



CONTRACT NUMBER 12058

**REQUEST FOR PROPOSAL FOR THE
REDEVELOPMENT OF THE FORMER
SEAFORD KINDERGARTEN**

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1. STRUCTURE OF THIS RFP

This RFP is comprised of five sections, being:

- 1.1 Section A - Background and General Information to Respondents
- 1.2 Section B - Conditions of Proposal
- 1.3 Section C - Contract for Works
- 1.4 Section D - Specifications
- 1.5 Section E - Proposal Response Schedules

2. SECTION A – BACKGROUND & GENERAL INFORMATION

- 2.1 The **City of Onkaparinga of Noarlunga Office, Ramsay Place, Noarlunga Centre 5168 (ABN 97 047 258 128)**(the **Council**) invites proposals from Respondents for the provision of works in relation to the redevelopment of the existing Seaford Kindergarten into a community facility at the corner of Hastings and Tongalla Streets, Seaford SA (the **Works**).
- 2.2 The Council had a budget of \$140,000 to procure the Works (**Budget**).
- 2.3 The Council will enter into a Contract for Works with the successful Respondent if the Respondent's Proposal meets the Council's requirements, including in relation to the Budget.

3. SECTION B – CONDITIONS OF PROPOSAL

3.1 Definitions

In this RFP, the following terms shall, unless inconsistent with the context, have the meanings indicated:

- 3.1.1 A reference to a **clause** is a reference to a clause of this RFP.
- 3.1.2 **Closing Date** means the time and date specified in clause 3.2.3, or such later time and date as may be notified in writing to Respondents by the Council.
- 3.1.3 **Conditions of Proposal** means these Conditions of Proposal as attached to Section B of this RFP.
- 3.1.4 **Conforming Proposal** means a Proposal described in clause 3.5.1.
- 3.1.5 **Contract for Works** means the contract for the provision of the Works as attached to Section C of this RFP, as may be subsequently amended by agreement between the Council and the successful Respondent pursuant to clause 3.9.
- 3.1.6 **Nominated Contact Person** means the person named in clause 3.3.1
- 3.1.7 **Non-Conforming Proposal** means a Proposal that does not meet the requirements set out in this RFP and/or the Proposal Response Documents.
- 3.1.8 **Preferred Respondent** means the Respondent referred to in clause 3.9.
- 3.1.9 **Proposal** means a proposal submitted by a Respondent pursuant to this RFP.
- 3.1.10 **Proposal Documents** means the documents specified in clause 3.2.1.
- 3.1.11 **Proposal Process** means the process for calling, receiving, evaluating and awarding of Proposal(s) as proposed in clauses 3.2.7 and 3.2.8 of these Conditions of Proposal.
- 3.1.12 **Proposal Response Schedules** are the forms attached to Section E of this RFP.
- 3.1.13 **Respondent** has the meaning given to it in clause 3.2.2.
- 3.1.14 **Respondent's Representative** means the person nominated by a Respondent under clause 3.3.2.
- 3.1.15 **RFP** means this Request for Proposal.

3.1.16 **Specifications** means the specifications specified in Section D of this RFP.

3.1.17 **Works** means the works sought to be purchased by the Council pursuant to this RFP.

3.2 **Request for Proposals**

The Council seeks Proposals from Respondents for the provision of the Works, which are further described in the Proposal Documents.

3.2.1 ***Proposal Documents***

The Proposal Documents are comprised of:

3.2.1.1 these Conditions of Proposal;

3.2.1.2 the Contract for Works;

3.2.1.3 the Specifications; and

3.2.1.4 the Proposal Response Schedules.

3.2.2 ***Obtaining a Copy of this RFP***

This RFP is open to any organisation or person who registers its interest and details with the Council and thereby obtains a copy of the Proposal Documents (each such party is a **Respondent**). Parties obtaining the Proposal Documents (in soft copy) will be required to register their name and contact details at the time of issue of the documents.

3.2.3 ***Electronic Lodgement of Proposals***

3.2.3.1 Proposals must be lodged electronically via the Contracts and Tenders SA website www.tenders.sa.gov.au before the Closing Date, **2.00pm (South Australian Time) Tuesday 11 December 2012**, and in accordance with the Proposal lodgement procedure set out in this clause.'

3.2.3.2 Where there is any inconsistency between the lodgement procedure set out on the SA Tenders website and those set out in this RFP, this RFP will prevail.

3.2.3.3 Proposals lodged by any other means will not be considered.

3.2.3.4 Respondents warrant that they have taken all reasonable steps to ensure that their Proposals are free of viruses or any other matter which would cause harm.

