
From: Catherine Townsend [REDACTED]
Sent: Thursday, 1 November 2018 9:27 AM
To: Cantamessa, Cindy
Subject: RE: Northbourne Flats - Technical Advice [SEC=UNCLASSIFIED, DLM=Sensitive]

Hi Cindy

Will do.
Will try to wrap this up very shortly

regards

Catherine Townsend LFRAIA

Director . Townsend+Associates Architects
Adjunct Professor Faculty of Arts and Design, University of Canberra

02 62577033 [REDACTED]
212 Dryandra Street O'Connor ACT 2602
Registered Architect: ACT 795 NSW 8676

[REDACTED]
www.t-a.com.au

From: Cantamessa, Cindy [mailto:Cindy.Cantamessa@act.gov.au]
Sent: Wednesday, 31 October 2018 12:45 PM
To: Catherine Townsend
Subject: Northbourne Flats - Technical Advice [SEC=UNCLASSIFIED, DLM=Sensitive]

Hi Catherine

When you provide your technical advice could you also return the tender docs.

Thanks
Cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

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From: Radnell, Shane <Shane.Radnell@colliers.com>
Sent: Monday, 5 November 2018 1:05 PM
To: Forner, Julia
Cc: Reid, Josh; Balzanelli, Andrew; ██████████ Cantamessa, Cindy
Subject: Re: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions [DLM=Sensitive: Legal]

Can we catch up this week to run through the Stuart Flats and Gowrie Court campaigns to make sure we're ready to fire at the end of the month?

Be good to also get advice as to when you plan to notify parties for Braddon and Turner as they are asking us, if you haven't already notified them.

Regards

Shane Radnell

Director

Residential

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On 5 Nov 2018, at 12:48 pm, Forner, Julia <Julia.Forner@act.gov.au> wrote:

Thank you

From: Radnell, Shane [<mailto:Shane.Radnell@colliers.com>]

Sent: Monday, 5 November 2018 12:30 PM

To: Forner, Julia <Julia.Forner@act.gov.au>

Cc: Reid, Josh <Josh.Reid@colliers.com>; Balzanelli, Andrew <Andrew.Balzanelli@ap.jll.com>;

██████████ Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>

Subject: Re: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions [DLM=Sensitive: Legal]

Hi Julia, we will obtain this info from John.

Regards

Shane Radnell

Director

Residential

Colliers International

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On 5 Nov 2018, at 12:28 pm, Forner, Julia <Julia.Forner@act.gov.au> wrote:

Good afternoon

Please find attached letter requesting clarification from Braturn Pty Ltd (John Russell) contact details as per their submission attached. I am sending this to all of you as I am not sure who has the relationship with them.

Can you please send this on and provide their response to myself and Cindy once received.

Many thanks

Julia

Please do not hesitate to contact me if you have any queries.

regards

Julia Forner

Senior Manager, Sales & Client Services.

T: 02 6207 7096|

Suburban Land Agency | ACT Government

TransACT House, 470 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601

www.suburbanland.act.gov.au <image001.jpg> <image002.gif> facebook.com/suburbanland

<image001.jpg><image003.gif> twitter.com/suburbanland

<image004.jpg>

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<RT1 _ Tenderer's Details Braturn Pty Ltd.pdf>

<Clarification questions 5 November 2018.pdf>

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From: Jones, Bronwen
Sent: Tuesday, 6 November 2018 9:20 AM
To: Sharp, Andy; Cantamessa, Cindy
Subject: RE: northbourne flats braddon and turner - commercial in confidence [SEC=UNCLASSIFIED, DLM=Sensitive]

Great!

From: Sharp, Andy
Sent: Monday, 5 November 2018 2:59 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: RE: northbourne flats braddon and turner - commercial in confidence [SEC=UNCLASSIFIED, DLM=Sensitive]

Thanks for the update Cindy.
Cheers
A

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] **E:** andy.sharp@act.gov.au



From: Cantamessa, Cindy
Sent: Monday, 5 November 2018 2:57 PM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: northbourne flats braddon and turner - commercial in confidence [SEC=UNCLASSIFIED, DLM=Sensitive]

Andy/Bronwen

Clarification has been issued and Braturn has until 1000h 19 Nov to respond. Clarification has been approved from a probity perspective by ACT GSO and the Sales Agent is now issuing the clarification to Braturn today.

Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

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From: Cantamessa, Cindy
Sent: Tuesday, 6 November 2018 11:20 AM
To: Forner, Julia
Subject: Northbourne Flats [SEC=UNCLASSIFIED, DLM=Sensitive]
Attachments: scan_garry travis_2018-11-06-09-50-45.pdf

Julia

I think we should respond that we are in tender evaluation and cannot take any action as it may be detrimental to other tenders. Are you able to get legal advice on this?

Also see Garys comments below. Three buildings have been already demolished. Scan shows which ones.

Regards
cindy

From: Travis, Garry
Sent: Tuesday, 6 November 2018 10:09 AM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: FW: Your scan (Scan to My Email)

Hi Cindy,

Attached an aerial photo with demolished building crossed in red. Only three at this stage on the Turner site. I will go for a walk at lunch time to confirm that no others have been demolished. I estimate that approximately 3 others have been stripped out ready for demolition. Once the buildings are stripped it usually only takes one or two days to demolish the building - so there could be another two/three buildings demolished next week. For your info I will be on leave from the 8th to the 14th of this month. (back on the 14th).

Cheers Garry

Garry Travis | Project Manager/Urban Renewal
Environment Planning Sustainable Development Directorate

Level 2, 221 London Circuit, Canberra City. Phone: 02 62052630 | Fax: 02 62076110 | 

Email garry.travis@act.gov.au Web: www.epsdd.act.gov.au

ACTmapi

User Input Title

Notes:

1: 3,000



DISCLAIMER

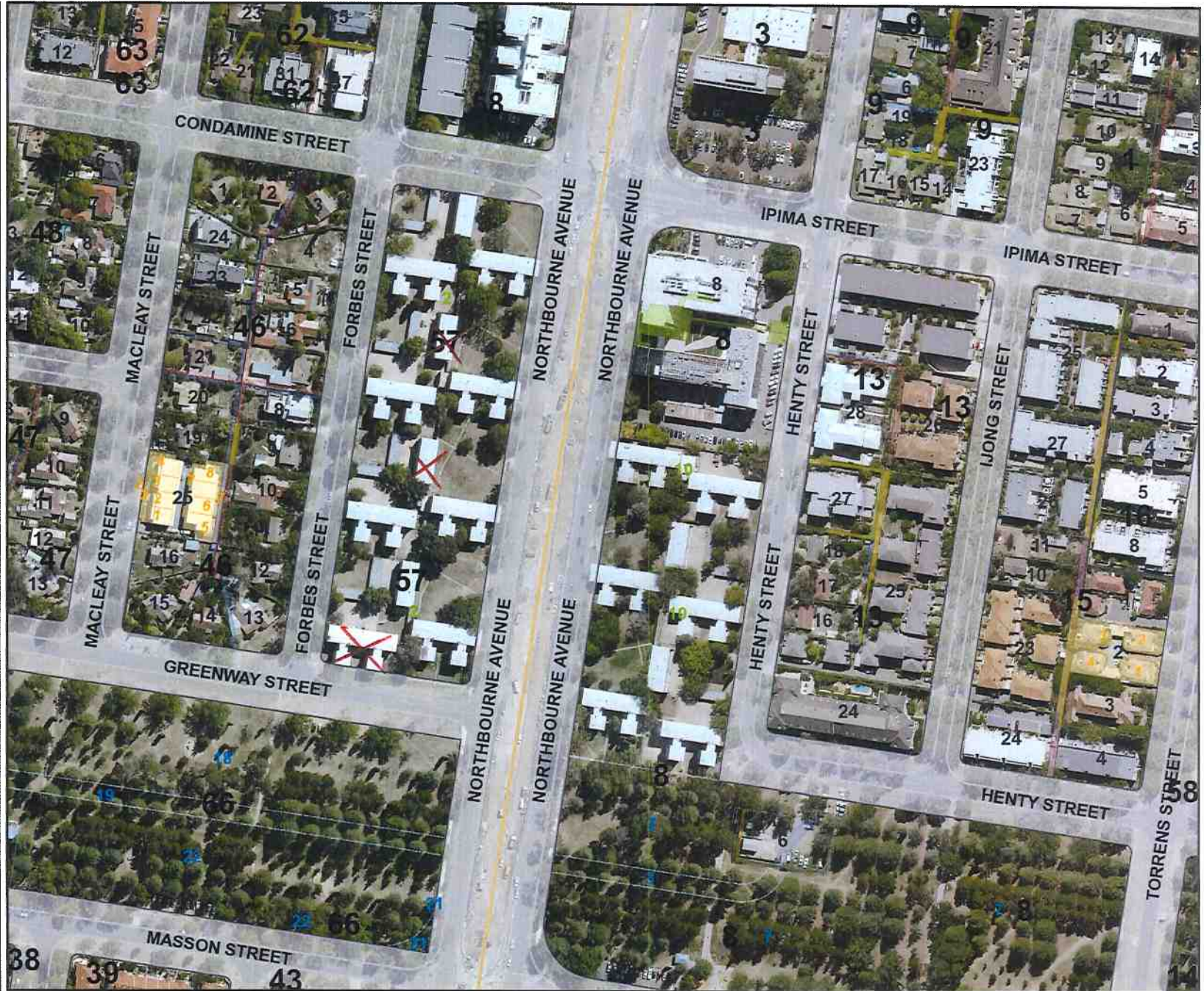
The map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current or otherwise reliable.

06-Nov-2018

Page 1 of 1



ACT
Government



From: Cantamessa, Cindy
Sent: Tuesday, 6 November 2018 2:21 PM
To: Terracini, Stephen; Emerson, Mark
Cc: Forner, Julia
Subject: Northbourne Flats clarification [SEC=UNCLASSIFIED, DLM=Sensitive]

Guys

Just keeping you in the loop – the clarification has gone out and a response is required by 1000h 19 Nov.

Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339  **E:** cindy.cantamessa@act.gov.au

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From: Sharp, Andy
Sent: Wednesday, 7 November 2018 6:51 AM
To: Cantamessa, Cindy
Cc: Forner, Julia
Subject: Re: Northbourne Flats Place Holder [SEC=UNCLASSIFIED, DLM=Sensitive]

Thanks Cindy. Julia when responses arrive can we make time to review?
Cheers
Andy

Kind Regards
Andy Sharp
Design & Place Strategy



On 6 Nov 2018, at 3:31 pm, Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au> wrote:

Andy

I am away 19/20 Nov but feel free to link up with Julia to see the response to clarification whilst I am away. It may be that you both look at the response and agree legal or other advice is needed on their clarification whilst I am away.

Regards

cindy

-----Original Appointment-----

From: Groom, Samantha **On Behalf Of** Sharp, Andy

Sent: Tuesday, 6 November 2018 2:47 PM

To: Cantamessa, Cindy

Subject: Tentative: Northbourne Flats Place Holder

When: Friday, 23 November 2018 9:00 AM-11:00 AM (UTC+10:00) Canberra, Melbourne, Sydney.

Where: Nara Plaza Sth, Hovell

From: [REDACTED]
Sent: Wednesday, 7 November 2018 12:16 PM
To: Forner, Julia
Cc: Balzanelli, Andrew; Cantamessa, Cindy
Subject: RE: OnNorthbourne [DLM=For-Official-Use-Only]

Thanks Julia. Have responded to Geocon with words below.

Will let you know if anything further is received.

Regards,

[REDACTED]

From: Forner, Julia <Julia.Forner@act.gov.au>
Sent: Wednesday, 7 November 2018 12:11 PM
To: [REDACTED]
Cc: Balzanelli, Andrew <Andrew.Balzanelli@ap.jll.com>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: [EXTERNAL] RE: OnNorthbourne [DLM=For-Official-Use-Only]

Good afternoon [REDACTED]

As discussed, please find below a response cleared by our solicitors for provision to Geocon.

Thank you for your clarification question submitted on 5 November 2018 regarding demolition works. Please refer to clause 11 of the RFT, which confirms that the last day for asking clarification questions was 19 September 2018.

Regards

Julia

From: [REDACTED]
Sent: Monday, 5 November 2018 4:04 PM
To: Forner, Julia <Julia.Forner@act.gov.au>
Cc: Balzanelli, Andrew <Andrew.Balzanelli@ap.jll.com>
Subject: Fwd: OnNorthbourne

Julia,

We have received correspondence below from Geocon with regards to their Braddon & Turner tender.

Can you please confirm how the Agency would like us to respond?

Regards,

[REDACTED]
Senior Director, Head of Sales & Investments - ACT
JLL
Level 7 121 Marcus Clarke Street
Canberra ACT 2601

[REDACTED]

jll.com.au

Begin forwarded message:

From: [REDACTED]
Date: 5 November 2018 at 3:16:03 pm AEDT
To: [REDACTED]
Cc: [REDACTED]
Subject: [EXTERNAL] OnNorthbourne

Hi [REDACTED],

As discussed, GEOCON would like the opportunity to complete the demolition works as part of the site handover, should we be successful in this tender. This will assist us with preparing and maintaining the site in line with our proposed design. [REDACTED]

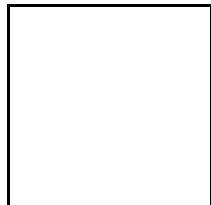
We note that it appears that the demolition works have commenced on site. We would ask that this be stopped until we have had the opportunity to present our design in more detail to the SLA as part of this tender process.

We look forward to the SLAs response.

Kind regards,

[REDACTED]
Office: Unit 18 Level 1, 24 Iron Knob Street Fyshwick ACT 2609 | Postal: PO Box 5425, Kingst [REDACTED]
E: Nathan.Ross@geocon.com.au

GEOCON.COM.AU     



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From: Forner, Julia
Sent: Friday, 9 November 2018 7:58 AM
To: Sharp, Andy; Cantamessa, Cindy; Jones, Bronwen
Subject: RE: Braddon and Turner - Evaluation Report_AS Reviewed_26 Oct 2018 - bcj edits [SEC=UNCLASSIFIED, DLM=Sensitive]
Attachments: Braddon and Turner - Evaluation Report_AS Reviewed_8 Nov 2018 - jf edits.docx

Good morning

Please find attached the Evaluation report with my edits. I have left the technical info to the experts, but added a list of all the people who have been "read in" as advisors and an attachment for their confidentiality and conflict forms. (this will need to be added to f anyone further is consulted.

Regards
Julia

From: Sharp, Andy
Sent: Wednesday, 31 October 2018 12:35 PM
To: Forner, Julia <Julia.Forner@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: Braddon and Turner - Evaluation Report_AS Reviewed_26 Oct 2018 - bcj edits [SEC=UNCLASSIFIED, DLM=Sensitive]

Colleagues,
Please find the latest version of the Evaluation Report for your review. We are waiting on Catherine Townsends comments for inclusion together with the validation of non-monetary values etc.

Cheers
A

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] E: andy.sharp@act.gov.au



From: Cantamessa, Cindy
Sent: Tuesday, 13 November 2018 12:44 PM
To: Catherine Townsend
Cc: Sharp, Andy
Subject: RE: Northbourne Flats Tender Review [SEC=UNCLASSIFIED]

Thanks Catherine

We have requested further clarification from Braturn regarding the non-monetary benefits and this should be provided next Monday. We will keep you in the loop as the tender evaluation proceeds.

Regards
Cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

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ABN 40 746 096 162

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From: Catherine Townsend [REDACTED]
Sent: Tuesday, 13 November 2018 12:27 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: Northbourne Flats Tender Review

Hi Cindy

Tender Review document attached – my apologies for slow delivery!
Please let me know if there's anything you would like to discuss.

I will drop the tender materials (folder and USB) into your office later this week.

