s22(1)(a)(ii)



www.arp.gov.au

POLICING FOR A SAFER AUSTRALIA

Sensitive:Legal

From: 5	s22(1)(a)(ii)			
Sent: Monday, 14 Oct	ober 2019 6:38 PM			
То	s22(1)(a)(ii)			
Cc: Macdonald, Alison	s22(1)(a)	ii) Jerga, Ste	fan s22(1)(a)(ii)	Black,
Christopher	s22(1)(a)(ii)	; Ryan, Nigel	s22(1)(a)(ii)	
s22(1)(a)(ii)				
Subject: FW: High Valu	ue Spending Proposa	l - John Lawler Consultir	ng [DLM=Sensitive:Legal]	

Importance: High

Sensitive:Legal

His22(1)(a)(ii)

I hope you're well.

Stefan indicated that he would mention this to you, so I hope I have not leap-frogged his phone call.

The Commissioner wishes to bring former Deputy Commissioner John Lawler on-board as a consultant until 21 January 2020, with an option to extend to 21 March 2020. The intention is for Mr Lawler to be given an AFP laptop and access to ICT systems as early as Friday this week, so we obviously need to progress this as quickly as possible.

I have forwarded the attached HVSP to $_{s22(1)(a)(ii)}$ at NPC for progression, but wanted to provide this to you now so that work can commence on an appropriate contract. I have also provided the Terms of Reference below.

Please note that the nature of this consultancy is to be closely held for now.

Thank you – please let me know if you require anything further at this stage.

Kind regards,

s22(1)(a)(ii)

Terms of Reference for the Independent Review of the Conduct of Sensitive Investigations in the AFP.

The Australian Federal Police, as the Australian Government's only policing agency, receives a range of referrals that have levels and/or aspects of sensitivity beyond those normally received. Such referrals typically have a political imperative, higher than normal levels of classification and media scrutiny, and require some form of senior management oversight. At present, sensitive investigations include matters relating to unauthorised disclosures; the application of Parliamentary privilege; espionage and foreign interference; and war crimes. In light of my public commitment to review the processes around the recent investigations involving News and the Australian Broadcasting Commission, I require a process review into the handling of sensitive investigations with a view to ensuring all aspects of their conduct (from point of referral through the authorisation and their ongoing

management) are as efficient and effective as possible and to determine whether the existing investigative policy and guidelines are fit for purpose.

Drawing, as appropriate, on case studies and consultations this review of sensitive investigations will provide my Office with options around opportunities for interventions and strategies to ensure the AFP is best placed to address sensitive investigations in the future, including the:

- a. Baselining of what constitutes a sensitive investigation
- b. Articulation of the human resources, skills, training, technology and facilities required
- c. Reformation of governance and business processes (including alternative mechanisms for referring entities beyond the AFP)
- d. Organisational structures

In the conduct of this review I require you to draw upon a small review team that I will provide to you, to consult appropriately with relevant internal and external stakeholders within the Australian Government. I expect you to work, given time constraints with reference to the work being undertaken by Ernst and Young on the AFP's future operating model and, given the public interest aspects of this review, I require an annexure to be produced with the express intent for public release should I see fit. This review is to be completed no later than 20 January 2020 and I reserve the right to request an interim report if circumstances arise whereby the full report has not been finalised. Similarly, should you in the course of your review find an issue or issues of concern I require you to bring these to my immediate attention.



Subject: High Value Spending Proposal - John Lawler Consulting [DLM=For-Official-Use-Only] Importance: High

For-Official-Use-Only

Hi s22(1)(a)(ii) THIS DOCUMENT HAS BEEN DECLASSIFIED

Please find attached a draft HVSP. Lam still completing the RATP and will forward that through asap tomorrow.

Could you please give me a ring tomorrow morning (my mobile s22(1)(a)(ii) is probably best) to discuss the HVSP?

The Commissioner wishes to bring former Deputy Commissioner John Lawler on-board as a consultant until 21 January 2020, with an option to extend to 21 March 2020. The intention is for Mr Lawler to be given an AFP laptop and access to ICT systems as early as Friday this week, so we obviously need to progress this as quickly as possible.

