



# Invitation to Tender

## Part D – Return Schedules

### Katherine Aquatic Centre – Maintenance

#### Services

#### T25-10

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Closing Time and Date: **5pm Friday 1 August, 2025**

Method of Lodgement: Electronic Tender Response via Tenderlink

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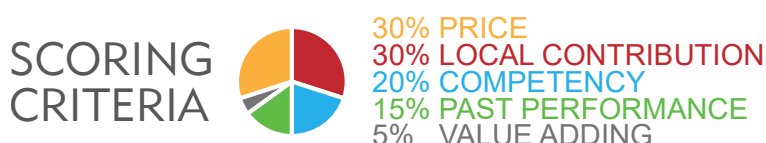
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## INSTRUCTIONS FOR TENDERER

The Tenderer is requested to complete and submit the Return Schedules included in this Invitation to Tender: Part D – Return Schedules. Tenderers must use the same format provided by Council. Where applicable, please ensure that the signature blocks are appropriately executed. The completed schedules, declarations and supporting documents will constitute the Tender Response. Council reserves the right to deem a Tender Response non-conforming, pass them over or exclude them from further evaluation due to deviations from the format or lack of content. Any attachments or supporting documentation must clearly identify the relevant Return Schedule number. The following assessment criteria apply:

- **Mandatory Criteria** must be completed satisfactorily for a tender to be awarded
- **Optional Criteria** may affect our decision to award a tender
- **Scoring Criteria** will affect your tender score



The Tenderer must comply with the following instructions when completing the Return Schedules:

- The written tender response must be contained within the relevant Return Schedules. Council will only rely upon the information in the Return Schedules to evaluate the Tender Response.
- Supporting documents must reference the relevant Schedule number.
- Any photos should be attached separately as supporting documents and clearly reference the relevant schedule number
- No advertising or marketing is to be included in the Tender Response.
- A conforming Tender Response will include all non-optional documents listed below.

## SCHEDULE OF DOCUMENTS

| Ref.        | Assessment Criteria      | Return Schedule                        | Completed                |
|-------------|--------------------------|--|--------------------------|
| SCHEDULE 1  | Mandatory                | FORM OF TENDER                         | <input type="checkbox"/> |
| SCHEDULE 2  | Mandatory                | TENDERER DETAILS                       | <input type="checkbox"/> |
| SCHEDULE 3  | Price (30%)              | TENDER PRICE                           | <input type="checkbox"/> |
| SCHEDULE 4  | Local Contribution (30%) | LOCAL CONTRIBUTION                     | <input type="checkbox"/> |
| SCHEDULE 5  | Competency (10 of 20%)   | SOLUTION AND METHODOLOGY               | <input type="checkbox"/> |
| SCHEDULE 6  | Competency (10 of 20%)   | KEY PERSONNEL AND SUBCONTRACTORS       | <input type="checkbox"/> |
| SCHEDULE 7  | Past Performance (15%)   | EXPERIENCE AND PAST PERFORMANCE        | <input type="checkbox"/> |
| SCHEDULE 8  | Value-Adding (5%)        | VALUE ADDING                           | <input type="checkbox"/> |
| SCHEDULE 9  | Mandatory                | INSURANCE, LICENSES AND REGISTRATIONS  | <input type="checkbox"/> |
| SCHEDULE 10 | Mandatory                | SOLVENCY                               | <input type="checkbox"/> |
| SCHEDULE 11 | Mandatory                | WORK HEALTH AND SAFETY                 | <input type="checkbox"/> |
| SCHEDULE 12 | Optional                 | CONFIDENTIAL INFORMATION               | <input type="checkbox"/> |
| SCHEDULE 13 | Optional                 | CONTRACT DEPARTURES                    | <input type="checkbox"/> |
| SCHEDULE 14 | Mandatory                | STATUTORY DECLARATION OF NON-COLLUSION | <input type="checkbox"/> |

| Ref.  | Assessment Criteria | Other Documents                     | Completed                |
|-------|---------------------|-------------------------------------|--------------------------|
| RATES | Price (30%)         | Part E – Return Schedules - Pricing | <input type="checkbox"/> |

## SCHEDULE 1 – FORM OF TENDER

TO: Katherine Town Council

(a) We the undersigned ('Tenderer') [NAME]\_\_\_\_\_

submit the following Tender Response for [PROJECT]\_\_\_\_\_

in accordance with the Invitation to Tender conditions outlined in Invitation to Tender: Part A - Tender Information and Conditions.

