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**Infrastructure Advisory Services**

**Tender Schedules**

 [insert RFT name and number]

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The following Tender Schedules must be completed and submitted as part of the Tender:

Part A: Non-Price Schedules (Envelope 1)

* Schedule A.1 Tender Cover Sheet – Non-Price Information
* Schedule A.2 Key Contract Terms
* Schedule A.3 Outline of Services Delivery Plan
* Schedule A.4 Non-Price Information
* [Schedule A.5 Quality Management System information]
* [Schedule A.6 Work Health and Safety Management System information]
* [Schedule A.7 Compliance - Dealing with Modern Slavery]
* [Schedule A.8 Aboriginal Participation Information]
* [insert others as applicable]

Part B: Price Schedules (Envelope 2)

* Schedule B.1 Tender Form - Price
* Schedule B.2 Price

***[User Instruction: The schedules above in square brackets should only be included if required for this procurement. If not relevant, they can be deleted from the above list along with the corresponding schedules before being issued to Tenderers.]***

Schedule A.1 Tender Cover Sheet – Non-Price Information

[***User Instruction: delete the following line unless using the two-envelope tendering system.***]

[(SUBMIT IN ENVELOPE 1 – NON-PRICE DETAILS)]

#### **Tender Closing Office**

|  |  |
| --- | --- |
| Name: |  |
| Address: |  |

#### **Tenderer’s details**

|  |  |
| --- | --- |
| Name:(in block letters) | ABN:  |
|  |  |
| Address: |  |
|  |  |
| Telephone number: |  |
| Email address: |  |
|  |  |
|  | hereby tender(s) to perform the Services for: |

#### **Tender details**

|  |  |
| --- | --- |
| RFT name: |  |
| RFT number: |  |
|  |  |
|  |  |
|  |  |

Attached is the information required in Envelope 1.

Schedule A.2 key contract terms

[***User Instruction: delete the following line unless using the two-envelope tendering system.***]

[SUBMIT IN ENVELOPE 1 WITH TENDER COVER SHEET – NON-PRICE INFORMATION]

|  |  |  |
| --- | --- | --- |
| 1 | Service Provider | Name:ABN/ACN: |
| 2 | Service Provider’s Representative (clause 2.1(b)) | Name:Telephone number:Email address: |
| 3 | Intellectual Property(clause 3.2(b)) | Intellectual property not vesting in the Principal is:(“Nil applies if not filled in”)***Note to Tenderer:*** *Government policy and the default position under the contract is that the Principal retains ownership in intellectual property rights. If the Tenderer seeks the alternative option (that intellectual property rights are retained by the Tenderer and licensed to the Principal), the Tenderer should nominate the deliverables in which the Tenderer seeks to retain title to intellectual property and which would be licensed to the Principal under the terms of the contract. If the Tenderer is proposing a licence, the Tenderer should provide a nominated alternative tender item to demonstrate any savings to the NSW Government of licence rather than vesting of intellectual property.* |
| 4 | Notices | For notices to the Tenderer the intended recipient is the Tenderer’s RepresentativeOffice address\*:(for delivery by hand)Postal address\*:(for delivery by post)Email address\*:\*As nominated in the Tender and accepted by the Principal. |

Schedule A.3 Outline of Services Delivery Plan

[***User Instruction: Include this schedule if the information is required to tender evaluation. Delete the following line unless using the two-envelope tendering system.***]

[SUBMIT IN ENVELOPE 1 WITH TENDER COVER SHEET – NON-PRICE INFORMATION]

Prepare and submit an Outline of Services Delivery Plan for the Services. The Outline of Services Delivery Plan will be taken into account when evaluating the Tender.

The Outline of Services Delivery Plan must include, as a minimum:

1. an outline program for the Services showing key activities, the time allowed for each key activity, and milestones or points at which reviews of the work are planned;
2. proposed methodology to effectively achieve the project scope, technical brief and project quality, including any innovation offered.
3. an outline of the expected inputs to be supplied by the Principal;
4. key personnel proposed to perform the Services (including subconsultants) including:
* name and title; and
* role in performing the Services;
1. an organisation chart showing interfaces for the key personnel and subconsultants; and
2. an outline of design reviews, verification methods and proposed reviews by the Principal.

[***User instruction: Add contract specific information if required for the tender evaluation. Do not request the same information in this schedule and the schedule of non-price information***.]

