



Multi-Use List for the provision of goods and services for
the Australian Bureau of Meteorology for an Australian
Tsunami Warning System (ATWS) Servicing Charter

Ref: MUL 148-2011

PART B – APPLICATION FORM

Company details

| | |
|----------------------------------|--|
| Organisation name / trading name | |
| ABN | |
| Phone number | |
| Facsimile | |
| Web site address | |
| Postal address | |
| Street address | |

Primary Contact Details

| | |
|----------------|--|
| Name | |
| Position | |
| Phone number | |
| Facsimile | |
| Email | |
| Postal address | |

Note - Nothing in this MUL shall be construed so as to give rise to any contract between the Bureau and any Applicant until a contract is entered into with a Successful Applicant.

Your Business

Please provide a succinct response to the following –

- Give a short statement that outlines the core business of your organisation.
- Does your organisation meet the Technical Minimum Requirements where applicable in your field of expertise? (Please refer to Part A, Attachment A).
- Will your organisation engage in subcontracting? Under a Contract the Applicant may, with the prior consent of the Bureau, subcontract part of its obligations (refer to Part A, Attachment B, clause 3.2, page 16). Please note - respondents must acknowledge that the Commonwealth will not contract with a respondent where it or a proposed subcontractor has a judicial decision against it (excluding decisions under appeal) relating to unpaid employee entitlements where the entitlements remain unpaid.

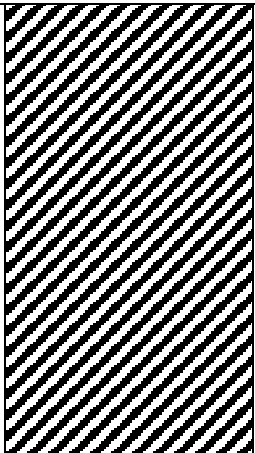
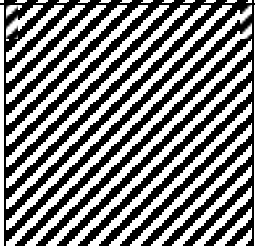
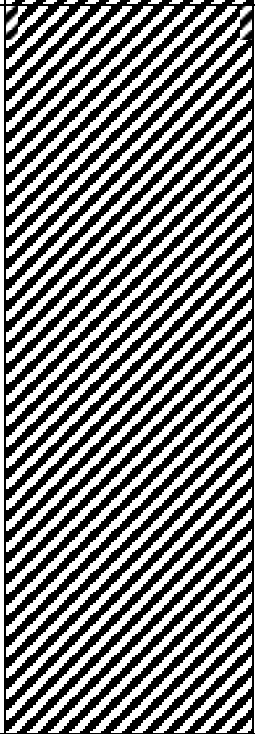
Commonwealth standards and policies for business to comply with or acknowledge once engaged to provide goods and / or services to the Commonwealth.

Please indicate if your organisation is able to comply with or acknowledge the following Commonwealth standards by answering with a “Yes” or “No”.

| Commonwealth standard or policy | Capability to comply? (Yes or No) | Capability and willingness to acknowledge? (Yes or No) |
|---|--------------------------------------|---|
| The MUL will require Successful Applicants to comply with the Privacy Act 1988 (refer to Part A, Attachment B, clause 1.7, page 13). | | |
| The MUL will require Successful Applicants to comply with the Freedom of Information Act 1982 (refer to Part A, Attachment B, clause 1.9, page 13). Successful Applicants must acknowledge that the FOI Act gives members of the public certain rights of access to documents in the possession of the Commonwealth and its agencies. | | |
| Successful Applicants must comply with Commonwealth Policies and Legislation including that Successful Applicants must, when using the | | |

