



Australian Government

Defence

ASDEFCON (Services) V4.0

Incorporating:

Conditions of Tender

Draft Conditions of Contract

Released December 2023

Note to External Agencies

External agencies intending to use this template will need to tailor it in order to meet their specific procurement requirements (including relevant internal guidance) and should seek appropriate professional guidance as required.

Disclaimer

While every effort has been made to ensure this publication is accurate and up-to-date, any external user should exercise independent skill and judgement before relying on it. Further, this publication is not a substitute for independent professional advice and users external to Defence should obtain appropriate advice relevant to their particular circumstances.

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Use of the Coat of Arms

The terms under which the Coat of Arms can be used are detailed on the <https://www.pmc.gov.au/honours-and-symbols/commonwealth-coat-arms> website³.

Feedback

All feedback on this publication and suggestions for improvement should be sent to:

procurement.ASDEFCON@defence.gov.au.

¹ <https://creativecommons.org/licenses/by/4.0/>

² <https://creativecommons.org/licenses/by/4.0/legalcode>

³ <https://www.pmc.gov.au/honours-and-symbols/commonwealth-coat-arms>

GENERAL INFORMATION FOR USERS

PURPOSE OF ASDEFCON (SERVICES)

1. *ASDEFCON (Services)* is a tendering and contracting template for use in engaging consultants, professional service providers and other contractors to provide services to Defence (where there are no suitable Panel arrangements in place). By using a standard template for these types of procurements, the Department of Defence aims to minimise the cost of tendering and the duration of negotiations.
2. For further information on selecting and tailoring *ASDEFCON (Services)*, template users should refer to the *Contract Template Selection and Tailoring Guide* which can be accessed via the intranet and internet sites listed in paragraph 9.
3. *ASDEFCON (Services)* is designed for procurements that are both subject to and not subject to the additional rules as detailed in Division 2 of the *Commonwealth Procurement Rules*. For information on whether a procurement is subject to the additional rules refer to the 'Exemptions from Division 2 of the Commonwealth Procurement Rules' which is available here:
<https://www.finance.gov.au/government/procurement/commonwealth-procurement-rules>.

STRUCTURE OF ASDEFCON (SERVICES)

4. *ASDEFCON (Services)* contains the following sections:
 - a. Preliminary pages, including covering letter with Matrix of Changes attachment;
 - b. Part 1: Conditions of Tender - including annexes; and
 - c. Part 2: Draft Conditions of Contract - including attachments.

AMENDMENTS TO ASDEFCON (SERVICES)

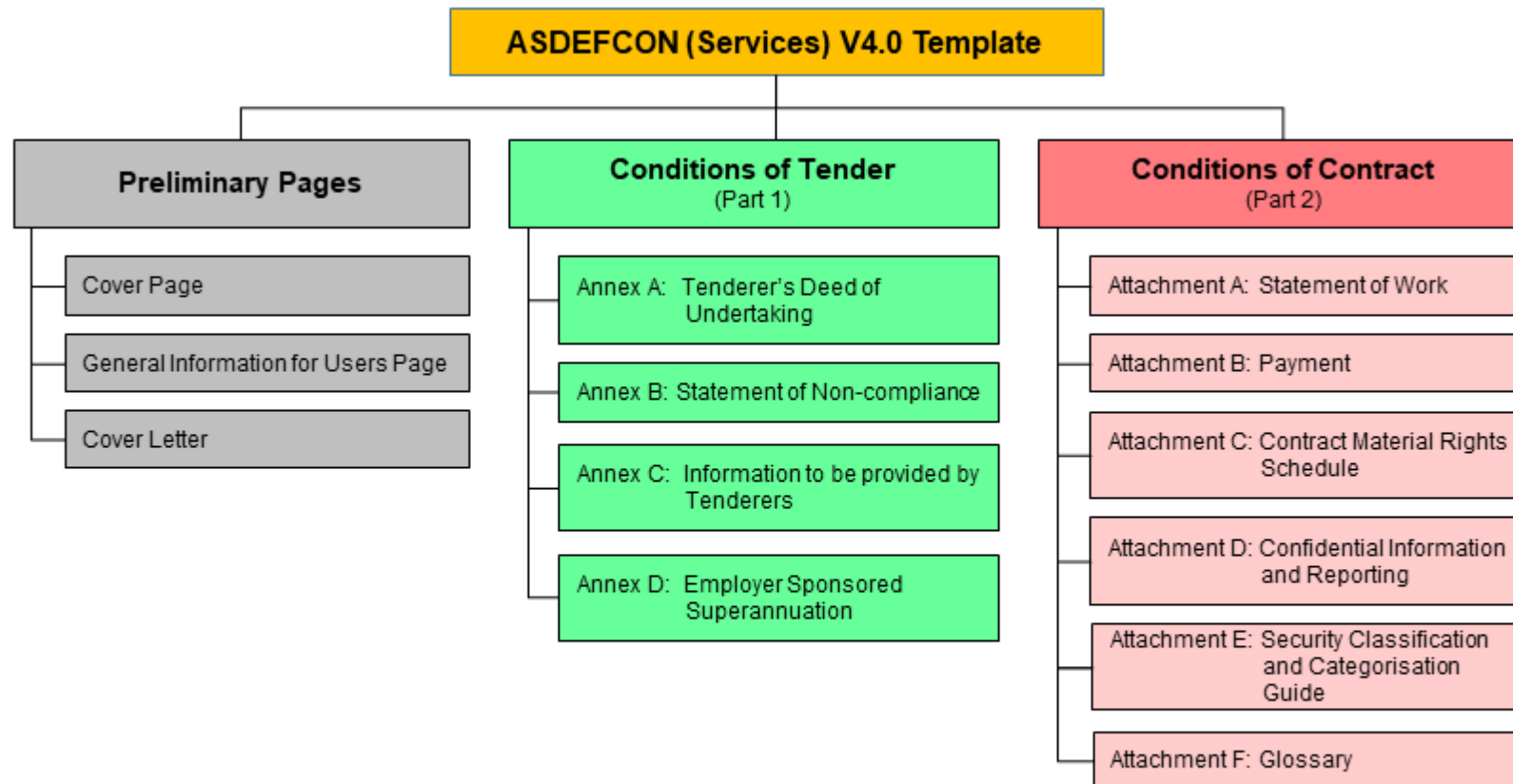
5. *ASDEFCON (Services)* is a dynamic document that will be amended on an "as required" basis to reflect changes in legislation, policy and procurement practices. Amendments to *ASDEFCON (Services)* will be released through updates to the current version or the issue of a new version of the template. All updated and new versions will be issued on the intranet and internet at the sites listed in paragraph 9.
6. Template users are also welcome to suggest changes to the template by emailing:
procurement.ASDEFCON@defence.gov.au.

