

Submissions of Terry Burns

Topic Three

Whether Mr Burns exhibited partiality in favour of IBM

1. My recollection is that during the review and rebuild process I would have had significantly more meetings with the vendors who were already engaged in active delivery work on the SSS program such as Logica, SAP and Accenture than I ever had with IBM.
2. I had the opinion early in the review and rebuild process that the ideal implementation partner for Corptech could be SAP if they were prepared to step up to take on delivery accountability for work packages themselves. I canvassed this idea with SAP and encouraged them to consider this option and take up a competitive stance in offering their services.
3. As events transpired SAP chose not to take on delivery accountability themselves as they appeared to believe that their interests were best served by retaining a "non-compete" position with the other major vendors.
4. As mentioned in testimony, I had the view that IBM could be of strategic use in the process of getting a better price competitive outcome for Corptech because they had little representation on the SSS program and they could be useful to us in creating this price competition so that all vendors would be forced to trim their pricing models and cost quotes for work packages.
5. This was not to favour IBM, but rather was strategically an intended motivation to encourage them to get involved and create a more competitive environment.
6. Ought it be considered that my dealings with IBM indicated some kind of favourability, I would respectfully submit this would be a misinterpretation of my various statements to vendors including IBM - which were intended to encourage them all to become more innovative and competitive.
7. My discussions with all the vendors were at all times intended to get a competitive process in place at Corptech to replace the uncompetitive and comfortable relationship which the vendors were enjoying up to that time.
8. This "comfortable" previous relationship between CorpTech and the vendors was later proved when there was an apparent attempt by certain vendors during the review/rebuild processes to meet and agree a general form of co-operation between the vendors which would be aimed at resisting the new competitive approaches which I was promoting at Corptech.

Topic Four

Whether Mr Burns intervened in the ITO Evaluation Process.

9. At no time did I improperly suggest that a rescoring should be considered for any reason other than the teams should consider they were comfortable that they were clear on the evaluation criteria they applied to the data to hand from the vendor submissions and supplementary information supplied during the evaluation process.
10. The evaluation teams did however request that IBM respond to requests during the evaluation process for further clarification of the functionality in this regard of the Workbrain product. This request was made after initial scoring had taken place.
11. My recollection is that IBM then made a detailed technical presentation to the evaluation team.
12. The evaluation team further requested that IBM provide a number of client or industry reference sites that could be contacted for verification of their product claims. These reference calls were made to various clients and to Gartner.
13. After these further clarification processes my duties as a process leader would include me asking the teams to consider that they were comfortable with their evaluation criteria and in accordance with all the supplementary information that they had received from all the vendors on all the supplementary information provided on all topics queried.
14. After receiving the additional information from IBM and other vendors, the evaluation teams would have been remiss in their process if that had not returned to their scoring and reconsidered all further information received.
15. It is my view that this would have obliged the evaluation team to reconsider their scores and it would have been very surprising if at this point there was not a change to the scoring.

Terry Burns
26 April 2013