-
- 3.2.3.5 Respondents acknowledge that it is their sole responsibility to ensure that sufficient time has been allowed for Proposal lodgement, including time that may be required for any problem analysis and resolution prior to the Closing Date.
 - 3.2.3.6 If Respondents have any problem uploading their Proposal, they must contact the Nominated Contact Person prior to the Closing Date. Any failure to do so will result in the Proposal being a Non-Conforming Proposal.
 - 3.2.3.7 A Proposal is deemed to have been lodged by the Respondent when the Proposal has been received by the SA Tenders server.

3.2.4 ***Late Proposals***

Proposals received after the Closing Date **WILL NOT** be considered or accepted.

3.2.5 ***Extension of Time for the Submission of Proposals***

- 3.2.5.1 The Council may, in its absolute discretion, no less than two business days before the Closing Date, extend the Closing Date by notice in writing to the Respondents.
- 3.2.5.2 A Respondent may request the Council to extend the Closing Date for the submission of a Proposal by written application to the Nominated Contact Person.
 - (a) Any such requests must be received by the Nominated Contact Person at least five business days prior to the Closing Date, and must provide sufficient reasons to support the request.
 - (b) It is entirely at the Council's discretion as to whether an extension is granted.

3.2.6 ***Proposal Validity Period***

- 3.2.6.1 All Proposals will remain open for acceptance by the Council for a period of not less than three months after the Closing Date.
- 3.2.6.2 Once submitted, a Respondent cannot withdraw its Proposal without the prior written consent of the Council, unless the Proposal is withdrawn in writing before the Closing Date.

3.2.7 **Proposed Proposal Process**

Proposals from Respondents will be evaluated by the Council. The Council may, but is not required to, negotiate with one or more of the Respondents. Once this period of negotiation, if any, is complete, the Council intends to appoint a Preferred Respondent to perform the Works, pursuant to the Contract for Works. Nonetheless, if the Council cannot identify a suitable Respondent to perform the Works within the Budget, or for any other reason, the Council may, but is not required to, seek to appoint one or more Respondents to perform a portion of the Works only.

3.2.8 **Proposed Timing of Proposal Process**

The proposed timing for the Proposal Process is as follows:

Request for Proposals	20 November 2012
Closing Date	11 December 2012
Negotiation period	
Notification to successful Respondent	21 December 2012 <i>(indicative)</i>
Execution of Contract for Works	13 January 2013 <i>(indicative)</i>
Commencement of Provision of Works	21 January 2013 <i>(indicative)</i>

3.2.9 **Copying Proposals**

Respondents must not use this RFP or the RFP Documents (including any attached technical and other written information supplied by the Council) for any purpose other than to prepare a Proposal. This includes not copying this RFP or the RFP Documents (including any attached technical and other written information supplied by the Council) and providing a copy to any third party not involved in the preparation of a Proposal.

3.3 **Communication between the Parties**

3.3.1 **Enquiries or Requests for Information or Clarification**

3.3.1.1 Any enquiries or requests for information or clarification regarding this RFP or the Proposal Documents must be

made in writing and addressed to the Nominated Contact Person.

The Nominated Contact Person is:

Les Tulloch, Team Leader Procurement Services

PO Box 1, Noarlunga Centre SA 5168

Telephone: 83840669, Facsimile: 83828744

Mobile: 0414 842302

Email: lestul@onkaparinga.sa.gov.au

Enquiries or requests lodged in accordance with this clause must be lodged no later than three Business Days prior to the Closing Date.

- 3.3.1.2 The Nominated Contact Person may (but is not obligated to) respond to a Respondent's enquiries or requests for information or clarification.
- 3.3.1.3 If the Council provides any information to a Respondent by way of clarification, then the Council reserves the right to provide that information to other Respondents.
- 3.3.1.4 No statement made by the Nominated Contact Person, or any other representative of the Council should be construed as modifying this RFP or any of the Proposal Response Documents, unless confirmed in writing by the Nominated Contact Person.

3.3.2 ***Respondent's Contact Person***

- 3.3.2.1 Respondents are required to have a person to be the authorised contact person for the service of any notices for the purpose of this RFP (**Respondent's Representative**).
- 3.3.2.2 All communication with the Respondent will be via the Respondent's Representative who will be the person or persons who obtained this RFP via the Contracts & Tenders SA website and will be notified by email sent to the address or addresses they registered on that website.

3.3.3 ***Site/Industry Briefing***

- 3.3.3.1 The Council may conduct a site/industry briefing. The briefing (if conducted) is intended to provide Respondents with background information, and Respondents are not to

treat any statements made at the briefing as variations to this RFP.

