**Invitation to Tender**

**Section D – Response Schedules**

**to Supply a Truck Mounted Elevating Work Platform (EWP)**

ITT 12/2024

|  |  |
| --- | --- |
| **All enquiries regarding the contents of this document should be directed to:** | |
| **Invitation to Tender Enquiries:** | Communication Method via Vendor Panel |
| **Invitation to Tender Website:** | [VendorPanel Public Tenders](https://www.vendorpanel.com.au/publictenders.aspx) |
| **Tender Release Date:**  **Closing Time and Closing Date:** | 8 November 2024  2:00 PM, 3 December 2024 |

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Instructions for Tenderer

The Tenderer is requested to complete in full and submit all of the Response Schedules included in this Invitation to Tender: Section D – Response Schedules. Tenderers must use the same format as provided by the Principal. Where applicable, please ensure that the signature block at the bottom of each page is appropriately executed. The completed schedules, forms, declarations and information and supporting documentation will constitute the Tender Response. The Principal 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 included in the Tender Response must clearly identify the relevant Response Schedule number. The Tenderer must also comply with the following instructions when completing the Response Schedules:

* The response must be contained within the relevant Response Schedule.
* The Principal will only rely upon the information in the Response Schedules to evaluate the Tender Response.
* No advertising or marketing brochures, other than those expressly requested, are to be included in the Tender Response.
* A conforming Tender Response will include all of the documents listed in the Schedule of Documents below.

**SCHEDULE OF DOCUMENTS**

|  |  |  |
| --- | --- | --- |
| **Ref.** | **Return Schedule** | **Completed** |
| SCHEDULE 1 | FORM OF TENDER | **🞏** |
| SCHEDULE 2 | TENDERER DETAILS | **🞏** |
| SCHEDULE 3 | FINANCIAL CAPACITY | **🞏** |
| SCHEDULE 4 | INSURANCE | **🞏** |
| SCHEDULE 5 | CAPABILITY AND EXPERIENCE | **🞏** |
| SCHEDULE 6 | KEY PERSONNEL AND SUBCONTRACTORS | **🞏** |
| SCHEDULE 7 | GOODS DETAILS AND SPECIFICATION | **🞏** |
| SCHEDULE 8 | QUALITY ASSURANCE | **🞏** |
| SCHEDULE 9 | WORK HEALTH AND SAFETY | **🞏** |
| SCHEDULE 10 | ENVIRONMENTAL MANAGEMENT | **🞏** |
| SCHEDULE 11 | PRICING SCHEDULE | **🞏** |
| SCHEDULE 12 | CONTRACT DEPARTURES | **🞏** |

|  |  |
| --- | --- |
| Date: |  |
| Tenderer Signature: |  |

SCHEDULE 1 – FORM OF TENDER

**TO**: Norfolk Island Regional Council

1. We the undersigned (‘Tenderer’),

[ENTER TENDERER NAME]

submit the following Tender Response for Invitation to Tender - Supply a Truck Mounted Elevating Work Platform (EWP), in accordance with the Invitation to Tender conditions outlined in Invitation to Tender: Section A - Tender Information and Conditions.

1. 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 so as 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 included for all such risks and contingencies in its Tender Response.
2. The Tenderer confirms that its Tender Response conforms to the requirements of the Invitation to Tender.
3. The Tenderer agrees to keep the Tender Response open for acceptance and shortlisting by the Principal for a period of 90 calendar days.
4. 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.
5. The Tenderer understands that the Principal is not bound to accept any Tender Response and is under no obligation to proceed at any stage during or after the Closing Date.
6. The Tenderer offers to deliver the Specification at the prices specified in the Tender Response.
7. The Tenderer confirms that it and any proposed subcontractors and/or licensees are not insolvent, bankrupt, in liquidation or under administration or receivership.
8. 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.
9. The Tenderer consents to the Principal undertaking reasonable enquiries to validate and confirm details provided by the Tenderer in the Tender Response.
10. 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:
    1. improperly obtained confidential information;
    2. received improper assistance;
    3. engaged in collusive tendering, anti-competitive conduct or any other similar conduct with any other Tenderer or other person; or
    4. attempted to improperly influence an officer of the Principal or approached any representative of the Principal (other than as permitted in this Invitation to Tender).
11. 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: | |  | | | |
| A.C.N/ A.B.N/A.R.B.N: | |  | | | |
| Address of Registered Office: | |  | | | |
| Postal Address: | |  | | | |
|  | |  | | | |
| Email Address | |  | | | |
| Telephone: | |  | | | |
|  | |  | | | |
| SIGNED |  | | day of |  |  |
|  |  | | | | |
| SIGNED BY |  | | Full name: |  | |
|  | | | Position: |  | |
|  | | | | | |
| WITNESSED BY |  | | Full name: |  | |
|  | | | Position: |  | |

