

## Unsolicited proposals

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### 1. Overview

#### 1.1. Objective

The purpose of this policy is to provide a consistent, fair and transparent method for Sydney Water to receive and evaluate unsolicited proposals.

#### 1.2. Scope

This policy applies to all unsolicited proposals above \$50,000 (ex GST) in value submitted to Sydney Water by proponents, except for:

- unsolicited proposals for privately financed projects, which are processed and evaluated using Treasury Circular TC06/25 and the National PPP Guidelines.
- unsolicited requests for sponsorship, which are processed using Sydney Water's Sponsorship Policy.

#### 1.3. Summary

Unsolicited proposals can provide a source of innovative ideas about how to improve the delivery of Sydney Water's services. Sydney Water recognises these potential benefits and encourages such proposals.

## 2. Policy

### 2.1. Eligibility

To be considered, an unsolicited proposal must:

- be genuinely innovative in its potential to enhance Sydney Water's service delivery capability, business processes, or the utilisation of resources or assets
- not be covered by existing procurement or research activities being undertaken by Sydney Water.

Unsolicited proposals are not to be used to avoid complying with Sydney Water's normal procurement process.

### 2.2. Proposal submission

The proponent should submit a hardcopy and electronic copy of the proposal to Sydney Water marked to the attention of the Chief Procurement Officer. An unsolicited proposal must contain sufficient information to enable Sydney Water to conduct an appropriate evaluation, including:

- details of the proponent and relevant experience
- explanation of the concept of the proposal and details of the innovative features
- status of the concept and future development required

- sufficient details to enable a 'proof of concept' evaluation
- relevance of the innovation to Sydney Water, its area of application and how it could be implemented
- the perceived benefits and risks of the proposal and its implementation
- details of costs, financial and commercial aspects
- details of the proposed contribution (if any) sought from Sydney Water
- details of information identified by the proponent to be confidential
- details of any intellectual property ownership and issues.

The information identified by a proponent as being confidential will be treated as confidential unless:

- it is already in the public domain
- it is already known to Sydney Water
- it is required to be disclosed by law.

Proponents are entirely responsible for any costs incurred in the preparation and submission of unsolicited proposals.

### **2.3. Proposal evaluation**

Sydney Water's Chief Procurement Officer will be responsible for managing the proposal evaluation. Sydney Water will evaluate a proposal against the following criteria:

- eligibility as an unsolicited proposal under this policy:
  - a) If Sydney Water agrees the proposal qualifies, it will continue to evaluate the proposal against the remaining criteria.
  - b) If Sydney Water does not agree that the submission is an 'unsolicited proposal' it will return the submission to the proponent.
- provision of sufficient information to allow meaningful consideration
- extent of development of concept
- alignment with Sydney Water's strategic plan, business plans and strategies
- meeting a genuine business need of Sydney Water
- degree of merit and provision of a tangible benefit to Sydney Water
- level of risk
- commercial viability and demonstration of value for money to Sydney Water
- extent of emerging innovation in the market.

Sydney Water may rank proposals at its discretion against the above criteria. In order to conduct the evaluation, Sydney Water may seek additional information from the proponent or require further testing or trials.

### **2.4. Evaluation outcome**

Sydney Water will regularly inform the proponent of the progress of the evaluation and will advise the proponent of the outcome of the evaluation. Possible outcomes are that:

- the proposal does not qualify as an unsolicited proposal under this policy

- the proposal is referred to a more appropriate Government Agency
- Sydney Water does not intend to proceed further with the proposal
- further testing or trials of the proposal are required
- Sydney Water enters into direct negotiations with the proponent to establish a contract for a defined period
- Sydney Water tests the market through a competitive tender process.

In no instance is the proponent guaranteed a contract with Sydney Water.

### 3. Context

#### 3.1. Definitions

| Term                 | Definition  |
|----------------------|---|
| Proponent            | The organisation or individual submitting an unsolicited proposal.  |
| Unsolicited proposal | A written proposal for a new or innovative solution, project, product, good, service, process, system or idea that is submitted to Sydney Water on the sole initiative of the proponent and agreed by Sydney Water to qualify as an 'unsolicited proposal' under this policy. It offers a genuine innovation to Sydney Water and is not a standard commercially available product or service. |