|  |
| --- |
| User Guidance  This document is part of **MW21-LG (Local Government) Version** and differs from the MW21 standard forms. Note the User Guidance in this document is based on functionality in Microsoft 365 Word.   1. Guide notes   This standard form contains guidance in hidden text, i.e.:  **GUIDE NOTES,**  Guide Note examples   1. **Viewing guide notes**   If the guide notes are not visible, click on the Home/ **Show/Hide** button Paragraph Show / Hide button in Word  If this does not work:  **•** Go to **File/** **Options** menu;  • Select the **Display** tab;  **•** Tick the **Hidden Text** check box and click the **OK** button.  This process can also be used to hide guide notes in a finished document.   1. Insertion points   Each ‘»’ shows where input is required. Click onto each ‘»’ and overtype.  **For inserting Contract Title and Contract Number**   * On the **File/ Info** menu select ‘**show all properties’**; * Overwrite the ‘***title*’ property** ‘*Contract Name’* with the new contract title/ name; * Overwrite the ‘***subject*’ property** ‘*Contract No*.’ with the new contract number.   This will insert the entered Contract Title and Contract No. in the following locations:   * footer for each page; * Tender Form  1. When drafting is completed   1. Remove all guide notes manually or by the following steps:  **•** On the Home/ **Editing** menu click **Replace**, then (if required)  **•** Click the **More** button;  **•** Click the **Format** button, click on **Font**;  **•** Tick the **Hidden** check box, untick other boxes and click the **OK** button;  **•** Click the **Special** button, click on **Any Character**; then  **•** Click the **Replace All** button.  Note that the option ‘Print hidden text’ has not been checked in File/ Options/ Display.   1. After drafting is completed and the ‘hidden text’ guide notes are hidden or removed:   Update the Table of Contents automatically when printing by ensuring that File/ Options/ Display/ Printing options – ‘Update Fields before printing’ box is checked. Alternatively, update before printing by::   * Right click anywhere in the Table of Contents; * Select ‘Update Field’; * Select ‘Update entire table’; * lick the OK button; then * Insert the number of pages in the ‘Title Page’ document.   Note, for larger files, track changes, if on, should be off during this update.   1. **Finally,** delete this User guidance, along with the following Page Break.   **Always** check that the final document (printed or saved as a pdf) is complete. |

Tender Schedules

Preface

The MW21-LG version Tender Schedules contains the returnable Schedules selected for this RFT. The Conditions of Tendering detail which Schedules are required. Schedules that are not required have been deleted. Please note the following:

* The Schedules may be divided into those to be submitted with the Tender and those that must be submitted by notified tenderers when requested.
* Do not change the wording in the Schedules unless required by the relevant document.
* In completing the Schedules, assume that the Principal has no previous knowledge of your organisation, its activities or experience.
* Do not include advertising, product or company information or marketing brochures or presentations other than what is expressly requested.
* Queries with regard to completing the Schedules should be directed to the Contact Officer in accordance with the Conditions if Tendering.
* Ensure each Schedule is completed prior to submission.

Table of Contents

The Table of Contents should be updated after drafting is completed and after the removal of guide notes. Refer to the above user guidance for procedure.

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**The following schedules from the NSW Government GC21 Standard form – Tender Schedules have been deleted from this document. Refer to the GC21 suite of documents at** [**https://info.buy.nsw.gov.au/resources/gc21**](https://info.buy.nsw.gov.au/resources/gc21) **if any of these schedules and associated tendering and contract clauses are required.**

**Note all Schedules from the MW21 Standard form Tender Schedules are included but some have been modified.**

* Schedule for Adjustment of Customs Tariffs,
* Schedule of Tender Concept Design,
* Schedule of Information for General Conditions of Contract Schedule 3 (Payment Claim Worksheet),
* Schedule of Internal Designers,
* Schedule of External Designers
* Schedule of Aboriginal Participation Information,
* Schedule of Skills, Training and Diversity in Construction,
* Schedule of Workplace Relations Information,
* Schedule of Compliance with NSW Supplier Code and Industrial Relations Guidelines

Fill in all details where “»” is shown.

## Tender Form

use the above user guidance to Insert the contract name and contract number in the footer or OVERWRITE manually.

Include the following note; ‘SUBMIT IN ENVELOPE 2’ only if a two-envelope system is being used for the tendering process. Otherwise delete.

(SUBMIT IN ENVELOPE 2)

#### Tender Closing Office

Refer to clause 7 of the Conditions of Tendering - **Submission of Tenders** for lodgement details.

#### Tenderer’s details

|  |  |
| --- | --- |
| Business Name: (in block letters) | ………………………………………………………….…………  ……………………………………………………….……………  ACN/ ABN: .……….…………………………….….………. |
| Trading As: | ………………………………………………………….…………  ……………………………………………………….…………… |
| Business Type: | ………………………………………………………….…………  ……………………………………………………….…………… |
|  |  |
| Address: | ………………………………………………………….…………  ……………………………………………………….…………… |
| Postal Address: | ………………………………………………………….…………  ……………………………………………………….…………… |
|  |  |
| Telephone number: | ………………………… |
| E-mail address: | ………………………………………………………….………… |

only include the following row if a Website address is required, otherwise delete

|  |  |
| --- | --- |
| Website address  (if available): | ………………………………………………………….………… |

#### **End of row**

#### hereby tender(s) to perform the work for:

#### Tender details

using the above user guidance the Contract title and number should be automatically inserted. OTHERWISE over-write manually.

Ensure that the details match the Contract name and number used on the title page.

|  |  |
| --- | --- |
| Contract title: | » Contract Name  » |
| Contract number: | » Contract No. |
|  | in accordance with the following documents: |
|  |  |

List all sections of the RFT Documents by heading to correspond with the headings in the table of contents in the ‘RFT title page’ document. the specific RFT DOCUMENTS are listed under these headings.

|  |  |
| --- | --- |
|  | **Tendering**  **Specification**  **Schedules**  **Appendices**  **Drawings** |
|  | **»** |
|  | and Addenda Numbers: …………………………………….…… |
|  |  |

#### Tenderer’s offer

Include one option only. Use TF Option 1, TF Option 2, TF Option 3 or TF Option 4 and delete the options that do not apply. note options TF-1, Tf-2 a7 Tf-3 include Provisional Sums and Provisional Rate Amounts (if any)

* Use TF Option 1 when the Contract Price will be a lump sum with no work items to be paid for at ‘tendered rates’.
* Use TF Option 2 when the Contract Price will be the sum of the products of the quantities and tendered rates in the Schedule of Rates.
* Use TF Option 3 when the Contract Price will be a lump sum with a small number of tendered rates for work items.
* Use TF Option 4 for a Demolition contract.

TF Option 1 (lump sum tender option)

|  |  |
| --- | --- |
|  | For the Contract Price of: |
|  | …………………………………………………………………… |
|  | …………………………………………………………………… |
|  | ($……………………………………………) including GST. |
|  |  |
|  | being the sum of the following in the attached **Schedule of Prices – Lump Sum**:   1. the Total for Lump Sum items; 2. the Total of Provisional Sums (if any); and 3. the Total of Provisional Rate Amounts (if any). |

End of TF Option 1

Note: If TF Option 1 is used delete:

* Tender Schedule - Schedule of Rates,
* Preliminaries clause - Application of Schedule of Rates; and
* Preliminaries clause - Application of tendered Rates.

TF Option 2 (schedule of rates tender option)

|  |  |
| --- | --- |
|  | For the Contract Price of: |
|  | …………………………………………………………………… |
|  | …………………………………………………………………… |
|  | ($……………………………………………) including GST |
|  |  |
|  | being the sum of the following in the attached **Schedule of Rates**: |
|  | 1. the Lump Sums; |
|  | 1. the products of the quantity and the relevant rate for each Rate item; 2. the Total of Provisional Sums (if any); and 3. the Total of Provisional Rate Amounts (if any). |

End of TF Option 2

Note: If TF Option 2 is used delete:

* Tender Schedule - Schedule of Prices - Lump Sum, and
* Preliminaries clause - Application of tendered Rates.

TF Option 3 (lump sum with RATE items tender option)

|  |  |
| --- | --- |
|  | For the Contract Price of: |
|  | …………………………………………………………………… |
|  | …………………………………………………………………… |
|  | ($…………………………………………) including GST. |
|  | being the sum of the following from the attached **Schedule of Prices – Lump Sum**:   1. the Total for Lump Sum items; 2. the Total of Provisional Sums (if any); 3. the Total of Provisional Rate Amounts (if any); and 4. the Extended Total for Rate Items. |

Note: If TF Option 3 is used, delete:

* Tender Schedule - Schedule of Rates, and
* Preliminaries clause - Application of Schedule of Rates.

