

# ***Summary Document For Viewing ONLY***

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**IT IS BROWSABLE ON-SCREEN ONLY AND IS ONLY PROVIDED  
FOR YOUR INFORMATION - TO HELP YOU DECIDE WHETHER TO  
PARTICIPATE IN THIS RFT AND THEN BECOME A PROSPECTIVE  
TENDERER**

## **Please read and Note:**

This file is provided on the Commerce tenders web site when the Request For Tender (RFT) document is issued in Dmax Lite format.

This file contains (below) a brief scope statement and extracts from the RFT documents, but is not a complete RFT document and does not contain the responsible questions.

To participate in this tendering process you MUST first return to the Commerce tenders web site:

<https://tenders.nsw.gov.au/commerce>

Then from the RFT web page (see RFT number below) download a full copy of the RFT documents, including the responsible components, and also any addenda issued to date; and also during the tender period.

Copy/Save the RFT documents to your own computer drive or network location – the blue “DOWNLOAD A SOFT COPY” link at the bottom provides access to the page from which you can do this.

## **DmAX Lite Software**

You will need to have a current licensed copy of the Dmax Lite 5.1 software to read, complete, and respond to the RFT with your tender. If you do not currently have such a licensed copy it can be optionally purchased and downloaded when downloading the full RFT documents from the tenders web site.

COMPANY

ABN

**NSW Procurement - Contracting Services invites this EOI for and on behalf of the NSW Government State Contracts Control Board**

**Expression of Interest (EOI) 0801765**  
**Relocation of Demountables and Associated Services for the NSW Department of Education and Training**

**Issue Date: 22/09/08**  
**Closing Date: 23/10/08**  
**Closing Time: 9:30 am Sydney Time**

Note: In order to respond to this EOI, respondents must have a current licence for i-Tenders Supplier software. Licences can be purchased through the NSW eTendering website [www.tenders.nsw.gov.au](http://www.tenders.nsw.gov.au) at a cost of \$110.00 inclusive of GST for a 12 month annual licence. This provides access to respond to EOIs developed in the i-Tenders application. It is anticipated that most EOIs released by the SCCB and NSW Government will be in this format.

For help on purchasing your software, or use of the application, please contact NSW Procurement Client Support Centre on 1800 NSW BUY (679 289) or [NSWP\\_Support@commerce.nsw.gov.au](mailto:NSWP_Support@commerce.nsw.gov.au)

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This Expression of Interest document ("EOI") has been prepared by NSW Procurement - Contracting Services for the State Contracts Control Board for and on behalf of the Crown in right of the State of New South Wales. This EOI is protected by Crown copyright.

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For the purposes of this EOI, inquiries should be directed to the Contact Officer nominated in Part A of this EOI.

Other matters should be directed to:

Group General Manager  
NSW Procurement - Contracting Services  
NSW Department of Commerce  
McKell Building  
2-24 Rawson Place  
Sydney NSW 2000  
Tel: (02) 9372 7504  
Fax: (02) 9372 7533

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#### 0.2 General Information for Respondents

- a) The information provided in this Part will be used in the assessment of responses. Questions have been framed to ensure responses that are relevant to the selection criteria. Please provide attachments where necessary.
- b) References to 'you' in this Part means the Respondent and all responses given will be taken to be responses of the Respondent.
- c) Ensure that all questions in this section are fully addressed and full details are provided.
- d) Ensure that all attachments clearly identify the legal entity responding in the header or footer on each page of the document.
- e) Limit all responses in "Open Questions" to 300 words.
- f) Ensure that all excel or word attachments can be opened and viewed by Microsoft Excel 2003 or Microsoft Word 2003.

### Part A - Executive Summary

#### 1.1 Outcome

This Expression of Interest ("EOI") is issued by the State Contracts Control Board ("the Board") as a means to provide the Respondents with the opportunity to present their capability as regards the Board's requirements.

The Board is responsible for the conduct of the EOI process, assisted by NSW Procurement - Contracting

Services.

## 1.2 Process Overview

This EOI seeks to elicit information from the Respondents on the availability and suitability of the required goods and or/services and envisages a two-stage process as per below.

The EOI Responses will be used in the first stage to:

- (a) Help determine the capability of Respondents to meet the Board's requirements;
- (b) Provide indicative options and strategies for delivery;
- (c) Provide indicative timeframes for delivery;
- (d) Provide an indicative cost where applicable.
- (e) Make a decision to proceed/not to proceed with the EOI process or any other procurement process for the goods and /or services.

Following the evaluation of EOI responses, the second stage may involve invitation of tenders from a short-listed group of EOI Respondents.

## 1.3 Background

1.1.1 This document invites Expressions of Interest (EOI) for the provision of Demountable Transportation Management including meeting the provision of transport vehicles required by the EOI and provide comprehensive Management Services relating to scheduling drivers and vehicles, engaging crane companies to support timely delivery and execution of services, co-ordination of management services, site management services, potential site preparation and remediation services, and providing quality assurance systems.

1.1.2 The services required in this EOI are broken into two categories as follows:

- (a) Transportation
- (b) Commissioning and Decommissioning of Demountables

1.1.3 Registrants are advised that it is **mandatory** that a response is lodged for 1.1.2 (a) Transportation.

Registrants may lodge a response in relation to 1.1.2 (a) and (b). Alternative proposals for expanded services are encouraged

## 1.4 Scope of EOI

The Statement of Requirements under this EOI is found in Part D. The Statement of Requirements pertains to the needs of NSW Government Departments and agencies, statutory authorities, local councils and other approved users throughout NSW.

## 1.5 EOI Structure

This EOI is structured in the TenderMax Pro format. TenderMax Pro is an e-sourcing application designed to fully automate the traditional paper-based tendering process introducing best practice processes in electronic tender production, submission and evaluation.

## PART B Conditions of EOI

### 2.1 Definitions

Unless the context indicates otherwise, the following terms, where used in Parts A - D of this EOI, shall have the meanings set out below.