Regards
Catherine

Catherine Townsend LFRAIA

Director . Townsend+Associates Architects
Adjunct Professor Faculty of Arts and Design, University of Canberra

02 62577033 [REDACTED]
212 Dryandra Street O'Connor ACT 2602
Registered Architect: ACT 795 NSW 8676

From: Cantamessa, Cindy
Sent: Tuesday, 13 November 2018 12:47 PM
To: Forner, Julia; Sharp, Andy; Jones, Bronwen
Subject: Commercial in confidence: Northbourne Flats Tender Review [SEC=UNCLASSIFIED, DLM=Sensitive]
Attachments: Northbourne Flats Tender Review_Issue A.docx; Northbourne Flats Tender Review_Issue A.pdf

Commercial in Confidence

Hi Everyone

Find attached a copy of the Government Architects technical analysis of the Design Quality Criteria for the tenderers for Northbourne Flats.

Next step for the tender evaluation will be when we receive the clarification from Braturn.

Please respect the confidentiality of the material attached to this email.

Regards
Cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

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From: Catherine Townsend [REDACTED]
Sent: Tuesday, 13 November 2018 12:27 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: Northbourne Flats Tender Review

Hi Cindy

Tender Review document attached – my apologies for slow delivery!
Please let me know if there's anything you would like to discuss.

I will drop the tender materials (folder and USB) into your office later this week.

Regards
Catherine

Catherine Townsend LFRAIA

Director . Townsend+Associates Architects

Adjunct Professor Faculty of Arts and Design, University of Canberra

02 62577033 [REDACTED]

212 Dryandra Street O'Connor ACT 2602

Registered Architect: ACT 795 NSW 8676

[REDACTED]
www.t-a.com.au

From: Sharp, Andy
Sent: Monday, 19 November 2018 12:10 PM
To: Forner, Julia; Cantamessa, Cindy; Jones, Bronwen
Subject: RE: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions [DLM=For-Official-Use-Only]
Attachments: Braddon and Turner - Evaluation Report_19 Nov 2018.docx

Colleagues,
Please find the latest version of the evaluation report for your review prior to our meeting.
Cheers
A

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] E: andy.sharp@act.gov.au



From: Forner, Julia
Sent: Monday, 19 November 2018 9:04 AM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: FW: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions [DLM=For-Official-Use-Only]

Good morning

Please find attached the response to our clarification questions from Braturn. I will forward these to Minter Ellison for their review and advice prior to Friday's meeting.

Regards
Julia

From: John Russell [REDACTED]
Sent: Sunday, 18 November 2018 9:49 PM
To: Shane Radnell <Shane.Radnell@colliers.com>
Cc: Reid, Josh <Josh.Reid@colliers.com>; Forner, Julia <Julia.Forner@act.gov.au>
Subject: RE: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions

Hi Shane,

Thank you for your email.

Please find attached our responses to the clarification questions.

Should you require any additional information, please feel to contact us.

Could you please confirm receipt.

Best regards

John Russell
Director



Sent from my Sony Xperia™ smartphone

----- Radnell, Shane wrote -----

Hi John

Please find attached letter from the Suburban Land Agency requesting clarification from Braturn Pty Ltd contact details as per your submission attached.

If you could please respond to us by the 10am 19 November 2018 deadline that would be appreciated.

Regards

Shane Radnell

Director
Residential

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From: Cantamessa, Cindy
Sent: Thursday, 22 November 2018 1:25 PM
To: EPSDD Suburban Land Valuations
Cc: Terracini, Stephen; Forner, Julia; Sharp, Andy
Subject: RE: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions [DLM=Sensitive]

Thanks for this written advice.

The Tender Evaluation Team is meeting again on Friday and we will discuss whether we will seek further detailed information.

Regards
cindy

From: Jones, Bronwen
Sent: Thursday, 29 November 2018 3:52 PM
To: Sharp, Andy; Forner, Julia; Cantamessa, Cindy
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Hi Andy, Julia and Cindy

The work you have all done on this report is amply evident. Its reading really well, and I have nothing more to add. Looking forward to the outcome of the next stage of the process.

Regards, Bron

From: Sharp, Andy
Sent: Thursday, 29 November 2018 3:16 PM
To: Forner, Julia <Julia.Forner@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Colleagues,
Final draft version for your info.
Cheers
Andy

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] E: andy.sharp@act.gov.au



From: Forner, Julia
Sent: Friday, 23 November 2018 5:27 PM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Cc: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Good afternoon All

Please find attached the latest version with my updates.

Over to you Bronwen ☺

Cheers

Julia

From: Sharp, Andy
Sent: Friday, 23 November 2018 3:18 PM
To: Jones, Bronwen <Bronwen.Jones@act.gov.au>
Cc: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>
Subject: Re: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Yes happy with the direction given.
Andy

Kind Regards
Andy Sharp
Design & Place Strategy



On 23 Nov 2018, at 2:36 pm, Jones, Bronwen <Bronwen.Jones@act.gov.au> wrote:

Cindy
No need to apologise for giving 'clear directions'!
I will now give some more – Andy – I am happy to look at the technical wording after Julia and then forward to you. Is that OK with you?

Bron

From: Cantamessa, Cindy
Sent: Friday, 23 November 2018 2:29 PM
To: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

All

Based upon our discussions this morning I have updated the Tender Report.

I think the next person to edit the document should be Julia. Could you review the wording in the Financial offer Assessment, Value for Money, Summary and Recommendations to confirm that I have worded this correctly. Once you are happy with the words could you send back the amended document to all of us and then Andy and Bronwen can do a last review particularly in relation to the technical criteria.

I think if we do the edits in this order we will stop duplication. Sorry for being so rude and telling you all what to do and when in bold, but I just want you to pick up the order of edits.

Regards
cindy

Cindy Cantamessa

Project Director

T: 02 6205 8339 [REDACTED] E: cindy.cantamessa@act.gov.au

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From: Cantamessa, Cindy
Sent: Thursday, 29 November 2018 4:07 PM
To: Sharp, Andy; Forner, Julia; Jones, Bronwen
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Julia

Do you now wish to book some time with John Dietz to discuss the report. When would you like all of us to sign report?

I would suggest it would be worthwhile having Andy in the room to discuss design at same time.

Regards
Cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

City Renewal Authority ACT Government

Canberra Nara Centre, 1 Constitution Avenue, Canberra City
GPO Box 158 Canberra City ACT 2601
ABN 40 746 096 162

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From: Sharp, Andy
Sent: Thursday, 29 November 2018 3:16 PM
To: Forner, Julia <Julia.Forner@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Colleagues,
Final draft version for your info.
Cheers
Andy

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] **E:** andy.sharp@act.gov.au

From: Forner, Julia
Sent: Friday, 23 November 2018 5:27 PM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Cc: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Good afternoon All

Please find attached the latest version with my updates.

Over to you Bronwen ☺

Cheers
Julia

From: Sharp, Andy
Sent: Friday, 23 November 2018 3:18 PM
To: Jones, Bronwen <Bronwen.Jones@act.gov.au>
Cc: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>
Subject: Re: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Yes happy with the direction given.
Andy

Kind Regards
Andy Sharp
Design & Place Strategy



On 23 Nov 2018, at 2:36 pm, Jones, Bronwen <Bronwen.Jones@act.gov.au> wrote:

Cindy
No need to apologise for giving 'clear directions'!
I will now give some more – Andy – I am happy to look at the technical wording after Julia and then forward to you. Is that OK with you?

Bron

From: Cantamessa, Cindy
Sent: Friday, 23 November 2018 2:29 PM
To: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>

Subject: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report
[SEC=UNCLASSIFIED]

All

Based upon our discussions this morning I have updated the Tender Report.

I think the next person to edit the document should be Julia. Could you review the wording in the Financial offer Assessment, Value for Money, Summary and Recommendations to confirm that I have worded this correctly. Once you are happy with the words could you send back the amended document to all of us and then Andy and Bronwen can do a last review particularly in relation to the technical criteria.

I think if we do the edits in this order we will stop duplication. Sorry for being so rude and telling you all what to do and when in bold, but I just want you to pick up the order of edits.

Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

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ABN 40 746 096 162

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From: Jones, Bronwen
Sent: Wednesday, 5 December 2018 9:11 AM
To: Forner, Julia; Sharp, Andy; Cantamessa, Cindy
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Hi team!

I am happy about minor changes, particularly the second change – eg. going back to John before closing the process..... It suggest that we are committed to fully utilising all avenues of the tender process to reach the conclusion.

Wednesday's meeting? Have I missed something?

Best regards, Bron

From: Forner, Julia
Sent: Wednesday, 5 December 2018 9:05 AM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Good morning team

John has completed his initial review of the tender report and has suggested two minor changes – adding Joey to the list of Technical advisors and adding a recommendation that if we receive an incresaded offer that is belwo reserve we go back to him before closing the process.

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Regards
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Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Colleagues,
Final draft version for your info.
Cheers
Andy

Kind Regards
Andy Sharp
Director Design and Place Strategy



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Over to you Bronwen ☺

Cheers
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Subject: Re: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Yes happy with the direction given.
Andy

Kind Regards
Andy Sharp
Design & Place Strategy



On 23 Nov 2018, at 2:36 pm, Jones, Bronwen <Bronwen.Jones@act.gov.au> wrote:

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Subject: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report
[SEC=UNCLASSIFIED]

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Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339  **E:** cindy.cantamessa@act.gov.au

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From: Cantamessa, Cindy
Sent: Wednesday, 5 December 2018 11:31 AM
To: Forner, Julia
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Julia

Can you arrange Bronwen to be invited to next Wed meeting. We should be polite.

Thanks
Cindy

From: Forner, Julia
Sent: Wednesday, 5 December 2018 9:05 AM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
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Final draft version for your info.
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Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] E: andy.sharp@act.gov.au

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Cc: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Good afternoon All

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Over to you Bronwen ☺

Cheers
Julia

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Subject: Re: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Yes happy with the direction given.
Andy

Kind Regards
Andy Sharp
Design & Place Strategy



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To: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>

Subject: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report
[SEC=UNCLASSIFIED]

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Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

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From: Forner, Julia
Sent: Tuesday, 11 December 2018 5:29 PM
To: Sharp, Andy; Cantamessa, Cindy; Jones, Bronwen
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]
Attachments: Braddon and Turner - Evaluation Report_29 Nov 2018_Final JD's edits.docx

Hi Andy

Latest version attached. I'll bring a hard copy for JD's signature if he has no further changes.

Regards
Julia

From: Sharp, Andy
Sent: Tuesday, 11 December 2018 2:42 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Hi Julia,
Did the report get amended to reflect the suggested changes below? Can I get a copy for tomorrow?
Cheers
A

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] E: andy.sharp@act.gov.au



From: Cantamessa, Cindy
Sent: Wednesday, 5 December 2018 11:30 AM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Sounds a good strategy

Regards
cindy

From: Sharp, Andy
Sent: Wednesday, 5 December 2018 9:31 AM
To: Forner, Julia <Julia.Forner@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Happy with suggested changes.
A

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 [REDACTED] E: andy.sharp@act.gov.au



From: Forner, Julia
Sent: Wednesday, 5 December 2018 9:05 AM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Good morning team

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Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

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Cheers
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Andy Sharp
Director Design and Place Strategy
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Cc: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Good afternoon All

Please find attached the latest version with my updates.

Over to you Bronwen 😊

Cheers
Julia

From: Sharp, Andy
Sent: Friday, 23 November 2018 3:18 PM
To: Jones, Bronwen <Bronwen.Jones@act.gov.au>
Cc: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>
Subject: Re: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

Yes happy with the direction given.
Andy

Kind Regards
Andy Sharp
Design & Place Strategy



On 23 Nov 2018, at 2:36 pm, Jones, Bronwen <Bronwen.Jones@act.gov.au> wrote:

Cindy
No need to apologise for giving 'clear directions'!
I will now give some more – Andy – I am happy to look at the technical wording after Julia and then forward to you. Is that OK with you?

Bron

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Sent: Friday, 23 November 2018 2:29 PM
To: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: Commercial In Confidence - Northbourne Flats Braddon and Turner - Tender Report [SEC=UNCLASSIFIED]

All

Based upon our discussions this morning I have updated the Tender Report.

I think the next person to edit the document should be Julia. Could you review the wording in the Financial offer Assessment, Value for Money, Summary and Recommendations to confirm that I have worded this correctly. Once you are happy with the words could you send back the amended document to all of us and then Andy and Bronwen can do a last review particularly in relation to the technical criteria.

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Regards
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Cindy Cantamessa
Project Director

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From: Cantamessa, Cindy
Sent: Wednesday, 12 December 2018 8:51 AM
To: Forner, Julia
Subject: FW: Braddon and Turner - Evaluation Report_12 Dec 2018_Final AS edits copy.docx [DLM=For-Official-Use-Only]

Probity sign off tender team

From: Forner, Julia
Sent: Wednesday, 12 December 2018 8:25 AM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: RE: Braddon and Turner - Evaluation Report_12 Dec 2018_Final AS edits copy.docx [DLM=For-Official-Use-Only]

Thank you for picking that up – I'll print this version 😊

From: Sharp, Andy
Sent: Wednesday, 12 December 2018 7:54 AM
To: Forner, Julia <Julia.Forner@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: Braddon and Turner - Evaluation Report_12 Dec 2018_Final AS edits copy.docx

Apologies, this version has a few minor spelling corrections - tracked changes.
Cheers
Andy

From: Cantamessa, Cindy
Sent: Wednesday, 12 December 2018 8:52 AM
To: Forner, Julia
Subject: northbourne flats probity sign off - catherine and joey [SEC=UNCLASSIFIED]
Attachments: 201812120840.pdf

-----Original Message-----

From: NARAHSB01LOGP07@act.gov.au [mailto:NARAHSB01LOGP07@act.gov.au]
Sent: Wednesday, 12 December 2018 9:40 AM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: Message from "NARAHSB01LOGP07"

This E-mail was sent from "NARAHSB01LOGP07" (Aficio MP C5502A).

Scan Date: 12.12.2018 08:40:14 (+1000)
Queries to: NARAHSB01LOGP07@act.gov.au

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 2 – Confidentiality and Conflict Disclosure Deed Poll

[for Employees of Consultants ie who are not “public employees” under the PSMA]

THIS DEED Poll is made on 16/12/18 [date]

BY: JOSEPH LEE of

PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

IN FAVOUR OF:

Australian Capital Territory represented by the Suburban Land Agency (SLA)
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [INSERT details].

1. I am an employee of a consultant (**Consultant**) contracted by the SLA to provide services in relation to the Project, in particular the RFT Process.
2. I acknowledge that:
 - (1) I am an adviser in the RFT Process (which may include being a member of or adviser to the Evaluation Team) and will be involved in the RFT Process including: attending meetings; receiving communications, analysing tenders; being involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, including to act consistently with and not knowingly breach section 9 of the *Public Sector Management Act 1994* (ACT) (copied and attached to this Deed) including in relation to confidentiality and disclosure of conflicts of interest.
3. In relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director, Evaluation Panel Chair or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director, Evaluation Panel Chair or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my engagement and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

PSM Act or PSMA	the <i>Public Sector Management Act 1994</i> (ACT) or such Act that replaces that Act.
Request Documentation	the documents setting out the requirements for the Project against which Respondents will develop and submit Responses (for example, a Request for Tender (RFT)).
Respondent	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits a Response and includes: <ul style="list-style-type: none"> (a) any entity as defined in the relevant approach to market published documents including: builders and facilities maintenance services providers, and (b) officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Response	a response submitted by a Respondent in response to the Request Documentation, including any clarifications or further information submitted or given by a Respondent in respect of the Request Documentation, in accordance with the Conditions.
Territory	when used: <ul style="list-style-type: none"> (a) in a geographical sense, the Australian Capital Territory; and (b) in any other sense, the body politic established by section 7 of the Australian Capital Territory (Self-Government) Act 1988 (Cth).

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director, Evaluation Panel Chair or Delegate, I warrant to the SLA that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director, the Evaluation Panel Chair or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under this Deed, I will comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.