3

I'm happy to assist however I can; please let me know whatever else you need from me. I have had initial discussions with a/Chief Counsel regarding the procurement and the required contract. I will forward the draft HSVP to Legal now - a/Chief Counsel has indicated that they will be able to provide a contract asap this week (subject of course to NPC's approval for the procurement to progress etc).

Please note that the nature of this consultancy is to be closely held for now, hence my direct approach to you.

Please let me know if you require any further information.

Thank you.

Kind regards,

s22(1)(a)(ii)

COORDINATOR - EXECUTIVE SECRETARIAT & COMMUNICATIONS ENTERPRISE GOVERNANCE Tel · s22(1)(a)(ii) WWW.aip.gov.au



POLICING FOR A SAFER AUSTRALIA

For-Official-Use-Only

THIS DOCUMENT HAS BEEN DECLASSIFIED AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT 1982 (COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE

s22(1)(a)(ii)	
From:	s22(1)(a)(ii)
Sent:	Tuesday, 15 October 2019 6:32 AM
То:	s22(1)(a)(ii)
Cc:	Macdonald, Alison; Jerga, Stefan; Black, Christopher; Ryan, Nigel; s22(1)(a)(ii)
Subject:	RE: High Value Spending Proposal - John Lawler Consulting [DLM=Sensitive:Legal]

Sensitive:Legal

Thank you very much Emily - much appreciated.

Kind regards,

s22(1)(a)(ii)

COORDINATOR - EXECUTIVE SECRETARIAT & COMMUNICATIONS ENTERPRISE GOVERNANCE Tel + s22(1)(a)(ii)

www

AUSTRALIAN FEDERAL POLICE

POLICING FOR A SAFER AUSTRALIA

Sensitive:Legal

From	s22(1)(a)(ii)						
Sent: Monday, 14 C	October 2019 6:	52 PM					
То	s22(1)(a)(ii)						
Cc: Macdonald, Alis	on ·	s22(1)(a)(ii)	J	erga, Stefan <		s22(1)(a)(ii)	Black,
Christopher	s22(1)(a)(ii)		Ryan, Nigel	<	s2	22(1)(a)(ii)	
s22(1)(a	a)(ii)						

Subject: RE: High Value Spending Proposal - John Lawler Consulting [DLM=Sensitive:Legal]

Sensitive:Legal

Hi s22(1)(a)(ii)

I will prepare a suitable consultancy agreement as a priority. We'll aim to have a drat completed by COB tomorrow.

s22(1)(a)(ii) DEPUTY GENERAL COUNSEL (COORDINATOR) - COMMERCIAL, GOVERNANCE & STRATEGIC LEGAL CHIEF COUNSEL CHIEF COUNSEL Tel + AND \$22(17(a)(ii) ASED_IN_ACCORDANCE WITH THE www FREEDOM OF INFORMATION 1982 A(POEROYNGGEWR/EALTH) E AUSAFERIAUSTRALDAERAL POLICE AUSTRALIAN FEDERAL POLICE





Folio - 166

From:	s22(1)(a)(ii)			
Sent: Monday. 14 Octo	ober 2019 6:38 PM			
То:	s22(1)(a)(ii)			
Cc: Macdonald Alicon	s22(1)(a)(ii)	Jerga, Stefan	s22(1)(a)(ii)	Black,
Christopher	s22(1)(a)(ii)	Ryan, Nigel	s22(1)(a)(ii)	
s22(1)(a)(ii)				
Subjects FM/s Lligh Vels	o Chanding Dranasal	John Loudon Consulting [DIA	A Canaitinal anall	

Subject: FW: High Value Spending Proposal - John Lawler Consulting [DLM=Sensitive:Legal] Importance: High

Sensitive:Legal

Hi s22(1)(a)(ii)

I hope you're well.

Stefan indicated that he would mention this to you, so I hope I have not leap-frogged his phone call.

The Commissioner wishes to bring former Deputy Commissioner John Lawler on-board as a consultant until 21 January 2020, with an option to extend to 21 March 2020. The intention is for Mr Lawler to be given an AFP laptop and access to ICT systems as early as Friday this week, so we obviously need to progress this as quickly as possible.