**“Addendum”** means an addition to this EOI made by the Board made before Closing Date and Time.

**“Board”** or **“State Contracts Control Board”** means the State Contracts Control Board established under the *Public Sector Employment and Management Act 2002* whose responsibilities include:

- (a) Inviting and accepting tenders;
  - (b) Determining the conditions under which tenders are invited or accepted;
  - (c) Entering into contracts on behalf of the Crown in right of the State of New South Wales; and
- includes the duly authorised delegates of the Board, including officers of NSW Procurement - Contracting Services.

**“Closing Date and Closing Time”** means the closing date and time for receipt of EOI Responses specified in the cover sheet of this EOI.

**“Conforming EOI Response”** means a response to this EOI that conforms to the requirements of this EOI Parts A to D.

**“EOI”** means this document comprising of Parts A to D and any Addenda issued under it.

**“EOI Response”** means a response lodged by the Respondent in response to this EOI.

**“NSW Procurement - Contracting Services”** is a business unit of the NSW Department of Commerce representing the Board and authorised to arrange and administer contracts on behalf of the Board.

**“Respondent”** means the person or organisation that submits an EOI Response.

**“Statement of Requirements”** means the general overview of the goods and services described in Part D of this EOI.

**“Supporting Items”** means any product samples, models and other related items supplied by the Respondent in support of its EOI Response, (but excludes printed matter).

### 2.2 Code of Practice for Procurement

In submitting its EOI Responses, Respondents must comply with the NSW Code of Practice for Procurement (Code) which is available at;

[<Link>](#)

By lodging an EOI Response, the Respondent signifies agreement to comply with the Code. Failure to comply with the Code may be taken into account by the Board when considering the Respondent's EOI Response or any subsequent tender, and may result in the EOI Response being passed over.

## 2.3 EOI Process

### 2.3.1 Respondents to inform themselves

2.3.1.1 The eTendering system is at peak use on the morning prior to the Closing Date.

(a) Due to communication traffic via this means of communication it may take longer to lodge an EOI Response near Closing Date and Closing Time than at other times.

(b) When lodging through the NSW Department of Commerce *eTendering* website, it is recommended that an EOI Response be lodged well in advance of the Closing Date and Closing Time.

2.3.1.2 The NSW Department of Commerce *eTendering* system may experience difficulties in accepting a large document. An EOI Response lodged via the NSW Department of Commerce *eTendering* website should ideally be below 7 megabytes (MB) in total file size. Responses totalling more than 7MB may experience difficulties in lodgement. In this case, Respondents may break down the lodgement into smaller packages if clearly identified.

### 2.3.2 Submission of EOI Responses

2.3.2.1 Prices, responses and other information provided in the EOI Response are to be in writing and in English.

2.3.2.2 Respondents must complete ALL of Part C of this EOI, as directed and must not amend any of the questions provided.

2.3.2.3 Respondents should notify the Contact Officer in writing on or before the Closing Date and Time if they find any discrepancy, error or omission in this EOI.

2.3.2.4 All EOI Responses must be provided in the TenderMax Pro format, using the DMax Lite software. The EOI Responses in Part C must be included in one or more files with an extension of \*.dtr. The DMax Lite software is only supported on a Microsoft Windows 9X and above operating system; other operating systems are not compatible. Respondents must ensure access to a Microsoft Windows compatible computer is used to prepare the EOI Response.

2.3.2.5 When submitting an electronic EOI Response with Supporting Items:

(a) the complete EOI Response, including the Supporting Items must be submitted by Closing Date and Closing Time, and

(b) Supporting Items should be clearly designated as Supporting Items to the EOI to which they relate and be forwarded to the Contact Officer indicated in clause 2.3.11 of this EOI.

2.3.2.6 Respondents must ensure that all excel or word attachments can be opened and viewed by Microsoft Excel 2003 or Microsoft Word 2003. Other formats for the attachments are only to be submitted if an arrangement has first been made with the Contact Officer prior to lodgment of the EOI Response.

### **2.3.3 Electronic EOIs to the NSW Department of Commerce *eTendering* website**

2.3.3.1 A Respondent is required, to lodge its EOI Response electronically through the NSW Department of Commerce *eTendering* website at <<https://tenders.nsw.gov.au/commerce>>. An EOI Response submitted electronically will be treated in accordance with the *Electronic Transactions Act 2000* (NSW), and given no lesser level of confidentiality, probity and attention than EOI Responses lodged by other means.

2.3.3.2 A Respondent, by electronically lodging a Response, is taken to have accepted conditions shown in the Conditions and rules on the NSW Department of Commerce *eTendering* website.

2.3.3.3 A Respondent must follow the following directions:

- (a) An EOI for which electronic lodgement is available through the website can be identified by the blue “Lodge a Response” link on the web pages for the EOI.
- (b) To lodge a Response electronically, the files containing the EOI Response must be up-loaded through the website. Access to the up-loading process is through the blue “Lodge a Response” link, then following the steps and instructions on the NSW Department of Commerce *eTendering* website and any instructions which may have been supplied with the EOI.

2.3.3.4 A Respondent must observe the following format for lodgements:

- (a) An electronically lodged EOI Response must be lodged in a file format required by the EOI.
- (b) If a Respondent compresses files, it must be possible to decompress them using WinZip. A Respondent must not submit self-extracting (\*.exe) zip files.
- (c) A Respondent must not change pre-existing text in the EOI other than to insert the required information.
- (d) The file/s name/s must have an extension and not have invalid characters or file names/loading pathnames too long for the system, as detailed on the NSW Department of Commerce *eTendering* website

2.3.3.5 Signatures are not required for a EOI Responses submitted to the NSW Department of Commerce *eTendering* website. A Respondent must ensure that an EOI Response is authorised by the person or persons who may do so on behalf of the Respondent and appropriately identify the person and indicate the person’s approval of the information communicated.

2.3.3.6 Electronically submitted EOI Responses may be made corrupt or incomplete, for example by computer viruses. The Board may decline to consider for acceptance an EOI Response that cannot be effectively evaluated because it is incomplete or corrupt. Respondents must note that:

- (a) To reduce the likelihood of viruses, a Respondent must not include any macros, applets, or executable code or files in an EOI Response.
- (b) A Respondent should ensure that electronically submitted files are free from viruses by checking the files with an up to date virus-checking program before submission.

