

CONTRACT GUIDE

Contract 2846

Storage, Server Platforms & Virtualisation Technologies

CONTRACT PERIOD: June 16th 2010 to April 30th 2012

03/12

Contract Summary

This Contract provides for the supply of Storage, Server Platforms and Virtualisation Technologies in the following six categories.

Server Systems including blade and mainframe systems, associated System Software and Operating Systems.

Storage Solutions including:

Storage Area Network (SAN)

Network Attached Storage (NAS)

Content Addressed Storage (CAS)

Tape and Tape Library

Virtual Tape Library (VTL)

Backup and Recovery

Archiving

Storage Management Software

Data de-duplication and replication

Storage Virtualisation Technologies

Hierarchical Storage Management (HSM) solutions

Uninterruptible Power Supplies (UPS)

Virtualisation Solutions for Servers including Desktops

Peripherals & Hardware add-ons related to categories 1 to 4 above

Support Services including installation and maintenance related to categories 1 to 4 above

NSW Procurement

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Always ensure you obtain the latest version of the contract guide.

Enquiries to 1800 NSW BUY (1800 679 289) or visit the website www.nswbuy.com.au

Table of Contents

Introduction	4
Section 1 – Accessing the Contract	5
New Customers	5
Placing an Order direct with supplier	5
Pricing	5
Section 2 – Range of Products/Services	6
Section 3 – Key Features	7
Section 4 – Suppliers	8
Panel of Suppliers	8
APC Australia Pty Ltd	9
Cisco Systems Australia Pty Ltd	10
Citrix Systems Asia Pacific Pty Ltd	10
Dell Australia Pty Ltd	11
EMC Global Holdings	12
Hewlett-Packard Australia Pty Ltd	13
Hitachi Data Systems Australia Pty Ltd	14
IBM Australia Pty Ltd	15
NetApp Australia Pty Ltd.....	16
Oracle Corporation Australia Pty	16
Symantec Asia Pacific Pte Ltd	17
VMware International Ltd.....	17
Section 5 – Contract Conditions	18
Organisations Eligible to Purchase from the Contract	18
Operation of Nominee Purchasing.....	19
Procure IT	19
Code of Behaviour – Protection of Children and other Vulnerable People.....	20
Government Taxes, Duties and Charges	20
Best Price.....	20
Insurance	20
Price Variations.....	20
Warranties/ Guarantees.....	22
Guaranteed Delivery Times	23
Section 6 – Contract Administration & Supplier Performance Survey	24
NSW Procurement Contact Numbers.....	24

Introduction

This contract guide is designed to provide customers with all the necessary information needed to purchase from this contract.

NSW Procurement provides a full range of procurement services for government agencies and other clients. Services include contract management of common use contracts. These are state contracts on a rolling one to five year renewal cycle for the supply of products and services in common use across many agencies.

The contract is for the supply of Storage, Server Platforms and Virtualisation Technologies for a term of Two (2) years expiring on 30 April 2012, with three (3) twelve (12) month extension options.

This state contract allows users to achieve considerable cost savings due to the combined purchasing power of the NSW State Government.

It offers value for money including competitive rates, and a range of quality products.

Section 1 – Accessing the Contract

State contracts are established under the authority of the State Contracts Control Board and administered by NSW Procurement, an office of the Department of Service Technology and Administration (DSTA).

A list of the categories of organisations eligible to purchase from the state contracts is given in Section 5 of this Guide. Most eligible organisations have already registered with NSW Procurement in which case they have immediate access to the contracts.

New Customers

To register as a new customer, visit www.nswbuy.com.au purchasing for Government. You can either complete the process on line or download and complete an application form. Once approved, you will be advised of your NSWBUY Identification Number and are then eligible to use any of the state contracts administered by NSW Procurement.

Phone 1800 NSWBUY (1800 679 289) if you have any problems completing your application form or if you wish to check your registration status.

Placing an Order direct with supplier

Registered state contract users can order goods and services direct with the supplier.

By placing an order, an organisation is entering into a contract with the supplier and, as a minimum; the following information should be included in the official order:

Contract Number and Name

Name and address of Supplier and Customer

NSWBUY Identification Number

Customer's Order Number

Date of Order and Date of Delivery

Item, product code, contract price, quantity and any accessories

You need to quote your NSWBUY Identification Number each time you purchase from state contracts. If you are unsure of your NSWBUY Identification Number, please contact NSW Procurement Client Support Centre on 1800 NSW BUY (1800 679 289).

