

**EXPRESSION OF INTEREST****Summary Information**

Expression of Interest (EOI) No	T-2018-024
Project Name	Pre-Employment Medical Services
EOI Closing Date and Time	Thursday 21 June 2018 at 2PM
Addressing lodgement	Responses are to be submitted via electronic lodgement through the eTendering website at: https://tenders.nsw.gov.au/wsroc/
EOI Clarification and Questions	Respondents should not seek information from any person(s) or rely on any information provided by any person(s) other than the Contact person. All enquiries are to be confirmed in writing.
Nominated Contact Person/s	
Information Contained in EOI Package	Name: Ben Rodwell E-mail: tendering@cumberland.nsw.gov.au
	This Request for Expression of Interests contains the following Sections: (1) Principals Request (2) Specification (3) Respondents Submission



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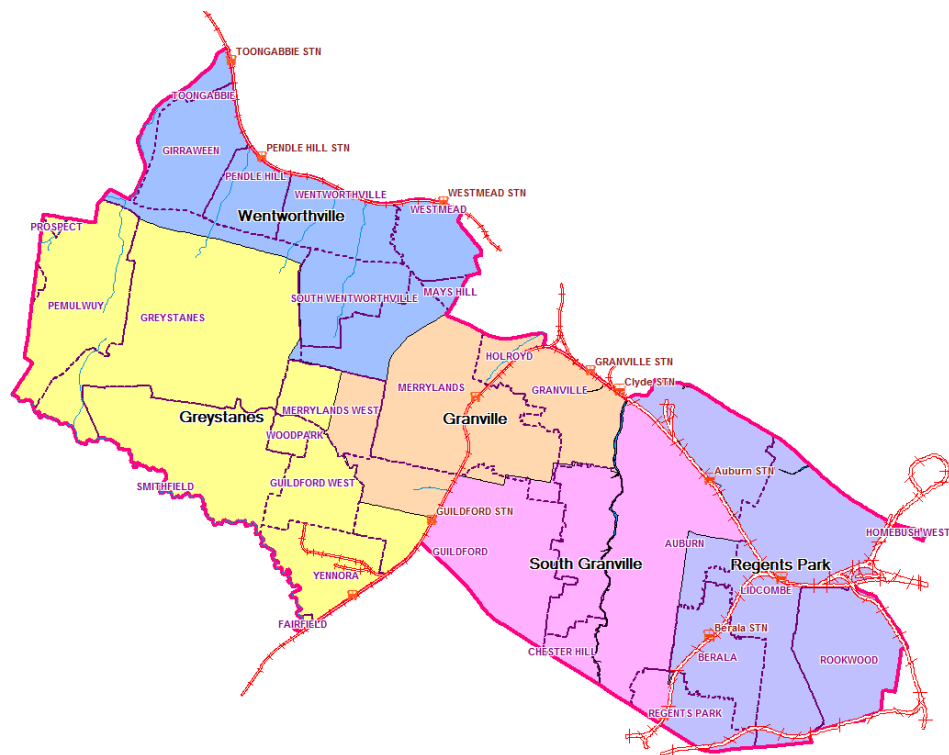
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1. INTRODUCTION

1.1 CUMBERLAND COUNCIL GENERAL INFORMATION

The Cumberland Local Government Area is situated 20 km west of Sydney CBD and covers 72 square kilometres. It incorporates the former Holroyd City Council area, parts of the former Auburn City Council and part of Parramatta City Council.





1.2 THE EOI REQUEST

Cumberland Council is seeking Expressions of Interest from suitably qualified and experienced parties for pre-employment medical assessments panel as part of its Recruitment & Selection process, as well as Fit to Work assessments.

Definition of Terms

Below is a summary of terms used in this Expression of Interest.

