

**<#LPSC\_contract.contract\_NAME>**

**Lead Professional Service Contractor (Architecture ENGINEERING)**

**CONTRACT NO: <#LPSC\_TENDER.CONTRACT\_NO>**

**CONDITIONS OF REGISTRATION**

**Contact Person**

Name: <#PROJECT.PROJECT\_RISK\_MANAGER>, DPTI Project Risk Manager

Telephone: <#PROJECT.PRM\_PHONE>

Email: <#PROJECT.PRM\_EMAIL>

**Registration Closing Information**

Time: 2.00 pm

Day: day

Date: day month year

Project Risk Managers are to select one or both locations below as appropriate

Location: Building Management, Department of Planning, Transport and Infrastructure (DPTI)

Electronic Tender Box

SA Tenders and Contracts website

[[http://www.tenders.sa.gov.au](http://www.tenders.sa.gov.au/)](http://www.tenders.sa.gov.au/secure_tenders/)

Or

Tender Box

Level 2, 211 Victoria Square, ADELAIDE SA 5000

**REGISTRATION DOCUMENTS**

**Registration of interest documents**

Bound into this Volume

Conditions of Registration of Interest and Project Details

Lead agency briefing documents

Other documents as relevant

Separate documents

AS 4122-2000 General conditions of contract for the engagement of consultants

Code of Practice for the South Australian Construction Industry

Energy Efficiency Action Plan

Addenda and any other correspondence issued to registrants during the registration period

**Information documents**

Bound into this Volume

Preamble

SAMIS asset information report

Hazardous Materials inspection report, management plan and register

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# Preamble

Building Management Project Services, a directorate of the Building Management division of the Department of Planning, Transport and Infrastructure (DPTI) provides asset, risk and project advice and management to the South Australian Government and its agencies and facilitates the interface between Government and the building and construction industry.

In partnership with the building industry Building Management Project Services strives for excellence in the delivery of its projects to the South Australian community.

Professional service contractors contract to provide advice in relation to the design and construction of the building construction project and to manage the design of the works, using subcontractors and liaising with the Lead Agency, DPTI professional service contractors and all other relevant stakeholders.

The procurement process will be conducted, broadly, as a two step process.

The first step of the process is a registration of interest, which is initiated by this invitation to submit a registration of interest. This document invites companies in certain disciplines to register interest in the project. Registrations of interest will be evaluated, registrants will be shortlisted and successful registrants will be invited to participate in the second step of the process.

The second step of the process is a tendering process. Shortlisted registrants will tender technical details and price. The evaluation panel will then develop its preferred tenderer recommendation for the necessary approvals.

# General

## Invitation to Register Interest

An invitation to register interest does not give rise or amount to being short listed in any tender field. No contract will necessarily result from the submission of any registration of interest or any subsequent tender.

By submitting a registration of interest, the registrant will be bound by the promises required by the State regarding probity and publicity. In consideration of that promise, the State will evaluate the registration of interest.

### Registration Field

Only registrations from architectural engineering cost management project management construction management companies registered in the DPTI Building and Construction Project Prequalification System at the time of close of registrations of interest will be considered.

### Registration of Interest Documents

The registration of interest documents shall be the Conditions of Registration of Interest, and Schedule 1 and all other documents issued by the State for the purposes of registering an interest.

Documents may be collated by mechanical means and you should check to ensure that all pages are numbered consecutively and all supplements, as indexed, are included.

### Registrant to Acquire Information

Registrants shall obtain all information relevant to a registration conforming to the registration of interest documents including thorough familiarisation with the documents.

### Contact Person

The only person authorised to communicate with registrants is the Contact Person. Registrants cannot rely on communications with any other person.

The Contact Person is identified on the cover of this document. In the absence of the Contact Person contact DPTI Building Management Contracts on 🕿 8226 5632.

### Registrant Briefing

A briefing for registrants is to be held at location at time, date. Advise the Contact Person of your attendance.

or

Not applicable.

### Site Visit

A site inspection for all registrants is to be held at location at time, date. Advise the Contact Person of your attendance. Note that registrants are not permitted to attend the site or meet with site personnel at other times.

or

Not applicable.