3.3.3.2 The Council reserves the right to require all Respondents to attend the site/industry briefing.

3.3.3.3 Details of the briefing will be provided to Respondents at least seven business days prior to the briefing. Respondents may be notified of the site/industry briefing by email, and Council may post the details of the briefing on the internet.

3.3.3.4 Each attending Respondent must advise the Nominated Contact Person of the details of that Respondent's attendees (including name and position) at least two business days before the briefing.

3.3.4 ***Respondent not to solicit the Council and its employees***

The Respondent and its representatives must not interfere or attempt to interview or to discuss its Proposal with Councillors or employees of the Council, other than the Nominated Contact Person. The Council reserves the right to reject any Proposal submitted by a Respondent which contravenes this clause.

3.4 **Proposal Preparation**

3.4.1 ***Respondents to be informed***

Each Respondent must, prior to submitting its Proposal, become acquainted with the nature and extent of the Works to be undertaken, and make all necessary examinations, investigations, inspections and deductions.

3.4.2 ***Evidence of Registration or Licensing***

Each Respondent must (if applicable) be licensed or registered to perform the Works.

3.4.3 ***Conflict of Interest***

Respondents must inform Council of any circumstances or relationships which will constitute a conflict or potential conflict of interest if the Respondent is successful. If any conflict or potential conflict exists, the Respondent must advise how it proposes to address this.

3.4.4 ***Use of Sub-contractors***

Where a Respondent proposes to use resources from organisations other than the Respondent itself, substantial information relating to the

contractual arrangements for such resources must be detailed in the Proposal, together with information on the relevant experience of such other organisation.

3.4.5 ***Ombudsman Act***

Respondents should be aware that the *Ombudsman Act 1972* (SA) has been amended so that the definition of “administrative act” under that Act includes an act done in the performance of functions under a contract for works with a Council. That Act also includes powers enabling the Ombudsman to investigate matters in the public interest. The Respondent must ensure compliance with all obligations arising under that Act and any other applicable legislation.

3.4.6 ***Freedom of Information***

Respondents should be aware that the *Freedom of Information Act 1991* (SA) (**FOI Act**) gives members of the public rights to access documents of the Council. The FOI Act promotes openness in governance and accountability of government agencies and confers the public with a legally enforceable right to be given access to documents, including contracts entered into by the Council, except for those contracts or provisions which should be kept confidential for public interest purposes, the preservation of personal privacy or are commercial in confidence.

3.4.7 ***Collusion***

The Respondent must not collude with any other Respondents or potential Respondents.

3.4.8 ***Respondent’s confidential information***

3.4.8.1 Subject to clauses 3.4.8.2 and 4, the Council will treat as confidential all Proposals submitted by Respondents in connection with this RFP.

3.4.8.2 The Council will not be taken to have breached any obligation to keep information provided by Respondents confidential to the extent that the information:

- (a) is disclosed by the Council to its advisers, officers, employees or subcontractors solely in order to conduct the RFP process or to prepare and manage any resultant agreement;
- (b) is disclosed to the Council’s internal management personnel, solely to enable effective management or auditing of the RFP process;
- (c) is disclosed by the Council to the responsible Minister;

-
- (d) is authorised or required by law to be disclosed; or
 - (e) is in the public domain otherwise than due to a breach of the relevant obligations of confidentiality.

3.5 **Proposal Documents**

3.5.1 ***Conforming Proposals***

A Conforming Proposal is a Proposal which meets all of the requirements set out in this RFP and the Proposal Documents.

3.5.2 ***Non-Conforming Proposals***

The Council is not required to, but may at its sole discretion, consider an incomplete, informal or a Non-Conforming Proposal. Failure to respond to or meet any of the requirements set out in this RFP and the Proposal Documents will result in the Proposal being deemed a Non-Conforming Proposal.

3.5.3 ***Content of Proposals***

3.5.3.1 Respondents are required to complete the Proposal Response Schedules and submit them to the Council.

3.5.3.2 Respondents can also supply any other additional information or documents. The Council may have reference to such additional information or documents in evaluating the Proposals.

3.5.3.3 All prices quoted by Respondents in their Proposal are:

- (a) to be in Australian dollars;
- (b) to be exclusive GST; and
- (c) (if subject to rise and fall) to provide full details of how the rise and fall applies and the method of determining the price.

3.5.3.4 If a Respondent proposes to provide the Works on a basis different to that envisaged by the Proposal Documents (whether for reasons of innovation, efficiency or otherwise) that proposal should be fully documented and justified with the Proposal. The Council does not warrant that any discussion with the Council's Nominated Contact Person prior to the Closing Date in relation to such a proposal will be taken into account in evaluating the Proposals.

