|  |
| --- |
| User GuidanceThe standard form following is for the preparation of a tender document for**Project Management Services****Part 2: Tender Schedules** Please refer to buy.nsw website at [*https://buy.nsw.gov.au/categories/construction*](https://buy.nsw.gov.au/categories/construction) to locate all documents referenced throughout this text. Guidance is based on Microsoft 365 Word.Guide NotesThis standard form contains guidance in hidden text, ie:**GUIDE NOTES:**Guide Note examplesIf the Guide Notes are not visible, click on the **Show/Hide** button “¶”.If still not visible, then:**•** Go to Microsoft Word **File/Options** menu;• Select the **Display** tab; then**•** 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.GeneralInsertion PointsEach ‘»’ shows where input is required. Click onto each ‘»’ and overtype.When Completed:1. Remove all Guide Notes manually or by the following steps:**•** On the **Editing** menu click **Replace**, then (if required) **•** Click the **More** button;**•** Click the **Format** button, click on **Font**;**•** Tick the **Hidden** check box and click the **OK** button;**•** Click the **Special** button, click on **Any Character**; then**•** Click the **Replace All** button.2. Delete this **User Guidance**, along with the following **Page Break**.  |

Space

**TABLE OF CONTENTS**

**insert the AGREEMENT nAME and REQUEST FOR TENDER nUMBER in the footer.**

**The details must match those on the title page.**

**to update the table of contents:**

* **Click and highlight the table;**
* **Press “F9” Key; and**
* **in the “update table of contents” box select “update entire table”**

**remember to account for any and all movement of pages.**

[Tender Cover Sheet – Non-Price Information 2](#_Toc108252331)

[Tender Form - Price 3](#_Toc108252332)

[Schedule of Prices - Lump Sum 5](#_Toc108252333)

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The Tender Schedules in this document are examples that require Agreement-specific details to be inserted where “»” appears.

Delete the Schedules that are not required for your tender process. add SCHEDULES If necessary to obtain the information required for the tender evaluation.

List on this page all the tender schedules to be submitted by tenderers.

Make sure that each Tender Schedule has the Agreement name and number in the Footer.

Use option 1 for price only tender evaluations where THE TWO-ENVELOPE SYSTEM will not be used, ie, where the evaluation will not include scored and weighted non-price critera.

USE option 2 FOR A TENDER USING THE TWO-ENVELOPE SYSTEM, ie, where the evaluation will include scored and weighted non-price criteria.

option 1

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

* Tender Form – Price

Amend the list below as required.

Include either the Schedule of Prices – Lump Sum or the Schedule of Rates. Do not include both.

* Schedule of Prices – Lump Sum
* Hourly Rates for Variations
* Agreement Information Items
* Outline Services Delivery Plan
* Schedule of Quality Management Information
* »

end of option 1

option 2

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

#### **Envelope 1 (Non-Price Schedules)**

* Tender Cover Sheet – Non-Price Information

Amend the list below as required.

* Outline Services Delivery Plan
* Schedule of Non-Price Information
* Schedule of Quality Management Information
* »

#### **Envelope 2 (Price Schedules)**

Amend the list below as required.

* Tender Form - Price

Include either the Schedule of Prices – Lump Sum or the Schedule of Rates. Do not include both.

* Schedule of Prices – Lump Sum
* Hourly Rates for Variations
* Agreement Information items
* »

end of option 2

Tender Cover Sheet – Non-Price Information

include this page only if the tender evaluation will involve scored and weighted non-price criteria, Otherwise delete.

(SUBMIT IN ENVELOPE 1 – NO PRICE DETAILS)

insert the Agreement nAME and Agreement nUMBER in the footer.

#### **Tender Closing Office**

Insert the name, address and facsimile number of the 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**

insert the Agreement name and number.

|  |  |
| --- | --- |
| Agreement name: | » |
| Agreement number: | » |
|  |  |
|  |  |
|  |  |

Attached is the information required in Envelope 1.

End of Tender Cover Sheet – Non-price information

Tender Form - Price

The Tender Form – Price must always be included.

