From: To: Cc:	s47F s47E(c)	6475(6)	_r\$47F	IPP - <sup>\$47G</sup> -
Subject: Date:	RE: quick follow up : 211210:1100 - EST05911 [SEC-OFFICIAL] Monday, 13 December 2021 10:41:00		-[	Ibb
Hi <sup>s47E(c)</sup> Apologies for the	delayed response. Please find	d below respons	•	
Manager, Progra <b>T</b> <sup>s47F</sup> <sup>s47F</sup>	m Advisory, <sup>s47G</sup>			
DISCLAIMER				
From: s47E(c)	< <sup>\$47E(c)</sup>			
	13 December 2021 6:45 AM			
To: <sup>\$47F</sup> Cc: <sup>\$47E(c)</sup>	s47E(c)			
Subject: quick for	bllow up : 211210:1100 - <sup>\$47E(c</sup> 5T05911 [ <del>SEC=OFFICIAL</del> ]	>)	-[ <sup>\$47F</sup>	IPP -
	<del>.0</del>	FICIAL		
below for me? <sup>s47E(c)</sup> Assistant Directorate of B	ou are super busy, but hav ctor Contract Performance Estate Works Program Off Delivery Branch ate Group	& Manageme		a quick look at
T/Sype: <sup>\$47E(c)</sup> M: <sup>\$22</sup> NPS & PDS Con IMPORTANT: Th communication If you have receive email immediate From: <sup>\$47E(c)</sup> Sent: Friday, 10	CANBERRA BC ACT 261 E: <sup>s47E(c)</sup> <b>tracts Group e-mail:</b> <u>eigservi</u> is email remains the property and dealing with the informa	<u>cedelivery.esdc</u> / of the Departr tion in the ema	ment of Defence il may be a serio	e. Unauthorised ous criminal offence.
<b>To:</b> <sup>\$47F</sup> Subject: 211210		-[ <sup>s47F</sup>	IPP - <sup>s47G</sup>	
Subject: 211210	J.1100 - ()	-1	166 - 168	- EST05911

### **OFFICIAL**

Hey <sup>s47F</sup> Getting some pieces of info together with Legal and NMPB, one quick question though,

well actually two please:

- 1. Was a check done via Supply Nation for the two tenders that they <sup>\$47G</sup> and <sup>\$47G</sup> had a JV lodged with them prior to approach via Limited Tender? And we checked Supply Nation for both but <sup>\$47G</sup> was not in Supply nation (because they are not IB) but <sup>\$47G</sup> is certified in Supply nation as a separate entity. Their JV is not in supply nation (not registered or certified). The conversations with <sup>\$47G</sup> when they approached us to be included in the tender mentioned a 50-50 partnership which the JV mentioned too (each Party's interest is 50%) which is where we fell into the gap as we thought this was the same as 50% ownership which the IPP required if not supply nation certified.
- 2. With our invite to tender when we do a limited tender, is there ANYTHING in the email or doc's that expressly states the tender is for IPP/remote or any other reference that the invited are IBE's? There was no reference in the invite emails or tender that explicitly states that this is a tender for IBEs; however, the tenderers are aware that this is a limited tender as we provided the passcode to them and that this is remote procurement as the location is in Woomera. However, we have not explicitly stated this in the email invite or tender documents.

s47E(d)

## Cheers for now s47E(c)

Assistant Director Contract Performance & Management Directorate of Estate Works Program Office Estate Service Delivery Branch Security & Estate Group

### **Department of Defence**

Campbell Park Offices | <sup>s47E(c)</sup> | Northcott Drive PO Box 7911, CANBERRA BC ACT 2610 T: <sup>s47E(c)</sup> Sype: <sup>s47E(c)</sup>

M: \$22 E: \$47E(c)

**NPS & PDS Contracts Group e-mail:** <u>eigservicedelivery.esdca.npspds@defence.gov.au</u> IMPORTANT: This email remains the property of the Department of Defence. Unauthorised communication and dealing with the information in the email may be a serious criminal offence. If you have received this email in error, you are requested to contact the sender and delete the email immediately.