I have forwarded the attached HVSP tc s22(1)(a)(ii) at NPC for progression, but wanted to provide this to you now so that work can commence on an appropriate contract. I have also provided the Terms of Reference below.

Please note that the nature of this consultancy is to be closely held for now.

Thank you – please let me know if you require anything further at this stage.

Kind regards,

s22(1)(a)(ii)

Terms of Reference for the Independent Review of the Conduct of Sensitive Investigations in the AFP.

The Australian Federal Police, as the Australian Government's only policing agency, receives a range of referrals that have levels and/or aspects of sensitivity beyond those normally received. Such referrals typically have a political imperative, higher than normal levels of classification and media scrutiny, and require some form of senior management oversight. At present, sensitive investigations include matters relating to unauthorised disclosures; the application of Parliamentary privilege; espionage and foreign interference; and war crimes. In light of my public commitment to review the processes around the recent investigations involving News and the Australian Broadcasting Commission, I require a process review into the handling of sensitive investigations with a view to ensuring all aspects of their conduct (from point of referral through the authorisation and their ongoing management) are as efficient and effective as possible and to determine whether the existing investigative policy and guidelines are fit for purpose.

AND RELEASED IN ACCORDANCE WITH THE

Drawing, as appropriate, on case studies and consultations this review of sensitive investigations will provide my Office with options around opportunities for interventions and strategies to ensure the AFP is best placed to address sensitive investigations in the future, including the:

- BY THE AUSTRALIAN FEDERAL POLICE Baselining of what constitutes a sensitive investigation
- a. Baselining of what constitutes a sensitive investigationb. Articulation of the human resources, skills, training, technology and facilities required

- c. Reformation of governance and business processes (including alternative mechanisms for referring entities beyond the AFP)
- d. Organisational structures

In the conduct of this review I require you to draw upon a small review team that I will provide to you, to consult appropriately with relevant internal and external stakeholders within the Australian Government. I expect you to work, given time constraints with reference to the work being undertaken by Ernst and Young on the AFP's future operating model and, given the public interest aspects of this review, I require an annexure to be produced with the express intent for public release should I see fit. This review is to be completed no later than 20 January 2020 and I reserve the right to request an interim report if circumstances arise whereby the full report has not been finalised. Similarly, should you in the course of your review find an issue or issues of concern I require you to bring these to my immediate attention.

s22(1)(a)(ii) COORDINATOR - EXECUTIVE SECRETARIAT & COMMUNICATIONS ENTERPRISE GOVERNANCE Tel +6 s22(1)(a)(ii) www.afp.gov.au



POLICING FOR A SAFER AUSTRALIA

Sensitive:Legal

From: s22(1)(a)(ii)		
Sent: Monday, 14 October 2019 6:32 PM		
To: s22(1)(a)(ii)		
Cc: Black, Christopher	Ryan, Nigel	s22(1)(a)(ii)
s22(1)(a)(ii)		
Subject: High Value Spending Proposal - John L	awler Consulting [DLM=For-O	fficial-Use-Only]

For-Official-Use-Only

Hi s22(1)(a)(ii)

Importance: High

Please find attached a draft HVSP. I am still completing the RATP and will forward that through asap tomorrow.

Could you please give me a ring tomorrow morning (my mobile s22(1)(a)(ii) is probably best) to discuss the HVSP?

The Commissioner wishes to bring former Deputy Commissioner John Lawler on-board as a consultant until 21 January 2020, with an option to extend to 21 March 2020. The intention is for Mr Lawler to be given an AFP laptop and access to ICT systems as early as Friday this week, so we obviously need to progress this as quickly as possible.

I'm happy to assist however I can; please let me know whatever else you need from me. I have had initial discussions with a/Chief Counsel regarding the procurement and the required contract. I will forward the draft HSVP to Legal now - a/Chief Counsel has indicated that they will be able to provide a contract asap this week (subject of course to NPC's approval for the procurement to progress etc).

Please note that the nature of this consultancy is to be closely held for now, hence my direct approach to you.

Please let me know if you require any further information.

Thank you.

