

**Department for Infrastructure and Transport**

**APPLICATION FOR:**

**Preferred Supply Arrangement – Civil and Bridges (PSACB)**

**(PSA No. 20C951)**

|  |  |
| --- | --- |
| **APPLICATIONS AND FURTHER INFORMATION** | General Enquiries  [DIT.PSACB@sa.gov.au](mailto:DIT.PSACB@sa.gov.au) |
| **ESTABLISHED** | 22 March 2021 |
| **INITIAL TERM** | Up to 36 months from the establishment date (with the option of two 12 month extensions at the Principal’s discretion) |
|  |  |

**Works Covered by 20C951 Preferred Supply Arrangement – Civil and Bridges (PSACB)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Category** | **Service** | **Prequalification** | **Work Order Value**  **(GST inclusive)** |
| 1 | Roadworks | R1 | <$4 000 000 |
| Bridge works | B1 | <$4 000 000 |
| 2 | Roadworks | R2 | $4 000 000 < $15 000 000 |
| Bridge works | B2 | $4 000 000 < $15 000 000 |
| 3 | Roadworks | R3+ | >$15 000 000 |
| Bridge works | B3+ | >$15 000 000 |

**INSTRUCTIONS**

|  |
| --- |
| General  *Suppliers (Applicants) wishing to apply for 20C951 Preferred Supply Arrangement – Civil and Bridges with the Department for Infrastructure and Transport (the Department)* ***must*** *fill out this Application Form and attach the information requested.*   * *Complete the Application Form and save as a .docx or .pdf file (without these instructions).* * *Save the attachments as .pdf files. Where the files are small, they should be combined so that an absolute maximum of 10 files in total are submitted. Strictly follow the numbering system in this form when preparing the attachments.*   *Further guidance on applying for membership can be found in the Application Guidelines: 20C951 Preferred Supply Arrangement - Civil and Bridges.*  *The submission of an Application is deemed agreement by the Applicant to the terms and conditions of the Guidelines.*  Submitting the Application  *Applications must:*   1. *include all documentation outlined in this Application Form, together with any other supporting technical or financial information;* 2. *include file names which clearly indicate the applicable section numbers of this application that are addressed in the file; and be submitted electronically at* [*DIT.PSACB@sa.gov.au*](mailto:DIT.PSACB@sa.gov.au) 3. *with the following subject line:*   ***NEW APPLICATION – 20C951 Preferred Supply Arrangement – Civil and Bridges***  ***Do not*** *submit a hard copy.*  ***Do not*** *submit information not specifically requested in this Application.*  *Enquiries may be directed to DIT.PSACB@sa.gov.au.*  Publication of Details  *Once accepted in the PSACB, the contact details provided in this Application Form will be published on the following internet site:* [*https://dit.sa.gov.au/contractor\_documents/prequalification*](https://dit.sa.gov.au/contractor_documents/prequalification)*.*  *It is the Applicant’s responsibility to ensure that the contact details provided are up to date.* |

# CHECKLIST FOR APPLICATION

##### For each item below, please tick the box to indicate that the Schedule has been:

##### Completed; and

##### Included with your returned Application.

|  |  |
| --- | --- |
| Description | Included |
| **Mandatory for all Applicants:** | |
| Schedule 1 - Applicant Information |  |
| Schedule 2 – GC21 Terms and Conditions and Specifications Compliance |  |
| Schedule 3 – Please attach evidence to Schedule 3 demonstrating that you hold the required Building Licence issued by Consumer and Business Services SA (refer to Schedule 3 for further information) |  |
| Schedule 5 - Statement of Intent |  |
| Schedule 7 – Registration with [Tenders SA](https://www.tenders.sa.gov.au/) - Mandatory |  |
| **Additional requirements (if applicable) (refer to Schedule 3 for further information):** | |
| Schedule 3 – Please attach evidence to Schedule 3 demonstrating that you hold Australian Government Building and Construction Work Health and Safety (WHS) Accreditation |  |
| Schedule 6 – ABCC - Declaration of Compliance – Code for the Tendering and Performance of Building Work 2016. Please attach evidence to schedule 6 demonstrating compliance by providing a ABCC Self-Assessment A form, ABCC Letter of compliance or alternate forms as accepted by ABCC |  |

In addition to the above items which are to be completed with your Application, the below Schedule includes important information relating to the PSACB. Please tick the box to indicate that you have read and understood the Schedule:

|  |  |
| --- | --- |
| Schedule 4 – Building Code 2016 and Australian Government Building and Construction WHS Accreditation Scheme information |  |

**APPLICATION FORM**

**Schedule 1. Applicant Information**

|  |  |
| --- | --- |
| Trading Name |  |
| Registered Name |  |
| ACN |  |
| ABN |  |
| Address of registered office |  |
| Place of business in South Australia (if relevant) |  |
| Type of entity (e.g. company, trust, partnership, sole trader, other) |  |
| Key Personnel (e.g. directors, chief executive officer, principal of business etc.) |  |
| Telephone |  |
| Website |  |
| Current DIT Roadworks and Bridge works Prequalification held by the Applicant  (the Applicant must currently hold a Roadworks or Bridge works prequalification to make an application) |  |

**Contact Details**

|  |  |
| --- | --- |
| Contact Person |  |
| Position |  |
| Address |  |
| Postal address |  |
| E-mail (provide 2 e-mail addresses. These must also be registered with Tenders SA – Schedule 7) |  |
| Telephone |  |

**Conflict Of Interest**You must provide details of any actual or perceived interests, relationships or clients which may cause a conflict of interest or potential conflict of interest, and actions to prevent or manage the conflicts of interest.

**Discipline(s) Being Applied For:**

Please specify sub-categories where appropriate by ticking the boxes of each category you are applying for.

