



**Professional Advisory Services**

**Corporate Capability 2016**

**Commercial and Financial  
Advisory Services**



COVERING EVERY ANGLE WITH INTEGRITY

Built on knowledge,  
respect and trust.

Experience success.



# About us

We are a Melbourne-based company providing commercial, procurement and probity services to government organisations. Our expertise includes:

1. **Strategic needs analysis** – identifying and prioritising service needs, risks and options and identifying project and program improvements.
2. **Business case development** – ensuring that asset initiatives are well researched and stand up to internal and external scrutiny.
3. **Strategic and transactional procurement services** – identifying, managing and reducing risk and thereby mitigating stress involved in conducting a procurement process, providing end-to-end management and meeting time-frames.
4. **Commercial contract management advice** – developing contract management plans, performance management frameworks, tools and processes and providing contract management training.
5. **Program reviews** – evaluating effectiveness of government contracts and service delivery programs.
6. **Commercial contract advice** – identifying and managing risks, negotiating contracts, advising on risk allocation and dispute resolution.

Founded in 1986, we have almost 30 years' experience delivering government service initiatives, and working on some of Victoria's most important asset and infrastructure projects.

We bring transparency, accountability and high standards of commercial conduct to ensure optimal client outcomes for the best value.

Our unique mix of commercial acumen and extensive government experience enables innovative solutions balanced with best business practice.

Our team collectively  
has more than  
**370 years**  
of experience!





## The finest consultants

**Our team represents some of Victoria's finest consultants, offering a valuable combination of skills across a range of sectors including construction, ICT, education, health, pharmaceuticals, transport, justice and legal.**

Most of our Principal Consultants have over 20 years' experience in public sector infrastructure delivery, and portfolio asset management and are experts on the applicable policy frameworks. Our Principal Consultants are supported by specialists in document automation, template development, online procurement tools, media relations, marketing and event management.

Our experience and skills provide tailored services that achieve client outcomes efficiently and cost-effectively.



Pauline Bernard  
**Director**

Pauline is a highly experienced procurement and probity professional, with a background in Contract Law, and over 25 years' experience working in the Victorian Public Service and with public sector clients. Pauline specialises in strategic project reviews, procurement, probity and governance, and provides considered and practical guidance tailored to the client's priorities and risks. Clients value Pauline's expertise, insight and responsiveness. Since 2005, Pauline has had primary responsibility for all CourtHeath consulting assignments.

*"I would like to personally thank Pauline and Andrew for providing such responsive and professional services to establish a quality process that met tight timeframes."*

Lee-Anne Fisher, Director Training Market Information & Analysis Higher Education and Skills Group, Department of Education and Training 2015



Andrew Smale  
**Principal Consultant**

Andrew is a management consultant specialising in strategic procurement and asset management. His extensive knowledge of resource management comes from senior executive roles in project delivery and management, having led business units with over 200 staff, budgets of \$30 million recurrent and \$250 million capital. Andrew develops business cases for state and local government. As Principal Consultant at CourtHeath, Andrew has undertaken strategic assessments, end-to-end procurement management and contract establishment.



Anne Dalton  
**Principal Consultant**

Anne has a distinguished career operating at the highest levels as a commercial and procurement advisor to governments and public bodies across Australia. With a background as a partner in commercial law firms advising on probity and government procurement, Anne is a key advisor to government on service delivery, asset and infrastructure projects. Anne's experience spans many sectors including construction, ICT, health, education and defence. Anne serves on statutory authority boards.



**Helen Stewart**  
**Consultant**

Helen is an experienced member of Courtheath's probity practice with expertise in government procurement and probity. Prior to joining CourtHeath in 2015, Helen worked for five years as a probity and procurement consultant. During this time Helen was the primary support advisor working with Pauline in the probity practice. Helen previously worked for 12 months in the Department of Infrastructure Contract Services Group providing procurement and internal probity advice and undertaking research. For 10 years prior to that, Helen worked in private sector law firms as a property lawyer.



**Antony McCloy**  
**Specialist Advisor**

Antony McCloy is a management consultant with 20 years' experience in procurement, probity and property services. Specialising in business process reviews and change management, Antony prepares benefits and risk assessments and major project business cases.

With a background as a Certified Practising Accountant, Antony brings expertise in management accounting, complex costing and financial modelling. Spanning a wide range of industries and organisational categories, Antony has provided probity advice and procurement support for many projects.



**Jenny Gotz-Papillo**  
**Specialist Advisor**

Jenny is an experienced management consultant with a background in auditing and financial governance having worked for a Tier One consulting firm and other smaller private sector enterprises. Her work has involved forensic reviews, reviews of internal controls and segregation of duties, and financial reviews and analysis. Jenny brings to CourtHeath her consulting skills from large and small scale organisations, as well as formal financial auditing experience. With Jenny's highly developed communication skills and consulting expertise, she is able to provide authoritative guidance that strengthens defensibility of processes.



