
Kirsten Dilena

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BACKGROUND

Kirsten is an experienced senior procurement advisor with more than 10 years' experience in the transport, defence education and related technology sectors. Kirsten has worked in heavily regulated environments both in the private sector as well as in commonwealth, state and local government. Kirsten has been involved in the development and review of procurement frameworks, key procurement process improvement initiatives, end-to-end procurement process reviews and the development of model concepts of procurement operation including centralising or decentralising procurement service delivery.

Additionally, she has been part of many major strategic ICT and critical capability acquisition teams in both private and government entities as both a provider and purchaser. Kirsten has a proven track record of delivering results having led the contractual and procurement teams for a number of strategic projects that have delivered value to business as well as working with a number of Global 2000 companies to deliver solutions to Australia's defence and aviation sectors.

Kirsten has a current NV1 security clearance with AGSVA.

EXPERTISE

- › Procurement
- › Contracting
- › Information technology
- › Intellectual property
- › Probity

Kirsten has extensive procurement and contracting experience including ICT, acquisition, design, construction, support and maintenance contracts, software licences, consultancy services, equipment procurements and international agreements.

Kirsten has a strong working understanding of broader Commonwealth procurement policy including the Commonwealth Procurement Rules, Finance Circulars and Guidance and the PGPA and Public Interest Disclosure Acts.

EXPERTISE

Public Sector Procurement and Contracting

Providing procurement advice to Airservices Australia for the acquisition, development and delivery of Australia's next generation air traffic management automation solution. Kirsten was seconded into the OneSKY project between January and July 2013 to develop key legal and commercial documentation for release of the OneSKY RFT. In line with the Government's 2009 White Paper, the OneSKY project will harmonise civil and military air traffic management systems in a world first integrated advanced air traffic management and safety system. Kirsten provided advice on:

- › Probity and Procurement strategy - including the Conditions of Tender and tender evaluation process for OneSKY and the commercial and legal arrangements for the on-supply of assets and support services from Airservices to Defence

- › Drafting the market RFT documentation and procurement documentation (including the tender evaluation plan)
- › System integration and schedule risk – including risk mitigation options such as key performance indicators and incentive payments, performance securities, cooperation obligations, service levels, risk transfer mechanisms, etc
- › Cost allocation model between Airservices and Defence including lead agency principles for risk allocation and liability, structured price and payment schedules and governance arrangements – including establishing MOUs between the lead agency and the Department of Defence.
- › Preparation of contracting negotiation strategies and directives

Assisting Airservices ICT Business Unit to review and rationalise its ICT procurements to minimise the number of ICT contracts, reduce costs, rationalise services and to manage and to provide efficient arrangements to engage supplier. Services included:

- › Utilizing Commonwealth ICT panels;
- › Developing Airservices panel arrangements;
- › Entering into Deeds of Standing Offer with key suppliers;
- › Developing contracts with suppliers that meet both the business and legal needs of Airservices; and
- › Development of three Airservices specific ICT precedents Short Form Hardware Supply Agreement, Support Agreement, and Software Licence Implementation and Support Agreement.

Oversight of the development of procurement documentation for Airservices' major procurements including the acquisition of new data centres, Aeronautical Data Interchange Network upgrade, tendering for the procurement of a conduit and fibre-optic cabling installer at various sites to upgrade Airservices' existing network.

Procurement and contract management support to Airservices' strategic technology projects including the Advanced Surface Movement Ground Control Surveillance system and the Mercury Project to modernise the delivery of air traffic management information.

Advising the Raytheon Combat Systems Director on the procurement of various combat system elements for the delivery of the Hobart Class Air Warfare Destroyers (AWDs) and their support system covering the selection of Australian Combat System equipment, mission and support system capabilities including commercial negotiations for the design, specification, procurement and verification of the electronic warfare suite.

Developed procurement framework and tender documentation for major combat systems elements including reviewing and developing Acquisition Strategies, Tender Evaluation Plans and Negotiation Mandates and debriefing unsuccessful tenderers, evaluation of responses and source selection and conducting parallel negotiations and assisting with contract management and disputes.

Evaluated tenders and made source selection recommendations prior to negotiating with a US-based supplier for the design, specification, procurement and verification of the \$50m electronic warfare suite.

Supplier relationship management of several complex combat systems subcontracts valued at more than \$200m and advised on and negotiated the resolution of subcontractor disputes including monitoring and evaluating supplier performance

Kirsten also has experience in developing and delivering procurement and probity training and briefings for various Commonwealth acquisitions.

Intellectual Property

Acting as Intellectual Property Manager to the AWD Alliance. This assistance included developing an Alliance Intellectual Property Management Plan and developing and delivering training for all Alliance employees, negotiating and drafting IP contractual provisions to ensure adequate flow down of mandatory ABTIA provisions and providing advice in relation to intellectual property related matters.

Providing advice to the University of South Australia (UniSA) in relation to the management of intellectual property including compliance with the National Principles of Intellectual Property Management for Publicly Funded Research.

QUALIFICATIONS

- › Bachelor of Laws (University of Adelaide)
- › Bachelor of Arts (University of New England)
- › Graduate Diploma in Legal Practice (SA Law Society)
- › Admitted as a lawyer of the Supreme Court of SA, QLD and the ACT
- › Admitted as a lawyer of the High Court of Australia
- › Unrestricted Government Practising Certificate

CURRENT MEMBERSHIPS

- › ACT Law Society