Note:

* Applicants need only apply for the highest category membership as Members are able to tender for lower category works.
* Members may apply for different categories for Roadworks and Bridge, depending on prequalification requirements.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Category 1** | **Category 2** | **Category 3** |
| **Roadworks** |  |  |  |
| **Bridge works** |  |  |  |
|  |  |  |  |
| **APPLICANT’S MINIMUM PREQUALIFICATION REQUIREMENTS** | | | |
| **Proposed Work Order Value** | <$4 000 000 | $4 000 0000<$15 000 000 | >$15 000 000 |
| **Financial Prequalification** | min. F1 required | min. F5 required | min. F25 required |
| **Roadworks Prequalification** | R1 | R2 | R3+ |
| **Bridge works Prequalification** | B1 | B2 | B3+ |

**Schedule 2: Terms and Conditions and Master Specification Compliance**

|  |  |
| --- | --- |
| **Terms and Conditions** | |
| Confirm that:   1. you agree to comply with the proposed Preferred Supply Arrangement – Civil and Bridges GC21 Terms and Conditions outlined in [Attachment 1](#_attachment_1) without any further amendment; and 2. you acknowledge that if you do not return the executed Letter of Award in accordance with the terms of that Letter of Award, unless otherwise advised in writing by the Principal, the acceptance of your Work Order Offer will be deemed withdrawn, and the Contract (as defined in the Letter of Award) terminated, with no compensation payable by the Principal to you, including for any work under Contract (as defined in the Letter of Award) performed by you prior to the withdrawal. | Yes/No |
| **Specifications** | |
| Confirm that you agree to comply with the relevant specifications outlined in Attachment 2. | Yes/No |
|  | |

|  |
| --- |
| By: .................................................................... ...........................................................  (Signature ) (Printed Name)  .................................................................... ..........................................................  (Date) (Position Held in Company)  ................................................................... ...........................................................  (Witness Signature ) (Witness Printed Name)  .................................................................... ..........................................................  (Date) (Position Held in Company) |

**Schedule 3: Application Requirements**

3.1 Mandatory Criteria:

Applicants must provide the following mandatory information with the Application.

|  |  |  |  |
| --- | --- | --- | --- |
| **PSACB Mandatory Criteria** | **Category 1**  **Road and/or Bridge works**  **<$4 000 000 GST incl.** | **Category 2**  **Road and/or Bridge works**  **$4 000 000**  **<$15 000 000 GST incl.** | **Category 3**  **Road and/or Bridge works**  **>$15 000 000 GST incl.** |
| Hold a current DIT Financial Rating  Minimum “F” (Financial) Rating. Minimum rating for initial establishment, noting these will vary based on the financial value of the work order and risk of the procurement.  (no evidence is required for submission with this Application1) | F1 | F5 | F25 |
| Hold a current DIT Road and/or Bridge Prequalification Rating  Minimum “R” (Road) and “B” (Bridge) Rating.  (no evidence is required for submission with this Application1) | R1 / B1 | R2 / B2 | R3+ / B3+ |
| Provide Applicant Information  Applicants must complete and return the attached Applicant Information (refer to Schedule 1) with their Application. | Mandatory | Mandatory | Mandatory |
| Industry Advocate Statement of Intent completed as part of the returnable schedules.  Applicants must complete and return the attached Statement of Intent (refer to Schedule 5) with their Application. | Mandatory | Mandatory | Mandatory |
| Compliance with the Australian Government Code for the Tendering and Performance of Building Work 2016 for any works containing Federal Government funding streams. Refer to further information provided in Schedule 4.  Applicants must provide a completed Declaration of Compliance (refer to Schedule 6) with the Application. | Not Mandatory | Mandatory | Mandatory |
| Hold a current Australian Government Building and Construction Work Health and Safety (WHS) Accreditation Scheme and ensure their accreditation details are kept up to date with the Australian Federal Safety Commissioner. Refer to further information provided in Schedule 4.  Applicants must provide evidence of the required accreditation in the form of a certificate or similar with the Application. | Not Mandatory | Preferred, Mandatory to tender for any Federally funded Projects | Mandatory |
| Licencing Requirements in accordance with the requirements of the Consumer and Business Services of SA:   * Builders Licensing requirements to perform “ANY BUILDING WORK” which covers all building and civil construction works without restriction is preferred; OR * Builders Licensing requirements to perform “CIVIL CONSTRUCTION” which covers all civil work without restriction at a minimum.   Applicants must provide evidence of the required license in the form of a certificate issued by the Consumer Business Services South Australia with the Application. | Mandatory | Mandatory | Mandatory |
| Provision of company signed acceptance of the PSACB Terms and Conditions and Specifications.  Applicants must return a signed copy of Schedule 2 with the Application. | Mandatory | Mandatory | Mandatory |
| Applicants must [register with Tenders SA](https://www.tenders.sa.gov.au/) to receive Work Order Requests | Mandatory | Mandatory | Mandatory |

1 Applications will be reviewed against the current DIT Roadworks and Bridge work prequalification for transport infrastructure at: https://www.dpti.sa.gov.au/contractor\_documents/prequalification

**Schedule 4: Building Code 2016 and Australian Government Building and Construction WHS Accreditation Scheme information**

## 4.1 Building Code

* + 1. In these clauses:

|  |  |
| --- | --- |
| ABCC  Act | means the body referred to in subsection 29(2) of the Act.  means the *Building and Construction Industry (Improving Productivity) Act 2016*. |
| Building Code | means the *Code for the Tendering and Performance of Building Work 2016*, which is available at <https://www.legislation.gov.au/Details/F2017C00668>. |
| Building Work | has the same meaning as in subsection 3(4) of the Building Code. |
| Commonwealth Funded Building Work | means Building Work in items 1-8 of Schedule 1 of the Building Code. |
| Enterprise Agreement | has the same meaning as in the *Fair Work Act 2009*. |
| Exclusion Sanction | has the same meaning as in subsection 3(3) of the Building Code. |
| Related Entity | has the same meaning as in subsection 3(2) of the Building Code. |
| Works | means Commonwealth Funded Building Work that is the subject of this Request for Tender. |