### Enquiries

All enquiries relating to the registration of interest documents shall be referred as early as possible to the person named on the cover of these Conditions for Registration of Interest.

The registrant may expect that in response to a query submitted at least a week before Registration of Interest closing the State will respond. The State reserves the right to respond or not to respond at its discretion to any query or matter raised later than one week before the registration of interest closing.

The State reserves the right to inform all other registrants of the question or matter raised and the response given, but may at its discretion choose not to do so.

### Errors, Omissions, Ambiguities and Discrepancies

The information contained or referred to in the registration of interest documents is provided to assist the registrant to complete a registration of interest. You should not assume the accuracy of the information provided in lists, schedules, reports or interpretation based on other information, and must, to the extent possible, verify the information independently.

If you do not have access to the information and consider that it is critical to preparing the registration of interest, notify the contact person who will consider providing access to the information.

If you find any mistake, incorrect assumption, ambiguity, apparent omission, inconsistency or discrepancy in the tender documents or associated information, you must promptly advise the Contact Person and seek resolution.

### Amendments to Registration of Interest Documents

Amendments to the registration of interest documents will not be recognised unless advised in writing by the Contact Person by means of an addendum.

### Local Content

Consistent with the Australian Industry Participation National Framework, the South Australian Government is committed to maximising Australian industry participation to encourage greater opportunities for local and regional suppliers. The registrant is encouraged to include in its Registration services of South Australian, Australian and New Zealand origin.

If any registrant does not have an office in Adelaide it is a requirement that there is detailed demonstration of the methodology to be implemented to effectively manage daily design and communication activities.

### Joint Ventures

Where the registrant is a joint venture, alliance or similar between several professional service contractors, a formal instrument of agreement, memorandum of understanding or similar between the parties outlining the lead party and the respective responsibilities of the parties in relation to the Services to be provided under the Contract should be submitted.

## Information About State Contracting

### Contract

The conditions governing the proposed contract The conditions governing the Contract being tendered are AS 4122-2000 General conditions of contract for engagement of consultants as amended for the Government of South Australia. Due allowance shall be made in the tender for compliance with all the provisions thereof.

### Code of Practice

Registrants shall comply with the Code of Practice for the South Australian Building and Construction Industry. Lodgement of a Registration of Interest will be evidence of the agreement by the registrant to comply with the Code for the duration of any resulting contract that may be awarded. If a registrant fails to comply, the failure will be taken into account by the Government of South Australia and its agencies when considering this or any subsequent tender by the registrant and may result in such tender being passed over and/or a change in the status of the registrant on any State Government register of contractors.

### DPTI Building and Construction Project Prequalification System

DPTI has a building construction prequalification system for professional service contractors and subcontractors.

When tendering DPTI building construction contracts, the State generally gives preference to professional service contractors registered in the DPTI Prequalification System.

The State is not bound to require professional service contractors to be registered in the DPTI Prequalification System as a prerequisite to tendering, or to accept a tender from a prequalified professional service contractor in preference to a non-prequalified professional service contractor.

### Buy Australian Made Procurement Policy

The Government of South Australia is committed to reducing the import content of government procurement and requires that contractors who provide services and products to the Government buy Australian products wherever possible.

### Local Industry Participation Process

Consistent with the Australian Industry Participation National Framework, the Government of South Australia is committed to maximising Australian industry participation to encourage greater opportunities for local and regional suppliers. The registrant must include in its tender preference for goods and services of South Australian, Australian and New Zealand origin that offer value for money over the life cycle of the project and must demonstrate how the tender maximises the use of local sources of goods and services that support the economy of South Australia.

The registrant may use the confidential services of the Industry Capability Network South Australia to identify ways of determining local industry capabilities for import replacement and local industry participation opportunities. The contact details are as follows:

Industry Capability Network South Australia

The Conservatory
131-139 Grenfell St
Adelaide SA 5000

Phone: 1300 553 309

Fax: +61 8 8303 2950

Email: info@icnsa.org.au

Web: [www.icnsa.org.au](http://www.icnsa.org.au)

Clauses to be included if required under an Australian Government / SA Government funding agreement.