From: To: Cc:	s47E(c)
Subject:	220218:1315 -     s47E(c)     Legal Advice : 220215:0919 -     s47E(c)       s47E(c)     s47E(c)     Legal recommendation re proposed cancellation of tender - 15 February       2022 (B
Date: Attachments:	Friday, 18 February 2022 1:15:28 PM <sup>s42</sup>

#### OFFICIAL

s47E(c)

Thanks for the notes - my preferred course of action for both EST05911 and EST05870 is to have each tender cancelled and to put them both back to the market for IBEs to bid on.

I acknowledge that this may cause some reputational damage and will delay the projects but it is my assessment that this is the fairest course of action for all respondents - including <sup>\$47G</sup> themselves.

In doing so it should be confirmed by both <sup>s47G</sup> and <sup>s47G</sup> that only Supply Nation certified businesses are invited to participate in the re-tenders.

With thanks,

s47E(c)

Director Estate Works Program Office Estate Service Delivery Branch Service Delivery Division Estate & Infrastructure Group

Department of Defence <sup>s47E(c)</sup> T: <sup>s47E(c)</sup> M:<sup>s22</sup> E: <sup>s47E(c)</sup>

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Original Message			
From: s47E(c)	s47E(c)		
Sent: Thursday, 17 February			
To: <sup>\$47E(c)</sup>	s47E(c)		
Subject: Legal Advice : 2202	215:0919 - <sup>\$47E(c)</sup>	_s47E(c)	Legal recommendation
re proposed cancellation of t	ender - 15 February 2022 <sup>s22</sup>	[SEC=OFFICIAL	.]
<del>OFFICIAL</del> <sup>s47E(c)</sup> IPP - <sup>s47G</sup>			
Legal advice for <sup>\$47G</sup> pro	oject EST05911 that is currently on	hold at the TEBR stage	2.
s42			

Based on the above street the recommended option for EWP is to cancel the tender process for EST05911 and re-tender.

s22

s42

s22

cheers

s47E(c)

Assistant Director Contract Performance & Management Directorate of Estate Works Program Office Estate Service Delivery Branch Security & Estate Group

Department of Defence	
Campbell Park Offices   <sup>\$47E(c)</sup>	Northcott Drive PO Box 7911, CANBERRA BC ACT 2610
T/Sype: <sup>\$47E(c)</sup>	
M: \$22 E:\$47E(c)	

NPS & PDS Contracts Group e-mail:segservicedelivery.esdca.npspds@defence.gov.auEWP Tenders Group e-mail:segservicedelivery.esddewpo.ewptenders@defence.gov.au

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	s47E(c)		
From:	547 E(C)		
Sent:	Tuesday, 22 February 2022 1:11 Pl	M	
То:	s47F		
Cc:	s47F		
Subject:	follow : 220222:0829 - s47E(c)	_ s47F	Ack :
	220221:1639 - <sup>\$47F</sup>	_ s47E(c)	EST05911 Woomera
	[ <del>SEC=OFFICIAL</del> ]		

### **OFFICIAL**

Hi again <sup>s47F</sup>

An email has been sent to <sup>\$47F</sup> at <sup>\$47G</sup> we did not explicitly state that the tender for this project would also go back to market, this is a so you know.

However can we proceed with getting this one back on track with a re-tender  $\odot$ 

s47E(c)

s47E(c)

Assistant Director Contract Performance & Management Directorate of Estate Works Program Office Estate Service Delivery Branch Security & Estate Group

Department of D	efenc	e	
Campbell Park O	ffices	s47E(c)	Northcott Drive
PO Box 7911, CA	NBEF	RRA BC ACT	2610
T/Sype: s47E(c) M: s22			
M: s22	E: \$47E	(c)	

 NPS & PDS Contracts Group e-mail:
 segservicedelivery.esdca.npspds@defence.gov.au

 EWP Tenders Group e-mail:
 segservicedelivery.esddewpo.ewptenders@defence.gov.au

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From: s47E(c)							
	, 22 Febru	uary 2022 8:30 AM					
To: <sup>\$47F</sup>		s47F		>			
Cc: s47F	< <sup>s47F</sup>		>				
Subject: 2202 s47E(c)	22:0829 -	s47E(c)	.s47F		Ack : 220221:1639 -	s47F	_s47E(c)
s47E(c)	EST0591	1 Woomera					