If the Tender Cover Sheet – Non-Price Information has been deleted, insert the Agreement nAME and Agreement 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: | » |

insert the name, address and facsimile number of the Tender Closing Office.

#### **Tenderer’s Details**

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

#### **Tender Details**

Insert the Agreement name and number.

|  |  |
| --- | --- |
| Agreement name: | »  |
| Agreement number: | » |
|  | in accordance with the following documents: |

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 » |

use Option 1 or 2 and delete the option that is not used.

* Use Option 1 when the fee will be a lump sum.
* Use Option 2 when the fee will be an upper limit fee calculated using a schedule of rates.

Option 1

|  |
| --- |
| For the Fee, being the lump sum of: |
| »  |
|  |
| (»$ ) including GST. |

End of Option 1

Option 2

|  |
| --- |
| For the Fee, being the sum of: |
| 1. any Lump Sum in the attached **Schedule of Rates**; and
 |
| 1. the products of the estimated quantity and the relevant rate for each item in the attached **Schedule of Rates**;
 |
| up to the maximum amount of: |
| » |
|  |
| (»$ ) including GST. |

End of Option 2

End of Tender Form - price

Schedule of Prices - Lump Sum

(SUBMIT WITH TENDER FORM)

Include when dissection of the tendered lump sum is required, otherwise delete.

Do not include both this schedule and the Schedule of Rates.

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 2 WITH TENDER FORM - PRICE)

Insert the amount allowed for each of the following items.

This Schedule is for information only and does not form part of the Agreement. Its purpose is to assist in making valuations of services carried out but the Principal is not bound to use it.

All amounts must include an amount for GST.

amend the following content by addition and deletion of deliverables required under the services.

item No A is mandatory.

number items in the pattern shown.

the list of deliverables hereunder must agree with the list of deliverables at the services.

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Item** | **Rate** | **Amount $**  |
| A | All activities and obligations under the Agreement not included elsewhere in the Fee. | Lump Sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **1** | **Service Demand Identification** |
| 1.1 | Service outcomes strategy | Lump Sum | » |
| 1.2 | Asset Strategy plan | Lump Sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **2** | **Service Delivery Options** |
| 2.1 | Service delivery options study | Lump Sum | » |
| 2.2 | Feasibility analyses | Lump Sum | » |
| 2.3 | Preliminary risk identification and risk management schedule | Lump Sum | » |
| 2.4 | Stakeholder identification | Lump Sum | » |
| 2.5 | Cross agency impact statement | Lump Sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **3** | **Justification of Proposed Option** |
| 3.1 | Project Strategy Report | Lump Sum | » |
| 3.2 | Preliminary financial and economic appraisal | Lump Sum | » |
| 3.3 | Heritage impact study | Lump Sum | » |
| 3.4 | Traffic impact study | Lump Sum | » |
| 3.5 | Environmental impact study | Lump Sum | » |
| 3.6 | Preliminary risk assessment | Lump Sum | » |
| 3.7 | Preliminary project budget | Lump Sum | » |
| 3.8 | Preliminary project program | Lump Sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **4** | **Project Definition** |
| 4.1 | Project Appraisal | Lump sum | » |
| 4.2 | Feasibility Study Report | Lump sum | » |
| 4.3 | Economic Appraisal | Lump sum | » |
| 4.4 | Financial Appraisal | Lump sum | » |
| 4.5 | Value Management study report | Lump sum | » |
| 4.6 | Risk management plan | Lump sum | » |
| 4.7 | Project Budget | Lump sum | » |
| 4.8 | Project Program | Lump sum | » |
| 4.9 | Stakeholder views analysis | Lump sum | » |
| 4.10 | Change management assessment | Lump sum | » |
| 4.11 | Benefits realisation register | Lump sum | » |
| 4.12 | Business Case submission | Lump sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **5** | **Procurement Strategy**  |
| 5.1 | Project procurement plan | Lump sum | » |
| 5.2 | Advice on sourcing tenderers | Lump sum | » |
| 5.3 | Updated risk management plan | Lump sum | » |
| 5.4 | Change management plan | Lump sum | » |
| 5.5 | Communication plan | Lump sum | » |
| 5.6 | Project organisation chart & resource schedule | Lump sum | » |
| 5.7 | Report on stakeholder support | Lump sum | » |
| 5.8 | Procurement Strategy Report | Lump sum | » |
| 5.9 | Project Budget & cash flow | Lump sum | » |
| 5.10 | Updated Project Program | Lump sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **6** | **Specification** |
| 6.1 | Geotechnical report | Lump sum | » |
| 6.2 | Contamination report | Lump sum | » |
| 6.3 | Hazardous materials report | Lump sum | » |
| 6.4 | Dilapidation report | Lump sum | » |
| 6.5 | Field survey | Lump sum | » |
| 6.6 | Approvals from relevant authorities | Lump sum | » |
| 6.7 | Tender documents | Lump sum | » |
| 6.8 | Tender evaluation plan | Lump sum | » |
| 6.9 | Pre-tender estimate | Lump sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **7** | **Service Provider Selection**  |
| 7.1 | Tender evaluation, recommendation, approval | Lump sum | » |
| 7.2 | Contract documents | Lump sum | » |
| 7.3 | Completed tender award actions | Lump sum | » |
| 7.4 | Post Tender Review Report confirming completion of contract award actions | Lump sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **8** | **Implementation** |
| 8.1 | Schematic design | Lump sum | » |
| 8.2 | Developed design | Lump sum | » |
| 8.3 | Design documentation | Lump sum | » |
| 8.4 | Acceptance test reports | Lump sum | » |
| 8.5 | Completed and verified asset | Lump sum | » |
| 8.6 | Contract management records | Lump sum | » |
| 8.7 | Finalised Contracts | Lump sum | » |
| 8.8 | Commissioning plans | Lump sum | » |
| 8.9 | Asset management information | Lump sum | » |
| 8.10 | Performance reports on Service Providers | Lump sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **9** | **Operation** |
| 9.1 | Operation plans | Lump sum | » |
| 9.2 | Maintenance plans | Lump sum | » |
| 9.3 | Maintenance records | Lump sum | » |

