

**Engineering Policy 164**

**Site Information and Reliance Information**

**April 2018**

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## 1 Policy statement

The Department of Transport and Main Roads makes available Site Information and Reliance Information to tenderers when the department calls tenders using Transport Infrastructure Contract – Construct Only (TIC-CO), Transport Infrastructure Contract – Design & Construct (TIC-DC) and Collaborative Project Agreement (CPA) contracts. The purpose of this policy is to provide an interpretation of 'Site Information' and 'Reliance Information' for personnel involved in tender preparation and contract administration of Transport and Main Roads construction contracts.

## 2 Applicability and background

This Engineering Policy applies to TIC-CO, TIC-DC and CPA construction contracts where the department provides details of site information available to tenderers as reference for tender preparation.

The Clause 2.1 of C7830 *General Conditions of Contract* and guidance notes on Form C7831.CO *General Conditions of Contract Annexure A* defines the terms as follows.

**Table 2 – Terms and definitions**

Term	Definition
Site Information	Any document, information, data, report, material, core or sample, whatever its form, regarding the Site or its surroundings or regarding the subsurface conditions (including topographical, geological and hydrological conditions) or subsurface services at the Site or its surroundings, but does not include the Reliance Information
Reliance Information	Factual information provided by Transport and Main Roads to a Contractor which the Contractor will be entitled to rely upon and forms part of the Contract.

## 3 Objectives

The objective of this Engineering Policy is to provide an interpretation of Site Information and Reliance Information for personnel involved in tender preparation and contract administration.

## 4 Benefits

Providing an interpretation of the terms, Site Information and Reliance Information assists in delivering the projects efficiently and achieving value for money by reducing ambiguity and providing clarity of their application. In doing so it also assists Contractors to assess and consider the construction risks when estimating their tender prices.

Whilst Transport and Main Roads attempts to undertake investigations such as geotechnical, Public Utility Plant (PUP), electrical, telecommunications, etc during the preconstruction stage, it is not possible to do so for every discipline. To assist in the preparation of tenders, the department provides a list of available information to the tenderers for their appropriate consideration during the tender stage.

## **5 Interpretation of Site and Reliance Information and risk sharing**

### **5.1 Site Information**

Site Information is information relating to the condition of the Site or its surroundings, and is provided for information purposes only. The tenderer or Contractor is required to satisfy itself as to the completeness, accuracy, adequacy and content of any Site Information provided to it by the department. Contractually, the Contractor is not entitled to any claim relating to the Site Information the department provides and shall be solely responsible for its use and interpretation of that information.

Typical examples of Site Information may include:

- Dial Before You Dig layouts.
- Past preliminary investigation/analysis report which may or may not contain the most up-to-date information depending on the amount of development on the site since its compilation.
- Environmental Reports (unless explicitly identified as Reliance Information).
- Electronic design models (e.g. – 12d model).
- Remotely sensed survey data (e.g. Photogrammetry).
- Residents' recollection of previous flood history.
- Structures routine maintenance inspection – Level 1.
- Structures condition rating inspection – Level 2.

### **5.2 Reliance Information**

Reliance Information is factual information provided by the department to a tenderer or Contractor which the Contractor will be entitled to rely upon and forms part of the Contract. If the Contractor encounters conditions on the Site or its surroundings which differ from the factual information specified in any Reliance Information, such conditions may constitute a Latent Condition and the Contractor may be entitled to claims on time and / or cost. In a TIC-CO or TIC-DC contract, Reliance Information is specified in Item 13B of the Annexure to the Contract. The Principal does not warrant the completeness or adequacy of such information but does warrant the accuracy of the information.

The tenderer or Contractor should note that information such as bore logs are only accurate as of the location and time of investigation.

Typical examples of Reliance Information may include:

- Department's as-constructed drawings<sup>#</sup>.
- Electronic design models released as 'Binding' under the Building Design Model (BIM) Management Plan.
- traffic counts/traffic modelling\*.
- Detailed geospatial or survey data carried out in accordance with *TMR Surveying Standards Part 1 – General information*.
- Environmental Assessments\*.

- A Transport and Main Roads Cultural Heritage Risk Assessment and Cultural Heritage Management Agreement or equivalent prepared in consultation with relevant Indigenous parties.
- Test pit and geotechnical coring information at the time of investigation and at particular location, and
- Structures special inspection – Level 3\*.

Note:

# The tender manager needs to confirm the currency and accuracy of the drawings before nominate them as reliance information.

\* The currency of the information needs to be taken into consideration for example if the survey/assessment/inspection was carried out long before the detailed design phase then the information may be out of date. In this case it should not be relied upon

## 6 Consultation

Transport and Main Roads has consulted with the following units within Infrastructure Management and Delivery Division in the development of this Policy:

- Geospatial, Design and Capability unit, Engineering & Technology (E&T).
- Bridge Maintenance & Asset management unit, Engineering & Technology (E&T).
- Infrastructure Delivery Services, Program Management and Delivery.
- Technical Services, Metropolitan District, Program Delivery and Operations.
- Representatives from construction Industry (Queensland Major Contractors Association (QMCA), Civil Contractors Federation (CCF) and Consult Australia (CA)).

## 7 Evaluation

The responsible officer, for support or advice on Site Information and Reliance Information is:

Graham Hobbs

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Program Management and Delivery

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## 8 References

Transport Infrastructure Contract (TIC-CO)

<https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Infrastructure-Contract/Transport-Infrastructure-Contract/TIC-Construct-Only>

Transport Infrastructure Contract – Design & Construct (TIC-DC)

<https://www.tmr.qld.gov.au/business-industry/Technical-standards-publications/Infrastructure-Contract/Transport-Infrastructure-Contract/TIC--Design-and-Construct>

## **9 Review**

The Executive Director (Program Management and Delivery) is accountable for the annual review of this policy. Feedback to [tmr.techdocs@tmr.qld.gov.au](mailto:tmr.techdocs@tmr.qld.gov.au) is welcomed at any time.