* + 1. The Building Code applies to the Works.
    2. You must comply with the Building Code and meet the eligibility requirements set out in section 23 of the Building Code at the time of your Application.
    3. As part of your Application, you must submit:
       1. a signed “Declaration of Compliance” which is attached to this Application; and
       2. the further information outlined in Attachment A to the “Declaration of Compliance”.
    4. You will only enter into a subcontract in relation to the Works if:
       1. you and your Related Entities are not covered by an Enterprise Agreement that does not meet the requirements of section 11 of the Building Code;
       2. you are not subject to an Exclusion Sanction or excluded from undertaking work funded by a state or territory government unless approval to do so is provided by the ABC Commissioner;
       3. you will only use products in relation to the Works that comply with the relevant Australian standards published by, or on behalf of, Standards Australia.
    5. The Principal will exclude Applicants from further consideration if at any time before a contract is executed in relation to the Works the applicant considers that they do not comply with the requirements in clause 4.1(v).

Applicants can find further information about the Building Code 2016 at [www.abcc.gov.au](http://www.abcc.gov.au).

4.2 Australian Government Building and Construction WHS Accreditation Scheme (for Category 2 (preferred) and Category 3 (mandatory) Applications only)

Applicants must be accredited under the Work Health and Safety Accreditation Scheme (WHS Accreditation Scheme) when entering into contracts for building work covered by the WHS Accreditation Scheme and maintain accreditation while the building work is being carried out.\*

The WHS Accreditation Scheme is established under the *Building and Construction Industry (Improving Productivity) Act 2016* (Cth) and specified in the *Building and Construction Industry (Improving Productivity) (Accreditation Scheme) Rules 2019*.

A successful Applicant must comply with all conditions of Scheme accreditation.

\* Paragraph 26(g) of the *Building and Construction Industry (Improving Productivity) (Accreditation Scheme) Rules 2019* outlines provisions applying to joint venture arrangements that include accredited and unaccredited builders.

Refer to [www.fsc.gov.au](http://www.fsc.gov.au) for further information.

**Schedule 5: Statement of Intent**

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| --- |
| This Statement of Intent has been specifically designed for (DIT)-Preferred Supply Arrangement for Civil and Bridges (PSACB).  The South Australian Industry Participation Policy (SAIPP), which is underpinned by the *Industry Advocate Act 2017*, established the framework to deliver the following objectives:  The SAIPP objectives are to promote:   * Government expenditure that results in economic development for South Australia; and, * Value for money for public expenditure; and, * The economic development of the steel industry and other strategically important industries for South Australia; and, * Capable businesses based in South Australia being given full, fair, and reasonable opportunity to tender and participate in government contracts.   Responses will be used to benchmark supplier commitments to SAIPP objectives in any secondary procurement process. |

**SUPPLIER TENDER INFORMATION**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Responsible Government Agency** | | Department for Infrastructure and Transport | | | | | | |
| **Project Title** | Preferred Supply Arrangement – Civil and Bridges (PSACB) – (PSA No. 20C951) | | | | | | | |
| **Business Name** |  | | **Authorised Person Name** | | | |  | |
| **Telephone** |  | | **Email** | | | |  | |
|  | | | | | | | | |
| **Does your business meet the following definition of being a South Australian business?**  *A locally based business is defined as a business which has been operating in South Australia for at least 2 years with greater than 50% of the SA operation’s workforce being residents of South Australia.* | | | | YES | NO | **Current South Australian Workforce**  **#** | | **Administration & back-office work based in SA %** |
|  | |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Please indicate below, your business’s intent to deliver South Australian Economic Outcomes, through the delivery of the contract.** | | | |
| South Australian Supply Chain and Workforce | | | |
| The inclusion of South Australian suppliers (including self-performed works). | YES | NO | N/A |
| % Of contract delivered by South Australian suppliers. | Between  50% & 75% | Between 75% & 90% | Greater than 90% |
| The employment of South Australian labour. | YES | NO | N/A |
| % Of South Australian residents employed. | Between  50% & 75% | Between 75% & 90% | Greater than 90% |
| Utilisation of structural and/or reinforcing steel in the project which meets Australasian Certification Authority for Reinforcing and Structural Steels (ACRS) accreditation. | YES | NO | N/A |
| Engagement of steelwork fabricators who are certified to the standards of Steelwork Compliance Australia. | YES | NO | N/A |
| Aboriginal Economic Participation – Supply Chain and Workforce |  |  |  |
| Inclusion of South Australian Aboriginal businesses in the supply chain. | YES | NO | N/A |
| % Of services delivered by South Australian Aboriginal suppliers. | Between  2% & 5% | Between 5% & 10% | Greater than 10% |
| The employment of South Australian Aboriginal people. | YES | NO | N/A |
| % Of services delivered by South Australian Aboriginal people. | Between  2% & 4% | Between 4% & 7% | Greater than 7% |
| Trainees, Cadets, and Graduates |  |  |  |
| The inclusion of South Australian cadets, trainees, and graduates. | YES | NO | N/A |
| Number of training and apprenticeship contracts to be made available to new South Australian apprentices and trainees. | Between  0-2 | Between  3 & 5 | Greater than 5 |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Project Title** | | Preferred Supply Arrangement – Civil and Bridges (PSACB) - (PSA No.20C951) | | | |
| **Declaration**   * As a duly authorised officer of the Business, I have read this document and understand what is required to be completed. * I am also familiar with the South Australian Industry Participation Policy, Procedural Guidelines, *Industry Advocate Act 2017*, and the Business’s responsibilities under this policy. * **If selected to tender under a secondary procurement under the Panel, I understand that there may be a requirement to complete an Industry Participation Plan (IPP); and if awarded a contract, to provide reporting against IPP commitments to the Industry Advocate, as required.** | | | | |
| Signature: |  | | Date: |  |

