# Drafting guidance (to be deleted prior to discussions with tenderers)

*[DRAFTING GUIDANCE: The purpose of this document is to capture all of the issues that will be subject to negotiations with your preferred Tenderer(s). As well as detailing the issues subject to negotiation, this document also captures commentary of your organisation’s negotiating position, together with outstanding actions arising from each negotiation issue. The log is divided into two parts. Part A is the first five columns of the log and is intended for release and discussion with your preferred tenderer. Part B (columns highlighted in grey) includes your organisation’s internal negotiation discussions which should not be released to your preferred tenderer under any circumstances.]*

# Introduction and Purpose

This Negotiation Log outlines the issues which [*insert your TAFE’s name*] intends to discuss with [i*nsert tenderer’s name*] during the negotiation phase of the procurement process. It is intended that this negotiation log will continue to be populated throughout the process with additional negotiation issues for discussion captured as they become evident.

For each negotiation Issue, the negotiation log will include:

* A reference number relating to each negotiation item, grouped by evaluation category (i.e. commercial, technical, legal, etc.)
* Relevant background information, including extracts from the [insert tenderer’s name] proposal, any further clarification responses and other relevant information
* The specific requirements that [*insert your TAFE’s name*] would like [insert tenderer’s name] to address
* [Insert tenderer’s name]’s response to the specific negotiation issue based on [*insert your TAFE’s name*]’s requirement (with reference to any attachments separately provided)
* Status of negotiation issues (High, Medium and Low Priority)
* Detail of the agreed position and how this will be implemented within the proposal (i.e. revised contractual clause drafting or revised drawings submitted).

The status of each negotiation log issue can be classified using the below colour coding with the drop down box in the table:

|  |  |
| --- | --- |
| High Priority |  |
| Medium Priority |  |
| Low Priority |  |

| *For negotiation discussions with [insert tenderer]* | | | | | | *For internal negotiation discussions only* | | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Ref | Background/ *[insert tenderer’s name]* position | *[Insert your TAFE’s name]* requirement | *[Insert tenderer’s name]* response | Status | Agreed position by *[insert your TAFE’s name]* | *[Insert your TAFE‘s name]* comment/ discussion | *[Insert your TAFE‘s name]* position | Actions |
| [*Insert discipline / sub panel component – i.e. Technical*] | | | | | | | | |
| 1.0 |  |  |  | Choose an item. |  |  |  |  |
| 2.0 |  |  |  | Choose an item. |  |  |  |  |
| 3.0 |  |  |  | Choose an item. |  |  |  |  |
| 4.0 |  |  |  | Choose an item. |  |  |  |  |
| 5.0 |  |  |  | Choose an item. |  |  |  |  |
| [*Insert discipline / sub panel component – i.e. Commercial*] | | | | | | | | |
| 6.0 |  |  |  | Choose an item. |  |  |  |  |
| 7.0 |  |  |  | Choose an item. |  |  |  |  |
| 8.0 |  |  |  | Choose an item. |  |  |  |  |
| 9.0 |  |  |  | Choose an item. |  |  |  |  |
| 10.0 |  |  |  | Choose an item. |  |  |  |  |
| [*Insert discipline / sub panel component – i.e. Legal*] | | | | | | | | |
| 11.0 |  |  |  | Choose an item. |  |  |  |  |
| 12.0 |  |  |  | Choose an item. |  |  |  |  |
| 13.0 |  |  |  | Choose an item. |  |  |  |  |
| 14.0 |  |  |  | Choose an item. |  |  |  |  |
| 15.0 |  |  |  | Choose an item. |  |  |  |  |
| *[Insert additional discipline/areas of negotiation]* | | | | | | | | |
| 16.0 |  |  |  | Choose an item. |  |  |  |  |
| 17.0 |  |  |  | Choose an item. |  |  |  |  |
| 18.0 |  |  |  | Choose an item. |  |  |  |  |
| 19.0 |  |  |  | Choose an item. |  |  |  |  |
| 20.0 |  |  |  | Choose an item. |  |  |  |  |