



GIPA Form for Contracts over \$150,000 (Including GST)

(When the tender/contract has been finalised and awarded, please complete this form and email it to Procurement with the subject titled: GIPA (procurement@waverley.nsw.gov.au) for inclusion on our website as per the GIPA Act.)

The *GIPA Act* requires Council to record and publish certain information about some contracts with private sector bodies. Part 3, Division 5 of the *GIPA Act* states that information about contracts worth more than \$150,000 must be recorded in a register of contracts which must be published on Council's website.

Contracts that must be included in the Contracts register are those:

- between Council and a private sector contractor
- signed after the commencement of the *GIPA Act* (1 July 2010)
- for a value of \$150,000 or more, and involve:
 - the contractor undertaking a specific project such as construction, infrastructure or property development
 - the contractor agreeing to provide specific goods or services
 - the transfer or lease of real property.

1. Document TRIM Container and Tender Number	
A23/0685 - VP377612	
2. Project Name	
Civil Package 1 FY23/24	
3. Name (including T/As) and Address of the contractor	
Optimal Civil Pty Ltd ACN 612 566 891	
4. Particulars of any related body corporate (within the meaning of the Corporations Act 2001 of the Commonwealth) in respect of the contractor, or any other private sector entity in which the contractor has an interest, that will be involved in carrying out any of the contractor's obligations under the contract or will receive a benefit under the contract	
Nil	
5. The date on which the contract became effective and the duration of the contract	
Contract executed on 20 February 2024	Works will reach practical completion: April 2024

6. Particulars of the project to be undertaken, the goods or services to be provided or the real property to be leased or transferred under the contract
Contractor to undertake construction works in five locations as outlined under the Civil Works Package 1 FY 22/23 Projects. These locations are as follow: 1. 46 Birrell Street – asphalt kerb reconstruction. 2. Taylor Street – kerb and gutter reconstruction, between Bronte Rd to rear of 167 Bronte Rd. 3. Chesterfield Lane – kerb and gutter, footpath reconstruction between rear of 37 St Thomas St to Chesterfield Pde 4. Newland Street – footpath reconstruction works between 111-138 Newland Street 5. Carlisle Street – from Silva St to cul-de-sac
7. The estimated amount payable to the contractor under the contract
Total value: \$160,490.00 (Incl. GST)
8. A description of any provisions under which the amount payable to the contractor may be varied
The Superintendent, before the date of practical completion, may direct the Contractor to carry out or perform a variation.
9. A description of any provisions with respect to the renegotiation of the contract
N/A
10. In the case of a contract arising from a tendering process, the method of tendering (RFT/RFQ/EOI) and a summary of the criteria against which the various tenders were assessed
RFQ via Vendor Panel (VP377612) with the following criteria: <ul style="list-style-type: none"> • Works Understanding/Methodology • Recent Relevant Experience and Referee's /Proposed Subcontractors • Project Program Information • Environmental & Social Sustainability • Lump Sum Price
11. A description of any provisions under which it is agreed that the contractor is to receive payment for providing operational or maintenance services
Defect Liability Period of 12 months, contractor security withheld until acceptable end DLP handover.
12. Class of Contract (e.g. 1, 2 or 3)
Class 1

There are three different classes of government contract:

CLASS 1 Contracts are those that have, or are likely to have, a value of \$150,000 or more

CLASS 2 Contracts are CLASS 1 contracts where:

- there has not been a public tender process and the terms and conditions of the contract have been negotiated directly with the contractor, or
- the contract was the subject of a tender (whether public or not) but the terms and conditions have been substantially negotiated with the contractor or

- the obligations of one or more parties to maintain or operate infrastructure or assets could continue for 10 years or more, and the contract involves a privately financed project or the exchange of significant assets.

CLASS 3 Contracts are when a CLASS 2 contract has a value, or likely value of more than \$5 million. (*Register is to include a copy of the CLASS 3 contract*).