

DESCRIPTION OF SERVICES: FOR THE PROVISION OF LOGGERS COUNTRY WIDE FOR THE PURPOSE OF LCA AND OFFLOADING SLEEPERS AT VARIOUS LOCATION ON AN "AS AND WHEN REQUIRED" OR THE PERIOD OF YEARS

PART C2: PRICING DATA

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DESCRIPTION OF SERVICES: FOR THE PROVISION OF LOGGERS COUNTRY WIDE FOR THE PURPOSE OF LIFTING AND OFFLOADING SLEEPERS AT VARIOUS LOCATION ON AN "AS AND WHEN REQUIRED" OR THE PERIOD OF 10 YEARS

C2.1 Pricing assumptions: Option A

1. GENERAL

1.1 How work is priced and assessed for payment

Clause 11 in NEC3 Term Service Contract (TSC3) core clauses and Option A states:

Identified and 11

defined terms 11.2 (12) The Price List is the price list unless later changed in accordance with this contract.

(17) The Price for Services Provided to Date is the total of

the Price for each lump sum item in the Price List which the Contractor has completed and

where a quantity is stated for an item in the Price List, an amount calculated by multiplying the quantity which the Contractor has completed by the rate.

(19) The Prices are the amounts stated in the Price column of the Price List. Where a quantity is stated for an item in the Price List, the Price is calculated by multiplying the quantity by the rate.

Clause 50 in NEC3 Term Service Contract (TSC3) core clauses and Option A states:

Assessing the amount due

50.2

The amount due is

- the Prices for the Services Provided to Date,
- plus, other amounts to be paid to the Contractor,
- less amounts to be paid by or retained from the Contractor.

This confirms that Option A is a priced contract where the Prices are derived from a list of items of service which can be priced as lump sums or as estimated quantities of service multiplied by a rate or a mix of both.

1.2 Function of the Price List

Clause 54.1 in Option A states: "Information in the Price List is not Service Information". This confirms that instructions to do work or how it is to be done are not included in the Price List but in the Service Information. This is further confirmed by Clause 20.1 which states, "The Contractor Provides the Service in accordance with the Service Information". Hence the Contractor does not provide the Service in accordance with the Price List. The Price List is only a pricing document.

1.3 Preparing the price list

Before preparing the price list, both the Employer and tendering contractors should read the TSC3 Guidance Notes pages 14 and 15. In an Option A contract, either Party may have entered items into the price list either as a process of offer and acceptance (tendering) or by negotiation depending on the nature of the service to be provided. Alternatively, the Employer, in his Instructions to Tenderers or in a Tender Schedule, may have listed some items that he requires the Contractor to include in the price list to be prepared and priced by him.

It is assumed that in preparing or finalising the price list the Contractor:

- Has taken account of the guidance given in the TSC3 Guidance Notes relevant to Option A.
- Understands the function of the Price List and how work is priced and paid for.
- Is aware of the need to link priced rates with parameters for the volume of work involved in Providing the Service as contemplated in *price list* contained in section C2.2.

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- Has listed and priced items in the price list which are inclusive of everything necessary and incidental to Providing the Service in accordance with the Service Information, as it was at the time of tender, as well as correct any Defects not caused by an Employer's risk. This should also include all liabilities and obligations set forth or implied in the Contract data, as well as any profit.
- Has priced work he decides not to show as a separate item within the Prices or rates of other listed items to fulfil the obligation to complete the service for the tendered total of the Prices.
- Understands there is no adjustment to items priced as lump sums if the amount, or quantity, of work within that item later turns out to be different to that which the Contractor estimated at time of tender. The only basis for a change to the (lump sum) Prices is because of a compensation event.

2. FORMAT OF THE PRICE LIST

Entries in the first four columns in the price list in section C2.2 are made either by the Employer or the tendering contractor.

If the Contractor is to be paid an amount for the item which is not adjusted if the quantity of work in the item changes, the tendering contractor enters the amount in the Price column only, the Unit, Estimated Quantity and Rate columns being left blank.

The pricing table contained in section C2.2 contemplates.

- (i) establishment fee paid monthly and
- (ii) volume based pricing with applicable rates based on actual volumes of work provided to the Contractor

The tendering contractor is required in the first row to provide its proposed monthly rate for establishment.

