

**Department for Infrastructure and Transport**

**APPLICATION TO:**

**Provision of Protection Officers for the Adelaide Metropolitan Passenger Rail Network (AMPRN)**

**(Pre-qualification No. 19C108)**

|  |  |
| --- | --- |
| **CONTACT FOR FURTHER INFORMATION** | Paul De JongPaul.dejong@sa.gov.au (08) 7201 5002Unit Manager, Network ControlRail Operations, South Australia Public Transport Authority |
|  |  |
| **APPLICATIONS SUBMITTED VIA:** | DPTI.CategoryManagement@sa.gov.au |

*Contractors (Applicants) wishing to apply for pre-qualification for Protection Officers with the Department for Infrastructure and Transport (the Department)* ***must*** *contact the Department to determine if there is capacity for more suppliers* ***before*** *completing an application.*

# SCHEDULE CHECKLIST FOR APPLICATION

##### For each item please tick the box to indicate that the Schedule has been completed and included with your Application.

|  |  |  |
| --- | --- | --- |
| 1 | Contact the Department before completing an Application | □ |
| 2 | Compliance Statement | □ |
| 3 | Declaration in Relation to Unlawful Collusion | □ |
| 4 | Application Form | □ |
| 5 | Capability  | □ |
| 6 | Registrations and Licences | □ |
| 7 | Industry Participation Policy  | □ |
| 8 | Schedule of Rates. | □ |

1. **INSTRUCTIONS**

|  |
| --- |
| General*Contractors (Applicants) wishing to apply for pre-qualification for Protection Officers with the Department for Infrastructure & Transport (the Department)* ***must*** *contact the Department to determine if there is capacity for more suppliers* ***before*** *completing an application.**Contractors must then 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.*

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 to* DPTI.CategoryManagement@sa.gov.au1. *with the following subject line:*

*NEW APPLICATION – 19C108 – PROTECTION OFFICERS FOR AMPRN****Do not submit a hard copy.***Publication of Details*Once prequalified, the contact details provided in this Application Form will be published on the following internet site:* [*https://dit.sa.gov.au/contractor\_documents*](https://dit.sa.gov.au/contractor_documents)*.**It is the Applicant’s responsibility to ensure that the contact details provided are up to date.* |

1. **INTRODUCTION**

The Department for Infrastructure and Transport (the Department) has established a group of service providers (“Pre-Qualified Contractors”) for the provision of Protection Officers for the Adelaide Metropolitan Passenger Rail Network (AMPRN).

Companies wishing to be appointed to the pre-qualified arrangement are invited to submit an application in accordance with the attached Conditions for Submission of an Application. To be appointed, applications must be able to demonstrate that they have the appropriate skills, capability, management systems and experience in the relevant categories appertaining to Protection Officers. The submission must contain all of the information requested in Annexure A to the Conditions for Submission of an Application.

The Department is under no obligation to request any Pre-Qualified Contractor to provide services or to submit a quotation and Pre-Qualified Contractors are not guaranteed any work during the term of this agreement. Applicants should be aware that if the rates submitted are higher than industry averages for no additional benefit to the Department, it is unlikely that they will be requested to provide services to a significant extent.

The Department will take a number of factors into consideration when determining which Pre-Qualified Contractors will be invited to provide applicable services or submit a quotation, such as the estimated value of the work and each Pre-Qualified Contractor availability, workload, skills, experience and ability to provide value for money.

Internal management of this pre-qualification arrangement will be governed by the Department’s Rail Operations via following mandated provisions parameters, however not limited to:

* Ongoing adherence to prescribed standards designated by the Rail Commissioner and Departmental safe work requirements (including zero tolerance for drug and alcohol);
* Inclusion of Instrument of unacceptable behaviour procedure(s);
	+ The ability to direct the Contractor to replace an individual Protection Officer within the AMPRN following two (2) instances of unacceptable behaviour conduct; and
	+ Removal of 19C108 membership for a Contractor who has a incurred three (3) instances of unacceptable behavioural conduct by their associated individual Protection Officer;
	+ Instant removal and of any associated 19C108 Protection Officer who has failed a compulsory departmental drug and alcohol test.
* The minimum requirement for Pre-Qualified Contractors to have an available workforce consisting of no less than five (5) dully qualified Protection Officers at any time.

This pre-qualified arrangement is non-exclusive and will be operated via a rotation process. However, Contractors will be nominated to participate at the Department’s discretion based on availability of resources and the ongoing adherence to guidelines set out within this document.