Expression of Interest	EOI first stage of a selective tender process
RFT	Request for tender – seeking of proposals/bids from a shortlisted companies following the EOI evaluation
Attachments:	The documents you attach as part of your Submission;
Closing Date and Time:	The closing date and time for the receipt of EOI as set out on the cover page
Conditions	Means the conditions of responding set out within this request
Conforming Submission	Means Expression of Interest that complies with all sections of this request
Expression of Interest or EOI:	This document;
General Conditions of Contract:	The General Conditions of Contract nominated in Part 1;
Principal:	Cumberland Council
Principal Representative	Means the officer nominated by and representing the principal under the purposes of the Contract
Requirements:	As outlined at 1.2;
Respondent:	A person who has or intends to submit a Submission in response to an Expression of Interest.
Selection Criteria:	The criteria used by the Principal in evaluating your Submission;
Services	means the services which the contractor is required to provide to the principal under the Contract as detailed in the Expression of Interest Documents
Special Conditions:	The additional contractual terms (if any);
Specification:	The statement of Requirements from the Principal that may be requested to be provided if invited to tender for the proposed contract and then accepted as the successful tender.
Submission:	Completed Response Form, response to the Selection Criteria and Attachments;
<p>In this Expression of Interest:</p> <p>(a) unless the context otherwise requires, the singular includes the plural and vice versa and words importing persons shall include partnerships and corporations and vice versa;</p> <p>(b) a reference to an Act includes all regulations, proclamations, instruments, policies and codes made under that Act.</p>	



1.3 RESPONDENTS RESPONSIBILITY

- (a) Carefully read all parts of this document.
- (b) Ensure you understand the Requirements (Part 2).
- (c) Complete the Response Form (Part 3) and your response to Selection Criteria (Part 3) and attach your documents.
- (d) Make sure you have signed the Response Form and responded to all of the Selection Criteria.
- (e) Lodge your Submission before the closing date and time via e-tenders or nominated portal only.

1.4 ENQUIRY CONTACT PERSONS

Respondents should not seek information from any person(s) or rely on any information provided by any person(s) other than the person listed in the Summary Information on the cover page.

1.5 THE EOI PROCESS

This is a request for an Expression of Interest (EOI).

- The EOI is the first of a two-stage selective tender process.
- Following the EOI evaluation process the Principal may proceed to the calling of a selective Tender process or Quotation process. The issuing of an EOI does not commit the Principal to proceeding with an RFT/RFQ.
- Invitations to participate in selective tender or quote process is restricted to respondents who make it to the shortlist.

The lodgement of a submission does not commit the Principal to include any Respondent on the shortlist in the event that the Principal proceeds to call tenders or quotations.

Your Submission will be evaluated using information provided in your EOI and on your response to the Selection Criteria.

The following evaluation methodology will be used in respect of this EOI:

- (a) submissions are checked for completeness and compliance. Submissions that do not contain all information requested (e.g. completed Submission Form and Attachments) may be excluded from evaluation;
- (b) submissions are assessed against the Selection Criteria;
- (c) taking into account the experience of a Respondent in fulfilling the requirements of similar contracts and the capacity of the Respondent to fulfil the requirements of the proposed contract.

1.6 PRICING

Pricing will be obtained on Stage Two (2) of the EOI when the shortlisted respondents are invited to submit a selective RFT/RFQ.



1.7 SELECTION CRITERIA

Respondents must complete each of the Selection / Evaluation Criteria or their submissions may be deemed non-conforming. The following selection criteria will be considered in evaluation of EOIs. They are not listed in order of importance and may not necessarily be given equal weighting.

1. Respondent's form
2. Organisational Profile
3. Conflicts of interest
4. Financial Position
5. Insurances
6. Work Health and Safety
7. Demonstrated Capability and Ability
8. Previous Experience
9. Key Personnel Skills and Experience

1.8 STATEMENT OF BUSINESS ETHICS

Council is committed to the highest standards of honesty, fairness and integrity in all its business dealings. Council's Statement of Business Ethics sets out the standards of behaviour that Council expects from its private sector partners. These standards of behaviour relate to fair, ethical and honest dealings with Council, and ensuring that the best level of service is provided to the community.

Breaches of this Statement may constitute grounds for disqualification of tender and termination of contract. Please view <http://www.cumberland.nsw.gov.au/>

1.9 CUMBERLAND COUNCIL CODE OF CONDUCT

The Respondent must comply with and observe the ethical principles in Cumberland Council's Code of Conduct which is available from Council's website

<https://www.cumberland.nsw.gov.au/sites/default/files/2017-10/code-of-conduct.pdf>

The Code of Conduct specifically requires that Councillors and staff shall not seek or accept any payment, gift or benefit intended or likely to influence, or that could be reasonably perceived by an impartial observer as intended or likely to influence them to:

- Act in a particular way (including making a particular decision)
- Fail to act in a particular circumstance
- Otherwise deviate from the proper exercise of their official duties.
- The Council is committed to promoting ethical behaviour. Reports of unethical behaviour, fraud, corruption, maladministration or waste can be made to Councils General Manager, Council's Public Officer or Councils Internal Ombudsman.



