



UPDATE SUMMARY
CHIEF ENGINEER WORKS
DESIGN SERVICES CONTRACT (AUSTRALIA)
OCTOBER 2025 AND NOVEMBER 2025

OCTOBER 2025 SUMMARY OF UPDATES

1. TENDER DOCUMENTS

Topic/Subject	Reference (if applicable)	Description
Environmentally Sustainable Procurement	Clause 2.1, 3.1(b)(v), 4(a)(viii), clause 26 and corresponding Tender Particular and Tender Schedule M - Environmentally Sustainable Procurement	<p>Amendments to reflect updates to the Environmentally Sustainable Procurement Policy, including to:</p> <ul style="list-style-type: none">provide that the Tenderer must, as part of its response to Tender Schedule M – Environmentally Sustainable Procurement, complete and lodge a Supplier Environmental Sustainability Plan in the form of the SESP Template and which includes an ESP Policy Commitment Report; andupdate clause 4(a)(viii) of the Tender Conditions to cater for evaluation of this policy, where it applies.
Shadow Economy Procurement Policy Connected Policy	Clause 3.2(c), 24 and Tender Schedule J – Statement of Tax Record	<p>Amendments to reflect updates to the Shadow Economy Procurement Connected Policy, including to:</p> <ul style="list-style-type: none">provide for the Commonwealth to not evaluate (or continue to evaluate) a Tender for failing to meet the timeframe for correction of an unintentional error to the extent that the correction involves the provision of any valid and satisfactory STRs required for the Tenderer’s entity type; andclarify that Tenderers should provide and attach, as part of its Tender, each of the valid and satisfactory Statement of Tax Record(s) as required for the Tenderer’s entity type, including with reference to the table under section A.1 of Tender Schedule J – Statement of Tax Record.

Topic/Subject	Reference (if applicable)	Description
Indigenous Procurement Policy	Clauses 3.1(b)(iv), 4(a)(vii) and 25, corresponding Tender Particulars and Tender Schedule L	Amendments to reflect requirements of the Indigenous Procurement Policy (IPP), including to allow for the selection of provisions applicable to Non-High Value Contracts and High Value Contract for the purpose of this policy.
Country of Tax Residency Disclosure policy	Item 12 of the Tender Form	Amendment that Tenderers should provide, as part of its Tender, their entity's country of tax residency information– noting that this was previously set out in a template addendum.
Lodgement	Clauses 3.1, 3.2, 3.4 and corresponding Tender Particulars	Updated to allow lodgement of Tenders via AusTender
General	Various	Further amendments, including minor drafting and tidy-up amendments and consequential amendments.

2. CONTRACT

Topic/Subject	Reference (if applicable)	Description
Tax Invoice	Clause 9.5(b) and corresponding Contract Particular	Amendment to provide that the Consultant must give Defence Invoicing (as well as the Contract Administrator) a tax invoice for the amount stated as then payable by the Commonwealth to the Consultant in the payment statement, rather than a copy of the tax invoice.
Indigenous Procurement Policy	Clauses 13.8 and 13.9 and corresponding Contract Particular	Updated provisions to allow for the selection of provisions applicable to Non-High Value Contracts and High Value Contract for the purpose of this policy
Shadow Economy Procurement Policy Connected Policy	Clause 13.12	Amendments to reflect updates to the Shadow Economy Procurement Connected Policy, including to clarify that the Consultant must not enter into a subcontract with a subconsultant unless the Consultant has obtained and holds the STRs required for the relevant subconsultant's entity type.
Commonwealth Supplier Code of Conduct	Clause 13.15	Amendments to incorporate the Commonwealth Supplier Code of Conduct obligations into the Conditions of Contract – noting that this was previously set out in a template addendum.
Environmentally Sustainable Procurement	Clause 13.16 and corresponding Contract Particular	Amendments to reflect updates to the Environmentally Sustainable Procurement Policy, including to: <ul style="list-style-type: none"> require the Consultant to use the ESP Policy Reporting Template for "Construction Services" and, if applicable, the ESP Policy Reporting Template for "Products" when

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		<p>completing and submitting its report under clause 13.16(g); and</p> <ul style="list-style-type: none"> consequential amendments, including the insertion of new definitions and the removal of definitions for terms no longer used.
General	Various	Further amendments, including minor drafting and tidy-up amendments and consequential amendments.

NOVEMBER 2025 SUMMARY OF UPDATES

1. TENDER DOCUMENTS

Topic/Subject	Reference (if applicable)	Description
Definition of 'SESP Template'	Clause 2.1(u)	Amendment to the definition of 'SESP Template' to refer to the document titled "SESP template - construction services Option B".
Commonwealth Procurement Rules Compliance	Clause 4(a)(vii), Part 3 – Tender Form, Part 4 – Tender Schedules	<p>Amendments to reflect updates to the Commonwealth Procurement Rules, including to:</p> <ul style="list-style-type: none"> insert a 'Commonwealth Procurement Rules compliance' evaluation criterion as a new subparagraph (vii) in clause 4(a); insert a new Tender Schedule N – Commonwealth Procurement Rules Compliance to be completed and lodged by the Tenderer as part of its Tender; and remove the 'Commonwealth Procurement Rules Compliance Statement' in the Tender Form.
Applicable Standards	Clauses 2.1(c) and 4(a)(vii), Tender Schedule N – Commonwealth Procurement Rules Compliance	<p>Amendments including to:</p> <ul style="list-style-type: none"> insert a new paragraph (c) in clause 2.1 to include the definition of 'Applicable Standards'; and request the Tenderers to demonstrate their capability to meet the Applicable Standards (for example, in the form of a detailed explanation or a plan outlining how the Tenderer intends to meet the Applicable Standards if it is the successful Tenderer).
Disclosure of information to Commonwealth departments, agencies or authorities	Clauses 13(d) and 17(c)(iv)	Amendments to reflect updates to the Commonwealth Procurement Rules being to insert a new clause 13(d) and update clause 17(c)(iv) in respect of disclosure of information to Commonwealth departments, agencies or authorities.

2. CONTRACT

Topic/Subject	Reference (if applicable)	Description
Applicable Standards	Clause 13.7 of the Conditions of Contract, Annexure 2	Amendments to reflect updates to the Commonwealth Procurement Rules in respect of Applicable Standards, and to amend Annexure 2 to read “not used”.
Environmentally Sustainable Procurement Policy	Clause 13.16(n) of the Conditions of Contract	Amendment to clause 13.16(n) to align with the updated Environmentally Sustainable Procurement Policy.
Disclosure of information to Commonwealth departments, agencies or authorities	Clauses 14.1 and 14.2 of the Conditions of Contract	Amendments to reflect updates to the Commonwealth Procurement Rules being to insert a new clause 14.1(d) in the Conditions of Contract and to update clause 14.2(b)(v) of the Conditions of Contract in respect of disclosure of information to Commonwealth departments, agencies or authorities.

DISCLAIMER:

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