SCHEDULE 2 – TENDERER DETAILS

**Schedule 2A: Tenderer Details**

|  |  |
| --- | --- |
| **Information Required** | **Tenderer’s Response** |
| Name of Tenderer: |  |
| Head Office Address: |  |
| Local Branch Office Address: |  |
| ABN or ACN: |  |
| Trading As: |  |
| Telephone Number: |  |
| 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 a copy of the trust deed, tick if attached:* Yes  No |

**Schedule 2B: Tenderer’s 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 a conflict or potential 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 Principal 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 *The Corporations Act,* 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 |  |

SCHEDULE 3 – FINANCIAL CAPACITY

**Schedule 3A: Financial Details of Tenderer**

The Tenderer must provide EITHER the details below OR a letter signed by a certified practising accountant which:

* is dated no earlier than 7 days prior to the date on which the Tender Response is submitted; and
* states that the Tenderer has the financial capacity to meet the cashflow requirements of the Specification

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 Principal.

| **Item** | **Last 3 financial years ending June 30:** | | |
| --- | --- | --- | --- |
| **2021/2022** | **2022/2023** | **2023/2024** |
| 1. Turnover (revenue) including contract receipts |  |  |  |
| 2. Direct expenses |  |  |  |
| 3. Gross profit |  |  |  |
| 4. Operating expenses |  |  |  |
| 5. Net profit |  |  |  |
| 6. Current Assets  - Cash  - Trade debtors  - Inventory  - Other |  |  |  |
| 7. Current liabilities  - Trade creditors  - Provisions:  i. Employee entitlements  ii. Income tax  - Other |  |  |  |
| 8. Working capital (Item 6 minus Item 7) |  |  |  |
| 9. Non-current assets  - Loans  - Investments  - Property, plant and equipment |  |  |  |
| 10. Non-current liabilities  - Loans  - Creditors  - Provisions  - Other |  |  |  |
| 11. Net assets (Item 8 plus Item 9 minus Item 10) |  |  |  |
| 12. Shareholders/proprietors funds  - Share capital  - Reserves  - Accumulated profits/losses |  |  |  |
| **(Total of Item 11 should equal total of Item 12)** |  |  |  |

**Schedule 3B: 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  No |
| 1. 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  No |
| 1. 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  No |
| 1. 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:  * appointing a person referred to in paragraphs 2 or 3; * winding up or de-registering a party; or * proposing or implementing a scheme of arrangement | Yes  No |
| 1. 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:  * a moratorium of debts of any party; * any other assignment, composition or arrangement (formal or informal) with a party’s creditors; or * 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, * or any agreement or other arrangement of the type referred to in this paragraph 5 been ordered, declared or agreed. | Yes  No |

SCHEDULE 4 – INSURANCES

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 and Products Liability | Not less than AUD20M and for the duration of the Contract. |  |  |  |  |  | Yes  No |
| Worker’s Compensation | In accordance with Law |  |  |  |  |  | Yes  No |

SCHEDULE 5 – CAPABILITY AND EXPERIENCE

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 5A: Tenderer Background**

|  |
| --- |
| Provide a brief overview and history of your company (2-3 paragraphs). Include the number of years you have been in business in the form in which you are presently constituted and details of organisational goals and strategies and how it relates to this Invitation to Tender. |
|  |