Schedule A.4 Non-Price Information

[***User Instruction: Include this schedule only if the tender evaluation will include scored and weighted non-price criteria. Delete the following line unless using the two-envelope tendering system.***]

[SUBMIT IN ENVELOPE 1 WITH TENDER COVER SHEET – NON-PRICE INFORMATION]

Submit the following information in relation to the non-price evaluation criteria. The Principal will take this information into account when evaluating the Tender.

[***User Instruction: Identify information required to evaluate the non-price criteria specified in the RFT documents. Do not repeat the information included in the outline of services delivery plan. The items below are suggestions. Delete those that are not applicable to your evaluation and add relevant additional items if required.***]

1. the Tenderer’s recent experience in carrying out services of similar type and value to the Services, including the following information for three such engagements:
	* name, description and value of the project for which the services were provided;
	* description and value of the services provided by the Tenderer’s;
	* specific challenges related to the services and actions taken by the Tenderer’s to deal with them; and
	* names and contact details of client representatives who can confirm the Tenderer’s satisfactory performance of the services.
2. key personnel and subconsultants proposed to perform the Services, including:
	* name of person or subconsultant firm;
	* proposed role in performing the Services; and
	* qualifications and recent relevant experience.
3. a description of three significant risks related to the Services and the Tenderer’s proposed method of dealing with them; and
4. details of how the Tenderer will ensure environmental sustainability through the design.

Schedule A.5 Quality Management System information

***[User Instruction: Consider deleting this clause and above heading if the estimated fee is less than $250,0000, and the services are deemed low risk. Prequalification schemes SCM1191 & SCM10611 require certified quality management systems for consultants in the above $250,000 fee categories.]***

***[Delete the following line unless using the two-envelope tendering system.***]

[SUBMIT IN ENVELOPE 1 WITH TENDER COVER SHEET – NON-PRICE INFORMATION]

#### Current status of Quality Management System

|  |  |
| --- | --- |
| Does the Tenderer have a third party certified quality management system to AS/NZS ISO Standard 9001 or can demonstrate that equivalent systems are in place? | * Yes, or
* No
 |

#### If “Yes”:

|  |  |
| --- | --- |
| * Name of certifying third party:
 |  |
| * Date of last internal audit:
 |  |
| * Date of last external audit:
 |  |

Describe any systems and processes that will be used to establish and maintain overall quality over the life cycle of this project:

Attach a copy of the internal audit log.

Schedule A.6 Work Health and Safety Management System information

***[User Instruction: If sourcing from scheme SCM1191, only include this clause and above heading if using the following work categories:***

* ***Independent Safety Assessor (Work Category 406)***
* ***Occupational hygienists (Work Category 402)***
* ***Project Manager Planning & Delivery – Health Infrastructure (Work Category 336)***
* ***Project Management (Work Category 313)***

***If sourcing from scheme SCM10611, only include this clause and above heading if using the following work categories of consultants in construction prequalification scheme SCM10611:***

* ***Project Manager Planning & Delivery – Health Infrastructure***
* ***Project Management.]***

 ***[Delete the following line unless using the two-envelope tendering system.***]

[SUBMIT IN ENVELOPE 1 WITH TENDER COVER SHEET – NON-PRICE INFORMATION]

#### Current status of Work Health and Safety Management System

|  |  |
| --- | --- |
| Does the Tenderer have in place a Work Health and Safety Management System certified to ISO 45001 or AS/NZS 4801 or can demonstrate that equivalent systems are in place? | * Yes, or
* No
 |

#### If “Yes”:

|  |  |
| --- | --- |
| * Name of certifying third party:
 |  |
| * Date of last internal audit:
 |  |
| * Date of last external audit:
 |  |

Schedule A.7 Compliance - Dealing with Modern Slavery

1. **Meanings**

|  |  |
| --- | --- |
| *Modern Slavery Risks* | means the potential for a Consultant 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 Consultant’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 Consultant’s business’ own products and services. This includes the products and services sourced in Australia, or overseas, and extends beyond the Consultant’s direct suppliers; |
| *Consultant & Tenderers* | references to Consultants & 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) and refers to a range of serious crimes, including slavery, servitude (domestic and sexual), human trafficking, forced labour, debt bondage, child labour and forced marriage.

It could be:

* A cleaner in an office who is unable to stop working due to threats of violence from their employer
* A young bricklayer 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.