Further information on state contracts is also available on the website www.nswbuy.com.au

Pricing

Prices may change in accordance with the price variation conditions of the contract. Regular users of state contracts should consider using smartbuy® for latest pricing if applicable.

For further information, please contact NSW Procurement Client Support Centre on telephone 1800 NSW BUY (1800 679 289).

Section 2 – Range of Products/Services

The range of products and services available under the contract includes:

Category 1. Server Systems including blade and mainframe systems, associated System Software and Operating Systems.

Category 2. Storage Solutions including:

- Storage Area Network (SAN)
- Network Attached Storage (NAS)
- Content Addressed Storage (CAS)
- Tape and Tape Library
- Virtual Tape Library (VTL)
- Backup and Recovery
- Archiving
- Storage Management Software
- Data de-duplication and replication
- Storage Virtualisation Technologies
- Hierarchical Storage Management (HSM) solutions

Category 3. Uninterruptible Power Supplies (UPS)

Category 4. Virtualisation Solutions for Servers including Desktops

Category 5. Peripherals & Hardware add-ons related to categories 1 to 4 above

Category 6. Support Services including installation and maintenance related to categories 1 to 4 above

Section 3 – Key Features

This section contains the key features of the contract that may be of interest to customers.

Key benefits to the client/customer:

The suppliers have provided their best prices. It is expected that the suppliers will further reduce their pricing during the term of the proposed Agreement by:

- Continually improving delivery processes to improve efficiency;
- Providing lower prices and increasing all discounts;
- Passing on the benefit of rebates received from its own suppliers to Eligible Customers;
- Price matching as identified by customers;

The pricing for this contract is based on the each supplier's Price Book, which is a live document representative of the current IT market place.

Each supplier has offered eligible contract users a level of discount on a category basis. Though discounts vary for each contractor by each category, the maximum discount on the contract is 80%. The minimum level of discount is generally applicable to purchases for the life of the contract.

Suppliers may offer greater levels of discount to customers during the life of the contract without reference to the State Contracts Control Board.

Decreases in the discount levels can only be applied after approval of the Board.

All suppliers products and services on offer meet or exceed the highest quality standards and carry all industry certifications

Most suppliers provide free delivery across NSW. Buyers are advised to check with suppliers or NSW Procurement for delivery and installation charges.

Each Contractor has nominated third parties to supply their products and services.

Further discounts may be negotiated direct with the supplier

Other features/benefits:

include but not limited to the following:

to reduce the total cost of the Deliverables;

to provide Deliverables which are commercially competitive;

Products and services under this contract will be available in all of Greater Metropolitan and Regional Areas. Most suppliers provide free delivery across NSW

The services provided by contractors will include basic and extended (Optional, costed separately) warranty

Obsolescence, Disposal and Take-back

The NSW Government is committed to environmental sustainability in the management of its IT assets, including minimisation and recycling of packaging, energy efficiency, reduction of toxic materials and the responsible disposal of equipment at the end of its useful life. The Contractors will help to implement environmental sustainability and product stewardship.

Solution Optimisation

The Contractors will assist customers in providing cost effective options to manage demand and provide flexibility in provisioning server and storage infrastructure with the aim of reducing server and storage acquisition complexity and duplication.

Section 4 – Suppliers

The following Suppliers have been appointed to Contract
**2846 – Storage, Server Platforms and Visualisation
Technologies.**

Panel of Suppliers

APC Australia Pty Ltd
Cisco Systems Australia Pty Ltd
Citrix Systems Asia Pacific Pty Ltd
Dell Australia Pty Ltd
EMC Global Holdings Company
Hewlett-Packard Australia Pty Ltd
Hitachi Data Systems Australia Pty Ltd
IBM Australia Limited
NetApp Australia Pty Ltd
Oracle Corporation Australia Pty
Symantec Asia Pacific Pte Ltd
VMware International Ltd

Customers are free to choose which of the Suppliers they purchase from. Others Vendors may become available throughout the life of the contract.

Printed Catalogues

The Supplier may be able to provide hard copy catalogues of the products available for supply under the contract. These are free of charge to customers on a reasonable request basis. The information in the catalogues will be regularly updated by the Supplier through newsletters and other bulletins to ensure that customers are kept up to date on changes to the range of products available.