End of TF Option 3

TF Option 4 (Demolition contracts option)

delete if not applicable.

|  |  |
| --- | --- |
|  | For the Contract Price of: |
|  | …………………………………………………………………… |
|  | …………………………………………………………………… |
|  | ($……………………………………………) including GST, |
|  | (a) to be paid by the Contractor to the Principal. \* |
|  | (b) to be paid by the Principal to the Contractor. \* |
|  |  |
|  | *\* Strike out the alternative that does not apply.* |

End of TF Option 4

Note: If TF Option 4 is deleted also delete:

* Tender Schedule - Schedule of Rates,
* Preliminaries clause - Application of Schedule of Rates; and
* Preliminaries clause - Application of Tendered Rates.
* TF Option 4 (Demolition contracts option)

TF Option (execution of tender)

#### Execution by Tenderer under Deed

Include the following option where appropriate. delete this option if it is not required.

Execution under DEED is not necessary and its absence has not resulted in significant issues. it is not REQUIRED where only PREQUALIFIED TENDERERS or known tenderers are INVITED to tender.

This option may have benefits where open (RATHER THAN multi-stage (selective) or invited) tendering is used. It provides for the tenderer to execute the tender form in accordance with the CORPORATIONS act which may provide GREATER CERTAINTY that the tender is binding and enforceable. It allows The principal to legally assume that the persons signing hold the positions nominated.

Where it is likely that this Deed will be executed by electronic signing, refer to the Notes for general conditions of general conditions of contract SCHEDULE: *Contract Deed & Formal Instrument of Agreement* FOR relevant INFORMATION.

**refer to the guidance for clause 8.1 in the conditions of tendering for more INFORMATION.**

|  |
| --- |
| The Tenderer is required to execute this deed for its tender.  **Executed as a deed poll**  *Only complete and sign the applicable execution block.*  **include the following paragraph where a verified electronic signature is required, otherwise delete.**  **paragraph**  *Where this Deed is to be executed by electronic signing, a digital signature utilizing a digital certificate from a Certificate Authority is required.* |

**end of paragraph**

|  |  |  |  |
| --- | --- | --- | --- |
| This Tender Form is dated: | | ……………………………………………………..… | |
| **Tenderer** *(use for companies with more than one director)* | | | |
| Executed by (*company* *name*) | ……………………………………………………………. | | |
| in accordance with section 127(1) of the Corporations Act 2001 (Cth): | | | |
| …………………………………… | | | …………………………………… |
| Name of Director | | | Signature of Director |
| …………………………………… | | | …………………………………… |
| Name of Director/ Secretary | | | Signature of Director/ Secretary |
|  | | | |
| **Tenderer** *(use for companies with a sole director. If the sole director is not also the company secretary, then delete or strike out the words “/Secretary” below)* | | | |
| Executed by (*company* *name*) | ……………………………………………………………. | | |
| in accordance with section 127(1) of the Corporations Act 2001 (Cth): | | | |
| …………………………………… | | | …………………………………… |
| Name of Sole Director/ Secretary | | | Signature of Sole Director/ Secretary |

## Schedule of Prices - Lump Sum

Include this Schedule where the tender is for a lump sum.

Delete this schedule if the contract is a SCHEDULE of rates contract (Tender form option 2).

where this schedule is included, The price break-up in this schedule assists in comparing tender prices and in valuing progress payments.

the schedule allows for a small number of tendered rates to BE INCLUDED. these are useful where the quantity of specific items of work may vary and/ or cannot be accurately estimated at the time of tendering.

If a two-envelope system is being used for the tendering process, add ‘- in envelope 2’ to the note below.

(SUBMIT WITH TENDER FORM)

#### Break-up of Lump Sum

Insert the amount allowed for each of the following items. These amounts are for information only and do not form part of the Contract. Their purpose is to assist in valuing completed work, but the Principal is not bound to use them. The total should equal the ‘Total for Lump Sum items’.

All amounts must include GST.

Refer to relevant specification and preliminaries clauses. cover all the work required under the Contract, eg:

* provision of management plans and associated documents;
* Completion of the design of the works, including documentation for Architectural, electrical engineering, mechanical engineering, hydraulic engineering, landscaping, building regulations consultant services, acoustic consultant services;
* Construction of the works, including Preliminaries, demolition, ground works, piling, concrete, brickwork, structural steel, roofing, cladding, doors, windows & glazing, hardware, ceilings, plastering & linings, tiling, resilient finishes, carpet, painting, fixtures & furniture, signage, Hydraulic services, electrical services, communication systems, electronic security, mechanical services, landscaping;
* field data capture, testing & commissioning, work as executed drawings, operation & maintenance manuals.

Amend list as necessary. check to ensure items not required are deleted. Expand the table by inserting rows in the table, as required.

|  |  |  |
| --- | --- | --- |
| **Item No.** | **Description** | **Amount (incl GST)** |
| 1 | Preparations: |  |
| 1.1 | Provision of Management Plans | $ ………….…. |
| 1.2 | » | $ ………….…. |
| 2 | Completion of the design of the Works including documentation: |  |
| 2.1 | » | $ ………….…. |
| 2.2 | » | $ ………….…. |
| 3 | Construction of the Works: |  |
| 3.1 | Preliminaries | $ ………….…. |
| 3.2 | Demolition | $ ………….…. |
| 3.3 | Earthworks | $ ………….…. |
| 3.4 | Concrete | $ ………….…. |
| 3.5 | Structural Steel | $ ………….…. |
| 3.6 | Light Steel Framing | $ ………….…. |
| **Item No.** | **Description** | **Amount (incl GST)** |
| 3.7 | Brick and Block Construction | $ ………….…. |
| 3.8 | Roofing | $ ………….…. |
| 3.9 | Cladding | $ ………….…. |
| 3.10 | Doors | $ ………….…. |
| 3.11 | Windows and Glazing | $ ………….…. |
| 3.12 | Hardware | $ ………….…. |
| 3.13 | Plastering and Linings | $ ………….…. |
| 3.14 | Ceilings | $ ………….…. |
| 3.15 | Tiling | $ ………….…. |
| 3.16 | Resilient Finishes | $ ………….…. |
| 3.17 | Carpets | $ ………….…. |
| 3.18 | Painting | $ ………….…. |
| 3.19 | Metal Fixtures | $ ………….…. |
| 3.20 | Timber Fixtures | $ ………….…. |
| 3.22 | Miscellaneous Fixtures & Furniture | $ ………….…. |
| 3.23 | Signs and Display | $ ………….…. |
| 3.24 | Extinguishers and Blankets | $ ………….…. |
| 3.25 | Hydraulic Services | $ ………….…. |
| 3.26 | Electrical Services | $ ………….…. |
| 3.27 | Communication Systems | $ ………….…. |
| 3.28 | Electronic Security | $ ………….…. |
| 3.29 | Mechanical Services | $ ………….…. |
| 3.30 | Landscape | $ ………….…. |
| 3.31 | Field Data Capture | $ ………….…. |
| 3.32 | Testing and commissioning | $ ………….…. |
| 3.33 | Work as executed drawings, and operation and maintenance manuals | $ ………….…. |
| 3.34 | Other *(describe)* | $ ………….…. |
| 3.35 | » *(amounts not included in the above breakup that are part of the Lump Sum price)* | $ ………….…. |

|  |  |  |
| --- | --- | --- |
| 1 | **Total for Lump Sum items** | **$ ………………..** |

provisional Sums

Delete table 1 below including heading ‘PROVISIONAL sums’ if there are no Provisional Sums. if table 1 is deleted also delete:

* conditions of tendering Clause – provisional sums; and
* TEnder Schedules – Schedule of provisional sums.

table 1

#### Provisional Sums

Insert An item No. and the Total of Provisional Sums (brought forward from tender schedules - Schedule of provisional sums).

|  |  |  |
| --- | --- | --- |
| #. | **Total of Provisional Sums** (brought forward from Tender Schedules – **Schedule of Provisional Sums**) | **$** » |

End of table 1

provisional rate amounts

Delete table 2 below including heading ‘PROVISIONAL rate amounts’ if there are no Provisional rate amounts’. if table 2 is deleted also delete:

* conditions of tendering Clause – provisional rate amounts’; and
* TEnder Schedules – Schedule of provisional rate amounts’.

table 2

|  |  |  |  |
| --- | --- | --- | --- |
| Provisional Rate Amounts Insert An item No. and the Total of Provisional rate amounts (brought forward from tender schedules - Schedule of provisional rate amounts).   |  |  |  | | --- | --- | --- | | #. | **Total of Provisional Rate Amounts** (brought forward from Tender Schedules – **Schedule of Rate Amounts**) | **$** » | |

end OF TABLE 2

rate items

Delete table 3 below including heading ‘rate items’ unless the proposed contract includes a few incidental work items to be paid for at tendered rates.

If Table 3 is deleted, also delete:

* Preliminaries Clause – Application of tendered rates.

If Table 3 is included, use TEnder Form Option 3.

If Table 3 is not included, use Tender Form Option 1.

table 3

#### Rate Items

ensure that scope, payment methods and condition details are completed for all relevant Rate items in Preliminaries clause - Application of Tendered Rates.

Refer to General Conditions of Contract clause 13 – **Payment and Retention** and Preliminaries clause - **Application of Tendered Rates**.