The remaining portion of the total of the Prices is determined through volume-based pricing, whereby the amounts finally due to the Contractor in each year within the *service period* are determined annually by applying the applicable rate to the actual volume of Works issued to the Contractor subject to the terms of the contract. In the interim period (prior to the annual assessment) the Contractor is paid an Interim Average Work Rate (as further described in paragraph 4.6 below), and the amount paid is reconciliated after the annual assessment.

In this regard the tendering contractor is required to propose the relevant rates for the defined parameters of works for items 2.1 to 2.4 of the Price List (as further described in paragraphs 4.2 to 4.5 below), from which an Interim Average Working Rate is determined by applying the price weighting percentage indicator stipulated by the Employer in the Price List.

3. GENERAL PRICING ASSUMPTIONS

- 3.1 The agreement is based on the NEC Term Service Contract.
- 3.2 It will be assumed that prices included in the Price List are based on Acts, Ordinances, Regulations, By-laws, International Standards and National Standards that were published 28 days before the closing date for tenders.
- 3.3 The Price List is not intended for the ordering of materials. Any ordering of materials, based on the Price List, is at the Contractor's risk.
- 3.4 The prices should cover the cost (as explained in par 1.3 above) for the work as described. The quantities set out in these Price Lists are estimates and do not necessarily represent the actual amount of work to be done per quantity item. The quantities of work accepted and certified for payment will be used for determining payments due and not the quantities given in these Price Lists (refer to par 1.1 above).

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- 3.5 The short descriptions of the items of payment given in this Price List are only for purposes of identifying the items. More details regarding the extent of the work entailed under each item appear in the Service Information.
- 3.6 For each item in the Price List, the *Contractor* shall provide in the appropriate column the portion of the tendered sum (inclusive of labour and material).
- 3.7 The total in the Price List shall be exclusive of VAT and shall be transferred to form C1.1 (Form of Offer and Acceptance).

4. MEASUREMENT AND PAYMENT FOR CONTRACT

This part C2 of the specification as well as any reference in part **C3** will apply to determine conditions under which payments for this contract are to be made.

This section must be read together with the Additional Definitions and Interpretation Provisions contained in the Z- Clauses contained in **Contract Data provided by the Employer (C1.2 TSC3 Contract Data)** and in particular **Clause ZD6** providing for the annual assessment of the amount due to the Contractor for Providing the Services.

Payment will be made, for the Ballast Screening package, in accordance with the rates tendered in the schedule of prices. The following information shall be recorded continually for the screener package:

- (b) Availability of the screeners, tampers and other machines: $A = \frac{(T_o - T_b)}{T_o}$
- (c) Productivity: P = $\frac{\text{actual rate}}{\text{tendered rate}}$
- (d) Utilisation: U = $\frac{T_w}{T_o}$
- (e) Actual meter screened in each and every category separately.
- (f) Only work that was required and accepted will be included for payment

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C2.2 the price list

Region: Central

Machine Category:

Logger Machines – General Freight Business and Heavy Haul Business

No of Work Packages: 4 x Loggers (Stack 3 – 4 sleepers at a time)

	<i>Item Description</i>	<i>Unit</i>	<i>Quantity</i>	<i>Rate</i>
1	Loading and Offloading Works			
1.1	Loading and off-loading sorting and classification of sleepers from stacks	Sleeper	1111828	
1.2	Site Establishment/De-Establishment	ea	90	
1.3	Transport per KM	km	6576	
1.4	Supply of Dunnage or brandering 38mm x 38mm	ea	125080	
1.5	Operation standing time	hour	360	
2	Overtime Allowance and Shift Allowance			
2.1	Normal Overtime	hour	695	
2.2	Saturdays Overtime	hour	695	
2.3	Sunday time and Public Holiday	hour	596	
2.4	Double Shift	hour	840	
2.5	Night Shift Allowance	hour	840	
2.6	Sartuday Shift Allowance	hour	168	
2.7	Sunday Shift Allowance	hour	168	
3	Supporting Plant/Equipment			
3.1	Establishment/De-Establishment of a water cart	km	1500	
3.2	Dust Control-1000 litre water cart	hour	720	
3.3	Site Establishment/De-Establishment for a Grader	km	1500	
3.4	Site preparation supply of a grader	hour	720	
3.5	Site Establishment/De-Establishment 12 Ton Crane Truck	km	1500	
3.6	Truck 12 Ton Crane Truck for loading and offloading	hour	720	
3.7	Establishment of a Flat Bed	ea	24	
3.8	Flat bed for transporting Sleepers (carry a minimum of 60 sleepers per load-one leg payable ONLY)	Sleeper per KM	60000	
	Subtotal			R