OFFICI	T
OFFICIA	<b>\L</b>

Thanks<sup>s47F</sup>s47E(d)

s47	E	(d)

s22

Thirdly, so Im not forgetting, we are drafting a letter to <sup>\$47F</sup> at <sup>\$47G</sup> about the <sup>\$47G</sup> tender to let him know it will be going back to market, ill discuss with <sup>\$47E(c)</sup> that we should also include the <sup>\$47G</sup> tender. Ill let you know once sent, this week, so that you can then engage with <sup>\$47G</sup> with them already advised of the decision, hope that makes sense?

#### cheers

s47E(c)

Assistant Director Contract Performance & Management Directorate of Estate Works Program Office Estate Service Delivery Branch Security & Estate Group

Department of Defen Campbell Park Offices		Northcott Drive	
PO Box 7911, CANBE		2610	
T/Sype: s47E(c)			
M: <sup>\$22</sup> E: <sup>\$47</sup>	E(c)		

 NPS & PDS Contracts Group e-mail:
 segservicedelivery.esdca.npspds@defence.gov.au

 EWP Tenders Group e-mail:
 segservicedelivery.esddewpo.ewptenders@defence.gov.au

IMPORTANT: This email remains the property of the Department of Defence. Unauthorised communication and dealing with the information in the email may be a serious criminal offence. If you have received this email in error, you are requested to contact the sender and delete the email immediately.

From: <sup>s47F</sup>	s47F	>		
Sent: Monday, 21 Februar	y 2022 4:40 PM			
To: <sup>s47E(c)</sup>	47E(c)			
Cc: <sup>s47F</sup>		>		
Subject: 220221:1639 - <sup>\$47</sup>	F		EST05911 Woomera	

# **EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe. $\Delta$

Hi<sup>s47E(c)</sup>

Thanks for the advise and for the work in closing this issue out. I have advised the team and they are preparing / updating the documents to go to market for re tender of this project. Target date to go out is early March 2022.

In relation to the closed tender, we will need to go back to all tenderers to advise them that we will be retendering the project. Is there any wordings that DEWPO / Legal would like us to use  $(for^{s47G})$  and the other tenderers)  $s^{s47E(d)}$ 

s22

s22

s22

Let me know.

s47F	
Manager, Program A	dvisory, <sup>s47G</sup>
T <sup>s47F</sup>	

At <sup>s47G</sup> we encourage flexible working. If you receive an email from us outside your work hours, we don't expect you to read it, act on it, or reply until you return.

DISCLAIMER						
From: s47E(c)		s47E(c) <				
Sent: Monday, 2	21 February	2022 11:52 AM				
To: <sup>s47F</sup>	< <sup>\$47F</sup>		>			
Cc: <sup>s47F</sup>	< <sup>\$47F</sup>		>			
Subject: EST059	11 Woome	ra [ <del>SEC=OFFICIAL]</del>				
			<b>OFFIC</b>	HAL		
Hello <sup>\$47F</sup>						

\$42		
542	We deem this to be the fairest approach for all, including <sup>\$476</sup>	

Noting that <sup>\$476</sup> has as yet not been formally advised of the findings, the recent investigation into a complaint that a contract was awarded to a non-indigenous company, from limited tender concluded that the awarding of the Contract to <sup>\$476</sup> was in breach of the IPP.

Can <sup>\$47G</sup> please proceed with getting the project out to tender, as a limited tender ATM, and to ensure that all who are invited to tender are identified as IBEs through Supply Nation, this is the requirement of the MSA under the IPP.

3

# I trust all the above is ok and happy to chat, if you could also let me know **an approx. timing that we can re-tender for EST05911 pls**?