3.6 **Acknowledgement by Respondents**

Respondents acknowledge that the Council:

-
- 3.6.1 makes no representations and offers no undertakings in issuing this RFP or the Proposal Documents;
 - 3.6.2 is not bound to accept the lowest Proposal or required to accept any Proposal;
 - 3.6.3 may accept all or part of any Proposal;
 - 3.6.4 may require one or more Respondents (but is not obliged to require all) to supply further information and/or attend a conference or interview;
 - 3.6.5 may require one or more Respondents (but is not obliged to require all) to make presentation(s);
 - 3.6.6 may undertake “due diligence” checks on any Respondent, including verifying references and/or referees, and undertaking company searches and credit checks;
 - 3.6.7 will not be responsible for any costs or expenses incurred by the Respondent arising in any way from the preparation and submission of its Proposal;
 - 3.6.8 accepts no responsibility for a Respondent misunderstanding or failing to respond correctly to this RFP;
 - 3.6.9 will not be liable for or pay any expenses or losses incurred by any party whether in the preparation of a Proposal or prior to the signing of any Contract for Works or otherwise; and
 - 3.6.10 will not be bound by any verbal advice given or information furnished by any member, officer or agent of the Council in respect of the Proposal Documents or this RFP, but will only be bound only by written advice provided by the Nominated Contact Person.

3.7 Council’s Rights

The Council reserves the right to:

- 3.7.1 amend, vary, supplement or terminate this RFP at any time;
- 3.7.2 accept or reject any Proposal, including the lowest price Proposal;
- 3.7.3 negotiate with any Respondent on all or any part of the Works to be supplied pursuant to this RFP including, without limitation, during the negotiation period identified in clause 3.2.7;
- 3.7.4 vary the timing and process referred to in clauses 3.2.7 and 3.2.8;
- 3.7.5 postpone or abandon this RFP;
- 3.7.6 add or remove any Respondent;

-
- 3.7.7 accept or reject any Proposals whether or not they are Conforming Proposals;
 - 3.7.8 accept all or part of any Proposal;
 - 3.7.9 negotiate or not negotiate with one or more Respondents; and/or
 - 3.7.10 discontinue negotiations with any Respondent.

3.8 **Proposal Response Evaluation**

- 3.8.1 In assessing Proposals, the Council will have regard to, but not necessarily be limited to, the following criteria (not listed in any order of priority):
 - 3.8.1.1 insurance;
 - 3.8.1.2 compliance with Work Health and Safety;
 - 3.8.1.3 the proposed prices, including the proposed pricing structure;
 - 3.8.1.4 the level of risk associated with negotiation of an acceptable Contract for Works;
 - 3.8.1.5 environmental management systems;
 - 3.8.1.6 degree of compliance with the requirements set out in this RFP and the Proposal Documents; and
 - 3.8.1.7 such other matters that Council considers relevant, including:
 - (a) details of previous relevant experience in the provision of the Works;
 - (b) the provision of any aspect of the Works by sub-contractors (if applicable);
 - (c) financial resources;
 - (d) staff resources; and
 - (e) current and future contracts/workload.

3.8.2 ***Use of Proposal Documents***

The Council may use, retain and copy any information contained in the Proposals for the evaluation of Proposals and for the finalisation of the provisions of the Contract for Works.

3.8.3 **Debriefing of Respondents**

If requested, Respondents may be debriefed against the Council's evaluation criteria. Respondents will not be provided with information concerning other Respondents, apart from publicly available information. No comparison with other Proposals will be made.

3.9 **Acceptance of Proposal**

Each Respondent acknowledges that it may be appointed to perform a part only of the Works. Accordingly, the Council reserves the right to negotiate a contracting arrangement with the successful Respondents to supplement the terms and conditions of the Contract for Works.

- 3.9.1 The Council reserves the right to negotiate different terms and conditions for the Contract for Works with any one or more Respondents (each referred to as a **Preferred Respondent**).
- 3.9.2 The Council and the Preferred Respondent may (if required) enter into negotiations for the award and execution of a Contract for Works.
- 3.9.3 If, despite their best endeavours and acting in good faith, the Council and the Preferred Respondent are unable to negotiate and agree on the terms of the Contract for Works, the Council reserves the right to negotiate with any other parties, including other Respondents, for the provision of the Works.
- 3.9.4 The successful Respondent will be notified in writing by the Council of the Council's acceptance of its Proposal. The successful Respondent must not make any oral or written public statements in relation to the awarding of a Contract for Works until written notice is received by the Respondent.
- 3.9.5 The notification of the acceptance of Proposal by the Council creates an obligation on the Council and the successful Respondent to enter into the Contract for Works (subject to any variations agreed pursuant to this clause 3.9).
- 3.9.6 The successful Respondent acknowledges and agrees that all intellectual property created by the successful Respondent arising out of the provision of the Works belongs to the Council, and the successful Respondent will do all reasonable things necessary to assist the Council in the protection and transfer of ownership of the intellectual property resulting from the provision of the Works.