Complete this Schedule by inserting in the **Rate** column the rate tendered for each work item and, in the **Amount** column, the amount arrived at by multiplying the tendered rate by the relevant quantity. The tendered rates shall form part of the Contract. The correct extended amounts and total shall be used to assess tenders.

Each rate must allow for associated overhead costs (both on-site and off-site) and profit. All rates must include GST.

If there are no limits of accuracy, use ranges, for example:

If the quantity is expected to be about 20m3 but not more than 50m3

**X2.1 Excavation in rock for quantities 20 m3 $........... $...............  
between 0 and 50 m3**

if the quantity may be above 50m3 and a lower tendered rate can be expected for greater quantities:

**Y2.1 Excavation in rock for quantities 50m3 $............ $..............  
between 0 and 50 m3**

**Y2.2 Excavation in rock for quantities 20m3 $............ $...............  
over 50m3**

Insert all Rate Items in the table below.

Include a brief description of each item here. provide details of the work involved and the payment method in Preliminaries Clause – Application of tendered Rates.

Do not use ‘Rate Only’ in Quantity Column, use ‘0’ instead and specify a quantity range, e.g.. “between 0 and 20m3”.

Insert rows to expand the table, as required.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Item No.** | **Description** | **Quantity** | **Unit** | **Rate** | | | **Amount** | |
| #. | Rate Items | | | |  | | |
| #.1 | » | » | » | $ ………. | | | $ ……... |
| #.2 | » | » | » | $ ………. | | | $ ……... |
|  | **Extended Total for Rate Items**  (**the sum of the products of the quantity and the relevant rate for each Rate item);** | | | | | **$ ..…………...** | |

End of table 3

|  |  |  |
| --- | --- | --- |
|  | **Total (Lump Sum tendered including GST)** | **$ ………….….** |

Delete the following note unless the contract includes provisional sums (Table 1 above), provisional rate items (Table 2 above) or rate items (Table 3 above). Amend the wording as required.

including:

* the Total of Provisional Sums;
* the Total for Provisional Rate Item Amounts; and
* the Extended Total for Rate Items,

always include the following

The **Total (Lump Sum tendered including GST)** must equal the Contract Price shown on the Tender Form. If there is any discrepancy, the Contract Price shown on the Tender Form will take precedence.

End of Schedule of Prices - Lump Sum

## Schedule of Rates

Include this schedule if Tender Form Option 2 is used.

If this schedule is included, delete the Schedule of Prices – Lump Sum.

Where this schedule is included, A Schedule of Rates is used where VALUATIONS of the work will be based primarily on tendered rates.

this is useful where the quantities for a significant part of the expected work may vary, e.g. pipelaying or earthworks in a range of materials.

note that the use of rates requires additional resources to measure quantities and verify that appropriate rate items are used.

the schedule allows for some lump sum items to BE INCLUDED.

If a two-envelope system is being used for the tendering process, add ‘- in envelope 2’ to the note below.

refer to the extra guidance below.

(SUBMIT WITH TENDER FORM)

#### Schedule of Rates

Refer to General Conditions of Contract clause 13 – **Payment and Retention** and Preliminaries clause - **Application of Tendered Rates**.

Complete this Schedule by inserting the tendered rates under **Rate,** or where “Lump Sum” appears under **Rate**, by inserting the tendered lump sum under **Amount**. Where a rate is tendered, insert under **Amount** the amount arrived at by multiplying the tendered rate by the quantity. The rates and lump sums tendered shall form part of the Contract. The correct extended amounts and total shall be used to assess tenders. All rates and amounts must include GST.

Complete the item number, description and estimated quantity for all items. ensure that scope, payment methods and condition details are completed for all relevant items in Preliminaries clause - Application of schedule of Rates.

(note this schedule uses estimated QUANTITIES. A Priced Bill of Quantities is not used and the application of the *concise method of measurement for construction* WORKS DOES not apply due to the additional risks)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Description** | **Quantity** | **Unit** | **Rate** | **Amount** |

Item 1 is Mandatory.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 1 | All work and obligations under the Contract NOT INCLUDED ELSEWHERE in this Schedule. | 1 | Item | Lump Sum | $ ……... |

If There are no limits of accuracy, use ranges, for example:

If the quantity is expected to be about 20m3 but not more than 50m3

**X2.1 Excavation in rock for quantities 20 m3 $........... $...............  
between 0 and 50 m3**

if the quantity may be above 50m3 and a lower tendered rate can be expected for greater quantities:

**Y2.1 Excavation in rock for quantities 50m3 $............ $..............  
between 0 and 50 m3**

**Y2.2 Excavation in rock for quantities 20m3 $............ $...............  
over 50m3**

Insert all Rate and Lump Sum Items in the table below.

Include brief descriptions of the items here. provide details of the work involved and the payment method for each item in Preliminaries Clause – Application of Schedule of Rates.

Do not use ‘Rate Only’ in Quantity Column, use ‘0’ instead and specify a quantity range, e.g.. “between 0 and 20m3”.

Use units that can be measured; e.g, m2, m3 each, metre, etc

Insert rows to expand the table, as required.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 2 | **Rate items:** |  |  |  |  |
| 2.1 | » | » | » | $ ………. | $ ……... |
| 2.2 | » | » | » | $ ………. | $ ……... |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 3 | **Lump Sum items:** |  |  |  |  |
| 3.1 | » | 1 | Item | Lump Sum | $ ……... |
| 3.2 | » | 1 | Item | Lump Sum | $ ……... |

|  |  |  |
| --- | --- | --- |
|  | **Extended Total for Items in the Schedule of Rates**  (the sum of the products of the quantity and the relevant rate for each Rate item plus the sum of the amounts for each Lump Sum item) | **$** ..…………… |

provisional Sums

Delete table 1 below including heading ‘PROVISIONAL sums’ if there are no Provisional Sums. if table 1 is deleted also delete:

* conditions of tendering Clause – provisional sums; and
* TEnder Schedules – Schedule of provisional sums.

table 1

#### Provisional Sums

Insert An item No. and the Total of Provisional Sums (brought forward from tender schedules - Schedule of provisional sums).

|  |  |  |
| --- | --- | --- |
| 4. | Total of Provisional Sums (brought forward from Tender Schedules – **Schedule of Provisional Sums**) | **$** ..…………… |

End of table 1

provisional rate amounts

Delete table 2 below including heading ‘PROVISIONAL rate amounts’ if there are no Provisional rate amounts’. if table 2 is deleted also delete:

* conditions of tendering Clause – provisional rate amounts’; and
* TEnder Schedules – Schedule of provisional rate amounts’.

table 2

#### Provisional Rate Amounts

|  |  |  |
| --- | --- | --- |
| Insert An item No. and the Total of Provisional rate amounts (brought forward from tender schedules - Schedule of provisional rate amounts). | | |
| 5. | Total of Provisional Rate Amounts (brought forward from Tender Schedules – **Schedule of Provisional Rate Amounts**) | **$** ..…………… |

end OF TABLE 2

|  |  |  |
| --- | --- | --- |
|  | **Total of Schedule of Rates (including GST)** | **$**......................................... |

Delete the following note unless the contract includes provisional sums (Table 1 above) or provisional rate items (Table 2 above). Amend the wording as required.

including:

* the Total of Provisional Sums; and
* the Total for Provisional Rate Item Amounts.

End of Schedule of Rates

## Schedule of Provisional Sums

include this schedule if provisional sums are used.

if this schedule is deleted, also delete:

* conditions of Tendering Clause – provisional Sums; and
* sections of the lump sum or schedule of rates schedule dealing with provisional Sums.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 2’ to the note below.

(SUBMIT WITH TENDER FORM)

Refer to General Conditions of Contract clause 13 - **Payment and Retention**, Preliminaries clause - **Provisional Sums** and Conditions of Tendering clause **– Provisional Sums.** Provisional Sumsinclude an amount for GST.

complete the description and insert the amount of each provisional sum. add all Provisional sums and insert the total amount.

Include the Total of Provisional Sums in the Schedule of Rates or Schedule of Prices – Lump sum, as applicable to the contract.

EXPAND the table by inserting rows, as required.

|  |  |  |
| --- | --- | --- |
| **Item No.** | **Description** | **Provisional Sum** |
| A. | » | $ » |
| B. | » | $ » |
|  | **Total of Provisional Sums** | **$ »** |

End of Schedule of Provisional sums

## Schedule of Provisional Rate Amounts

Delete this Schedule if the Contract does not include Provisional rate items.

if this schedule is deleted, also delete

* conditions of Tendering Clause – provisional rate amounts; and
* sections of the lump sum or schedule of rates schedule dealing with provisional rate amounts.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 2’ to the note below.

(SUBMIT WITH TENDER FORM)

this schedule provides a facility to INCLUDE tendered rates for PROVISIONAL rate ITEMS and additional quantities of work.

the rates are priced (with overheads and PROFIT) so that they can be used for:

* variations in accordance with the MW21 General CONDITIONS of Contract clause 9;
* work under the contract as instructed.