Kind regards,

s22(1)(a)(ii)

COORDINATOR - EXECUTIVE SECRETARIAT & COMMUNICATIONS ENTEDDICE COVEDNANCE Tel + s22(1)(a)(ii)







POLICING FOR A SAFER AUSTRALIA

For-Official-Use-Only

THIS DOCUMENT HAS BEEN DECLASSIFIED AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT 1982 (COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE

4

FOI - CRM 2020/366

Folio - 169



Version Control: v.2.9 16/08/19

Consultancy Services – Review of Sensitive Investigations

AFP Procurement ID ①	Click or tap here to enter text.
Exempt from AusTender Reporting ①	No
Public Interest Certificate Issued ①	No
CPRs s.2.6 Applying Measures ①	Not applicable
Will this procurement involve consultancy services? ①	Yes this procurement involves consultancy services

Delegate: **Chris Black Chief of Staff**

No
No
Not applicable
Yes this procurement involves consultancy services

PURPOSE

This High Value Spending Proposal (Part A) is to:

- Specify the background, requirement/s and risks associated with the proposed procurement activity:
- Describe the procurement methodology to be undertaken; and
- Obtain PGPA Delegate approval, in accordance with the Public Governance, Performance and Accountability (PGPA) Act 2013 and the Commonwealth Procurement Rules (CPRs), to progress with the procurement activity to an Approach to Market (ATM) with the intent to commit and enter into a contractual arrangement with a supplier that represents Value for Money (VFM).

INDIGENOUS PROCUREMENT POLICY

This procurement:

I does not fall within the Indigenous Procurement Policy (Mandatory Set Aside Policy) for the following reason: the procurement meets rule s.10.3 conditions for limited tender applies CUMENT HAS BEEN DECLASSIFIED

does fall within the Indigenous Procurement Policy (Mandatory Set Aside Policy) as its estimated total contract value is between \$80,000 and \$200,000.

DOM OF INFOR A | | ()In stimulating Indigenous entrepreneurship and business development the procuring business area has undertaken the following: (COMMONWEALTH)

No action taken to identify potential Indigenous suppliers RAL POLICE

For-Official-Use-Only

FOInseCRM 2020/366

[₽]₱₽₽1i6¹⁴170



Version Control: v.2.9 16/08/19

BACKGROUND

Commissioner Kershaw has requested a process review into the handling of sensitive investigations. The review will ensure that all aspects of such investigations are as efficient and effective as possible, and will determine whether the existing investigative policy and guidelines are fit for purpose.

THE REQUIREMENT

The final report is required to be completed by no later than 20 January 2020. Commissioner Kershaw may request interim reports as required prior to the completion of the final report. An annexure is also to be produced that is capable of being publically released at the Commissioner's discretion.

The review team will comprise an external consultant and a small team of internal AFP appointees. There will be a need for the consultant to access AFP premises, have access to an AFP laptop and ICT systems and to access AFP information including case material concerning current and former sensitive investigations.

The review team will engage with internal and external stakeholders and will have reference to the work being undertaken by Ernst and Young regarding the AFP's future operating model.

Has a detailed 'Statement of Requirements (SOR)' been completed? X Yes I No

CONTRACT VALUE

The below table is the <u>maximum</u> estimated values for the contract initial term and any applicable options.

The PGPA Delegate approval will cover the Contract Initial Term value only. Prior to executing any contract variations/extensions new PGPA Delegate approval will need to be obtained.

Initial Term	AUD s47G (GST inclusive) per day	
Option(s)	AUD: s47G (GST inclusive) per day for all options	
Total Maximum Contract Value	AUD s47G (GST inclusive) – a maximum of 50 days	
THIS DOCUME	NT HAS BEEN DECLASSIFIED	
Cost Centre D B00250 ASED IN A Internal Order CE XCOSTH THE		
Does this procurement involve the purchase of assets?		
Does this procurement relate to gifting?		

