitive conduct or any similar conduct with any other Potential providers or person in relation to the preparation or lodgement of their Proposals.
62. This RFP, and any contract(s) that may be established as the result of this RFP, is governed by New Zealand law.
63. Proposals shall remain valid for a period of 180 days from the Closing Date set out in paragraph 15.
64. By responding to this RFP, you accept the terms and conditions of this RFP and the RFP process.

Health promoting and inclusive behaviour

65. It is important that you promote good health. The Ministry looks favourably on organisations that practise behaviour that enhances health, and facilitate participation by people with disabilities. This includes such things as taking account of and applying the broad strategic direction for the health and disability sectors under the New Zealand Health Strategy and the New Zealand Disability Strategy. It also includes improving Māori health outcomes and reducing Māori health inequalities. You must be a good employer and have health promoting policies and practices in your workplace. These may include such things as equal employment opportunities, a smoke-free workplace, a responsible host policy, a nutrition policy etc. Your Proposal should summarise how these practices and abilities work within your organisation and provide examples of your organisation's efforts to promote good health.

Whānau Ora

66. The Government has made clear its intention to support new ways of delivering health and social services. Whānau Ora is a key cross-government work programme that involves facilitating positive and adaptive relationships within whānau, and recognising the interconnectedness of health, education, housing, justice, welfare and lifestyle as elements of whānau wellbeing.
67. The Whānau Ora outcomes within *Te Puāwaiwhero: The Second Māori Mental Health and Addiction National Strategic Framework 2008 - 2015* represents high-

level commitments that should inform any analysis of progress towards gambling harm prevention and minimisation outcomes.

Māori health

68. Your Proposal should take into account the Government's priority objective to improve the health status of Māori by reducing and eliminating the health inequalities that affect Māori.

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PART C - THE SERVICES

69. In order to prevent and minimise harm from gambling, the Ministry is seeking to procure services consisting of one or more service providers to deliver the Preventing and Minimising Gambling Harm Service Specifications for Intervention and Public Health Purchase Units (refer Appendix C).
70. The Ministry anticipates contracting with a mix of service providers regionally and nationally. Providers may deliver only intervention purchase units, others may deliver only public health purchase units, and others may deliver a combination of both. Ultimately the Ministry will, wherever practicable, seek to ensure a comprehensive range and mix of services within any given region of New Zealand.
71. Potential providers should review all intervention and public health purchase units identified in Appendix C and consider which services to submit Proposals for. Appendix D provides an indicative list of the scale of services the Ministry consider are required in each region of Aotearoa / New Zealand. Potential providers are required to identify which region(s) they wish their Proposal to be considered for, and the scale of service your organisation is capable of providing in each region. Confirmation of which purchase units, which regions and the scale of service capable of being delivered should be identified in your Proposal using the reporting template in Part E of this RFP.
72. All service providers delivering intervention purchase units are required to deliver:
- i. Kaumātua Consultation and Liaison: PGA CS – 01
 - ii. Workforce Development: PGA CS – 02
 - iii. Participation in Research and Evaluation: PGA CS – 03
73. Potential providers may choose to submit for some or all of the remaining intervention purchase units in their Proposal except *Helpline and Information Services* (PGCS – 01). A separate procurement process relating to *Helpline and Information Services* is being undertaken by the Ministry. However, service providers who do not deliver all purchase units must show evidence of how they will work with other providers to ensure that the full range of services to prevent and minimise gambling harm are provided locally and regionally in an effective and complementary manner.
74. All service providers delivering public health purchase units are required to deliver:
- i. Kaumātua Consultation and Liaison: PGA PH – 01
 - ii. Workforce Development: PGA PH – 02
 - iii. Participation in Research and Evaluation: PGA PH – 03
75. Potential providers may choose to submit for some or all of the remaining public health purchase units in their Proposal. However, service providers who do not deliver all purchase units must show evidence of how they will work with other providers to ensure that the full range of services to prevent and minimise gambling harm are provided locally and regionally in an effective and complementary manner.