

GOVERNMENT & PROBITY

Overview

TressCox acts for over 20 State Government departments and bodies. We were appointed to the commercial panel for the Victorian Government and are one of only a small number of panel firms for Queensland Health. In NSW, we act for a growing number of State transport and utilities entities.

We have an in-depth understanding of the culture, sensitivities and business requirements that are unique to government organisations.

TressCox also received a high commendation in the government category at the 2006 Fuji Xerox Australian Law Awards.

TressCox is listed as a recommended law firm in the Asia Pacific Legal 500 (2007) for Projects.

Services

The services we provide to Government are comprehensive. TressCox has a dedicated practice of lawyers who specialise in Government procurement and commercial contracts. Our team of lawyers provide legal services to both Government and private sector clients on all aspects of commercial law including Government contracting and tendering as well as large infrastructure / technology projects. The team has a depth of experience of working with Government and recognises that advising Government requires more than just legal knowledge. Tight deadlines, multiple parties with different agendas, budgets and publicity are just some of the sensitivities that the TressCox Government team takes into account.

TressCox has conducted many matters for Government with a particular emphasis on:

Tendering and Procurement

- Understanding and advising on Government procurement processes
- Drafting requests for tenders and advising on regulations governing tendering
- Drafting all tender related documents including evaluation methodologies and reports on contract administration.

Probity

- Monitoring best value for money
- Ensuring impartiality and fairness
- Dealing effectively with conflicts of interest
- Ensuring accountability for practices and decisions.

Infrastructure Projects

- Advice relating to BOOT, BOO and PPP schemes, particularly infrastructure and technology projects
- Acting for the NSW Government in the preparation of requests for tenders for information and communication technologies and services
- Advising on procurement methods and plans.

Information Communications Technology and Intellectual Property

- Advising on industry regulation, particularly in respect of telecommunications

- Technology contracting, including bio-technology
- Licensing intellectual property in all industries including industrial/trade secrets
- Information communications technology services and outsourcing of those services
- Preparing a submission to Government on legislative amendments designed to simplify the use and dissemination of copyright material, including use of the internet.

Track Record

TressCox have acted on the following matters:

- Probity Adviser – Sydney Catchment Authority
We are generally retained by the Sydney Catchment Authority to provide specialised and tailored probity and tendering advice and assistance for all CTC processes. These range from small single source contracts to large multi million dollar public tenders for large infrastructure projects. Our brief includes drafting and implementing probity plans, reviewing all tenderer's documents for probity issues and drafting probity reports.
- Establishment of an Australia-wide register of consultants – Office of Registrar of Aboriginal Corporations (ORAC)
Our scope of work for this project included designing a transparent procurement process, including requests for tenders and contracts that satisfy the requirements of the Commonwealth Government's procurement policy, including probity auditing. We have managed the whole project including the selection process and complaints to the probity auditor.
- Outsource of Bus and Ferry Advertising – NSW State Transit
This project involved a revenue contract to place advertising on Bus Fleet, Ferry Fleet and other associated assets. Our involvement included drafting the tender, creating new approaches to liability and risk, advising on probity issues, negotiating with incumbent and tenderers, advising on tender evaluation, finalising contract negotiations with the preferred tenderer and finalising the contract.

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