Executed AS A DEED POLL:

.....
Signature of person executing the Deed Poll

in the presence of:

.....
Signature of WITNESS

C. CANTAMESSA
.....
Name of WITNESS

Date: *16/10/18*
.....

Privacy Statement - The SLA is collecting Personal Information from the Confidant for the purpose of administering this Deed. This Personal Information may be shared with Territory Government directorates or agencies, Territory Government Bodies, Non-Government Organisations and/or Commonwealth, States or the Territories for the

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

purpose of administering this Deed. Personal Information will not be disclosed to any other third party without consent of the Confidant, except where authorised or required by law.

Defined Terms for the Deed Poll

Confidential Information	without limiting its meaning in the Probity Plan, includes: (a) information that is Project-sensitive information, and information about the RFT Process, a Respondent or any other information about the Process which has not been authorised for release as public knowledge by the Project Director or Delegate, and (b) information which the person giving this Undertaking knows or ought reasonably to know is confidential to the SLA or a Respondent, whether in any written, digitised, spoken or in any other form.
Delegate	is the relevant delegate for the RFT Process or in the event of their unavailability, their nominated representative for the purpose of the Project.
Evaluation Team/s	any team of individuals constituted for the purpose of assuming primary responsibility for the evaluation of expressions of interest, Tenders, tenders or any other document as part of the RFT Process, or for providing advice to that team of individuals.
Evaluation Panel Chair	the person from time to time appointed chair of the Evaluation Panel.
Probity Adviser	the lawyer approved by the Solicitor-General for the ACT to carry out the function of probity adviser for the Project (including on a temporary basis).
Project Director	the person carrying out the duties (including on a temporary basis) in this role for the Project.
Project Personnel	any individual who comes within the meaning of this term in the Probity Plan.
Project-sensitive Information	information that is not in the public domain and which, if provided by the SLA to a Respondent would: (a) give that Respondent an undue advantage over a competing Respondent to which the same information is not provided, and/or (b) put at an undue disadvantage any other competing Respondent to which the same information is not provided, in relation to the way in which: (c) Respondents address evaluation criteria, and/or (d) the SLA assesses EOIs against the evaluation criteria.
Respondent including Respondent Member and Associate	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits an EOI in response to the invitation for EOIs and includes: (a) Respondent Member/s being any entity as defined in the invitation of EOIs including: builders and facilities maintenance services providers, and (b) Associate/s , being officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Procurement Process	The RFT Process (as a whole) for the delivery of the Project, including any phase of that process.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Attachment to the Deed Poll

Section 9 of the Public Sector Management Act 1994 (ACT)

- 9 Public sector conduct**
- (1) A public servant must—
- (a) take all reasonable steps to avoid a conflict of interest; and
 - (b) declare or manage a conflict of interest that cannot reasonably be avoided; and
 - (c) when acting in connection with the public servant's job—
 - i. comply with laws applying in the Territory; and
 - ii. comply with any lawful and reasonable direction given by a person with the authority to give the direction; and
 - iii. if dealing with a member of the public—make all reasonable efforts to help the person to understand the person's entitlements, and any requirement the person is obliged to meet, under a territory law; and
 - iv. treat all people with courtesy and sensitivity to their rights and aspirations; and
 - (d) do the public servant's job with reasonable care and diligence, impartiality and honesty.
- (2) A public servant must not—
- (a) behave in a way that—
 - i. is inconsistent with the public sector values; or
 - ii. undermines the integrity and reputation of the service; or
 - (b) take improper advantage of the public servant's job or information gained through the public servant's job; or
 - (c) improperly use a Territory resource, including information, accessed through the public servant's job; or
 - (d) without lawful authority—
 - i. disclose confidential information gained through the public servant's job; or
 - ii. make a comment that reasonably appears to be an official comment; or
 - (e) when acting in connection with the public servant's job—bully, harass or intimidate anyone; or
 - (f) when doing the public servant's job—apply improper influence, favouritism or patronage.
- (3) For a misconduct procedure, failing to act in a way that is consistent with subsection (1) or (2) may be misconduct.
- (4) A public servant (a *discloser*) must tell the following person about any maladministration or corrupt or fraudulent conduct by a public servant or a public sector member of which the discloser becomes aware:
- (a) the head of service;
 - (b) if the alleged maladministration or corrupt or fraudulent conduct is by the head of service—
 - i. the director-general of the administrative unit in which the public servant is employed; or
 - ii. if the head of service is the director-general of the administrative unit in which the public servant is employed—another director-general.
- (5) This section does not—
- (a) affect the operation of any other Act; or
 - (b) create or affect any other legal right.

APPENDIX 3 – Confidentiality and Conflict Disclosure Undertaking

[by SLA/Territory employees appointed to the Evaluation Team, the Delegate and advisers to the Evaluation Team and members of the steering committee for the Project]

To: Suburban Land Agency
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [insert details]

I, JOSEPH LEE of
PRINT FULL NAME
[REDACTED]
PRINT RESIDENTIAL ADDRESS

1. I am a “public employee” of the Australian Capital Territory (**Territory**)/Suburban Land Agency (**SLA**) engaged to perform functions of Project Personnel.
2. I acknowledge that:
 - (1) I am a decision-maker or an adviser to a decision-maker in the RFT Process or a member of the steering committee for the Project or the provider of administrative support for the RFT Process and will be involved in the RFT Process, including: attending meetings; receiving communications, tenders; be involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, and I acknowledge my obligations as a public employee under the *Public Sector Management Act 1994* and associated *Standards*, including my obligations of confidentiality and disclosure of conflicts of interest.
3. I undertake that in relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my duties and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director or Delegate, I warrant to the Territory that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under my Undertaking, I undertake to comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.

.....
Signature 

..... 16/0/18
Date

Position/Capacity in which I sign this Undertaking CFo

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Defined Terms for the Deed Poll

Confidential Information	without limiting its meaning in the Probity Plan, includes: (a) information that is Project-sensitive information, and information about the RFT Process, a Respondent or any other information about the Process which has not been authorised for release as public knowledge by the Project Director or Delegate, and (b) information which the person giving this Undertaking knows or ought reasonably to know is confidential to the Territory or a Respondent, whether in any written, digitised, spoken or in any other form.
Delegate	is the relevant delegate for the RFT Process or in the event of their unavailability, their nominated representative for the purpose of the Project.
Evaluation Team/s	any team of individuals constituted for the purpose of assuming primary responsibility for the evaluation of expressions of interest, Tenders, tenders or any other document as part of the RFT Process, or for providing advice to that team of individuals.
Evaluation Panel Chair	the person from time to time appointed chair of the Evaluation Panel.
Probity Adviser	the lawyer approved by the Solicitor-General for the ACT to carry out the function of probity adviser for the Project (including on a temporary basis).
Project Director	the person carrying out the duties (including on a temporary basis) in this role for the Project.
Project Personnel	any individual who comes within the meaning of this term in the Probity Plan.
Project-sensitive Information	information that is not in the public domain and which, if provided by the Territory to a Respondent would: (a) give that Respondent an undue advantage over a competing Respondent to which the same information is not provided, and/or (b) put at an undue disadvantage any other competing Respondent to which the same information is not provided, in relation to the way in which: (c) Respondents address evaluation criteria, and/or (d) the Territory assesses EOIs against the evaluation criteria.
Respondent including Respondent Member and Associate	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits an EOI in response to the invitation for EOIs and includes: (a) Respondent Member/s being any entity as defined in the invitation of EOIs including: builders and facilities maintenance services providers, and (b) Associate/s , being officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Procurement Process	The RFT Process (as a whole) for the delivery of the Project, including any phase of that process.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, _____ of
PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

I am a “public employee” of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that “Confidential Information” includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,
whether in written, digitised, spoken or in any other form, but does not include information which:
 - (d) is or becomes public knowledge other than by an unauthorised disclosure,
 - (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
 - (f) has been notified to me as being not confidential.

..... Date:

Signature

Position/Capacity in which I sign this Undertaking

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, JOSEPH LEE of _____
PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [*delete the option that does not apply*]:

(a) there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, *OR*

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

.....
Signature

Dated: 16/10/18

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 2 – Confidentiality and Conflict Disclosure Deed Poll

[for Employees of Consultants ie who are not “public employees” under the PSMA]

THIS DEED Poll is made on

16 OCTOBER 2018 [date]

BY: CATHERINE ANNE TOWNSEND of

PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

IN FAVOUR OF:

Australian Capital Territory represented by the Suburban Land Agency (SLA)

Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [INSERT details].

1. I am an employee of a consultant (**Consultant**) contracted by the SLA to provide services in relation to the Project, in particular the RFT Process.
2. I acknowledge that:
 - (1) I am an adviser in the RFT Process (which may include being a member of or adviser to the Evaluation Team) and will be involved in the RFT Process including: attending meetings; receiving communications, analysing tenders; being involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, including to act consistently with and not knowingly breach section 9 of the *Public Sector Management Act 1994* (ACT) (copied and attached to this Deed) including in relation to confidentiality and disclosure of conflicts of interest.
3. In relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director, Evaluation Panel Chair or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director, Evaluation Panel Chair or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my engagement and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

PSM Act or PSMA	the <i>Public Sector Management Act 1994</i> (ACT) or such Act that replaces that Act.
Request Documentation	the documents setting out the requirements for the Project against which Respondents will develop and submit Responses (for example, a Request for Tender (RFT)).
Respondent	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits a Response and includes: <ul style="list-style-type: none"> (a) any entity as defined in the relevant approach to market published documents including: builders and facilities maintenance services providers, and (b) officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Response	a response submitted by a Respondent in response to the Request Documentation, including any clarifications or further information submitted or given by a Respondent in respect of the Request Documentation, in accordance with the Conditions.
Territory	when used: <ul style="list-style-type: none"> (a) in a geographical sense, the Australian Capital Territory; and (b) in any other sense, the body politic established by section 7 of the Australian Capital Territory (Self-Government) Act 1988 (Cth).

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director, Evaluation Panel Chair or Delegate, I warrant to the SLA that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director, the Evaluation Panel Chair or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under this Deed, I will comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.

Executed AS A DEED POLL:

....
Sig 

in the presence of:


Signature of WITNESS

C. CANTAMESSA
Name of WITNESS

Date: *16 Oct 18*

Privacy Statement - The SLA is collecting Personal Information from the Confidant for the purpose of administering this Deed. This Personal Information may be shared with Territory Government directorates or agencies, Territory Government Bodies, Non-Government Organisations and/or Commonwealth, States or the Territories for the

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

purpose of administering this Deed. Personal Information will not be disclosed to any other third party without consent of the Confidant, except where authorised or required by law.

Defined Terms for the Deed Poll

Confidential Information	without limiting its meaning in the Probity Plan, includes: (a) information that is Project-sensitive information, and information about the RFT Process, a Respondent or any other information about the Process which has not been authorised for release as public knowledge by the Project Director or Delegate, and (b) information which the person giving this Undertaking knows or ought reasonably to know is confidential to the SLA or a Respondent, whether in any written, digitised, spoken or in any other form.
Delegate	is the relevant delegate for the RFT Process or in the event of their unavailability, their nominated representative for the purpose of the Project.
Evaluation Team/s	any team of individuals constituted for the purpose of assuming primary responsibility for the evaluation of expressions of interest, Tenders, tenders or any other document as part of the RFT Process, or for providing advice to that team of individuals.
Evaluation Panel Chair	the person from time to time appointed chair of the Evaluation Panel.
Probity Adviser	the lawyer approved by the Solicitor-General for the ACT to carry out the function of probity adviser for the Project (including on a temporary basis).
Project Director	the person carrying out the duties (including on a temporary basis) in this role for the Project.
Project Personnel	any individual who comes within the meaning of this term in the Probity Plan.
Project-sensitive Information	information that is not in the public domain and which, if provided by the SLA to a Respondent would: (a) give that Respondent an undue advantage over a competing Respondent to which the same information is not provided, and/or (b) put at an undue disadvantage any other competing Respondent to which the same information is not provided, in relation to the way in which: (c) Respondents address evaluation criteria, and/or (d) the SLA assesses EOIs against the evaluation criteria.
Respondent including Respondent Member and Associate	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits an EOI in response to the invitation for EOIs and includes: (a) Respondent Member/s being any entity as defined in the invitation of EOIs including: builders and facilities maintenance services providers, and (b) Associate/s , being officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Procurement Process	The RFT Process (as a whole) for the delivery of the Project, including any phase of that process.

From: Cantamessa, Cindy
Sent: Wednesday, 12 December 2018 9:19 AM
To: Forner, Julia
Subject: Fwd: Message from "NARAHSB01LOGP07"
Attachments: 201812120840.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "NARAHSB01LOGP07@act.gov.au" <NARAHSB01LOGP07@act.gov.au>
To: "Cantamessa, Cindy" <Cindy.Cantamessa@act.gov.au>
Subject: Message from "NARAHSB01LOGP07"

This E-mail was sent from "NARAHSB01LOGP07" (Aficio MP C5502A).

Scan Date: 12.12.2018 08:40:56 (+1000)

Queries to: NARAHSB01LOGP07@act.gov.au

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Attachment to the Deed Poll

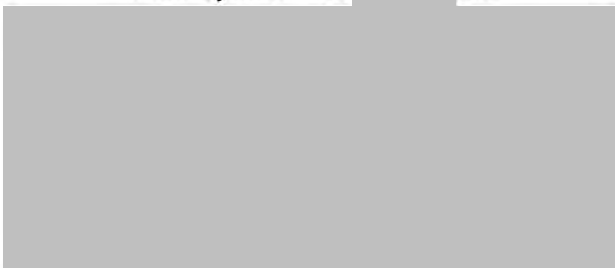
Section 9 of the Public Sector Management Act 1994 (ACT)

9 Public sector conduct

- (1) A public servant must—
- (a) take all reasonable steps to avoid a conflict of interest; and
 - (b) declare or manage a conflict of interest that cannot reasonably be avoided; and
 - (c) when acting in connection with the public servant's job—
 - i. comply with laws applying in the Territory; and
 - ii. comply with any lawful and reasonable direction given by a person with the authority to give the direction; and
 - iii. if dealing with a member of the public—make all reasonable efforts to help the person to understand the person's entitlements, and any requirement the person is obliged to meet, under a territory law; and
 - iv. treat all people with courtesy and sensitivity to their rights and aspirations; and
 - (d) do the public servant's job with reasonable care and diligence, impartiality and honesty.
- (2) A public servant must not—
- (a) behave in a way that—
 - i. is inconsistent with the public sector values; or
 - ii. undermines the integrity and reputation of the service; or
 - (b) take improper advantage of the public servant's job or information gained through the public servant's job; or
 - (c) improperly use a Territory resource, including information, accessed through the public servant's job; or
 - (d) without lawful authority—
 - i. disclose confidential information gained through the public servant's job; or
 - ii. make a comment that reasonably appears to be an official comment; or
 - (e) when acting in connection with the public servant's job—bully, harass or intimidate anyone; or
 - (f) when doing the public servant's job—apply improper influence, favouritism or patronage.
- (3) For a misconduct procedure, failing to act in a way that is consistent with subsection (1) or (2) may be misconduct.
- (4) A public servant (a *discloser*) must tell the following person about any maladministration or corrupt or fraudulent conduct by a public servant or a public sector member of which the discloser becomes aware:
- (a) the head of service;
 - (b) if the alleged maladministration or corrupt or fraudulent conduct is by the head of service—
 - i. the director-general of the administrative unit in which the public servant is employed; or
 - ii. if the head of service is the director-general of the administrative unit in which the public servant is employed—another director-general.
- (5) This section does not—
- (a) affect the operation of any other Act; or
 - (b) create or affect any other legal right.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director or Delegate, I warrant to the Territory that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under my Undertaking, I undertake to comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.