(b) By submitting this Tender Response, the Tenderer warrants and represents that it has made its own enquiries and investigations and has obtained professional advice and all other relevant information to inform itself of all risks and contingencies which may affect its proposal and any submitted prices. The Tenderer warrants and represents that it has allowed for all such risks and contingencies in its Tender Response.

(c) The Tenderer confirms that its Tender Response conforms to the requirements of the Invitation to Tender (please tick the applicable box/es).

☐ **YES**, the Tender Response **fully conforms**

☐ **YES**, an Alternate Tender Response **is also submitted**

If submitting an **Alternative Tender Response**, the Tenderer must include any supplementary material including pricing, to demonstrate that the alternative will fully achieve or exceed Council's requirements. Also, the Tenderer must specifically outline the key advantages of the Alternative Tender Response. In addition to a separate Return Schedules for the Alternative Tender Response, Tenderers must complete the following table:

| # | Alternative Option | Key Advantage |
|---|--------------------|---------------|
|   |                    |               |
|   |                    |               |
|   |                    |               |

(d) The Tenderer agrees to keep the Tender Response open for acceptance and shortlisting by the Council for a period of 90 calendar days.

(e) The Tenderer warrants that its Tender Response was made without any connection, knowledge or arrangements with any other Tenderer or industry group except as disclosed in the Tender Response.

(f) The Tenderer understands that Council is not bound to accept any Tender Response and is under no obligation to proceed at any stage during or after the Closing Date.

(g) The Tenderer offers to deliver the Specification at the prices specified in the Tender Response.

(h) The Tenderer confirms that it and any proposed subcontractors and/or licensees are not insolvent, bankrupt, in liquidation or under administration or receivership.

(i) The Tenderer confirms its capacity to deliver the Specification and to enter into a contract in the format provided in the Invitation to Tender: Part C and that there is no restriction under any law to prevent it from tendering.

(j) The Tenderer consents to Council undertaking reasonable enquiries to validate and confirm details provided by the Tenderer in the Tender Response.

(k) The Tenderer warrants that neither the Tenderer, nor any of its officers, employees, agents or subcontractors has, in relation to the preparation, lodgement or assessment of the Tender Response:

- improperly obtained confidential information,
- received improper assistance,

- iii. engaged in collusive tendering, anti-competitive conduct or any other similar conduct with any other Tenderer or other person, or
  - iv. attempted to improperly influence an officer of Council or approached any Council representative (other than as permitted in this Invitation to Tender).
- (l) The Tenderer notes that giving false or misleading information is a serious offence and confirms that all information provided in this Tender Response is true and correct in every material respect.

Legal Name: \_\_\_\_\_

Trading Name: \_\_\_\_\_

ABN or ACN: \_\_\_\_\_

Address of Registered Office: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

DATE \_\_\_\_\_ day of \_\_\_\_\_  
in the year \_\_\_\_\_

SIGNED BY \_\_\_\_\_ Full name: \_\_\_\_\_  
Position: \_\_\_\_\_

WITNESSED BY \_\_\_\_\_ Full name: \_\_\_\_\_  
Position: \_\_\_\_\_

## SCHEDULE 2 – TENDERER DETAILS

### Schedule 2A: Additional Tenderer Details

| Information Required                            | Tenderer's Response |
|---|---------------------|
| Head Office Address:                            |                     |
| Local Branch Office Address:                    |                     |
| Telephone Number(s):                            |                     |
| Name of Directors:                              |                     |
| Name of Manager:                                |                     |
| Name of Secretary:                              |                     |
| Name of Parent Company:                         |                     |
| Names of Subsidiary and Associated Companies:   |                     |
| Is the Tenderer acting as a trustee of a Trust? |                     |
| Name and Details of Tenderer's Trust*           |                     |
| Trust Name:                                     |                     |
| Names and addresses of all of beneficiaries:    |                     |

\* **Note:** The Tenderer is to include copy of trust deed, if applicable. Tick if attached: Yes ☐ No ☐

### Schedule 2B: Tenderer Representative

| Tenderer to confirm person authorised to submit the Tender Response, and to whom all liaison and notices will be directed. |  |
|--|--|
| Name   |  |
| Position   |  |
| Telephone  |  |
| Email  |  |
| Office Address   |  |
| Postal Address   |  |