**Tony Butler**  
**Specialist Advisor**

Tony was awarded Fellowship of the Chartered Institute of Procurement and Supply for a distinguished contribution to the purchasing profession. He is a respected procurement expert who held senior state and federal government roles. He has significant international experience in development assistance projects and as a researcher on international procurement regimes and agreements. For 10 years, Tony was Director Contract Services and Risk Management at Department of Infrastructure, working across the full range of the Department's activities, including public construction.





Rod Varker  
**Consultant**

Rod is a highly skilled procurement professional with extensive experience providing strategic procurement and contract advice across multiple disciplines within the local government sector. As a senior advisor, Rod was responsible for developing City of Melbourne's procurement templates, and the corporate contract management system. Rod was also responsible for procurement and probity advice and training. Rod brings contract management expertise, analytical and problem solving skills and knowledge of local government.



Philippa O'Donnell  
**Consultant**

Philippa is a skilled writer and respected journalist who was the ABC's State political reporter, radio manager and content director for many years before joining CourtHeath's procurement team in 2015. Through her experience as a writer and journalist, Philippa is able to present complex concepts in a way that is easily understood. Philippa provides research and support to our consulting engagements.



Alf Zarro  
**Consultant**

Alf is a highly experienced procurement consultant with a background in Victorian public sector ICT procurement, specialising in software licensing and IT-related professional services. Software audits coordinated by Alf and associated program reviews have resulted in significant cost savings. Alf has provided advice on efficient management and governance of procurement processes relating to professional and technical services.



Dr Allan Davey  
**Specialist Advisor**

Allan is a management consultant specialising in innovation. A former Victorian Public Service officer, Allan was responsible for business cases and competitive processes for innovation projects including tenders and grant programs. Allan's background in science positioned him well to work on many of the State's recent significant scientific and research infrastructure projects.



*“Carol is a great asset to any team. Her breadth of knowledge is extensive, her organisational capability provides great structure to projects and provides a strong base for the project delivering success. Carol is a great team player and pleasant to have around.”*

Ann Rogers, Category Lead Corporate, IT & Land Transport at Incitec Pivot

**Carol Dale AM**  
**Consultant**

Carol has more than 35 years' experience in procurement, including a mix of military logistics and procurement, outsourcing, category management and strategic sourcing, for government and private enterprise. Carol's speciality is services procurement and strategic sourcing. She has procured services as wide ranging as aircraft research and development activities, to facilities management services, such as cleaning and waste management.

**David Hartley**  
**Principal Consultant**

David is a management consultant specialising in strategic sourcing, procurement and governance frameworks. As a subject matter expert and process advisor for facility-related procurement, David adds considerable value through his experience and ability to understand client needs and market drivers. His experience includes consulting to a wide variety of sectors, such as State and Federal governments, and private companies, including those in technology, banking and shipping.

**Phil Symons**  
**Principal Consultant**

Phil is a skilled management consultant specialising in risk based project management and business improvement services. Phil has extensive executive leadership, policy and strategy, project management and operational experience gained over 30 years with VicRoads. His responsibilities and achievements have included international projects, corporate management, commercial service delivery and technical engineering.

**Eve Grimm**  
**Principal Consultant**

Eve is a highly experienced construction and contract lawyer who joined CourtHeath in mid-2014. Prior to that, Eve provided procurement and tender process advice in her role as the VicRoads in-house commercial lawyer for over 20 years. During this time, Eve gained considerable experience in service and contract structuring, management of contractual risks, risk allocation and contract management.

On client surveys,  
**satisfaction** with our people  
averages **92%** on a range of KPIs  
including:

- satisfaction with services
- satisfaction with managing fees
- satisfaction with quality of work



## Excellent services

Our Commercial and Financial Advisory Services experience is informed by both government and service provider perspectives.

*“The service was of very high quality and well received. Pauline and Helen assisted the Department with its objectives. Their conduct was very professional, timely and considered, particularly noted were the positive and helpful interactions with myself and other Departmental stakeholders. The quality of documents and outputs were also of a professional quality.”*

Government Client







## Strategic policy review, reform and project development

We have undertaken a number of assignments involving service need analysis, service planning, feasibility and strategic assessments.

### Our team's experience includes:

1. reviewing program delivery practices, investigating relevant delivery model options and recommending reforms to improve service outcomes and reduce inappropriate spend
2. contributing to the development of Victorian government commercial policy
3. providing commercial advice and undertaking strategic reviews, feasibility studies, preliminary cost benefit analysis, preliminary project costing, and whole-of-life costing including benchmarking and risk valuation

4. advising state government agencies on project delivery options including the suitability of alliancing frameworks, design-and-construct versus lump-sum contracts, and implications for different types of projects.

### Outcomes include:

- more effective and responsive service to stakeholders
- reduced risk of roting and adverse audits
- enhanced reputation and respect within the public sector through strengthened programs.