Expand the table by inserting rows, as required.

|  |  |
| --- | --- |
| **10** | **Evaluation** |
| 10.1 | Report on benefits and level of service | Lump sum | » |
| 10.2 | Report on Project Budget and Project Program | Lump sum | » |
| 10.3 | Strategies for renewal or discontinuation of service | Lump sum | » |
| 10.4 | Performance reports on Service Providers | Lump sum | » |
| 10.5 | Post completion/implementation reports and reviews | Lump sum | » |
| 10.6 | Benefits realisation report | Lump sum | » |

|  |  |  |
| --- | --- | --- |
|  | **Total of tendered Lump Sums** | **$**» |

End of Tender Schedule - Schedule of Prices.

End of Tender Schedule - Schedule of Prices - Lump Sum.

Schedule of Rates (Upper Limit Fee)

This Schedule May be used for an engagement that will be based on rates only, or in combination with lump sum fee items.

Include this Schedule only if the fee is an upper limit fee that will be calculated on the basis of actual quantities and tendered rates.

an upper limit fee is generally used where the definition of the services required is unclear and the required outputs maybe have not been determined. the consultant is paid for the actual work done up to the upper limit unless the consultant seeks to increase the upper limit during the engagement.

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 2 WITH TENDER FORM - PRICE)

Complete the item number, description and quantity for all items.

FOR LUMP SUM ITEMS: Insert “1” under quantity, “ITEM” under UNIT and “LUMP SUM” under RATE (as shown). the tenderer will insert the amount.

FOR RATE ITEMS: insert the description. the ESTIMATED quantity AND the UNIT (eg, number of meetings). the Tenderer will insert the rate and the amount.

Complete this Schedule by inserting the tendered rates under **Rate** or, where Lump Sum appears, 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 specified quantity.

The rates and lump sums tendered shall form part of the Agreement. The correct extended amounts and total shall be used to assess tenders. The correct total shall be the maximum amount of the Fee.