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| <p>Commonwealth’s premises or facilities, comply with all reasonable directions and procedures relating to occupational health, safety and security in effect at those premises or in regard to those facilities, as notified by the Commonwealth or as might reasonably be inferred from the use to which the premises or facilities are being put? (Refer to Part A, Attachment B, clause 1.10, page 13).</p> | | |
| <p>Successful Applicants must be in compliance under the Commonwealth Policies and Legislation with their obligations under the Equal Opportunity for Women in the Workplace (EOW) Act 1999 (refer to Part A, Attachment B, clause 1.10.3, page 13). A successful Applicant must not be named as not complying with the EOW.</p> | | |
| <p>Successful Applicants, under the Commonwealth Policies and Legislation, must not be on the list of persons and entities designated as terrorists (refer to Part A, Attachment B, clause 1.10.4, page 14).</p> | | |
| <p>Under the Commonwealth Policies and Legislation Successful Applicants must acknowledge Division 2 of Archives Act 1983 (refer to Part A, Attachment B, clause 1.10.5, page 14).</p> | | |
| <p>Successful Applicants must acknowledge that GST when legally required will be applied to goods and services supplied by a Successful Applicant in relation to the performance of a Contract (refer to Part A, Attachment B, clause 1.11.1, page 14).</p> | | |
| <p>Successful Applicants must acknowledge that the Commonwealth reserves the right to contact the Applicant’s referees, or any other person, directly and without notifying the respondent (refer to part A, Attachment B, clause 2.1.3, page 15).</p> | | |

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| <p>Successful Applicants must acknowledge that the giving of false or misleading information to the Commonwealth is a serious offence under section 137.1 of the schedule to the <i>Criminal Code Act 1995</i>. Successful Applicants must ensure that any subcontractor acknowledges the information contained in this clause.</p> | | |
| <p>To the extent permitted by laws and for the benefit of the Commonwealth, the Successful Applicant consents if engaged by the Bureau, and must use its best endeavours to procure that each author of Material consents in writing, to the use by the Commonwealth of Material, even if the use may otherwise be an infringement of their Moral Rights provided this will not include false attribution of ownership (refer to Part A, Attachment B, page 12, clause 1.2).</p> | | |
| <p>Successful Applicants must acknowledge that the Australian Government will consider environmental issues including energy efficiency in purchasing decisions.</p> | | |
| <p>Applicants should note that in accordance with the Fair Work Principles, the Bureau will not engage with a supplier that:</p> <ul style="list-style-type: none"> a) fails, when required by the Commonwealth, to confirm it understands and complies with all relevant workplace relations law, occupational health and safety law, or workers' compensation law; b) is subject to an order from any Court or Tribunal decisions relating to a breach of workplace relations law, occupational health and safety law, or workers' compensation law with | | |

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| <p>which the Applicant has not fully complied or is not fully complying;</p> <p>c) has a <i>Fair Work Act 2009</i> agreement that was made on or after 1 January 2010 that does not include genuine dispute resolution procedures;</p> <p>d) fails to provide information when requested by the Bureau relevant to their compliance with the Fair Work Principles.</p> |  | |
| <p>Applicants should note the Auditor-General Act 1999 (Cth), which provides the Auditor-General or an authorised person with a right to have, at all reasonable times, access to information, documents and records.</p> |  | |
| <p>Note that in relation to confidentiality, the Commonwealth is subject to a number of specific requirements, which support internal and external scrutiny of its tendering and contracting processes. This includes the requirement to publish details of agency agreements and Commonwealth contracts with an estimated liability of \$10 000 or more and standing offers on AusTender (refer to Part A, Attachment B, clause 1.10.2, page 13).</p> <p>Applicants should note that the Parliament and its committees have the power to require the disclosure of Commonwealth contracts and contract information to enable them to carry out their functions.</p> |  | |

Your Financial Viability

Please provide a succinct response to the following –

- Briefly describe your organisation’s corporate history.
- If your organisation has been involved in significant litigation, real or possible organisational change, or disruption (past, present or pending) or any other activity which may be of interest to the Bureau, please provide details.

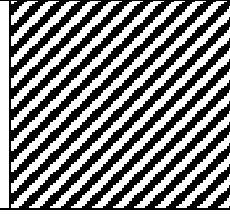
Commonwealth financial standards for business to comply with or acknowledge once engaged to provide goods and / or services to the Commonwealth.

