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**EXAMPLE**

**NAME OF PROCUREMENT**

**CONTRACT NUMBER**

**Close of Tenders**

Tenders close at Time AEST on Date Month Year

Invitation to Tender

Contract No: XXXX

**Name of Procurement**

Tenders are invited from suitably qualified Contractors for the describe procurement and length of contract.

**Type of Contract**

**XXXXXXXX**

**Period of Contract**

**XXXXXXXX**

Index

**These Tender Documents consist of: -**

Conditions Of Tender

Form of Tender

Tables of Prices

Schedules

**A: Conformance**

1 Tenderers Legal Structure

2. Statement of Conformance

3 Collusive Tendering - Statutory Declaration

4. Conflict Of Interest Declaration

6. Receipt of Addenda

**B: Mandatory**

7. Occupational Health and Safety

8. Work Cover, Public Liability & Motor Vehicle Insurances

9. Industrial Relations History

11. Financial Assessment

**C: Scored Selection Criteria**

12. Resources to Be Employed In the Performance of Contract

13. Past and Current Contracts

14. Business References

15. Other Information

General Conditions Of Contract

Contract Agreement / Deed

Specifications

**EXAMPLE**

**CONDITIONS OF TENDER**

Conditions of Tender

# Definitions and Interpretation

The words, expressions and principles of interpretation set out in General Conditions of Contract apply to these Conditions of Tender and the Form of Tender.

# Close of Tender

Tenders close at **Time** AEST on **Day Date Month Year**

# Tender Documents

**What documents are included and issued to tenderers?**

**Example**:

The following documents will be issued to all tenderers:

3.1. Conditions of Tender

3.2 Form of Tender and Schedules

3.3 General Conditions of Contract

3.4 Contract Agreement / Deed

3.5 Specifications

3.6 Appendices

# Availability of Tender Documents

**Where will the tender documentation be available?**

* **online**
* **hardcopy**

# Briefing

Will there be a tender briefing?

If so provide details of date, location, registration, etc.

# Tenderer to Inform Itself

**Example:**

The tenderer acknowledges that it has satisfied itself as to the correctness and sufficiency of its tender and any rates and prices stated therein.

It will have no claim against the Council due to the accuracy or otherwise of the Schedules and information obtained from the Principal and upon which the tenderer has based its rates or prices.

If a tenderer has any doubt as to the meaning of any provisions or aspect of the tender documents or contract, it must either: -

* request the Contract Officer to clarify the issue in writing; or
* when submitting its tender, include a statement of the interpretation on the basis of which its tender has been prepared.

# Enquiries

Who should enquiries be directed to and how will they be handled?

Example:

Any enquiries regarding the technical aspects of the project or on the tendering process and contract matters will only be received through - provide details.

A response to each enquiry will be provided to all parties that have obtained tender documents. No response will be provided to enquiries received within 48 hours of the close of tenders.

# Tender Submission

**How will tender submission be accepted?**

**Example:**

Tenders must be submitted on the Form of Tender together with all of the Schedules set out in the Conditions of Tender. The Form of Tender and all Schedules must include all the requested information. Information submitted with the tender should show clearly the Schedule Number to which it relates. Additional information must be submitted if requested or required. Each additional sheet should be numbered and labelled to show the paragraph of the Form of Tender or the Schedule Number to which it refers.

Tenders can be lodged as follows:

Electronically

XXXX

Tender Box and Postal Lodgement

XXXX

Tenders lodged in the Tender Box or by post must be enclosed in a sealed envelope and be clearly identified with the Contract Number and description.

Late, facsimiled, or emailed tenders will not be accepted. Tenders received after closing time will be recorded as such, with the date, time of receipt and the documentation will be returned unopened to the sender.

# No Collateral Contract

**Example:**

The submission of a tender by a tenderer will not give rise to any contract governing, or in anyway concerning, the tender process, or any aspect of the tender process, for the Contract. The Councils expressly disclaims any intention to enter into any such contract.

# Canvassing of Councillors or Council Officers

**Example**:

Canvassing of Councillors or any employees of any of the Councils other than the contact officers named above will disqualify the tenderer.