1. **COMPLIANCE**

**CONDITIONS FOR SUBMISSION OF AN APPLICATION**

**FOR A PREQUALIFICATION CONTRACT**

The Department’s Conditions of Submission for Prequalification Agreement; and 19C108 Application Guidelines apply to this invitation and are available from the following website and attachments:

<https://dit.sa.gov.au/__data/assets/pdf_file/0006/254436/DIT_Conditions_of_Prequalification_-_October_2020.pdf>

Attachment 3 – 19C108 – Supply of Protection Officers for AMPRN – Application Guidelines

The Annexures to the Conditions of Submission, which are included in this document, are to be read in conjunction with the Conditions of Submission from the above website.

**TERMS AND CONDITIONS FOR CONTRACT**

The terms and conditions for contract are the State Procurement Board Goods and Services Agreement.

For a quick link to the Department’s General Conditions of Contract, please follow the following link:

https://dit.sa.gov.au/\_\_data/assets/word\_doc/0019/275050/SPB\_Standard\_Goods\_and\_Services\_Contract\_26\_July\_2021.docx

**Conformance Signoff**

|  |
| --- |
| **Terms and Conditions** |
| Does your offer comply with the conditions for submission of an application for a prequalified contract and guidelines, outlined on page 5? | Yes/No |
| Does your offer comply with the proposed Contract Terms and Conditions outlined on page 5? | Yes/No |
| **Specifications** |
| Does your offer comply with the relevant specifications outlined in the Pre-qualification Guidelines? Please attach any relevant documentation. | Yes/No |
| **Pre-qualification Special Conditions** |
| The following special conditions will apply to all suppliers appointed to the Supply of Protection Officers pre-qualification arrangement:Any supplier will be removed, if the supplier:1. Does not respond to a request for quote for one year having been offered at least three opportunities to tender, or
2. Three consecutive non-conformances or three non-conformances within one calendar year, or
3. Fails to demonstrate their ability to meet the minimum assessment requirements for their appointed service categories due to staff changes. Suppliers are required to notify the Department of any staff changes.

Suppliers demonstrating poor performance may also be reduced to low value/ low risk engagements of <$33 000 incl GST subject to the following methodology1. Three suggested improvements within one calendar year, or
2. Two consecutive non-conformances or, two non-conformances within one calendar year

Ongoing adherence to prescribed standards designated by the Rail Commissioner and Departmental safe work requirements (including zero tolerance for drug and alcohol);* Inclusion of Instrument of unacceptable behaviour procedure(s);
	+ The ability to direct the Contractor to replace an individual Protection Officer within the AMPRN following two (2) instances of unacceptable behaviour conduct; and
	+ Removal of 19C108 membership for a Contractor who has a incurred three (3) instances of unacceptable behavioural conduct by their associated individual Protection Officer;
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The minimum requirement for Pre-Qualified Contractors to have an available workforce consisting of no less than five (5) dully qualified Protection Officers at any time. This pre-qualified arrangement is non-exclusive and will be operated via a rotation process. However, Contractors will be nominated to participate at the Department’s discretion based on availability of resources and the ongoing adherence to guidelines set out within this document.  |
| Do You accept the Special Conditions of the pre- qualification? | Yes/No |

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

# DECLARATION IN RELATION TO UNLAWFUL COLLUSION

Re: 19C108 Protection Officers for AMPRN Pre-Qualification (“the Procurement”)

[insert name of Procurement]

I , ……………………….of …………………………………………………………….

[insert name and address of declarant]

**do hereby declare as follows:**

1. I hold the position of ……………within ……….……………..Pty Ltd (“the Supplier”) and that I am authorised to provide this declaration on its behalf.

2. I confirm that the Offer submitted by the Supplier is independent and that there has not been any unlawful collusion with any other Supplier or party in connection with this Procurement Process. This clause does not apply to any formal joint venture contractual arrangement entered into between the Supplier and any other person(s), the details of which have been provided to the Government Agency as part of the Offer submitted by the Supplier.

3. I confirm that the total value of the goods and/or services to be provided by sub-contractors, to the extent known at the time of making this declaration, is $................... .

4. [*where that value exceeds either of $1,000,000 (GST inc) or 25% of the total value of the Offer*] Attached hereto is a complete list of all sub-contractors, the value, and the nature of the work to be provided under each sub-contract, to the extent known at the time of making this declaration.