All rates and lump sums tendered must include GST.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **ItemNo.** | **Description** | **Quantity** | **Unit** | **Rate** | **Amount** |

Item 1 is Mandatory

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 1 | All services and obligations under the Agreement NOT INCLUDED ELSEWHERE in this Schedule. | 1 | Item | Lump Sum | $» |
| 2 | **Rate items**: |  |  |  |  |
| 2.1 | » | » | » | $» | $» |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| 3 | **Lump Sum items**: |  |  |  |  |
| 3.1 | » | » | Item | Lump Sum | $» |

|  |  |  |
| --- | --- | --- |
|  | **Total of Schedule of Rates (Upper Limit Fee Amount)** | **$**» |

The **Total of Schedule of Rates** is to equal the Fee shown on the **Tender Form - Price**. If there is any discrepancy, the rates and amounts (for lump sum items) shown in the Schedule of Rates will take precedence.

End of Tender Schedule - Schedule of Rates

Hourly Rates for Variations

Include this tender schedule if hourly rates for variations are required, Otherwise delete

Insert the Project roles for which rates are sought. Add or delete rows as required.

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 2 WITH TENDER FORM - PRICE)

Supply a list of proposed personnel and rates for variations to the Services. Include key personnel.

Rates for salaried staff, if on a weekly basis, must state whether based on a 5 day or 6 day week, and shall be loaded to include all items such as base salary, payroll tax, holidays, long service leave, workers compensation insurance, company benefits and any other allowances and FBT. Weekly rates must allow for 8 hrs and over /day.

Hourly rates must be provided for wages staff and shall be loaded to include all items such as fares, holidays, annual leave loading, sick leave, payroll tax, workers compensation insurance, common law provisions and allowances.

Rates must cover all costs and allowances such as profit, overhead, and margins and shall be inclusive of GST.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Project Role** | **Rate($/5-day week)** | **Rate($/6-day week)** | **Rate($/Hour)** |
| » | » | $» | $» | $» |
| » | » | $» | $» | $» |
| » | » | $» | $» | $» |
| » | » | $» | $» | $» |
| » | » | $» | $» | $» |
| » | » | $» | $» | $» |
| » | » | $» | $» | $» |

End of Tender Schedule - Schedule of Hourly Rates for Variations

Agreement Information items

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 2 WITH TENDER FORM – PRICE)

#### **ITEM**

#### **3 The Project Manager**

|  |  |
| --- | --- |
| The Project Manager is: | » |
| The Consultant’s ABN or ACN is | » ABN or ACN |

#### **4 Consultant's Authorised Person**

|  |  |
| --- | --- |
| The Project Manager’s Authorised Person is: | » |
| Telephone number: | » |
| Email address: | » |

#### **12 Intellectual Property**

*Government policy is that the Principal retains sole intellectual property rights. If the tenderer seeks to amend this, the tenderer should nominate the Contract Material where the tenderer retains title to Intellectual Property that is created outside the terms of the Agreement*

|  |  |
| --- | --- |
| Intellectual property not vesting in the Principal is: | (“Nil” applies if not filled in”) |

#### **17 Notices**

#### **Notices to the Project Manager**

For notices to the Project Manager the intended recipient is the Project Manager’s Authorised Person

|  |  |
| --- | --- |
| Office address:(for delivery by hand) | As nominated in the Project Manager’s Tender and accepted by the Principal. |
|  |  |
| Postal address:(for delivery by post) | As nominated in the Project Manager’s Tender and accepted by the Principal. |
|  |  |
| Email address | As nominated in the Project Manager’s Tender and accepted by the Principal. |

End of Tender Schedule – Agreement Information items

Outline Services Delivery Plan

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 an Outline Services Delivery Plan for the Services.

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

the following list contains examples of what might be expected to show an understanding of the project management role.

add and delete as required:

* to suit the nature of the services
* according to the tender schedules used (ie do not ask for information here which is covered in a tender schedule)

create tender schedules in lieu when more specific or comparable information is required to compare tenders.