Position/Capacity in which I sign this Undertaking

29/10/17
Date
CEO of CPA

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Defined Terms for the Deed Poll

Confidential Information	without limiting its meaning in the Probity Plan, includes: (a) information that is Project-sensitive information, and information about the RFT Process, a Respondent or any other information about the Process which has not been authorised for release as public knowledge by the Project Director or Delegate, and (b) information which the person giving this Undertaking knows or ought reasonably to know is confidential to the Territory or a Respondent, whether in any written, digitised, spoken or in any other form.
Delegate	is the relevant delegate for the RFT Process or in the event of their unavailability, their nominated representative for the purpose of the Project.
Evaluation Team/s	any team of individuals constituted for the purpose of assuming primary responsibility for the evaluation of expressions of interest, Tenders, tenders or any other document as part of the RFT Process, or for providing advice to that team of individuals.
Evaluation Panel Chair	the person from time to time appointed chair of the Evaluation Panel.
Probity Adviser	the lawyer approved by the Solicitor-General for the ACT to carry out the function of probity adviser for the Project (including on a temporary basis).
Project Director	the person carrying out the duties (including on a temporary basis) in this role for the Project.
Project Personnel	any individual who comes within the meaning of this term in the Probity Plan.
Project-sensitive Information	information that is not in the public domain and which, if provided by the Territory to a Respondent would: (a) give that Respondent an undue advantage over a competing Respondent to which the same information is not provided, and/or (b) put at an undue disadvantage any other competing Respondent to which the same information is not provided, in relation to the way in which: (c) Respondents address evaluation criteria, and/or (d) the Territory assesses EOIs against the evaluation criteria.
Respondent including Respondent Member and Associate	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits an EOI in response to the invitation for EOIs and includes: (a) Respondent Member/s being any entity as defined in the invitation of EOIs including: builders and facilities maintenance services providers, and (b) Associate/s , being officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Procurement Process	The RFT Process (as a whole) for the delivery of the Project, including any phase of that process.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, MALCOLM SNOW of



am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [*delete the option that does not apply*]:

(a) there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, *OR*

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:



Dated: 24/10/18

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, _____ of
PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

I am a “public employee” of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that “Confidential Information” includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,

whether in written, digitised, spoken or in any other form, but does not include information which:

- (d) is or becomes public knowledge other than by an unauthorised disclosure,
- (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
- (f) has been notified to me as being not confidential.

..... Date:

Signature

Position/Capacity in which I sign this Undertaking

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Attachment to Conflict of Interest – Status Disclosure

List of Respondents

(Issued with Conflict of Interest - Status disclosure)

Project: [insert name of Project]

Date of List:

RESPONDENT #1

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #2

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #3

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #4

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

APPENDIX 6 – Probity Protocols – Communications Protocol

1. All communications with potential Respondents, including details of the date and the parties to the communication, must be recorded in writing and stored in a Communications Register under the control of the Evaluation Team Chair, or any other such Project Personnel nominated to undertake this role (**Communications Officer**).

Written Communications

2. All requests by potential Respondents for clarification of the Request Documentation, the Project or for additional information are to be in writing to the nominated PPVCW contact officer. If the Evaluation Team Chair considers that clarification or additional information is required to be provided to all potential Respondents, that information will be published on a website notified by the Evaluation Team Chair. Questions asked during any briefing or site inspection, and formal responses to those questions, will be recorded in writing and published electronically on a website notified by the Evaluation Team Chair, or at their direction by the Project Director.

Telephone Communications

3. If any Project Personnel or other Territory officer is contacted by a potential Respondent by telephone, the potential Respondent must be instructed to submit his/her enquiry in accordance with the Request Documentation and Communications Officer should be notified. Records of all telephone enquiries and the responses supplied to each must be recorded in the Communications Register.

Face to Face Communications

4. Face to face communications between a member of the Evaluation Team (or any other Territory officer) and a Respondent or potential Respondent must only be conducted in the presence, and with the express permission, of the Evaluation Team Chair, having regard to the advice of the Probity Adviser. Information provided during such a meeting must only be by way of clarifying information that is contained in the Request Documentation or which will be notified to all potential Respondents (such as by way of addendum in accordance with the Request Documentation). Minutes of such communications will be set out in the Communications Register.
5. Details of every request and its response must be recorded in the Communications Register.

Media Communications

6. All requests for information from the media are to be referred to the Communications Officer. Details of each request and its response must be recorded in the Communications Register.

Complaints

7. All complaints (regardless of how they are received) received from a Respondent or potential Respondent must be immediately notified to the Evaluation Team Chair and if considered necessary to the Delegate, having regard to the advice of the Probity Adviser. The Evaluation Team Chair or the Delegate will record the complaint on the Communications Register.

Clarification



8. If in any given circumstances Territory officers are in any doubt about whether these Communication Protocols or any other Probity Protocols apply, the officer will seek clarification from the Delegate and, if required, the Probity Adviser.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, STEPHEN TERRACINI of



I am a "public employee" of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that "Confidential Information" includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,

whether in written, digitised, spoken or in any other form, but does not include information which:

- (d) is or becomes public knowledge other than by an unauthorised disclosure,
- (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
- (f) has been notified to me as being not confidential.



Date: 19.10.2018

Position/Capacity in which I sign this Undertaking

Non decision maker / adviser


Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director**: [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, STEPHEN TERRACINI of
PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS



am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [*delete the option that does not apply*]:

(a) there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, OR

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

perceived conflict of interest, 
who works for JN land and who
works for N G Holding (GOCOM), both worked
at the Land Development Agency about four
years ago.


Signature

Dated:

19-10-2018

APPENDIX 6 – Probity Protocols – Communications Protocol

1. All communications with potential Respondents, including details of the date and the parties to the communication, must be recorded in writing and stored in a Communications Register under the control of the Evaluation Team Chair, or any other such Project Personnel nominated to undertake this role (**Communications Officer**).

Written Communications

2. All requests by potential Respondents for clarification of the Request Documentation, the Project or for additional information are to be in writing to the nominated PPVCW contact officer. If the Evaluation Team Chair considers that clarification or additional information is required to be provided to all potential Respondents, that information will be published on a website notified by the Evaluation Team Chair. Questions asked during any briefing or site inspection, and formal responses to those questions, will be recorded in writing and published electronically on a website notified by the Evaluation Team Chair, or at their direction by the Project Director.

Telephone Communications

3. If any Project Personnel or other Territory officer is contacted by a potential Respondent by telephone, the potential Respondent must be instructed to submit his/her enquiry in accordance with the Request Documentation and Communications Officer should be notified. Records of all telephone enquiries and the responses supplied to each must be recorded in the Communications Register.

Face to Face Communications

4. Face to face communications between a member of the Evaluation Team (or any other Territory officer) and a Respondent or potential Respondent must only be conducted in the presence, and with the express permission, of the Evaluation Team Chair, having regard to the advice of the Probity Adviser. Information provided during such a meeting must only be by way of clarifying information that is contained in the Request Documentation or which will be notified to all potential Respondents (such as by way of addendum in accordance with the Request Documentation). Minutes of such communications will be set out in the Communications Register.
5. Details of every request and its response must be recorded in the Communications Register.

Media Communications

6. All requests for information from the media are to be referred to the Communications Officer. Details of each request and its response must be recorded in the Communications Register.

Complaints

7. All complaints (regardless of how they are received) received from a Respondent or potential Respondent must be immediately notified to the Evaluation Team Chair and if considered necessary to the Delegate, having regard to the advice of the Probity Adviser. The Evaluation Team Chair or the Delegate will record the complaint on the Communications Register.

Clarification

8. If in any given circumstances Territory officers are in any doubt about whether these Communication Protocols or any other Probity Protocols apply, the officer will seek clarification from the Delegate and, if required, the Probity Adviser.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Attachment to Conflict of Interest – Status Disclosure

List of Respondents

(Issued with Conflict of Interest - Status disclosure)

Project: [insert name of Project]

Date of List:

RESPONDENT #1

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #2

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #3

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #4

Lead Respondent Member: [name and ABN]

Respondent Members: [list here]

Associates: [list here]

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, MARK ALEXANDER EMERSON of


I am a "public employee" of the Australian Capital Territory (Territory) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (RFT Process), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that "Confidential Information" includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,

whether in written, digitised, spoken or in any other form, but does not include information which:

- (d) is or becomes public knowledge other than by an unauthorised disclosure,
- (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
- (f) has been notified to me as being not confidential.



Date: 19/10/2018

Signature

Position/Capacity in which I sign this Undertaking TERRITORY EMPLOYEE WHO

IS NOT AN EVALUATION TEAM MEMBER

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, MARK ALEXANDER EMERSON of
PRINT FULL NAME





am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [*delete the option that does not apply*]:

(a) ~~there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, OR~~

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

PREVIOUSLY WORKED WITH 
DIRECTOR OF DEVELOPMENT AT JW LAND, AND WITH
OF NGLAND APPROXIMATELY FOUR
YEARS AGO.



Dated: 19/10/2018

Signature

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Attachment to Conflict of Interest – Status Disclosure

List of Respondents

(Issued with Conflict of Interest - Status disclosure)

Project: [insert name of Project]
Date of List:

RESPONDENT #1

Lead Respondent [name and ABN]
Member:

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #2

Lead Respondent [name and ABN]
Member:

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #3

Lead Respondent [name and ABN]
Member:

Respondent Members: [list here]

Associates: [list here]

RESPONDENT #4

Lead Respondent [name and ABN]
Member:

Respondent Members: [list here]

Associates: [list here]

APPENDIX 6 – Probity Protocols – Communications Protocol

1. All communications with potential Respondents, including details of the date and the parties to the communication, must be recorded in writing and stored in a Communications Register under the control of the Evaluation Team Chair, or any other such Project Personnel nominated to undertake this role (**Communications Officer**).

Written Communications

2. All requests by potential Respondents for clarification of the Request Documentation, the Project or for additional information are to be in writing to the nominated PPVCW contact officer. If the Evaluation Team Chair considers that clarification or additional information is required to be provided to all potential Respondents, that information will be published on a website notified by the Evaluation Team Chair. Questions asked during any briefing or site inspection, and formal responses to those questions, will be recorded in writing and published electronically on a website notified by the Evaluation Team Chair, or at their direction by the Project Director.

Telephone Communications

3. If any Project Personnel or other Territory officer is contacted by a potential Respondent by telephone, the potential Respondent must be instructed to submit his/her enquiry in accordance with the Request Documentation and Communications Officer should be notified. Records of all telephone enquiries and the responses supplied to each must be recorded in the Communications Register.

Face to Face Communications

4. Face to face communications between a member of the Evaluation Team (or any other Territory officer) and a Respondent or potential Respondent must only be conducted in the presence, and with the express permission, of the Evaluation Team Chair, having regard to the advice of the Probity Adviser. Information provided during such a meeting must only be by way of clarifying information that is contained in the Request Documentation or which will be notified to all potential Respondents (such as by way of addendum in accordance with the Request Documentation). Minutes of such communications will be set out in the Communications Register.
5. Details of every request and its response must be recorded in the Communications Register.

Media Communications

6. All requests for information from the media are to be referred to the Communications Officer. Details of each request and its response must be recorded in the Communications Register.

Complaints

7. All complaints (regardless of how they are received) received from a Respondent or potential Respondent must be immediately notified to the Evaluation Team Chair and if considered necessary to the Delegate, having regard to the advice of the Probity Adviser. The Evaluation Team Chair or the Delegate will record the complaint on the Communications Register.

Clarification

8. If in any given circumstances Territory officers are in any doubt about whether these Communication Protocols or any other Probity Protocols apply, the officer will seek clarification from the Delegate and, if required, the Probity Adviser.

From: Cantamessa, Cindy
Sent: Wednesday, 12 December 2018 9:19 AM
To: Forner, Julia
Subject: Fwd: Message from "NARAHSB01LOGP07"
Attachments: 201812120839.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "NARAHSB01LOGP07@act.gov.au" <NARAHSB01LOGP07@act.gov.au>
To: "Cantamessa, Cindy" <Cindy.Cantamessa@act.gov.au>
Subject: Message from "NARAHSB01LOGP07"

This E-mail was sent from "NARAHSB01LOGP07" (Aficio MP C5502A).

Scan Date: 12.12.2018 08:39:36 (+1000)

Queries to: NARAHSB01LOGP07@act.gov.au

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 3 – Confidentiality and Conflict Disclosure Undertaking

[by SLA/Territory employees appointed to the Evaluation Team, the Delegate and advisers to the Evaluation Team and members of the steering committee for the Project]

To: Suburban Land Agency
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [insert details]

I, Bronwen Jones of
PRINT FULL NAME
[REDACTED]
PRINT RESIDENTIAL ADDRESS

1. I am a “public employee” of the Australian Capital Territory (**Territory**)/Suburban Land Agency (**SLA**) engaged to perform functions of Project Personnel.
2. I acknowledge that:
 - (1) I am a decision-maker or an adviser to a decision-maker in the RFT Process or a member of the steering committee for the Project or the provider of administrative support for the RFT Process and will be involved in the RFT Process, including: attending meetings; receiving communications, tenders; be involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, and I acknowledge my obligations as a public employee under the *Public Sector Management Act 1994* and associated *Standards*, including my obligations of confidentiality and disclosure of conflicts of interest.
3. I undertake that in relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my duties and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director or Delegate, I warrant to the Territory that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under my Undertaking, I undertake to comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.

.....
Sig



.....
Date

09/10/2018

Position/Capacity in which I sign this Undertaking

member

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, Bronwen Jones of
PRINT FULL NAME

am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [~~delete the option that does not apply~~]:

(a) ~~there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, OR~~

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [~~set out details and attach further details if necessary~~]:

JWland - [redacted] Director Cox Architecture
Professional association (perceived).

Geocon - Fender Katsalidis Architects
I live in one of their ^{early} works
(New Acton East) in Canberra. (perceived).

[redacted signature area]

Dated: 09/10/18.

Signature

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, Julia Anne Forner of

PRINT FULL NAME



am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [~~delete the option that does not apply~~]:

(a) ~~there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, OR~~

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

I have previously worked with
- [Redacted] Head of Development
Jwland. - 4yrs ago
- [Redacted] Bratton Pty Ltd. Firm on SHA panel
- Clayton Utz - Atanzo not current contact.
- Ng land. - 3yrs ago.

Sig

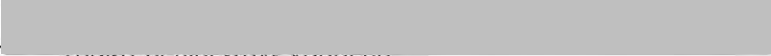
Dated: 10/10/18

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 3 – Confidentiality and Conflict Disclosure Undertaking

[by SLA/Territory employees appointed to the Evaluation Team, the Delegate and advisers to the Evaluation Team and members of the steering committee for the Project]

To: Suburban Land Agency
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [insert details]

I, Julia Anne Forner of

(PRINT RESIDENTIAL ADDRESS)

1. I am a “public employee” of the Australian Capital Territory (**Territory**)/Suburban Land Agency (**SLA**) engaged to perform functions of Project Personnel.
2. I acknowledge that:
 - (1) I am a decision-maker or an adviser to a decision-maker in the RFT Process or a member of the steering committee for the Project or the provider of administrative support for the RFT Process and will be involved in the RFT Process, including: attending meetings; receiving communications, tenders; be involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, and I acknowledge my obligations as a public employee under the *Public Sector Management Act 1994* and associated *Standards*, including my obligations of confidentiality and disclosure of conflicts of interest.
3. I undertake that in relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my duties and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Attachment to the Deed Poll

Section 9 of the Public Sector Management Act 1994 (ACT)

9 Public sector conduct

- (1) A public servant must—
- (a) take all reasonable steps to avoid a conflict of interest; and
 - (b) declare or manage a conflict of interest that cannot reasonably be avoided; and
 - (c) when acting in connection with the public servant's job—
 - i. comply with laws applying in the Territory; and
 - ii. comply with any lawful and reasonable direction given by a person with the authority to give the direction; and
 - iii. if dealing with a member of the public—make all reasonable efforts to help the person to understand the person's entitlements, and any requirement the person is obliged to meet, under a territory law; and
 - iv. treat all people with courtesy and sensitivity to their rights and aspirations; and
 - (d) do the public servant's job with reasonable care and diligence, impartiality and honesty.
- (2) A public servant must not—
- (a) behave in a way that—
 - i. is inconsistent with the public sector values; or
 - ii. undermines the integrity and reputation of the service; or
 - (b) take improper advantage of the public servant's job or information gained through the public servant's job; or
 - (c) improperly use a Territory resource, including information, accessed through the public servant's job; or
 - (d) without lawful authority—
 - i. disclose confidential information gained through the public servant's job; or
 - ii. make a comment that reasonably appears to be an official comment; or
 - (e) when acting in connection with the public servant's job—bully, harass or intimidate anyone; or
 - (f) when doing the public servant's job—apply improper influence, favouritism or patronage.
- (3) For a misconduct procedure, failing to act in a way that is consistent with subsection (1) or (2) may be misconduct.
- (4) A public servant (a *discloser*) must tell the following person about any maladministration or corrupt or fraudulent conduct by a public servant or a public sector member of which the discloser becomes aware:
- (a) the head of service;
 - (b) if the alleged maladministration or corrupt or fraudulent conduct is by the head of service—
 - i. the director-general of the administrative unit in which the public servant is employed; or
 - ii. if the head of service is the director-general of the administrative unit in which the public servant is employed—another director-general.
- (5) This section does not—
- (a) affect the operation of any other Act; or
 - (b) create or affect any other legal right.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director or Delegate, I warrant to the Territory that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under my Undertaking, I undertake to comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.