For-Official-Use-Only

Folio - 171



Version Control: v.2.9 16/08/19

Type of contract to be executed:	AFP Contract (prepared by AFP Legal)

CONTRACT TERM

Initial Term	14 October 2019 to 21 January 2020
Option(s)	1 x 2 month option to extend, to 21 March 2020
Total Maximum Contract Term	5 months

RISK ASSESSMENT

A <u>Risk Assessment and Treatment Plan (RATP)</u> has been undertaken in accordance with the <u>AFP</u> <u>National Guideline on risk management</u> and the <u>National Guideline on procurement and contracting</u>. The RATP considers all operational, business and procurement-related risks; and is attached at Appendix A.

The overall risk of this procurement activity is Choose an item..

METHOD OF PROCUREMENT

The procuring business area has undertaken a risk assessment and has identified the most appropriate and compliant approach to market to be: *(select one and delete all others)*

a) A **Limited Tender** utilising the following Division 2 Conditions for limited tender of the <u>CPRs</u>: 10.3 d) when the goods and services can be supplied only by a particular business and there is no reasonable alternative or substitute for one of the following reasons; iii. due to an absence of competition for technical reasons.

AND RELEASED IN ACCORDANCE WITH THE The use of Limited Tender is justified for the following reasons:

Mr Lawler AM APM is a former Deputy Commissioner of the AFP, with extensive experience in relation to the AFP's operational activities and specific experience in relation to sensitive investigations. Mr Lawler has also undertaken numerous critical reviews for other Australian Government and State/Territory Government agencies. Mr Lawler holds strong professional



Version Control: v.2.9 16/08/19

relationships with relevant internal and external stakeholders which will facilitate the completion of the review within the Commissioner's required timeframes. Mr Lawler's corporate knowledge of the AFP, combined with his extensive investigations and review skillsets and experience, mean that he is unparalleled in the provision of these particular consultancy services within the required timeframe.

This approach will be to the following supplier/s:

John A Lawler AM APM Consulting (ABN: 55 285 009 566)

Note: In accordance with the <u>Commissioner's Financial Instructions (CFIs) Annexure A</u> <u>Schedule of Delegations and Authorisations</u>, only the following members may approve the use of applying measures:

- a Deputy Commissioner (DC) and Chief Financial Officer (CFO) or
- the Chief Operating Officer (COO) and the CFO

VALUE FOR MONEY

Every AFP procurement must achieve value for money (VFM) (CPRs section 4 'Value for money').

Price must not be the sole factor in assessing value for money. AFP Officials must consider the relevant financial and non-financial costs and benefits of their procurement activity i.e. quality, fitness-for-purpose, experience, past performance, flexibility of the proposed solution, environmental sustainability, physical and information security, destruction and disposal, and whole-of-life costs.

Elements to Value for Money

FOI^{ns}C帮机 2020/366

The procuring business area confirms this procurement will achieve VFM for the AFP as it: (select all that apply):

- □ Encourages competition and is non-discriminatory (approaching multiple suppliers)
- ☑ Uses public resources in an efficient, effective, economical and ethical manner
- ☑ Facilitates accountable and transparent decision making
- Encourages appropriate engagement with risk
- ☑ Is commensurate with the scale and scope of the business requirement _____

Where all of the above elements to VFM cannot be met provide additional justification: As noted above, a limited approach has been undertaken for defensible reasons and in a manner that still provides best VFM for the AFP.

(COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE

For-Official-Use-Only



Version Control: v.2.9 16/08/19

PROCUREMENT PROCESS

The procurement process will be conducted in accordance with the <u>CPRs</u> and the <u>AFP National</u> <u>Guideline on procurement and contracting</u>. The procurement method detailed above will ensure that value for money will be achieved.

ESTIMATED PROCUREMENT TIMETABLE

A procurement timetable has been developed for this procurement activity and can be found at Appendix B.

PROCUREMENT STAKEHOLDERS

In accordance with the <u>National Guideline on procurement and contracting</u>, the following stakeholders have been consulted in preparing this Spending Proposal (PART A) (select all that apply):

- AFP Legal Insert LEX ref #
- National Armoury
- □ Security
- □ ICT Assets Team

Technology & Innovation (T&I)* Insert DAF TA ref #
 Portfolio Financial Representative
 National Assets Team
 [list other]

Note: *Where the procurement activity relates to ICT-related goods and/or services T&I must be consulted. If supported by T&I, a Design Authority Forum (DAF) Technology Acquisition (TA) reference number will be issued. This number must entered in the field above.