### Schedule 2C: Conflicts of Interest

|   |  |
|---|--|
| The Tenderer confirms that there are no circumstances or relationships which constitute or may constitute an actual, potential or perceived conflict of interest in relation to this Invitation to Tender or the Tenderer's obligations under any contract resulting from this Invitation to Tender. If the response is "YES" please provide further details below. |  |
| Are there any conflicts to declare?   |  |
| If "YES" provide details  |  |
| The Tenderer undertakes to advise the Council in writing of any additional actual or potential conflicts of interest immediately after becoming aware of it.  |  |

## Schedule 2D: Legal Matters

| Please provide details of any significant outstanding legal matters affecting the Tenderer or any significant legal disputes involving the Tenderer settled or determined in the last three (3) years. |                        |                             |
|--|------------------------|-----------------------------|
| Nature of legal matter   | Status of legal matter | Date resolved (if resolved) |
|  |                        |                             |
|  |                        |                             |

**Note:** This is a mandatory schedule. If there are no legal matters to note, please indicate "Not Applicable".

## Schedule 2E: Execution

|  |  |
|--|--|
| If the Tenderer was successfully awarded the Contract, please nominate below the preferred format in which your organisation would execute the contract (e.g. 2 directors or 1 (sole) director or 1 director and 1 company secretary under section 127 of <i>The Corporations Act</i> , by authorised representative under Power of Attorney and the date of that Power of Attorney, under company seal, or by other means). |  |
| Format of Contract Execution   |  |

MANDATORY  CRITERIA

## SCHEDULE 3 – TENDER PRICE

The Tenderer must provide their tender price to deliver the Specification.

A Return Schedule (Excel spreadsheet) has been provided as *Part E – Return Schedule - Pricing* for Tenderers to populate a breakdown of pricing information.

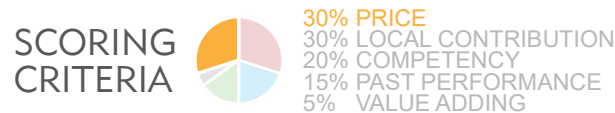
The tender pricing must be given on a GST exclusive basis with any GST component separately identified. It represents your total tender price to deliver the specified services.

### Schedule 3A: Tender Price

| Tender Price   | Signed |
|--|--------|
| <p>\$</p> <p><b>Per Annum (3-year period of contract)</b></p> <p style="text-align: right;"><b>Excluding GST</b></p> |        |

|   |  |
|---|--|
| Part E – Return Schedules – Pricing has been completed and included | Yes <input type="checkbox"/> No <input type="checkbox"/> |
|---|--|

**Note:** It is the tenderers responsibility to ensure the full scope of services is allowed for within their tender price. Return pricing schedules must be included with all tender submissions to assist with tender assessment. Additional line items may be added to the return schedule under 'Miscellaneous Provisions'.





## SCHEDULE 4 – LOCAL CONTRIBUTION

### Schedule 4A: Local Economic and Employment Contribution

Council aims to encourage the development, growth and sustainability of the local economy within Katherine and the Big Rivers region (Big Rivers).

|  |                              |                             |
|--|------------------------------|-----------------------------|
| Tenderers are to confirm if they are any, or all, of the following:  |                              |                             |
| (a) Katherine or Big Rivers owned and operated<br><i>Primary office must be located within Katherine or Big Rivers</i>                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (b) Operation(s) or office(s) in Katherine or Big Rivers; and<br>utilising employees who usually reside within Katherine or Big Rivers | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (c) NT operated with employees who usually reside within Katherine or Big Rivers   | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| (d) NT operated with employees who usually reside within the Northern Territory  | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Tenderers who identify as (a), (b), or (c) above, must provide details below to demonstrate their local presence:                      |                              |                             |
| Address of local operation/office  |                              |                             |
| Function of local operation/office   |                              |                             |
| Number of employees in the local operation/office and/or residing in Katherine or Big Rivers   |                              |                             |
| Business activities, and proportion of services performed in Katherine or Big Rivers   |                              |                             |

Provide details of how your business currently contributes, or will contribute, to employment generation and future economic growth within **Katherine, Big Rivers and/or NT**.