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External reporting can also be made to:

- Independent Commission against Corruption 8281 5999
- NSW Ombudsman 9286 1000
- NSW Department of Local Government 4428 4100
- Public officials reporting corrupt conduct, maladministration or waste can be protected by the Protected Disclosures Act 1994. This Act protects public officials who are disclosing corrupt conduct from reprisal or detrimental action and ensures disclosures are properly investigated. The Council has an adopted policy on Internal Reporting under the Protected Disclosures Act 1994.



2. CONDITIONS OF EXPRESSIONS OF INTEREST

2.1 LODGEMENT OF SUBMISSIONS AND DELIVERY METHOD

- submission must be lodged by the closing date and time.
- before submitting an electronic EOI, Respondents should:
- ensure their technology platform meets the minimum requirements identified on Council's Electronic Tendering Portal;
- take all steps to ensure that their submission is free from anything that might reasonably affect useability or the security or operations of Council's Electronic Tendering Portal and/or Council's computing environment;
- respondent must allow sufficient time for tender lodgement, including time that may be required for any problem with Council's Electronic Tendering Portal prior to the Closing Time.
- ensure that you make yourself aware of Council's Electronic Tendering Portal process if you are not familiar with it.

2.2 LODGEMENT OF TENDERS AND DELIVERY METHOD

The Tender must be lodged by the closing date and time as stated in the Contract Summary Information page.

Tenders are to be lodged by electronic lodgement at the following website:
<https://tenders.nsw.gov.au/wsroc>

Should the Respondent experience any technical difficulties in lodging its Tenders via the prescribed electronic manner, they are to avail themselves to the technical support provided by contacting:

Electronic Tender Box Technical Help Desk – 1800 679 289.

Please note that Manual Submissions will not be accepted.

Tenders received via electronic transmission other than through the Council's electronic tendering site (including without limitation an e-mail system, facsimile) will not be accepted. Such action would result in an unfair competitive advantage to any of the Respondents and/ or tender integrity process is compromised.

2.3 REJECTION OF SUBMISSIONS

A Submission may be rejected without consideration of its merits in the event that:

- (a) it is not completed or late
- (b) it is not submitted as specified in the EOI; or
- (c) it fails to comply with, or qualifies or modifies in any way, any of the requirements of the EOI.



2.4 RETURNABLE SCHEDULES

This is outlined in the Respondents Returnable Schedule (Section 4) of this document.

2.5 ACCEPTANCE OF SUBMISSIONS

Unless otherwise stated in this EOI, Submissions may be accepted **for all or part** of the Requirement.

2.6 CONFIDENTIALITY

The Information is made available on the condition that it is treated as confidential by both parties and is not disclosed, copied, reproduced, distributed or passed to any other person at any time except for the purpose of evaluation.

2.7 SUBMISSION VALIDITY PERIOD

All Submissions will remain valid and open for acceptance for a minimum period of ninety (90) days unless extended on mutual agreement between parties in writing. Respondents may withdraw their Submission at any time after the expiration of the Submission Validity Period.

2.8 STANDING OFFER

The Council can resolve to establish a panel of suppliers under a Deed of Standing Offer Arrangement.

2.9 RESPONDENTS TO INFORM THEMSELVES

Respondents shall be deemed to have:

- a. examined the EOI and any other information available in writing to Respondents for the purpose of submitting an EOI;
- b. examined all further information relevant to the risks; contingencies, and other circumstances having an effect on their Submission which is obtainable by the making of reasonable enquiries;
- c. satisfied themselves as to the correctness and sufficiency of their Submissions and
- d. Satisfy themselves they have a full set of the EOI documents and all relevant attachments.

None of the Principal, the Principal's members, directors, officers, employees, agents or advisors makes any representation or warranty as to the accuracy, adequacy, reasonableness or completeness of the Information.

Neither the Principal nor their professional advisors shall be liable for any loss or damage arising as a result of reliance on the Information, nor for any expenses incurred by Respondents at any time.



Any advisors or agents appointed by the Principal, whether legal, financial, technical or other, will not be responsible to anyone other than the Principal for providing advice in connection with this EOI.

Amendments to this Expression of Interest

The Respondent shall not alter or add to the EOI Interest unless required by these Conditions of Responding.

The Principal will issue an addendum to all Respondents where matters of significance make it necessary to amend the issued EOI documents before the closing date and time.

