

PORT ARTHUR HISTORIC SITES MANAGEMENT AUTHORITY

Public Tender – Ref C23679_10-WOR

Surplus bricks from PAHSMA conservation project



Closing date and time: **Friday 4 January 2019, 2:00pm (1400h) AEST**

Tender Offers to be submitted by:

- **Email** to tenders@portarthur.org.au;
- **Mail** to 6973 Arthur Highway, Port Arthur TAS 7182 (c/o Conservation & Infrastructure Department); or
- **Hand** to the tender box at Port Arthur Historic Site Management Authority, Administration Building, 6973 Arthur Highway, Port Arthur TAS 7182.

Part A: Tender Details

Bespoke bricks, surplus from the Port Arthur Historic Site Separate Prison Conservation Project.

Total Quantity: 40,000 bricks

Available as a whole lot (40,000), or separated into half (20,000), or quarter (10,000) lots.

Pick up from Port Arthur Historic Site only. Bricks will be stacked on pallets ready for collection, wrapped and/or strapped; forklift with driver will be available for loading. Ensuring the load is secure is the responsibility of the buyer or agent acting on their behalf.

Enquires, and requests for further information about this Tender, should be directed to the Contact Officer as follows:

Contact Officer: Nicky Corbett,
Conservation Project Officer

Telephone: p: (03) 6251 2382

Email: nicky.corbett@portarthur.org.au

Part B: Conditions of Tender

1 Agreement to be bound

By lodging a Tender Offer a prospective buyer agrees to be bound by these Conditions of Tender.

2 Close of Tender

This Tender for the sale of surplus bricks from the PAHSMA Separate Prison Project closes at Friday 4 January 2019, 2:00pm (1400h) AEST.

3 Late Tender Offers

Late Tender Offers will not be considered unless the Authority is of the view (and its decision will be absolute and final) that:

- (a) circumstances beyond the prospective buyer's control were the cause of the lateness; and
- (b) the consideration of the late Tender Offer will not compromise the integrity of the Tender process or provide any unfair advantage to the prospective buyer lodging the late Offer.

4 Communications

A prospective buyer must direct all communications and enquiries concerning this Tender to the Contact Officer named in Part A.

5 Content and format of Tender Offers

Tender Offers must be lodged in the format(s) specified in the Tender Notice and include all the information listed here:

- (a) Name of tendering party – if a company/business, please also include a contact name;
- (b) Contact details of tendering party – phone number, email address, postal address;
- (c) Total number of bricks requested (40,000 / 30,000 / 20,000 / 10,000); and
- (d) Lump sum price offered, GST inclusive.

6 Lodgement of Tender Offers

A Tender Offer must be lodged by the closing time and date specified in the Tender Notice or as extended under Clause 11. An Offer must be lodged in a manner specified in the Tender Notice.

As the Tender Notice permits lodgement of Tender Offers by email the following provisions apply:

Lodgement by email will be at the sole risk of the prospective buyer. The Authority does not warrant that a prospective buyer will be able to upload its Offer to the email address for lodgement. An Offer may be rejected if it contains a virus, worm or other defect, or if the Offer does not comply with any format, size or other requirements stated in the Tender Notice.

7 Monetary amounts

All monetary amounts must be expressed in Australian dollars (inclusive of GST).

8 Validity

A Tender Offer constitutes an irrevocable Offer to Purchase by the prospective buyer to the Authority. An Offer must remain valid and open to be accepted for 60 Business Days from the closing time and date of the Tender. The period of 60 Business Days may be extended by written agreement between the prospective buyer and the Authority. Acceptance of a Tender Offer by the Authority constitutes a binding contract of sale.

9 Payment

Payment in full must be received within 90 Business Days from acceptance of the Tender Offer by the Authority. Payment in full of the total accepted Tender Offer must be made prior to collection of the goods. If payment is made in instalments, all instalments must be paid prior to collection of the goods. Part payment does not constitute ownership of the goods. Payment methods will be finalised between the Authority and the buyer upon acceptance of a Tender Offer by the Authority.

10 Addenda

The Authority may change this Tender by issuing an Addenda in writing, published on the Authority's website and in the same newspaper the original Tender Notice was advertised. Any Addenda becomes part of this Tender. Addenda issued by the Authority are the only recognised explanations of, or amendments to, this Tender.

11 Reservations

The Authority reserves the right at its absolute discretion:

- (a) by written notice to do any of the following things: to discontinue or suspend the Tender process; to extend the closing date and time; and to amend this Tender; and
- (b) to negotiate with any prospective buyer submitting a Tender Offer.

The Authority is not bound to accept the highest, or any, Offer submitted.

12 Preparation of Tender Offer

The Authority will neither be responsible, nor pay, for any cost, expense or loss, which may be incurred by any person in connection with the preparation or presentation of a Tender Offer.

13 Exclusions

Goods are sold as is. To the extent allowable by law no warranty is given, whether express or implied. The Authority is not liable for any error or omission in this Tender.

Part C: Glossary of terms

In this Tender, unless the context otherwise requires:

Authority means the Port Arthur Historic Site Management Authority established pursuant to the *Port Arthur Historic Site Management Authority Act 1987*.

Business Day means a day on which banks are generally open for business in Hobart (but does not include a Saturday, Sunday or public holiday generally observed in Hobart).

Buyer means the purchaser of the goods from the Authority, being the person named as the Buyer in the Tender Offer (accepted by the Authority) and includes that person's successors and permitted assigns.

GST has the meaning in the *A New Tax System (Goods and Services) Act 1999* (Cwlth). Expressions

defined in the GST Act have the same meaning when used in this Tender.

Tender means the sale of goods through an open (publically advertised) competitive process of confidential Tender Offers.

Tender Notice comprises both the advertisement as displayed in the Classifieds section of the Mercury newspaper, and the information and details available on the Authority's website at <https://portarthur.org.au/event/bricks-public-tender/>.

Tender Offer (Offer) is the monetary amount which the buyer agrees to pay for the goods should they be the successful tenderer, as well as the associated details as per Part 5: Conditions of Tender, Clause 5.