Supplier Details

APC Australia Pty Ltd

Contact: George Lantouris

ABN: 70 088 913 866

Site address: Level 13, 65 Berry Street, North Sydney, NSW, 2060

Post address: Level 13, 65 Berry Street, North Sydney, NSW, 2060

Telephone: 02 8923 9385

Facsimile: 02 9955 2844

E-mail: george.lantouris@apcc.com

Internet: <http://www.apcc.com/>

Approved Parties

Anabelle Bits Pty. Ltd

Computer Systems (Australia) Pty Ltd

Corporate Express Australia Limited

Datatech

Dell Australia Pty Ltd

Dimension Data Australia Pty Ltd

Fujitsu Australia Limited

GMK Cabling Solutions

UPS Solutions

Supplier Notes

Products

Categories 3 (UPS), 5 (Peripherals) and 6 (Support Services) only

Discount

Government Discount Off Price book

Category 3 39%

Category 5 39%

Category 6 7%

Delivery

Standard Delivery to a loading dock within Greater Sydney Metropolitan area is Free of Charge.

Special Delivery to other locations will be quoted on a project by project basis.

Installation charges will apply, as will travel and accommodation charges for Regional and Country installations.

Guarantee

Standard Warranty 2 years for parts only

Extended Warranty available

Cisco Systems Australia Pty Ltd

Contact: Gayle Beevers

ABN: 52 050 332 940

Site address: Level 12, 80 Pacific Highway,
North Sydney, NSW, 2060

Post address: Level 9, 80 Pacific Highway,
North Sydney, NSW, 2060

Telephone: 02 8446 5045

Mobile : 0421 066 555

Facsimile: 02 8446 8013

E-mail: gbeevers@cisco.com

Supplier Notes

Products

Categories 1 (Servers) and 6 (Support Services) only

Discount

Government Discount Off Pricebook

Category 1 55%

Category 6 55% for maintenance services and
39% for Advanced Service offering which incorporate
Plan, Design and Implementation services,

Volume Discount

Total annual sale over \$5 M and up to \$10 M - 5% of Net
Price

Total annual sale over \$10 M - 10% of Net Price

Delivery

Free Delivery and Installation within NSW

Extended installation or build services will incur travel
and accommodation charges

Approved Parties

Dimension Data Australia Pty Ltd

Logicalis Australia Pty Ltd

Citrix Systems Asia Pacific Pty Ltd

Contact: Andrew Lee

ABN: 37 078 874 530

Site address: Level 3, 1 Julius Avenue, North Ryde,
NSW, 2113

Post address: Locked Mail Bag 2085 North Ryde 1670

Telephone: 02 8870 0800

Facsimile: 02 8870 0600

E-mail: andrew.lee@citrix.com

support.admin@citrix.com.au

Internet: www.citrix.com.au

Supplier Notes

Products

Categories 4 (Server Virtualisation) and 6 (Support
Services) only

Discount

Government Discount off Price book

Category 4 35%

Category 6 - Annual software maintenance 25%

Delivery

Free of charge within NSW

Guarantee

Software 90 days

Approved Parties

Allcom Networks Pty Ltd

Data#3 Limited

Dimension Data Australia Pty Ltd

Gen-I Australia Pty Ltd

Gen-I Australia Pty Ltd

Experteq IT Services Pty Ltd

Fujitsu Australia Limited

Regal Information Technology Pty Ltd

Dell Australia Pty Ltd

Contact: Damien Margetts

ABN: 46 003 855 561

Site address: Building 3, 14 Aquatic Drive, Frenchs Forest, NSW 2086

Post address: PO Box 91, Frenchs Forest NSW 2086

Telephone: 02 8972 5728

Facsimile: 02 8972 6728

E-mail: Damien_Margetts@Dell.com

Internet: www.dell.com.au

Supplier Notes

Products

Categories 1 (Servers), 2 (Storage), 3 (UPS), 5 (Peripherals) and 6 (Support Services) only

Discount

Government Discount off Price book

Category 1 41 - 62%

Category 2 40 - 50%

Category 3 56%

Category 5 0 – 50%

Category 6 25 – 60%

Delivery

Pricing includes delivery within NSW

Installation Travel & Accommodation Charges:

Sydney Metropolitan Nil

Up to 60 km \$30 / day / person

61km – 120 km \$198 / day / person

121km – 200km \$298 / day / person

201km – 400km \$598 / day / person

Over 400km \$1500/ day/ person

Approved Parties

Fujitsu Australia Limited

Macquarie Technology Services Pty Ltd

EMC Global Holdings

Company Contact: Martin Milthorpe

ABN: 86 699 010 685

Site address: EMC, Ground Floor, 207 Pacific Highway

St Leonards, NSW, 2065

Telephone: 02 9463 0000

Direct: 0401 988 480

Facsimile: 02 9463 0020

E-mail: martin.milthorpe@emc.com

info_anz@emc.com

Internet: www.EMC.com

Supplier Notes

Products

Categories 2 (Storage), 5 (Peripherals) and 6 (Support Services) only

Discount

Government Discount off Price book

Category 2 10 - 70%

Category 5 0 - 10%

Category 6 0 - 10%

Volume Discounts

Vary based on different tiers of volumes

Settlement Discount

Payment within 7 days of invoice 1%

Delivery

Pricing includes delivery within Greater Sydney

Metropolitan Area. Deliveries outside the Greater Sydney

Metropolitan Area may incur delivery charges dependant of size and weight of order.

Installation charges may apply

Approved Parties

Always Up IT Pty Ltd

Corporate Express

Dimension Data Australia Pty Ltd

Datacom

Fujitsu Australia

IDATA Resolutions

INFRONT Systems Pty Ltd

IQ3 Pty Ltd

Logica Australia Pty Ltd

Netstar Logicalis

Open Platform Systems P/L

Tecala ICT

Thomas Dureyea

XSI Data Solutions Pty Ltd

Hewlett-Packard Australia Pty Ltd

Contact: Adrian Geyer

ABN: 74 004 394 763

Site address: 410 Concord Road, Rhodes, NSW, 2138

Post address: 410 Concord Road, Rhodes, NSW, 2138

Telephone: 131347

Facsimile: 02 9022 5501

E-mail: au_directorders@hp.com

Internet: [Http://welcome.hp.com/country/au/en/welcome](http://welcome.hp.com/country/au/en/welcome)

Supplier Notes

Products

Categories 1 (Servers), 2 (Storage), 3 (UPS), 5 (Peripherals) and 6 (Support Services) only

Discount

Government Discount off Price book

Category 1 53 – 65%

Category 2 50 – 89%

Category 3 45%

Category 5 20 – 65%

Category 6 0 – 59%

Volume Discount

Willing to consider additional discount, if annual sales is more than \$20M

Delivery

Free Delivery and Installation within NSW.

Service call charges will be extra from \$80.00 to \$400.00 for locations from 80km's to 400km outside of a HP (or HP agents) registered office. For >400km, negotiated agreement.

