



CONDITIONS OF QUOTATION

BACKGROUND

The Quotation Conditions outlined apply to any Quotation submitted by the Supplier in relation to the Goods and Services. Once Transgrid has accepted the Quotation, in accordance with clause 4 of the Quotation Conditions, the Pre-Agreed Order Conditions will apply to any Goods and Services ordered by Transgrid. On the date that the Quotation is accepted, the Contract is formed between the party submitting the Quotation (the “Supplier”) and NSW Electricity Networks Operations Pty Limited (ACN 609 169 959) as trustee for NSW Electricity Networks Operations Trust (ABN 70 250 995 390) trading as Transgrid (“Transgrid”) evidenced by the issuing of a Purchase Order to the Supplier (the “Effective Date”).

This document also explains the quotation process.

1. ORDER CONDITIONS

Transgrid has a standard set of terms and conditions for the supply of goods and services. This is the foundation of the Pre-Agreed Order Conditions which will be used in the formation of any future contracts for work between Transgrid and the Supplier.

Once Transgrid and a Supplier have Pre-Agreed Order Conditions in place, these will apply to all procurement activities, except where Transgrid specifically seeks to supplement or amend the Pre-Agreed Order Conditions. Transgrid undertakes not to amend the Pre-Agreed Order Conditions without providing the Supplier with explanation. It is noted that the Supplier may also refuse to supply the Goods or Service if it does not agree with the amendments proposed by Transgrid.

2. QUOTATIONS

Issuing Quotations

Transgrid may issue a call for quotation (‘Tender’) either through the Ariba Network (‘ibuy’) or email process.

Lodging Quotations

When responding to a Tender, the Supplier must provide Transgrid with:

- a. An Initial Quotation, and
- b. A fully costed Alternative Quotation/s (if the Supplier chooses to make an alternative offer).

All Quotations must include:

- a. a completed copy of the ‘Returnable Schedules’ issued by Transgrid, including the Quotation Form and any Schedule of Rates, and
- b. any other relevant attachments to the Quotation Form.

The “Quotation Form” whenever provided by Transgrid, should be used by the Supplier when submitting a quote for the supply of Goods and Services.

The Quotation Form and any attachments and the Schedule of Rates must be completed in all respects and be submitted via one of the following methods: (1) eTender or (2) Via the SAP Ariba ('ibuy') network or (3) Email. Quotations must be lodged so as to be received by Transgrid before the tender closing time.

3. Complying Quotations

3.1 Initial Quotation

Any Quotation submitted by the Supplier must comply with the requirements of the Quotation Form, the Pre-Agreed Order Conditions, including the Specifications. The Supplier must not include its conditions of sale; any commercial departures or add special conditions to the Pre-Agreed Order Conditions. Transgrid may request the Supplier to withdraw such conditions, departure or special conditions at no additional cost to Transgrid, and failure by the Supplier to do so may result in the Quotation being excluded from further consideration.

3.2 Alternative Quotations

Provided the Supplier has submitted an Initial Quotation, the Supplier is permitted to submit alternative Quotations in relation to the same Goods and Services covered in the Tender. If the Supplier submits an alternative Quotation, the Supplier must state specifically:

- (i) in what respect each alternative differs from the Initial Quotation, including where the Supplier's own terms and conditions are being used and differ from the conditions proposed by Transgrid, and;
- (ii) any advantage to Transgrid that, in the Supplier's opinion, is likely to be derived as a result. The Supplier must state the pricing for each alternative proposed, including a breakdown of rates.

The Supplier must include all costs required to supply the Goods and carry out the Services. Where the alternative Quotations do not provide rates for Goods and materials, Transgrid will be entitled to apply the rates for those items from the Schedule of Rates provided in the Initial Quotation when assessing the alternative Quotations.

4. Acceptance of Quotation

Transgrid is not bound to accept any Quotation, even where there are Pre-Agreed Order Conditions in place with a Supplier and is not, in any circumstances, responsible for any costs incurred by the Supplier in preparing and submitting a Quotation, including the Initial Quotation and any alternative Quotations.

Transgrid reserves the right to terminate the tender process at any time prior to issuing a Purchase Order, without incurring any liability to the parties responding to the tender.

Transgrid reserves the right to accept a Quotation on an item by item basis, even where the Supplier has not specified the availability of this option. The Quotation is deemed to be accepted and Contract is established on the date that Transgrid issues a Purchase Order to the Supplier.

5. Supplier's Obligation to Inform Itself

Transgrid notes any quantity of materials specified in a Schedule of Rates issued with the Quotation is estimated and does not guarantee the accuracy of any such quantities. Transgrid relies on the Supplier to exercise its expertise and advise Transgrid as to the quantities of materials required to provide the Goods and carry out the Services, where the Supplier believes the quantities on the tender documentation are inaccurate.

The Supplier must use its best endeavours to inform itself in relation to the provision of Goods and Services including by reasonable request for further information from Transgrid prior to submitting a Quotation. The Supplier must ensure that any Quotation is based on the current and accurate Specifications.

Transgrid does not warrant that the information it has provided for another Quotation, regardless of its similarity in subject matter, will be valid or applicable to this request for quotation and the Supplier relies upon any alternative information at its own risk.

CHANGES TO THE PRE-AGREED ORDER CONDITIONS

Transgrid may, if a Supplier refuses or fails to provide an Initial Quotation, remove the Supplier from consideration for a particular tender. Further, if the Supplier is deemed to have refused to honour the Pre-Agreed Order Conditions on two or more occasions, the Supplier may be removed from Transgrid Supplier Register.