This may include, but is not limited to:

- New local employees engaged for the Contract,
- Temporary local labour hire arrangements,
- Incorporation of employment opportunities for vulnerable groups (for example Indigenous, gender equality, long term unemployed, people with a disability or mental illness, disengaged youth and the aged) within the community,
- Training and skills development initiatives, apprenticeships, school-based apprenticeships and or Cadet placements, work experience etc.,
- Partnerships with Northern Territory based TAFE/Universities, or TAFE/University pathways for employees

Photos may be attached separately as supporting document(s), referencing this schedule (Optional)

## Schedule 4B: Local Advancement and Social Contribution

Provide details and supporting evidence of any local advancement and social contribution activities your business undertakes, or will undertake, which enhances **Katherine, Big Rivers and/or NT**.

This may include, but is not limited to:

- Support or partner with local community groups or not-for profit organisations to build their capacity, *(These organisations include economic, sporting, social and recreational clubs or groups.)*
- Volunteering activities that strengthen the community,
- Support or undertake initiatives or events that contribute to the personal health, wellbeing or safety of locals,
- Contribution towards affordable and appropriate housing and living standards,
- Supporting or understanding initiatives or events that contribute to an inclusive community and opportunities for all.

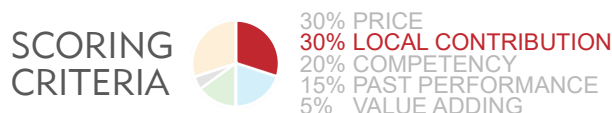
Photos may be attached separately as supporting document(s), referencing this schedule (Optional)

## Schedule 4C: Aboriginal or Torres Strait Islander Business and Engagement

Do you declare that your business is:

|   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• 50% or majority owned by Aboriginal or Torres Strait Islander persons; or an equal Joint Venture agreement with a majority owned Aboriginal or Torres Strait Islander business entity</li> </ul> <p>If yes, please provide supporting documentation.</p> | Yes <input type="checkbox"/> No <input type="checkbox"/><br><br><input type="checkbox"/> Attached |
| <ul style="list-style-type: none"> <li>• A business whose workforce consists of at least 25% Aboriginal or Torres Strait Islander persons</li> </ul> <p>If yes, please provide signature: _____ date _____</p>  | Yes <input type="checkbox"/> No <input type="checkbox"/><br><br><input type="checkbox"/> Signed   |
| <ul style="list-style-type: none"> <li>• Registered as an Indigenous Business with <u>Supply Nation</u>.</li> </ul>   | Yes <input type="checkbox"/> No <input type="checkbox"/>  |

Does, or will, your business engage Aboriginal business in its supply chain in the delivery of this Contract? If yes, please provide details. (No personal info)



## SCHEDULE 5 – SOLUTION AND METHODOLOGY

Provide details of your proposed **solution(s) and methodology**. In doing so, please demonstrate:

- (a) a description of proposed solution(s) to ensure the delivered project is fit for purpose,
- (b) a description of your methodology to complete the services, describing your competency and ability,
- (c) an understanding of the project objectives and deliverables,
- (d) an understanding of potential problems that may arise as well as potential resolutions,
- (e) identify project risks and strategies for management and mitigation of these risks,
- (f) consideration of buildability,
- (g) a plan for commissioning and handover,
- (h) your defect rectification management proposal,

SCORING  
CRITERIA



30% PRICE  
30% LOCAL CONTRIBUTION  
20% COMPETENCY  
15% PAST PERFORMANCE  
5% VALUE ADDING

## SCHEDULE 6 – KEY PERSONNEL AND SUBCONTRACTORS

### Schedule 6A: Key Personnel

Provide details of key personnel who will have primary responsibility for the performance of the Contract.

| Role in this Contract | Name | Service period with your business | Years in Industry | Key Skills and Qualifications |
|-----------------------|------|-----------------------------------|-------------------|-------------------------------|
|                       |      |                                   |                   |                               |
|                       |      |                                   |                   |                               |
|                       |      |                                   |                   |                               |
|                       |      |                                   |                   |                               |
|                       |      |                                   |                   |                               |

An organisational chart may be attached as supporting document(s), referencing this schedule (Optional)

### Schedule 6B: Subcontractors

If subcontracting any work under the Contract, please provide details of proposed subcontractors, licensee or partners.

| Name of Subcontractor | Role of Subcontractor | Period of association with your business | Estimated value of work to be Subcontracted |
|-----------------------|-----------------------|--|---|
|                       |                       |  |   |
|                       |                       |  |   |

SCORING  
CRITERIA



30% PRICE  
 30% LOCAL CONTRIBUTION  
 20% COMPETENCY  
 15% PAST PERFORMANCE  
 5% VALUE ADDING

## SCHEDULE 7 – EXPERIENCE & PAST PERFORMANCE

The Tenderer must provide the following information to demonstrate its capability and experience to deliver the Specification. The Tenderer is invited to include any other information which may be material or relevant to the Tenderer's selection in the shortlisting process.