**Schedule 5B: 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 6 – KEY PERSONNEL AND SUBCONTRACTORS

**Schedule 6A: Key Personnel**

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

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

SCHEDULE 7 – GOODS DETAILS AND SPECIFICATION

**Schedule 7A: Goods Details and Specification**

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| --- |
| The Tenderer is to provide details and specifications for the EWP including, inter alia:   * design and specifications of the EWP focusing on the requirements from Section B – Specification; * operational and safety features; * a list of options and extras for the EWP; * the Certificates and design standards that the proposed EWP meets and their relevance to Australian existing Codes and standards; * technical sheets, specification sheets and/or brochures; * what documentation will be provided to the Principal; * How Council branding will be added; * any other relevant information for the EWP.   Technical sheets, specification sheets and/or brochures can also be attached. |
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| ***\**** *Tick if technical sheets, specification sheets and/or brochures are attached: Yes*  *No* |

**Schedule 7B: Mounting and Truck**

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| The Tenderer is to provide details regarding the truck to be used and how and where (location) the EWP will be mounted on the truck. Include information regarding, inter alia:   * the makes and models of trucks the EWP can fit; * how and where (i.e. in what location) will the EWP be mounted on the truck; * road registration; * who will supply the truck; * how operational testing will be performed prior to delivery. |
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**Schedule 7C: Delivery and Logistics**

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| --- |
| The Tenderer is to provide details of the delivery process and logistics solution to get the EWP mounted on the truck and to Norfolk Island including origin of manufacturing plant, truck sourcing and logistics, mounting location, ports to be used, modes of transport, timelines and lead times. |
|  |

|  |
| --- |
|  |

**Schedule 7D: Project Schedule/Gantt Chart**

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| --- |
| The Tenderer is to provide a project schedule/Gannt Chart showing the major milestones for the manufacture, supply, mounting, delivery and training regarding the EWP. Identify activity and forecast dates starting with the Purchase Order date to the forecast delivery to island and then induction/training of the Principal’s personnel. Identify critical tasks along with the critical path showing clearly the dependency of tasks. |
|  |

**Schedule 7E: Training and Handover**

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| --- |
| The Tenderer is to provide details of induction, training and handover they can provide to the Principal’s operators. |
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| --- |
|  |

**Schedule 7F: Ongoing Support and Service**

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| --- |
| The Tenderer is to provide details regarding parts availability, warranty, servicing and support for the EWP on an ongoing basis after delivery to the Principal.  Include consideration and details for:   * warranty of at least 12 months; * providing three years maintenance of the EWP including spare parts in accordance with manufacturers’ specifications; * assurance of parts availability for a minimum of 5 years. |
|  |

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|  |

SCHEDULE 8 – QUALITY ASSURANCE

The Tenderer is requested to provide details of current Quality Assurance practices applied.

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. that provides evidence of their quality requirements for the contract.

| **Item** | **Tick Yes or No** |
| --- | --- |
| 1. Does your business or organisation have third party certification for Quality, e.g. to ISO 9001 series or other? | Yes  No |
| If Yes, by whom:  Certificate Number:  *(Attach a copy of your Accreditation Certificate)* | | |
| **IF TENDERER HAS ANSWERED 'YES' TO QUESTIONS 1, TENDERER IS NOT REQUIRED TO COMPLETE QUESTIONS 2 TO 6.** | | |
| 2. Does the Tenderer have an internal quality system or plan (**not** third party certified)?  *(If yes, attach evidence such as a copy of the manual)* | Yes  No |
| 3. Does the Tenderer have a quality policy?  *(If yes, attach evidence of the Policy)* | Yes  No |
| 4. Does the Tenderer have documented quality procedures?  *(If yes, attach evidence or copy of the procedures)* | Yes  No |
| 5. Are records of inspection, test and other quality assurance or quality control activities maintained and quality records kept for each specific project? | Yes  No |
| 6. Does the Tenderer undertake internal quality audits on a project or contract specific basis? | Yes  No |