|  |  |
| --- | --- |
| **Schedule 6: Declaration of Compliance** | |
| *20C951 - PSACB* | |
|  | |
| Name of Applicant: |  |
| ABN: |  |
| ACN: |  |
| * + 1. In this Declaration of Compliance:  |  |  | | --- | --- | | **ABCC** | means the body referred to in subsection 29(2) of theAct. | | **ABC Commissioner** | means the Australian Building and Construction Commissioner referred to in subsection 15(1) of the Act. | | **Act** | means the *Building and Construction Industry (Improving Productivity) Act 2016*. | | **Building Code** | means the *Code for the Tendering and Performance of Building Work 2016*, which is available at https://www.legislation.gov.au/Details/F2017C00668. | | **Building Contractor** | has the same meaning as in the Act. | | **Building Industry Participant** | has the same meaning as in the Act. | | **Building Work** | has the same meaning as in subsection 3(4) of the Building Code. | | **Commonwealth Funded Building Work** | means Building Work in items 1-8 of Schedule 1 of the Building Code. | | **Enterprise Agreement** | has the same meaning as in the *Fair Work Act 2009*. | | **Exclusion Sanction** | has the same meaning as in subsection 3(3) of the Building Code. | | **Related Entity** | has the same meaning as in subsection 3(2) of the Building Code. | | **Sub-subcontractor** | means a Building Contractor or Building Industry Participant who the Subcontractor has entered, or proposes to enter, into a sub-subcontract with to undertake any of the Works. | | **Works** | means the Commonwealth Funded Building Work that is proposed to be the subject of a contract with the successful Applicant. |  * + 1. The Applicant acknowledges that it and its Related Entities must comply with the Building Code in relation to all Building Work described in Schedule 1 of the Building Code for which an expression of interest or request for tender (however described) is called on or after the date that the Building Code commenced, being 2 December 2016, and, should it be the successful Applicant, in relation to the Works.     2. The Applicant undertakes to ensure that it and its subcontractors, should it be the successful Applicant, comply with the Building Code.     3. The Applicant acknowledges the powers and functions of the ABC Commissioner and the ABCC under the Act and the Building Code and undertakes to ensure that it and its Sub-subcontractors will comply with any requests made by the ABCC and the ABC Commissioner within those powers and functions, including but not limited to requests for entry under section 72 of the Act, requests to interview any person under section 74 of the Act, requests to produce records or documents under sections 74 and 77 of the Act and responding to requests for information concerning matters relating to the Building Code under subsection 7(c) of the Building Code.     4. The Applicant declares that where it proposes to subcontract any of the Works, should it be the successful Applicant, it will:        1. not enter into a subcontract with a subcontractor who:           1. is covered by, or has Related Entities covered by, an Enterprise Agreement that does not meet the requirements of section 11 of the Building Code;           2. is subject to an Exclusion Sanction; or           3. unless approved otherwise by the ABC Commissioner, is excluded from performing Building Work funded by a state or territory government; and        2. only enter into a subcontract where:           1. the subcontractor undertakes to only use products in relation to the Works that comply with the relevant Australian standards published by, or on behalf of, Standards Australia;           2. the subcontractor undertakes to comply with the Workplace Relations Management Plan approved by the ABCC in accordance with Part 6 of the Building Code that applies to the Works;           3. the subcontractor has submitted a declaration of compliance, including the further information outlined in Attachment A to the declaration of compliance, in substantively the same form as the model declaration of compliance applicable to contractors and subcontractors in relation to the Building Code; and           4. the subcontract with the subcontractor contains clauses in substantively the same form as the model contract clauses applicable to contractors and subcontractors in relation to the Building Code (located in Part 5 in the document titled Model Clauses Type B, available on the ABCC website ([www.abcc.gov.au](http://www.abcc.gov.au)).     5. The Applicant declares that it has provided all of the further information required by Attachment A to this Declaration of Compliance.     6. The Applicant declares that:        1. It, and its Related Entities, are not covered by an Enterprise Agreement that does not meet the requirements of section 11 of the Building Code (Applicant must complete Section Two of Attachment A);        2. it is not subject to an Exclusion Sanction;        3. it will only use products in relation to the Works that comply with the relevant Australian standards published by, or on behalf of, Standards Australia, should it be the successful Tenderer; and        4. it will comply with the Workplace Relations Management Plan approved by the ABCC in accordance with Part 6 of the Building Code that applies to the Works, should it be the successful Tenderer. | |

*(Applicants to insert additional sheets for response as necessary)*

|  |  |
| --- | --- |
| By: ....................................................................  (Signature)  ....................................................................  (Date)  ...................................................................  (Witness Signature)  ....................................................................  (Date) | ....................................................................  (Printed Name)  ....................................................................  (Company Name)  ....................................................................  (Witness Printed Name)  ....................................................................  (Company Name) |

**SCHEDULE 7 SA Tenders and Contracts Contact Details**

All Preferred Supply Arrangement work packages will be issued via the SA Tenders and Contracts website <https://www.tenders.sa.gov.au> to the person/s nominated in the Application Form.

The Applicant shall be registered with [SA Tenders & Contracts](http://www.tenders.sa.gov.au) and provide contact details for the nominated person/s for the release of work packages relevant to this Preferred Supply Arrangement.

For this purpose applicants shall ensure all contacts nominated below are accurate and maintained on the SA Tenders & Contracts website as these will be referred to when releasing packages on the website.

