From: Maginness, Ron
Sent: Tuesday, 17 July 2012 8:26 AM
To: McNulty, Hamish
Cc: Rea, Peter
Subject: FW: Manuka Oval Project
Attachments: 120716 ACT Manuka Project PCG scanned version.pdf; ATT00001.htm

Ron Maginness| Consultant Project Manager|

| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649

Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601

www.economicdevelopment.act.gov.au

From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Monday, 16 July 2012 9:07 PM
To: Maginness, Ron
Cc: Greg Sutton
Subject: Fwd: Manuka Oval Project

Hi Ron, sorry for the delay but we finally have the letter you require from Dialight PLC underwriting the project.

Regards
Scott Cauchi
National Sales Director
Dialight ILS
(sent via iPhone)

Begin forwarded message:

> **From:** "Giles, Nick" <nick.giles@dialight.com>
> **To:** "Scott Cauchi" <scauchi@dialight.com.au>, "Malcolm Lee" <mlee@dialight.com.au>
> **Cc:** "Mark Fryer" <MFryer@dialightplc.com>, "Burton, Roy" <RBurton@dialight.com>, "John Anthony" <JAnthony@AbacusLighting.com>
> **Subject: Manuka Oval Project**
>
> Scott/Mal:
> PLC guarantee attached.
> Regards
> Nick
>
> Nick Giles
> Company Secretary
> Dialight plc
> Exning Road

Newmarket
CB8 0AX

Direct: +44 (0) 1638 778641
Mobile: +44 (0) 7775 510907
Fax: +44(0) 1638 602128
Email: NGiles@Dialight.com<mailto:NGiles@Dialightplc.com>

Dialight plc
Exning Road
Newmarket
Suffolk
CB8 0AX

Telephone 01638 778640
Fax 01638 602128
Web www.dialight.com

Dialight

FAO Australian Capital Territory
Shared Services Procurement
PO Box 818
Dickson ACT 2602
Australia

16th July 2012

Dear Sirs

Bid for Manuka Oval Floodlighting

This letter serves as confirmation that should Dialight ILS Australia Pty Ltd be successful in the award of the contract in respect of the above, Dialight plc will provide a guarantee on the basis that is set out in the Request For Tender document number 19899.111 subject to the receipt of a bank performance guarantee, provided to Dialight plc on the same basis, from Abacus Lighting Limited (attached and marked as appendix 1).

Yours faithfully
For and on behalf of
Dialight plc

Nick Giles
Company Secretary

Appendix 1.

Abacus
World Leaders in Lighting

Abacus Lighting Limited
Oddicroft Lane
Sutton in Ashfield
Nottinghamshire NG17 5FT
United Kingdom

Tel +44(0)1623 511 111
Fax +44(0)1623 552 133
Email sales@abacuslighting.com
Web abacuslighting.com

16th July 2012

FAO Nick Giles
Company Secretary
Dialight plc
Exning Road
Newmarket
CB8 0AX

Dear Nick

Re: Bid for Manuka Oval Floodlighting

Further to your recent correspondence with John Anthony, I can confirm that should we be successful in being awarded the contract to provide the floodlighting for the Manuka Oval in Canberra, Australia, we will provide a bank performance guarantee to yourselves on the same basis as that required within the main contract.

Yours sincerely
For and on behalf of
Abacus Lighting Limited

John Lawson
Group Finance Director

Rea, Peter

From: Bradfield, Noel
Sent: Friday, 13 July 2012 1:42 PM
To: Rea, Peter; Maginness, Ron
Subject: Manuka Oval Sports Lighting - Project No. 19899 - Dialight ILS Australia Pty Ltd (Contractor) and Dialight PLC (Parent)

Good afternoon Peter

I have attached an abridged financial assessment for both Dialight ILS Australia Pty Ltd (Contractor) and Dialight PLC (Parent) in relation to the above project.

The following observations are made:

Please do not hesitate to contact me should you require any clarification.

Thanks

Noel Bradfield | Senior Prequalification Officer
Phone 02 6207 7154 | Fax 02 6207 6500
Shared Services Procurement | Treasury | **ACT Government**
Level 1 North, 16 Challis St Dickson ACT 2602 | www.act.gov.au

Rea, Peter

From: Maginness, Ron
Sent: Friday, 13 July 2012 9:48 AM
To: Scott Cauchi
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Ian Smith
Subject: RE: MANUKA OVAL LIGHTS

Scott,

How are you going with getting written confirmation from Dialight PLC?