SCHEDULE 9 – WORK HEALTH AND SAFETY

**Schedule 9A: Work Health and Safety Practices**

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

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 policies, procedures, certificates etc. that provides evidence of their ability and capacity to effectively manage their WHS responsibilities for the Contract.

| **Item** | **Tick Yes or No** |
| --- | --- |
| 1. Does your business or organisation have third party certification for work health and safety, e.g. to AS/NZS 4801 or other? | Yes  No |
| If Yes, by whom:  Certificate Number:  *(Attach a copy of your Accreditation Certificate)* | | |
| 2. Does your business or organisation have a random drug and alcohol Policy?  *(Attach a copy of your Policy)* | Yes  No |
| **IF TENDERER HAS ANSWERED 'YES' TO QUESTIONS 1 AND 2, TENDERER IS NOT REQUIRED TO COMPLETE QUESTIONS 3 TO 9.** | | |
| 3. Does the Tenderer have an internal work health and safety management system or plan (**not** third party certified)?  *(If yes, attach evidence such as a copy of the manual)* | Yes  No |
| 4. Does your business or organisation have documented safe work methods statements (SWMS) and other procedures for all identified high-risk work? | Yes  No |
| 5. Does your business or organisation have appropriate systems and/or documented procedures for reporting of incidents and hazards? | Yes  No |
| 6. Is there a person appointed to look after health and safety in the workplace? | Yes  No |
| If Yes, state person’s name and position:  Name:  Position: | | |
| 7. Are all employees aware of their obligations for personal protective equipment (PPE)? | Yes  No |
| 8. Does your business or organisation have current and appropriate qualifications, licences to undertake each task? | Yes  No |
| 9. Does your business or organisation undertake appropriate on site induction and training relevant to each task? | Yes  No |

**Schedule 9B: 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  No |
| 2. Has your business or organisation been prosecuted by any workplace health and safety regulator in the past 5 years. | Yes  No |
| 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  No |
| 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  No |
| 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  No |
| 6. In the last five years, have any fatalities occurred on a site where your business or organisation was the head contractor? | Yes  No |

SCHEDULE 10 – ENVIRONMENTAL MANAGEMENT

The Tenderer is requested to provide details of current environmental management practices applied.

The Tenderer must, if and when requested to do so by the Council, verify the responses noted in this Schedule by providing copies of the documents and any other documented evidence on request by the Council.

|  |  |
| --- | --- |
| 1. Has your business or organisation been third party certified for environmental management systems e.g. ISO 14000 series or other? | Yes  No |
| If Yes, by whom:  Certificate Number:  *(Attach a copy of Accreditation Certificate)* |  |
| 1. Does the Tenderer have an internal environmental management system?   *(If yes, attach evidence such as a copy of the manual)* | Yes  No |
| 1. Does the Tenderer have an environmental and sustainability policy and or environment and sustainability targets?   *(If yes, attach evidence such as a copy)* | Yes  No |
| 1. Is the Tenderer aware of the relevant provisions within the Principal’s environmental policy and will commit to the requirements of the environmental policy? | Yes  No |
| 1. Is the Tenderer aware of the environmental & cultural heritage protection requirements relevant to this Specification? | Yes  No |
| 1. Is the Tenderer aware of the biosecurity requirements relevant to this Specification? | Yes  No |

SCHEDULE 11 – Pricing Schedule

The Tenderer must provide pricing for the Goods.

All price information provided by the Tenderer must be in Australian dollars and given on a GST exclusive basis.

**11A. Pricing**

| Provide a price for the Goods. |
| --- |
|  |

**11B. Price details**

| Provide a detailed and itemised breakdown of the price including base EWP, truck, mounting, standard and non-standard options, registration, delivery, induction/training, ongoing servicing and parts. |
| --- |
|  |

**11C. Pricing Notes and Assumptions**

|  |
| --- |
| Provide all details, notes and assumptions regarding your pricing. |
|  |

SCHEDULE 12 – CONTRACT DEPARTURES

Where the Tenderer proposes to submit alternative drafting of the proposed Contract clauses in Section 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 Principal for the purpose of mandatory requirements.

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