Approved Parties

Adnet Technology Australia Pty Ltd

Arion Systems Pty Ltd

Astron Technology Pty Ltd

Brennan IT Pty Ltd

Cerner Corporation Pty Limited

Computer Systems Australia

Corporate Express Australia Limited

Data#3 Ltd

Datacom Systems (NSW) Pty Ltd

Dimension Data Australia Pty Ltd

Enigma Business Products

Ethan Group Pty Ltd

Frontline Systems Australia Pty Ltd

Fujitsu Australia Limited

IT National Pty Ltd

Ktec Solutions Pty Ltd

Logica Australia Pty Ltd

Matrix CNI Pty Ltd

MCR Computer Resources Pty Ltd

Oriel Technologies Pty Ltd

Singlepoint IT

The Somerville Group Pty Ltd

Starcom Group Pty Limited

The Frame Group Pty Ltd

Thomas Duryea Consulting

Triforce Australia Pty Ltd

Wipro Australia Pty Ltd

Hitachi Data Systems Australia Pty Ltd

Contact: Duncan Barrie

ABN: 65 005 610 079

Site address: Level 3, 82 Waterloo Road, North Ryde,
NSW, 2113

Post address: Level 3, 82 Waterloo Road, North Ryde,
NSW, 2113

Telephone: 02 9325 3457

Mobile: 0466 006 525

Facsimile: 02 9325 3400

E-mail: duncan.barrie@hds.com

Internet: www.hds.com

Supplier Notes

Products

Categories 2 (Storage), 5 (Peripherals) and 6 (Support Services) only

Discount

Government Discount off Price book

Category 2 20 – 53%

Category 5 43%

Category 6 4 to 8%

Volume Discount

Offered for annual sales over \$1 M

Delivery

Free Delivery and Installation within Greater Sydney

Metropolitan Area

Installation to other regions subject to quotation

Approved Parties

Frontline Systems Australia Pty Ltd

Regal Information Technology Pty Ltd

Triforce Australia Pty Ltd

IBM Australia Pty Ltd

Contact: Chris Fasseau

ABN: 79 000 024 733

Site address: IBM Centre, Level 13

601 Pacific Highway

St Leonards NSW 2065

Postal address: IBM Centre, Level 13

601 Pacific Highway

St Leonards NSW 2065

Phone 02 9397 8567

Mobile: 0412 204 843

E-mail: cfasseau@au1.ibm.com

Internet: www.ibm.com.au

Approved Parties

ALLCOM Networks Pty Ltd

Computer Merchants Pty Ltd

Data#3 Limited

Focus Group Technologies

Frontline Systems Australia Pty Ltd

Fujitsu Australia Limited

ISI Pty Limited

Klikon Solutions Pty Ltd

Tardis Services Pty Ltd

Team Computing Australia Pty Ltd

The Missing Link Network Integration Pty Ltd

The Somerville Group Pty Ltd

Supplier Notes

Products

Categories 1 (Servers), 2 (Storage Solutions excluding Backup and Recovery Solution, Archiving Solution and Hierarchical storage management solutions), 4 (Server Virtualisation – IBM proprietary products only), 5 (Peripherals) and 6 (Support Services)

Discount

Government Discount Off Pricebook

Category 1 25 – 59%

Category 2 10 – 69%

Category 4 25 – 59%

Category 5 10 - 47%

Category 6 4 – 60%

Volume Discount

5% additional volume discount is offered regardless of cumulative sales. The volume discount increases to 6% when cumulative sales increase beyond \$5M and up to \$10M. The volume discount increases to 7% when the cumulative sales increase beyond \$10M.

Delivery

Delivery and Installation included in pricing within NSW

NetApp Australia Pty Ltd

Contact: Steve Proctor
ABN: 14 092 499 431
Site address: Level16, 100 Miller Street, North Sydney, NSW, 2060
Post address: Level16, 100 Miller Street, North Sydney, NSW, 2060
Telephone: 02 9779 5600
Facsimile: 02 9779 5601
E-mail: steve.proctor@netapp.com
anz-info@netapp.com.au
Internet: www.netapp.com/au

Supplier Notes

Products

Categories 2 (Storage), 5 (Peripherals) and 6 (Support Services) only

Discount

Government Discount off Price book

Category 2	59 - 80%
Category 5	80%
Category 6	25%

Delivery

Delivery and Installation within NSW included in pricing

Approved Parties

Computer Systems (Australia) Pty Ltd
Logicalis Pty Ltd
National Technologies Pty Ltd
Thomas Duryea Consulting Pty Ltd
UXC Connect Pty Ltd
Virtual Consulting Professionals
Virtual Machine Technology Pty Ltd

Oracle Corporation Australia Pty

Contact: Amanda Swan
ABN: 80 003 074 468
Site address: 4 Julius Ave, North Ryde, NSW, 2113
Post address: Locked Bag 2105 North Ryde NSW 1670
Telephone: 02 9491 1359
Mobile: 0414 911 565
Facsimile: 02 9491 1359
E-mail: amanda.swan@oracle.com
salesinquiry_au@oracle.com
Internet: www.oracle.com

Supplier Notes

Products

Category 1 - Server Systems
Category 2 - Storage Solutions
Category 4 - Virtualisation Solutions – Oracle's Proprietary Products Only
Category 5 - Peripherals & Hardware add-ons
Category 6 - Support Services

Discount

Government Discount off Price book

Discounts are set at the level of Named Products and range from 0% to 25.5% plus an additional 3% discount on the product list to cover any additional costs of freight

Delivery

Delivery and Installation within NSW included in pricing
Travel and accommodation cost for installation outside of 80km radius of the specified service location applies. It will be dependent upon the location and class of equipment to be installed

Approved Parties

Noveix Systems Pty Limited
Frontline Systems Australia Pty Ltd
MCR Computer Resources
Fujitsu Australia Limited
Ethan Group Pty Ltd
Logica Australia Limited

Symantec Asia Pacific Pte Ltd

Contact: Simon Gaiger

ABN: 65 179 263 474

Site address: Level 14, 207 Kent Street, Sydney, NSW, 2000

Post address: Level 14, 207 Kent Street, Sydney, NSW, 2000

Telephone: 02 8220 7000 or 0410721139

Facsimile: 02 8220 7001

E-mail: simon_gaiger@symantec.com

Internet: www.symantec.com.au

Supplier Notes

Products

Categories 2 (Storage – Following software sub-categories only)

Backup and Recovery Solution

Archiving Solution

Storage Management Software

Data De-duplication and Replication

Storage Virtualisation Technologies

and 6 (Support Services)