Regards

Ron

Ron Maginness| Consultant Project Manager|
| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649
Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601
www.economicdevelopment.act.gov.au

From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Wednesday, 11 July 2012 5:41 PM
To: Maginness, Ron
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Ian Smith
Subject: RE: MANUKA OVAL LIGHTS

Hi Ron, this is fantastic news and we look forward to the process from here. I will arrange written confirmation from Dialight PLC that they will underwrite the project and provide all the necessary guarantees required by the contract.

I will revert ASAP

Thanks and kind regards

Scott Cauchi
National Sales Director
Dialight ILS Australia

U4/42 Collingwood St
Osborne Park W.A. 6017
P: +61 8 9244 7600
F: +61 8 9244 7601
M: +61 409 995 744
W: www.dialight.com.au

From: Maginness, Ron [mailto:Ron.Maginness@act.gov.au]
Sent: Wednesday, 11 July 2012 1:55 PM
To: Scott Cauchi
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Ian Smith
Subject: MANUKA OVAL LIGHTS

Scott,

Following discussions between ourselves and John Anthony from Abacus Lighting it was confirmed that Dialight ILS will now be the lead tenderer and contracting entity for the Manuka Oval Lights project. Could you please confirm this arrangement and advise the contact person for the project. At this stage we have added you to the project Drop Box where all of the project information is uploaded. Ian Smith from Cox Architecture will let you know how it all works.

Could you also provide confirmation that Dialight PLC will underwrite the project and provide all the necessary guarantees required by the contract.

Look forward to hearing from you in due course.

Regards

Ron

Ron Maginness| Consultant Project Manager|
| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649
Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601
www.economicdevelopment.act.gov.au

Rea, Peter

From: Maginness, Ron
Sent: Thursday, 12 July 2012 10:38 AM
To: Bradfield, Noel; Rea, Peter
Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Noel,

I am not sure what the outcome is with the assessment of Dialight ILS, but I am assuming they would not be a large business and that we would want the project underwritten by Dialight Europe or Dialight PLC.

Where are we at with the financial assessment of Dialight ILS? I would assume if they don't come up to scratch we go up the line to Dialight Europe, noting we have their financial provided for assessment. If they don't pass muster then we go to Dialight PLC.

I must be guided by you and Kingsway as to which way to go, but we need to move quickly.

Cheers

Ron

Ron Maginness| Consultant Project Manager|

| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649

Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601

www.economicdevelopment.act.gov.au

From: Bradfield, Noel
Sent: Thursday, 12 July 2012 10:18 AM
To: Rea, Peter; Maginness, Ron
ubject: FW: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Good morning Peter and Ron

Below details follow up by Kingsway and response by the tendering company.

I would believe that we would require an assessment on the direct parent company – Dialight Europe Limited. The tender would need to be supported by a guarantee from the direct parent company.

If you require an assessment on Dialight PLC which includes its controlled entities, we would need a guarantee from Dialight PLC and each of its controlled entities.

Would you please advise whether you require an assessment on the direct parent or Dialight PLC

Thanks

Noel Bradfield | Senior Prequalification Officer
Phone 02 6207 7154 | Fax 02 6207 6500

Shared Services Procurement | Treasury | **ACT Government**
Level 1 North, 16 Challis St Dickson ACT 2602 | www.act.gov.au

---

From: Edy Theo [mailto:edy@kingswaygroup.com.au]
Sent: Wednesday, 11 July 2012 2:58 PM
To: Bradfield, Noel
Subject: FW: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Dear Noel,

I have been communicating with the foreign company regarding the assessment that we are doing on Dialight PLC (the Ultimate Parent) and Dialight ILS Australia Pty Ltd (the Company). Please find below, clarifications regarding some of the enquiries I have made.

In summary, the financials of the Ultimate Parent were posted on their website, but it only consist of the audited consolidated financials of Dialight PLC and its controlled entities. In addition, the subject has also provided the financials of Dialight Europe Limited (the Direct Parent). Would you be able to advise whether a financial assessment based on the consolidated group's financials is acceptable?

Please advise should you have any further instructions.