#### Cheers s47E(c)

s22

Assistant Director Contract Performance & Management Directorate of Estate Works Program Office Estate Service Delivery Branch Security & Estate Group

Department of Defence Campbell Park Offices <sup>\$47E(c)</sup> Northcott Drive PO Box 7911, CANBERRA BC ACT 2610 T/Sype: <sup>\$47E(c)</sup> M: <sup>\$22</sup> E: <sup>\$47E(c)</sup>

 NPS & PDS Contracts Group e-mail:
 segservicedelivery.esdca.npspds@defence.gov.au

 EWP Tenders Group e-mail:
 segservicedelivery.esddewpo.ewptenders@defence.gov.au

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From: s47F	s47F	>			
Sent: Thursday, 17 Febr	ruary 2022 1:46 PM				
To: s47E(c)	< <sup>s47E(c)</sup>				
Cc: s47E(c)	< <sup>s47E(c)</sup>	>			
Subject: 220217:1345 -	s47F -[ <sup>s47E(c)</sup>	<sup>s47</sup> reply	- 220216:1403	_ s47F	-
[ <sup>\$47E(c)</sup> \$4 <sup>4</sup> (c)	<sup>7E</sup> reply : 220119:2010 - <sup>s47F</sup>	_[s47E(c)		EWP response 220	

# **EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Thanks <sup>s47E(c)</sup> !		
<sup>s47F</sup> Manager, Program Advisory, <sup>s47G</sup> T <sup>s47F</sup>		
At <sup>\$47G</sup> we encourage flexible working. If you re your work hours, we don't expect you to read it, act of DISCLAIMER		
From: <sup>\$47E(c)</sup>	>	
Sent: Thursday, 17 February 2022 10:20 AM		
To: <sup>\$47F</sup>	>	
Cc: s47E(c) s47E(c)		
Subject: KJ reply - 220216:1403 - <sup>\$47F</sup>	_s47E(c)	<sup>s47E</sup> ceply : 220119:2010 - <sup>s47F</sup>
	4	

EWP response 220111:1418 - <sup>\$47F</sup>

Defence FOI 677/23/24 Document 3 211221:1352

s47E(c)

- [ [SEC=OFFICIAL]

### **OFFICIAL**

Hello<sup>s47F</sup>

Sorry, missed this yesterday. The report post the investigation has been submitted to the FAS for Procurement and Contracting (FAS P&C -<sup>s47E(c)</sup>. The initial intent was for a letter to go to from this delegate, however I have been advised earlier this week that our FAS SDD will be written to first – I have asked that the FAS P&C also send a letter to s47G

s47E(c)

Assistant Director Contract Performance & Management Directorate of Estate Works Program Office Estate Service Delivery Branch Security & Estate Group

 Department of Defence

 Campbell Park Offices | \$47E(c)

 PO Box 7911, CANBERRA BC ACT 2610

 T/Sype: \$47E(c)

 M: \$22

 E: \$47E(c)

 NPS & PDS Contracts Group e-mail:
 segservicedelivery.esdca.npspds@defence.gov.au

 EWP Tenders Group e-mail:
 segservicedelivery.esddewpo.ewptenders@defence.gov.au

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From: <sup>s47F</sup>	< <sup>s47F</sup>		>		
Sent: Wednesday, 16	February 2022 2:04 P	M			
To: s47E(c)	s47E(c)	>	•		
Subject: 220216:1403	- <sup>\$47F</sup>	_s47E(c)	s47E -	eply : 220119:2010 -	s47F -
s47E(c)	EWP response 22011	1:1418 - <sup>\$47F</sup>	151	_ s47E(c)	211221:1352 - [

# **EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi <sup>s47E(c)</sup>

Just checking in on the status of the below.

Any news?

s47F

Manager, Program Advisory, <sup>s47G</sup> T <sup>s47F</sup>

5

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DISCLAIMER					
From: s47E(c)	< <sup>s47E(c)</sup>		>		
	day, 20 January 2022	7:50 AM			
To: s47F	< <sup>\$47F</sup>		>		
Cc: s47E(c)	< <sup>s47E(c)</sup>		>		
Subject: <sup>s47E</sup>	reply : 220119:2010 -	s47F _[s4	7E(c)	EWP response 220111:1418 - <sup>\$47F</sup>	
s47F	_s47E(c)	211221:1352 - <sup>\$47F</sup>	_ s47E(c	<sup>(c)</sup> s <sup>47E</sup> reply - 211221:1	250 -
[ [SEC=OFFI	CIAL]				
		<del>O</del>	FICIAL		
Hello back	s47F				