Consider the following when completing this Schedule:

* determining which Rate Items to include. Only include items that are relevant to the Works. do not include a general list of typical variation rate items.
* assessing the risk of how much work will be required under each Rate Item and including an estimated quantity against each Rate Item based on that risk level.
* the suitability of the stated range of quantities that APPLIES either generally or for INDIVIDUAL items. adjust as appropriate.
* being mindful that the quantity estimates are used to calculate both the tendered price and the Contract Price as at the Date of CONTRACT.

This allows for a more accurate comparison of tender prices and assists with budgeting. It also ENCOURAGES reasonable pricing by tenderers and ONLY NECESSARY provisional rate items to be included by the principal.

* ensuring that the scope of each item is comprehensively specified to differentiate it from other work under the contract.

For each relevant provisional rate item, detail the scope, the method of measurement AND ANY APPLICABLE CONDITIONS in preliminaries Clause – application of provisional rate amounts.

INSERT a description of the work, assumed quantity and the applicable unit of measurement in the table below.

Do not insert ‘Rate Only’ in the Quantity Column.

eXPAND the table by inserting rows, as required. Duplicate table headings on each page

This Schedule provides rates to allow the Principal to manage risk. Relevant items may be utilised in Variations and otherwise. All items are provisional, that is, they may not be required at all. The quantities shown are for tender evaluation only. The correct extended amounts and total will be used to evaluate tenders. The actual quantities of work completed in accordance with the Contract will be used for payment.

The Principal reserves the right to not accept a rate for a provisional rate item that it considers is not reasonable. The rates tendered and accepted will form part of the Contract.

Unless otherwise identified in Preliminaries Clause – **Application of Provisional Rate Amounts**, the rates tendered and accepted will apply from 0% to 200% of the quantities shown.

The Contractor is not entitled to payment for provisional rate items unless the Contractor has given notice to the Principal before commencing the relevant work and been instructed to proceed.

For each item listed below, insert the tendered rate under **Rate** and insert under **Amount**, the amount arrived at by multiplying the tendered rate by the associated quantity. Calculate the total of the Provisional Rate Amounts.

Each tendered rate must allow for:

* associated overhead costs (both on-site and off-site) but not overhead costs for delay and disruption. (entitlements for extensions of time and for delay and disruption are dealt with in accordance with the Contract);
* Profit; and
* GST.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item No.** | **Description** | **Quantity** | **Unit** | **Rate** | **Amount** |
|  |  |  |  |  |  |
| 1**.** | » | » | » | $ ……... | $ .................. |
| 2 | » | » | » | $ ……... | $ .................. |
|  | **Total of Provisional Rate Amounts** | | | | **$** .................. |

End of Schedule of Provisional rate amounts

## Schedule of Mandatory Alternative Tenders

Delete this schedule and the above heading when Conditions of Tendering clause - Alternative Tenders (Mandatory Alternative Tenders) has been deleted.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 2’ to the note below.

(SUBMIT WITH TENDER FORM)

List alternative tenders (or prices) sought.

Insert the additional or diminished amount allowed for each of the following items in accordance with Conditions of Tendering clause - **Alternative Tenders**. All amounts must include GST.

List all Mandatory Alternative Tenders (MAT) sought, consistent with The list in Conditions of Tendering clause - Alternative Tenders - Mandatory Alternative Tenders.

each MAT item should clearly detail:

* the work specified in the RFT to be replaced by the alternative; and
* the scope of the alternative work. e.g., if an ALTERNATIVE roofing material is proposed, does it include changes to the insulation, access, roof framing, vents, roof anchor points, skylights or guttering,.

Insert rows to expand the table, as required.

|  |  |
| --- | --- |
| **Mandatory Alternative Tenders** | **Amount** |
|  |  |
| » | $ ………….…. |
| **End of Schedule of mandatory alternative tenders** |  |

## Schedule of Optional Additional Work

delete this schedule unless conditions of tendering Clause – optional additional work is included.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 2’ to the note below.

(SUBMIT WITH TENDER FORM)

For each Optional Additional Work Item listed below, insert the amount to be added to the Contract Price if the Principal elects to proceed with that item of work. Refer to Conditions of Tendering Clause – **Optional Additional Work** and the referenced Technical Specification clauses.

All amounts must include GST.

list all optional additional items of work. insert the applicable technical specification references

each item should clearly detail the scope of the additional work and differentiate the additional work from the specified work in the RFT.

limit the value of optional additional work to 10% of the estimate.

detail in the tender evaluation plan when optional additional work will be considered and, if there are a number of items, the priority order for selecting the items and if items are mutually exclusive.

Expand the table by inserting rows, as required.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Optional Additional Work Item**  **(NOT INCLUDED in the Contract Price stated on the Tender Form)** | **Spec.**  **Ref.** | | | **Amount** | |
|  | |  |  | |
| » | | » | $ ………….…. | |

end of schedule of optional Additional work

## Schedule of Local Procurement

delete this schedule if not required.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 1’ to the note below.

This schedule allows council to specify requirements to meet its local procurement objectives. the details below show a typical tender request . amend to suit.

(SUBMIT WITH TENDER FORM)

Refer to Conditions of Tendering - **Schedule of Special Tendering Conditions** – **Local Procurement**. Provide the information requested below:

|  |  |
| --- | --- |
| **Local Business** | |
| Is the Tenderer a ‘Local Business’ as defined in the above referenced clause in the Conditions of Tendering?  If ‘Yes’ please provide supporting information in an attachment. | **Yes, or**  **No** |
| Will the Tenderer be using local subcontractors, consultants or suppliers who are ‘Local Businesses’? | **Yes, or**  **No** |

If the Tenderer will be using local subcontractors, consultants or suppliers who are ‘Local Businesses’, complete the table below. Attach supporting information for each listed provider as required.

|  |  |  |
| --- | --- | --- |
| **Name & Address of Business, Contractor or Supplier** | **Description of Service, Work or Content** | **Value of local Supply or local Service** ($ i**ncl. GST)** |
| Local Businesses and / or Contractors | | |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| Local Content | | |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| Other Benefit to the Local Region | | |
| ……………………………… | ……………………………………………. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |
| ……………………………… | …………………………………………….. | ……………. |

Note that the Tenderer’s future eligibility to tender may be affected where the providers listed above or the nominated local content are not used in a contract awarded following this tender process,

## Schedule of Qualifications and Departures Information

delete this schedule if not required.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 2’ to the note below.

(SUBMIT WITH TENDER FORM)

Refer to Conditions of Tendering clause - **Qualifications and Departures.** Provide the information requested below:

|  |  |
| --- | --- |
| **Compliance with Request for Tender (RFT) requirements** | |
| Is this offer fully compliant with all of the requirements of the RFT including all addenda and the Terms and Conditions of the proposed Contract? | **Yes, or**  **No** |

If the Tenderer’s offer is not fully compliant, complete the table below. List all qualifications and departures to the Tender with sufficient detail to allow their scope and application to be considered.

Where this Schedule is completed as a separate document, refer to the document in the declaration below.

Note if the Tenderer proposes an alternative material, item of equipment, contract condition or other change, it is directed to Conditions of Tendering clause – **Alternative Tenders.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Ref.**  **No.** | **Specification or RFT clause reference** | **Description of Departure, Clarification or Assumption** | **Reason for Departure, Clarification or Assumption** |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |
| ..... | ……………. | ………………………………. | ……………………………………... |

By submitting this Schedule, the Tenderer declares that all qualifications and departures to its Tender are listed in the Schedule of Qualifications and Departures Information.

**End of Schedule of Qualifications and Departures information**

## Schedule of Mandatory Participation Criteria Information

Delete this schedule if conditions of tendering Clause - Mandatory Participation Criteria is deleted.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 1’ to the note below.

(SUBMIT WITH TENDER FORM)

Refer to Conditions of Tendering Clause – **Mandatory Participation Criteria (MPC)**. Address and respond to each of the listed criteria in this Schedule.