## Business case development

We have significant experience preparing business cases, including analysis of market capability and appetite, detailed financial analysis, stakeholder identification, consultation and issues analysis as well as defining the project requirements. Our approach aligns with Treasury's Infrastructure Management Standard and the Investment Lifecycle Guidelines.

### Our team's experience includes:

1. formulating risk mitigation strategies through risk identification, analysis and valuation
2. identifying optimal delivery models for complex or simple contracts
3. developing and reviewing business cases
4. developing/reviewing media and communication plans
5. demonstrating expertise in determining whether commitments made to government in the business case have been delivered to the quality, price and time promised at project close.

### Outcomes include:

- enhanced evidence-based decision making, scaled to match the characteristics of individual initiatives
- business cases strategically aligned to priorities and objectives, representing value for money.





Princes Pier leasing project

## Market engagement and implementation

The development of tendering strategies and management of procurement processes to ensure alignment with sound commercial practice and government policy.

### Our team's experience includes:

1. managing end-to-end procurement process activities including drafting invitation documents, developing evaluation criteria, providing evaluation management and support, and documenting recommendations to demonstrate achievement of value for money outcomes
2. drafting specifications and coordinating the development of technical specifications by others
3. developing and advising on tendering strategies, evaluation criteria, and project tender documentation including EOJ, RFP, RFT, RFQ and other invitations
4. developing tendering tools and template documents
5. reviewing tendering processes and templates
6. producing procurement guidance
7. working with external lawyers to develop performance standards and performance management regimes with measurable KPIs, tiered consequences with robust payment mechanisms that provide performance incentives and match the value for money drivers
8. providing strategic and technical input to the development of contractual structures (in conjunction with separate legal advisors)
9. facilitating interactive tender processes as the procurement advisor
10. developing negotiation strategies.

### Outcomes include:

- the removal of unnecessary steps in the process
- assurance and confidence that processes have been undertaken thoroughly and that recommendations are well supported
- market engagements that progress efficiently, cost-effectively and without compromise to process integrity
- optimal outcomes that are defensible.

## Commercial contract management

We have provided extensive contract management advice, both as public sector advisors and in the private sector.

### Our team's experience includes:

1. preparing contract management plans
2. designing supplier review programs
3. coordinating the preparation of contract administration manuals to support contract administration on a day-to-day basis
4. commercial contract management advice
5. contract management training to Commonwealth and State entities.

### Outcomes include:

- a strengthened capability through practical legal and commercial contract experience
- collaborative contracting behaviour that maximises value and addresses challenges effectively
- exposure to government contracting shared through formal training and specialist advice.



VicRoads South-Western Region maintenance alliance





## Project, program and business review

(incorporating business re-organisation reviews)

We have recently undertaken a number of state government reviews of program delivery and operations.

### Our team's experience includes:

1. reviewing compliance with procurement policies and processes and use of intellectual property
2. reviewing construction programs, considering contracting and tendering practices and compliance with applicable procedures
3. considering practices in other jurisdictions, identifying opportunities for service improvements and evaluating delivery, operations and benefits.

### Outcomes include:

- significant cost savings through program reviews
- an understanding of factors affecting efficiency including investigating practices and relationships with stakeholders
- the elimination of avoidable inefficiencies in the program re-design
- improved processes, providing re-assurance to the complainants.



## General commercial advice

(incorporating commercial negotiations)

We have significant experience providing commercial advice including negotiation advice.

We provide sound commercial advice to state government departments to enable implementation of improved commercial models. Our detailed advice covers operational and governance issues, including optimal risk allocation.

### Our team's experience includes:

1. developing risk registers and risk management plans
2. leading commercial negotiations
3. risk allocation and commercial contracting advice
4. advice about contract dispute resolution over many government contracts (including as qualified mediators and dispute resolution practitioners)
5. claims assessment and development of responses to claims (especially in construction).

### Outcomes include:

- well-constructed negotiation strategies that match risk and return outcomes
- contracts that are objective and reasonable towards all parties and are unlikely to fail or bring clients into disrepute
- commercial outcomes that are defensible and can stand up to external scrutiny.



Port expansion project

# Our recent clients



Australian Catholic University



Care Connect



City of Melbourne



Department of Economic Development, Jobs, Transport and Resources - Victoria



Department of Education and Training - Victoria



Department of Environment, Land, Water and Planning - Victoria



Department of Health and Human Services - Victoria



Environment Protection Authority Victoria



Greater Melbourne Cemeteries Trust



Melbourne Market Authority



Sustainability Victoria



VicRoads



Victorian Managed Insurance Authority



Victoria Police

*“The integrity of our process had to be flawless, within extremely tight timelines. We contracted CourtHeath to ensure the process was thorough and the probity assured. They were terrific, guiding us through the government policies and processes in a manner that impressed even our internal experts. CourtHeath has the ability to manage the client in a way that generates confidence in the integrity of each and every step. I would certainly recommend CourtHeath to the public sector for probity and procurement services.”*

Andrew Williamson



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