3.10 **Unsuccessful Proposals**

Unsuccessful Respondents must, if required by the Council, return the Proposal Documents to the Council, once they have been advised that their Proposal is unsuccessful.

3.11 **No Legal Requirement**

The issue of this RFP or any response to it does not commit, obligate or otherwise create a legal obligation on the Council to purchase the Works from the Respondents.

4. **GOVERNING LAW**

4.1 This RFP is governed by the law in South Australia.

4.2 The parties irrevocably submit to the exclusive jurisdiction of the courts in South Australia.

5. **SECTION C – CONTRACT FOR WORKS**

Refer to separate document, the remainder of this page has been intentionally left blank

6. **SECTION D –SPECIFICATIONS FOR THE WORKS**

Refer to separate document, the remainder of this page has been intentionally left blank

7. **SECTION E – PROPOSAL RESPONSE SCHEDULES**

Refer to next page; the remainder of this page has been intentionally left blank

Schedule 1 Proposal Form - Formal Offer

I/We _____ (**Respondent**) on having read, understood and fully informed myself/ourselves/itself of the contents, requirements and obligations of the Request for Proposal, do hereby propose to provide and complete the Works described in the Specification, as per RFP in accordance with the Contract for the amounts set out in the Proposal Return Schedules attached.

The Respondent:

1. is subject to the terms and conditions set out in the Conditions of Proposal;
2. irrevocably offers to perform the Works on the terms of the Contract and the Specification, as per RFP which form part of the Proposal Documents subject only to the variations set out in Schedule 1;
3. confirms that this Proposal has been prepared without any consultation, communication, agreement or other arrangement with any competitor regarding:
 - 3.1 prices or methods, factors or formulae used to calculate prices;
 - 3.2 the intention or decision to submit a Proposal, or the terms of the Proposal;
 - 3.3 the submission of a Non Conforming Proposal; and
 - 3.4 the quality, quantity, specifications or particulars of the Works; and
4. holds this offer open and capable of acceptance by the Council for a period of 90 days from the closing date.

The undersigned undertakes that if selected as the successful Respondent, I/we/it will execute and be bound by the Contract in accordance with the Conditions of Proposal.

If the Respondent is a company, it must execute this Proposal as follows:

Executed by
pursuant to section 127 of the
Corporations Act 2001

.....
Signature of Director

.....
Signature of Director/Company Secretary
(Please delete as applicable)

.....
Name of Director (print)

.....
Name of Director/Company Secretary (print)

Or

.....
Signature of Sole Director and Sole Company Secretary

.....
Name of Sole Director and Sole Company Secretary (print)

or

Signed for
by an authorised representative in the
presence of:

..... Signature of witness Signature of authorised representative
..... Name of witness (print) Name of authorised representative (print)
 Position of authorised representative (print)

If the Respondent is an individual, the document must be executed as follows:

Signed by
in the presence of:

..... Signature of witness Respondent
..... Name of witness (print)	

If the Respondent is a partnership, the Proposal must be executed as follows:
(Add extra execution clauses for additional partners as necessary.)

Partner 1:

Signed sealed and delivered by

.....
in the
presence of:

..... Signature of witness Signature of partner
..... Name of witness (print)	
..... Address of witness (print)	

Partner 2:

Signed sealed and delivered by

.....
in the
presence of:

.....
Signature of witness

.....
Signature of partner

.....
Name of witness (print)

.....
Address of witness (print)

Schedule 2 Respondent's Details

<p>1. Name of Respondent</p> <p>State in full the name(s) of the person(s) or the registered name(s) of the company(s) and trading names.</p> <p>ABN number</p>	
<p>2. Contact person</p> <p>Nominate a contact person for this Proposal to deal with any questions or queries that may arise.</p>	
<p>3. Registered address</p>	
<p>4. Postal address</p>	
<p>5. Telephone</p>	
<p>6. Fax</p>	
<p>7. Email</p>	
<p>8. Proposal conditions</p> <p>Respondent to sign that it has read and understood this RFP and the Conditions of Proposal.</p>	
<p>9. Amendments to Proposal Documents</p> <p>Respondent to indicate the amendments it requests.</p>	