Should you require assistance with updating details on the website please contact the SA Tenders and Contracts Helpdesk on (08) 8462 1401.

|  |  |  |
| --- | --- | --- |
| Name (as registered on SA Tenders) | Company Name (as shown on SA Tenders) | Email Address |
|  |  |  |
|  |  |  |

# ATTACHMENT A – INFORMATION REGARDING COMPLIANCE WITH THE CODE FOR THE TENDERING AND PERFORMANCE OF BUILDING WORK 2016

|  |  |  |
| --- | --- | --- |
| Item | Requirement | Compliance |
| 1 | Does the Applicant, or its Related Entities, have an Enterprise Agreement that does not meet the requirements of section 11 of the Building Code? | [*Yes/No*] |
| Details: complete Section Two of this Attachment A and attach the required evidence according to the Applicant’s situation. |
| 2 | Is the Applicant excluded from performing Building Work funded by a state or territory government? If so, the Principal reserves the right to exclude the Applicant from further consideration. | [*Yes/No*] |
| Details: |
| 3 | Has the Applicant within the preceding 3 years had an adverse decision, direction or order of a court or tribunal made against it for a breach of a designated building law, work health and safety law or the *Migration Act 1958*? | [*Yes/No*] |
| Details: |
| 4 | Has the Applicant or its Related Entities within the preceding 3 years been required to pay any amount under an adjudication certificate (provided in accordance with a law relating to the security of payments that are due to persons in respect of Building Work) to a Building Contractor or Building Industry Participant? | [*Yes/No*] |
| Details: |
| 5 | Has the Applicant or its Related Entities within the preceding 3 years owed any unsatisfied judgement debts to a Building Contractor or Building Industry Participant? | [*Yes/No*] |
| Details: |

# attachment 1 – GC21 Terms and Conditions

*GC21 Terms and Conditions* (current version) available at:

1. [https://www.dit.sa.gov.au/contractor\_documents/dpti\_general\_conditions\_of\_contract](https://www.dpti.sa.gov.au/contractor_documents/dpti_general_conditions_of_contract); (not including the blank Contract Information); and
2. The Contract Information set out immediately below.\*

\*noting that any Preferred Supply Arrangement work package awarded will have a tailored Contract Information.

Contract Information

Contract

|  |
| --- |
| **Item** |

1. Contract name

|  |  |
| --- | --- |
| The Contract name is: | Refer to Letter of Award |

|  |  |
| --- | --- |
| The Contract number is: | Refer to Letter of Award |

1. Site

*Defined in clause 79*

|  |  |
| --- | --- |
| The Site is: | Refer to Letter of Award |

1. Description of the Works

*Mentioned in clause 8*

|  |  |
| --- | --- |
| The Works are: | Refer to Letter of Award |

Principal’s details

1. Principal

*Defined in clause 79*

|  |  |
| --- | --- |
| The Principal is: | The Commissioner of Highways, a body corporate established pursuant to the Highways Act 1926 (SA) of Level 9, 83 Pirie Street, Adelaide SA 5000.  ABN: 45 751 448 902 |

1. Principal’s Authorised Person

*Mentioned in clause 2*

|  |  |
| --- | --- |
| The *Principal’s Authorised Person* is: | Director, Contract Management |

1. Notices to the Principal

*Mentioned in clause 11*

Notices must go to the *Principal’s Authorised Person* named above, at the address or number shown here.

|  |  |
| --- | --- |
| Office address: (for delivery by hand) | Level 8, 83 Pirie Street,  Adelaide SA 5000 |
|  |  |
| Postal address: (for delivery by post) | GPO Box 1533,  Adelaide SA 5001 |
|  |  |
| Facsimile number: | Not applicable |
|  |  |
| e-mail address: | [cameron.billinghurst@sa.gov.au](mailto:cameron.billinghurst@sa.gov.au) |

1. Principal’s Senior executive

*Mentioned in clauses 69 & 70*

|  |  |
| --- | --- |
| The Principal’s senior executive is: | Executive Director, Commercial and Contract Management |

|  |  |
| --- | --- |
| Office address: (for delivery by hand) | Level 8, 83 Pirie Street,  Adelaide SA 5000 |
|  |  |
| Postal address: (for delivery by post) | GPO Box 1533,  Adelaide SA 5001 |
|  |  |
| Facsimile number: | Not applicable |
|  |  |
| e-mail address: | [brian.roche@sa.gov.au](mailto:brian.roche@sa.gov.au) |

Contractor’s details

1. Contractor

|  |  |
| --- | --- |
| The Contractor is: | Refer to Letter of Award |

1. Contractor’s Authorised Person

*Mentioned in clause 2*

|  |  |
| --- | --- |
| The *Contractor’s Authorised Person* is: | Refer to Letter of Award |

1. Notices to the Contractor

*Mentioned in clause 11*

Notices must go to the *Contractor’s Authorised Person* named above, at the address or number shown here.

|  |  |
| --- | --- |
| Office address: (for delivery by hand) | Refer to Letter of Award |
|  |  |
| Postal address: (for delivery by post) | Refer to Letter of Award |
|  |  |
| Facsimile number: | Not applicable |
|  |  |
| e-mail address: | Refer to Letter of Award |

1. Contractor’s senior executive

*Mentioned in clause 70*

|  |  |
| --- | --- |
| The Contractor’s senior executive is: | Refer to Letter of Award |

|  |  |
| --- | --- |
| Office address: (for delivery by hand) | Refer to Letter of Award |
|  |  |
| Postal address: (for delivery by post) | Refer to Letter of Award |
|  |  |
| Facsimile number: | Not applicable |
|  |  |
| e-mail address: | Refer to Letter of Award |

Dates and times

1. Date of Contract

*Defined in clause 79*

|  |  |
| --- | --- |
| The Date of Contract is: | Date of the Letter of Award |
|  |  |

1. Times for Site access and Completion

*Site access: Mentioned in clause 34*

*Contractual Completion Date and Completion: Mentioned in clause 65*

Time periods for Site access and for calculating *Contractual* *Completion Dates* are as shown.

|  |  |  |
| --- | --- | --- |
| **Description** | **Time Period for giving Site access** | **Time Period for Completion** |
| The whole of the Works: |  |  |