#### MPC - 1: Statement of Conflicts of Interest

Refer specifically to Conditions of Tendering Clauses –- **Schedule of Special Tendering Conditions** – **Statement of Business Ethics and Conflict of Interest** for further information. Provide the information requested below:

|  |  |
| --- | --- |
| **Conflicts of Interest and Fair Dealings** | |
| Does the Tenderer have any real. perceived or potential Conflicts of Interest and/or Fair Dealings in relation to performing the obligations under the Contract? | **Yes, or**  **No** |

If the Tenderer considers that real, perceived or potential Conflicts of Interest and/or Fair Dealings may apply to performing its obligations under the Contract, complete the table below: *(expand table as required)*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type of Conflict of Interest (\*)** | **Description of the applicable Conflicts of Interest and/or Fair Dealings concerns** | | **Possible action to avoid/ manage the conflict of interest** | |
| |  |  |  | | --- | --- | --- | | ……………………………… | …………………………………………….. | ……………. | | ……………………………… | …………………………………………….. | ……………. | | |  |  |  | | --- | --- | --- | | ……………..……………….. |  | ……………. | | ……………………………… | …………………………………………….. | ……………. | | | |  |  |  | | --- | --- | --- | | …………………….…………… |  | ……………. | | …………………………………. |  | ……………. | | |
| |  |  |  | | --- | --- | --- | | ……………………………… | …………………………………………….. | ……………. | | ……………………………… | …………………………………………….. | ……………. | | |  |  |  | | --- | --- | --- | | ……………..……………….. |  | ……………. | | ……………………………… | …………………………………………….. | ……………. | | | |  |  |  | | --- | --- | --- | | …………………….…………… |  | ……………. | | …………………………………. |  | ……………. | | |
| |  |  |  | | --- | --- | --- | | ……………………………… | …………………………………………….. | ……………. | | ……………………………… | …………………………………………….. | ……………. | | |  |  |  | | --- | --- | --- | | ……………..……………….. |  | ……………. | | ……………………………… | …………………………………………….. | ……………. | | | |  |  |  | | --- | --- | --- | | …………………….…………… |  | ……………. | | …………………………………. |  | ……………. | | |
|  | |  | |  |

(\*) Conflicts of interest can be:

* 1. pecuniary; (e.g. gifts or hospitality, or other paid work with the Principal)
  2. non-pecuniary; (e.g. personal or family relationships or involvement in sporting, social, religious or cultural activities with employees of the Principal)
  3. real; (e.g. a conflict between personal friendship or loyalty and professional duty)
  4. apparent; (it may appear to others that a person’s private interests could improperly influence his/her performance)
  5. potential; (a conflict of interest may arise in the future due to personal interests conflicting with professional obligations)

#### 

#### MPC - 2: Statement of Compliance

|  |
| --- |
| By completing this Compliance Statement and submitting a tender response, the Tenderer declares that: |
| 1. the information provided within its Tender is true and accurate at the time of submission; 2. it agrees to comply with the requirements set out in the Statement of Business Ethics as referenced in Conditions of Tendering - **Schedule of Special Tendering Conditions** –**Statement of Business Ethics and Conflict of Interest;** 3. it is not aware of any issues or matters of a legal, financial or business nature that could affect its ability to perform its obligations under the Contract and 4. the person signing this Declaration is an authorised representative of the Tenderer with the authority to agree to and declare the referenced terms. |

|  |  |  |
| --- | --- | --- |
| Signed by/ for Tenderer | ……………………………………  Name of Representative | …………………………………… Signature of Representative |
| Date of Signature | ………………./…………../……………… |  |

#### Note if the Tenderer is unable to declare for any item listed above, it should score through and initial the item, sign the declaration and provide details of the applicable issues or matters.

**End of Schedule of Mandatory Participation Criteria information**

## Schedule of Weighted Non-Price Criteria Information

Delete this schedule if:

* conditions of tendering sub Clause - non-price criteria information - Weighted Non-Price Criteria; and
* conditions of tendering paragraphs - Evaluation of Tenders - Weighted Non-Price Criteria;

are deleted.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 1’ to the note below.

(SUBMIT WITH TENDER FORM)

Refer to the non-price criteria identified in Subclause - **Weighted Non-Price Evaluation** in Conditions of Tendering Clause – **Evaluation of Tenders**.

Address each listed criterion and provide the requested information. Do not provide general information. Cross-reference all information against the listed items to assist in the assessment.

List the criteria and the required information.

where a weighted scoring process is to be used, list all the weighted non-price criteria as included in Conditions of Tendering Clause – evaluation of Tenders - Weighted Non-Price Evaluation.

scoring should be based on model answers included in the Tender Evaluation Plan.

comprehensively and clearly describe the required information for each criterion so tenderers can address specific requirements rather than provide general statements. E.G.:

* + - 1. **Methodology and Work Methods:**

Include in the response:

* + - 1. identification of significant parts of the Works;
      2. identification of work that requires Principal and 3rd party involvement and/ or approval;
      3. planned processes and sequence of works to ensure satisfactory Completion;
      4. quality and compliance checking procedures and how these will apply;

Higher scores will be awarded to tenderers who are able to demonstrate work methods that will eliminate or significantly limit any …………………..

* + - 1. **Understanding Project Risks**

Demonstrate understanding of the proposed contract by:

1. identifying three significant risks related to carrying out the Works;
2. describing the proposed method of dealing with each risk, including how the following will be managed:
   1. adverse effects on work quality;
   2. delays and the affect on the contract program;
   3. cost and Contract Price;
   4. required resources; and
   5. informing and involving the Principal.
   6. other (*some key parts of the works that you want the tenderer to demonstrate competence in)*
      * 1. **Relevant Demonstrated Experience**

Demonstrate and include in the response:

* 1. knowledge, experience and management of the two named contracts (A & B referenced in other Schedule) including compliance with NCC requirements,:
  2. experience and management skills in:
  3. working with Local Government or other Agencies;
  4. managing WHS and environmental requirements;
  5. informing affected community members and responding to concerns;
  6. communication and reporting protocols used;
  7. other(*some key parts of the works that you want the tenderer to demonstrate competence in)*

|  |  |
| --- | --- |
| **Non-Price Evaluation Criteria** | **Information/ references to address the Criteria** |
|  |  |
| 1. | Demonstrate and include in the response:   * » |
|  |  |
|  |  |
| 2. | Demonstrate and include in the response: |
|  | * » |
|  |  |
|  |  |
| 3 | Demonstrate and include in the response: |
|  | * » |
|  |  |

**End of Schedule of non-price criteria information**

## Schedule of Non-Price Criteria Information

Delete this schedule if conditions of tendering sub Clause - non-price criteria information – other Non-Price Criteria is deleted.

Where this schedule is included, If a two-envelope system is being used for the tendering process, add ‘- in envelope 1’ to the note below.

this schedule can be used in combination with the Schedule of weighted Non-Price Criteria Information, but the same or similar criteria should not be included in both schedules.

the information sought in THIS SCHEDULE is primarily used to obtain confidence and identify any experience or competency concerns (and resolve them) with the PREFERRED tenderer, rather than select the preferred tenderer.

(SUBMIT WHEN REQUESTED)

List the criteria and the required information.

clearly describe the required information for each criterion so tenderers can address specific requirements rather than provide general statements.

add ADDITIONAL; items and/ or amend as required.

|  |  |
| --- | --- |
| **Non-Price Evaluation Criteria** | **Information/ references to address the Criteria** |
| **1. Reference Information**  Provide the following reference information (where available) for 2 most recent relevant contracts entered into by the Tenderer that are similar (or have elements that are similar) to the tendered Works. | |
| **a. Contract A** |  |
| * Contract / Project Name: | ………………………………………………………………………... |
| * Client: | ………………………………………………………………………... |
| * Date Completed: | ………………………………………………………………………... |
| * Contract / Project Value: | ………………………………………………………………………... |
| * Project Details: | ………………………………………………………………………... |
| * Referee | ………………………………………………………………………... |
| * Name: | ………………………………………………………………………... |
| * Position: | ………………………………………………………………………... |
| * Office Phone Number: | ………………………………………………………………………... |
| * Mobile Phone Number: | ………………………………………………………………………... |
| * Email: | ………………………………………………………………………... |
| **b. Contract B** |  |
| * Contract / Project Name: | ………………………………………………………………………... |
| * Client: | ………………………………………………………………………... |
| * Date Completed: | ………………………………………………………………………... |
| * Contract / Project Value: | ………………………………………………………………………... |
| * Project Details: | ………………………………………………………………………... |
| * Referee | ………………………………………………………………………... |
| * Name: | ………………………………………………………………………... |
| * Position: | ………………………………………………………………………... |
| * Office Phone Number: | ………………………………………………………………………... |
| * Mobile Phone Number: | ………………………………………………………………………... |
| * Email: | ………………………………………………………………………... |

add ADDITIONAL non-price CRITERIA.

for example; relevant experience (where a Weighted non-price CRITERIA schedule is not used)

**Relevant Demonstrated Experience**

Demonstrate and include in the response:

1. knowledge, experience and management of the two named contracts (A & B referenced above) including compliance with NCC requirements,:
2. experience and management skills in:
3. working with Local Government or other Agencies;
4. managing WHS and environmental requirements;
5. informing affected community members and responding to concerns;
6. communication and reporting protocols used;
7. other(*some key parts of the works that you want the tenderer to demonstrate competence in)*

|  |  |
| --- | --- |
| **2.** »……… | |
| * »…….. | »…………………………………………………………………… |

**End of Schedule of non-price criteria information**

## Schedule of Program Information

delete this schedule if not required.

Where this schedule is included, a program is useful for the comparison of tenders and to explain methodology. amend the note below to ‘(Submit with Tender Form)’ If a two-envelope system is being used for the tendering process, and add the words ‘- in envelope 1’.

include specific inclusions where APPROPRIATE, e.g.:

• Site establishment

• Lead times for supply

• Construction/demolition/relocation activities/installation works

• Inspections

• Commissioning process (including O&M manuals, training, final clean)

• Submission of NCC Compliance Certificate

(SUBMIT WHEN REQUESTED)

Submit a program as described in Conditions of Tendering clause - **Program**.