### Schedule 7A: Tenderer Background

Provide a brief overview and history of your company (2-3 paragraphs). Include the number of years you have been in your current business and details of organisational strategies and achievements.

|  |
|--|
|  |
|--|

### Schedule 7B: Similar Completed Contracts

Provide details of three completed projects undertaken in the last 5 years which are similar to the specification

| Project Name | Scope performed relevant to this Invitation to Tender | Value of Contract (\$AUD) | Start Date | Completion Date |
|--------------|---|---------------------------|------------|-----------------|
|              |   |                           |            |                 |
|              |   |                           |            |                 |
|              |   |                           |            |                 |

Photos may be attached separately as supporting document(s), referencing this schedule (Optional)

### Schedule 7C: Other Similar Contracts (Optional)

Provide details of up to two relevant similar projects, which may not adhere to the requirements of Schedule 7B. These must be local projects if under construction, and undertaken within the past 15 years if complete.

| Project Name | Scope performed relevant to this Invitation to Tender | Value of Contract (\$AUD) | Start Date | Anticipated Completion Date |
|--------------|---|---------------------------|------------|-----------------------------|
|              |   |                           |            |                             |
|              |   |                           |            |                             |

### Schedule 7D: Referees

Provide details of at least three current or recent referees for contracts similar to the Specification for this Invitation to Tender, completed within the last 3 years.

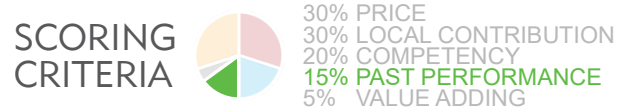
|                       |  |
|-----------------------|--|
| Relevant Project 1    |  |
| Dates                 |  |
| Referee Name and Role |  |
| Organisation          |  |
| Contact Phone Number  |  |
| Email address         |  |
| Project Overview      |  |
| Contract Period       |  |
| Value (\$)            |  |

|                       |  |
|-----------------------|--|
| Relevant Project 2    |  |
| Dates                 |  |
| Referee Name and Role |  |
| Organisation          |  |
| Contact Phone Number  |  |
| Email address         |  |
| Project Overview      |  |
| Contract Period       |  |
| Value (\$)            |  |

|                       |  |
|-----------------------|--|
| Relevant Project 3    |  |
| Dates                 |  |
| Referee Name and Role |  |
| Organisation          |  |
| Contact Phone Number  |  |
| Email address         |  |
| Project Overview      |  |
| Contract Period       |  |
| Value (\$)            |  |

### Schedule 7E: Overview of Technical Experience and Capability

|  |
|--|
| Tenderer to provide details of previous experience in implementing similar specifications. |
|  |



## SCHEDULE 8 – VALUE ADDING

### Schedule 8A: Voluntary Certifications & Accreditations

The Tenderer is requested to include any voluntary certifications or accreditations which they believe are relevant to the project. E.g., ISO 9001 Quality Certification, ISO45001 / AS.4801 Occupational Health & Safety Accreditation, etc. (Input mandatory registrations in Schedule 9B)

| Certification / Accreditation | License/Registration No. | Relevance to project | Expiry Date | Certificate Attached?                                       |
|-------------------------------|--------------------------|----------------------|-------------|---|
|                               |                          |                      |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
|                               |                          |                      |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
|                               |                          |                      |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |

The Tenderer must, if and when requested to do so by the Council, verify the responses noted in this Schedule by providing copies of relevant quality policies, procedures, certificates etc. Council will provide a Skytrust username and password to the selected contractor for these documents to be uploaded into our project record management system.

### Schedule 8B: Value Adding

Provide a brief overview of any additional value which you believe you will bring to this project

This may include, but is not limited to:

- A summary of any cost saving initiatives or opportunities that you have identified or recommend,
- Innovative work procedures or other innovations which you recommend whilst undertaking the services,
- Business philosophies or undertakings which align with the values of Katherine Town Council.