Is ok, I don't mind, we are all hanging on this being sorted, it has an impact also for<sup>\$47G</sup>

It is still	pending	the report	from [	Defence	Procurement	Complaints <sup>s476</sup>	E(d)
s47E(d)							

So sorry it is drawn out, some moving parts that are dependent on each other.

s47E(c)

A/Director Estate Works Program Office Estate Service Delivery Branch Service Delivery Division Security and Estate Group

Department of D	efence	
Campbell Park O	ffices   <sup>s47E(c)</sup>	Northcott Drive
PO Box 7911, CA	ANBERRA BC ACT	2610
T/Skype: s47E(c)		
M: \$22	E: <sup>s47E(c)</sup>	

 NPS & PDS Contracts Group e-mail:
 segservicedelivery.esdca.npspds@defence.gov.au

 EWP Tenders Group e-mail:
 segservicedelivery.esddewpo.ewptenders@defence.gov.au

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From: <sup>s47F</sup>	s47F	>	
Sent: Wednesday, 19 Janu	uary 2022 8:10 PM		
<b>To:</b> <sup>\$47E(c)</sup>	s47E(c)		
Subject: 220119:2010 - <sup>\$47</sup>	7F _ s47E(c)	EWP response 22	20111:1418 - <sup>\$47F</sup>
s47F _s47E(c)	211221:1352 - <sup>\$47F</sup>	_s47E(c)	s <sup>47E(</sup> eply - 211221:1250 - [

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi<sup>s47E(c)</sup>

I know you are very busy and complaints team are as well but the team has just reminded me of this, if we have any updates.

So here I am asking you if there are updates. 🕹

Let me know. Thanks!

s47F

Manager, Program Advisory, <sup>s47G</sup> T

At Aurecon, we encourage flexible working. If you receive an email from us outside your work hours, we don't expect you to read it, act on it, or reply until you return.

DISCLAIMER					
From: <sup>s47F</sup>					
Sent: Wednesday, 12 Ja	anuary 2022 8:21 AM				
To: <sup>s47E(c)</sup>	< <sup>\$47E(c)</sup> >				
Subject: RE: EWP respo	onse 220111:1418 - <sup>\$47F</sup>	_ s47E(c)	2112	21:1352 - <sup>\$47F</sup>	
s47F _s47E(c)	<sup>s47E</sup> reply - 211221:1250 - <sup>s47F</sup>		_s47E(c)	BW TEBR -	
EST05911 - Woomera [	SEC-OFFICIAL]				
Hi <sup>s47E(c)</sup>					
No worries.					
Will give the team upda	ite. 🕲				
s47F	isory, <sup>s47G</sup>				
T <sup>s47F</sup>	1501 y,				
Ats47G	ago flovible working. If you receive a	n amail from us	outsido		

At<sup>The second se</sup> your work hours, we don't expect you to read it, act on it, or reply until you return.

DISCLAIMER					
From: s47E(c)	< <sup>\$47E(c)</sup>				
Sent: Wednesday, 12 J	lanuary 2022 4:4	3 AM			
To: <sup>\$47F</sup>	< <sup>\$47F</sup>	>			
Subject: EWP response	e 220111:1418 -	s47F	s47E(c)	211221:1352 -	s47F
s47F _ s47E(c)	s47E eply -	211221:1250 - <sup>\$47F</sup>	_ \$47E	E(c)	BW TEBR -
EST05911 - Woomera	[ <del>SEC_OFFICIAL</del> ]				

**OFFICIAL** 

Hello s47F

Sorry did not get to this one yesterday.

We are hoping to get the report from Defence Procurement Complaints next week in regards to the contract awarded to s47G for for s42 s42

Therefore with below:

To confirm, the advice is:

## If <sup>s47G</sup> is the recommended tenderer, hold off on submission of the TEBR If another tenderer is the preferred tenderer, ok to submit the TEBR.