Avoid including dates in the program. The Tenderer acknowledges and declares that any dates shown in the program are for illustration purposes only and are not conditions or qualifications of its Tender.

Include the following paragraph where the tender PROGRAM is for information only and will not be part of an accepted tender. Delete the PARAGRAPH if not required.

note this condition should avoid changes in a tendered program BEING INADVERTENTLY accepted.

PARAGRAPH

The Tenderer acknowledges and declares that, unless the Principal instructs otherwise, the program submitted as part of its tender is for information purposes only and will not form part of any Contract if this tender is accepted.

end of paragraph

The following additional items are to be included in the tender program for each milestone as applicable:

|  |
| --- |
| » |
| » |
| » |

**end of Schedule of program information**

## Schedule of Technical Data

Delete this schedule and the above heading when Conditions of Tendering clause - Technical Data has been deleted.

Where this schedule is included, If the Technical Data listed here is required for the comparison of tenders, amend the note below to ‘(Submit with Tender Form)’ and If a two-envelope system is being used for the tendering process, add the words ‘- in envelope 1’.

(SUBMIT WHEN REQUESTED)

List all information required by this Schedule, and attach details of manufacturer’s product data together with such illustrations as are necessary to fully describe the Tenderer’s offer.

List specific items for which information is sought.

Keep the number of items to a minimum and only ask for information that is required to evaluate the tenders or to determine whether a tender is satisfactory.

Do not ask for confirmation of compliance with contract requirements.

|  |  |
| --- | --- |
| **Item** | **Tenderer’s offer** |
|  |  |
| » | ………………………………………… |
| » | ………………………………………… |
| » | ………………………………………… |
| » | ………………………………………… |
| » | ………………………………………… |
| » | ………………………………………… |
| » | ………………………………………… |
| » | ………………………………………… |

**end of Schedule of Technical Data**

## Schedule of Proposed Subcontractors and Consultants

Delete this schedule and the above heading unless information is REQUIRED on Proposed Subcontractors and Consultants who will carry out significant proportions of the work. note other schedules deal with design resources and THE use of local SUBCONTRACTORS.

(SUBMIT WHEN REQUESTED)

Submit the information required in Conditions of Tendering clause - **Proposed Subcontractors and Consultants**.

**delete the following PARAGRAPH if details of all proposed subcontractors and consultants is required. If a limit applies amend threshold.**

**Paragraph**

Include any individual Subcontract or Consultant work where the estimated value of the work or fees is (or exceeds) $100,000 or 2% of the Contract Price, whichever is the greater.

**End of PARAGRAPH**

Confirm (by inserting “Yes” in the third column of the table below) that the recent WHS and Environmental Management performance of each subcontractor and consultant has been reviewed by the Tenderer and found to be satisfactory.

|  |  |  |
| --- | --- | --- |
| **Subcontract and Consultant work** | **Names and addresses of Subcontractors and Consultants** | **Confirmation of satisfactory WHS and Environmental Management performance** |
|  |  |  |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
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| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |
| ………………………… | ……..……………………………………… | …………………… |

The Tenderer declares that it intends to use the above listed subcontractors and consultants. Where circumstances require the use of an alternative subcontractor or consultant, the Tenderer agrees to notify the Principal of the details of the alternative subcontractor or consultant and provide evidence of its satisfactory WHS and Environmental Management performance.

**End of schedule of proposed subcontractors and consultants**

## Schedule of Design and Documentation Resources

delete this schedule unless conditions of tendering Clause – Design and Documentation resources is included.

Where this schedule is included, If the information in this schedule is required for the comparison of tenders, amend the note below to ‘(Submit with Tender Form)’ and If a two-envelope system is being used for the tendering process, add the words ‘- in envelope 1’.

(SUBMIT when requested)

#### Provide the information for external and internal design and documentation resources.

#### **A) External Resources**

#### Consultant Details

If the tenderer proposes to use consultants for its design development and documentation, insert the details listed below, to demonstrate that each consultant has the qualifications, competence and experience required to satisfactorily carry out the design required under the Contract.

Include a separate Schedule of Design and Documentation Resources for each consultant.

|  |  |
| --- | --- |
| Name of consultant: | ………….……………….………………………… |
| telephone number: | ………….……………….………………………… |
| email: | ………….…………………………….…………… |
| Discipline(s): | ……………….……………………………….…… |
|  | ………….………………………………….……… |
|  | ………….………………………………….……… |

#### Consultant’s Key Personnel

|  |  |  |
| --- | --- | --- |
| **Name** | **Discipline** | **Qualifications, Competence, Experience** |
| ………………………….... | ………………………….. | ……………………………………..…….. |
| …………………………….. | ………………………….. | ……………………………………..…….. |
| …………………………….. | ………………………….. | ……………………………………..…….. |
| …………………………….. | ………………………….. | ……………………………………..…….. |
| …………………………….. | ………………………….. | ……………………………………..…….. |

#### Consultant’s Relevant Current or Recently Completed Commissions

List the following details for each current or recently completed commission for similar work:

|  |  |  |
| --- | --- | --- |
| **Commission Details** |  | |
|  |  |
| Project name: | ………………………………………… |
| Project value: | $ ……………………………………… |
| Client: | ………………………………………… |
| Client’s contact person’s name: | ………………………………………… |
| Telephone number: | ………………………………………… |
| Actual or anticipated completion date: | ………………………………………… |
| Value of work constructed as a result of the commission: | $ ……………………………………… |

#### **B) Internal Resources**

If the tenderer proposes to use internal personnel for design development and documentation, insert the details listed below, for each of the key personnel, to demonstrate that they have the qualifications, competence and experience required to satisfactorily carry out the required design. Include a separate Schedule of Design and Documentation Resources for each of the personnel.

#### Key Internal Personnel

List the following details for key personnel:

|  |  |
| --- | --- |
| Name: | ………………………………………………………… |
| Position: | ………………………………………………………… |
| Discipline: | ………………………………………………………… |
| Qualifications: | ………………………………………………………… |
| Competence: | ………………………………………………………… |
| Experience: | ………………………………………………………… |
| Proposed function/ work: | ………………………………………………………… |

#### Relevant Current/Recently Completed Commissions

Include the following details for each current or recently completed commission of similar nature and value:

|  |  |
| --- | --- |
| Project name: | ………………………………………………………… |
| Project value: | ………………………………………………………… |
| Client: | ………………………………………………………… |
| Actual or Anticipated Completion date: | ………………………………………………………… |
| Functions: | ………………………………………………………… |

The Tenderer declares that, with regard to its proposed internal and external resources, it intends to use the above listed consultants and key personnel. Where circumstances require the use of an alternative consultant or key person, the Tenderer agrees to notify the Principal of:

* the details of the consultant or key person, similar to that provided for the listed consultant or key person; and
* provide further evidence that the relevant skills and experience of the alternative consultant or key person are at least equivalent to the relevant skills and experience of the listed consultant or key person, as applicable.

End of schedule of Design and documentation resources

## Schedule of Financial Assessment Information

delete this schedule if not required.

Where this schedule is included, THe listed information is APPROPRIATE for an external financial assessment. delete/ amend where information is not required for a local or internal assessment.

(SUBMIT WHEN REQUESTED)

Provide documents and information listed below in accordance with Conditions of Tendering clause - **Financial Assessment**.

|  |  |
| --- | --- |
| 1 | Financial Statements for last three years for the entity under consideration, including: |
|  | i) Balance Sheets;  ii) Profit and Loss Statement;  iii) statement of Cash Flows;  iv) an Accountant’s Report;  v) where existing, Auditor's Reports.  vi) detailed Profit and Loss Statement;  vii) notes to and Forming Part of the Accounts |
|  | Note: Consolidated accounts of a parent organisation or group to which the entity belongs are not acceptable |
| 2 | Where latest financial statement is more than 6 months old, the latest management report showing: |
|  | i) a trading statement;  ii) a profit and loss statement;  iii) a trial balance. |
| 3 | Where the company is required to lodge audited financial statements with ASIC, copies of these statements for the last three years. |
| 4 | Where any financial statement supplied is not audited, copies of the entity's tax returns for last three years. |
| 5 | A letter from the Tenderer's banker providing details of overdraft and guarantee facilities including: |
|  | i) Bank, Branch, and Account Names,  ii) type and limit of bank overdraft facility,  iii) type and limit of bank guarantee facility,  iv) current bank overdraft balance,  v) number and amount of bank guarantees outstanding  vi) details of other bank funding facilities available to the Tenderer, such as term loans, lines of credit, commercial bills and other debt instruments |
| 6 | Current and projected cash flows for all work on hand. |
| 7 | Forecast budget for forthcoming financial year including Revenue and Profit and Loss. |
| 8 | Names and contact numbers of: |
|  | i) major suppliers  ii) major subcontractors. |
| 9 | Details relating to the Tenderer’s history and Directors Profiles. |

End of schedule of financial assessment information

## Schedule of Quality Management Information

(SUBMIT WHEN REQUESTED)

Submit one of the following, to demonstrate the capacity to plan and manage the quality of work:

evidence of current full certification of the Tenderer’s Quality Management System to AS/NZS ISO 9001:2016 by a certifying body registered with the Joint Accreditation System - Australia and New Zealand (JAS-ANZ); **or**

evidence that the Tenderer’s Quality Management System meets the requirements of another NSW Government agency for works comparable (in value and type) to the Works; **or**

a Quality Management Plan complying with the requirements of the *NSW Government Quality management guidelines (Construction Procurement)* (Edition 4) (QM guidelines); for recent past works comparable (in value and type) to the Works; **or**

a minimum of three (3) completed examples of Inspection and Test Plans that comply with the requirements of the *Quality management guidelines* and have been used on at least two recent contracts.

end of Schedule of quality management INFORMATION

## Schedule of WHS Management Information: Part A

If a two-envelope system is being used for the tendering process, add ‘- in envelope 1’ to the note below.