In addition to the above the following stakeholders will be involved in the progression of this procurement activity.

Stakeholder name and title	Role or responsibility in procurement activity	
Chief of Staff	Client Business Area/End User	
s22(1)(a)(ii)	Project Manager (where applicable)	
Chief of Staff HIS DOCU AND RELEA FREEDOM	Contract Owner S BEEN DECLASSIFIED The AFP official accountable for outcomes enabled by the contract. Has the necessary authority to make decisions in relation to the contract and takes the actions required to manage the AFP obligations and optimise ongoing value for money.	
s22(1)(a)(ii) BY THE A	Contract Manager The AFP official who is responsible for completing the activities and tasks required to manage the terms, conditions, outputs and AFP obligations under the contract.	



Version Control: v.2.9 16/08/19

Stakeholder name and title	Role or responsibility in procurement activity
s22(1)(a)(ii)	Contract Administrator
	The AFP official who performs the activities and tasks necessary to administer the contract, and is directed and instructed by the Contract Manager and guided by the relevant contract management plan.
Not applicable	Evaluation Committee (recommend three members)
	(Chair + Panel Members)
	The AFP officials who will evaluate all responses (i.e. tenders or quotations) in response to the ATM against the below evaluation criteria to identify the preferred supplier that represents Value for Money (VFM).

CONFLICT OF INTEREST

All stakeholders who may have influence over this procurement activity are required to complete a Conflict of Interest Declaration in accordance with the Department of Finances guidance on <u>Ethics and</u> <u>Probity in Procurement</u>.

Stakeholders required to complete Declarations include:

- (a) the PGPA Delegate;
- (b) AFP Appointees (substantive and contracted);
- (c) SMEs and advisers; and
- (d) Evaluation Committee members.

All stakeholders who may have influence over this procurement activity have completed a Conflict of Interest Declaration and:

- I no perceived or actual conflicts have been identified; or
- □ the following perceived or actual conflicts have been identified:

NPC COMPLIANCE REVIEWENT HAS BEEN DECLASSIFIED

National Procurement and Contracts (NPC) has conducted a compliance review of this spending proposal.



Version Control: v.2.9 16/08/19

Based on the information provided by the procuring bu spending proposal as:	siness area NPC has reviewed this	
\Box compliant with the relevant Government pr	ocurement framework	
□ non-compliant with the relevant Governme	nt procurement framework	
NPC make the following additional comments/recomm	endations:	
Click or tap here to enter text.		
AFP Legal consultation required:		
Name	Signature	
Name	Signature	
· · · · · · · · · · · · · · · · · · ·	Select date here	
Title and AFP No.	Date reviewed	

RECOMMENDATION

I, as the Recommending Officer, have considered NPC's compliance review and comments and:

□ recommend this procurement activity be progressed; or

□ do not recommend this procurement activity be progressed (as it is non-compliant).

Recommending Officer's comments:

Click or tap here to enter text.

 Name
 Signature

 THIS DOCUMENT HAS
 Select date here LASSIFIED

 Title and AFR No.
 RELEASED IN ACCORD ACC E WITH THE

 FREEDOM OF INFORMATION ACT 1982

PGPA DELEGATE APPROVADMMONWEALTH)

Procurement Title Review of Sensitive Investigations ERAL POLICE



Version Control: v.2.9 16/08/19

AFP Procurement ID			· · ·	
Contract Initial Value	Maximum of AUD	s47G	(GST Inclusive)	
Contract Initial Term	5 months			· ·
l, as the relevant PGPA	Delegate, am satisfied	l that:		
 policies and legisla <u>Accountability Act</u> <u>Commissioner's F</u> <u>contracting.</u> I hold the appropridelegation to cove Conflicts of Interest managed. 	ative requirements set <u>2013</u> , the <u>Commonwe</u> <u>inancial Instructions</u> , a ate PGPA delegation a r any resulting commit st Declarations have be	out in the <u>F</u> alth Procur nd the <u>AFP</u> and have su ment. een declare	ed Australian Government pro <u>bublic Governance Performanc</u> <u>ement Rules (CPRs),</u> the <u>National Guideline on procure</u> officient funds within my area of d, documented and appropriat ective, economical and ethical	<u>e and</u> ement and of ely
PGPA Delegate approv	val:			
Approved to Approa	ach to Market (ATM)		ot approved to Approach to Mark	et (ATM)
Delegate Name	 	Deleg	ate Signature	
		Selec	t date here	