Refer to Item 13 of Schedule 1 Annexure of the Work Order Offer

Statutory and Government requirements

1. Fees, charges and approvals

*Mentioned in clause 12*

|  |  |
| --- | --- |
| Approvals that have been obtained or will be obtained, and fees and charges that have been paid or will be paid, by the Principal are: | Refer to Letter of Award |

1. Compliance with SA Government guidelines

A - Work Health and Safety (WHS)

*Mentioned in clause 16*

[Work Health and Safety Management Systems and Auditing Guidelines](https://www.procurepoint.nsw.gov.au/documents/construction-guidelines-work-health-and-safety-management-systems-and-auditing-guidelines.docx)**.**

|  |  |
| --- | --- |
| Is the Contractor required to implement a Corporate WHS safety management system acceptable to the Principal? (Yes/No) | Yes |
|  |  |
| Is the Contractor required to submit a WHS Management Plan in accordance with the WHS Regulations 2012 (SA) (Yes/No) | Yes |
|  |  |
| If required, the WHS Management Plan must be provided: | not less than 28 days before starting work on the Site |

C - Quality Management

*Mentioned in clause 16*

|  |  |
| --- | --- |
| Is the Contractor required to implement a certified Quality Management System? (Yes/No) | Yes |
|  |  |
| Is the Contractor required to submit a Quality Management Plan? (Yes/No) | Yes |
|  |  |
| If required, the Quality Management Plan must be provided: | not less than 28 days before starting work on the Site |

D - Environmental Management

*Mentioned in clause 16*

[Environmental Management systems Guidelines](https://www.procurepoint.nsw.gov.au/documents/construction-guidelines-environmental-management-systems-ed3.docx)**.**

|  |  |
| --- | --- |
| Is the Contractor required to implement an accredited Environmental Management System? (Yes/No) | Yes |
|  |  |
| Is the Contractor required to submit an Environmental Management Plan? (Yes/No) | Yes |
|  |  |
| If required, the Environmental Management Plan must be provided: | not less than 28 days before starting work on the Site |

|  |  |  |  |
| --- | --- | --- | --- |
| E - Industry Participation Plan  *Mentioned in clause 16*   |  |  | | --- | --- | | Is the Contractor required to implement an Industry Participation Plan? (Yes/No) | Yes | |  |

1. Requirements for Commonwealth Funded projects

B - Australian Government Building and Construction WHS Accreditation Scheme

*Mentioned in clause 18*

|  |  |
| --- | --- |
| Is the Contractor required to maintain accreditation under the Australian Government Building and Construction WHS Accreditation Scheme? | Refer to Item 16 of Schedule 1 Annexure of the Work Order Offer |

1. Principal contractor

*Mentioned in clause 17*

|  |  |
| --- | --- |
| Is the Contractor appointed as principal contractor? (Yes/No) | Yes |

1. Working hours and working days

*Mentioned in clause 19*

|  |  |
| --- | --- |
| Working hours and working days are: | to comply with *Statutory Requirements* and the following agreed working hours and working days:  Refer to Schedule 20 of the Work Order Offer |

Liability

1. Not Used
2. Proportionate liability

*Mentioned in clause 26.12*

|  |  |
| --- | --- |
| Is proportionate liability excluded from the Contract? (Yes/No) | Yes |

Insurance

1. Works Insurance

*Mentioned in clauses 27.1 & 27.2*

|  |  |
| --- | --- |
| The party responsible for effecting Works insurance is: | The Principal, refer to Schedule 10 – Principal Arranged Insurances |

|  |  |
| --- | --- |
| Minimum cover is: | The *Contract Price* |

|  |  |
| --- | --- |
| Period of cover is: | As set out in Schedule 10 – Principal Arranged Insurances |

1. Public liability insurance

*Mentioned in clauses 27.1 & 27.2*

|  |  |
| --- | --- |
| The party responsible for effecting public liability insurance is: | the Principal |

|  |  |
| --- | --- |
| Minimum cover is: | $20,000,000 per occurrence (and in the aggregate for Products Liability in any one policy period) |

|  |  |
| --- | --- |
| Period of cover is: | As set out in Schedule 10 – Principal Arranged Insurances |

1. Workers compensation insurance

*Mentioned in clause 27.3*

|  |  |
| --- | --- |
| Minimum cover is: | as required by law. |
| Period of cover is: | as required by law. |

1. Professional indemnity insurance

*Mentioned in clause 27.3.2*

|  |  |
| --- | --- |
| Is a professional indemnity insurance policy to be held by the Contractor? (Yes/No) | Yes |

|  |  |
| --- | --- |
| Minimum cover is: | Refer to Item 24 of Schedule 1 Annexure of the Work Order Offer |
|  |  |
| Period of cover is: | To be held for a minimum of six (6) years after Completion of the whole of the Works. |

1. Marine liability insurance

*Mentioned in clause 27.3.3*

|  |  |
| --- | --- |
| Minimum cover is: | Not applicable |
| Period of cover is: | Not applicable |

Contract Documents

1. Other Contract Documents

*Mentioned in clause 7.1.5*

|  |  |
| --- | --- |
| Other *Contract Documents* (not listed in clause 7) are: | Work Order – comprising Work Order Request sent by the Principal to the Contract, and Work Order Offer sent by the Contractor to the Principal  Letter of Award |

Principal’s Documents

1. Copies of Principal’s Documents

*Mentioned in clause 7.4*

|  |  |
| --- | --- |
| The number of copies of the *Principal’s Documents* to be provided to the Contractor is: | 1 electronic copy |

Contractor’s Documents

1. Copies of Contractor’s Documents

*Mentioned in clause 40.1*

|  |  |
| --- | --- |
| The number of copies of the *Contractor’s Documents* to be provided to the Principal is: | 1 electronic copy in a format acceptable to the Principal |

Subcontract work

1. Inclusion of consistent requirements in Subcontracts

*Mentioned in clause 28.4*

|  |  |
| --- | --- |
| The Subcontract value requiring inclusion of the provisions set out in Schedule 9 (Subcontract requirements) is: | $200,000.00 |