2.3.3.7 If a Respondent experiences any persistent difficulty with the NSW Department of Commerce *eTendering* website in submitting an EOI Response or otherwise, it is encouraged to advise the Contact Officer



promptly in writing.

(a) If there is a defect or failure of the NSW Department of Commerce *eTendering* website and the Board is advised, the EOI Closing Date and Closing Time may be extended provided that, in the view of the Board, the EOI process will not be compromised by such an extension.

(b) EOI Responses must be fully received by the Closing Date and Closing Time.

2.3.3.8 An EOI lodged via the NSW Department of Commerce eTendering website should ideally be below 7 megabytes (MB) in total file size. Responses totalling more than 7MB may experience difficulties in lodgement. In this case Respondents may break down the lodgement into smaller packages if clearly identified eg. package 1 of 3; 2 of 3; 3 of 3.

2.3.3.9 If a Respondent provides multiple lodgements, the latest EOI received will be the EOI to be evaluated.

### **2.3.4 Late Responses**

Late Responses should not be considered, except where the Board is satisfied that the integrity and competitiveness of the EOI process has not been compromised. The Board shall not penalise any supplier whose Response is received late if the delay is due solely to mishandling by the procuring entity.

### **2.3.5 Extension of Closing Date and Closing Time**

The Board may, in its discretion, extend the Closing Date and Closing Time.

### **2.3.6 Corruption or Unethical Conduct**

2.3.6.1 Respondents must comply with the requirements of the Commerce Business Ethics Statement, which is available at the link below and must disclose any conflicts of interests in Part C.

2.3.6.2 If a Respondent, or any of its officers, employees, agents or sub-contractors is found to have:

(a) offered any inducement or reward to any public servant or employee, agent or subcontractor of the Board, or the NSW Government in connection with this EOI or the submitted response;

(b) committed corrupt conduct in the meaning of the *Independent Commission Against Corruption Act 1988*;

(c) a record or alleged record of unethical behaviour; or not complied with the requirements of Commerce Business Ethics Statement available at: <[Link](#)>; this may result in the EOI Response not receiving further consideration.

2.3.6.3 The Board may, in its discretion, invite a relevant Respondent to provide written comments within a specified time before the Board excludes the EOI Response on this basis.

### **2.3.7 Addenda to EOI**

2.3.7.1 If, for any reason the Board, at its sole discretion, requires the EOI to be amended before the Closing Date and Closing Time, an Addendum will be issued.

2.3.7.2 In each case, an Addendum becomes part of the EOI.

2.3.7.3 The Board may issue Addenda altering the EOI prior to the EOI Closing Date. In such cases, it is the obligation of the Respondent to verify if any addenda were issued prior to Closing Date, even if an EOI has already been submitted.

2.3.7.4 Respondents must check the web site address, <https://tenders.nsw.gov.au/commerce> and download the

Addendum.

### **2.3.8 Respondent's Costs**

The Respondent acknowledges that the Board will not be liable to it for any expenses or costs incurred by it as a result of its participation in this EOI, including where the EOI has been discontinued.

### **2.3.9 Custody of EOI Responses after Receipt**

2.3.9.1 On receipt of EOIs lodged electronically to the NSW Department of Commerce eTendering website, EOIs are encrypted and stored in a secure "electronic tender box."

2.3.9.2 For reasons of probity and security, NSW Department of Commerce is prevented from interrogating the electronic tender box to ascertain whether responses have been received or for any reason, until after the Closing Date and Closing Time.

2.3.9.3 The e-mail receipt that is sent to the respondent after successfully up-loading and lodging the response electronically is the only evidence of EOI lodgement provided.

### **2.3.10 Ownership of Responses**

2.3.10.1 All information submitted in response to the EOI become the property of the Board on submission. All such material shall be treated as "Commercial in Confidence" and will only be disclosed for the purposes of evaluation.

2.3.10.2 The Board may make copies of the EOI Responses for any purpose related to this EOI.

### **2.3.11 Contact Officer**

2.3.11.1 Respondents should refer requests for information or advice regarding this EOI to:

Name:» Angela Burrell

Telephone: 02 9372 7509

Facsimile: 02 372 7633

E-mail: [angela.burrell@commerce.nsw.gov.au](mailto:angela.burrell@commerce.nsw.gov.au)

2.3.11.2 Any information given to a potential respondent to clarify any aspect of this EOI will also be given to all other potential respondents if in the Board's opinion the information would unfairly favour the inquirer over other potential respondents.

### **2.3.12 Compulsory Industry Briefing**

A compulsory briefing session will be held to provide prospective respondents with an opportunity to clarify matters related to this EOI. **Registrants who do not attend the briefing are not permitted to lodge a response to this EOI.**

The briefing will be held at:

Cabramatta High School  
17 Aladore Avenue  
Cabramatta  
NSW 2166

**Please arrive at the Administration Building (B00G) to sign in and be directed to the meeting place.**

The briefing will be held on:

Date: Wednesday 1 October 2008  
Time: 10.00am for a 10.30

The names of all prospective respondents and their representatives must be recorded at the briefing, to enable Commerce to contact all prospective respondents if necessary.

Prospective attendees should register beforehand, by email, with the Contact Officer named on Page 1 of this document.

## **2.4 Evaluation Process**

### **2.4.1 Variation of EOI Responses**

2.4.1.1 At any time after the Closing Date and before the Board accepts any EOI Response received to this EOI, a Respondent may, subject to clause 2.4.1.2, vary its response:

- (a) by providing the Board with further information by way of explanation or clarification;
- (b) by correcting a mistake or anomaly; or
- (c) by documenting agreed changes to the EOI Response negotiated with the Board.

2.4.1.2 Such a variation may be made either:

- (a) at the request of the Board, or
- (b) with the consent of the Board at the request of the Respondent; but only if,
  - (i) in the case of a variation requested by the Respondent under clause 2.4.1.1(a)-(b), it appears to the Board reasonable in the circumstances to allow the Respondent to provide the information or correct the mistake or anomaly; or
  - (ii) in the case of a variation under cl.2.4.1.1(c), the Board has confirmed that the draft-documented changes reflect what has been agreed.