# Acceptance of Tender / Selection Criteria

Non-conforming tenders may be set aside from further consideration.

**Example:**

Conformance Requirements

Tenders will first be assessed for compliance with conformity requirements. Initial conformity assessment will be as detailed in Section 8 Tender Submission. Conformity assessment will include confirmation of:

* Statements on Conformance
* Conflict of Interest

The above requirements must confirm compliance and an absence of conflicts of interest. Failure to provide the above information or to confirm compliance or an absence of unresolved conflicts of interest may result in the tender being rejected.

Assessment of tenders will be carried out by an evaluation panel and will be based on the following mandatory requirements and selection criteria:-Tenders will first be assessed for compliance with conformity requirements. Compliant tenders will then be assessed by an evaluation panel against the following mandatory requirements.

**Mandatory Requirements**

## Occupational Health and Safety

## Insurance’s and Industry Obligations

11.3 Financial Viability

**Scored Evaluation Criteria and Weightings**

Those tenders that pass all mandatory criteria will be assessed against the following scored and weighted criteria

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Criterion | Description | Measure | Method of measure | Weighting |
| Level of Service / Capability(Quality) | Ability to provide the works which meet the specified requirements.  | Proven record of specification compliance in past contractsQuality of systems employed. | Demonstrated skills, including the ability to manage labour and plant in delivering quality finishes and to identify and manage all risks.Proven record of timely completion of all works based on past contractual performances and using referee checks.Standard of Management and Quality Systems. | 20% |
| Capacity(Resources) | Ability to supply works within the timeframes required | Sufficient resources to ensure reliability of works.Ability to carry out work within the required timeframes | Resources committed to the contract, including skills and experience in delivering quality finishes Current and intended contractual commitments and extent of non-municipal operations, relative to available resources. | 20% |
| Financial Benefit(Price) | Overall financial value of each proposal to Council. | Tendered prices | Comparison of price with other submitted tender prices. Local content  | 60% |

The Council will take into account the evaluation panel’s report which will be based on the selection criteria and any other factors, which it considers relevant in determining the successful tenderer. The Council will award the tender based on the best outcome and value for money for the community. An explanation for any divergence by a council from the evaluation panel’s decision may be provided by the council.

Tenderers may be contacted during the tender assessment period and be requested to provide further information. Such information must be made available as soon as possible and not more than twenty-four hours after the request or such other time as the Contract Officer or his/her representative shall allow.

The lowest or any tender will not necessarily be accepted. Substantially incomplete tenders will be disqualified. A tender may not be withdrawn without the consent of the Contract Officer, unless withdrawn before the closing date of tenders.

# Presentation / Interview of Tenderers

**Will there be interviews with shortlisted tenderers? If so how will these be communicated and what are councils expectations?**

**Example:**

The evaluation panel will evaluate all tenders received and where necessary, may short-list a number of tenderers who may be required for interviews.

Tenderers required for interview will be advised as soon as possible after the closing of tenders. It is expected that interviews, if required, will be conducted within two (2) weeks of the closing of tenders

# Negotiations and Best and Final Offer

**Does the councils reserve the right to conduct negotiations with a preferred tenderer, if so, this must be stated along with the process**.

# Notification of Successful Tenderer(s)

**How will tenders be notified?**

**Example:**

 All tenderers will be notified in writing of the Councils decisions. No negotiations regarding the decision will be entered into.

The notification in writing as to the tender decision is final.

# Instrument of Agreement

**What is the council/s instrument of agreement?**

 **Example:**

A contract between the Councils and the successful tenderer will be created by the Councils written acceptance of the successful tender on the terms of the Contract.

Where required, the successful tenderer must execute both copies of the Contract Agreement and return the Contract Documents in duplicate to the Councils within 14 days of the date on which the completed Contract Documents are forwarded to the successful tenderer (or any longer period approved in writing by the Council).

The successful Tenderer must also lodge with the Councils the Security Deposit of 5% is required under the Contract within 14 days of the Date of Acceptance of Tender or any longer period approved in writing by the Principal.