1. Payment period for Subcontracts

*Mentioned in clause 28.4.2*

|  |  |
| --- | --- |
| The maximum period before payment, is: | 30 Days |

1. Preferred Subcontractors

*Mentioned in clause 29.3*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| The *Preferred Subcontractors* referred to in clause 29 are: | |  |  | | --- | --- | | Class of work | Subcontractors | | Not applicable |  | |

1. Subcontractor’s Warranty

*Mentioned in clause 30.1*

|  |  |
| --- | --- |
| Trades or areas of work requiring a Subcontractor’s warranty are: | Not applicable |

Undertakings

33 Completion Undertaking

*Mentioned in clause 33.1*

|  |  |
| --- | --- |
| The amount of the *Completion Undertaking* is: | Refer to Item 33 of Schedule 1 Annexure of the Work Order Offer |

1. Post-Completion Undertaking

*Mentioned in clause 33.1*

|  |  |
| --- | --- |
| The Amount of *Post-Completion Undertaking* is: | Refer to Item 34 of Schedule 1 Annexure of the Work Order Offer |

1. Return of Post-Completion Undertaking

*Mentioned in clause 33.2.2*

|  |  |
| --- | --- |
| The period at the end of which the *Post-Completion Undertaking* must be returned is: | Refer to Item 35 of Schedule 1 Annexure of the Work Order Offer |

Site information

1. Site information

*Mentioned in clause 36*

*Information contained in the documents identified in Contract Information items 36A and 36B does not form part of the Contract.*

A - Documents not guaranteed for completeness

|  |  |
| --- | --- |
| Documents not guaranteed for completeness are: | Refer to Item 36 of Schedule 1 Annexure of the Work Order |

B - Documents not guaranteed for accuracy, quality or completeness

|  |  |
| --- | --- |
| Documents not guaranteed for accuracy, quality or completeness are: | Refer to Item 36 of Schedule 1 Annexure of the Work Order |

1. Site Conditions

*Mentioned in clause 37.2*

|  |  |
| --- | --- |
| Is the Contractor to bear the full risk, including cost and time implications, of encountering and dealing with materially adverse *Site Conditions* other than carrying out *Variation*s instructed by the Principal? (Yes/No) | Refer to Item 37 of Schedule 1 Annexure of the Work Order Offer |

Design and documentation

1. Scope of design activities

A - Design by the Contractor

*Mentioned in clause 39*

|  |  |
| --- | --- |
| Must the Contractor carry out all design necessary in connection with the Works? (clause 39.1.1): | Refer to Item 38 of Schedule 1 Annexure of the Work Order Offer |

B - Design by the Principal

|  |  |
| --- | --- |
| Must the Pricipal carry out all design necessary in connection with the Works? (clause 39.1.2): | Refer to Item 38 of Schedule 1 Annexure of the Work Order Offer |

C – Contractor to complete Design provided by the Principal

|  |  |
| --- | --- |
| Must the Contractor complete the design provided by the Principal? (clause 39.1.2): | Refer to Item 38 of Schedule 1 Annexure of the Work Order Offer |

D - National Construction Code

*Mentioned in clauses 39 & 43*

|  |  |
| --- | --- |
| Does the National Construction Code apply? (Yes/No) | Refer to Item 38 of Schedule 1 Annexure of the Work Order Offer |

Novation

1. Novation

*Mentioned in clause 41*

|  |  |
| --- | --- |
| Will there be a novation of the Principal’s Novated Consultant to the Contractor?  Name of Novated Consultant? | Not applicable  Principal’s Novated Consultant:  Not applicable |

Payments

1. Contract Price at the Date of Contract

*Mentioned in clauses 55*

|  |  |
| --- | --- |
| The *Contract Price* which is inclusive of GST)at the Date of Contract is: | Refer to Tender Form of the Work Order Offer |

Basis of payment

|  |  |
| --- | --- |
| The basis of payment is:  (Lump sum / *Schedule of Rates* / Lump sum with *Rate Item*s) | Refer to Item 40 of Schedule 1 Annexure of the Work Order Offer |

1. Rise or fall adjustments

*Mentioned in clause 55.2*

|  |  |
| --- | --- |
| Are rise or fall adjustments applicable to the Contract (excluding *Daywork*)? (Yes/No) | Refer to Item 41 of Schedule 1 Annexure of the Work Order Offer |

1. Provisional Sums

*Mentioned in clause 55.4*

|  |  |
| --- | --- |
| *Provisional Sum* items referred to in clause 55.4 are: | Refer to Item 42 of Schedule 1 Annexure of the Work Order Offer |

1. Provisional Sum margin

*Mentioned in clause 55.4*

|  |  |
| --- | --- |
| The *Provisional Sum* margin (including profit and off site overheads) is : | Refer to Item 43 of Schedule 1 Annexure of the Work Order Offer |

1. Contractor’s Margin

*Mentioned in clauses 47 and 79*

|  |  |
| --- | --- |
| The *Contractor’s Margin* (including profit and off site overheads) is : | Refer to Item 44 of Schedule 1 Annexure of the Work Order Offer |
|  |  |

1. Amount of Prepayment

*Mentioned in clause 57.1.1*

|  |  |
| --- | --- |
| The amount of *Prepayment* is: | Refer to Item 45 of Schedule 1 Annexure of the Work Order Offer |

1. Payment date and method

A - Date for Payment Claims

*Mentioned in clause 58.1*

|  |  |
| --- | --- |
| The date for making the first Payment Claim is: | Refer to Item 46 of Schedule 1 Annexure of the Work Order Offer |
| The date in the month for making subsequent *Payment Claims* is: | Refer to Item 46 of Schedule 1 Annexure of the Work Order Offer |

B - Method of payment

*Mentioned in clause 58.2*

|  |  |
| --- | --- |
| *Milestones* for which payment will not be made until after they reach *Completion*: | Not applicable |