5. I understand that if any part of this declaration is found to be false, the Government Agency reserves the right (regardless of any subsequent dealings) to:

* terminate negotiations with the Supplier;
* terminate consideration of the Supplier’s Offer; and
* terminate any contract between the Supplier and the Government Agency in relation to the Procurement without any obligation on the Government Agency to make any payment to the Supplier.

………………………………………. ……../……../ 20 …

Signature Date

Note: If your Offer is submitted jointly with another party or parties then each joint respondent must provide a signed declaration in the form set out in this Appendix.

1. **APPLICATION FORM**

**Supplier Information**

|  |  |
| --- | --- |
| Trading Name | <insert name> |
| Registered Name | <insert name> |
| ACN  | <insert number> |
| ABN | <insert number> |
| Address of registered office | <insert address> |
| Place of business in South Australia (if relevant) | <insert address> |
| Type of entity (e.g. company, trust, partnership, sole trader, other) | <insert entity> |
| Key Personnel (e.g. directors, chief executive officer, principal of business etc.) | <insert names and positions> |
| Telephone | <insert phone number> |
| Website | <insert URL> |

**Contact Details**

|  |  |
| --- | --- |
| Contact Person | <insert name> |
| Position | <insert position> |
| Address | <insert address> |
| Postal address | <insert address, if different to the above> |
| E-mail | <insert email address> |
| Telephone | <insert phone number> |

**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.

1. **CAPABILITY**

|  |  |
| --- | --- |
|  | **Years** |
| Years the Tenderer's business has continuously operated in the supply of goods / services the same or similar to those the Contract requires and of a similar value |  |
| Years the Tenderer has owned that above business |  |
| Years the Tenderer's most senior executive officer has held that position |  |

**Contract disputes**

|  |  |
| --- | --- |
| In the last 36 months, did a person give the Tenderer or a named subcontractor a show cause notice, or notice of termination for default? | Yes/No |
| In the last 36 months, did a person have recourse to retention money or other security for work by the Tenderer or by a named subcontractor? | Yes/No |
| In the last 36 months, was the Tenderer or a named subcontractor in an arbitration / litigation in connection with work by the Tenderer (ignoring any only to collect debts or damages owed to the Tenderer)? | Yes/No |
| If ***yes*** to any of the above, provide details  |

**Regulatory history**

The following Table concerns any matters at any time in the last 36 months applying to the Tenderer or a named subcontractor, or to a related body corporate of any of them (within the meaning of *Corporations Act 2001*) or to any of their respective directors or shareholders. If a partnership or consortium tenders, apply the above requirement to each member of the partnership / consortium.

|  |  |
| --- | --- |
| Criminal proceedings for an offence involving dishonesty? | Yes/No |
| A proceeding (civil or criminal) to which Australian Competition and Consumer Commission / Commissioner for Consumer Affairs (or equivalent regulator outside South Australia) was party? | Yes/No |
| An industrial dispute that was referred to an official exercising a function under the *Fair Work Act 1994* (or equivalent statute outside South Australia) or under the *Workplace Relations Act 1996*? | Yes/No |
| A proceeding under the *Equal Opportunity Act 1984* (or equivalent statute outside South Australia)? | Yes/No |

**Organisational Structure**

Provide details of your organisation structure and the business units relevant to the delivery of ongoing services of Protection Officers for the AMPRN

Please provide organisation structure via diagram

## Qualifications and Experience of key staff

Detail the experience and expertise of each key staff member(s). Please ensure the following items are included when presenting staff members for pre-qualification membership;

|  |  |  |
| --- | --- | --- |
| Name | Departmental accreditation received? | Qualifications (i.e. R.A.W) |
| Skills | Relevant Experience | Location |

**Staff Development**

Procedures and policies for staff competency assessment, training & development and evidence of implementation:

**Managing Subcontractors**

Approach to selecting and managing subcontractors, in particular processes for fair dealing and making prompt payment when due:

**Work history & Referees**

Please provide examples of three past projects relevant to the Supply of Protection Officers. For each example, give a summary of the pertinent facts of the project and a suitable referee.