If: -

15.1 the Security Deposit is not lodged within the specified time; or

15.2 the Contract Agreement is not properly executed by the Contractor and returned to a Council,

The Council may:

* treat that failure as a breach constituting a repudiation of the Contract created by the Councils written acceptance;
* terminate this Contract;
* recover any damages arising from the Contractor's repudiation of the Contract; and
* apply any deposit lodged by the Contractor in reduction of expenses incurred by the Councils by reason of such default.

# Confidentiality

**What are the confidentiality requirements?**

**Example**:

Subject to the Freedom of Information Act, the powers of the Victorian Auditor General and the State Ombudsman, each party shall preserve as absolutely confidential:

* All information provided by the other concerning its business affairs; and
* The terms or detailed content of the tender and any agreement arising out of the tender, except where otherwise agreed to by the parties in writing.

# Goods & Services Tax (GST)

**What is the GST obligation?**

**Example:**

The contract prices or rates are inclusive of all expenses of the Contractor, insurance, duties, imposts and taxes which shall be paid by the Contractor but are exclusive of any GST.

**EXAMPLE**

**FORM OF TENDER**

Form of Tender

To: **Name**

**Role**

**Council**

**Address**

Contract No: XXXX –Contract Name

Dear Sir/Madam

Having examined the Conditions of Tender, Conditions of Contract, the Specification and Schedules and all other documents relating to this tender (the "Tender Documents") for the performance of the Services, I/we offer to carry out the Services in conformity therewith for the price or rates stated in the attached completed Schedules.

Until a formal agreement is prepared and executed, this document together with your written acceptance thereof shall constitute a binding contract between us.

**I/ we expressly acknowledge and agree:-**

* That this tender will remain open to be accepted or not by the Councils and shall not be withdrawn for a period of 90 days from the date of closing of tender.
* That the details of this tender have not been communicated to any other person or adjusted in accordance with any agreement or arrangement with any other person.
* That this is a bona fide tender.

I/we understand you are not bound to accept the lowest or any tender you have received, and you will not pay any expenses incurred by me/us in connection with the preparation and submission of this tender.

I/we will, within fourteen (14) days of the date on which the Contract Documents are forwarded, execute a contract with the Council in the terms contained within the Tender Documents.

Signed by or for and on behalf of the Tenderer

Name of Tenderer:

 ACN: ABN:

Street Address:

Postal Address:

 Phone: Fax:

 Mobile: Email:

Contact Name:

Signature of Authorised
Person Submitting Tender: ................ Date:

|  |
| --- |
| Local Content |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| The councils are committed to developing and encouraging a focus on supporting and utilising the service of their local suppliers and businesses.  |

|  |
| --- |
| Value-Added Activity (Local Content) |
| State the level of local value-added activity expressed as a percentage of the total contract price %. |

|  |
| --- |
| Employment |
| Based on the proposed works program this tender would be responsible for creating ................equivalent full-time positions. |

|  |
| --- |
| Skills |
| What opportunities are there for increasing skills of employees |
|  |
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| --- |
| Technology |
| What is the potential for innovation in the contract? |
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**EXAMPLE**

**COMFORMITY REQUIREMENTS**

|  |
| --- |
| Schedule 1 |
| Tenderers Legal Structure |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |  |
| --- | --- |
| **1. TRADING DETAILS** |  |
| Registered Name of Company |  |
| Trading Name of Company |  |
| Australian Company Number |  |
| Address of Registered Office |  |
| Details of Directors (include full names, addresses, positions) |  |
|  |  |
|  |  |
|  |  |
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(Attach extra sheet if required)

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| --- | --- | --- |
| **2. EXPERIENCE** | How many years has the tenderer been in business as a contractor under the present business name? | **\_\_\_\_\_\_\_\_\_\_Years** |

|  |  |
| --- | --- |
| **3. TRADING ADDRESS** | Trading address for the purposes of this Tender / Contract including the Service of Notices (Do not provide a Post Office Box number.) |
|  |