Discount

Government Discount off Pricebook

Category 2 50% - first year

30% - second and third years

Category 6 50% - first year

30% - second and third years

Delivery

Free delivery within NSW

Installation subject to quotation

Approved Parties

Data#3 Group

Dimension Data Australia Pty Ltd

Frontline Systems Australia

Fujitsu Australia Limited

IBM Australia Limited

Starcom Group Pty Limited

The Somerville Group Pty Ltd

Thomas Duryea Consulting Pty Ltd

XSI Data Solutions Pty Ltd

VMware International Ltd

Contact: Andrew Phillips

ABN: 81 427 693 656

Site address: Level 29, 201 Elizabeth Street, Sydney, NSW, 2000

Post address: Level 29, 201 Elizabeth Street, Sydney, NSW, 2000

Telephone: 02 9293 5600

Facsimile: 02 9293 5601

E-mail: NSWGovt_2846Contract@vmware.com

Alternate: aphillips@vmware.com

Internet: www.vmware.com

Supplier Notes

Products

Categories 4 (Server Virtualisation) and 6 (Support Services) only

Discount

Government Discount off Price book

Category 4 (Server Virtualisation) 15%

For all orders under \$350,000 (VPP Band B), all VMware software licensing (excluding special promotions & Academic pricing) will attract a 15% discount off Recommended List Price.

Should the order qualify for VPP Band C (\$350k+) or Band D (\$550k+) then these Bands will over-ride VPP Band B and the greater discount will apply.

Category 6 (Support & Subscription) Nil

Support & Subscription is discounted only on Bands C & D (by 5% and 10% respectively).

Delivery

Delivery and Installation within NSW included in pricing

Approved Parties

CompuSphere Pty Ltd

Corporate Express Australia Pty Ltd

Dell Australia Pty Ltd

Datacom Systems (NSW) Pty Ltd

Ethan Group Pty Ltd

Fujitsu Australia Limited

Klikon Solutions Pty Ltd

Logica Australia Pty Ltd

Oriel Technologies Pty Ltd

The Youssef Family Trust and The Ikladios Family Trust (Trading as Virtual Consulting Professionals)

Triforce Australia Pty Ltd

Section 5 – Contract Conditions

Organisations Eligible to Purchase from the Contract

The following organisations are eligible to purchase from the Contract:

Any department, agency or office of the Commonwealth including any Statutory Authority constituted under Commonwealth legislation

Any department, agency or office of any State or Territory of the Commonwealth, including any Statutory Authority constituted under State/Territory legislation

Any council of a city, municipality or shire constituted by a State or Territory

Any other organisation constituted by or subject to an Act of Parliament either Commonwealth or State or by a Regulation there under

Any body or association, other than a trading, commercial or industrial firm or corporation, which conducts a service, not being a trade, business or industry followed or carried on for profit, at the request of the Government, in respect of such service

Any authority, person, body, corporation, association or organisation, whether incorporated or not, to which permission has been given by the Minister for the Department of Service, Technology and Administration, or an official delegate of the Minister, to issue orders for supplies comprised in that agreement.

For the purpose of parts (d) and (e) examples of typical organisations include, but are not limited to:

Government Schools and Private Schools

TAFE Colleges

Public Hospitals and Area Health Services

Trustees of Public Parks

Boards

Tribunals

Commissions

Registries.

For the purposes of part (f) authorities to which permission has been given generally have:

Charitable or benevolent status

Non-profit objective

Level of government subsidy/support.

Examples are:

Non-Government Schools

Pre-Schools/Kindergartens and Child Care Centres

Child Care Centres (excluding privately owned)

Family Day Care Administrations

Nursing Homes (excluding privately owned)

Other community based service providers

Student support groups which are established under the auspice of the relevant school or education institution

Arts based groups sponsored by the Ministry for the Arts.

Operation of Nominee Purchasing

Introduction

The Nominee Purchaser Arrangement was created under REG 18 of the Public Sector (Goods and Services) Regulation 2000 (NSW). The Regulation allows the State Contracts Control Board ("SCCB") to provide access to suppliers of public sector agencies to SCCB standing offer agreements for the provision of goods and services. These suppliers are known as Nominee Purchasers.

The public sector agencies making the nominations are known as Nominating Agencies.

What is a Nominee Purchaser?