2.10 OWNERSHIP OF SUBMISSIONS

All documents, materials, articles and information submitted by the Respondent as part of or in support of a Submission shall become upon submission the absolute property of the Principal and will not be returned to the Respondent at the conclusion of the Submission process. The Respondent does not acquire any intellectual property rights in the Information. Respondents shall not reproduce any of the Information in any material form (including photocopying or storage in any medium by electronic means) without the written permission of the Principal other than for use strictly for the purpose of preparing Submissions.

2.11 CANVASSING OF OFFICIALS

If an Respondent, whether personally or by an agent, canvasses any of the Principal's members or officers (as the case may be) with a view to influencing the acceptance of any Respondent, then regardless of such canvassing having any influence on the acceptance of such Submission, the Principal may at its discretion omit the Respondent from consideration.

2.12 IDENTITY OF THE RESPONDENT

The identity of the Respondent is fundamental to the Principal. The Respondent shall be the individual, individuals, corporation or corporations named as the Respondent and whose execution appears in the Returnable Schedules of this EOI.

2.13 SUBMISSION OPENING AND LODGEMENT

Submissions will be opened on the closing date and time.

2.14 COSTS OF SUBMISSION

Respondents remain responsible for all costs incurred by them in connection with their Submission whether before or after the submission date and whether incurred directly by them or their advisors and regardless of whether such costs arise as a consequence direct or indirect of any amendments made to the EOI by the Principal at any time.



2.15 NON COLLUSION

Any Respondent who:

- (a) fixes or adjusts the indicative amount of its Submission by or in accordance with any agreement or arrangement with any other Respondents; or
- (b) enters into any agreement or arrangement with any other Respondent that it shall refrain from responding or as to the indicative amount of any Submission to be submitted; or
- (c) causes or induces any person to enter such agreement to inform the Respondent of the indicative amount or approximate indicative amount of any rival Submission; or

2.16 CLARIFICATION OF THE REQUEST

If the Respondent has any doubt as to the meaning of any part of this EOI or the scope of the work required thereunder then the Respondent should seek to clarify any point of doubt or difficulty with the Contact Officer before submitting a Submission.



3. SPECIFICATION / BRIEF

3.1 INTRODUCTION

Cumberland Council invites Expressions of Interest from experienced and capable providers in accordance with the terms and conditions set out in this document.

Background Information

Cumberland Council currently conducts pre-employment medical assessments as part of its Recruitment & Selection process. The current assessment approach is divided in low risk positions and medium to high risk positions.

Low risk positions which are generally office based positions, complete a medical statement. If there are any red flags in the responses they are sent to one of our current providers to provide further details.

Medium to high risk positions which include but not limited to field positions, childcare, library services, swim centres, Environmental Protection and Parking Patrol positions and the assessments result in an indication of the general health of the prospective employee, as well as a targeted assessment of the physical capability of the applicant to carry out the inherent requirements of the position sought.

Council also assesses staff during the work life if there are concerns around their fitness to do the inherent requirements of the role or if there have been a pattern to the taking of sick leave.

As an indication of potential numbers of assessments, during 2017 over forty-nine (49) medium to high risk staff were recruited to positions in Council. It should be noted that Council is going through a high intake of staff.

3.2 SCOPE OF WORK

Council believes there are three (3) broad occupational grouping that require differing methods of medical and physical assessment as part of a pre-employment screening process. These grouping are:

- Generic office based roles, where further medical assessment is required
- Non-manual roles but with some special requirements
- Manually based roles that have inherent physical requirements

Against the above background, the respondent needs to:

- Indicate which type of assessment they can provide. Some respondents may be able to provide assessment services for all occupational groupings while others may only wish to tender to undertake assessments for one or more of the groupings. In this regard, the intention would be for an applicant, irrespective of their grouping, to be able to complete all assessment requirements at the one time and at one location to avoid inconvenience.