.....
Signature



.....19/10/18.....
Date

Position/Capacity in which I sign this Undertaking Senior Manager, Sales SLA
Member of Evaluation Team.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

Defined Terms for the Deed Poll

Confidential Information	without limiting its meaning in the Probity Plan, includes: (a) information that is Project-sensitive information, and information about the RFT Process, a Respondent or any other information about the Process which has not been authorised for release as public knowledge by the Project Director or Delegate, and (b) information which the person giving this Undertaking knows or ought reasonably to know is confidential to the Territory or a Respondent, whether in any written, digitised, spoken or in any other form.
Delegate	is the relevant delegate for the RFT Process or in the event of their unavailability, their nominated representative for the purpose of the Project.
Evaluation Team/s	any team of individuals constituted for the purpose of assuming primary responsibility for the evaluation of expressions of interest, Tenders, tenders or any other document as part of the RFT Process, or for providing advice to that team of individuals.
Evaluation Panel Chair	the person from time to time appointed chair of the Evaluation Panel.
Probity Adviser	the lawyer approved by the Solicitor-General for the ACT to carry out the function of probity adviser for the Project (including on a temporary basis).
Project Director	the person carrying out the duties (including on a temporary basis) in this role for the Project.
Project Personnel	any individual who comes within the meaning of this term in the Probity Plan.
Project-sensitive Information	information that is not in the public domain and which, if provided by the Territory to a Respondent would: (a) give that Respondent an undue advantage over a competing Respondent to which the same information is not provided, and/or (b) put at an undue disadvantage any other competing Respondent to which the same information is not provided, in relation to the way in which: (c) Respondents address evaluation criteria, and/or (d) the Territory assesses EOIs against the evaluation criteria.
Respondent including Respondent Member and Associate	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits an EOI in response to the invitation for EOIs and includes: (a) Respondent Member/s being any entity as defined in the invitation of EOIs including: builders and facilities maintenance services providers, and (b) Associate/s , being officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Procurement Process	The RFT Process (as a whole) for the delivery of the Project, including any phase of that process.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 3 – Confidentiality and Conflict Disclosure Undertaking

[by SLA/Territory employees appointed to the Evaluation Team, the Delegate and advisers to the Evaluation Team and members of the steering committee for the Project]

To: Suburban Land Agency
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [insert details]

I, ANDY SHARP of

1. I am a “public employee” of the Australian Capital Territory (**Territory**)/~~Suburban Land Agency (SLA)~~ engaged to perform functions of Project Personnel.
2. I acknowledge that:
 - (1) I am a decision-maker or an adviser to a decision-maker in the RFT Process or a member of the steering committee for the Project or the provider of administrative support for the RFT Process and will be involved in the RFT Process, including: attending meetings; receiving communications, tenders; be involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, and I acknowledge my obligations as a public employee under the *Public Sector Management Act 1994* and associated *Standards*, including my obligations of confidentiality and disclosure of conflicts of interest.
3. I undertake that in relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my duties and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director or Delegate, I warrant to the Territory that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under my Undertaking, I undertake to comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser



9/10/2018
Date

Position/Capacity in which I sign this Undertaking

DIRECTOR, CITY REVENUE AUTHORITY
\$ CHAIR EVALUATION PANEL

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, ANDY SHARP of [redacted]

I am a "public employee" of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that "Confidential Information" includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
 - (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
 - (c) is considered or likely to be considered by the Cabinet of the Territory,
- whether in written, digitised, spoken or in any other form, but does not include information which:
- (d) is or becomes public knowledge other than by an unauthorised disclosure,
 - (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
 - (f) has been notified to me as being not confidential.

.....
Sign [redacted]

Date: 9/10/2018

Position/Capacity in which I sign this Undertaking

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, ANDY SHARP of

[Redacted]
PRINT RESIDENTIAL ADDRESS

am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [*delete the option that does not apply*]:

~~(a) there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, OR~~

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

I AM AN OWNER OF AN APARTMENT
DEVELOPED BY JW LAND.

[Redacted Signature]

dated:

9/10/2018

Signature

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 3 – Confidentiality and Conflict Disclosure Undertaking

[by SLA/Territory employees appointed to the Evaluation Team, the Delegate and advisers to the Evaluation Team and members of the steering committee for the Project]

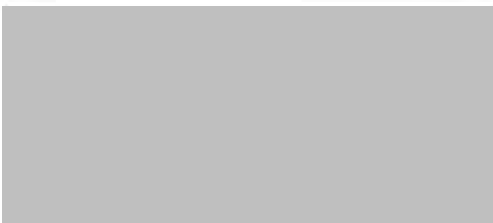
To: Suburban Land Agency
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [insert details]

I, CINDY JANE CANTAMESSA of

1. I am a “public employee” of the Australian Capital Territory (**Territory**)/Suburban Land Agency (**SLA**) engaged to perform functions of Project Personnel.
2. I acknowledge that:
 - (1) I am a decision-maker or an adviser to a decision-maker in the RFT Process or a member of the steering committee for the Project or the provider of administrative support for the RFT Process and will be involved in the RFT Process, including: attending meetings; receiving communications, tenders; be involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, and I acknowledge my obligations as a public employee under the *Public Sector Management Act 1994* and associated *Standards*, including my obligations of confidentiality and disclosure of conflicts of interest.
3. I undertake that in relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my duties and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director or Delegate, I warrant to the Territory that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under my Undertaking, I undertake to comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.



Position/Capacity in which I sign this Undertaking

Date

9 Oct 18

Project Director

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (**Project**)

1. I, CINDY JANE CANTAMESSA of

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am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.


2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.


3. I declare that [*delete the option that does not apply*]:

~~(a) there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, OR~~

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

he resigned 4 years ago - I have worked with the Head of Development of JW Land when he was a member of the public service.

he resigned 3 years ago - I have worked with NG Land's,  when he was in the public service.

 Dated: 9~~th~~ Oct 18

Signature

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, CINDY JANE CANTAMESSA of

I am a "public employee" of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that "Confidential Information" includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,

whether in written, digitised, spoken or in any other form, but does not include information which:

- (d) is or becomes public knowledge other than by an unauthorised disclosure,
- (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
- (f) has been notified to me as being not confidential.

..... Date:

Signature

Position/Capacity in which I sign this Undertaking

From: Cantamessa, Cindy
Sent: Wednesday, 12 December 2018 9:20 AM
To: Forner, Julia
Subject: Fwd: Message from "NARAHSB01LOGP07"
Attachments: 201812120841.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "NARAHSB01LOGP07@act.gov.au" <NARAHSB01LOGP07@act.gov.au>
To: "Cantamessa, Cindy" <Cindy.Cantamessa@act.gov.au>
Subject: Message from "NARAHSB01LOGP07"

This E-mail was sent from "NARAHSB01LOGP07" (Aficio MP C5502A).

Scan Date: 12.12.2018 08:41:18 (+1000)

Queries to: NARAHSB01LOGP07@act.gov.au

APPENDIX 2 – Confidentiality and Conflict Disclosure Deed Poll

[for Employees of Consultants ie who are not “public employees” under the PSMA]

THIS DEED Poll is made on 24-OCT-2018 [date]

BY: RICHARD JOHN SWINBOURNE of

PRINT RESIDENTIAL ADDRESS

IN FAVOUR OF:

Australian Capital Territory represented by the Suburban Land Agency (SLA)

Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [INSERT details].

1. I am an employee of a consultant (**Consultant**) contracted by the SLA to provide services in relation to the Project, in particular the RFT Process.
2. I acknowledge that:
 - (1) I am an adviser in the RFT Process (which may include being a member of or adviser to the Evaluation Team) and will be involved in the RFT Process including: attending meetings; receiving communications, analysing tenders; being involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, including to act consistently with and not knowingly breach section 9 of the *Public Sector Management Act 1994* (ACT) (copied and attached to this Deed) including in relation to confidentiality and disclosure of conflicts of interest.
3. In relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director, Evaluation Panel Chair or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director, Evaluation Panel Chair or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my engagement and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director, Evaluation Panel Chair or Delegate, I warrant to the SLA that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director, the Evaluation Panel Chair or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under this Deed, I will comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.

Executed AS A DEED POLL:

[Redacted Signature]

Signature of person executing the Deed Poll

in the presence of:

[Redacted Signature]

Signature of WITNESS

C. CANTAMEAS A

Name of WITNESS

Date: 24 Oct 18

Privacy Statement - The SLA is collecting Personal Information from the Confidant for the purpose of administering this Deed. This Personal Information may be shared with Territory Government directorates or agencies, Territory Government Bodies, Non-Government Organisations and/or Commonwealth, States or the Territories for the

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

purpose of administering this Deed. Personal Information will not be disclosed to any other third party without consent of the Confidant, except where authorised or required by law.

Defined Terms for the Deed Poll

Confidential Information	without limiting its meaning in the Probity Plan, includes: (a) information that is Project-sensitive information, and information about the RFT Process, a Respondent or any other information about the Process which has not been authorised for release as public knowledge by the Project Director or Delegate, and (b) information which the person giving this Undertaking knows or ought reasonably to know is confidential to the SLA or a Respondent, whether in any written, digitised, spoken or in any other form.
Delegate	is the relevant delegate for the RFT Process or in the event of their unavailability, their nominated representative for the purpose of the Project.
Evaluation Team/s	any team of individuals constituted for the purpose of assuming primary responsibility for the evaluation of expressions of interest, Tenders, tenders or any other document as part of the RFT Process, or for providing advice to that team of individuals.
Evaluation Panel Chair	the person from time to time appointed chair of the Evaluation Panel.
Probity Adviser	the lawyer approved by the Solicitor-General for the ACT to carry out the function of probity adviser for the Project (including on a temporary basis).
Project Director	the person carrying out the duties (including on a temporary basis) in this role for the Project.
Project Personnel	any individual who comes within the meaning of this term in the Probity Plan.
Project-sensitive Information	information that is not in the public domain and which, if provided by the SLA to a Respondent would: (a) give that Respondent an undue advantage over a competing Respondent to which the same information is not provided, and/or (b) put at an undue disadvantage any other competing Respondent to which the same information is not provided, in relation to the way in which: (c) Respondents address evaluation criteria, and/or (d) the SLA assesses EOIs against the evaluation criteria.
Respondent including Respondent Member and Associate	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits an EOI in response to the invitation for EOIs and includes: (a) Respondent Member/s being any entity as defined in the invitation of EOIs including: builders and facilities maintenance services providers, and (b) Associate/s , being officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Procurement Process	The RFT Process (as a whole) for the delivery of the Project, including any phase of that process.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER **(Project)**

1. I, RICHARD SWINBOURNE of

PRINT FULL NAME

[Redacted Address]

PRINT RESIDENTIAL ADDRESS

am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [*delete the option that does not apply*]:

(a) there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, *OR*

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

PERCEIVED POSSIBLE CONFLICT RESULTING FROM
MY CONSULTING WORK OF UNRELATED CROWN
LESSEES AND A PROPOSED GEOCON DEVELOPMENT.

[Redacted Signature]

.....

Dated: 24/10/18

Signature

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, _____ of

PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

I am a “public employee” of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that “Confidential Information” includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,

whether in written, digitised, spoken or in any other form, but does not include information which:

- (d) is or becomes public knowledge other than by an unauthorised disclosure,
- (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
- (f) has been notified to me as being not confidential.

.....
Signature

Date:

Position/Capacity in which I sign this Undertaking

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 2 – Confidentiality and Conflict Disclosure Deed Poll

[for Employees of Consultants ie who are not “public employees” under the PSMA]

THIS DEED Poll is made on _____ [date]

BY: PHILLIP ANDREW GREEN of _____

PRINT RESIDENTIAL ADDRESS

IN FAVOUR OF:

Australian Capital Territory represented by the Suburban Land Agency (SLA)

Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director** [INSERT details].

1. I am an employee of a consultant (**Consultant**) contracted by the SLA to provide services in relation to the Project, in particular the RFT Process.
2. I acknowledge that:
 - (1) I am an adviser in the RFT Process (which may include being a member of or adviser to the Evaluation Team) and will be involved in the RFT Process including: attending meetings; receiving communications, analysing tenders; being involved in industry or Respondent briefings and interviews of Respondents, through which I will become privy to Confidential Information, and
 - (2) I understand my obligations as applicable to Project Personnel, including to act consistently with and not knowingly breach section 9 of the *Public Sector Management Act 1994* (ACT) (copied and attached to this Deed) including in relation to confidentiality and disclosure of conflicts of interest.
3. In relation to Confidential Information:
 - (1) I will maintain strict confidentiality regarding the Information, including any extract, analysis, report or assessment of Confidential Information;
 - (2) I will maintain security of all Confidential Information in my possession or control and unless authorised by the Project Director, Evaluation Panel Chair or Delegate, not remove any Confidential Information from any premises where the Information is located; and
 - (3) I will not, without the prior written approval of the Project Director, Evaluation Panel Chair or Delegate, make a copy (in any form) of, or disclose the Confidential Information nor any synopsis, analysis, report or assessment of the Information, to any person other than as necessary for my authorised role in the RFT Process, and only to duly authorised persons involved in the RFT Process.
4. I understand that lists of Respondents (including Respondent Members and Associates) may periodically be notified to me.
5. I acknowledge that during the normal course of my engagement and role as a member of the team of Project Personnel, I may come into contact with one or more of the Respondents, and persons associated with or acting for them.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

6. **Except as notified in writing by me** at any time to the Project Director, Evaluation Panel Chair or Delegate, I warrant to the SLA that to the extent to which Respondents' names (including names of their associates as relevant to the Project) are notified to me, no conflict of interest (whether actual, potential or which may be perceived) exists or is likely to arise during the course of my involvement in the RFT Process, including by virtue of the following circumstances:
- (1) during the past 12 months neither I nor any member of my immediate family has:
 - (a) been an officer of, employed by, or engaged to provide services to, or received any payment from, any Respondent,
 - (b) received any gifts or benefits from any Respondent, and
 - (2) neither I nor any member of my immediate family:
 - (a) has any ownership interest in any Respondent,
 - (b) is a debtor or creditor of any Respondent.
7. If any circumstance which is set out above changes, including in respect of any Respondents notified to me after my execution of this Undertaking, I will immediately notify the Project Director, the Evaluation Panel Chair or Delegate of the change/s, providing all relevant information to enable one of them to make a decision in respect of my involvement in any aspect of the RFT Process, and I will comply with any direction in relation to the circumstances.
8. I understand that my disclosure under **clauses 6 or 7** may result in a direction to me that I no longer participate in the RFT Process, or that I restrict my participation in it according to any direction given to me under **clause 7**. I will comply with any such direction.
9. Without limiting any of my obligations under this Deed, I will comply with the requirements of the Probity Plan and any probity protocols issued under that Plan by the Probity Adviser.