SCORING  
CRITERIA



30% PRICE  
 30% LOCAL CONTRIBUTION  
 20% COMPETENCY  
 15% PAST PERFORMANCE  
 5% VALUE ADDING

## SCHEDULE 9 – INSURANCES, LICENSES AND REGISTRATIONS

### Schedule 9A: Insurance

The Tenderer is requested to complete the following table with insurance policy details and attach certificates of currency.

| Insurance Type         | Specific Insurance Requirements                            | Insurer | Policy number | Insured Amount (\$) | Specify cover details / limits per occurrence / aggregate | Expiry date | Cert of Currency Attached?                                  |
|------------------------|--|---------|---------------|---------------------|---|-------------|---|
| Public Liability       | Not less than AUD20M and for the duration of the Contract. |         |               |                     |   |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
| Product Liability      | Not less than AUD20M and for the duration of the Contract. |         |               |                     |   |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
| Professional Indemnity | Not less than AUD5M and for the duration of the Contract.  |         |               |                     |   |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
| Worker's Compensation  | In accordance with NT Law                                  |         |               |                     |   |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |

### Schedule 9B: Mandatory Licenses and Registrations

The Tenderer is requested to complete the following table with license/registration details and attach copies of the certificates.

| License/Registration Type | License/Registration No. | Registering Body | Expiry Date | Certificate Attached?                                       |
|---------------------------|--------------------------|------------------|-------------|---|
|                           |                          |                  |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
|                           |                          |                  |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
|                           |                          |                  |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
|                           |                          |                  |             | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |



## SCHEDULE 10 – SOLVENCY

### Schedule 10A: Financial Details of Tenderer

The Tenderer must provide EITHER Contractor Accreditation Limited Details OR last 3 financial years form below OR a letter signed by a certified practising accountant which adheres to the acceptance criteria.

The Tenderer must verify the responses noted in this Schedule or the information in the accountant's letter by providing further supporting documentation if and when requested by the Council.

#### OPTION 01

| CAL Accreditation – Contractor Accreditation Limited                         |  |
|--|--|
| Business Name  |  |
| Registration   |  |
| Category   |  |
| Group  |  |
| Subgroup   |  |
| Rating   |  |
| Please attach evidence of your CAL accreditation to your tender application. |  |

OR

#### OPTION 02

| Item   | Last 3 financial years ending June 30: |           |           |
|--|--|-----------|-----------|
|  | 2022/2023                              | 2023/2024 | 2024/2025 |
| 1. Turnover (revenue) including contract receipts  |  |           |           |
| 2. Direct expenses   |  |           |           |
| 3. Gross profit  |  |           |           |
| 4. Operating expenses  |  |           |           |
| 5. Net profit  |  |           |           |
| 6. Current Assets <ul style="list-style-type: none"> <li>- Cash</li> <li>- Trade debtors</li> <li>- Inventory</li> <li>- Other</li> </ul>  |  |           |           |
| 7. Current liabilities <ul style="list-style-type: none"> <li>- Trade creditors</li> <li>- Provisions: <ul style="list-style-type: none"> <li>i. Employee entitlements</li> <li>ii. Income tax</li> </ul> </li> <li>- Other</li> </ul> |  |           |           |
| 8. Working capital (Item 6 minus Item 7)   |  |           |           |

| Item  | Last 3 financial years ending June 30: |           |           |
|---|--|-----------|-----------|
|   | 2022/2023                              | 2023/2024 | 2024/2025 |
| 9. Non-current assets<br>- Loans<br>- Investments<br>- Property, plant and equipment                |  |           |           |
| 10. Non-current liabilities<br>- Loans<br>- Creditors<br>- Provisions<br>- Other                    |  |           |           |
| 11. Net assets (Item 8 plus Item 9 minus Item 10)   |  |           |           |
| 12. Shareholders/proprietors funds<br>- Share capital<br>- Reserves<br>- Accumulated profits/losses |  |           |           |
| <b>(Total of Item 11 should equal total of Item 12)</b>   |  |           |           |

OR

**OPTION 03**

| Letter signed by practising accountant   |  |
|--|--|
| Accountant Name  |  |
| Registration   |  |
| <p>Please attach evidence of your accreditation to your tender application.</p> <p>For this letter to be accepted it must:</p> <ul style="list-style-type: none"> <li>• be dated no earlier than 7 days prior to the date on which the Tender Response is submitted,</li> <li>• state that the Tenderer has the financial capacity to meet the cashflow requirements of the Specification, and</li> <li>• state the Tenderer's financial 'current ratio'.</li> </ul> |  |