I need to ask you please to hold off still, a TEBR has already been rejected with <sup>s47G</sup> as the preferred tenderer, we cannot accept then another in this circumstance – another course of action will need to be taken but this will not be clear to us until next week sorry.

### Cheers and happy to chat ©

s47E(c)

A/Director Estate Works Program Office Estate Service Delivery Branch Service Delivery Division Security and Estate Group

Department of DefenceCampbell Park Officess47E(c)PO Box 7911, CANBERRA BC ACT 2610T/Sype:s47E(c)M:s22E:s47E(c)

 NPS & PDS Contracts Group e-mail:
 segservicedelivery.esdca.npspds@defence.gov.au

 EWP Tenders Group e-mail:
 segservicedelivery.esddewpo.ewptenders@defence.gov.au

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From: s47F		s47F		>			
Sent: Tuesday,	11 January	y 2022 2:19 PM					
To: s47E(c)		s47E(c)					
Subject: 22011	L1:1418 - <sup>s4</sup>	47F	_s47E(c)		211221:1352 -	s47F	_ s47E(c)
s47E(c) s (	<sub>(c)</sub> reply - 2	211221:1250 - <sup>\$47F</sup>		_s47E(c)		BW TEBR - EST059	11 - Woomera

# $\triangle$ **EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe. $\triangle$

Hi <sup>s47E(c)</sup>

Happy new year! Hope you had a well-deserved and relaxing break.

Just wanting to check if there is any movement on the below, the team is hoping to submit the TEBR but wanting to confirm if we can.

The PM for this is not back yet. But the last I heard is that they are looking to recommend the third preferred tenderer (as the second preferred did not extend the tender validity period and withdrew the tender when the validity period expired).

To confirm, the advise is:

If <sup>\$47G</sup> is the recommended tenderer, hold off on submission of the TEBR If another tenderer is the preferred tenderer, ok to submit the TEBR.

Let me know if this is correct. Thanks 🕹

s47F

Manager, Program Advisory, <sup>s47G</sup> T <sup>s47F</sup>

At<sup>\$47G</sup> we encourage flexible working. If you receive an email from us outside your work hours, we don't expect you to read it, act on it, or reply until you return.

DISCLAIMER				
From: s47E(c)	< <sup>s47E(c)</sup>		>	
Sent: Tuesday, 21 Dec	ember 2021 10:58 AM		-	
To: <sup>s47F</sup>	< <sup>\$47F</sup>	>		
Subject: RE: 211221:1	352 - <sup>\$47F</sup>	-[ <sup>s47E(c)</sup>	s47E eply - 211221:125	50 - <sup>s47F</sup> -
s47E(c)	BW TEBR - EST05911 - V	Voomera Villa	ge Electrical Works [SEC=OFFICI	

### **OFFICIAL**

Thanks <sup>\$47F</sup> hold off the whole TEBR also ©

s47E(c)

Assistant Director Contract Performance & Management Directorate of Estate Works Program Office Estate Service Delivery Branch Security & Estate Group

Department of Defence	
Campbell Park Offices	
PO Box 7911, CANBER	
T/Sype: s47E(c)	
M: \$22 E: \$47E(c)	

NPS & PDS Contracts Group e-mail: <a href="mailto:segservicedelivery.esdca.npspds@defence.gov.au">segservicedelivery.esdca.npspds@defence.gov.au</a>

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From: <sup>\$47F</sup>	s47F		>	
Sent: Tuesday, 21 Dec	ember 2021 1:52 PM			
To: s47E(c)	< <sup>s47E(c)</sup>	>		
Cc: s47E(c)	< <sup>s47E(c)</sup>	>		
Subject: 211221:1352	- s47F	_ s47E(c)	<sup>s47E(</sup> -eply - 211221:1250 -	:47F -
s47E(c)	BW TEBR - EST05911	- Woomera Villa	age Electrical Works	

# **EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi<sup>s47E(c)</sup>

No worries.