2.4.1.3 If an EOI Response is varied in accordance with clause 2.4.1.1(a) or (b), the Board will provide all other respondents whose responses have similar characteristics with the opportunity of varying their responses in a similar way.

2.4.1.4 A variation of a response under clause 2.4.1.1 will not be permitted if in the Board's view:

- (a) it would substantially alter the original EOI Response; or
- (b) in the case of a variation under clause 2.4.1.1(a) or (b), it would result in the revising or expanding of the EOI Response in a way that would give a Respondent an unfair advantage over other Respondents.

## **2.4.2 Evaluation Process**

2.4.2.1 Responses will be assessed against the selection criteria listed below which are not necessarily indicated in order of significance or to be given equal weight.

2.4.2.2 Information supplied by the Respondent in Part C will contribute to the assessment against each criterion.

## **2.4.3 Selection Criteria**

The selection criteria for this EOI are:

### **(a) Organisational Capacity to perform the Agreement.**

- Financial Capacity and stability (including years in business and security considerations)
- Quality assurance systems
- Current commitments
- Previous contract experience and standard of contract performance
- Record of ethical behaviour in service delivery
- Referee reports
- Human resource capacity, qualifications skills and experience.
- Facilities and resources to be utilised in the management of this contract, including meeting viable transport capacity and cranes

### **(b) Overall ability to satisfy business requirements and meet objectives described in this EOI including**

- Innovative approach to meeting DET's business requirements.
- Demonstrated experience and expertise in the preparation and management of safe work methods and complying with Occupational Health and Safety requirements.
- Demonstrated ability and experience in coordination of all resources, this shall include all aspects of the services a response has been lodged for to enable the Demountables to be fully operational.
- Demonstrated ability and capacity to provide the services in emergency situation and in peak periods.
- Understanding of DET's locations and different delivery needs for each region.
- Proposed approach to ensure no damage to the Demountables in the provision of the services.
- Ability to provide adequate insurance
- The ability to provide a cost effect model to meet DET's business requirements.
- Compliance with accepting orders, updating transport scheduling and invoicing in an electronic environment.

### **(c) Compliance with applicable policies**

**(d) Compliance with legislation and standards**

**2.4.4 Access to Respondent's Premises**

Respondents shall note that their premises and facilities may be inspected during the EOI evaluation phase. Reasonable notice will be provided to Respondents of any proposed inspection. Inspections will be carried out between the hours 9.00 am to 5.00 pm Monday to Friday.

The lodging of an EOI for this requirement will be taken as an acknowledgment and acceptance of the above. Failure by any respondent to agree to an inspection may result in its EOI not receiving further consideration.

**2.4.5 Presentations by Respondent**

2.4.5.1 During the evaluation phase a Respondent may be contacted by an officer of the evaluation committee to clarify their EOI.

2.4.5.2 The Board, may in its discretion, and as part of the evaluation process, invite any or some of the Respondents to make personal presentations regarding its EOI Response.

2.4.5.3 Receiving a presentation by a Respondent in no way represents a commitment by the Board to accept any aspect of the EOI Response.

2.4.5.4 All information obtained during the course of the presentations or site inspections may be taken into consideration in the evaluation of EOI's

**2.4.6 Outcomes**

2.4.6.1 The EOI evaluation committee's recommendations are submitted to the Board or a delegate of the Board.

2.4.6.2 The Board is not bound to enter into a contracting arrangement with any Respondent.

2.4.6.3 Following the Board's decision, all Respondents are notified in writing of the outcome of their EOI Response.

**2.4.7 Exchange of Information between Government Agencies**

2.4.7.1 Lodgement of an EOI Response will itself be an authorisation by the Respondent to the Board to make available, on request, to any NSW government agency information, including but not limited to, information dealing with the Respondent's performance for any contract that may be ultimately awarded. Such information may be used by the recipient NSW Government agency for assessment of suitability for pre-qualification, selective tender lists, expressions of interest or the award of a contract or termination of contract.

2.4.7.2 The provision of the information by the Board to any other NSW Government agency is agreed by the Respondent to be a communication falling within section 30 of the *Defamation Act 2005* (NSW), and the Respondent shall have no claim against the Board and the State of New South Wales in respect of any matter arising out of the provision or receipt of such information, including any claim for loss to the Respondent arising out of the communication.

2.4.7.3 In the evaluation of EOI Responses, the Board may take into account any information about the Respondent that the Board receives from any source.

2.4.7.4 To avoid doubt, information that may be collected, exchanged and used in accordance with this provision includes “personal information” about the Respondent for the purposes of the *Privacy and Personal Information Protection Act* 1998. Lodgement of an EOI Response will be an authorisation by the Respondent to the Board to collect such information from third parties, and to use and exchange such information in accordance with this clause.

2.4.7.5 The Respondent’s attention is drawn to the *Freedom of Information Act* 1989 which obliges disclosure of the contract documents resulting from the EOI or tender and may confer rights, subject to the terms of that Act, to access, and to require the correction of, information held by certain agencies.

## 2.5 Disclosure Information

2.5.1 Details of the Respondents and the outcome of the EOI process may be disclosed in accordance with the *Freedom of Information Act* 1989 and the NSW Government Tendering Guidelines available at:

<<http://www.dpws.nsw.gov.au/Government+Procurement/Procurement+Policy+Framework/NSW+Government+Tendering+Guidelines.htm>>

2.5.2 An outline of these requirements can be found in Annexure 1 of Part B of this EOI.

## 2.6 Complaints Procedure

It is the NSW Government’s objective to ensure that industry is given every opportunity to win Government contracts. Should any entity feel that it has been unfairly excluded from responding to this EOI or unfairly disadvantaged by the Conditions in Parts A, B or D, it is invited to write to:

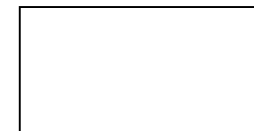
Chairperson  
State Contracts Control Board  
Level 22, McKell Building  
2-24 Rawson Place  
Sydney NSW 2000.