Schedule 3 Financial Capacity

1. Banker's Name:
Address:
.....
2. Annual turnover for:
- | | |
|----------|----------|
| 2008/09: | \$ |
| 2009/10: | \$ |
| 2010/11: | \$ |
| 2011/12: | \$ |
3. The limits of the bank overdraft facilities:
4. What is the issued capital of the Respondent's Company: \$
5. Net asset value of the Respondent's Company: \$
6. For the most recent financial year:
- 6.1 average cash balance at the Respondent's Bank: \$
- 6.2 value of sundry debtors at balance date: \$
- 6.3 value of sundry creditors indicating the amount applicable:
- | | | | |
|-------------------|----------|----------|------------|
| 1 to 30 days: | \$ | %) | % of total |
| 31 to 60 days: | \$ | %) | sundry |
| 61 and over days: | \$ | %) | creditors |
7. To assist in the evaluation of your financial capability please attach copies of audited profit and loss accounts, balance sheets and statement of cash flows for the last two financial years, as certified by a public accountant.
8. What percentage of the Respondent's South Australian business does this Proposal represent in terms of turnover?
_____ %

**STATUTORY DECLARATION
(Individual)**

I of
(Name) (Address)

in the State ofdo solemnly and sincerely declare:
(State)

1. I am not currently subject to an Insolvency Event, as defined in the Conditions of Proposal:

(Please Tick whichever is applicable)

- nor have been during the past five years or
 but have been during the past five years. The details are as follows.

.....
.....
.....
.....

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1936*.

DECLARED at
(Place)

This day of 20

)
)
)
)
)

Before me:

.....
A Justice in and for the State of South Australia/ A Commissioner for taking Affidavits in the Supreme Court of South Australia.

**STATUTORY DECLARATION
(Other Enterprise)**

I of
(Name) (Address)

in the State ofdo solemnly and sincerely declare:
(State)

[NOTE: please delete this line and either clause two or three where appropriate then re-number]

1. I am the (Position Title) for the Respondent and I am duly authorised to make this declaration on the Respondent's behalf
2. I am not currently subject to an Insolvency Event, as defined in the Conditions of Proposal:

(Please Tick whichever is applicable)

nor have been during the past five years or

but have been during the past five years. The details are as follows.

.....
.....
.....
.....

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act* 1936.

DECLARED at
(Place)

This day of 20

Before me:

.....
A Justice in and for the State of South Australia/ A Commissioner for taking Affidavits in the Supreme Court of South Australia.

Schedule 4 Licences and Accreditation

Please indicate any licences or accreditation held by either the Respondent or any proposed sub-contractors relevant to the proposal.

Only basic details are required such as name of holder, number and expiry date. If awarded the contract you will be required to submit documentary evidence confirming the information below.

<i>(please tick ✓ or cross X where applicable)</i>			
<input type="checkbox"/> Civil Works Contractor:			
Details:			
Building Works Contractor:	<input type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial
Details:			
<input type="checkbox"/> Electrical Contractor:			
Details:			
<input type="checkbox"/> Plumbing Contractor:			
Details:			
<input type="checkbox"/> Gas fitting Contractor:			
Details:			
<input type="checkbox"/> EPA Prescribed Activity:			
Details:			
Others (please specify)			
<input type="checkbox"/>			
Details:			
<input type="checkbox"/>			
Details:			

Schedule 5 Insurance

Provide details of insurance currently held by you and any proposed subcontractor that would be extended to provide cover for work under the Contract.

Public Liability Insurance (Twenty million dollars)			
Insurance provider:			
Policy number:		Expiry date:	
Amount of cover:	\$		

Work Cover Registration, Exemption or Personal Accident or Injury Insurance			
Work Cover registration number:			
Policy number:		Expiry date:	
Amount of cover:	\$		

Contract Works Insurance (Contract Sum + 5%)			
Insurance provider:			
Policy number:		Expiry date:	
Amount of cover:	\$		

Motor Vehicle Insurance			
Insurance provider:			
Policy number:		Expiry date:	
Amount of cover:	\$		

Schedule 6 Work Health & Safety

Respondents are to provide details of their work health & safety management system including

- Safety performance
- Disclosure of previous offences and
- Identification of hazards and proposed control measures

