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Mr Clayton Cleary  
Senior Procurement Specialist  
Ministry of Health  
PO Box 5013, WELLINGTON  
NEW ZEALAND

TressCox  
ABN 93 281 528 297  
Level 16  
MLC Centre  
19 Martin Place  
Sydney NSW 2000  
GPO Box 7085  
Sydney NSW 2001  
Phone 61 2 9228 9200  
Fax 61 2 9228 9299  
DX 123 Sydney  
www.tresscox.com.au

**Contact**  
Brian Ambler  
(02) 9228 9215

**BY EMAIL:** [Clayton\\_Cleary@moh.govt.nz](mailto:Clayton_Cleary@moh.govt.nz)  
**COPY:** [Stephanie\\_Chapman@moh.govt.nz](mailto:Stephanie_Chapman@moh.govt.nz)

Dear Mr Cleary

### **National Telehealth Services Project (Project)**

The Ministry of Health (**Ministry**), acting on behalf of Her Majesty The Queen in right of New Zealand, engaged TressCox Lawyers to provide probity advisory services for the Project.

#### **1. Probity Endorsement**

- 1.1. In our role as Probity Adviser for the Project, we have completed the tasks described in paragraph 2 of this letter and endorse that, from our observations of the process to date:
- (a) a proper competitive process was used;
  - (b) the process was consistent and transparent;
  - (c) the recommendations made in the Evaluation Report were made as a result of a properly conducted competitive process built around securing best value for money for New Zealand and a properly conducted evaluation process completed in accordance with the Evaluation Plan; and
  - (d) the process to date has been conducted in a proper and sufficient manner to achieve value for money through encouraging competition, accountability and fair and open decision making.

1.2. We have not identified and are not aware of any probity breaches during the process to date or any breaches involving the requirements under the Government Sourcing Rules which would render the process to date indefensible, improper or unfair.

## 2. Main Tasks Performed by the Probity Adviser

2.1. We have completed a number of probity tasks as part of our engagement for the Project, including the following:


- (a) provision of ad-hoc probity advice;
- (b) review of the RFP documents prior to release to the market;
- (c) preparation of the Probity Plan;
- (d) probity briefings for Project team members;
- (e) review and management of conflict of interest disclosures notified to the Probity Adviser;
- (f) review of the Evaluation Plan and Best and Final Offer Plan prior to finalisation and approval;
- (g) observing competitive dialogue meetings with shortlisted providers;
- (h) observing parts of the evaluation processes,
- (i) attendance to maintaining a register of probity issues addressed by the Probity Adviser; and
- (j) review of the draft Evaluation Report.

## Conclusion

From our observation, the process adopted during the Project to date has complied with the general principles for probity and integrity of procurement processes found in the Government Sourcing Rules and complied specifically with the issued Request for Proposal and Evaluation Plan. In summary, the Probity Adviser is satisfied as to the probity and integrity of the Project to date.

Yours faithfully

**TressCox**

  
**Brian Ambler**

Email: [brian\\_ambler@tresscox.com.au](mailto:brian_ambler@tresscox.com.au)