## 2.7 Annexure 1 to Part B

 [ANNEXUR  
1 TO PART B.pdf](#)

## Part C - Response to be Completed by Respondent

### 3.1 State Legal Entity



3.2 State Trading Name


3.3 State your Legal Entity’s ABN number

--

3.4 Registered Office (if a company)

--

3.5 Site Address (principal place of business)

--

3.6 Postal Address (principal place of business).

--

3.7 If Legal Entity is a company, state the Australian Company Number.

--

3.8 Contact Name

3.9 Contact Telephone Number (including mobile number)

3.10 Contact E-Mail Address

3.11 Legal Entity's Website Address.

3.12 During the course of the EOI process, it may be required that you submit a copy of your last three annual financial reports to the Board, or to a nominated Financial Assessments Group if so directed, in order to conduct financial analysis on behalf of the Board. Indicate below whether you will provide these reports if required. Yes/No.

☐ Yes  
☐ No

**3.13 Current Legal Proceedings**

Are you or any of your directors or close associates currently, or have you, or have your directors or close associates been at any time within the last five years, the subject of any or any pending:

(a) legal proceedings, including winding up or bankruptcy proceedings,



- (b) insolvency administrations or investigations; and/or
- (c) investigations by ICAC or any other public body?

Yes/No . If **"Yes"** please supply full details:

*Ensure your response is 300 words or less and that any attachments clearly identify the legal entity tendering.*

### 3.14 **Conflict of Interest**

- ☐ Yes
- ☐ No

In lodging a response to this EOI, are you aware of any real or perceived conflict of interests (including any relevant relationships) existing, which require your disclosure?

3.15 If you answer **"Yes"** , please provide details.

*Ensure your response is 300 words or less and that any attachments clearly identify the legal entity responding.*

### 3.16 **Contracting as agent/trustee**

Indicate whether you intend to contract in your own right, as an agent or as a trustee?

If **"Agent"** identify the principal who will be bound by the agreement and any authority given by that principal to you to execute any such agreement as its agent.

3.17 If **"Trustee"** attach a copy of the trust deed and full details of your capacity to enter any agreement as a result of this EOI [Please add to Appendix]

*Ensure that all attachments clearly identify the name of the entity responding.*

**3.18 Other Information****3.19 Confirmation Form**

Please complete the attached electronic response form.



[Acknowledgement  
and Confirmation  
of Response.DOC](#)

**3.20 Statutory Declarations**

Do you agree to provide any required statutory declaration as a precondition to the acceptance of your response?  
Yes/No

☐ Yes  
☐ No

**3.21 Addenda to this EOI after issue**

Have you received any Addenda issued by the Board to this EOI after the issue of this EOI?

☐ Yes  
☐ No

3.22 If the answer is "**Yes**", indicate whether you have read and allowed for the Addenda in your response.

☐ Yes  
☐ No

3.23 Please specify how many Addenda have you received.

N.B. It is the responsibility of the Respondent in accordance with the conditions of EOI to ensure that they are aware of all addenda issued during the EOI period. Failure by the Respondent to allow the addenda in the response may result in the Response not being considered.

**3.24 Further Information**

Provide below any further information you believe is relevant to your response, and cross-reference to any clauses of this EOI if applicable.

*Ensure your response is 300 words or less and that any attachments clearly identify the legal entity responding.*

**3.25 Part C - Response to be completed by Respondents**

[Part C  
0801765.doc](#)

Respondents are to complete the attached document and submit it with their response.

**3.26 Checklist**

Respondents are to complete the following checklist.

		Yes	No

3.26.1	Supplied details of your Company as required	<input type="radio"/>	<input type="radio"/>
3.26.2	Provided details of the insurance currently held by the respondent?	<input type="radio"/>	<input type="radio"/>
3.26.3	Included details of a minimum of three (3) reference sites?	<input type="radio"/>	<input type="radio"/>
3.26.4	Provided all the information requested in Part C ?	<input type="radio"/>	<input type="radio"/>
3.26.5	If required have you attached all addendums?	<input type="radio"/>	<input type="radio"/>

## Part D - Statement of Requirement

### 4.1 Attached is Part D, Statement of Requirement



[EOI 0801765 Pt D.pdf](#)

### 4.2 Attachment 1 - Current Process



[Attachment 1 current process - simplified map.pdf](#)

### 4.3 Attachment 2 2008 School Directory



[Attachment 2 2008directory.pdf](#)

### 4.4 Attachment 3 Transportation Data 03 to 08



[Attachment 3 Transport Data 03 to 08.pdf](#)

### 4.5 Attachment 4 Current Commissioning, Decommissioning specifications



[Attachment 4 current commisioning decommissioning specification.pdf](#)

### 4.6 Attachment 5 Current Transport specifications



[Attachment 5 Current Transport Specification.pdf](#)

### 4.7 Attachment 6 Demountable Types



[Attachment 6 Demountable Type designation.pdf](#)

### 4.8 **FINALISE**

To facilitate preparing your response for submission please follow the attached instructions. The instructions will guide you



[ExportFilesPriortoTenderLodgmentv3.pdf](#)

through the exporting phase. Respondents will not be able to be read by NSW Procurement if the file submitted is in the wrong format.

## Appendix

Item: <a href="#">2.7</a>	<a href="#">ANNEXURE 1 TO PART B.pdf</a>
Item: <a href="#">3.19</a>	<a href="#">Acknowledgement and Confirmation of Response.DOC</a>
Item: <a href="#">3.25</a>	<a href="#">Part C 0801765.doc</a>
Item: <a href="#">4.1</a>	<a href="#">EOI 0801765 Pt D.pdf</a>
Item: <a href="#">4.2</a>	<a href="#">Attachment 1 current process - simplified map.pdf</a>
Item: <a href="#">4.3</a>	<a href="#">Attachment 2 2008directory.pdf</a>
Item: <a href="#">4.4</a>	<a href="#">Attachment 3 Transport Data 03 to 08.pdf</a>
Item: <a href="#">4.5</a>	<a href="#">Attachment 4 current commisioning decommissioning specification.pdf</a>
Item: <a href="#">4.6</a>	<a href="#">Attachment 5 Current Transport Specification.pdf</a>
Item: <a href="#">4.7</a>	<a href="#">Attachment 6 Demountable Type designation.pdf</a>
Item: <a href="#">4.8</a>	<a href="#">ExportFilesPriortoTenderLodgmentv3.pdf</a>



**NSW Procurement – Contracting Services is a Business Unit of the NSW  
Department of Commerce**

## Expression of Interest (EOI) No.0801765

Title: Relocation of Demountable Divisible  
Buildings and associated services for the NSW  
Department of Education

### *PART D – STATEMENT OF REQUIREMENTS*

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# Requirements for the Relocation of Demountable Divisible Buildings and associated services for the NSW Department of Education

## 1. **Background**

### **The NSW Department of Education and Training (DET)**

The NSW Department of Education and Training delivers high quality, internationally competitive public education and training from early childhood (pre-school), through to the compulsory years of schooling (Kindergarten to Year 10), and senior secondary education leading to the award of the NSW Higher School Certificate (in Years 11 and 12).