- Describe how they would structure assessments so as to provide information to Council regarding the medical/physical suitability of the applicant for the relevant occupational grouping. The structure should also include advice as to whether the pre-employment assessment should include a hearing test in all cases.
- As part of point 2 above, respondents may wish to provide advice as to their understanding of, or propose a process to determine, the physical requirements of the occupational categories referred to earlier in this document.
- Provide assessment services delivered by Australian registered medical practitioners and/or occupational specialists, as appropriate to the occupational grouping of the applicant.
- Provide written advice to Council HR Services staff as to the fitness of an applicant to carry out the work appropriate to their occupational grouping.
- If required, provide verbal advice or clarification to Council's HR Services staff, or to an applicant, regarding the outcome of the assessment process.
- Provide a list of locations that would be suitable for staff intending to work in the Cumberland LGA as well as other sites across Sydney.
- Whether the provider has female practitioners in their business
- Depending on the responses, Council may form a panel of providers with several providers delivering one or more of the services provided, or Council may elect to use a single provider to deliver all services.
- The intention is to build a partnership with the selected provider/s for an initial period of two (2) years with an option to extend for a further one (1) year with a further one (1) year final option (subject to service delivery performance).

3.3 SPECIFIC REQUIREMENTS OF THE CONTRACT

- Low risk medical assessment as a result of information from medical statement
- Medium to high risk medical assessments
- Audio Testing
- Skin Check Testing
- Drug & Alcohol Testing
- Fit for work assessments for current staff
- Return work assessments for workers compensation
- List other services offered i.e. ergonomic assessments
- Referee

The following examples of performance measures are provided as an indication of the level of service expected from a provider of pre-employment services and would



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be subject to further discussion and agreement as part of any formal engagement process:

- Booking times – within 3 days of a request being made
- Written advice of assessment outcomes – within 2 days of an assessment being completed
- Request for verbal clarification of any issues responded to within 12 hours
- Invoicing – Received within 28 days of assessment and on an individual basis



4. RETURNABLE SCHEDULES

4.1 RESPONDENT'S RESPONSE

The Returnable Schedules are being provided to assist you with your Submission. Where it is necessary to provide additional information please ensure that all documents are clearly marked with the relevant attachment title to assist the evaluation panel with their assessment.

(NOTE: All pages within the Returnable Schedules are to be completed and returned to the Principal as they form part of your Submission).

4.2 RESPONDENT'S FORM

ABN Entity Name:

Trading As:

Trust :

Date Established:

ABN Entity Type:	Are you a sole trader	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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ABN:	ACN:
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Registered Address:

Postal Address:

Telephone Number:	Facsimile Number:
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General Email Address:	Website Address:
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Address of Office
Tendering:

Number of full-time
employees

Contact Person Name:
for EOI clarifications

Position in Company:

Telephone Number:	Mobile Phone Number:
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Email Address:



4.3 ORGANISATIONAL PROFILE

A. Organisational profile		
Attach a copy of your organisation structure and provide background Information on your company and label it “ Organisation Structure ”.	“Organisation Structure”	Tick if provided <input type="checkbox"/>

4.4 CONFLICTS OF INTEREST

B. Conflicts of interest		
Will any actual or potential conflict of interest in the performance of your obligations under the Contract exist if you are awarded the Contract, or are any such conflicts of interest likely to arise during the Contract?	Choose an item.	
If yes, please complete the attached declaration with the label ‘ Conflict of Interest ’. This declaration should detail any actual or potential conflict of interest and the way in which any conflict will be dealt with.	“Conflicts of Interest”	Tick if provided <input type="checkbox"/>

4.5 FINANCIAL POSITION

C. Financial capability	
Is the responding business presently <u>able</u> to pay all debts in full as and when they fall due?	Choose an item.
Is the responding business currently engaged in litigation as a result of which liability may be for \$50,000 or more?	Choose an item.
Provided current audited financial statement? mandatory	Choose an item.



4.6 INSURANCES

D. Insurance

The table below details the Insurance requirements as determined by the Council to be required for this contract. The levels of cover for **Product & Public Liability of \$10 Million**, and **Professional Indemnity of \$5 Million** is the minimum acceptable levels of cover for this contract and will be required to be maintained for the entirety of the contract (any insurance requirements that will need to extend beyond the completion of the contract will be noted individually). Please provide detail of insurance coverage as required in the table below against each of the insurance requirements detailed.

Additionally, the Respondent shall submit as a separate attachment with its response, certificates of Currency for the Insurances detailed in the table below,

Insurance Type	Policy Number	Expiry Date	Value \$
Public Liability:			
Professional Indemnity:			
Workers Comp:			
Motor Vehicle:			
[Other:]			



4.7 WORK HEALTH AND SAFETY MANAGEMENT

E. WHS questionnaire

Respondents are to provide a completed questionnaire included in this EOI. This is a mandatory requirement. Respondents who do not complete and submit the questionnaire cannot be assessed further.