**Schedule 10B: Solvency of Tenderer**

| Item   | Tick Yes or No  |
|--|---|
| 1. Is the Tenderer currently, or has the Tenderer at any time in the last 5 years been, unable to pay its debts as and when they become due and payable?   | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
| 2. Is a liquidator or provisional liquidator currently appointed in respect of the Tenderer or has one been appointed in respect of the Tenderer in the last 5 years?  | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |
| 3. Is, or at any time in the last 5 years has, a controller, manager, trustee, receiver, receiver and manager, administrator or similar officer been appointed to the Tenderer or any asset of the Tenderer? | Yes <input type="checkbox"/><br>No <input type="checkbox"/> |

| Item  | Tick Yes or No   |
|---|--|
| <p>4. In the last 5 years, has any application (not being an application stayed, withdrawn or dismissed within 14 days) been made to a court for an order, or has an order been made, a meeting convened or a resolution passed, for the purpose of:</p> <ul style="list-style-type: none"> <li>- appointing a person referred to in paragraphs 2 or 3;</li> <li>- winding up or de-registering a party; or</li> <li>- proposing or implementing a scheme of arrangement</li> </ul>   | <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> |
| <p>5. In the last 5 years has any application (not being an application stayed, withdrawn or dismissed within 14 days) been made to a court for an order, or has an order been made, a meeting is convened, a resolution is passed or any negotiations commenced, for the purpose of implementing or agreeing:</p> <ul style="list-style-type: none"> <li>- a moratorium of debts of any party;</li> <li>- any other assignment, composition or arrangement (formal or informal) with a party's creditors; or</li> <li>- any similar proceeding or arrangement by which the assets of a party are subjected conditionally or unconditionally to the control of that party's creditors or a trustee,</li> <li>- or any agreement or other arrangement of the type referred to in this paragraph 5 been ordered, declared or agreed.</li> </ul> | <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> |

MANDATORY  CRITERIA

## SCHEDULE 11 – WORK HEALTH AND SAFETY

### Schedule 11A: Work Health and Safety Practices

The Tenderer is requested to provide details of current Work Health and Safety (WHS) practices applied.

The Tenderer must, when requested to do so by the Council, verify the responses noted in this Schedule by providing copies of relevant policies, procedures, certificates etc. that provides evidence of their ability and capacity to effectively manage their WHS responsibilities for the Contract. Council will provide a Skytrust username and password to the selected contractor for these documents to be uploaded into our project record management system.

| Item   | Tick Yes or No   |
|--|--|
| 1. Does your business or organisation have a random drug and alcohol Policy?<br><i>(If yes, attach a copy of your Policy)</i>                          | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 2. Does the Tenderer have a work health and safety management system, plan or policy?<br><i>(If yes, attach evidence such as a copy of the manual)</i> | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 3. Does your business or organisation have documented safe work methods statements (SWMS) and other procedures for all identified high-risk work?      | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 4. Does your business or organisation have appropriate systems and/or documented procedures for reporting of incidents and hazards?                    | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 5. Is there a person appointed to look after work health and safety in the workplace?  | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| If Yes, state person's name and position:<br>Name:<br>Position:  |  |
| 6. Are all employees aware of their obligations for personal protective equipment (PPE)?   | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 7. Does your business or organisation have current and appropriate qualifications, licences to undertake each task?                                    | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 8. Does your business or organisation undertake appropriate on-site induction and training relevant to each task?                                      | Yes <input type="checkbox"/> No <input type="checkbox"/> |

## Schedule 11B: Work Health and Safety Record

| Workplace Health and Safety Record  | Tick Yes or No   |
|---|--|
| 1. Has your business or organisation been issued any improvement, infringement or prohibition notices by any workplace health and safety regulator in the past two years?   | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 2. Has your business or organisation been prosecuted by any workplace health and safety regulator in the past 5 years?  | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 3. Have any of the directors of your business or organisation or the Key Personnel listed in Schedule 6 been prosecuted by any workplace health and safety regulator in the past 5 years?   | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 4. Is your business or organisation currently the subject of an investigation by any workplace health and safety regulator as a result of the occurrence of a notifiable incident, or has your business or organisation been investigated by any workplace health and safety regulator in the past 5 years?   | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 5. Are any of the directors of your business or organisation or the Key Personnel listed in Schedule 6 currently the subject of an investigation by any workplace health and safety regulator as a result of the occurrence of a notifiable incident, or have any of them been investigated by any workplace health and safety regulator in the past 5 years? | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 6. In the last five years, have any fatalities occurred on a site where your business or organisation was the head contractor?  | Yes <input type="checkbox"/> No <input type="checkbox"/> |