The nature and extent of modern slavery means that there is a risk that it is present in a Consultant’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 Consultants 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) (UN Guiding Principles) 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. **Declaration of Compliance**

By completing this Compliance Schedule and submitting a tender response, the Tenderer:

1. acknowledges that the requirements of Conditions of Agreement Clause Modern Slavery apply to the Agreement;
2. has read and understood the Conditions of Agreement Annexure (Modern Slavery) and the obligations it imposes;
3. undertakes to implement due diligence processes to ensure compliance with the requirements of Conditions of Agreement Annexure (Modern Slavery) in the submission of a tender response;
4. undertakes that it, and its related entities and subconsultants, will comply with the requirements of Conditions of Agreement Annexure (Modern Slavery) and the Agreement terms that give effect to them in the Agreement; and
5. acknowledges that the information provided in Attachment A to this Schedule accurately reflects the Tenderer’s current understanding of, and commitment to dealing with, the risks due to Modern Slavery.

**(Complete Attachment A)**

**ATTACHMENT A – 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 *Modern Slavery Act 2018* (NSW) (operates in Australia & has an annual consolidated revenue >$100m) (Provide Details: if ‘Yes’ please attach a copy of the most recent Modern Slavery Statement) | Yes / No |
| 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)*
 | Item No(s) |
| 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)*

(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) |
| 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 onboarding, audits*
3. *Site visits*
4. *Questionnaire*
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 supplier*
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? (Provide Details: if ‘Yes’ please describe the nature of the risks identified) | Yes / No |
| 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? (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 / No |
| 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? (Provide Details: if ‘No’, please advise any privacy/ confidentiality concerns. | Yes / No |

Schedule A.8 Aboriginal Participation Information

[***User Instruction: Delete this schedule if conditions of tendering clause – Aboriginal participation has been deleted. If the Aboriginal participation information requested here will be used in a scored price: non-price evaluation, amend the note below to “(submit with the tender form)” and if a two-envelope system is being used for the tendering process, add the words “- in envelope 1”].***

(SUBMIT WHEN REQUESTED)

Submit the documents and information specified below. Refer to Conditions of Tendering Clause – **Aboriginal Participation**.

#### Evidence of direct employment or education

|  |
| --- |
| Nominate, where available, up to three contracts/projects completed within the last two (2) years or that are currently being carried out that demonstrate the Tenderer’s capacity and commitment to employ or educate Aboriginal people to undertake construction-related activities:  |

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

For each nominated contract/project, attach details and documented evidence of any of the following activities successfully undertaken by the Tenderer:

* direct employment of Aboriginal people in planning, design or delivery;
* employment of Aboriginal people through a recognised group training or labour hire company;
* procurement from or engagement of recognised Aboriginal businesses; or
* education of Aboriginal people engaged in project planning, design and delivery.

#### (Tender) Aboriginal Procurement Plan (TAPP)

Submit a TAPP which must address the Tenderer’s plan to meet the minimum Aboriginal Participation Requirement, either utilizing the template below or similar. The minimum Aboriginal Participation Requirement can be met through one or a combination of the following:

* at least 1.5% of the APP Contract Value is subcontracted to Aboriginal Businesses;
* at least 1.5% of the full time equivalent (FTE) Australian based workforce deployed on the Contact are Aboriginal Employees, on average, over the duration of the Contract, excluding Milestones that do not include design or construction;
* at least 1.5% of the APP Contract Value is applied to the cost of education, training or capability building for Aboriginal Employees or Aboriginal Businesses directly contributing to the Contract; or
* any combination of the above, such that the combined percentages add up to at least 1.5%.

The APP Contract Value will be specified in Contract Information item 15F after tenders close based on the Contract price and taking into account accepted exclusions. Exclusions include activities unrelated to design and construction, with very limited opportunities for Aboriginal participation.

**For the purposes of the TAPP, use the *Contract Price* as the APP Contract Value.**

Refer to Preliminaries clause – **Aboriginal Participation** for further details including the development of the TAPP into an APP, reporting requirements and liabilities where the accepted Aboriginal Participation Requirement has not been achieved.