Question	Response
1. Does the respondent have a documented corporate management system in place to address WHS issues?	
2. Does the respondent have a documented and regularly reviewed Work Health and Safety Policy? Attach a copy of the Policy.	
3. Is the system third party certified?	
4. If "YES", to what standard and by who is the system certified?	
5. When was the last audit of the system?	
6. Attach evidence of the 3 most recent audits undertaken by the certifying organisation.	
7. If "NO" provide such evidence as is deemed necessary to demonstrate that the system is adequate for this project.	
8. What is the name, title, qualifications, experience and phone number of the officer responsible for WHS management?	
9. Provide examples of WHS systems and/or procedures and tools/forms.	
10. Outline any WHS issue(s) (IF ANY) that may have arisen in other projects and how they were addressed. (1 page max)	



4.8 DEMONSTRATED CAPABILITY AND ABILITY

F. Demonstrated ability to complete the works

Respondents should describe their intended works delivery methodology, describing the logic and sequence of the major tasks and any critical issues of the project, as well as significant subcontractor involvement, management of subcontractors and any other activities that require additional attention during the project.

Please indicate attachment has been provided separately ☐

4.9 PREVIOUS EXPERIENCE

Please provide detailed information for three (3) referees, where your company has experienced similar projects to this contract / project, completed within the last three (3) years in the table provided below.

Nominated referees **must not be** a current Council staff member or councillor of Council.

G. Referees

Please provide contact details for three (3) referees where you have provided similar requirements relevant to this project completed within the last three years.

Company Name #1			
Project Name			
Contact Name		Phone	
Email			
Company Name #2			
Project Name			
Contact Name		Phone	
Email			
Company Name #3			
Project Name			
Contact Name		Phone	



4.10 KEY PERSONNEL SKILLS AND EXPERIENCE

(a) Employees:

H. Staff qualifications & experiences		
Respondents are to provide details of the key personnel (including sub-contractor staff) who will be working with Council in delivery of the requirements. Include as a separate attachment a 1 page summary CV for each key personnel member proposed listing all relevant licences including expiry date and qualifications. Insert additional rows as needed.		
Staff Name	Relevant Qualifications	1 page CV attached
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

(b) Subcontractors:

Please provide name, address and number of employees for each subcontractor listed and the requirements that will be subcontracted:

I. Sub-contractors		
Provide details of any part of the requirements that will be undertaken via a subcontract arrangement. Note: If you intend to subcontract to more than four (4) providers, please include the details below on a separate attachment titled "Sub-Contractors".		
Subcontractor Name and ABN	Scope of Requirements that will be delivered by subcontractor	Estimated Value of subcontract arrangement



ATTACHMENT

SUPPLIERS DECLARATION OF COMPLIANCE AND CONFLICT OF INTEREST

This statutory declaration is made by on behalf of (Supplier)
and must be sworn by an authorised officer of that Supplier.

Project Name:

Tender No:

To: Cumberland Council (Council)

I do solemnly and sincerely declare as follows:

1. The enclosed submission includes all mandatory information and documentation set out in Council's request for tender/quote.
2. In consideration of Council agreeing to consider this offer the Supplier agrees to comply with, and be bound by, the conditions contained in the request for tender/ quotation document.
3. This is a genuine, competitive Tender/Quotation that has not been adjusted to accord with any agreement with any other person or Supplier.
4. So far as the Supplier is aware the lodgement of this Tender/Quotation does not result in a conflict of interest, and in particular:
 - (a) no representative, officer or employee of the Supplier has a personal relationship with any representative, officer or employee of the Council;
 - (b) no representative, officer or employee of the Council has a financial interest in the Supplier; or
 - (c) no representative, officer or employee of the Council has a financial interest in the outcome of this Tender/Quotation.
5. The Supplier has not done, nor will it do at any time before Council's award of the proposed contract, any of the following:
 - (a) Disclose details of the Tender/Quotation except where the disclosure, given in confidence, is necessary to obtain insurance associated with the Tender/Quotation.
 - (b) Enter into any form of agreement that limits another Supplier's entitlement to tender/quote or the scope of any other tender/quote.
 - (c) Solicit or accept unsolicited information about another Supplier's tender/quote.

AND I MAKE this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act, 1900 (as amended). Subscribed and Declared by in the presence of:

Declarant (Signature)	Date	Witness (Signature)	Date
Name of Declarant (Print Name)		Name of Witness (Print Name)	