It strongly promotes lifelong learning, and aims to provide students with a smooth transition from school to work or further study, and from post-compulsory education and training to work or further study.

The Department is the largest single organisation, public or private, in Australia. With a recurrent budget of \$11.8 billion, the Department is responsible for around one quarter of the State's total budget.

Around 741,000 students are taught by over 50,000 full time teachers in more than 2,200 NSW Government schools - including pre-schools, primary schools, central schools, high schools, colleges and specialist schools.

### **DET Organisation**

The NSW Department of Education and Training (DET) has established 10 school regions for administrative purposes as detailed below. These regions are supported by 78 School Education Groups (SEGs).

Table 1

Metropolitan Area	Regional Areas
Northern Sydney	New England
South Western Sydney	North Coast
Sydney	Riverina
Western Sydney	Western NSW
	Hunter/Central Coast
	Illawarra and South East

Details of which schools, TAFE NSW Institutes and other DET sites fall within which region are available in the 2008 DET Directory. A copy is included in the attachments to this document.

## **Role of Demountable Divisible Buildings**

Critical to the service that DET provides is the availability of sufficient class rooms and teaching spaces. Enrolments vary from year to year, and where the enrolments exceed the capacity of the built resources at any school, the capacity shortfall is made up by the provision of specialised demountable buildings. The demountables include toilet blocks and libraries as well as classrooms.

DET anticipates enrolment trends during the course of any year, but relies on actual enrolment projections provided by principals in late November each year to provide the best indications of next years needs. DET's planning is based on those principals' estimates, where the intention is that over the Christmas/January period all required demountables are transported and commissioned to be ready for use at the start of the school year, being late January .

This period of Christmas/January is known by all stakeholders as the "Peak Period".

However, actual enrolments are not realised until commencement of school, so that it is necessary to provide additional demountables through to February and March.

Demountable buildings are prefabricated accommodation that can move from one site to another to supplement permanent facilities. Demountable accommodation is an essential part of all modern education systems. The Department's stock of demountable provides one tenth of all teaching spaces. Demountable accommodation is intended to:

- Meet emergency response to fire or natural disasters
- Achieve policy initiatives eg class size reductions, behaviour schools
- Cater for increased enrolments
- Core Plus: Department's policy to build to the long term enrolment requirements of the school
- Meet needs arising from capital works and maintenance projects in schools.

Typically, one demountable building, typically a classroom, breaks down to four modules for transport. However, there are other configurations such as libraries, art and toilet blocks, and they may be composed of up to seventeen modules.

Each module will require an entire truck or trailer to transport.

## **New Systems and Old Systems**

Demountable buildings are categorised as 'Old system' and 'New system' which essentially represent a substantial shift in functionality and durability. Old system units use heavier materials and have greater durability, but are susceptible to rusting of structural components. New system units have enhanced functionality for education.



The dimensions of the respective style of modules are

- New System [L=9600mm, h=3400mm, w=2400 mm} (20% of the modules)
- Old System [L=7200mm, h=3400mm, w = 2444mm] (80% of the modules)

### **Refurbishment program**

Each year, DET aims to have up to 200 demountable buildings refurbished to maintain a sufficient number of demountables to supply DET's needs. Mostly handled by Corrective Services Industries (CSI) through their operations at Goulburn and Cessnock. A private contractor located at Tomago is also utilised.

CSI is the manager for the storage of demountables at Cessnock and Goulburn gaols.

### **Management of Demountables**

The Asset Management Directorate of the Department of Education and Training's Finance and Infrastructure Portfolio is responsible for the management and co-ordination of the Departments physical assets, including demountables which support the provision of education and training in NSW. The Directorate shall be considered to be the customer with respect to any order or transaction as part of this contract.

The Asset Management Directorate is represented locally through its Regional Asset Management Units. Asset Management Units are regionally based (10 units) to support schools with all of their asset related activities.

Other entities within DET that will have a role under this contract include:

- The ten regionally based Asset Management Units are regionally based (10 units) that support schools with all of their asset related activities
- Capital and Infrastructure Finance is responsible for all orders relating to Capital projects (centrally managed) as well as managing any database to support orders placed by departmental officers.

Fundamental to the success of servicing DET's requirement is the capability and capacity of Registrants to understand DET's complex functions and requirements. Further information on DET can be derived from the Department of Education and Training Web Site [www.det.nsw.edu.au](http://www.det.nsw.edu.au).

## 2. Scope

Registrants are asked for an Expression of Interest to provide transportation of demountables or all of the DET requirement to transport, commission and decommission demountables, so that an overall solution to the management of DET demountables can be found that will mean the least disruption of educational services provided by NSW Public Schools.

To understand the scope of this call for Expressions of Interest, Registrants need to have an understanding of the current arrangements to provide DET requirements with regard to demountable buildings.

### **Current arrangements**

The current arrangements responsible for the provision of demountable buildings ready for use by students and staff of DET are

1) The contract for Removal and Relocation of Demountable Divisible Buildings (New And Old Systems) for NSW Department Of Education And Training. The scope of that contract is

- pick-up, transport and set-down modules from the existing site to a new site, as required. Includes transport from school to school, relocations on school sites, storage to storage, from refurbishment to schools and from schools to refurbishment.
- Procuring crane hire as required
- Coordination with Department of Commerce Asset Maintenance Contractors responsible for the sites concerned.