"Nominee Purchaser" means a supplier to a public sector agency, nominated by the public sector agency to be authorised to place Orders under Standing Offer Agreements for works done as such a supplier and registered by NSW Procurement. Access of nominee purchasers to SCCB standing offer agreements:

Is limited to standing offer agreements relevant to the contract between the nominating agency and the nominee purchaser, and which are specifically listed in the nominee purchaser's registration;
and is for a fixed period of registration, usually ending on the completion of the term of the contract between the nominating agency and the nominee purchaser.

A nominee purchaser must not purchase goods or services under a SCCB standing offer agreement,

unless they are related to its obligations under a contract with a public sector agency and are used during the term of such a contract
or included or incorporated in works, goods or services to be provided to the public sector agency.

If you have any further enquires, or are interested in using this facility please call NSW Procurement Client Support Centre on telephone 1800 NSW BUY (1800 679 289) or e-mail nswbuy@services.nsw.gov.au

Procure IT

Contract 2846 is a Procure IT agreement. For guidance only, a copy of the current Procure IT agreement can be obtained via the following link:

http://www.nswprocurement.com.au/PDF/Policy/Procure-IT-WoG-version-2-1-3_Terms-and-Conditions.aspx

The version of this agreement may change from time to time. Deeds were exchanged based on V2.1.3. A copy is available from Vendor Management via NSWBuy

Procure IT Modules Utilised For This Contract

Module 1 – Hardware Acquisition and Installation

Module 2 – Hardware Maintenance Solutions

Module 3 – Licensed Software

Module 5 – Software Support Services

Module 7 – Professional Services

Module 18 – Change Management Services

Code of Behaviour – Protection of Children and other Vulnerable People

10.1.1 Where the Customer provides the Contractor with access to the Customer's Site, the Contractor shall:

- (a) Ensure that its Personnel comply with the reasonable requirements and directions of the Customer with regard to conduct, behaviour, safety and security; and
- (b) Be liable for any damage to the extent that such damage is caused by its Personnel on the Customer's Site.

10.1.2 Access to the Customer's Site may be temporarily denied or suspended by the Customer, at its sole discretion.

10.1.3 Except where denial of access is due to an adverse finding arising out of an investigation into the conduct of the Contractor or its Personnel, the Customer must give a reasonable extension of time to complete any obligations affected by the denial of access.

10.1.4 The Customer must reimburse the Contractor its reasonable, unavoidable and substantiated costs caused by the denial of access (except where the denial is related to an investigation into the conduct of the Contractor or its Personnel). Reimbursement of those costs shall be in total satisfaction of the liability of the Customer to the Contractor in respect of the denial of access.

Government Taxes, Duties and Charges

5.5.1 Excepting clause 5.5.2 to 5.5.5 inclusive, the Contractor is liable for all taxes, duties and government charges imposed or levied in Australia or overseas in connection with the performance of any Contract arising out of this Agreement.

5.5.2 No amount is payable under this Agreement or a Contract until a Correctly Rendered Invoice is received.

5.5.3 If there is any abolition or reduction, increase or introduction of any tax, duty, excise or statutory charge the Consideration payable for the Deliverable must be varied so that the Contractor's net dollar margin for the Deliverable remains the same.

5.5.4 Any contract entered into by a Party to this Agreement or a contract with a third party which involves a Supply being made, the cost of which will affect the cost of any Supply made under or in connection with this Agreement or a Contract, must

include a clause in equivalent terms to clause 5.5.2.

5.5.5 The Parties agree that all amounts payable or Consideration given by a Party to the other under this Agreement are inclusive of all taxes, duties, excises and statutory charges.

5.5.6 Any reference in this Agreement or in a Contract to a cost or expense to be reimbursed by one Party to another Party includes any GST payable in connection with a Taxable Supply to which that cost or expense relates, less the amount of any input tax credit that the Party requiring the reimbursement is entitled to claim.

Best Price

5.4.1 The Contractor warrants that it will offer to Customers a Price for a Deliverable which is no less favourable than the price paid by any other purchaser in Australia from the Contractor of similar Deliverables purchased in similar circumstances including volumes (where Price is volume dependent) and timing where it has a substantial impact on price or terms and conditions where they have a substantial impact on price.

5.4.2 Where the Contractor offers more favourable prices to any other purchaser of similar Deliverables in Australia purchased in similar circumstances including volumes (where Price is volume dependent), timing where it has a substantial impact on price or terms and conditions where they have a substantial impact on price, it must promptly make the more favourable price available to all Eligible Customers entitled to the benefit of this Agreement for future Orders, and amend Schedule 3 accordingly.