## Information about Australian Government Requirements

### The Australian Government Building and Construction OHS Accreditation Scheme

It is a requirement of this project that any persons contracted to undertake the building work be accredited under the Australian Government Building and Construction OHS Accreditation Scheme established by the Fair Work (Building Industry) Act 2012, at the time of entering into the contract for the building work and maintain accreditation while the building work is being carried out.

### Building Code 2013

Registrants are advised that the Building Code 2013 (Building Code) and the Supporting Guidelines to the Building Code 2013 (Supporting Guidelines) apply to the proposed construction contract. Copies of the Building Code and Supporting Guidelines are available at www.deewr.gov.au/BuildingCode.

By submitting a registration of interest the registrant:

1. will be deemed to have read; and
2. agrees that it will comply with the Building Code and Supporting Guidelines.

# Registration Submission

## Submission

### Signature

A person or persons authorised to agree to the terms and conditions of the Contract must sign the tender on behalf of the registrant. The entity that submits the registration of interest must be the same as the entity that will enter into the Contract if successful. Registrations of interest from a joint venture must be signed by an authorised person representing the party leading the joint venture.

### Lodgement

Project Risk Managers need to select one of the following options ie lodgement of the tender in hard copy or electronically.

Hard copy only

Electronically lodge the registration of interest including all relevant documents in the SA Tenders & Contracts Electronic Tender Box before the time stated on the cover of these Conditions of Registration.

A registration of interest received via electronic lodgement will be regarded as full and complete. If registrants need to modify any part of a group of documents that constitute a registration of interest response, then the whole registration of interest must be re-lodged.

### Late Registrations of Interest

The time of delivery of late registrations of interest will be recorded at the place stated on the cover of these Conditions of Registration of Interest. The State may at its discretion decline to consider registrations of interest received after the time stated.

The State may consider or accept (at the State’s sole discretion) any registration of interest including without limitation a late registration of interest or the registration of interest of a registrant who has failed to submit a registration of interest in accordance with these Conditions.

### Informal Registrations of Interest

Any Registration of Interest which does not comply with the registration of interest documents may be regarded as non-conforming.

### Registration Validity

The Registration shall remain valid for acceptance for a period of sixty (60) days from the date on which registration closes.

## Information to be submitted

The following, along with the DPTI Building Construction Project Prequalification System performance score for each tenderer, are the evaluation criteria and information to be submitted by all registrants to allow evaluation by the evaluation panel. The evaluation criteria are not necessarily in order of importance.

Project Risk Managers are to review the evaluation criteria below and select each that is relevant for inclusion in the documents. Also consider the necessity for inclusion of other project specific criteria.

1. Registrant’s profile in SA including an overview of its technical and human resources;
2. Summary of registrant’s experience on large and complex projects with particular reference to project type projects.
3. Nominated project leader and the applicable curriculum vitae.
4. Details of three recent South Australian or other projects over $10 million completed by the registrant in the role of architect engineer cost manager project manager construction manager including services provided, client, program constraints, contract method and risk profile. Include the names of referees.
5. Detailed demonstration of the methodology to be implemented to effectively manage daily design and communication activities (if applicable refer clause 1.1.10).
6. Evidence of formal instrument of agreement, memorandum of understanding or similar between the parties outlining the lead party and the respective responsibilities of the parties in relation to the Services (if applicable refer clause 1.1.11).
7. Any other information which may assist in the assessment of the ability of the registrant to provide the necessary services to successfully complete the project.

# Evaluation of Registrations

## Evaluation

### Short Listing

Any short listing of preferred registrants, or notification to a registrant that the registrant is the preferred registrant will only constitute an invitation to participate in tendering for services.

### Evaluation Panel

The evaluation panel includes but is not limited to the DPTI Project Risk Manager, insert other panel members e.g. lead agency representative(s) and DPTI design adviser.

### Evaluation and Shortlisting

The evaluation panel will conduct an evaluation of registrations of interest received considering the stated non-price criteria including:

1. qualifications and services offered by the registrants; and
2. DPTI Prequalification System performance score for each registrant.

which will be assessed through a weighted points score system to identify the shortlisted registrants to be invited to tender for the services.

If ranking of registrants is to be carried forward with scores cumulative, include the following clause. Note this is **not** the preferred method.