This contract has an end date of 30 June 2009

2) Asset Maintenance contracts for specific DET regions. The scope of those contracts covers many aspects beyond the demountable buildings, but with relation to demountables the scope is

- Determining site access
- Receipt of transported demountable modules
- Ensuring that all modules, prior to loading or unloading, are in suitable condition, or prepared appropriately, to be lifted and/or transported
- Supervising the lift and placement of modules
- Where a demountable building is removed from site, disconnection of all services and removal of all associated structures
- Where a demountable building is installed, site preparation including foundations, connections of services and any other works required to have the building ready for use.
- Ownership of the site for OH&S purposes

With respect to services related to demountables, these arrangements have an end date of 30 June 2009

Full details of current arrangements are to be found in the annexures to this document.

### **Core scope**

Essentially, the current arrangements for removal and relocation of demountables is the “core” scope of this Expression of Interest. They represent the requirement that must be provided through this process

### **Extended Scope**

Responses that go beyond the “core” scope are welcome.

Examples include:

- Transport, commissioning and decommissioning of demountables.
- Fleet Management/Asset Management solution, such as the following scenario :-
  - Contractor ascertains location, type and condition of each demountable, by full site audit if necessary
  - For the peak period, DET informs the contractor of the demountables needed at particular schools, and demountables in schools that are not needed, in November each year, contractor then schedules site preparation, commissioning, decommissioning and transport, and carries out all those tasks for day one, term one (Similar arrangements are made for the remainder of the year on a lower capacity, less urgent basis)
  - Contractor maintains a record of which demountable is where (asset register) for DET
  - Contractor evaluates and determines which demountables need to be refurbished.

## **3. Objectives**

To enable DET to determine the most cost effective and efficient strategy to manage its demountable requirements, this EOI has been issued to enable industry to register their interest in fulfilling this requirement and to offer alternative ways of providing the service to those currently in place.

Key Objectives are

- Establish arrangements or a single arrangement with the private sector to ensure all required demountable buildings (before adjustments for actual enrolments) are in place and ready for use day one, term one, each year
- Where disruption occurs due to conditions such as wet weather that capacity be available to “catch up” and still complete the Department’s requirements of term one day one

- Where a catastrophic event such as a school fire requires it that the capacity be available to provide demountables to substantially provide for an entire schools requirements within the shortest time possible.
- Establish coordination between stakeholders and contractors and between contractors if necessary to ensure that all above objectives are attained, consistently, year in, year out.

#### **4. *DET initiatives***

DET has undertaken a number of reviews and implemented a number of policy decisions to improve the provision of services associated with demountables with the following objectives in mind:

- Improve continuity of supply for each peak season. DET has made considerable investment in maintenance and refurbishment of demountables to increase the number held in stock on non-school sites to reduce the peak movements over the summer vacation period
- Improve both delivery and release of buildings to/from school communities through on time performance and innovation.

#### **5. *The Task***

##### **Transport**

Based on DET records over the last five years, the average number of demountables moves is 840 (3360 modules) per year. This year, DET aims to have 200 (800 modules) demountable buildings available in October that are available to go straight from storage to schools.

Table 2

<b>Month</b>	<b>Daily minimum Capacity Requirements</b>	<b>Current Average Monthly Movements Buildings/Modules</b>	<b>Estimated Monthly Movements 2009 – 2012 Buildings/Modules</b>
October	12 old system modules + 7 new system modules	30(120)	50(200)
November	12+7	50(200)	80(320)
December	12+7	70(280)	80(320)
January	22+7	160(640)	120(480)
February	16+7	80(320)	90(360)
March	12+7	60(240)	60(240)
April	12+7	65(260)	60(240)
May	12+7	65(260)	60(240)
June	12+7	64(256)	60(240)
July	12+7	64(256)	60(240)
August	12+7	64(256)	60(240)
September	12+7	64(256)	60(240)
October	12+7	64(256)	60(240)
<b>Total</b>		<b>900(3600)</b>	<b>900(3600)</b>

DET plans to increase the number of movements prior to the peak periods such as during HSC examination period and earlier movements (via stock pool).

In order to move the demountables it is necessary to use adequate equipment (cranes, temporary barricades, tarps and fences) according to OH&S requirements and traffic control.

### **Crane Hire**

Typically, over the year, cranes of the following categories have been required

- Cranes up to and over 80 ton
- Frenna cranes
- Track cranes

The majority of moves (90%) can be achieved using cranes up to 40 ton cranes. A crane is required on every instance of a removal from or delivery to a school.

### **Current Asset Maintenance Contractors**

As a guide to the number of demountables commissioned and decommissioned each year by asset maintenance contractors, in the financial year 2007/2008-

- 578 demountable buildings were decommissioned and removed from site
- 468 demountable buildings were moved to a site and commissioned

## **6. *Mandatory Requirements***

Below are a combination of requirements that will not be varied by negotiations and circumstances that cannot be realistically altered. Any proposal should conform with the following

### **Safe Work Method Statement**

Demountable modules are required to have tarpaulins suitably rigged when transported. This requires working from heights, and a safe work method statement needs to be established. Whichever Registrant is eventually responsible for rigging tarpaulins under the contractual arrangements resulting from this EOI, will need to draft and provide a safe work method statement more than one month before such arrangements commence.

### **Working Hours**

Working hours within schools for crane operation are during daylight hours only, for safety reasons.

### **Fixing Tarpaulins**

During transport demountables modules should be covered by a tarpaulin attached according to the accepted safe working method and OHS legislative requirements and fixed and tightened according to DET specifications.

The open portion of the module and the glass section of the module is to be covered by tarpaulins to prevent damage to the module and to protect other road users.

Fixing of tarpaulins is to be completed on the site from which the demountable is removed, under the supervision of the site owner for the purpose of OH&S issues.

### **Suitability of Personnel**

All drivers must:

- Be qualified, careful, skilled and hold all necessary licenses and permits, applicable to NSW.
- Have standards of workmanship entirely suitable for the supply of the deliverables and the requirement of this agreement.
- Work necessary overtime hours and weekend hours during the peak season and in emergency situations. (e.g. to supply demountables following fires in schools).
- Be properly trained in the safe working method

### **Working with Children**

Contractor must comply with the requirement for obtaining “Working with Children” checks for all staff that may be required to be present on school premises.

