

1. Government Information

1.1 Introduction

Premier's Memorandum 2007-01 introduced revised guidelines for the public disclosure on information arising from NSW Government tenders and contracts to support the Government Information (Public Access) Act 2009 (GIPA Act 2009). Refer to Part 3, Division 5 (Government contracts with private sector), and Sections 27 – 40 of GIPA Act 2009.

The Act, which applies to all NSW Government agencies (including Government Trading Enterprises), requires disclosure within 60 days after the contract becomes **effective** (refer Section 27 of GIPA Act 2009 for explanation of when the contract becomes effective).

Contract classes:

- **Class 1** contract is a government contract where the estimated value of the project, goods and services, property or lease is likely to be valued over \$150,000.
- **Class 2** contract is a Class 1 contract where:
 - there has not been a tender process (such as result of a direct negotiation); or
 - where there has been a tender process and the terms and conditions of the contract have been substantially negotiated with the successful tenderer; or
 - obligations include maintaining or operating infrastructure or assets could continue for 10 years or more; or
 - it involves a privately financed project; or
 - it involves a transfer of a significant asset of the agency to another party to the contract in exchange for transfer of an asset to the agency.
- **Class 3** contract is a Class 2 contract with estimated value of contract is over \$5 million.

2. Completing the Government Contract Disclosure

Local eTender Administrators with access to eTendering website - www.tenders.nsw.gov.au:

1. Complete all relevant sections of this form electronically.
2. Load contract award details into the Government Contract Register within www.tenders.nsw.gov.au as per the NSW eTendering Administration User Guide.
3. Save as draft. **Do Not Publish.**
4. For Class 1, 2 and 3 – Provide an electronic colour scanned original of the signed contract.
5. For Class 3 contracts ONLY – Provide in addition to the above a second electronic scanned copy of the signed contract. Whereby ensuring any commercial in confidence information

within the contract, as agreed with the contractor, (which is not to be disclosed) is blacked out.

6. Forward completed Government Contract Disclosure form to Detbuy@det.nsw.gov.au attention 'DETP Documents and Contracts Officer' with the following attachments:
 - electronic colour scanned, signed copy of original contract;
 - if the contract is a class 3 contract, a second scanned, signed copy of contract document where all commercial in confidence information is blacked out;
 - for Class 1, 2 and 3 provide separate scanned, signed copy of each insurance document/s (refer to Section 12 of this form); and
 - advise the eTendering draft contract disclosure is ready for publishing.

Local eTender Administrators with no access to eTendering website:

1. Complete all relevant sections of this form electronically.
2. For Class 1, 2 and 3 – Provide an electronic colour scanned original of the signed contract.
3. For Class 3 contracts ONLY – Provide in addition a second electronic scanned copy of the signed contract. Whereby ensuring any commercial in confidence information within the contract, as agreed with the contractor, (which is not to be disclosed) is blacked out.
4. Request disclosure by forwarding the completed Government Disclosure form to Detbuy@det.nsw.gov.au attention 'DETP Documents and Contracts Officer' with the following attachments:
 - Electronic colour scanned, a second signed copy of original contract;
 - if the contract is a class 3 contract, scanned, signed copy of contract document where all commercial in confidence information is blacked out; and
 - for Class 1, 2 and 3 provide separate scanned, signed copy of each insurance document/s (refer to Section 12 of this form).

3. Publication of Disclosure Information

The disclosure information will appear on the NSW Government eTendering website against the relevant contract number. The Local eTender Administrator/requester will be emailed once the contract disclosure is published. For Class 3 contracts, a copy of the contract will be published on the DEC website in accordance with the GIPA Act 2009.

CLASS 1, 2 AND 3 CONTRACTS

4. Contract Award Notice Details

Contract award notice ID	N/A
Contract title	Customer Contract under Agreement for Provision of ICT services for Whole of Government (Contract 2020)
Category	(Obtain category details from http://www.unspsc.org/ . United Nations Standard Products and Services Code)
Particulars of the project to be undertaken, goods or services to be provided or real estate property to be leased or transferred under this contract	
Supply, installation and maintenance of an integrated solution for cost recovery printing and imaging and control access to areas within TAFE Northern Sydney Institute sites.	
Contract effective date	30 June 2012
Contract end date	29 June 2015

5. Successful Contractor Details

Business name	Datacom Systems (NSW) Pty Ltd		
Trading as name	Datacom Systems (NSW) Pty Ltd		
ACN exempt	Not exempt		
ACN	055 506 968		
ABN exempt	Not exempt		
ABN	61 055 506 968		
Street address	1 Julius Avenue		
Town/City	North Ryde	State/Territory	NSW
Postcode	2113	Country	Australia
Contract extension options			
2 x 1 year options			