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Region:Western

Machine Category:

Logger Machines – General Freight Business and Heavy Haul Business

No of Work Packages: 4 x Loggers (Stack 3 – 4 sleepers at a time)

	<i>Item Description</i>	<i>Unit</i>	<i>Quantity</i>	<i>Rate</i>
1	<i>Loading and Offloading Works</i>			
1.1	<i>Loading and off-loading sorting and classification of sleepers from stacks</i>	<i>Sleeper</i>	2942272	
1.2	<i>Site Establishment/De-Establishment</i>	<i>ea</i>	135	
1.3	<i>Transport per KM</i>	<i>km</i>	11608	
1.4	<i>Supply of Dunnage or brandering 38mm x 38mm</i>	<i>ea</i>	236516	
1.5	<i>Operation standing time</i>	<i>hour</i>	360	
2	<i>Overtime Allowance and Shift Allowance</i>			
2.1	<i>Normal Overtime</i>	<i>hour</i>	695	
2.2	<i>Saturdays Overtime</i>	<i>hour</i>	695	
2.3	<i>Sunday time and Public Holiday</i>	<i>hour</i>	596	
2.4	<i>Double Shift</i>	<i>hour</i>	840	
2.5	<i>Night Shift Allowance</i>	<i>hour</i>	840	
2.6	<i>Saturday Shift Allowance</i>	<i>hour</i>	168	
2.7	<i>Sunday Shift Allowance</i>	<i>hour</i>	168	
3	<i>Supporting Plant/Equipment</i>			
3.1	<i>Establishment/De-Establishment of a water cart</i>	<i>km</i>	2000	
3.2	<i>Dust Control-1000 litre water cart</i>	<i>hour</i>	3500	
3.3	<i>Site Establishment/De-Establishment for a Grader</i>	<i>km</i>	2000	
3.4	<i>Site preparation supply of a grader</i>	<i>hour</i>	3500	
3.5	<i>Site Establishment/De-Establishment 12 Ton Crane Truck</i>	<i>km</i>	2000	
3.6	<i>Truck 12 Ton Crane Truck for loading and offloading</i>	<i>hour</i>	3500	
3.7	<i>Establishment of a Flat Bed</i>	<i>ea</i>	27	
3.8	<i>Flat bed for transporting Sleepers (carry a minimum of 60 sleepers per load-one leg payable ONLY)</i>	<i>Sleeper per KM</i>	60000	
	<i>Subtotal</i>			R

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Region:Western

Machine Category:

Logger Machines – General Freight Business and Heavy Haul Business

No of Work Packages: 4 x Loggers (Stack 3 – 4 sleepers at a time)

Item Description	Unit	Quantity	Rate
Loading and Offloading Works			
Loading and off-loading sorting and classification of sleepers from stacks	<i>Sleeper</i>	2102368	
Site Establishment/De-Establishment	<i>ea</i>	120	
Transport per KM	<i>km</i>	23756	
Supply of Dunnage or brandering 38mm x 38mm	<i>ea</i>	307256	
Operation standing time	<i>hour</i>	360	
Overtime Allowance and Shift Allowance			
Normal Overtime	<i>hour</i>	695	
Saturdays Overtime	<i>hour</i>	695	
Sunday time and Public Holiday	<i>hour</i>	596	
Double Shift	<i>hour</i>	840	
Night Shift Allowance	<i>hour</i>	840	
Saturday Shift Allowance	<i>hour</i>	168	
Sunday Shift Allowance	<i>hour</i>	168	
Supporting Plant/Equipment			
Establishment/De-Establishment of a water cart	<i>km</i>	2000	
Dust Control-1000 litre water cart	<i>hour</i>	3000	
Site Establishment/De-Establishment for a Grader	<i>km</i>	2000	
Site preparation supply of a grader	<i>hour</i>	3000	
Site Establishment/De-Establishment 12 Ton Crane Truck	<i>km</i>	2000	
Truck 12 Ton Crane Truck for loading and offloading	<i>hour</i>	3000	
Establishment of a Flat Bed	<i>km</i>	24	
Flat bed for transporting Sleepers (carry a minimum of 60 sleepers per load-one leg payable ONLY)	<i>Sleeper per KM</i>	60000	
Subtotal			R