Please indicate if your organisation is able to comply with or acknowledge the following Commonwealth financial standards by answering with a “Yes” or “No”.

| Commonwealth financial standards | Capability to comply? (Yes or No) | Capability and willingness to acknowledge? (Yes or No) |
|--|--------------------------------------|---|
| Participation in any stage of the MUL process is at the Successful Applicant’s sole risk, cost and expense (refer to Part A, Attachment B, clause 1.16, page 15). | | |
| Successful Applicants must have an understanding of and ability to comply with the Commonwealth Procurement Guidelines (http://www.finance.gov.au/procurement/procurement-policy-and-guidance/CPG/index.html) | | |
| Successful Applicants must have the ability to take out, provide and maintain insurance if engaged by the Bureau (refer to Part A, Attachment B, clause 3.5, page 17). <i>Please note – The supplier must procure and maintain such insurances and on such terms and conditions as a prudent supplier, providing supplies similar to the Supplies, would procure and maintain and if requested, must provide the Commonwealth with evidence of currency of those insurances.</i> | | |

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| <p>The Successful Applicant if engaged by the Bureau has to indemnify the Bureau from and against any:</p> <ul style="list-style-type: none"> a) cost or liability incurred by the Bureau; b) loss of or damage to property of the Bureau; or c) loss or expense incurred by the Bureau in dealing with any claim against it including legal costs and expenses on a solicitor/own client basis and the cost of time spent, resources used or disbursements paid by the Bureau, <p>Arising from either:</p> <ul style="list-style-type: none"> d) a breach by the Successful Applicant of the contract entered into; or e) an act or omission involving fault on the part of the Successful Applicant or its Personnel in connection with the contract entered into. <p>The Successful Applicant's liability to indemnify the Bureau will be reduced proportionately to the extent that any act or omission involving fault on the part of the Bureau or its Personnel contributed to the relevant cost, liability, loss, damage or expense (refer to Part A, Attachment B, clause 3.6, page 17).</p> | | |
| <p>If a Successful Applicant is engaged by the Bureau, they must ensure that the Commonwealth receives all relevant third party warranties in respect of Supplies.</p> <p>If the Applicant is a manufacturer, the Applicant must provide the Commonwealth with all standard manufacturer's warranties in respect of the Supplies it has manufactured (refer to Part A, Attachment B, clause 3.7, page 17).</p> | | |
| <p>Acknowledge that the Bureau may conduct detailed evaluations of an Applicant's financial position. For this purpose,</p> | | |

Successful Applicants should be prepared to provide details of relevant financial data concerning the Applicant (refer to Part A, Attachment B, clauses 1.15.1 and 1.15.2, page 12).



Conflict of Interest

Applicants must declare any conflicts of interest, real or potential that exist or may exist in the provision of Services.

Services or Goods Applied For

Please provide details of vessels that you have available for charter that meet the Technical Minimum Requirements (refer to Part A, Attachment A). Indicate the typical availability of each vessel offered for charter, and indicate preferred ports of departure and return if any.

Statement of Non-Compliance

If Applicants are non-compliant with any requirement of Part A of the Multi-Use List (part of which is outlined by the prompts under the sections “Your Business” and “Your Financial Viability”) they must state non-compliances in accordance with the Statement of Non-Compliance Format table below.

Failure to list all non-compliances will render an Applicant ineligible for the MUL.

| | Reference (eg. Clause 1.7) | Comments (Note 1) |
|---|-------------------------------|-------------------|
| Summary of Requirement | | |
| Attachment A – Statement of Requirement | | |
| Attachment B – MUL Rules | | |

Note 1:

If the Applicant does not comply with a particular requirement, the Applicant is to state the extent, justification and impact of non-compliance and details of any alternative clause.

Conditions for Participation

Conditions for participation are the essential requirements that potential Applicants must meet in order to be included on the MUL.

Potential Applicants must have the legal, commercial, technical and financial abilities to fulfil the requirements for conditions of participation and be fully compliant with Commonwealth Policies and Legislation as per clauses 1.7, 1.9, 1.10 and 1.13 of Attachment B – MUL Rules.

Applicants must also meet the technical minimum requirements in their area of expertise as described on page 9 of Part A – Applicant Information.

Declaration by Supplier

The undersigned hereby:

Declare its availability to supply the goods and services in accordance with Commonwealth procurement policy and to abide by the rules and conditions of the MUL.

| | |
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| Signature To be signed and dated by the supplier personally, except in the case of a Company when it may be executed under common seal or signed by the Manager or A Director or the Secretary of the Company. | |
| Name of Signee | |
| Official Position Held | |
| Date | |
| Duly Authorised to Sign for and on Behalf of (state full name Supplier): | |
| A.B.N or A.C.N | |
| Street Address | |
| Postal Address | |
| Telephone No. | |
| Facsimile No. | |