THIS DOCUMENT HAS BEEN DECLASSIFIED AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT 1982 (COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE

FOIns CRM 2020/366

For-Official-Use-Only

For-Official-Use-Only



High Value Spending Proposal

Version Control: v.2.9 16/08/19

RISK ASSESSMENT AND TREATMENT PLAN

The Risk Assessment and Treatment Plan (RATP) template can be accessed here

For further assistance in completing this RATP refer to the AFP Risk Management Framework which should be read in conjunction with <u>Guideline on Risk Management</u>

Further advice can be obtained by contacting the Strategic Risk Team.

THIS DOCUMENT HAS BEEN DECLASSIFIED AND RELEASED IN ACCORDANCE WITH THE FREEDOM OF INFORMATION PCT 1982 (COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE

For-Official-Use-Only

Insert Date

For-Official-Use-Only



High Value Spending Proposal

Version Control: v.2.9 16/08/19

Appendix B

ESTIMATED PROCUREMENT TIMETABLE

Step	Key activities	Estimated completion date
1. Plan the procurement	 Consult with stakeholders, consider alternatives to procuring and understand the objective or issue the procurement activity is intended to achieve/correct. Scope the requirement (in-scope/out-of-scope). Consider how you will conduct the evaluation and identify value for money. Conduct market research. Estimate the procurement whole-of-life value. Check for Whole-of-Government arrangements or AFP contracts/panel arrangements. Check Supply Nation for suitable Indigenous suppliers. Consider risk, probity and conflicts of interest. 	Estimated completion date: 14 October 2019
2. Obtain approval to approach the market	 Depending on the scale, complexity and value of the procurement activity complete a detailed Scope of Works (SoW)/Statement of Requirement (SoR). Complete the relevant Spending Proposal (PART A) Approval to approach the market template and relevant risk assessment document/s. Forward completed Spending Proposal (PART A) and completed risk assessment document/s to NPC for compliance review where the value is at or above \$80,000 (GST inclusive) or involves consultancy services. Completed Spending Proposal (Part A) and risk assessment document/s to PGPA Delegate for consideration and approval. 	Estimated completion date: 15 October 2019
THIS D AND RI FREI BY T	Note: UMENT HAS BEEN DECLASS This is where you formally document the decisions and justifications from Step 1; while informing the PGPA Delegate of the procurement activity and ensuring there is sufficient funding available before approaching the market.	SIFIED H THE 982 ICE



High Value Spending Proposal

Version Control: v.2.9 16/08/19

[Limited approach to market.	Estimated completion date:
3.	Evaluate and		15 October 2019
	identify the		
	preferred		
	supplier		(Allow 2+ weeks)
		- Complete the appropriate form of contract as	Estimated completion date:
		approved in the Spending Proposal (PART A).	18 October 2019
		 PGPA Delegate reviews the completed Spending 	
		Proposal (PART B) along with the prepared	
		contract; and if supportive signs both documents.	
1	Execute the	- Contract is sent onto the preferred supplier for	
4.		signature. Once signed the contract is now	
	contract (place the order)	considered 'executed'.	
	the order)		
		Note: The use of the Commonwealth Contracting Suite	
		(CCS) is mandatory for procurements valued up to	
		\$200,000 (GST inclusive) with the exception to	
		those under panel arrangements, ICT-related	
		procurements or those with international suppliers.	
		- Register the executed contract on <i>Insight!</i> within 7	Estimated completion date:
		business days from the execution date. Ensure you	25 October 2019
		attach all relevant documentation to the procurement	
		activity including Spending Proposal (PART A),	
		Spending Proposal (PART B), any risk assessment	
		document/s, and the executed contract (including the	
		contract's attachments and appendices).	
		- Other relevant documents to be attached may include	
		the SoW/SoR, Col declarations, TEP, Exemptions from	
5.	Register the	AusTender Reporting form, and Public Interest	
	contract (and	Certificate (PIC).	
	raise the	- Raise a Shopping Cart under the registered Contract	
	purchase order)	ID in <i>Insight!</i> in order to generate the Purchase Order	
		(PO) number.	
	TUTO	- Once the PO number has been generated; email the	
	THIS [PO number to supplier and request they quote this	SIFIED
	AND R	number on all relevant tax invoices. Remind the supplier that all invoices are to be submitted to the	TH THE
	FRF	E AFP electronically via email to AFP-AP-	982
		Invoices@afp.gov.au. NWEALTH)	
		THE ALLOTDALIAN FEDERAL DOL	TOF
	BY	Note: AUSTRALIAN FEDERAL POI	ICE