Executed AS A DEED POLL:

.....
Signature of p [redacted] Deed Poll

in the presence of
.....
Signature of WITNESS

C. CAUTAMESSA
.....
Name of WITNESS

Date: *24 Oct 18*

Privacy Statement - The SLA is collecting Personal Information from the Confidant for the purpose of administering this Deed. This Personal Information may be shared with Territory Government directorates or agencies, Territory Government Bodies, Non-Government Organisations and/or Commonwealth, States or the Territories for the

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

purpose of administering this Deed. Personal Information will not be disclosed to any other third party without consent of the Confidant, except where authorised or required by law.

Defined Terms for the Deed Poll

Confidential Information	without limiting its meaning in the Probity Plan, includes: (a) information that is Project-sensitive information, and information about the RFT Process, a Respondent or any other information about the Process which has not been authorised for release as public knowledge by the Project Director or Delegate, and (b) information which the person giving this Undertaking knows or ought reasonably to know is confidential to the SLA or a Respondent, whether in any written, digitised, spoken or in any other form.
Delegate	is the relevant delegate for the RFT Process or in the event of their unavailability, their nominated representative for the purpose of the Project.
Evaluation Team/s	any team of individuals constituted for the purpose of assuming primary responsibility for the evaluation of expressions of interest, Tenders, tenders or any other document as part of the RFT Process, or for providing advice to that team of individuals.
Evaluation Panel Chair	the person from time to time appointed chair of the Evaluation Panel.
Probity Adviser	the lawyer approved by the Solicitor-General for the ACT to carry out the function of probity adviser for the Project (including on a temporary basis).
Project Director	the person carrying out the duties (including on a temporary basis) in this role for the Project.
Project Personnel	any individual who comes within the meaning of this term in the Probity Plan.
Project-sensitive Information	information that is not in the public domain and which, if provided by the SLA to a Respondent would: (a) give that Respondent an undue advantage over a competing Respondent to which the same information is not provided, and/or (b) put at an undue disadvantage any other competing Respondent to which the same information is not provided, in relation to the way in which: (c) Respondents address evaluation criteria, and/or (d) the SLA assesses EOIs against the evaluation criteria.
Respondent including Respondent Member and Associate	a person, legal entity or body corporate who, either in their own right or on behalf of a proposed or established consortium, submits an EOI in response to the invitation for EOIs and includes: (a) Respondent Member/s being any entity as defined in the invitation of EOIs including: builders and facilities maintenance services providers, and (b) Associate/s , being officers, agents, advisers, consultants, contractors, licensees or employees of a Respondent.
Procurement Process	The RFT Process (as a whole) for the delivery of the Project, including any phase of that process.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 5 – Conflict of Interest – Status Disclosure

(for Evaluation Panel members and advisers to Evaluation Panel, members of the steering committee for the Project and the Delegate)

Attention: **Project Director:** [insert details]

REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER (Project)

1. I, PHILIP ANDREW GREEN of
PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

am involved in the Project as a member of the Evaluation Team or as an adviser to the Evaluation Team for the Project's RFT Process or as the identified Delegate or member of a steering committee or as the provider of administrative support for the Project.

2. I have signed a confidentiality and conflict of interest Deed or Undertaking and have received notification of names of organisations in the Attachment (**Respondents**) that lodged expressions of interest, or Tenders, in response to an invitation for expressions of interest, or request for Tenders.

3. I declare that [*delete the option that does not apply*]:

(a) there is no conflict of interest, whether actual, potential or which could be perceived as a conflict, by virtue of my continuing involvement as a member of the Evaluation Team, OR

(b) an actual, potential or perceived conflict of interest arises by virtue of the following [*set out details and attach further details if necessary*]:

Previously undertaken work for JWLand Group of
Greenco

.....
Signature 

Dated: 24 October 2013.

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, _____ of
PRINT FULL NAME

PRINT RESIDENTIAL ADDRESS

I am a “public employee” of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that “Confidential Information” includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,

whether in written, digitised, spoken or in any other form, but does not include information which:

- (d) is or becomes public knowledge other than by an unauthorised disclosure,
- (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
- (f) has been notified to me as being not confidential.

.....
Signature

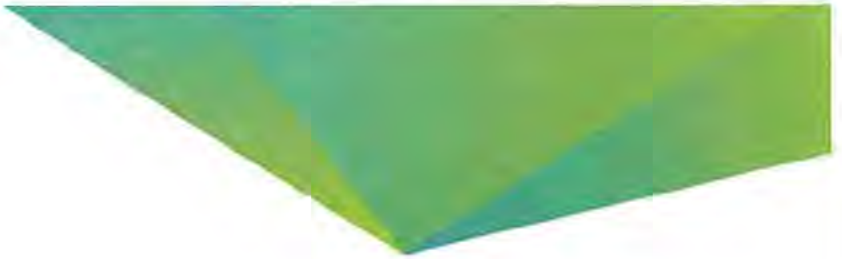
Date:

Position/Capacity in which I sign this Undertaking



ACT
Government

Suburban Land
Agency



[REDACTED]
NG Landholdings No. 16 Pty Ltd
Unit 18 Level 1,
24 Iron Knob Street
Fyshwick ACT 2609

Dear [REDACTED]

**REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF
BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER**

1. Thank you for the Tender submitted by NG Landholdings No. 16 Pty Ltd (NG Landholdings) in response to the above Request for Tender (RFT).
2. The Suburban Land Agency (Agency) would like to inform you that the evaluation of Tenders received in response to the RFT has been completed. Unfortunately, on this occasion NG Landholdings has not been selected as the preferred Tenderer.
3. You may request a debrief from the Agency, which will take place at the conclusion of the RFT process. In accordance with the RFT, the debrief will be limited to matters relevant to NG Landholdings 's Tender and the Evaluation Criteria contained in the RFT. Please contact Andy Sharp, 6207 2003 or Andy.Sharp@act.gov.au should you wish to arrange a debrief.
4. I would like to thank you for NG Landholdings's interest in the RFT process. The Agency looks forward to receiving tenders from NG Landholdings in the future.

Yours sincerely,

[REDACTED]
Julia Forner
Senior Manager, Sales and Client Services

14 January 2019



ACT
Government

Suburban Land
Agency

[REDACTED]
JWland Holdings Pty Ltd
Level 2, 54 Marcus Clarke St
Canberra ACT 2601

Dear [REDACTED]

**REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF
BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER**

1. Thank you for the Tender submitted by JWland Holdings Pty Ltd (JWland) in response to the above Request for Tender (RFT).
2. The Suburban Land Agency (Agency) would like to inform you that the evaluation of Tenders received in response to the RFT has been completed. Unfortunately, on this occasion JWland has not been selected as the preferred Tenderer.
3. You may request a debrief from the Agency, which will take place at the conclusion of the RFT process. In accordance with the RFT, the debrief will be limited to matters relevant to JWland's Tender and the Evaluation Criteria contained in the RFT. Please contact Andy Sharp, 6207 2003 or Andy.Sharp@act.gov.au should you wish to arrange a debrief.
4. I would like to thank you for JWland's interest in the RFT process. The Agency looks forward to receiving tenders from JWland in the future.

Yours sincerely

[REDACTED]
Julia Forner
Senior Manager, Sales and Client Services

14 January 2019

From: Sharp, Andy
Sent: Tuesday, 15 January 2019 9:03 AM
To: Forner, Julia; Cantamessa, Cindy; Jones, Bronwen
Subject: RE: Update _Braddon and Turner on Northbourne Tender [DLM=For-Official-Use-Only]

Thanks Julia,

Noted about the debrief occurring at the completion of the RFT. Please keep me in the loop as to when this occurs following negotiations with the preferred, so I can get a sense of dates to discuss with unsuccessful proponents.

I will also have another panel member in the room.

Cheers

A

Kind Regards

Andy Sharp

Director Design and Place Strategy

T: 02 6207 2003  **E:** andy.sharp@act.gov.au



From: Forner, Julia
Sent: Tuesday, 15 January 2019 8:52 AM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: Update _Braddon and Turner on Northbourne Tender [DLM=For-Official-Use-Only]

Good morning all

Please find attached a copy of the preferred tenderer and unsuccessful tenderer letters that have been provided to the Sales agents for distribution.

Braturn were advised last week, however Mr Russell's father past away so they are having their first meeting with the agent today. I will keep you updated as I am.

Andy - I put you down as the contact for debriefs as the Chair of the panel. They have been advised that debriefs cannot occur until the tender process has concluded – but it is likely they will try to contact you and arrange something sooner. We would normally have a minimum of two panel members at any debrief and keep a file note of the conversation for the record. Please let me know if you have any questions about the process.

Please do not hesitate to contact me if you have any queries.

regards

Julia Forner

Senior Manager, Sales & Client Services.

T: 02 6207 7096|

Suburban Land Agency | ACT Government

TransACT House, 470 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601

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From: Cantamessa, Cindy
Sent: Friday, 22 February 2019 3:21 PM
To: Nichol, Murray; Munyard, Nicole
Cc: Callaghan, Lauren; Forner, Julia
Subject: Re: Braddon and Turner Northbourne Flats [SEC=UNCLASSIFIED]

Settlement of northbourne flats Braddon and turner is dependent upon outcome of tender negotiations. Julia could give you more advice on risk in relation to the negotiations.

Regards
Cindy

Get [Outlook for iOS](#)

From: Nichol, Murray
Sent: Friday, February 22, 2019 3:03:46 PM
To: Munyard, Nicole; Cantamessa, Cindy
Cc: Callaghan, Lauren; Forner, Julia
Subject: RE: Braddon and Turner Northbourne Flats [SEC=UNCLASSIFIED]

Hi Nicole

I've added some omissions from our discussion in red below.

Kind regards

Murray Nichol

A/g Senior Project Manager
Strategic Projects & Infrastructure | Urban Renewal | Sustainability & the Built Environment
Environment, Planning and Sustainable Development Directorate | ACT Government
L2, 221 London Cct, Canberra City ACT | 📧 GPO Box 158 Canberra ACT 2601
☎: 6205 9379

From: Munyard, Nicole
Sent: Friday, 22 February 2019 2:40 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Cc: Callaghan, Lauren <Lauren.Callaghan@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>; Nichol, Murray <Murray.Nichol@act.gov.au>
Subject: Braddon and Turner Northbourne Flats [SEC=UNCLASSIFIED]

Hi Cindy,

Could you please let me know if **Braddon and Turner Northborne Flats** sites are likely to settle in 2018-19 or not. If not, could you please provide a revised forecast settlement date.

Please let me know if you believe otherwise. It would be greatly appreciated if you could respond asap or at the latest by midday Monday (25 Feb).

Regards

Nicole Munyard

Financial Controller

T: 02 6207 2981

Suburban Land Agency | ACT Government

TransACT House, 470 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158
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From: Snow, Malcolm
Sent: Friday, 1 March 2019 3:08 PM
To: Dietz, John
Subject: Northbourne Flats Braddon and Turner [SEC=UNCLASSIFIED]

John

I appreciate the tender process for the above site is still ongoing but I would like to understand what the next steps might be if should negotiations be unsuccessful and conscious that the ARI arrangements cease on 30 June. One possible option for consideration would see site custodianship transferred to the CRA and subject to Ministerial agreement and budget funding, it be developed as a demonstration housing project.

When you have a moment perhaps we could discuss further?

Regards, Malcolm

Malcolm Snow
Chief Executive Officer

T: 02 6205 1878 **E:** malcolm.snow@act.gov.au

City Renewal Authority ACT Government

Canberra Nara Centre, 1 Constitution Avenue, Canberra City
GPO Box 158 Canberra City ACT 2601
ABN 40 746 096 162

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From: Sharp, Andy
Sent: Wednesday, 27 March 2019 10:42 AM
To: Forner, Julia; Cantamessa, Cindy; Jones, Bronwen
Subject: Re: Braddon and Turner on Northbourne - Braturn submission [DLM=Sensitive]

Thanks Julia. Andy

Andy Sharp
City Renewal Authority
[REDACTED]

From: Forner, Julia
Sent: Wednesday, March 27, 2019 10:21:49 AM
To: Sharp, Andy; Cantamessa, Cindy; Jones, Bronwen
Subject: Braddon and Turner on Northbourne - Braturn submission [DLM=Sensitive]

Good morning

Braturn have provided a submission in response to our meeting on 12 February 2019. It is on USB as it is 87m – I will send 3 USB's to your office this afternoon and arrange a meeting next week to discuss next steps.

At this stage I have not shared this with anyone else – please let me know if you would like anyone else included in this meeting?

Please do not hesitate to contact me if you have any queries.

regards

Julia Forner

Senior Manager, Sales & Client Services.

T: 02 6207 7096|

Suburban Land Agency | ACT Government

TransACT House, 470 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601

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From: Cantamessa, Cindy
Sent: Wednesday, 3 April 2019 1:31 PM
To: Forner, Julia; Sharp, Andy; Jones, Bronwen
Subject: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions [ME-ME.FID2745140] [DLM=Sensitive: Legal]

Hi Everyone

Just to assist you in this afternoons tender discussion, I would suggest you familiarise yourselves with the legal advice on what comprises the market value of a site. The non-monetary component Sect 264(3) of the Planning and Development Act must comprise – (i) infrastructure, or other work, in relation to the lease or another lease; or (ii) one or more of the following under a deed or agreement with the Territory or a Territory authority: (A) goods; (B) services; (C) works.

Regards
Cindy

[REDACTED]

From: Forner, Julia [mailto:Julia.Forner@act.gov.au]
Sent: Monday 19 November 2018 11:47 am
To: Ben Fuller <Ben.Fuller@minterellison.com>; Edward Campbell <Edward.Campbell@minterellison.com>
Subject: FW: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions
[DLM=Sensitive: Legal]

Good morning

Please find attached the response received in relation to the Clarification questions asked of Braturn in relation to their submission.

The Tender evaluation panel has a meeting Friday to discuss this –any thoughts/advice you would be able to provide before then would be greatly appreciated.

Regards
Julia

From: John Russell [REDACTED]
Sent: Sunday, 18 November 2018 9:49 PM
To: Shane Radnell <Shane.Radnell@colliers.com<mailto:Shane.Radnell@colliers.com>>
Cc: Reid, Josh <Josh.Reid@colliers.com<mailto:Josh.Reid@colliers.com>>; Forner, Julia <Julia.Forner@act.gov.au<mailto:Julia.Forner@act.gov.au>>
Subject: RE: Commercial in Confidence. Braddon and Turner on Northbourne - Clarification questions

Hi Shane,

Thank you for your email.

Please find attached our responses to the clarification questions.

Should you require any additional information, please feel to contact us.

Could you please confirm receipt.

Best regards

John Russell
Director

[REDACTED]

[REDACTED]

Sent from my Sony Xperia™ smartphone

---- Radnell, Shane wrote ----
Hi John

Please find attached letter from the Suburban Land Agency requesting clarification from Braturn Pty Ltd contact details as per your submission attached.

If you could please respond to us by the 10am 19 November 2018 deadline that would be appreciated.

Regards

Shane Radnell
Director
Residential

Dir +61 2 6225 7334<tel:+61%202%206225%207334> | Mob +61 434 077 684<tel:+61%20434%20077%20684> |
View My Profile<http://www.colliers.com.au/people/shane-radnell>
Main +61 2 6257 2121<tel:+61%202%206257%202121> | Fax +61 2 6225 7384<tel:+61%202%206225%207384> |
vCard<https://vcard.colliers.com.au/default.aspx/shane.radnell@colliers.com>
Ground Floor, 21-23<tel:21-23> Marcus Clarke Street | Canberra, ACT 2600 | Australia

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UNCLASSIFIED

To: Chief Executive Officer

Tracking No.: Click here to enter text.