### **Securing of load**

Correct securing of load is required to prevent racking (distortion) of the modules.

### **Guaranteed Capacity**

On any day, the transport capacity must be available as per the minimum capacity requirements as stated in table 2, found in section 5 of this document (“The Task”).

### **Suitable Vehicles**

For road transport, vehicles used must have the following:

- Air Suspension - for road transport, any truck used must be fitted with air suspension on the drive axles. Any trailer used must be fitted with air suspension.
- Prime Movers – where used must be of the single axle type and be fitted with air bag suspension to reduce damage to modules and to school sites.
- Ability to access difficult sites - Difficulty with trailer access, especially at inner city schools means that the appropriate vehicle should be utilised for those deliveries.
- Ability to accommodate modules of the following dimensions
  - New System [L=9600mm, h=3400mm, w=2400 mm] (20% of the modules) require 9.6 metre low trailers.
  - Old System [L=7200mm, h=3400mm, w = 2444mm] (80% of the modules) require 7.2 metre trailers/rigid.

- Ability to traverse uneven ground – some school sites will require this
- Old System modules may be carried on a suitable fixed tray vehicle or prime mover and trailer. It will be necessary for vehicles to traverse uneven ground on some school sites.

### **Invoices**

Invoices have to be electronically transmitted to DET.

### **Regulations**

- Registrants must comply with RTA regulations relating to movements at all times and must obtain details of any restrictions during holiday periods e.g. Christmas/New Year day period.
- Registrants will need to comply with Driver fatigue regulations.
- Legislative change to Government and Public Infrastructure State Environmental Planning Policy (SEPP) means DET must give councils and neighbours 21 days notice where a demountable is to be removed or delivered.

### **Suitable Roads**

All main roads identified by the Roads and Traffic Authority NSW, whether sealed or unsealed, are considered suitable for use. Any contractor responsible for transport of demountables will use the most direct route available, and will only use local access/load limited roads where essential for site access.

### **Liability**

At a minimum, the contractor performing the transport must be liable for damage whilst in transit, against driver negligence, lack of tarping, racking (distortion) of the module and workers compensation and public liability.

## **7. *Alternatives to be considered***

Registrant's offers that are essentially a continuation of current contract arrangements, with similar divisions of responsibilities, or innovative solutions that offer an expanded service from current arrangements, are all welcome. Amongst the possibilities that would be given serious consideration are

- Offers for parts of the requirement, either in line with current arrangements or with different divisions of responsibilities.
- Offers for the total requirement, from a single company or from a group of companies, under a single contract.



- Offers to take a managing contractor position, where the Registrant will contract for the whole requirement, i.e. transport, commissioning and decommissioning, and have secondary contracts with other entities such as a transport provider or Department of Commerce Asset Management Contractors.
- Offers from Asset Maintenance Contractors that will also provide all requirements including transport and crane hire, for those demountable for which they are responsible to commission and/or decommission.
- A single coordinated approach from several companies that would prefer to contract separately but would wish to change the division of responsibilities from current arrangement so that a better solution can be provided.
- Offers for more than the “core” scope, such as a Fleet Management/Asset Management solution, and similar offers that provide a “value added” service that takes administrative burden from the NSW Government

Any practical, economical and competent proposal that shows that the Registrant has properly researched and considered the requirement will be considered. However, if an offer is only for a part of the “core” scope, then it may be excluded on the basis that it cannot practically combine with other responses to lead to a total solution.

## **8. Issues for Consideration.**

The following issues are expected to be addressed and solutions developed by Registrants:

- Cost of Fuel – require solutions for a transparent method for dealing with fuel price variations
- Maintaining a minimum number of vehicles during Peak and Off Peak times as per the schedule above.
- Insurance against damage in transit. DET preference is for insurance to be carried by the entity performing the transport. However, alternatives that reduce the overall cost of providing the requirement will be considered.
- Will service improve if there is room to extend the current transport window?
- Maximisation of Back Haul Opportunities to reduce cost.
- Registrants must be able to prove its ability to engage the minimum numbers of vehicles and appropriately skilled drivers so that the capacity requirements are serviced.
- DET will advise of delivery priorities. As part of the solution offered, the Registrants must advise how scheduling and coordination will be carried out to ensure the requirement is met.
- If the Registrants is opting for transport of demountables only, they will need to show how they can develop working relationships Contractors responsible for commissioning and decommissioning in scheduling and the coordination of timely site preparation.

## **9. List of Attachments**

As further information for Registrants, the following attachments have been provided as part of the expression of interest documents.

### **1) “Simplified” current process map: Removal and Relocations of Demountables**

This how demountables are handled under current arrangements. Illustrates responsibilities of the entities involved, relationships and flow

### **2) 2008 DET Directory**

The directory is an annual publication which provides information about the NSW Department of Education and Training. The information in the directory is up-to-date as at March 2008. It includes a manifesto of all schools under DET, DET offices and DET senior management, with contact details.

### **3) Specification of the current transport contract**

A section only of the current transport contract, which covers the specifications. This document was part of the request for tender document that was openly published when the current contract was being established. The contract arrangements may have changed subsequently through mutual agreement and variation. Some of the roles and terminology may have been changed, but in most respects the documents are current and provide the Registrant with a good appreciation of the arrangements. Requirements for any future arrangement will be fully detailed in the second round of this EOI process.

### **4) Demountable section DET Asset Maintenance Contract**

A section only of the current DET Asset Maintenance Contract, which covers the specifications with regards to demountables. This document was part of the request for tender document that was openly published when the current contract was being established. The contract arrangements may have changed subsequently through mutual agreement and variation. Some of the roles and terminology may have been changed, but in most respects the documents are current and provide the Registrant with a good appreciation of the arrangements. Requirements for any future arrangement will be fully detailed in the second round of this EOI process.

**5) Release Install Locations 2003/04 - 2007/08 inclusive**

List of all movements for DET demountables in the five financial years 2003/04, 2004/05, 2005/06, 2006/07, 2007/08.

**6) Demountable Types – Designations**

Key to the coding seen on the Release Install Locations list above, reveals whether the demountables referred to are new or old style, as well as other details.