We will hold off debriefing until we get advise from DEWPO on this 3

s47F

Manager, Program Advisory, <sup>s47G</sup>

T <sup>\$47F</sup>		Defence FOI 677/23/24 Document 3
s47F		
DISCLAIMER		
From: <sup>s47E(c)</sup> < <sup>s47E(c)</sup> Sent: Tuesday, 21 December 2021 10:18 AM	>	
Sent. Truesday, 21 December 202110.18 Alvi           To:         \$47F           Cc:         \$47E(c)	>	
Subject <sup>s47E</sup> eply - 211221:1250 - <sup>s47E</sup>	_ s47E(c)	BW TEBR - EST05911 - Woomera Village
Electrical Works [ <del>SEC=OFFICIAL</del> ]		
	OFFICIAL	
Hi <sup>s47F</sup>		
I really need to ask pls we hold off as we are tenders – EST05911 and s476 s476	e getting legal advice ar , we need to have a c	
I know we are keen to get it to contract, but	lve advised <sup>s47E(c)</sup> it ne	eeds to be held off for now.
s42	howev	ver this is a tricky one.
s47E(c)		
Assistant Director Contract Performance & N	Janagement	
Directorate of Estate Works Program Office Estate Service Delivery Branch		
Security & Estate Group		
Department of Defence		
Campbell Park Offices  s47E(c) Northcom	ott Drive	
PO Box 7911, CANBERRA BC ACT 2610 T/Sype: <sup>\$47E(c)</sup>		
M: \$22 E: \$47E(c)		
NPS & PDS Contracts Group e-mail: segservi	cedelivery.esdca.npspds(	@defence.gov.au
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dealing with the information in the email may be a serious criminal offence. If you have received this email in error, you are requested to contact the sender and delete the email immediately.

From: s47F	s47F		>	
Sent: Tuesday, 21 Decem	ber 2021 12:51 PN	Λ		
To: <sup>s47E(c)</sup>	s47E(c)			
Subject: 211221:1250 - S	17F	_ s47E(c)		BW TEBR - EST05911 - Woomera Village Electrical
Works				

**EXTERNAL EMAIL:** Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi <sup>s47E(c)</sup>

I have advised the team of this and we will be providing an updated TEBR for the next preferred tenderer in the new year.

s47E(d)	
s47E(d)	

We will then discuss their submission (strengths and weaknesses). Are you happy with this approach?

Let me know. Thanks.

<sup>s47F</sup> Manager, Program Advisory, T <sup>s47F</sup> <sup>s47F</sup>

DISCLAIMER			
From: s47E(c)	s47E(c)	>	
Sent: Friday, 17 December 20	21 9:03 AM		
<b>To:</b> \$47E(c) <	:)	>	
<b>Cc:</b> s47E(c) < s47E(c)	, s47F	< <sup>s47F</sup>	>; <sup>\$47F</sup>
s47F s47F	>; <sup>\$47E(c)</sup>	s47E(c)	, s47E(c)
< <sup>\$47E(c)</sup>	>		

Subject: FW: BW TEBR - EST05911 - Woomera Village Electrical Works [SEC=OFFICIAL]

<u> </u>	С	С	1	~1		
J			•	5	-	•

s47E(c)

As discussed can you please engage with the<sup>\$47G</sup> team and have this Tender rejected.

s47E(d)

I am keen to hear the outcome of the discussion with Defence legal from this morning in order to shape our communication with <sup>\$47G</sup> to let them know the situation.

Cheers,

s47E(c) Director Estate Works Program Office Estate Service Delivery Branch Service Delivery Division Security and Estate Group Department of Defence s47E(c) T: <sup>\$47E(c)</sup> M <sup>\$22</sup> E: <sup>\$47E(c)</sup>

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Australian Government

**Department of Defence** Security and Estate Group

# DEPARTMENT OF DEFENCE ESTATE & INFRASTRUCTURE GROUP – ESTATE WORKS PROGRAM **TENDER EVALUATION BOARD REPORT**

for the delivery of

# EST05911-1

Woomera Village Electrical Works

PDS Provider s47G

### **REQUEST PROJECT & PURCHASE ORDER VARIATION**

1. Project Details			
Project ID:	EST05911	Delivery Agent	s47G
Project Title:	Woomera Village Elecrtical Works	Variation #:	09
Date :	21/06/2022	Funding:	EWP Program
Project Manager (PM):	s47F	Current Phase:	3
PM Email	s47F	PM Mobile Contact #:	s47F

\*Variation #: Sequential numbering is to be used for all variations and should apply to variations stand-alone and variations included with phase reports. If a variation submissions is rejected, the variation number should remain the same for the new submission.