CC: SLA Deputy CEO
CEO CRA
SLA CFO

From:

Subject: Sale and Development of Northbourne Flats Braddon and Turner Release.
(Block 4 Section 60 Braddon and Block 1 section 68 Turner)

Critical Date: Routine

Critical Reason:

Purpose

To finalise the Northbourne Flats Braddon and Turner Tender.

Recommendations

That you:

- 1. Note the information in this brief;

Noted / Please Discuss

- 2. Agree to cancel the tender process.

Agreed / Not Agreed / Please Discuss

- 3. Note that Braturn will be notified in writing that they are unsuccessful and offered a debriefing;

Noted / Please Discuss

- 4. Note that a discussion paper will be prepared on the 'way forward' for the sites;

Noted / Please Discuss

John Dietz..... /...../.....

Chief Executive Officer Feedback

Background

1. The sites are listed on the Asset Recycling Initiative (ARI) Program which expires on 30 June 2019. As part of the program the Commonwealth will contribute a 15% bonus payment for investment into light rail.
2. The sites were released by tender as a precinct on 26 June 2018. The tender closed on 4 Oct 2018 and you agreed on 21 December 2018 to the Tender Evaluation Report which identified Braturn as the preferred tenderer. You also instructed that negotiations were to be entered to increase the financial offer and letters were to be sent to unsuccessful tenderers.
3. Braturn was advised on 9 January 2019 that they were the preferred tenderer and met with the Suburban Land Agency and Tender Evaluation Team on 12 February 2019 to discuss their proposal. Braturn provided further information regarding the social and economic benefits of their proposal on 22 March 2019.
4. The Tender Evaluation Team has reviewed this further information to inform their assessment of the financial offer by Braturn.

Issues

Monetary Component - Financial Offer

5. Section 246 of the *Planning and Development Act 2007* states that the 'Planning and land authority must not grant a lease other than for payment of an amount that is not

Non Monetary Component – Financial Offer

7. Market value may comprise both a monetary and non-monetary component. Section 246 (3) (b) (ii) defines the non-monetary component as:
 - a. Infrastructure, or other work, in relation to the lease or another lease; or
 - b. 1 or more of the following under a deed of agreement with the Territory or a Territory authority:
 - i. Goods,
 - ii. Services, or
 - iii. Works.

Future Release and Development for the Sites

- 10. The sites are located within the City Renewal Precinct but are assets on the SLAs accounts.
- 11. A joint discussion paper will be prepared on the future management of the sites and options for future land release and development.

Financial Implications

- 12. Revenue from the sale of Northbourne Flats has been rolled over to Financial Year 2020 - 2021 in the SLA Statement of Intent.

Consultation

- 14. Not applicable.

Benefits/Sensitivities

- 15. Environment, Planning and Sustainable Development has been advised that the sale is unlikely to progress. They have advised that the commonwealth contribution from the ARI program has been achieved and revenue from this sale will not be considered in relation to the ARI bonus claim.

Media Implications

- 16. Regular media enquiries are received on the progress of the ARI program. It is likely that there will be media interest in the outcome of the sale and the future management and release of the sites.

Signed

Andy Sharp
Chairperson

Cindy Cantamessa
Member

Julie Forner
Member

Bronwen Jones
Member

Dated

/ /2019

/ /2019

/ /2019

/ /2019



UNCLASSIFIED

To: Chief Executive Officer

Tracking No.: Click here to enter text.

CC: SLA Deputy CEO
CEO CRA
SLA CFO

From:

Subject: Sale and Development of Northbourne Flats Braddon and Turner Release.
(Block 4 Section 60 Braddon and Block 1 section 68 Turner)

Critical Date: Routine

Critical Reason:

Purpose

To finalise the Northbourne Flats Braddon and Turner Tender.

Recommendations

That you:

- 1. Note the information in this brief;
Noted / Please Discuss
- 2. Agree to cancel the tender process.
Agreed / Not Agreed / Please Discuss
- 3. Note that Bratrurn will be notified in writing that they are unsuccessful and offered a debriefing;
Noted / Please Discuss
- 4. Note that a discussion paper will be prepared on the 'way forward' for the sites;
Noted / Please Discuss

John Dietz..... /...../.....

Chief Executive Officer Feedback

Background

1. The sites are listed on the Asset Recycling Initiative (ARI) Program which expires on 30 June 2019. As part of the program the Commonwealth will contribute a 15% bonus payment for investment into light rail.
2. The sites were released by tender as a precinct on 26 June 2018. The tender closed on 4 Oct 2018 and you agreed on 21 December 2018 to the Tender Evaluation Report which identified Braturn as the preferred tenderer. You also instructed that negotiations were to be entered to increase the financial offer, and letters were to be sent to unsuccessful tenderers.
3. Braturn was advised on 9 January 2019 that they were the preferred tenderer and met with the Suburban Land Agency and Tender Evaluation Team on 12 February 2019 to discuss their proposal. Braturn provided further information regarding the social and economic benefits of their proposal on 22 March 2019.
4. The Tender Evaluation Team has reviewed this further information to inform their assessment of the financial offer by Braturn.

Issues

Monetary Component - Financial Offer

5. Section 246 of the *Planning and Development Act 2007* states that the 'Planning and land authority must not grant a lease other than for payment of an amount that is not less than the market value of the lease'.

Non Monetary Component – Financial Offer

7. Market value may comprise both a monetary and non-monetary component. Section 246 (3) (b) (ii) defines the non-monetary component as:
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 - b. One (1) or more of the following under a deed of agreement with the Territory or a Territory authority:
 - i. Goods,
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Future Release and Development for the Sites

- 10. The sites are located within the City Renewal Precinct but are assets on the SLAs accounts.
- 11. A joint discussion paper will be prepared on the future management of the sites and options for future land release and development.

Financial Implications

- 12. Revenue from the sale of Northbourne Flats has been rolled over to Financial Year 2020 - 2021 in the SLA Statement of Intent.

Consultation

- 14. Not applicable.

Benefits/Sensitivities

- 15. Environment, Planning and Sustainable Development has been advised that the sale is unlikely to progress. They have advised that the commonwealth contribution from the ARI program has been achieved and revenue from this sale will not be considered in relation to the ARI bonus claim.

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Signed

Andy Sharp
Chairperson

Cindy Cantamessa
Member

Julie Forner
Member

Bronwen Jones
Member

Dated

/ /2019

/ /2019

/ /2019

/ /2019

From: Jones, Bronwen
Sent: Monday, 15 April 2019 9:26 AM
To: Cantamessa, Cindy; Sharp, Andy; Forner, Julia
Subject: RE: Northbourne Flats Tender Finalisation of Tender Assessment Minute [SEC=UNCLASSIFIED]

Yep, it looks fine with me.

Such a great experience having that tender on the table, thanks for sharing it with me!

Bron

From: Cantamessa, Cindy
Sent: Friday, 12 April 2019 3:58 PM
To: Sharp, Andy <Andy.Sharp@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: RE: Northbourne Flats Tender Finalisation of Tender Assessment Minute [SEC=UNCLASSIFIED]

Thanks Andy

Julia/Bronwen – If no further amendments from you on Monday the CRA Staff will sign and then I will send scanned copy up to Julia or do you need original.

Regards
Cindy

From: Sharp, Andy
Sent: Friday, 12 April 2019 3:39 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>; Jones, Bronwen <Bronwen.Jones@act.gov.au>
Subject: RE: Northbourne Flats Tender Finalisation of Tender Assessment Minute [SEC=UNCLASSIFIED]

Colleagues,
My minor amendments attached and tracked FYI.
A

Kind Regards
Andy Sharp
Director Design and Place Strategy
T: 02 6207 2003 **M:** 0481 904 328 **E:** andy.sharp@act.gov.au



From: Cantamessa, Cindy
Sent: Friday, 12 April 2019 2:06 PM
To: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Jones, Bronwen

<Bronwen.Jones@act.gov.au>

Subject: Northbourne Flats Tender Finalisation of Tender Assessment Minute [SEC=UNCLASSIFIED]

Andy/ Bonwen/Julia

Here is the draft for your review.

If there are no major changes we could sign and get this to the Delegate early next week.

Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 **M:** 0439 671 221 **E:** cindy.cantamessa@act.gov.au

City Renewal Authority ACT Government

Canberra Nara Centre, 1 Constitution Avenue, Canberra City

GPO Box 158 Canberra City ACT 2601

ABN 40 746 096 162

cityrenewalCBR.com.au

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UNCLASSIFIED

To: Chief Executive Officer

Tracking No.: Click here to enter text.

CC: SLA Deputy CEO
CEO CRA
SLA CFO**From:****Subject:** Sale and Development of Northbourne Flats Braddon and Turner Release.
(Block 4 Section 60 Braddon and Block 1 section 68 Turner)**Critical Date:** Routine**Critical Reason:****Purpose**

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Noted / Please Discuss
2. Agree to cancel the tender process.
Agreed / Not Agreed / Please Discuss
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Noted / Please Discuss
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Noted / Please Discuss

John Dietz..... /...../.....

Chief Executive Officer Feedback

UNCLASSIFIED

Background

1. The sites are listed on the Asset Recycling Initiative (ARI) Program which expires on 30 June 2019. As part of the program the Commonwealth will contribute a 15% bonus payment for investment into light rail.
2. The sites were released by tender as a precinct on 26 June 2018. The tender closed on 4 Oct 2018 and you agreed on 21 December 2018 to the Tender Evaluation Report which identified Braturn as the preferred tenderer. You also instructed that negotiations were to be entered to increase the financial offer, and letters were to be sent to unsuccessful tenderers.
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Consultation

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Signed

Andy Sharp
Chairperson

Cindy Cantamessa
Member

Julie Forner
Member

Bronwen Jones
Member

Dated
15/4/2019

15/4/2019

/ /2019

15/04/2019



UNCLASSIFIED

To: Chief Executive Officer

Tracking No.: Click here to enter text.

CC: SLA Deputy CEO
CEO CRA
SLA CFO

From:

Subject: Sale and Development of Northbourne Flats Braddon and Turner Release.
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Noted / Please Discuss

John Dietz..... /...../.....


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Signed

Andy Sharp
Chairperson

Cindy Cantamessa
Member

Julie Forner
Member

Bronwen Jones
Member

Dated

/ /2019

/ /2019

/ /2019

/ /2019

From: Forner, Julia
Sent: Monday, 15 April 2019 1:54 PM
To: Cantamessa, Cindy
Subject: RE: Northbourne Flats Tender Evaluation Brief [SEC=UNCLASSIFIED, DLM=Sensitive]
Attachments: Brief - Finalisation of Tender Evaluation_JFReview - FINAL.doc

Hi Cindy

As discussed, please find attached in track changes the (hopefully) final version of this brief, for review acceptance and signing.

Many thanks
Julia

-----Original Message-----

From: Cantamessa, Cindy
Sent: Monday, 15 April 2019 11:30 AM
To: Forner, Julia <Julia.Forner@act.gov.au>
Subject: Northbourne Flats Tender Evaluation Brief [SEC=UNCLASSIFIED, DLM=Sensitive]

Julia

In case you need to do some minor changes to the covering page the word is attached. We have signed the back page which hopefully you can print off and sign as well.

If not I have the original down here which I can get sent up to you.

Benno is working on Media talking points but he is away today. I would suggest that when the letter goes out we also put out a media release to this effect.

Regards
cindy

-----Original Message-----

From: NARAHSB01LOGP07@act.gov.au [mailto:NARAHSB01LOGP07@act.gov.au]
Sent: Monday, 15 April 2019 12:23 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: Message from "NARAHSB01LOGP07"

This E-mail was sent from "NARAHSB01LOGP07" (Aficio MP C5502A).

Scan Date: 15.04.2019 12:23:15 (+1000)
Queries to: NARAHSB01LOGP07@act.gov.au

UNCLASSIFIED

To: Chief Executive Officer

Tracking No.: Click here to enter text.

CC:**From:** Director, Design and Place Strategy, City Renewal Authority**Subject:** Sale and Development of Northbourne Flats Braddon and Turner Release.
(Block 4 Section 60 Braddon and Block 1 Section 68 Turner)**Critical Date:** Routine**Critical Reason:****Purpose**

To finalise the Northbourne Flats Braddon and Turner Tender.

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Noted / Please Discuss
2. Agree to conclude the tender process.
Agreed / Not Agreed / Please Discuss
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Noted / Please Discuss
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Noted / Please Discuss

John Dietz..... /...../.....

Chief Executive Officer Feedback

Background

1. The sites are listed on the Asset Recycling Initiative (ARI) Program which expires on 30

UNCLASSIFIED

June 2019. As part of the program the Commonwealth will contribute a 15% bonus payment for investment into light rail.

2. The sites were released by tender as a precinct on 26 June 2018. The tender closed on 4 Oct 2018 and you agreed on 21 December 2018 to the Tender Evaluation Report which identified Braturn as the preferred tenderer. You also instructed that negotiations were to be entered to increase the financial offer, and letters were to be sent to unsuccessful tenderers.
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Future Release and Development for the Sites

10. The sites are located within the City Renewal Precinct but are assets on the Suburban Land Agency's accounts.
11. A joint discussion paper will be prepared on the future management of the sites and options for future land release and development.

Financial Implications

12. A revenue offset from the sale of Northbourne Flats was made for the 18-19 estimated outcome as part of the 19/20 budget process.

Consultation

14. Not applicable.

Benefits/Sensitivities

15. Environment, Planning and Sustainable Development has been advised that the sale is unlikely to progress. They have advised that the Commonwealth contribution from the ARI program has been achieved and revenue from this sale will not be considered in relation to the ARI bonus claim.

Media Implications

16. Regular media enquiries are received on the progress of the ARI program. It is likely that there will be media interest in the outcome of the sale and the future management and release of the sites.

Signed

Andy Sharp
Chairperson

Cindy Cantamessa
Member

Julie Forner
Member

Bronwen Jones
Member

Dated

/ /2019

/ /2019

/ /2019

/ /2019

From: Cantamessa, Cindy
Sent: Monday, 29 April 2019 12:05 PM
To: Forner, Julia
Subject: Northbourne Flats [SEC=UNCLASSIFIED]
Attachments: 201904291257.pdf

Julia

Malcolm Snow and our new Exec Director, Craig Gillman, have a meeting sometime this week to meet with John Dietz to discuss Northbourne Flats.

I made Craig sign the attached probity sheets. Malcolm has already signed these and been briefed by GSO.

It may be worthwhile finding out when the meeting is on and getting Nicholas Holt in on the meeting.

I just get told they were going for the chat and they wanted to make sure from probity that Craig was covered attending the meeting.

Regards
cindy

-----Original Message-----

From: NARAHSB01LOGP07@act.gov.au [mailto:NARAHSB01LOGP07@act.gov.au]
Sent: Monday, 29 April 2019 12:58 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: Message from "NARAHSB01LOGP07"

This E-mail was sent from "NARAHSB01LOGP07" (Aficio MP C5502A).

Scan Date: 29.04.2019 12:57:34 (+1000)
Queries to: NARAHSB01LOGP07@act.gov.au

Probity Plan – REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER

APPENDIX 4 – Confidentiality and Conflict of Interest Undertaking

[Short Form - for Territory employees who are **not** Evaluation Team members, advisers to the Evaluation Team, members of the steering committee or the Delegate]

To: The Suburban Land Agency,
Attention: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK 4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER, **Project Director:** [insert details]

I, Craig Gillman of
[REDACTED]
PRINT RESIDENTIAL ADDRESS

I am a "public employee" of the Australian Capital Territory (**Territory**) under the *Public Sector Management Act 1994 (PSMA)*

I acknowledge that although I am not a decision-maker or participant in the RFT process (**RFT Process**), if I attend meetings or otherwise receive communications about the Project, more particularly the Process, I may become privy to Confidential Information. I acknowledge my obligations under the PSMA and the *Public Sector Standards 2006*, including obligations of confidentiality and disclosure of conflicts of interest, as relevant.