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| --- |
| Schedule 2 |
| Statement of Conformance |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| The tenderer must indicate whether or not its Tender conforms **to** the requirements of the Tender Documents by striking out below \*\* that which is not applicable.This Tender **\*\* does / does not \*\*** conform.Should the Tender not conform with the requirements of the Tender Documents, the Tenderer must list below all areas of non-conformance and the reasons for such non-conformance and shall show the value of each such non-conformance so that in the event of the non-conformance being deemed unacceptable, the contract sum can be adjusted accordingly. If the non-conformances are not prices and are determined to be unacceptable, the tender may not be further considered. |

|  |  |
| --- | --- |
| **Area of Non-Conformance and Reason** | **Value of Non-Conformance($)** |
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| Schedule 3 |
| Collusive Tendering - Statutory Declaration |
| Contract No: XXXX |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| Tenderer to complete Declaration |
| I, (Full Name) |
| of (Address) |
| in the State of Victoria do solemnly and sincerely declare that in relation to the tender for Contract No **XXXX** (“the Tender”) |
| **THAT**1. I hold the position of ………………………..………………….… and am duly authorised by………………………………………………………… (insert the name of tenderer) “the Tenderer” to make this declaration on its behalf.2. \*Neither the Tenderer nor any of its servants or agents has entered into any contract, arrangement or understanding to pay moneys or provide any benefits to any trade association, arising out of or in relation to any contract resulting from the Tender, except as stated herein and apart from the normal amount (annual subscription, turnover or contract fee) imposed by that trade association; or\*the Tenderer has agreed to pay a special fee(s) of $ to the following trade association(s) if it is successful in its tender.(\* delete and initial as may be appropriate)3. Neither the Tenderer nor any of its servants or agents had any knowledge of the price or approximate price range of any other tenderer prior to submitting its tender nor has the Tenderer or any of its servants or agents disclosed to any rival tenderer the Tenderer's tender price prior to the closing of tenders.4. The Tenderer submitted its tender in good faith and has not deliberately set its tender price in order to enhance the tender price of other tenderers.5. As at the date of this declaration, the Tenderer intends to do the work set out in the tender.1. Neither the Tenderer nor any of its servants or agents has entered into any contract, arrangement or understanding for the purpose, or one of the purposes being that, in the event that it is successful in its tender, it will pay to or provide any unsuccessful tenderer or any person any moneys or any benefits or fulfil any undertaking which is a consequence of any collusive tendering circumstance in respect of or in relation to the tender or any contract resulting therefrom.
 |
| **AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provision of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.** |
| **DECLARED at** **)****in the State of Victoria this..........day of.............. )**.........................................................**Two Thousand and twelve )** Signature of Person making Declaration **)** **Before me**  .......................................................................................(Name and Qualification of Person Authorised to Witness Statutory Declaration) |

|  |
| --- |
| Schedule 4 |
| Conflict of Interest Declaration |
| Contract No: XXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| The parties to this submission have considered the implications of making this submission or of providing the services which are the subject of this Tender and have satisfied ourselves that no conflict of interest exist between this company, body, association or like organisation or any individual or group of individuals who might have an interest in the subject of this Tender, other than the following which might be considered as possible conflicts of interest:(insert a statement of the potential conflicts should any exist)            Conflict of interest includes any relationship, matter, circumstance, interest or activity affecting the Tenderer (which term includes the officers, employees, agents or subcontractors of the Tenderer) which may, or may appear to, impair the ability of the Tenderer (if awarded the Contract) to provide the requirements of the Contract diligently and independently.In the event of such relationships arising in the course of preparing a submission or after having presented a submission, the Tenderer will immediately inform the Contract Superintendent, who may take such action as necessary to ensure that the outcome of the tender process is not compromised. |

|  |
| --- |
| Schedule 6 |
| Receipt of Addenda |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| The tenderer must list below the tender addenda received from Council during the tender period. The tenderer acknowledges that its tender has been prepared having regard to these addenda. |
| **Addenda No.** | **Brief Description(e.g. Specification, Page No, Clause No, Schedule No)** | **Date Received** |
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**EXAMPLE**

