



CONTRACT No. 1695006

**SCHEDULE OF RATES PANEL CONTRACT FOR
ROAD PAVEMENT RESTORATION WORKS**

**PART 4 OF 4
RESPONSE SCHEDULES**

Instructions to Tenderers

Tenderers must complete Part 4 Response Schedules in the fields indicated and retain the same format as provided by Council. Tenderers must address all requirements in Part 3 Specification and Part 2 Conditions of Contract in accordance with Part 1 Conditions of Tendering of this Request for Tender (RFT).

Tenderers may provide supplementary material to support their offer. All supplementary material must be cross-referenced to the relevant section of this template.

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1. Tenderer's Details

Trading name	
Registered name	
Australian Company Number	
Australian Business Number	
Business type (e.g. Sole trader, Company – One director, Company – Two directors, Trust, etc)	
Address of registered office	
Principal office in New South Wales <i>(if applicable)</i>	

Contact person	
Position	
Email	
Website	
Phone number	
Mobile	

Where did you find out about this Tender opportunity?
You may select more than one if applicable

<input type="checkbox"/> TenderLink	<input type="checkbox"/> Newspaper – Bairnsdale Advertiser
<input type="checkbox"/> Personal referral – Council officer	<input type="checkbox"/> Newspaper – The Age
<input type="checkbox"/> Personal referral – Other <i>(please describe)</i> _____	<input type="checkbox"/> Other – <i>(please describe)</i> _____

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2. Trading history

Please provide details of the tenderers trading history. Tenderers may attach additional information if required due to space limitations.

How many years has the Tenderer been in business under its current business name?	
Please list other types of business in which the Tenderer has a financial interest.	
Please list other types of business in which the Tenderer has a financial interest.	
How many years' experience does the Tenderer have in the type of works and/or services it would be required to provide under the contract?	
Please list any trade or professional associations which the Tenderer is a member of.	

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3. Resources

Please detail the resources that will be allocated to deliver the contract works.

3.1 Personnel Numbers

Please provide the number of personnel and the equivalent full-time staff that the Tenderer intends to use to deliver the contract works.

Number of personnel	
Equivalent full-time staff	

3.2 Qualifications and Experience

List the qualifications, experience and expertise of each key staff member and their intended role in the delivery of contract works.

Name	Role / Responsibility	Qualifications / Skills / Experience	Time Percentage allocated to contract
			%
			%
			%
			%
			%
			%

3.3 Sub-contracted Works

Will sub-contractors be engaged by the Tenderer to complete contract works? Yes or No

If Yes, please provide details.

Sub-contractor name	Scope and extent of services to be provided	Main business location	Qualifications / Skills / Experience	Time Percentage allocated to contract
				%
				%
				%
				%
				%
				%

3.4 Plant and Equipment

List the plant and equipment intended to be used to deliver the contract works and the working and standby rates sought for the use of the resource on Dayworks (provisional items).

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5. Previous Contract History

Please detail the Tenderers relevant experience and achievements delivering similar works and services. Please include phone numbers of contact persons and the dates when the services were delivered.

Council will treat the contact persons as the Tenderer's referees and may contact any or all of the nominated people, or any other relevant person representing the nominated organisation, to obtain a reference.

Any information provided by the referees will be treated as having been given as Commercial in Confidence.

Contract 1	
Description of contract:	
Location of contract:	
For whom contract performed:	
Indicative value of contract:	\$
Commencement date:	
Completion date:	
Contact details of client:	

Contract 2	
Description of contract:	
Location of contract:	
For whom contract performed:	
Indicative value of contract:	\$
Commencement date:	
Completion date:	
Contact details of client:	

Contract 3	
Description of contract:	
Location of contract:	
For whom contract performed:	
Indicative value of contract:	\$
Commencement date:	
Completion date:	
Contact details of client:	

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6. Financial Capability

Council may request financial information from the Tenderer, which may include (but is not limited to):

- i. financial statements for last three years, such as a balance sheet, profit and loss statement, statement of cash flows, notes to the financial statements, independent auditor’s report (or an accountant’s report);
- ii. names and contact numbers of major suppliers and/or major subcontractors; and
- iii. any additional information that will assist in gaining an understanding of the financial position.

Tenderers are required to demonstrate that over the term of the contract they have the financial capability to provide all the requirements specified in this RFT. In the following table, the term ‘Tenderer’ applies to the business itself, its parent or any associated entities or any director(s).

In line with Council Procurement Procedures, a credit rating provided by an external credit rating agency may be sought. Tenderers shall note that request for a credit rating report is not an indication that the Tenderer has been short listed; it is Council following due process. Council’s Procurement Team will advise the Tenderer via email if a credit rating is required.