2. Variation Details – Please Select all Variation Type/s							
Scope		Schedule	X	Budget	X	Purchase Order	$\times$

#### 3. Variation Description and Justification

EST05911 - Woomera Village Electrical Works comprises of the following scope of works:

- 11kV underground cabling to be installed in a ring configuration and to be supplied from the new 11kV Technical Area Terminal Substation (TATS).

- Remove the existing poles that are associated with the T-line, which are no longer required. All the redundant overhead lines, poles, footings, and assemblies will be removed from site.

- The existing pole mounted transformers associated with T-Line will be upgraded to kiosk style substation. Two transformers will also be replaced with brand-new kiosk style substations.

- Two standalone Ring Main Units (RMUs) will be installed to form the new 11kV ring.

- Two existing Low Voltage (LV) distribution boards will be replaced by brand new LV distribution boards.

- Additional conduit and pit system have been proposed to be installed as part of this project scope to allow provision for future communication installation.

This RPPV is submission of the Tender Evaluation Board Report (TEBR) and a mid-phase variation for project EST05911 -Woomera Village Electrical Works.<sup>s22</sup>

s22

As detailed below, the Project was required to go back out to tender after sitting idle for six months. <sup>\$22</sup>

s22

Project EST05911 first went out to tender mid-2021 with the Tender Evaluation Board (TEB) being held in August. The Project was/is a Limited Tender - Indigenous Business Enterprise (IBE) as all Project Delivery Services (PDS) projects located in Woomera are. The tender process proceeded as per usual with companies being invited to tender if they met the requirements of the Indigenous Procurement Policy (IPP). Upon submitting the TEBR on 31 August 2021, the preferred tenderer's IBE status was called into question. After six months of reviewing from Defence it was determined that the preferred tenderer did not meet the requirements outlined in the IPP. By this point all other tenderers validity periods had expired and so the Project had to go out to tender again. The Project was delayed by approximately nine months by the time the second TEB was held and TEBR compiled and submitted.

Australian Government Department of Defence Defence Support Group		Woomera Village Elect Works M17 - Approve Works C				
РАТН	Woomera Vill	lage Elect Works > DELIVER > Deliver > PM.04 Delivery > M17 - App				
PROJECT	Name	Woomera Village Elect Works				
Task	Name	M17 - Approve Works Contractor TEBR				

### **EXISTING NOTES**

s22

27.06.2022 12:33 s47E(c)

#### **APPROVED**

s22

Good afternoon DEWPO. NPS approves this compliant TEBR workflow noting lengthy delays caused by a legal determination of IBE eligibility and having to re-approach market. Cost has risen Recommend approval. For your consideration. Regards, <sup>s47E(c)</sup>

20.12.2021 09:44 s47E(c)

#### REJECTED

Workflow being returned until advise is received from Defence Legal in accordance with discussions between  $s^{47E(c)}$ ,  $s^{47E(c)}$  &  $a^{s47E(c)}$  17/12/21

Australian Government Department of Defence Defence Support Group	Woomera Village Elect Works M17 - Approve Works C	
PATH Woomera Village Elect Works > DELIVER > Delive		illage Elect Works > DELIVER > Deliver > PM.04 Delivery > M17 - App
PROJECT	Name	Woomera Village Elect Works
Task	Name	M17 - Approve Works Contractor TEBR
EXISTING NOTES		

16.12.2021 12:33 S47E(c)

#### APPROVED

EST05911 SA Woomera Village Elect Works TEBR: Resubmission of tender and requested budget increase <sup>\$47E(d)</sup> to bring total budget up to <sup>\$47E(d)</sup> to align with updated QS estimates. To note DEWPO are still deliberating outcome of tender being awarded due to investigation into contractors JV. NPS facilitates the process for DEWPO consideration.