**MANDATORY REQUIREMENTS**

The following Schedules contain requests for responses on matters for which the Councils have mandatory requirements. These matters will be assessed on a Pass/Fail basis dependent upon whether the tender submissions sufficiently complies with the Councils requirements.

|  |
| --- |
| Schedule 7 |
| Occupational Health & Safety Management System Questionnaire |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **1** | **Occupational and Health and safety Policy and Management** |  | **Yes** |  | **No** |  | **N/A** |
| 1.1 | Is there a written company Health and Safety policy?If YES provide a copy of policyComments – | **[ ]**  | **[ ]**  | **[ ]**  |
| 1.2 | Does the company have an Occupational Health and Safety Management System certifies by a recognised independent authority (e.g Safety MAP)?If YES provide details..... | **[ ]**  | **[ ]**  | **[ ]**  |
| 1.3 | Is there a company Occupational Health and Safety Management System Manual or Plan?If YES provide a copy of contents page(s) | **[ ]**  | **[ ]**  | **[ ]**  |
| 1.4 | Are Health and safety responsibilities clearly indentified for all levels of staff? If YES provide details........  | **[ ]**  | **[ ]**  | **[ ]**  |
| **2** | **Safe Work Practices and Procedures**  | **Yes** | **No** | **N/A** |
| 2.1 | Has the company prepared safe operating procedures or specific safety instructions relevant to its operations? If YES provide a summary listing procedures or instructions.Comments – | **[ ]**  | **[ ]**  | **[ ]**  |
| 2.2 | Does the company have a permit to work systems?If YES provide a summary listing of permits.Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 2.3 | Is there a documented incident investigation procedure? If YES provide a copy of standard incident report form.Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 2.4 | Are there procedures for maintain, inspecting, assessing and controlling the hazards of plant operated/owned by the company?If YES provide details. Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 2.5 | Are there procedures for storing and handling hazardous substances?If YES provide details.Comments-  | **[ ]**  | **[ ]**  | **[ ]**  |
| 2.6 | Are there procedures for identifying, assessing and controlling risks associated with manual handling?If YES provide details. Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| **3.**  | **Occupational Health and Safety Training** | **Yes** |  | **No** | **N/A** |
| 3.1 | Describe how Health and Safety training is conducted in your company.Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 3.2 | Is a record maintained of all training and induction programs undertaken for employees in your company?If YES provide examples of safety training records. Comments-  | **[ ]**  | **[ ]**  | **[ ]**  |
| **4** | **Health and Safety Workplace Inspection** | **Yes** | **No** | **N/A** |
| 4.1 | Are regular Health and Safety inspections at worksites undertaken? If YES provide details.Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 4.2 | Are standard workplace inspection checklists used to conduct Health and Safety inspections?If YES Provide details.Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 4.3 | Is there a procedure by which employees can report hazards at workplaces?If YES provide details.Comments- | **[ ]**  | **[ ]**  |  | **[ ]**  |
| **5** | **Health and Safety Consultation**  | **Yes** | **No** | **N/A** |
| 5.1 | Is there a workplace Health and Safety Committee?  | **[ ]**  | **[ ]**  | **[ ]**  |
| 5.2 | Are employees involved in decision making over Occupational Health and Safety matters?If YES provide details.Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 5.3 | Are there employee elected Health and Safety representatives?If YES provide details.Comments-  | **[ ]**  | **[ ]**  | **[ ]**  |
| **6** | **Occupational Health and safety Performance Monitoring**  | **Yes** | **No** | **N/A** |
| 6.1 | Is there a system for recording and analysing Health and Safety performance statistics?If YES provide details.Comments- | **[ ]**  | **[ ]**  | **[ ]**  |
| 6.2 | Are employees regularly provided with information on company Health and Safety performance?If YES provide details.Comments- |  | **[ ]**  |  | **[ ]**  | **[ ]**  |
| 6.3 | Has the company ever been convicted of an Occupational Health and Safety offence? If YES provide details.Comments-  | **[ ]**  | **[ ]**  | **[ ]**  |