High Value Spending Proposal

Version Control: v.2.9 16/08/19

	 The above guidance is provided where a contract is executed. Some steps may not apply where a separate contract has not been executed. Where the contract is valued \$10,000 (GST inclusive) or higher, and an Exemption from AusTender Reporting form has not been approved, the contract will be publically reported on AusTender. Where the procurement involves the purchase of assets ensure consultation occurs with AFP Assets. 	
6. Manage the contract and receive the goods and/or services	 Depending on the scale, complexity and value of the procurement activity complete a Contract Management Plan and/or Contractor Performance Agreement. Actively manage the supplier's performance against the statement of requirements/scope of works contained within the executed contract. Maintain appropriate AFP records and manage stakeholder expectations. Conduct witness testing, handovers and/or AFP acceptance of goods/services in accordance with the contract's terms and conditions, and manage any relevant defects liability periods, warranty periods, maintenance and support periods. Conduct Contract Management/Contractor Performance Review Reports as required. Consider any transition-out or end of contract activities that need to be planned/actioned. 	Estimated completion date: No later than 21 March 2020
7. Payment of invoice/s	 Review the invoice is correct and all goods and/or services have been received to a standard acceptable to the AFP (as per the contract's terms and conditions where applicable). Complete a 'Confirmation' in <i>Insight!</i> and email the confirmation number to <u>Accounts and Client</u> <u>Services.</u> 	Within 20 calendar days of receipt of invoice. (Allow 1 day)
THIS I AND R FRE	Note: All correctly rendered invoices valued under \$1M must be paid within 20 calendar days from receipt or late payment fees will apply.	SIFIED TH THE 982

(COMMONWEALTH) BY THE AUSTRALIAN FEDERAL POLICE

FOI 105€ RM 2020/366

For-Official-Use-Only



High Value Spending Proposal

Version Control: v.2.8 16/08/19

Insert Date

FOI - CRM 2020/366

APPENDIX C

CONFLICT OF INTEREST DECLARATION

 Name:
 s22(1)(a)(ii)

 Title:
 Coordinator

- 1. I have been asked to disclose any interest that I may have which would preclude me from participating in the procurement for the provision of consultancy services.
- 2. To the best of my knowledge and belief I have not had, and do not have, any relationship, either personal, financial or professional, with any potential supplier, or employee or adviser of any potential supplier, such that a potential supplier, or any employee or adviser of a potential supplier, or myself or a member of my direct family, could benefit personally in some way from the outcome of the procurement process.
- 3. I am aware of the AFP's requirement for strict probity in the procurement process and if I subsequently discover that there is a relationship of a kind mentioned in paragraph 2 of this Declaration with any potential supplier, I will immediately report it to the Recommending Officer and/or Delegate.
- 4. I will also immediately report to the Recommending Officer and/or Delegate any direct or indirect contact that I have with any potential supplier, or any employee or adviser of any potential supplier, which is not officially authorised, including any approach made to me in the way of a direct or implied offer of future employment or other benefit.

Dated the	14 day of October 2	019		
Signed:			•••••	•
Name:	s22(1)(a)(ii)			
Address:	AND RELEA	Building UMENT HAS ASED IN ACC M OF INFOR (COMMON AUSTRALIAN	CORDANCE MATION AG WEALTH)	WITH T CT 1982

For-Official-Use-Only

Page 13 of 14 Folio - 182