(SUBMIT WITH TENDER FORM)

Submit the documents and information specified below. Refer to Conditions of Tendering Clause– **Work Health and Safety Management.**

**include whsI option 1 IF whs OPTION 1 OF CONDITIONS OF TENDERING CLAUSE - Work health and safety management HAS BEEN selected, otherwise delete.**

**AMEND WHSI OPTION 1 WHERE a letter from the Office of the Federal Safety Commissioner evidencing current OFSC Accreditation IS REQUIRED**

**WHSI Option 1**

* + - 1. WHS Management System

Submit:

* written evidence that the tenderer’s WHS Management System is certified in accordance with JSA-ANZ requirements as complying with AS/NZS ISO45001:2018 *WHS Management Systems;* or
  + - current accreditation with the Office of the Federal Safety Commissioner.

**End of whsI option 1**

#### Evidence of Satisfactory WHS Management

|  |
| --- |
| Nominate at least three contracts/projects completed within the last two (2) years that demonstrate successful management of work health and safety by the tenderer: |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Client** | **Name & location of contract**  *E.g. Sutherland Hospital Carpark; Dubbo Water Treatment Plant; Tamworth Coles Shopping Centre; 3 Storey Unit Block, Penrith.* | **Contract Price/**  **Project Value** | **Start Date** | **Completion Date** |
| ………….. | ……………………………………………. | ……………… | ……..…… | ……….…… |
| ………….. | ……………………………………………. | ……………… | ……..…… | ……….…… |
| ………….. | ……………………………………………. | ……………… | ……..…… | ……….…… |
| ………….. | ……………………………………………. | ……………… | ……..…… | ……….…… |

#### Recent Prosecutions and Fines

|  |  |
| --- | --- |
| Has the tenderer incurred a prosecution or fine for a breach of any Australian WHS legislation during the past two (2) years? | Yes, or  No. |

|  |
| --- |
| If ‘Yes’, list details of every prosecution and fine below or in a separate statement: |

|  |  |
| --- | --- |
| **Description of WHS prosecution or fine** | **Action taken by tenderer in response** |
| ………………………………………..………. | ………………………………….……………………… |
| ………………………………………..………. | ………………………………….……………………… |
| ………………………………………..………. | ………………………………….……………………… |
| ………………………………………..………. | ………………………………….……………………… |

End of schedule of Whs Management Information – part a

## Schedule of WHS Management Information: Part B

(SUBMIT WHEN REQUESTED)

Submit the additional documents and information specified below. Refer to Conditions of Tendering Clause – **Work Health and Safety Management.**

#### Additional Evidence of Satisfactory WHS Management

|  |
| --- |
| Submit the following additional information for each of the three contracts/projects nominated in the list submitted by the tenderer in the Tender Schedules – **Schedule of WHS Management Information – Part A** – **Evidence of Satisfactory WHS Management**: |

Include either WHSI option 2 or WHSI option 3 and delete the option that does not apply.

Use WHSI Option 2 if the contract is valued at $1,000,000 or more.

Use WHSI option 3 if the contract is valued at less than $1,000,000.

WHSi option 2

|  |  |
| --- | --- |
| a) | a client referee report (which may be a NSW Government Agency Contractor Performance Report) commenting on the tenderer’s performance in relation to safety management, identifying the referee’s name, position, organisation, and contact details; **and** |
| b) | a copy of a third-party audit report; **or** internal audit report; **or** Site safety inspection report; **or** Site safety review report; **or** other similar evidence. |

end of WHSi option 2

WHSi option 3

|  |  |
| --- | --- |
| a) | a client referee report (which may be a NSW Government Agency Contractor Performance Report) commenting on the tenderer’s performance in relation to safety management, identifying the referee’s name, position, organisation, and contact details; **and a copy of:** |
| b) | a third-party audit report or internal audit report; **or** |
| c) | a Site safety inspection report; **or** |
| d) | a safety management plan; **or** |
| e) | three (3) safe work method statements; **or** |
| f) | minutes of three (3) toolbox meetings. |

end of WHSi option 3

#### Hazardous Substances

Delete THIS REQUIREMENT AND THE ABOVE HEADING unless:

* hazardous materials such as asbestos and other materials, as listed below, are likely to be encountered; or
* the estimated value of demolition works plus the estimated value of salvageable material exceeds $250,000; or
* the project manager considers it necessary.

|  |  |
| --- | --- |
| Hazardous building materials include asbestos, asbestos containing materials (ACM), Lead paint and lead dust, synthetic mineral fibre (SMF), polychlorinated biphenyls (PCBs), silica dust and ozone depleting substances. Refer to the NSW Fair Trading website for more information.  Submit details of proposed: | |
| i) | methods for surveying for hazardous substances; |
| ii) | methods for handling and removal from the Site of hazardous substances; and |
| iii) | consultants and subcontractors and licence details. |

#### Demolition

Delete THIS REQUIREMENT AND THE ABOVE HEADING unless:

* the estimated value of demolition works plus the estimated value of salvageable material exceeds $250,000; or
* the demolition works pose a significant risk to people and property.

|  |  |
| --- | --- |
| For each item to be demolished, submit details of the proposed method of demolition including: | |
| i) | plant and equipment to be used; |
| ii) | protection of the Site including, but not limited to, protection of any items specified; and | |
| iii) | arrangements, including details and extent of protective hoardings, for the protection of the public and property adjoining the Site. | |

End of Schedule of WHS Management Information – PART B

## Schedule of Environmental Management Information: Part A

If a two-envelope system is being used for the tendering process, add ‘- in envelope 1’ to the note below.

(SUBMIT WITH TENDER FORM)

Submit the documents and information specified below. Refer to Conditions of Tendering Clause - **Environmental Management.**

include EMI Option 1 if EM Option 1 of Conditions of Tendering clause - Environmental Management has been selected, otherwise delete.

This OPTION requires the tenderer to have an Environmental Management System.

EMI Option 1

* + - 1. Environmental Management System

Submit:

* a copy of an audit report, signed by an independent OHS Auditor certified as a Principal, Lead or Business Improvement Auditor by a JAS-ANZ personnel certifier, such as RABQSA, attesting that the Tenderer’s Environmental Management System:
* complies with the documentation requirements of AS/NZS ISO 14001:2016 Environmental management systems;
* appropriately comprehends all current Environmental Legislation and other Environmental requirements; and
* includes requirements for audit, by an Approved Assessor independent of the Contractor, of compliance, currency and effective implementation at intervals of not less than three years:

or

* written evidence that the tenderer’s Environmental Management System is certified in accordance with JSA-ANZ requirements as complying with AS/NZS ISO14001:2004 or AS/NZS ISO 14001:2016 *Environmental Management Systems;*

end of EMI option 1

#### Evidence of Satisfactory Environmental Management

|  |
| --- |
| Nominate at least three contracts/projects completed within the last two years that demonstrate successful environmental management by the tenderer: |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Client** | **Name & location of contract**  *E.g. Sutherland Hospital Carpark; Dubbo Water Treatment Plant; Tamworth Coles Shopping Centre; 3 Storey Unit Block, Penrith.* | **Contract Price/**  **Project Value** | **Start Date** | **Completion Date** |
| ………….. | …………………….…………..…………. | ……………… | …..……… | …………… |
| ………….. | …………………….…………..…………. | ……………… | …..……… | …………… |
| ………….. | …………………….…………..…………. | ……………… | …..……… | …………… |
| ………….. | …………………….…………..…………. | ……………… | …..……… | …………… |

#### Recent Environmental Prosecutions and Fines

|  |  |
| --- | --- |
| Has the tenderer incurred a prosecution or fine under the *Protection of the Environment Operations Act 1997 (POEO Act)* or any other Australian environmental legislation during the last two (2) years? | Yes, or  No. |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| If ‘ Yes’, list details of every prosecution and fine below or in a separate statement:   |  |  | | --- | --- | | **Description of environmental prosecution or fine** | **Action taken by tenderer in response** | | ………………………………………..………. | ………………………………….……………………… | | ………………………………………..………. | ………………………………….……………………… | | ………………………………………..………. | ………………………………….……………………… | | ………………………………………..………. | ………………………………….……………………… | |

End of Schedule of ENVIRONMENTAL Management Information – PART A

## Schedule of Environmental Management Information: Part B

Delete this schedule if both em option 1 and EM option 2 of conditions of tendering Clause – Environmental management have been deleted. I.e. No options have been selected and the Environmental Management Plan located in the Schedules to Preliminaries is sufficient.