Insurance

The Suppliers have arranged with a reputable insurance company:

Public Liability Insurance	\$20m
Product Liability Insurance	\$20m
Professional Indemnity Insurance	\$10m
Workers Compensation Insurance	

Price Variations

The following price variation conditions apply:

The Contractor may increase the percentage of the tendered Government Discount for one or more categories/products supplied under the contract at any time

during the term of the contract, including any optional extension periods.

In the case of any increases in the tendered Government Discount, these must be passed on automatically to the customers at any time during the contract.

For any decreases in the tendered Government Discount, the Contractor must submit a request to NSW Contracting Services at any time but decreases in Discount shall not be effective until approved in writing by NSW Contracting Services.

In the case of Price Book decreases these must be passed on automatically to the customer at any time during the contract.

Warranties/ Guarantees

Basic Warranty Services

A range of services that will enable effective, ongoing operation of the Deliverables that may be required by Customers is available. The service requirements include warranty, extended warranty and service of the Deliverables outside of warranty period but do not include support of related infrastructure or networks.

There is no additional cost to Customers associated with the base warranty services regardless of where the Customer is located in the state of NSW.

The following warranty services are available.

Warranty Service	Minimum Warranty Term	Service Level Requirements (Minimum)
Four (4) hours onsite, 9am to 5pm. Mon to Fri	Three (3) years	<p>Greater Metropolitan Area - On-site attendance by a representative prior to four (4) hours following a warranty call or electronic logging by a Customer (Regional = next Business Days)</p> <p>Target duration from logging of a warranty call to the Deliverable being returned to its normal operating condition is one (1) business day (Regional = two (2) business days)</p> <p>If the Deliverable is not repaired within three (3) Business Days equivalent substitute Equipment (appropriately configured) must be offered at nil cost to the Customer.</p>

Extended Warranty Services

The following optional upgrade services are available (Costed separately)

Warranty Service	Minimum Warranty Term	Service Level Requirements
Four (4) hours onsite, 9am to 5pm, Mon to Fri	Three (3) years	All areas - On-site attendance by a representative prior to four (4) hours following a warranty call or electronic logging by a Customer. Target duration from logging of a warranty call to the Deliverable being returned to its normal operating condition is one (1) business day.
Four (4) hours onsite, 24 hours Mon to Fri	Three (3) years	Service level requirements are as per those specified above.
Four (4) hours onsite, 24 hours x 7 days/week	Three (3) years	Service level requirements are as per those specified above.
Four (4) hours onsite, 9am to 5pm. Mon to Fri	Additional one (1) year (extending standard warranty to four (4) years)	Service level requirements are as per those specified for the standard warranty
Four (4) hours onsite, 9am to 5pm, Mon to Fri	Additional one (1) year (extending standard warranty to five (5) years)	All areas - On-site attendance by a representative prior to four (4) hours following a warranty call or electronic logging by a Customer. Target duration from logging of a warranty call to the Deliverable being returned to its normal operating condition is one (1) business day.
Four (4) hours onsite, 24 hours Mon to Fri	Five (5) years	Service level requirements are as per those specified above.
Four (4) hours onsite, 24 hours x 7 days/week	Five (5) years	Service level requirements are as per those specified above.

Guaranteed Delivery Times

Delivery for system component shall be completed not later than **15 working days** from the date of receipt of an Official Order but before that date if possible.

Delivery for full systems shall be completed not later than **21 working days** from the date of receipt of an Official Order but before that date if possible.

For larger systems, the Contractor must indicate an estimated delivery time from the date of receipt of an Order.

Section 6 – Contract Administration & Supplier Performance Survey

To help us maintain a high level of service and to meet agencies' obligations under NSW Government Service Provider Performance Management Guidelines, we seek your feedback concerning suppliers' performance under contracts established by NSW Procurement (an office of the Department of Service, Technology and Administration) on behalf of NSW government agencies.

Information on "Service Provider Performance Management" is available on the NSW Procurement website at <http://www.nswprocurement.com.au/PDF/Policy/Service-Provider-Performance-Reporting-Guideline.aspx>

For more information on supplier performance feedback please call the NSW Procurement Client Support Centre On 1800 NSW BUY (1800 679 289)

NSW Procurement Contact Numbers

The contract has been arranged and is administered by NSW Procurement. If you have any questions relating to the operation of the contract then contact:

NSW Procurement Client Support Centre

McKell Building 2-24 Rawson Place Sydney NSW 2000

T 1800 NSW BUY (1800 679 289)

F (02) 9372 8077

E nswbuy@services.nsw.gov.au

I www.nswbuy.com.au