I undertake that:

- (a) I will not disclose, discuss or in any way make available or (knowingly) accessible, Confidential Information which is disclosed to me in any forum or communication, to any person who is not already authorised to have the Information, and
- (b) I will sign any further undertaking as directed by the Delegate or Project Director, if I become a decision-maker or participant in the RFT Process.

I understand that "Confidential Information" includes information about the RFT Process which has not been published by authorisation of the Project Director, and includes all information that:

- (a) is by its nature confidential,
- (b) is notified to me as being confidential, or I otherwise know or ought reasonably to know is confidential, or
- (c) is considered or likely to be considered by the Cabinet of the Territory,

whether in written, digitised, spoken or in any other form, but does not include information which:

- (d) is or becomes public knowledge other than by an unauthorised disclosure,
- (e) was in my possession without restriction in relation to disclosure before I received it in the context of the Project, or
- (f) has been notified to me as being not confidential.

[REDACTED]
Signature

Date: 29/4/19

Position/Capacity in which I sign this Undertaking

COO CRA



Signature

Dated: 29/4/19

Attachment to Conflict of Interest – Status Disclosure

List of Respondents

(Issued with Conflict of Interest - Status disclosure)

Project: REQUEST FOR TENDER FOR THE SALE AND DEVELOPMENT OF BLOCK
4 SECTION 60 BRADDON AND BLOCK 1 SECTION 68 TURNER
Date of List: 9 October 2018

RESPONDENT #1

Lead Respondent JW Land Holdings Pty Ltd 25 609 658 193
Member:

Respondent Members: None declared

Associates: None declared

RESPONDENT #2

Lead Respondent Braturn Pty Limited 78 137 744 293
Member:

Respondent Members: None declared

Associates: None declared

RESPONDENT #3

Lead Respondent NG Landholdings NO. 16 PTY Ltd 52 629 037 921
Member:

Respondent Members: Geocon Landholdings Pty Ltd 27 601 912 949

Associates: None Declared

RESPONDENT #4

Lead Respondent [name and ABN]
Member:

Respondent Members: [list here]

Associates: [list here]

From: Cantamessa, Cindy
Sent: Thursday, 30 May 2019 11:49 AM
To: Radnell, Shane
Cc: Forner, Julia; Sharp, Andy; Jones, Bronwen
Subject: Block 4 section 60 Braddon and Block 1 Section 68 Turner [SEC=UNCLASSIFIED, DLM=Sensitive]

Shane

In Julia's absence, thanks for providing some background on the meeting between the Territory and Braturn which was undertaken earlier this year, as well as your understanding of John Russels concerns regarding the tender process. Andy Sharp contacted John Russell today and offered to meet to debrief him on the tender. John declined and advised Andy that he is writing to the Chief Minister and considers that the process is still continuing.

Julia will ensure that you are kept in the loop as this progresses. Currently a debrief with Geocon is planned for Monday 3 June 2019.

Regards
Cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

City Renewal Authority ACT Government

Canberra Nara Centre, 1 Constitution Avenue, Canberra City
GPO Box 158 Canberra City ACT 2601
ABN 40 746 096 162

cityrenewalCBR.com.au

Follow us [@cityrenewalCBR](https://twitter.com/cityrenewalCBR)



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From: Radnell, Shane [mailto:Shane.Radnell@colliers.com]
Sent: Thursday, 30 May 2019 11:41 AM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: FW: Fwd: Block 4 section 60 Braddon and Block 1 Section 68 Turner [DLM=For-Official-Use-Only]

Cindy, letter from John Russell for your information also.

Shane Radnell

Director

Residential

Dir +61 2 6225 7334 | Mob +61 434 077 684 | [View My Profile](#)

Main +61 2 6257 2121 | Fax +61 2 6225 7384 | [vCard](#)

Ground Floor, 21-23 Marcus Clarke Street | Canberra, ACT 2600 | Australia



From: Radnell, Shane

Sent: Wednesday, May 29, 2019 11:16 AM

To: neil.bulless@act.gov.au

Subject: FW: Fwd: Block 4 section 60 Braddon and Block 1 Section 68 Turner [DLM=For-Official-Use-Only]

Hi Neil, please find attached in Julia's absence.

Shane Radnell

Director

Residential

Dir +61 2 6225 7334 | Mob +61 434 077 684 | [View My Profile](#)

Main +61 2 6257 2121 | Fax +61 2 6225 7384 | [vCard](#)

Ground Floor, 21-23 Marcus Clarke Street | Canberra, ACT 2600 | Australia



From: Radnell, Shane

Sent: Wednesday, May 29, 2019 11:00 AM

To: Forner, Julia <Julia.Forner@act.gov.au>

Cc: Reid, Josh <Josh.Reid@colliers.com>

Subject: FW: Fwd: Block 4 section 60 Braddon and Block 1 Section 68 Turner [DLM=For-Official-Use-Only]

Hi Julia

Please find attached a reply letter for John Russell.

Regards

Shane Radnell

Director

Residential

Dir +61 2 6225 7334 | Mob +61 434 077 684 | [View My Profile](#)

Main +61 2 6257 2121 | Fax +61 2 6225 7384 | [vCard](#)



From: john [redacted]
Sent: Tuesday, May 28, 2019 5:01 PM
To: Radnell, Shane <Shane.Radnell@colliers.com>
Cc: Reid, Josh <Josh.Reid@colliers.com>
Subject: RE: Fwd: Block 4 section 60 Braddon and Block 1 Section 68 Turner [DLM=For-Official-Use-Only]

Thanks Shane,

I have attached our response for you to forward to Julia.

Kind regards,

John Russell
Director



Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Radnell, Shane" <Shane.Radnell@colliers.com>
Date: 28/5/19 12:32 pm (GMT+10:00)
To: john [redacted]
Cc: "Reid, Josh" <Josh.Reid@colliers.com>
Subject: RE: Fwd: Block 4 section 60 Braddon and Block 1 Section 68 Turner [DLM=For-Official-Use-Only]

Hi John

Please find attached a letter from the SLA formally advising of the completion of their evaluation. Unfortunately they have not arrived a position where the sale can proceed.

Anyway, review the reply and best to contact them to make a time for a de-brief. We have not been advised at this stage of what the process is from here with regard to the sale of the two blocks going forward.

Regards

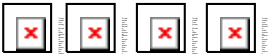
Shane Radnell

Director
Residential

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Ground Floor, 21-23 Marcus Clarke Street | Canberra, ACT 2600 | Australia



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Unless specifically stated, this E-mail does not constitute advice or commitment. We do not accept liability for computer viruses, data corruption, interruption, unauthorised access or unauthorised amendment. Colliers International does not guarantee, warrant or represent, either implied or express, that the information contained in this E-mail is accurate, complete or current.

We exclude all inferred or implied terms, conditions and warranties arising out of or in connection with this E-mail, including any liability for loss or damage arising.

This notice should not be removed.

From: Mirzabegian, Sanaz
Sent: Wednesday, 19 June 2019 11:22 AM
To: Cantamessa, Cindy
Cc: Forner, Julia; Sharp, Andy; Deasey, Michael
Subject: 635150: Probity advice -Post Tender - 4/60 Braddon and 1/68 Turner [SEC=UNCLASSIFIED]

Follow Up Flag: Follow up
Flag Status: Completed

Dear Cindy,

I have consulted with colleagues here and we can provide you with preliminary oral advice to meet your timeframes. Can you please contact me as a matter of urgency? I have also left you a telephone message about 15 minutes ago.

Regards
Sanaz

Sanaz Mirzabegian | Special Counsel | Procurement and Contracting | ACT Government Solicitor
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www.actgs.act.gov.au

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From: Cantamessa, Cindy
Sent: Tuesday, 18 June 2019 10:32 AM
To: Mirzabegian, Sanaz <Sanaz.Mirzabegian@act.gov.au>
Cc: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Stewart, Rebecca <Rebecca.Stewart@act.gov.au>; Deasey, Michael <Michael.Deasey@act.gov.au>
Subject: RE: Probity advice -Post Tender - 4/60 Braddon and 1/68 Turner [SEC=UNCLASSIFIED]

Sanaz

Would it be possible for you to provide advice re my request below. The CRA was hoping that the Board members could be briefed this Thursday.

Regards
cindy

From: Mirzabegian, Sanaz
Sent: Friday, 14 June 2019 3:39 PM
To: Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Cc: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>; Stewart, Rebecca <Rebecca.Stewart@act.gov.au>; Deasey, Michael <Michael.Deasey@act.gov.au>
Subject: RE: Probity advice -Post Tender - 4/60 Braddon and 1/68 Turner [SEC=UNCLASSIFIED]

Dear Cindy,

Thank you for your email. I am currently undertaking an assignment in Procurement ACT. I will be back in my role on Monday and will be able to consider this question. I need to refresh my mind as to the role of the board and its connection to the tender.

I will be in touch on Monday to discuss.

Kind regards
Sanaz

Executive Branch Manager, Operations and Contracts (a/g) | Procurement ACT
Chief Minister, Treasury and Economic Development Directorate
ACT Government
Ph: 6205 3777
GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Cantamessa, Cindy
Sent: Friday, 14 June 2019 2:27 PM
To: Mirzabegian, Sanaz <Sanaz.Mirzabegian@act.gov.au>
Cc: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>
Subject: Probity advice -Post Tender - 4/60 Braddon and 1/68 Turner [SEC=UNCLASSIFIED]

Sanaz

The tender for the sale of 4/60 Braddon and 1/68 Turner has been concluded. The Tender Evaluation Team recommended negotiations with a preferred tenderer and in the event that these negotiations did not progress then that the tender process be cancelled. Unfortunately the negotiations did not progress and the Delegate agreed to the cancellation of the tender process. All parties have been advised to this effect.

The CRA Board has now requested a presentation on the preferred tender design. They are interested in understanding the design merits of this tender submission. Could you advise from a probity and legal perspective whether we could provide the CRA Board this presentation on what is now officially a cancelled tender process. What, if any, confidentiality would the Board members be required to sign.

As several of the CRA Board members are in town next Thurs 20 June, could you provide me timely advice on whether we may discuss the preferred tender submission and show images from the submission.

Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339  **E:** cindy.cantamessa@act.gov.au

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From: Cantamessa, Cindy
Sent: Wednesday, 19 June 2019 12:34 PM
To: Holt, Nicholas; Forner, Julia
Subject: FW: Northbourne release strategy [SEC=UNOFFICIAL]

From: Cantamessa, Cindy
Sent: Wednesday, 19 June 2019 9:51 AM
To: Nichol, Murray <Murray.Nichol@act.gov.au>; Forner, Julia <Julia.Forner@act.gov.au>
Subject: RE: Northbourne release strategy [SEC=UNOFFICIAL]

Murray

A paper was presented to the CRA Board last week on the next steps for Braddon and Turner. The Authority supported progressing negotiations with the Suburban Land Agency on the future strategy for the sites, noting that the sites are on the asset register of SLA. They noted the initial analysis on the various options for the future management and release of the sites and supported further consultation be undertaken on next steps. They have directed one of their members, Mr Nigel Chamier, to work with management on the options.

Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339 [REDACTED] **E:** cindy.cantamessa@act.gov.au

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From: Nichol, Murray
Sent: Wednesday, 19 June 2019 9:36 AM

To: Forner, Julia <Julia.Forner@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: RE: Northbourne release strategy [SEC=UNOFFICIAL]

Thanks Julia.

Cindy - Can you provide any further update on where the Northbourne Flats release strategy is up to?

Kind regards

Murray Nichol

A/g Director

Strategic Projects & Infrastructure | Urban Renewal | Sustainability & the Built Environment

Environment, Planning and Sustainable Development Directorate | ACT Government

16 Challis St Dickson ACT 2902 | GPO Box 1908 Canberra ACT 2601

Tel: 6205 9379

From: Forner, Julia

Sent: Wednesday, 19 June 2019 9:34 AM

To: Nichol, Murray <Murray.Nichol@act.gov.au>

Subject: RE: Northbourne release strategy [SEC=UNOFFICIAL]

Hi Murray

this is with Cindy – I believe she is going back to her Board again this week.

Cheers

Julia

From: Nichol, Murray

Sent: Wednesday, 19 June 2019 9:22 AM

To: Forner, Julia <Julia.Forner@act.gov.au>

Subject: Northbourne release strategy [SEC=UNOFFICIAL]

Hi Julia

Can you please send me a summary of where the Northbourne Flats release strategy is up to? Min Rachel Stephen Smith is seeking this in her weekly meeting with Bruce on Friday.

Kind regards

Murray Nichol

A/g Director

Strategic Projects & Infrastructure | Urban Renewal | Sustainability & the Built Environment

Environment, Planning and Sustainable Development Directorate | ACT Government

16 Challis St Dickson ACT 2902 | GPO Box 1908 Canberra ACT 2601

Tel: 6205 9379

From: Cantamessa, Cindy
Sent: Wednesday, 19 June 2019 12:30 PM
To: Sharp, Andy <Andy.Sharp@act.gov.au>
Cc: Snow, Malcolm <Malcolm.Snow@act.gov.au>; Mirzabegian, Sanaz <Sanaz.Mirzabegian@act.gov.au>
Subject: Northbourne Flats Tender [SEC=UNCLASSIFIED]

Andy

The GSO is in the process of writing up a letter of advice on the what information we may discuss with the CRA Board members regarding the cancelled Northbourne Flats tender.

First up before we discuss anything the Board members must be briefed on the confidentiality and their confidentiality undertaking must be documented either by the members signing confidentiality deed or the Minutes of the meeting recording their agreement.

Once confidentiality has been confirmed, the members of the Tender Evaluation Team could provide the Board members a debrief of the tender process and the evaluation process. In this overview we should not provide any plans or tender documentation to the Board members. We may however provide overview on our assessment of the tender and our comments on the technical criteria.

Regards
cindy

Cindy Cantamessa
Project Director

T: 02 6205 8339  **E:** cindy.cantamessa@act.gov.au

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From: Cantamessa, Cindy
Sent: Thursday, 20 June 2019 1:23 PM
To: Forner, Julia
Subject: FW: 635150: Probity advice - Provision of Tender to the City Renewal Authority Board [SEC=UNCLASSIFIED]
Attachments: 635150Probity AdviceProvisionofTendertoCRA.pdf

Hi Nicholas/Julia

FYI – Probity advice from GSO regarding provision of information to the CRA Board regarding the Northbourne Flats tender.

You may find this useful advice for other processed that you run.

Regards
Cindy

From: Mirzabegian, Sanaz
Sent: Thursday, 20 June 2019 9:43 AM
To: Sharp, Andy <Andy.Sharp@act.gov.au>
Cc: Deasey, Michael <Michael.Deasey@act.gov.au>; Cantamessa, Cindy <Cindy.Cantamessa@act.gov.au>
Subject: 635150: Probity advice - Provision of Tender to the City Renewal Authority Board [SEC=UNCLASSIFIED]

Dear Andy,

I refer to the below email from Cindy Cantamessa. Requesting legal advice. I attach our formal advice to you in your capacity as chair of the Evaluation Team. The advice confirms our oral advice provided yesterday to meet with your timeframes.

Please contact me if you have any questions or wish to discuss the advice.

Regards
Sanaz

Sanaz Mirzabegian | Special Counsel | Procurement and Contracting | ACT Government Solicitor
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Cc: Forner, Julia <Julia.Forner@act.gov.au>; Sharp, Andy <Andy.Sharp@act.gov.au>
Subject: Probity advice -Post Tender - 4/60 Braddon and 1/68 Turner [SEC=UNCLASSIFIED]

Sanaz

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Regards
cindy

Cindy Cantamessa
Project Director

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