The ranking of selected registrants at the completion of the registration evaluation will be carried forward and will be considered as part of the evaluation of tenders and the selection of the preferred tenderer.

### Registration of Interest acceptance

The State is not obliged to accept any registration of interest. The State may, at its discretion, consider or accept any registration of interest, including but not limited to registration of interests submitted after the registration of interest closing time, or any registration of interest submitted by a registrant who has not fully complied with these instructions provided no one registrant shall be given any improper advantage over another.

### Notification

The State will notify all registrants of the result of this invitation, or if this invitation is withdrawn, without being obliged to give reasons for the result or withdrawal.

Project Risk Managers are to review the selection criteria below and select each that is relevant for inclusion in the tender documents. Selection criteria in italics are optional (If selected do not leave as italics in the tender documents). Also consider the necessity for inclusion of other project specific selection criteria.

# Process Conditions

## General

### Probity

The State expects that you will:

1. declare any actual or potential conflict of interest;
2. not seek to employ or engage the services of any person who has a duty to the Client as an adviser, consultant or employee in relation to this process;
3. not collude with any potential registrant;
4. comply with all laws in force in South Australia applicable to the process including the *Competition and Consumer Act 2010*;
5. disclose whether acting as agent, nominee or jointly with another person and disclose the identity of the other person;
6. not offer any incentive to, or otherwise attempt to influence, any employee of the Client or any member of an evaluation committee at any time; and
7. not make any news releases or responses to media enquiries and questions pertaining to this process without the State’s written approval.

If you act contrary to these expectations, the State reserves the right (regardless of any subsequent dealings) to:

1. terminate negotiations;
2. terminate consideration of your registration of interest; and
3. terminate any contract between you and the Client in relation to the Project without any obligation on the Client to make any payment to you.

### Reservation of Rights

The State reserves the right to:

1. invite any person or entity to submit a registration of interest;
2. extend the registration of interest closing date;
3. vary the Statement of Requirement and/or the Specifications at any time, subject to the State first giving each registrant the opportunity to respond to the variations;
4. consider a registration of interest submitted other than in accordance with these Conditions of Registration;
5. consider an incomplete registration of interest;
6. abandon this invitation process at any time;
7. clarify any aspect of a registration of interest after the closing date;
8. seek the advice of external consultants to assist the State in the evaluation or review of registrations of interest;
9. make enquiries of any person or entity to obtain information about the registrant and its registration of interest;
10. seek information from any registrant;
11. following evaluation of registrations of interest, invite revised registrations of interest from one or more registrants;
12. following evaluation of registrations of interest, negotiate with a registrant;
13. enter into negotiations with any other person or entity who is not a registrant;
14. discontinue negotiations at any time with any registrant; and
15. propose revised or replacement contract terms at any stage in this procurement process in substitution for, or in addition to, the terms and conditions included.

### State’s Expectations

The State expects that if you submit a registration of interest:

1. you have the necessary skills, knowledge and experience to comply with the Statement of Requirements and/or Specifications;
2. you have fully informed yourself of all facts and conditions relating to this process and the Statement of Requirements and/or Specifications; and
3. all prices submitted will be fixed (unless otherwise specifically indicated).

### Registrants’ Expectations

Registrants can expect that the State will:

1. preserve the confidentiality of your confidential information (subject to rule 1.18 concerning confidentiality);
2. afford every registrant the opportunity to compete fairly;
3. subject to the State’s right to terminate this process, consider a registration of interest which is submitted in accordance with these Rules by a registrant who has:
4. complied with the State’s expectations as to probity;
5. provided the information required in this stage of the process as set out in this Invitation; and
6. co-operated with registration of interest rules.

### Confidentiality

You and the State may disclose information to any consultant engaged for the purpose of this process if the consultant is required to preserve the confidentiality of that information.

Information supplied by or on behalf of the State is confidential to the State and you are obliged to maintain its confidentiality.

The State understands the need to keep commercial matters confidential in appropriate circumstances, but reserves the right to disclose some or all of the contents of your registration of interest if required to do so by a constitutional convention or in order that the relevant Minister may discharge their duties and obligations to Parliament and the South Australian Government. Any condition in a registration of interest that purports to prohibit or restrict the Minister’s right to make such disclosures cannot be accepted.