|  |
| --- |
| **Example 1** |
| Project Title: |  |
| Client Name: |  |
| Date of Work: |  |
| Description of Project: |  |
| Tenderer’s role in project: | *(head contractor, subcontractor, supplier etc.)* |
| Referee: | Name: Telephone: Email:  |
| **Example 2** |
| Project Title: |  |
| Client Name: |  |
| Date of Work: |  |
| Description of Project: |  |
| Tenderer’s role in project: | *(head contractor, subcontractor, supplier etc.)* |
| Referee: | Name: Telephone: Email:  |
| **Example 3** |
| Project Title: |  |
| Client Name: |  |
| Date of Work: |  |
| Description of Project: |  |
| Tenderer’s role in project: | *(head contractor, subcontractor, supplier etc.)* |
| Referee: | Name: Telephone: Email:  |

1. **REGISTRATIONS AND LICENCES**

Provide details for the following requirements.

|  |  |
| --- | --- |
|  |  |
| Tenderer registered for GST? | Yes/No |
| Tenderer registered as an employer / exempt employer under the *Worker's Rehabilitation and Compensation Act 1986*?If **yes**, please attach certificate with your submission | Yes/No |
| Tenderer has available any relevant government or industry licence / accreditation / certification? \*Please attach certificate(s) with your submission | Yes/No |
| Tenderer requires similar licences / accreditation / certification from all relevant subcontractors? | Yes/No |
| If ***yes*** to any of the above (ignoring the last row), provide evidence (copy of forms) showing all conditions and endorsements |

**Insurances**

Provide details of each insurance policy relevant to the DPTI’s Requirements.

|  |  |
| --- | --- |
|  |  |
| Tenderer insured for public liability for at least $20 million? | Yes/No |
| Tenderer insured against loss / damage / destruction of its property for full replacement value? | Yes/No |
| Tenderer insured for comprehensive property damage for road vehicles in service? | Yes/No |
| Tenderer requires subcontractors to hold at least the same kinds and levels of insurance cover as above? | Yes/No |
| If yes to any of the above (ignoring the last row), provide evidence (copy of forms) showing all conditions and endorsements |

**Work Health and Safety**

Provide details for each respective WHS requirement.

|  |  |
| --- | --- |
| Tenderer has a health and safety system (in accordance with National Rail Safety Regulator (O.N.R.S.R) including protection of its own employees and subcontractors) relevant to the Contract and which the Tenderer promises to deploy in performance of the Contract, if awarded the Contract? | Yes/No |
| In the last 36 months, did a worker of the Tenderer or of a named subcontractor suffer a compensable disability under the *Workers Rehabilitation and Compensation Act 1986* (or equivalent statute outside South Australia)? | Yes/No |
| In the last 36 months, was the Tenderer or a named subcontractor the subject of a default notice / improvement notice / prohibition notice / proceedings for an offence under the *Work Health and Safety Act 2012* or regulations made under that Act (or equivalent statute outside South Australia)? | Yes/No |
| If ***yes*** to any of the above, provide details If the Tenderer’s WH&S system is certified by an independent 3rd party, provide a copy of the certification |

**Environment**

Provide details for each respective Environmental requirement.

|  |  |
| --- | --- |
| Tenderer has an environment protection system relevant to the Contract and which the Tenderer promises to deploy in performance of the Contract, if awarded the Contract? | Yes/No |
| In the last 36 months, was the Tenderer or a named subcontractor the subject of an environment protection order / clean-up order / clean-up authorisation / proceedings (civil or criminal) under the *Environment Protection Act 1993* or regulations under that Act (or equivalent statute outside South Australia)? | Yes/No |
| If ***yes*** to any of the above, provide details If the Tenderer’s environment protection system is certified by an independent 3rd party, provide a copy of the certification |

**Method of Working**

Provide details for each respective Method of Working requirement.

|  |  |
| --- | --- |
| Tenderer has a quality system (including an inspection and testing regime) relevant to the Contract and which the Tenderer promises to deploy in performance of the Contract, if awarded the Contract? | Yes/No |
| Tenderer has a contract management system relevant to the Contract and which the Tenderer promises to deploy in performance of the Contract, if awarded the Contract? | Yes/No |
| If ***yes*** to any of the above, provide detailsIf the Tenderer’s quality system is certified by an independent 3rd party, provide a copy of the certification |

**Risk Management**

Provide details of the risk management strategies and practices that You would implement in the delivery of Protection Officers for the AMPRN.

|  |
| --- |
|  |

**Value for Money**

What is Your strategy and methodology to ensure that value for money is achieved and delivered?

|  |
| --- |
|  |

1. **INDUSTRY PARTICIPATION POLICY**

You must complete a Metropolitan Adelaide Economic Contribution Test online at:

[https://innovationandskills.sa.gov.au/industry/south-australian-industry-participation-policy](https://innovationandskills.sa.gov.au)

When you are on the Website, there are two templates You can choose from (Economic Contribution Test and Industry Participation Plan). Once you have chosen the right template, you will need to select the correct region from within the template itself.