|  |  |  |  |
| --- | --- | --- | --- |
| **7.** | **Company References** |  |  |
|  | Please provide the following information for three (3) most recent contracts: |  |  |
|  | **Contract 1** | **Contract 2** | **Contract 3** |
| Contract Description |  |  |  |
| Client |  |  |  |
| Contact |  |  |  |
| Phone No |  |  |  |
| Number of lost time injuries |  |  |  |
| Number of person days on contract |  |  |  |
| Total days lost due to injuries |  |  |  |
| **8.** | **Documentation** |
|  | Attach the following documentation for preliminary evaluation: |
| Contents page only of OHS manual | Refer Q 1.3 above |
| Summary list of procedures (general and specific) | Refer Q 2.1 above |
| Accident/Incident report form | Refer Q 2.3 above |
| Training program and course outline of **one** training course as an example | Refer Q 3.1 above |
| Workplace inspection/audit checklist | Refer Q 4.3 above |

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| --- |
| Schedule 8 |
| Industrial Relations History |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| Please provide **complete** details of all the tenderer’s industrial relations history over the past 3 years (including any work bans, lost time etc.) |
| **Date/Period** | **Incident** | **Outcome** |
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| Schedule 9 |
| Work Cover, Public Liability, Professional Indemnity & Motor Vehicle  |
| Contract No: XXXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |  |
| --- | --- |
| **Class of Insurance** | **Work Cover** |
| Do you have or can you obtain a WorkCover Certificate of Insurance for all staff and sub-contractors who will carry out the Works/Services. YES/ NO |
| If yes, please provide Policy No |  |
| Expiry Date |  |
| Name of Insurer |  |

|  |  |
| --- | --- |
| **Class of Insurance** | **Public Liability Insurances** |
| Do you have or can you obtain a Public Liability Insurance to the value as specified in the annexure to carry out the Works/Services. YES/ NO |
| If yes, please provide Policy No |  |
| Expiry Date |  |
| Name of Insurer |  |
| Value of Cover |  |

|  |  |
| --- | --- |
| **Class of Insurance** | **Professional Indemnity** |
| Do you have any other insurance relevant to the performance of the Works/Services. YES/ NO |
| If yes, state class of insurances |  |
| If yes, please provide Policy No |  |
| Expiry Date |  |
| Name of Insurer |  |
| Value of Cover |  |

|  |  |
| --- | --- |
| **Class of Insurance** | **Motor Vehicle Insurance** |
| Do you have any Motor Vehicle insurances relevant to the performance of the Works/Services. YES/ NO |
| If yes, please provide Policy No |  |
| Expiry Date |  |
| Name of Insurer |  |

Check for Insurance Values in Annexure

|  |
| --- |
| Schedule 11 |
| Financial Assessment |
| Contract No: XXXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| The information in the Schedule will be used to allow the Councils to seek information, if required, from the tenderer’s principal bankers. |
| **Bank Details:** |  |
| Bank Name |  |
| Branch |  |
| Address |  |
| Bank Contact person |  |
| Telephone No |  |
| Email Address |  |

|  |  |
| --- | --- |
| **Accountant Details:** |  |
| Accountants Names |  |
| Contact person |  |
| Address |  |
| Telephone No |  |
| Email Address |  |
| **Financial Report** |
| All tenderers must submit **audited** financial statements incorporating the profit and loss statement and balance sheet of the organisation for each of the preceding two completed financial years. Failure to submit this information **with the tender proposal** **may result in the tender not being further considered.**The Councils will undertake an independent check of the financial viability of the tenderer. |
| Copies of **Audited** financial statements for 2009/10 and 2010/11 are attached. YES/NO |