1. Respondent WHS Management System Questionnaire

Do you have third-party certification of your WHS Management System?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If Yes , please indicate to which Standard:	<input type="checkbox"/> AS 4801 <input type="checkbox"/> Civil Contractors Federation Integrated Management System <input type="checkbox"/> an equivalent system to above (please specify)		
If No , then please answer the following questions regarding your WHS Management System. Does your system include the following requirements:			
A policy appropriate to the size and nature of your business?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A policy that commits to establish measurable objectives and targets to ensure continued improvement & elimination of workplace injuries & illness?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A policy that commits to comply with relevant OHS legislation?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A policy that is documented, implemented and communicated to all employees	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A Policy that is available to all interested parties?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A policy that is reviewed periodically?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Establish, implement & maintain documented procedures for hazard identification, risk assessment & control measures?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Establish, implement & maintain procedures to identify and have access to all legal requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Establish, implement & maintain documented objectives & targets?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Establish & maintain OHS management plans?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Identify & provide resources required to implement your OHS System?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Document & communicate the areas of responsibility and accountability?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Identify personnel training needs? (training needs analysis)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Documented procedures agreed to by employees?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Procedures for ensuring pertinent OHS information is communicated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Procedures for relevant & timely reporting of information?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Establish, implement & maintain information in a suitable medium?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Establish, implement & maintain procedures for controlling relevant documents & data	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

2. Safety performance

Please provide the following information for the last three years

	2009/2010	2010/2011	2011/2012
What was the average number of employees in your organisation?			
What was the approximate number of hours worked?			
How many injuries have occurred to your employees which resulted in a fatality, permanent disability or time lost from work of one day or more?			
What is the Lost Time Injury Frequency Rate?			
What is the total number of full days lost due to injury?			
What is the average days lost per injury?			

3. Disclosure of Offences

Has the Tenderer, or any corporation or person associated with their tender, been found guilty of an offence pursuant to the Occupational Health Safety and Welfare Act 1986 or any equivalent legislation either in Australia or overseas? Yes No

If nothing is indicated it will be taken that no offences exist.

If yes then respondents must disclose below the details of any proceedings including:

1. the date of the offence
2. the section of the act contravened and
3. the divisional fine applied for the offence

The principal reserves the right, at its discretion, to exclude any respondent from the proposal process if the respondent, or any corporation or person associated with this proposal, have been found guilty of an offence pursuant to the Occupational Health Safety and Welfare Act 1986 or any equivalent legislation either in Australia or overseas.

4. WHS Hazard Identification

Respondents must identify hazards associated with the work to be performed under contract and briefly indicate the proposed control measures.

Hazard Identification <i>(please tick ✓ if applicable)</i>	Proposed Control Measures
<input type="checkbox"/> Manual handling/ergonomics	
<input type="checkbox"/> Traffic or pedestrians	
<input type="checkbox"/> Confined spaces	
<input type="checkbox"/> Uneven or slippery surface	
<input type="checkbox"/> Moving machinery/mobile plant	
<input type="checkbox"/> Working in isolation	
<input type="checkbox"/> Working over pit, hole	
<input type="checkbox"/> Noise, vibration	
<input type="checkbox"/> Welding	
<input type="checkbox"/> Fire or explosion	
<input type="checkbox"/> Home visits or behaviour	
<input type="checkbox"/> Compressed air, pressure or vacuum	
<input type="checkbox"/> Working at heights (fall prevention)	
<input type="checkbox"/> Falling objects	
<input type="checkbox"/> Heat source	
<input type="checkbox"/> Chemical exposure / hazardous substances	
<input type="checkbox"/> Dangerous goods	
<input type="checkbox"/> Services underground or over-head hazards	
<input type="checkbox"/> Asbestos or lead	
<input type="checkbox"/> Soil contamination	
<input type="checkbox"/> Sun, UV, rain, wind, heat, cold	
<input type="checkbox"/> Restricted access	
<input type="checkbox"/> Poor housekeeping	
<input type="checkbox"/> Trenching or excavation	
<input type="checkbox"/> Electrical	
<input type="checkbox"/> Poor lighting	
<input type="checkbox"/> Infection control/Needle stick	
<input type="checkbox"/> Gas, fumes or dust	
<input type="checkbox"/>	
<input type="checkbox"/>	

Schedule 7 Environmental Management System

Respondents are to provide details of their environmental management system including disclosure of offences.

1. Respondent Environmental Management System Questionnaire

Do you have third party certification of your Environmental Management System?		<input type="checkbox"/> Yes	<input type="checkbox"/> No
If Yes , please indicate to which Standard:	<input type="checkbox"/> AS 14001		
	<input type="checkbox"/> Civil Contractors Federation Integrated Management System		
	<input type="checkbox"/> an equivalent system to above (please specify)		
If No , please answer the following questions regarding your Environmental Management System. Does your system include the following requirements:			
A policy statement?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
A commitment to the prevention of pollution?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Commitment to comply with applicable legal requirements?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Provides framework for reviewing objectives and targets?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Is documented, implemented and maintained?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Is communicated to all employees?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Is available to the public?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Establishes maintains and implements procedures?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Identifies environmental aspects of its activities that can be controlled?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Determine those aspects that have a significant environmental impact?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Ensure availability of resources?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Roles, responsibilities and authorities are defined?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Ensure competency, training?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Ensure response to emergency situations?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

2. **Disclosure of Offences**

Has the Tenderer, or any corporation or person associated with their tender, been found guilty of an offence pursuant to the Environment Protection Act 1993 or any equivalent legislation either in Australia or overseas? Yes No

If nothing is indicated it will be taken that no offences exist.