MANDATORY  CRITERIA

## SCHEDULE 12 – CONFIDENTIAL INFORMATION (OPTIONAL)

1. The Tenderer must identify and detail below any information contained in the Tender Response that it considers should be protected as confidential information.
2. The Tenderer must provide reasons why this information should be protected as confidential information and the period for which the Tenderer proposes it be protected.
3. Council reserves the right, in its discretion, to accept or refuse a request to treat information as confidential.
4. If the Tender Response does not include information on confidential information as required by this Schedule 13, the Tenderer is taken to agree that none of the information in its Tender Response is confidential.

| Item | Reason | Period |
|------|--------|--------|
|      |        |        |
|      |        |        |
|      |        |        |

**Note:** Only successful tenders will be presented in open meetings of Council and published. Any other tendering reports are dealt with in closed meetings. Some information arising from the successful tender will be publicly available for three years from the date of award. This includes the name of the supplier, the supplies provided and the tender price.

OPTIONAL  CRITERIA

## SCHEDULE 13 – CONTRACT DEPARTURES (OPTIONAL)

Where the Tenderer proposes to submit alternative drafting of the proposed Contract clauses in Part C – Conditions of Contract; details of the departures must be provided below. Importantly, the Tenderer must note that:

1. Comments on various clauses or risk allocation under the Contract will not be considered unless accompanied by the specific drafting of the proposed replacement clause. The specific drafting of the Tenderer's proposed alternative clauses must be included in this Schedule.
2. Alternative drafting may be considered as a non-conformance by the Council for the purpose of mandatory requirements.

| Clause | Alternative drafting | Reason / qualification |
|--------|----------------------|------------------------|
|        |                      |                        |
|        |                      |                        |

OPTIONAL  CRITERIA

## SCHEDULE 14 – STATUTORY DECLARATION OF NON-COLLUSION

### **Oaths Act 1867**

The Tenderer must complete and submit with proposal  
All Submitted information will be treated as confidential

I, \_\_\_\_\_ (Print name),  
of \_\_\_\_\_ (Tenderer's Organisation),

do hereby solemnly declare and affirm the following;

1. I hold the position of \_\_\_\_\_, and am duly authorised by the Tenderer's Organisation to lawfully proclaim the following and, after having made due inquiry believe the following to be completely accurate to the best of my knowledge.
2. Neither the Tenderer nor the Tenderer's Agents or Servants have entered into any contract or agreement to offer payment of any kind to a trade association or representative of the Council in the event of a winning selection for shortlisting by this Tenderer's Organisation.
3. Neither the Tenderer nor the Tenderer's Agents or Servants have had any knowledge of the proposals submitted by its competitors nor did the Tenderer furnish information of the enclosed Tender Response to any source external to the Tenderer's Organisation prior to the Tender Closing Date.
4. Neither the Tenderer nor the Tenderer's Agents or Servants have entered into any contract or agreement to offer payment of any kind to an unsuccessful Tenderer in the event of a winning selection for shortlisting.
5. The Tenderer is not aware of any facts which would affect the decision of Council in accepting the Submission nor has the Tenderer attempted to acquire information relevant to the evaluation/selection process by soliciting the Council or their representatives, agents or servants.
6. Neither the Tenderer nor the Tenderer's Agents or Servants have entered into any agreement with other Tenderers or third party which results in a payment of unsuccessful submission fees.
7. The contents of this document are true and correct to the best of my knowledge and in no way have been written under duress of any form.

I make this solemn declaration as to the matter aforesaid, according to the law in this behalf made, and subject to the punishment by law provided for any wilfully false statement in any such declaration.

**Signature of Tenderer:** \_\_\_\_\_

**Subscribed and declared at:** \_\_\_\_\_

**This:** \_\_\_\_\_ **Day of** \_\_\_\_\_ **(Year)** \_\_\_\_\_

**Before me:** \_\_\_\_\_ (Print name)

**Witness:** \_\_\_\_\_ (Signature)

(The declaration must be witnessed by a person as an authorised person according to the Statutory Declarations Regulations 2018)