1. Completion Amount

*Mentioned in clause 60*

|  |  |
| --- | --- |
| The *Completion Amount* is: | Refer to Item 47 of Schedule 1 Annexure of the Work Order Offer |

|  |  |
| --- | --- |
| The *Completion Amount* is payable after:  (*Completion* of the whole of the Works/*Completion* of *Milestone* ») | Refer to Item 47 of Schedule 1 Annexure of the Work Order Offer |

1. Interest on late payments

*Mentioned in clause 62*

|  |  |
| --- | --- |
| The rate of interest per annum is: | The rate prescribed by the Supreme Court Act 1935 (SA) in respect of judgement debts of the Supreme Court |

Delay costs

1. Delay costs and liquidated damages

*Mentioned in clauses 34 & 51*

A1 - Delay costs for delay in access to the Site

The rate in item 49A1 applies only if the Principal fails to give initial access to the Site as required by clause 34. The rate does not apply where the Principal fails to give Site access for a *Milestone* by the required time, unless that *Milestone* is the first to proceed after the Contractor has established on the Site.

|  |  |
| --- | --- |
| The rate per day for delay costs due to the Principal’s failure to give the Contractor initial access to the Site in accordance with clause 34 is: | Refer to Item 49 of Schedule 1 Annexure of Work Order Offer |

A2 - Delay costs for delay other than in access to the Site

The rate or rates in item 49A2 apply when the rate in item 49A1 is not applicable, in accordance with clause 51.

|  |  |
| --- | --- |
| The rate per day for delay costs payable when *Completion* of the whole of the Works is delayed is: | Refer to Item 49 of Schedule 1 Annexure of Work Order Offer |

|  |  |
| --- | --- |
| The rates per day for delay costs payable when there are delays to *Completion* of *Milestones*\* are: | Refer to Item 49 of Schedule 1 Annexure of Work Order Offer |

*\*The rate for each Milestone is separate and distinct from the others.*

B - Liquidated damages

*Mentioned in clauses 51.8 and 51.9*

|  |  |
| --- | --- |
| Do liquidated damages apply to this Contract? (Yes/No) | Refer to Item 49 of Schedule 1 Annexure of Work Order Offer |

|  |  |
| --- | --- |
| The rate per day for liquidated damages for the whole of the Works only applies where there are no rates specified for *Milestones* and is: | Refer to Item 49 of Schedule 1 Annexure of Work Order Offer |

|  |  |
| --- | --- |
| The rates per day for liquidated damages for *Milestones*\* are: | Refer to Item 49 of Schedule 1 Annexure of Work Order Offer |

*\*The rate for each Milestone is separate and distinct from the others.*

Engagement of Valuer

1. Engagement of Valuer

A - Engagement of Valuer

*Mentioned in clause 35*

|  |  |
| --- | --- |
| Must a Valuer be engaged? (Yes/No) | No |

B - Person to select the Valuer

*Mentioned in clause 35*

|  |  |
| --- | --- |
| The person is: | Not applicable |
|  |  |
| Telephone number: | Not applicable |
|  |  |
| Facsimile number: | Not applicable |

C - Litigation Threshold

*Mentioned in clause 35*

|  |  |
| --- | --- |
| The threshold amount for litigation following a Valuer’s determination is: | $500,000.00 |

Expert Determination

1. Time to refer Issue to Expert Determination

*Mentioned in clause 70*

|  |  |
| --- | --- |
| The time within which either party may refer an *Issue* to *Expert Determination* is: | 28 days after becoming entitled under clause 70.2 |

1. Expert Determination representative

*Mentioned in clause 71*

|  |  |
| --- | --- |
| The representative of the Principal for all of the purposes in clause 71, and under Schedule 5 (Expert Determination Procedure) is: | The Principal's senior executive shown in Contract Information item 7 until the Principal notifies otherwise |

|  |  |
| --- | --- |
| Office address: (for delivery by hand) | as shown in Contract Information item 7 |
|  |  |
| Postal address: (for delivery by post) | as shown in Contract Information item 7 |
|  |  |
| Facsimile number: | as shown in Contract Information item 7 |
|  |  |
| e-mail address: | as shown in Contract Information item 7 |

1. Person to nominate an Expert

*Mentioned in clause 71*

|  |  |
| --- | --- |
| The person is: | President of the Resolution Institute (South Australia) |
|  |  |
| Telephone number:  Facsimile number: | 1800 651 650  Not applicable |

1. Threshold amount for litigation

*Mentioned in clause 71*

|  |  |
| --- | --- |
| The threshold amount for litigation following an *Expert’s* determination is: | $500,000.00 |

Collaborative Governance Team

1. Collaborative Governance Team reprehensive

*Mentioned in clause 6.5*

|  |  |
| --- | --- |
| Are the Principal and Contractor required to establish a Collaborative Governance Team (CGT)?  (Yes/No) | Refer to Item 55 of Schedule 1 Annexure of Work Order Offer |

Information Management System

1. Information Management System (IMS)

*Mentioned in clause 11*

|  |  |
| --- | --- |
| Must an electronic Information Management System be used?  (Yes/No) | Refer to Item 56 of Schedule 1 Annexure of Work Order Offer |

Major Infrastructure Project

1. Major Infrastructure Project

*Mentioned in clause 16.22, 16.30 and 79*

|  |  |
| --- | --- |
| Is the Project a Major Infrastructure Project?  (Yes/No) | Refer to Item 57 of Schedule 1 Annexure of Work Order Offer |

# ATTACHMENT 2 – MASTER SPECIFICATION

All DIT master specifications included in the links below:

Project Controls

<https://www.dit.sa.gov.au/contractor_documents/masterspecifications/Project_Controls>

Roads

<https://www.dit.sa.gov.au/contractor_documents/masterspecifications/Roads>

Structures

<https://www.dit.sa.gov.au/contractor_documents/masterspecifications/Structures>