If the answer to any of the following questions is ‘Yes’, please provide an explanation.

<p>Are there any significant events, matters or circumstances which have arisen within the past twelve months that could significantly impact the Tenderer’s operations?</p>	<p><input type="checkbox"/> Yes or <input type="checkbox"/> No If ‘Yes’, please provide details.</p>
<p>Are there or have there been any:</p> <ul style="list-style-type: none"> • bankruptcy and/or de registration actions; or • insolvency proceedings (including voluntary administration, application to wind up, or other like action) <p>either actual or threatened, against the Tenderer in the past three years? If so, what (if any) remedial action has been taken?</p>	<p><input type="checkbox"/> Yes or <input type="checkbox"/> No If ‘Yes’, provide details.</p>
<p>Is the Tenderer 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 meet the requirements of this RFT?</p>	<p><input type="checkbox"/> Yes or <input type="checkbox"/> No If ‘Yes’, please provide details.</p>
<p>Are there any other factors that could adversely impact on the financial ability of the Tenderer to successfully perform the obligations contemplated by this RFT?</p>	<p><input type="checkbox"/> Yes or <input type="checkbox"/> No If ‘Yes’, please provide details.</p>

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7. Prior Termination of Services

Has the Tenderer ever failed to complete a project? Yes or No

If Yes, please provide details.

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8. Methodology

Please detail the proposed methodology and resources to be used in the provision of the goods, services and/or works associated with the Contract.

What does the Tenderer consider to be the key issues associated with delivery and management of the contract works?

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9. Work Health Safety, Environment and Quality (WHSEQ)

9.1 Quality Management Systems

Quality Management System	
Does the Tenderer have a third party accredited quality management system?	<input type="checkbox"/> Yes or <input type="checkbox"/> No if 'Yes', please provide a copy of your current certificate of certification as an attachment.
If you answered 'no' to the above, has the Tenderer implemented a documented quality management system or quality assurance systems?	<input type="checkbox"/> Yes or <input type="checkbox"/> No if 'Yes', please provide a copy of your current quality management system or quality assurance systems as an attachment.

9.2 Work Health Safety (WHS) Management

WHS systems, polices and management	
Is the Tenderer pre-qualified for WHS with Council?	<input type="checkbox"/> Yes or <input type="checkbox"/> No If 'No' please complete Attachment 1 (WHSMS Questionnaire)
Does the Tenderer have a third party accredited WHS management system?	<input type="checkbox"/> Yes or <input type="checkbox"/> No if 'Yes', please provide a copy of your current certificate of certification as an attachment.

9.3 Environmental Management Systems

Environmental management	
Does the Tenderer have a third party accredited environmental management system?	<input type="checkbox"/> Yes or <input type="checkbox"/> No if 'Yes', please provide a copy of your current certificate of certification as an attachment.
If you answered 'no' to the above, does the Tenderer have an organisation environmental management system manual or plan?	<input type="checkbox"/> Yes or <input type="checkbox"/> No if 'Yes', please provide a copy of your current environmental management system manual or plan as an attachment.
Does the Tenderer have a written organisation environmental policy?	<input type="checkbox"/> Yes or <input type="checkbox"/> No if 'Yes', please provide a copy of your current policy as an attachment.
Does the Tenderer have a process for environmental hazard identification, assessment and control?	<input type="checkbox"/> Yes or <input type="checkbox"/> No if 'Yes', please provide a copy of your current, standard report form as an attachment.

10. Service Continuity

Please provide details of the Tenderer's Business Continuity Plan (BCP) in place to minimise operational disruption to the provision of Goods, Services or Works to Council.

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Business Continuity Plan	
Names and contact details of staff responsible for invoking and managing goods, services or works workarounds during operational disruptions.	
Contact details of any third parties who may be needed to implement goods, services or works workarounds during operational disruptions.	
Last BCP review date and frequency of review.	

Please details how the Goods, Services or Works workarounds will be implemented.

Business Continuity Plan Implementation

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11. Local Content and Employment

To demonstrate Council's commitment to supporting the local economy, this criteria attracts a mandatory 20% weighting. It aims to acknowledge those suppliers who are committed to providing short-term and long-term economic benefits to the Cabonne Shire Council region.

Tenderers are required to detail below the extent, if any, of the labour, goods and services proposed to be sourced from within the Cabonne region that have been incorporated into the tender.