1. an outline program for the Services showing time allowed for key activities, milestones or points at which reviews are planned;
2. a Project chart showing key players including stakeholders;
3. proposed organisational structure for each phase of the Services;
4. procedures and checklists proposed and typically used on projects;
5. proposed strategy for Industrial Relations management, including compliance with the NSW Government policies;
6. proposed strategy for Quality management;
7. proposed strategy for Environmental management; and
8. proposed strategy for Work Health and Safety management.

End of Tender Schedule – oUTLINE sERVICES dELIVERY pLAN

Non-Price Information

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.

Identify information required to evaluate the non-price criteria specified in the RFT Documents. Do not repeat the information included in the Outline 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 Project Manager’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 Project Manager;
	* specific challenges related to the services and actions taken by the Project Manager to deal with them; and
	* names and contact details of client representatives who can confirm the Project Manager’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 Project Manager’s proposed method of dealing with them; and
4. Details of how the Project Manager will ensure environmental sustainability through the design.
5. »

End of Tender Schedule – Schedule of Non-Price Information

Schedule of Key personnel

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 1)

Provide information on key personnel proposed for the Services. Include separately for subconsultant key personnel.

Use the following table as a guide.

Attach an electronic CV for each key person highlighting relevant experience.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Position** | **Discipline** | **Project Role** | **Duration of Role** |
| » | » | » | Project Manager’s Representative | » |
| » | » | » | » | » |
| » | » | » | » | » |
| » | » | » | » | » |
| » | » | » | » | » |
| » | » | » | » | » |
| » | » | » | » | » |

Schedule of Quality Management System information

Include this Tender Schedule when the estimated fee is over $250,000. Otherwise delete.

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:
 | » |

Attach a copy of the internal audit log.

End of Tender Schedule - Schedule of Quality Management System information

Schedule of Work Health and Safety Management System information

**only include this schedule and above heading if:**

* **Project Manager Planning & Delivery – Health Infrastructure (Work Category 336)**
* **Project Management (Work Category 313)**

**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**

The Tenderer must have in place:

* + - 1. Work Health and Safety Management System accreditation to ISO 45001 (or AS 4801 until 13 July 2023) or
			2. Staff having relevant qualifications in managing safety with a Certificate 4 (C4) in Work Health and Safety or above such as a diploma or
			3. Two written examples of second party audit reports where the Consultant has satisfactorily overseen implementation of a Work Health and Safety system on a construction project

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:
 | » |

End of Tender Schedule - Schedule of work health and safety Management System information

Industrial relations

Include this schedule when the project manager will be managing major site operations, Otherwise delete

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 1)

Demonstrate an understanding of the industrial issues that may affect the Contracts, and describe the Tenderer’s industrial relations management performance on recent projects with particular reference to such issues.

Include:

* a description of the awards and enterprise, workplace or other enforceable agreements that are expected to apply for the Contractors’ and Project Manager’s personnel;
* a statement explaining how compliance with NSW Government policies will be achieved;
* a description of the industrial relations expertise to be made available as part of the Services; and
* identification of the industrial relations issues expected to be involved with the Contracts and the approach proposed to deal with these issues.

end of tender schedule – Industrial relations

Experience using contract systems

This schedule is used to help ascertain the Tenderer’s experience in contract management.

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 1)

Provide details of experience with and knowledge of the contract systems relevant to the project.

end of tender schedule – experience using contract systems

Comparable experience

This schedule is used when the project manager will be managing a major project

delete the following line unless using the two-envelope tendering system.

(SUBMIT IN ENVELOPE 1)

Supply details of services provided for projects of a similar size and/or nature. List the five most comparable/relevant projects completed in the previous five years. Include the following details:

* The name of the Client;
* The Client contact name;
* The Client contacts telephone number;
* A short description of Project and Services;
* The $ value of Project; and
* The Project start date & duration.

end of tender schedule – comparable experience

Schedule of Compliance - Dealing with Modern Slavery

Delete this schedule if the Conditions of Tendering clause – “Dealing with Modern Slavery” has been deleted.

(SUBMIT WHEN REQUESTED)

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 brick layer who is coerced into taking a job on a dangerous site, paid very little, and required to live on site; or
* 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 Commonwealth 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 of Aboriginal Participation Information

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 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.

**End of Schedule of Aboriginal participation information**