|  |
| --- |
| **Aboriginal Participation Plan (template/ guide)**(expand table to suit response with a 3 x A4 page limit at Arial font 12) |
| Contract Name/ No.  | [Title] | Contract forms - Consultancy services |
| Tenderer Name:  |
| Tenderer ABN:  |
| APP Contract Value/ Contract Price: $  |
| The value of Exclusions proposed to the Contract Price to determine the APP Contract Value (1) | $ |
| Details to support the proposed Exclusions, taking into account the principles of the Aboriginal Procurement Policy (1) |  |
| Percentage allocated to subcontracted Aboriginal Businesses |  |
| Details of Aboriginal Businesses including verification and number of employees directly involved in the Works  |  |
| Percentage allocated to employment of Aboriginal Employees on a FTE basis |  |
| Details of Aboriginal Employees, including numbers of Aboriginal employees, proposed opportunities and verification of Aboriginal heritage |  |
| Percentage allocated to the cost of education, training or capability building for Aboriginal Employees or Aboriginal Businesses |  |
| Details of education, training or capability building for Aboriginal Employees or Aboriginal Businesses including relevant organisations and supported activities |  |

1. The Tenderer acknowledges that the proposed exclusions are for consideration only and are not conditions or qualifications of its Tender. The Tenderer acknowledges the right of the Principal to determine the APP Contract Value without affecting its tender subject to the APP Contract Value not exceeding the Contract Price.

Schedule B.1 Tender Form – Price

[***User Instruction: The tender price must always be included. If the tender cover sheet – non-price information has been deleted, insert the RFT name and number in the footer. Delete the following line unless using the two-envelope tendering system.]***

[SUBMIT IN ENVELOPE 2]

#### **Tender Closing Office**

|  |  |
| --- | --- |
| Name: |  |
| Address: |  |
| Facsimile number: |  |

#### **Tenderer’s details**

|  |  |
| --- | --- |
| Name:(in block letters) | **ABN:**  |
|  |  |
| Address: |  |
|  |  |
| Telephone number: |  |
| Email address: |  |
|  |  |
|  | hereby tender(s) to perform the services for: |

#### **Tender details**

|  |  |
| --- | --- |
| RFT name: |   |
| RFT number: |  |
|  | in accordance with the following documents: |

[***User Instruction: Where applicable, list all sections of the RFT documents. Amend the following list to correspond with the master table of contents in the RFT cover sheet.***]

|  |  |
| --- | --- |
|  | TenderingSpecificationAttachments |
|  |  |
|  | and Addenda Numbers  |

Schedule B.2 Price

#### **Fee**

In accordance with Procurement Board Direction[PBD-2022-02 Engagement of infrastructure advisory services suppliers](https://arp.nsw.gov.au/pbd-2022-02-engagement-of-infrastructure-advisory-services-suppliers) the Tenderer must submit the proposed Fee for the Services, in the Microsoft Excel price response template attached, in accordance with the instructions provided in the template.

[***User Instruction: In accordance with Procurement Board Direction***[**PBD-2022-02 Engagement of infrastructure advisory services suppliers**](https://arp.nsw.gov.au/pbd-2022-02-engagement-of-infrastructure-advisory-services-suppliers)***, embed/or attach the appropriate mandated standardised daily resourcing pricing template to this Schedule B.2. See the five pricing template options below:***

* **Option 1 – If buying from Scheme SCM1191 Consultant in constructions up to $9 Million** <https://info.buy.nsw.gov.au/__data/assets/excel_doc/0019/1108405/Engagement-Pricing-Template-SCM1191_v4.xlsx>
* **Option 2 – If buying from Scheme SCM10611 Consultant in constructions above $9 Million** <https://info.buy.nsw.gov.au/__data/assets/excel_doc/0016/1108411/Engagement-Pricing-Template-SCM10611_v4.xlsx>
* **Option 3 – When using Scheme SCM0005** **Performance and Management Services Scheme (Engagement Type 15 only)** <https://info.buy.nsw.gov.au/__data/assets/excel_doc/0018/1108404/Engagement-Pricing-Template-for-Engagement-Type-15-SCM0005.xlsx>
* **Option 4 – If buying from Scheme SCM0801 Government Architect’s Strategy and Design Scheme** <https://info.buy.nsw.gov.au/__data/assets/excel_doc/0017/1108412/Engagement-Pricing-Template-SCM0801_v4.xlsx>
* **Option 5 – If buying outside of the above Schemes** <https://info.buy.nsw.gov.au/__data/assets/excel_doc/0016/1108402/Engagement-Pricing-Template_Infrastructure-Advisory_v4.xlsx>

[***User Instruction: Delete the following line unless using the two-envelope tendering system.]***

[SUBMIT IN ENVELOPE 2 WITH SCHEDULE B.1 TENDER FORM – PRICE]