Local Content
Does your business have an office or depot within the Cabonne Shire Council region? <input type="checkbox"/> Yes or <input type="checkbox"/> No - If 'Yes', please provide details: _____
Does your company sponsor any community or sporting groups within Cabonne Shire Council region? <input type="checkbox"/> Yes or <input type="checkbox"/> No - If 'Yes', please provide details: _____
Does your company employ trainees / apprentices / people with disabilities from within the Cabonne Shire Council region? <input type="checkbox"/> Yes or <input type="checkbox"/> No - If 'Yes', how many in the last financial year? _____

11.1 Local employment

Based on the tender program submitted, how many locally sourced positions do you anticipate your company would be responsible for creating or retaining in the delivery of this contract?

Equivalent full-time jobs created or retained over the life of the contract	Number
Staff:	
Apprentices:	
Sub-contractors:	

11.2 Local content

In the tables below, please note the extent, expressed as a percentage of the total tender sum, of the value of components and/or services (including plant and equipment) that will be sourced both within and external to the Cabonne Shire Council region in the delivery of the contract works.

Made Within Cabonne Shire Council Regional Area (List Items)	Supplier	Contract Percentage
		%
		%
		%
		%

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Made Outside Cabonne Shire Council Regional Area <i>(List items)</i>	Supplier	Contract Percentage
		%
		%
		%
		%

Labour Component	Contract Percentage
Labour – Cabonne	%
Labour – Outside of Cabonne	%
Total (must equal 100%)	%

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12. Sustainability and Environment

To demonstrate Council's commitment to supporting sustainability and the environment, this criteria forms part of the tender evaluation process. It aims to acknowledge the suppliers whose business activities include a commitment to good sustainable and environmental practices and principles by prioritising environmentally preferable goods, services or works when compared with competing goods, services or works that serve the same purpose.

Sustainability and Environment
Describe any recycled and / or environmentally friendly materials or supplies that the tenderer's organisation uses in its provision of goods, services or works:
Describe any environmentally friendly plant and equipment that the tenderer uses in its provision of goods, services or works:
Describe any sustainably sourced utilities (water, gas, electricity etc) that the tenderer uses in its provision of goods, services or works:
Describe any sustainable waste disposal systems that the tenderer uses in its provision of goods, services or works:
Describe any organisational or workplace activities that the tenderer has implemented in order to support sustainable and environmentally friendly practices:

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13. Pricing

The pricing details for this tender is Schedule of Rates

13.1 Schedule of Rates

Tenderers are required to complete the pricing schedule Attachment 2 – Pricing Schedule and Attachment 3 – Schedule of Rates for Additional Works. Tenderers must use the latest version of the Pricing Schedule, taking into account all addendums released throughout the tender period. Failure to upload the latest version of the Pricing Schedule may result in the Tenderers submission being deemed non-compliant.

All prices, fees and rates need to be shown exclusive of GST.

The Schedule of Rates must include all costs, disbursements and outgoings and is subject to variation only in accordance with the Contract.

13.2 Price Variation Indexation

This contract is subject to rise and fall in the cost of labour, materials, or any other items.

Please refer to the Part 3 – Specification which identifies how the price variation indexation will be applied, if applicable.

The price variation will be applied to the tendered Schedule of Rates for and rates for Additional Services. Any such variation in the rates may result in a negative or a positive variation to the tendered rates.

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14. Insurance

Please provide detail of insurance coverage as required in the table below. The levels of cover detailed are the minimum acceptable levels of cover and must be maintained throughout the contract term, including any defect liability periods.

If the Tenderer IS NOT already pre-qualified with Council, please also provide copies of Certificates of Currency as an attachment.

Public Liability – Minimum level of cover required is \$20,000,000	
Insurance company:	
Policy number:	
Amount \$:	
Expiry date:	
Exclusions, deductibles:	
And/or excesses:	

Workers Compensation Insurance valid for the State of New South Wales	
Insurance company:	
Policy number:	
Expiry date:	
Exclusions, deductibles:	
And/or excesses:	

Motor Vehicle / Plant Insurance	
Insurance company:	
Policy number:	
Amount \$:	
Expiry date:	
Exclusions, deductibles:	
And/or excesses:	

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15. Tender Compliance

15.1 Compliance

The Tenderer is required to submit a complying Tender in accordance with the requirements of Part 1 Conditions of Tendering.

The Tenderer is required to identify any non-conformances, departures from, or assumptions in the Tender that do not meet the requirements of the RFT. Identified non-conformances, departures and/or assumptions must include tender addendums issued and any other documents that form part of the RFT.

Compliance with the RFT	
This Tender is fully compliant with all the requirements of the RFT and Part 2 Conditions of Contract.	<input type="checkbox"/> Yes or <input type="checkbox"/> No If the answer is 'No' the Tenderer must complete Section 16.2.