CONTRACTING ASSISTANCE AND HELP DESK

7. Drafters requiring contracting advice or assistance should approach their Group or Divisional contracting support areas in the first instance. If the relevant support officer is not known, drafters should contact the relevant Executive Director Contracting (EDCON) in their respective Contracting Services area.
8. For ASDEFCON advice, including proposed updates to or advice regarding the templates please email:
procurement.ASDEFCON@defence.gov.au.

DISSEMINATION OF ASDEFCON (SERVICES)

9. *ASDEFCON (Services)* can be downloaded from the CASG intranet via the 'ASDEFCON Suite of Tendering and Contracting Templates' webpage at the following address:
<http://drnet.defence.gov.au/casg/commercial/CommercialPolicyFramework/Pages/ASDEFCON-Templates.aspx>
Or from the CASG internet site by following the 'Procurement in Defence' link to following address:
<https://www.defence.gov.au/business-industry/procurement/contracting-templates/asdefcon-suite>.





Australian Government
Defence

[INSERT DEFENCE GROUP]
[INSERT DIVISION]
[INSERT ADDRESS]
[INSERT CONTACT DETAILS]

[INSERT TENDERER'S ADDRESS]

You are invited to submit a tender in response to RFT **[INSERT RFT NUMBER]** to provide **[INSERT DESCRIPTION OF SERVICES]**.

[INSERT BACKGROUND AND OVERVIEW OF REQUIREMENT]

This RFT has been prepared utilising the *ASDEFCON (Services)* template, with material amendments to the template identified in the Matrix of Changes at Attachment A to this letter. While all care is taken by the Commonwealth in preparing Attachment A, it is a summation and therefore may not be complete and accurate. You should not exclusively rely on Attachment A to identify template changes in this RFT and should exercise independent skill and judgement in reading and understanding this RFT and in preparing your tender.

Tenders are to be submitted by the Closing Time specified in the Tender Details Schedule. Any questions in relation to this RFT should be directed to the Contact Officer specified in the Tender Details Schedule.

Option: For when classified information forms part of the RFT.

Note to drafters: Classified information should not be included as part of a RFT except in exceptional circumstances. Where the RFT is to include classified information, drafters should consult with their Project Security Officer.

The following documents forming part of this RFT are classified as follows:

[DRAFTER TO INSERT LIST OF RELEVANT DOCUMENTS AND THEIR CLASSIFICATION PRIOR TO RFT RELEASE].

Separate provisions for receipt of or access to classified information will be made. Application to receive or view the documents is to be made in writing to the Contact Officer specified in the Tender Details Schedule.

Subject to the conditions of tender, the proposed schedule for evaluation and negotiation is:

[INSERT RELEVANT DATES]

Tenderers should note that the above schedule is subject to change at any time and is not to be relied on by tenderers as final and definitive.

Yours sincerely

[INSERT RELEVANT SIGNATORY]

[INSERT DATE]

Attachments:

- A. Matrix of Changes

OFFICIAL

ASDEFCON (Services)

ATTACHMENT A

MATRIX OF CHANGES

Note to drafters: Drafters should complete the Matrix of Changes prior to submission of the RFT to the Project Director or delegate approving the RFT. The Project Director or delegate approving the RFT is responsible for ensuring that, wherever possible, the form of the template is adhered to and project specific tailoring of the RFT (particularly the non-SOW aspects) is kept to a minimum. This will help improve standardisation and reduce the cost of tendering.

The Project Director or delegate approving the RFT is also responsible for ensuring that the completed Matrix of Changes and a copy of the RFT package is provided to the ASDEFCON and Contracting Initiatives Directorate upon release of the RFT at:

procurement.ASDEFCON@defence.gov.au.

This information will be used for internal analysis and ongoing improvements to the template.

When providing these documents to the ASDEFCON and Contracting Initiatives Directorate, the covering email should identify the project/procurement name, the version number of the template, and the contracting officer, Legal Service Provider and CASG Legal representative (if any) involved in developing the RFT.

Drafters only need to identify material changes to the Conditions of Tender, Conditions of Tender Annexes and Conditions of Contract. The SOW aspects of the template may require more extensive tailoring to match the work scope of the procurement. Accordingly, SOW changes are not required to be captured in the Matrix of Changes table below.

Part and Title	Amended/New Clause No. and change type (Add/Modify/Delete)	Other clauses affected by the amendment	Details of Change