### Copyright

By submitting a registration of interest, you will be taken to:

1. license the Client to reproduce for the purposes of this process the whole or any portion of the registration of interest despite any copyright or other intellectual property right that may subsist in the registration of interest; and
2. transfer ownership in the documents and any other materials constituting the registration of interest to the Client.

### Warning – State Supplied Information

The State makes no promise or representation that any factual information supplied in or in connection with this process is accurate. Information is provided in good faith. Registrants may request the Contact Person to address the degree of accuracy that can be expected of particular items of information. Any such request should:

1. be made no later than one week before the registration of interest closing date.
2. specify the item of information of particular interest
3. explain why a level of accuracy in that information is material to your decision to submit a registration of interest; and
4. explain what level of accuracy would assist in your decision

On receiving such a request the State will determine in its absolute discretion if and to what extent it will assure any level of accuracy of the identified information or provide any requested additional information.

### Warning – Third Party Supplied Information

The State does not warrant the truth or accuracy of material (source material) that is expressed to be provided by a third party. Accordingly, registrants should independently verify third party provided source material and rely only upon their own opinions interpretation or conclusions based on source material.

### Cost of Preparation of Registrations of Interest

Registrants are responsible for the cost of preparing and submitting a registration of interest and all other costs arising out of the process.

# Project Details

## Project Scope

Insert comment on the scope of the project, any staging and the project objectives.

## Background

Insert comment on when the project was requested, the need for the project and the approvals to date.

## Lead Agency

The funding State is the Department of Name and the end user State is the Name. The Department of Planning, Transport and Infrastructure is providing a project risk management role on the project.

## Project Implementation Process

As the project progresses through the phases prescribed in the Construction Procurement Policy: Project Implementation Process (PIP), the professional service contractor services will be provided in parts as described below:

**Part 1**

PIP Phase 5.1 Concept

**Part 2**

PIP Phase 5.2 Design

PIP Phase 5.3 Documentation

PIP Phase 5.4 Tender

**Part 3**

PIP Phase 5.5 Construction

PIP Phase 5.6 Review

## Project Team

The current project team members are listed below.

|  |  |
| --- | --- |
| Lead Agency Representative | Insert Name |
| End User Representative | Insert Name |
| Project Director | Insert Name |
| DPTI Project Risk Manager | Insert Name |

## Project Program

The following are the key project program dates currently indicated in the program. The dates are indicative only and will be reviewed and adjusted as required in agreement with the State by the appointed professional service contractor.

| **Activity** | **Commence** | **End** |
| --- | --- | --- |
| Registration of Interest call  | 17 Aug 2010 | 24 Sep 2010 |
| Short listing of registrants | 27 Sep 2010 | 1 Oct 2010 |
| Tender call | 5 Oct 2010 | 29 Oct 2010 |
| Short listing of tenderers | 1 Nov 2010 | 5 Nov 2010 |
| Interviews with tenderers | 8 Nov 2010 | 26 Nov 2010 |
| Approvals and award contract(s) | 29 Nov 2010 | 17 Dec 2010 |
| Concept development | Jan 2011 | May 2011 |
| Design / Documentation | April 2011 | Dec 2011 |
| Tender call (subcontracts) | Jun 2011 | Jun 2012 |
| Construction | Sep 2011 | Sep 2016 |
| Occupation | October 2016 |

## Budget

The agreed total budget for the project is <#PROJECT.PROJECT\_APPROVED> on completion in Month Year.

## Project Organisation

The project organisation will be established as follows.

1. Steering Committee Executive Leadership Team – Responsible for the overview of the project ensuring that it is effectively managed and meets all performance, accountability and prudential management requirements.
2. Project Control Group Integrated Management Team – Accountable for the effective day to day management of the project.
3. Design Team – Managed by the Lead Professional Service Contractor and accountable for completion of the design in accordance with the approved brief of requirements.
4. Construction Team – managed by the Building Contractor and accountable for completion of construction in accordance with the applicable legislative framework and the approved brief of requirements.

After completion of the editing of this document please return to the Contents, click in it anywhere and it will be highlighted, hit F9, and then select update page numbers.