15.2 Non-Compliance

This section must be completed if the answer to Section 16.1 is 'No'.

All non-compliances, departures and assumptions must be documented in the table below.

Compliance Type NC=non-compliance PC=Partial compliance D=Departure A=Assumption	Part	Clause	Description / Explanation	Proposed Variance / Amendment

Council may, at its discretion, invalidate any tender submission from a Tenderer who takes issue with any part of the RFT conditions during the negotiation period that does not appear in the list above.

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17. Conflict of Interest

The Tenderer shall provide details of any actual or perceived interests, relationships or clients that may cause a conflict of interest in completing the tendered works.

Should an actual or perceived conflict of interest exist, the Tenderer shall detail proposed actions and measures that will be implemented to prevent the conflict or perceived conflict of interest occurring, or manage any conflict of interest that does exist.

Statement of Conflict	
<p>The Tenderer confirms that it has no Conflicts in connection with this RFT and its Tender and has nothing to declare.</p>	<p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p> <p>If the response is 'No', please complete the next statement below</p>
<p>Please detail the nature and extent of the conflict or perceived conflict of interest associated with the RFT.</p>	
Empty space for detailing the nature and extent of the conflict	
<p>Please detail how the conflict or perceived conflict of interest will be managed throughout the duration of the Contract period.</p>	
Empty space for detailing how the conflict will be managed	

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18. Legislative Regulatory and Code Compliance

The Tenderer shall provide details of any legislative, regulatory or code compliance undertakings in the past five years that the Tenderer has been in receipt of from federal, state and/or local regulatory agencies.

Compliance	
<p>Has the Tenderer been served with a notice in the last five years for a breach of legislation, including WHS or environmental legislation, regulations or requirements and/or been in default of any fine issued?</p>	<p><input type="checkbox"/> Yes or <input type="checkbox"/> No</p> <p>If the response is 'Yes', please provide details of the breach in the space provided below.</p>
<p>Please detail the compliance undertakings received by the Contractor</p>	
Empty space for detailing compliance undertakings	

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19. Tender Submission

19.1 Tender Addendums

Please list all addendums, additional information and correspondence (if any) the Tenderer received from Council prior to the tender closing time and date.

The Tenderer acknowledges that it received the addendums listed below during the tender period and that the tender has been prepared having regard to these addendums.

Tenderers Please Note: Failure to complete this section and/or upload any amended document version may result in the tender submission being deemed non-compliant.

Addendum No.	Description	Date Received

19.2 Tender Checklist

The following documents must be completed and submitted by the Tenderer as part of the Tender package.

Submission Documents	Submitted
(a) Part 4 - Response Schedules	<input type="checkbox"/> Yes
(b) Attachment 1 - OHSMS Questionnaire	<input type="checkbox"/> Yes
(c) Attachment 2 – Pricing Schedule	<input type="checkbox"/> Yes
(d) Attachment 3 – Schedule of Rates for Additional Works	<input type="checkbox"/> Yes

19.3 Additional Tender Documents Supplied

Please detail below any additional documents and information that has been supplied as part of the tender submission and are required to enable assessment against the evaluation criteria and/or supports the Tenderers claims.

Document Name



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20. Tenderer's Declaration

The Tenderer accepts the provisions contained in Part 1 Conditions of Tendering and offers to supply/undertake the Goods, Services or Works in accordance with the requirements of Part 2 Conditions of Contract and Part 3 Specification included in the RFT for the amount detailed in this offer.

The Tenderer warrants that it has full understanding of the requirements detailed in the RFT and that no actual or potential conflicts of interest in connection with this RFT exist, other than those disclosed in Section 18 above.

The Tenderer warrants that it has checked any electronic files contained in their offer for viruses and that any and all offer files submitted are free from viruses. The Tenderer undertakes to comply with any reasonable request of Council for additional information to enable Council to undertake a full assessment of the Tenderer's financial viability.

The Tenderer has, of their own accord, conducted an inspection of the site/s related to the goods, services or works and in doing so has acquired a sound knowledge of the physical characteristics of the site/s and any consequential procedures and processes that may arise as a result of any environmental or geographical constraints or conditions and in doing so have abided by all National, State, and Cabonne Shire Council regulations, legislation and bylaws.

The Tenderer understands that it is the responsibility of the Tenderer to inform all personnel, agents and Subcontractors of the Tenderer of all information pursuant to the preceding paragraph.

The Tenderer confirms that the information provided in this Tender is true, correct and complete.

Signed for and on behalf of the Tenderer

Tenderer

Name

Position

Address

**Signature of
Tenderer's authorised
officer**

Date