5.1 Contractor Contact Details

Contact name	Jonathan Gooding, Legal Counsel	Contact phone no.	02 9023 5115
Email id	jonathan.gooding@datacom.com.au		

6. Other Details

Related RFT ID	N/A	
Related SON ID	N/A (Standing Offer Notice)	
Other private sector entities involved in with an interest in or benefitting from the contract		
Bear Solutions (Australasia) Pty Ltd (ABN 99 068 157 719 and ACN 068 157 719) as sub-contractor of the successful Contractor.		
Contract value	\$ 450,575 (exl GST)	
Contract value type	Estimated value of goods services over the term	
Any provisions for payment to the contractor for operational or maintenance services	The Contract price includes 3 years of hardware maintenance and software support services. TAFE NSI may acquire 4 th and 5 th year hardware maintenance and software support services for a fixed price under the standing offer arrangement set out in the Contract.	
Method of tendering	Limited	
Description of any provisions under which the amount payable to the contractor may be varied		
No provisions		
Description of any provisions under which the contract may be renegotiated		
No provisions		
Disclosure class	2	
Contract contains agency 'PiggyBack' clause[^]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

[^]Select Yes if the contract has been formed contains a 'Piggyback' clause in it, which would allow them to utilise the same contract terms and conditions as has already been negotiated.

7. Industrial Relations Details

Sub-contractor details (including ABN & ACN)	Bear Solutions (Australasia) Pty Ltd (ABN 99 068 157 719 and ACN 068 157 719)
Applicable industrial instruments	N/A
Location of work[#]	As per contract

[#]List all locations of work that will be covered by this contract. Provide building name, floor number, street number, street name, suburb, state and postcode.

8. Agency Contact Details

Name of contact person:	Scott Thomson, Manager, Information, eServices and ICT, TAFE NSW - North Sydney Institute
Street address:	Northern Sydney Institute, 213 Pacific Hwy

Town/City	St Leonards	State/Territory	NSW
Postcode	2065	Country	Australia
Name of agency:	New South Wales Technical and Further Education Commission by Its Northern Sydney Institute (TAFE NSI)		
Contact number:	(02) 9942 0511	Fax number	(02) 9942 0544
Email ID:	Scott.Thomson@det.nsw.edu.au	Other info.	

9. Evaluation Criteria

In case of contract arising from a tendering process, a summary of criteria against which the various tenders were assessed e.g. price, past performance etc.	
Evaluation criteria:	% Weighting
Demonstrated understanding of the requirements delivered through the proposed solution	
Demonstrate very high level of expertise and experience in providing cost recovery software and technology, including experience in doing so with a variety of machine types	
An assessment of each Respondents ability to meet all obligations under the proposed contract, such as evidenced by reference checks, quality of proposed personnel, service levels to other organisations etc	
An assessment of each Respondents' proposed Service Level Agreement (SLA)	

10. Class 2 and 3 Contract only

Particulars of future transfers of significant assets to the state, at zero or nominal cost to the state, including the date of their transfer
N/A
Particulars of future transfers of significant assets to the contractor including the date of their proposed transfer
N/A
The results of any cost-benefit analysis of the contract conducted by the agency

N/A
The components and quantum of the public sector comparator, if used
N/A
If relevant, a summary of information used in the contractor's full base case financial model (for example, the pricing formula for tolls and usage charges)
N/A
If relevant, particulars of how risk, during and construction and operational phases of a contract to undertake a specific project (such as construction, infrastructure or property development), is to be apportioned between the parties, quantified (where practicable) in net present value terms and specifying the major assumptions involved
N/A
Particulars as to any significant guarantees or undertakings between the parties, including any guarantees or undertakings with the respect to the loan agreements entered into or proposed to be entered into
N/A
Particulars of any other key elements of the contract
<p>The key elements of the contract are:</p> <ul style="list-style-type: none"> * Provision of an integrated solution for cost recovery printing and imaging and control access to areas within TAFE NSI sites. cost recovery solution that meets the Contract specifications; * Standing offer arrangement that allows TAFE NSI to purchase additional products and services at fixed prices; and * 3 years of hardware maintenance and software support services for the solution are included in the Contract Price.

11. Class 3 Contracts only

Has the contract or any other provisions within it being withheld from the disclosure under the exemptions provisions of the GIPA Act Section 32?
<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes to the above, what are the reasons why the contract or provisions therein, have not been provided?
If yes to the above, is it intended that the contract or those provisions be published at a later date, and if so, when?
If yes to the above, where some but not all provisions of the contract have been published, a general description of the types or provisions that have not been provided here?
Officer use only
Direct access to the complete contract less confidential information is provided at the following website
https://detwww.det.nsw.edu.au/welcome.htm

Government Contract Disclosure



Date copy of contract less confidential information was published on the website