|  |
| --- |
| Tenderers are required to demonstrate that they have the financial capacity to provide, over the term of the contract, all the requirements specified in this RFT. Accordingly, please provide the following information.If the answer to any of (a) to (h) is “yes”, or (i) is “no”, provide an explanation |
| 1. Are there any significant events, matters or circumstances which have arisen since the end of the last financial year which may significantly affect the operations of the tenderer?
 |  |
| 1. Are there any mergers/acquisitions either recent (within the past 12 months) or which are imminent?
 |  |
| 1. Are there any proceedings, either actual or threatened, against the tenderer, its parent or associated entities or any director of the tenderer, its parent or associated entities or have there been any such proceedings within the past five years? If so, what (if any) remedial action has been taken in respect of such proceedings?
 |  |
| 1. Are there any bankruptcy actions against a director of the tenderer, its parent or associated entities, or has there been within the past five years?
 |  |
| 1. Are there any de-registration actions against the tenderer, its parent or associated entities on foot, or have there been any within the past five years?
 |  |
| 1. Are there any insolvency proceedings, actual or threatened (including voluntary administration, application to wind up, or other like action) against the tenderer, its parent or associated entities on foot, or have there been any within the past five years?
 |  |
| 1. Is the tenderer, its parent or associated entities currently in default of any agreement, contract, order or award that would or would be likely to adversely affect the financial capacity of the tenderer to provide the works contemplated by this RFT/RFQ/EOI?
 |  |
| 1. Are there any other factors which could adversely impact on the financial ability of the tenderer to successfully perform the obligations contemplated by this RFT/RFQ/EOI?
 |  |
| 1. Is the tenderer solvent and able to meet its debts as and when they fall due in the normal course of business?
 |  |

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| --- |
| In addition to the information required above, tenderers are required to undertake to provide to the Councils upon request all such information as the Council reasonably requires to satisfy itself that tenderers are financially viable and have the financial capability to provide the Goods and/or Services for which they are tendering and to otherwise meet their obligations under the Proposed Contract. |
| **In the event that that the contractor is unable to provide evidence of its ability to fund completion of the works it undertakes to provide, prior to execution of contracts, a letter from its bank certifying that the bank will funds works for the life of the contract. YES/NO** |

**EXAMPLE SELECTION CRITERIA REQUIREMENTS**

|  |
| --- |
| Schedule 12 |
| Resources to be Employed in the Performance of Contract |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

Personnel

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **PositionDescription** | **Name of the person** | **Qualification** | **Experience** | **Time commitmentFull /Part time(%)** |
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Plant & Equipment

| **Description of Plant & Equipment** | **Type** | **No** |
| --- | --- | --- |
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Sub-Contractors

|  |
| --- |
| Do you intend to use sub contractors? YES / NOIf yes, please provide details |

| **Works/Services to be Sub Contracted** | **Name of Proposed Sub Contractors** |
| --- | --- |
|  |  |
|  |  |
|  |  |
|  |  |

*(Attach extra sheet if required)*

|  |
| --- |
| Schedule 13 |
| Past and Current Contracts |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| Please provide 3 each of past and current contracts **other than contracts with the participating Councils**. |

| **Location** | **Description of Work** | **Contract Value** | **Client Address** | **Contact Person & Telephone No.** |
| --- | --- | --- | --- | --- |
| **Past Contracts** |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| **Current Contracts** |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

(Attach extra sheets if required)

|  |
| --- |
| Schedule 14 |
| Business References |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |
| --- |
| Please provide three (3) current contacts **other than contracts with the participating Councils**. |

|  |  |
| --- | --- |
| Name of Referee |  |
| Position Held |  |
| Name of the organisation |  |
| Contact Telephone No |  |
| Email address |  |

|  |  |
| --- | --- |
| Name of Referee |  |
| Position Held |  |
| Name of the organisation |  |
| Contact Telephone No |  |
| Email address |  |

|  |  |
| --- | --- |
| Name of Referee |  |
| Position Held |  |
| Name of the organisation |  |
| Contact Telephone No |  |
| Email address |  |

|  |
| --- |
| Schedule 15 |
| Other Information |
| Contract No: XXXX |
| Name of the Tenderer |  |
| Signature  |  | Date | ......../........../2012 |

|  |  |
| --- | --- |
| Please provide any other relevant information in support of your tender submission. And attached information must be endorsed with the relevant. | Schedule No. |
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