You must submit a copy of Your completed Metropolitan Economic Contribution Test with Your Offer.

Guidelines and templates are also available to assist You to understand the detail and information required to meet Industry Participation Policy requirements.

Have you completed a Metropolitan Economic Contribution Test online and submitted a copy with Your Offer?

([http://www.industryandskills.sa.gov.au/industrypolicy](https://innovationandskills.sa.gov.au/)​)

[ ]  Yes

[ ]  No

1. **SCHEDULE OF RATES**

|  |  |  |  |
| --- | --- | --- | --- |
| **Item** | **Description** | **Unit of Measurement** | **Rate ($)** |
| **PRES** | **STOP Sign Operator** |  **Protection Officers** |
| **Level 1 Work in Corridor Lookout Working ASB Lookout** | **Level 2****TOA Zone PO (LPA)** | **Level 3****TWA TOA & PRES** **(Dual Role)** | **Level 4****PPO** |
| 1 | Daily Rates |  |  |  |  |  |  |  |
|  1.1 |  Day Rate \* | hour |  |  |  |  |  |  |
|  1.1 |  Afternoon Rate \* | hour |  |  |  |  |  |  |
|  1.2 |  Night Rate \* | hour |  |  |  |  |  |  |
| 2 | Overtime Rates |  |  |  |  |  |  |  |
|  2.1 |  Time and a Half \* | hour |  |  |  |  |  |  |
|  2.2 |  Double Time \* | hour |  |  |  |  |  |  |
|  2.3 |  Public Holiday \* | hour |  |  |  |  |  |  |
| 3 | Penalty Rates if different from above(Tenderer to detail) | hour |  |  |  |  |  |  |

 \* Tenderers to provide full details of when / how the Rate applicable to each item applies

 ALL RATES SHALL BE EXCLUSIVE OF GST.

**SCHEDULE OF DISBURSEMENTS**

ALL ITEMS SHALL BE LISTED

*ALL DISBURSEMENTS SHALL BE EXCLUSIVE OF GST*

***Tenderer to provide description of disbursements and amount / rate as applicable***

|  |  |  |
| --- | --- | --- |
| **Item****No.** | **Description** | **Amount / Rate** |
| 1. | Travel |  |
| 2. | Accommodation |  |
| 3. | Vehicle Costs |  |
| 4. | Equipment hire (list) |  |
| 5. | Incidentals (list) |  |

**Assumptions in the Schedule of Rates**

Applicants must list below any and all assumptions in calculating the price stated - such as volume and other discounts, the effect on the schedule of rates should the Principal decide to accept part only of the Tender. During the evaluation process the Tenderer may be required to supply a detailed breakdown of the price by way of clarification.

|  |  |
| --- | --- |
| **No.** | **Assumptions** |
| 1 |  |
| 2 |  |

**Exclusions to Schedule of Rates**

Applicants must list below anything not included in the schedule of rates price. Anything not listed below is included in the schedule of rates.

|  |  |
| --- | --- |
| **No.** | **Exclusions** |
| 1 |  |
| 2 |  |

Rates stated above:

(1) I**nclusive of GST**.

(2) Include all overheads and profit and expenses for work to which the schedule of rates applies, including without limitation:

* costs of all necessary labour (including on-costs)
* costs of transportation
* incidental materials, preliminaries, overheads, insurances
* in case of goods - any weighing, packaging, delivery, installation, commissioning
* in case of services - any fee, levy (including CITB levy), duty, cost, expense or tax (except GST) incurred by the Contractor in providing the service.

(3) Include all ancillary works and all costs, labour, material, fees, machinery and transport, on costs and profits.

Any item not specifically covered by the schedule of rates may be compared with other similar items in that schedule to determine the acceptability or otherwise of a claim by the Contractor for that item. Where the schedule of rates applies, the Contractor's payment claim shall be in the same format as that schedule or be accompanied by an itemised schedule of rates for that payment claim, in each case showing the itemised quantity, rate and extended value of each item.