If yes then respondents must disclose below the details of any proceedings including:

1. the date of the offence
2. the section of the act contravened and
3. the divisional fine applied for the offence

Schedule 8 Industrial Relations Record

Provide a summary of the Respondent's industrial relations record over the last 5 years.

If nothing is provided it will be taken that record exists

Schedule 9 Conflict of Interest

Provide details of any interest, relationship or clients which may or do give rise to a conflict of interest and the issue about which that conflict or potential conflict does or may arise.

If nothing is provided it will be taken that no conflicts of interest exist

Schedule 10 Previous relevant experience

Provide details of examples for similar work and information on the approximate date when work was completed and the approximate value of work undertaken.

1. Previous Projects

Project Description:	
Client Name:	
Contact Name:	
Telephone:	
Email:	
Date of Work:	
Value of Work:	

Project Description:	
Client Name:	
Contact Name:	
Telephone:	
Email:	
Date of Work:	
Value of Work:	

Project Description:	
Client Name:	
Contact Name:	
Telephone:	
Email:	
Date of Work:	
Value of Work:	

2 Past performance

For how many years has the Respondent engaged in the type of work required by the Contract?

Has the Respondent had an appointment terminated on a project in the last five years? If yes please provide brief details.

Yes No

If nothing is indicated it will be taken that no appointments have been terminated.

Has the Respondent terminated a project in the last five years? If yes please provide brief details.

Yes No

If nothing is indicated it will be taken that no appointments have been terminated.

Has the Respondent refused to continue providing Works under a contract in the last five years unless the terms or payments were changed from those which were originally agreed? If yes please provide brief details.

Yes No

If nothing is indicated it will be taken that no terms were changed.

Schedule 11 Current and future contracts/workload

Provide details of examples for similar work and information on the approximate date when work was completed and the approximate value of work undertaken.

Project Description:	
Client Name:	
Contact Name:	
Telephone:	
Email:	
Date of Work:	
Value of Work:	

Project Description:	
Client Name:	
Contact Name:	
Telephone:	
Email:	
Date of Work:	
Value of Work:	

Project Description:	
Client Name:	
Contact Name:	
Telephone:	
Email:	
Date of Work:	
Value of Work:	

Project Description:	
Client Name:	
Contact Name:	
Telephone:	
Email:	
Date of Work:	
Value of Work:	

Schedule 12 Statement of Conformity & Documents Received

1. Documents Received

Respondents must indicate below the documents they received in relation to this request for proposal

Document	Description
1	Request for Proposal

2. Conformity

If the Proposal does not comply with all the requirements of the Proposal Documents, the Respondent must list below all areas of non-conformity, partial conformity or alternative offer and the reasons therefore.

The Proposal must be read to disregard and render void any area of the Proposal which is non-conforming, partially conforming or an alternative offer except to the extent detailed in this Schedule.

If any non-compliance is determined to be unacceptable, the Proposal may not be further considered.

NC = Non-conforming, PC = Partial conforming, AO = Alternate offer

Area of non-conformity and reason	NC/PC/AO

Schedule 13 Organisation Structure, Facilities and Resources

1. Organisation structure

Provide details of the staff and the organisation structure proposed to be used for performance of the Works. Details must include but not be limited to:

- Company structure to be used to support the Works including size and location of office, organisation structure
- Number of staff proposed to be used and their qualifications and experience
- Details of the award, enterprise agreement, and/or local area workplace agreement, under which staff will be employed, and rates of pay, conditions, or allowances

2. Plant, Equipment and Vehicles

Provide details of major plant, equipment proposed for use including

- Make & Model
- Function
- Year of Manufacture or Age

3. Facilities

Provide details facilities proposed to be brought to the site

4. Proposed subcontractors

Provide details in the Table below the proposed major sub-contractors or other representatives to be employed or engaged by the Respondent. The Respondent must define the scope and extent of Works to be provided by sub-contractors.

Subcontractor's name	Works to be provided

Schedule 14 Pricing

All prices must be listed exclusive of GST

Lump Sum

Respondents must provide a lump sum amount for the performance of the Works.

Respondents must also provide a breakdown of components of the Works into separable packages.