(SUBMIT WHEN REQUESTED)

Submit the additional documents and information specified below. Refer to Conditions of Tendering Clause – **Environmental Management**.

#### Implemented Environmental Management Plan

|  |
| --- |
| Submit copies of two environmental management plans implemented by the tenderer, preferably for a contract or project, similar, in type and value to this Contract that was completed within the last two (2) years. |

#### Environmental Management Objectives and Measures

|  |
| --- |
| Submit details of:   1. the environmental management objectives proposed for the work under the Contract; 2. the key environmental management actions proposed for the work under the Contract; and 3. the persons who will be responsible for managing the actions proposed. |

use EMi Option 2 if EM Option 1 of Conditions of Tendering clause - Environmental Management has been SELECTED or the Works are environmentally sensitive, otherwise delete.

EMi Option 2

#### Additional Evidence of Satisfactory Environmental Management

|  |
| --- |
| Submit the following additional information for each of the three contracts/projects nominated in the list submitted by the tenderer in the Tender Schedules – **Schedule of Environmental Management Information – Part A** – **Evidence of Satisfactory Environmental Management**: |

* a client referee report (which may be a NSW Government agency Contractor Performance Report) commenting on the Tenderer’s performance in relation to environmental management, identifying the referee’s name, position, organisation, and telephone and email contact details; **or**
* a copy of a third-party audit report, **or** internal audit report, **or** inspection report **or** environmental management plan.

end of emi option 2

End of Schedule of ENVIRONMENTAL Management Information – PART B

## Schedule of Dealing with Modern Slavery

(SUBMIT WHEN REQUESTED)

1. **Meanings:**

|  |  |
| --- | --- |
| Modern slavery risks | means the potential for a Contractor to cause, contribute to, or be directly linked to modern slavery through its operations and supply chains. |
| Operations: | means any activity or business relationship undertaken to pursue the Contractor’s business objectives and strategy. This includes research and development, construction, production, arrangements with suppliers, distribution, purchasing, marketing, sales, provision and delivery of services, financial lending, and investments. |
| Supply chains | means the products and services (including labour) that contribute to the Contractor’s business’ own products and services. This includes the products and services sourced in Australia, or overseas, and extends beyond the contractor’s direct suppliers. |
| Contractors & Tenderers | References to Contractors & Tenderers in this Schedule are generally interchangeable as the applicable actions and responsibilities can occur in different stages of the procurement process. |

1. **General:**

The term ‘modern slavery’ is used to describe situations where adults and children are exploited because they have been coerced, threatened or deceived. It describes situations where a person’s freedom and dignity have been taken away.  The term is defined in section 5 of the *Modern Slavery Act 2018(NSW).* Modern Slavery refers to a range of serious crimes, including:

* + Slavery, servitude, forced labour, deceptive recruiting for labour or services, forced marriage;
  + trafficking in persons, trafficking in children;
  + debt bondage;
  + sexual servitude;
  + forced child marriage;
  + the use of a child in the production of child abuse material and related offences; or
  + the slavery, servitude or forced labour of a child.

It could be:

* A cleaner in an office who is unable to stop working due to threats of violence from their employer.
* A young brick layer who is coerced into taking a job on a dangerous site, paid very little, and required to live on site.
* A migrant worker in a factory who has not received any wages while they work to repay an exorbitant debt owed for their recruitment.

More information on the Modern Slavery Act (NSW) 2018 and Modern Slavery Amendment Act 2021 can be found at: [*https://www.nsw.gov.au/modern-slavery*](https://www.nsw.gov.au/modern-slavery)

The nature and extent of modern slavery means that there is a risk that it is present in a Contractor’s operations and supply chains. The implementation of processes to eliminate or minimise the risk of the goods or services supplied being products of modern slavery is an opportunity for Contractors to use their influence and purchasing power to create genuine change.

Additionally, the [*UN Guiding Principles on Business and Human Rights*](https://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf) requires all businesses to undertake human rights due diligence to prevent and address the adverse human rights impacts linked to their business activities. Human rights due diligence is an ongoing process of identifying and assessing human rights impacts, acting upon the business’ findings, tracking the response, and sharing the results.

1. **Principal’s Commitment**

The Principal is committed to taking all reasonable steps to ensure that the goods and services procured by Council are not the product of modern slavery. The Principal has a legal and ethical obligation for considering, identifying, managing and reporting on modern slavery risks within the Principal’s supply chains in accordance with the Modern Slavery Act (NSW) 2018 and Modern Slavery Amendment Act 2021.

1. **Tenderer Action**

*Complete Attachment A below*

ATTACHMENT A – Information on dealing with Modern Slavery risks

The questions in this Attachment are aimed at improving understanding and to support the development of steps to deal with the risks of Modern Slavery. It is acknowledged that some tenderers would not have procedures to deal with these risks already in place. This information can either be set out in this table or in an annexure to this Attachment.

|  |  |  |
| --- | --- | --- |
| **Item** | **Information Request** | **Response** |
| 1 | Is the Tenderer subject to reporting requirements under the Commonwealth*Modern Slavery Act 2018*(company operates in Australia & has an annual consolidated revenue >$100m)  (Re *Provide Details*: if ‘Yes’ please attach a copy of the most recent Modern Slavery Statement) | Yes, or  No |
| Provide Details |
| 2. | List the item number(s) that best describe the Tenderer’s usual supply chain for materials, manufactured goods and services:   1. *Local (Australian) sources who obtain goods locally and overseas* 2. *Direct importation of some materials (list major sourcing country)* 3. *Direct importation of some manufactured goods (list major sourcing country)* 4. *Use of exclusively local service providers* 5. *Use of some overseas service providers* 6. *Other (please provide details)* |  |
| 3. | List the item number(s) that best describe how the Tenderer manages/ proposes to manage the risk of modern slavery in its operations and supply chains:   1. *Comprehensive processes are in place (please provide details)* 2. *Some processes have been introduced and a rollout plan is underway (please provide details)* 3. *In the planning stage* 4. *Not yet commenced but have an intention to commence* 5. *Have not yet been required to take any action* 6. *Other (please provide details)*   (Re *Provide Details*: if applicable, describe any policies, guidelines, training, or other risk-based due diligence or remediation frameworks that are in place or are planned. | Item No(s). |
| Provide Details |
| 4. | List the item number(s) that best describe how the Tenderer plans to engage with its suppliers regarding the management of modern slavery risks:   1. *Supplier screening checks* 2. *Supplier on boarding, audits* 3. *Site visits* 4. *Questionnaires* 5. *Procedures are In the planning stage* 6. *Have not yet developed any engagement plans* 7. *Other (please provide details)* | Item No(s). |
| 5. | List the item number(s) that best describe how the Tenderer identifies/ proposes to identify modern slavery risks in its operations and supply chains:   1. *Comprehensive processes are in place* 2. *Adopt a risk-based approach to the procurement and suppliers, focusing on high-risk procurements* 3. *Communicate with buyers and suppliers so that everyone understands the part they can play* 4. *Not yet commenced but have an intention to commence an identification process* 5. *Have not yet been required to take any action* 6. *Other (please provide details)* | Item No(s). |
| 6. | In relation to the goods and/or services the Tenderer may supply under this tender, have any modern slavery risks been identified?  (Re *Provide Details*: if ‘Yes’, please describe the nature of the risks identified) | Yes, or  No |
| Provide Details |
| 7 | List the item number(s) that best describe how the Tenderer tracks/ proposes to track the effectiveness of action taken to address modern slavery risks:   1. *Feedback from an industry group or others* 2. *External audits* 3. *Employee surveys* 4. *Monitoring feedback and complaints* 5. *Communications with buyers and suppliers* 6. *Not yet commenced but have an intention to commence a monitoring process* 7. *Have not yet been required to take any action* 8. *Other (please provide details)* | Item No(s). |
| 8. | Is there any further supporting information the Tenderer has prepared to demonstrate actions to address modern slavery in its operation and supply chain?  (Re *Provide Details*: if ‘Yes’ please attach supporting information. This could include *your ethical sourcing policy, human rights policy, sustainability report, statement of business ethics, or supplier code of conduct.)* | Yes, or  No |
| Provide Details |
| 9. | Does the Tenderer consent to have the information provided in this Attachment shared with other NSW government agencies through a supplier database to minimise duplication?  (Re *Provide Details*: if ‘No’, please advise any privacy/ confidentiality concerns. | Yes, or  No |
| Provide Details |

END OF SECTION –TENDER SCHEDULES