

Disclosure of Information

Class 3 Contract

Contract No/ID :	12.2544.2579
Contract Description :	Warrell Creek to Nambucca Heads Upgrade
Contract Commencement Date :	11/07/2014
Period of Contract:	150 weeks
Contractor:	Acciona Ferrovia Joint Venture
Contractor Address:	Acciona Ferrovia Joint Venture, Level 9, 65 Berry Street, North Sydney, NSW, 2060
Trading Name:	
Trading Name Address:	
Estimated Payable (\$ Incl GST) :	\$ 560,683,692.00
Method of Tendering:	Multi Stage (Prequalified / Registered)

- **Particulars of any related body corporate (within the meaning of the Corporations Act 2001 of the Commonwealth) in respect of the contractor, or any other private sector entity in which the contractor has an interest, that will be involved in carrying out any of the contractor's obligations under the contract or will receive a benefit under the contract**

Acciona-Ferrovia Joint Venture an unincorporated joint venture comprising:

- (a) Acciona Infrastructure Australia Pty Ltd (ABN 52 140 915 251); and
- (b) Ferrovia Agroman (Australia) Pty Ltd (ABN 98 150 820 116)

- **A description of any provisions under which the amount payable to the contractor may be varied**

The Contract contains clauses which allow the RMS to order and pay for variations necessary to satisfactorily complete the contract.

- **A description of any provisions with respect to the renegotiation of the contract**

nil

- **In the case of a contract arising from a tendering process, a summary of the criteria against which the various tenders were assessed**

Assessment based on value for money after consideration of tender criteria.

- **A description of any provisions under which it is agreed that the contractor is to receive payment for providing operational or maintenance services**

Landscape maintenance period 36 months.

<ul style="list-style-type: none"> ● Particulars of future transfers of significant assets to the State at zero, or nominal, cost to the State, including the date of their proposed transfer <p>nil</p>
<ul style="list-style-type: none"> ● Particulars of future transfers of significant assets to the contractor, including the date of their proposed transfer <p>nil</p>
<ul style="list-style-type: none"> ● The results of any cost-benefit analysis of the contract conducted by the agency <p>Tender represents the best value for money, based on the Adjusted Comparative Prices of the Tenders and their relative worth.</p>
<ul style="list-style-type: none"> ● The components and quantum of the public sector comparator if used <p>nil</p>
<ul style="list-style-type: none"> ● Where relevant, a summary of information used in the contractor's full base case financial model (for example, the pricing formula for tolls or usage charges) <p>nil</p>
<ul style="list-style-type: none"> ● Where relevant, particulars of how risk, during the construction and operational phases of a contract to undertake a specific project (such as construction, infrastructure or property development), is to be apportioned between the parties, quantified (where practicable) in net present-value terms and specifying the major assumptions involved <p>The AFJV is an integrated 50/50 joint venture between Acciona Infrastructure Australia Pty Ltd (Acciona) and Ferrovial Agroman (Australia) Pty Ltd (Ferrovial).</p>
<ul style="list-style-type: none"> ● Particulars as to any significant guarantees or undertakings between the parties, including any guarantees or undertakings with respect to loan agreements entered into or proposed to be entered into <p>Parent Company Guarantees between Roads and Maritime Services and In respect of Acciona Infrastructure Australia Pty Ltd: Acciona Infraestructuras SA CIF A81638108 of Avenida de Europa 18, Parque Empresarial, La Moraleja 28108, Alcobendas, Madrid Spain In respect of Ferrovial Agroman (Australia) Pty Ltd: Ferrovial Agroman SA CIF A28019206 of Ribera del Loira 42, Parque Empresarial, Puerta de las Naciones E-28042, Madrid Spain Unconditional Undertakings:- Liberty International Underwriters with the value of \$12,652,811.20 and QBE with the value of \$12,652,811.20</p>
<ul style="list-style-type: none"> ● Particulars of any other key elements of the contract <p>Project Verifier, Davis Langdon Australia Pty Limited ABN: 40 008 657 289</p>
<ul style="list-style-type: none"> ● If some or all of the contract is not disclosed for reasons of confidentiality, the reasons for not publishing the contract or provisions <p>There is an overriding public interest against disclosure of the information below as there are public interest considerations against disclosure and, on balance, those considerations outweigh the public interest considerations in favour of disclosure.</p>

- **If some or all of the contract is not disclosed for reasons of confidentiality, a statement as to whether the contract or provisions will be published and, if so, when**

A complete copy of the contract (excluding confidential information) will be published on the RMS "Contracts Awarded" internet site.

- **If some or all of the contract is not disclosed for reasons of confidentiality, a general description of the types of provisions that have not been published**

Construction contract sum , design contract sum, incentive payment.
Delay cost rates.
Contractors payment schedules.
Contractors hourly rates.
Project Verifier fees, rates and payment schedules.
Environmental Representative fees , rates and payment schedules.
Incentive amount.