Yours sincerely,

Edy Theo
Corporate Analyst

Kingsway Financial Assessments Pty Ltd
202, Level 2, 332 Oxford St
Bondi Junction NSW 2022 Australia

Ph: +61 2 8305-0601 Fx: +61 2 9389-9336
Email: edy.theo@kingswaygroup.com.au
Web: http://www.kingswayassessments.com.au

From: Malcolm Lee [mailto:mlee@dialight.com.au]
Sent: Tuesday, 10 July 2012 7:05 PM
To: Edy Theo
Cc: Millard, David (David.Millard@dialight.com); Scott Cauchi; Admin
Subject: FW: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Hi Edy, please find answers below in red, provided by David Millard, if you have any further queries, regarding Dialight Europe or Dialight PLC, please liaise directly with David.

Best regards

Malcolm Lee

From: Edy Theo [mailto:edy@kingswaygroup.com.au]
Sent: 10 July 2012 06:50
To: Malcolm Lee
Cc: Scott Cauchi; Millard, David
Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Dear Malcolm,

I am writing to confirm the receipt of your two emails.

In addition to the information provided, would you be able to provide:

For the Australian Company

- The financials for the period ended 31 December 2009
- Confirmation regarding the breakdown of assets and liabilities into its current and non-current classification for the period ended 30 June 2012.

For the European Company

- The financials for the period ended 31 December 2011
  The report and accounts for Dialight Europe Limited for the period to 31 December 2011 are not yet finalised. I have attached an unsigned draft, however
  There are certain movements in reserves that have been posted for statutory purposes on a UK GAAP basis that have not yet been posted to the management accounts: a reconciliation of reserves follows:

- Clarification regarding the legal entity's name. I understand that there was a name change of Dialight BLP Limited to Dialight Europe Limited. Would you be able to clarify whether Dialight Europe Limited and Dialight PLC is the same entity? As Dialight PLC is the tendering entity, we would need to assess the financials of Dialight PLC in its own capacity. Please advise if the financials provided were not the financials of Dialight PLC.
  Dialight PLC is the ultimate parent entity of the Dialight Group of companies; Dialight PLC is the parent company of Dialight Europe Limited, and Dialight Europe Limited is the parent company of Dialight ILS Australia Pty Limited. All financial information for Dialight PLC is available at:
  www.dialight.com/FinancialInformation/FinancialReports

Should you have any enquiries, please do not hesitate to contact me.

Yours sincerely,

Edy Theo
Corporate Analyst

Kingsway Financial Assessments Pty Ltd
202, Level 2, 332 Oxford St
Bondi Junction NSW 2022 Australia

Ph: +61 2 8305-0601 Fx: +61 2 9389-9336

Email: edy.theo@kingswaygroup.com.au
Web: http://www.kingswayassessments.com.au

From: Malcolm Lee [mailto:mlee@dialight.com.au]
Sent: Tuesday, 10 July 2012 1:35 PM
To: Edy Theo
Cc: Scott Cauchi; Millard, David (David.Millard@dialight.com)
Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Good morning Edy, further to your email to Scott Cauchi below, please find attached the details requested.

I have attached the requested details in two separate files, named 21289 ILS for Dialight ILS and 21289 Europe for Dialight Europe. Each one has a Financial assessment kit spread sheet for each entity, as well as Bankers letter, financial information and project references. Additionally, in the ILS file, I have attached a copy of the, Sale of Shares agreement between the two entities and the Shareholders Agreement, I have highlighted section 7 in this document, outlining the funding arrangements/capital requirements between the two entities.

If you have any further queries, please do not hesitate to give me a call on the numbers below. Also, if need Scott Cauchi will be in Sydney tomorrow and would be available to meet with you to discuss.

And here is the second.....

Best regards

Malcolm Lee
Managing Director
Dialight ILS Australia Pty Ltd

P: +61-8-9244 7600
F: +61-8-9244 7601
M: +61 448 330266
Skype: mallee64
W: www.dialight.com.au
A: Unit 4/42 Collingwood Street
Osborne Park
Western Australia 6017

Dialight ILS

From: Scott Cauchi
Sent: Saturday, 7 July 2012 11:08 AM
To: Malcolm Lee
Subject: FW: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

------ Forwarded Message

From: Edy Theo <edy@kingswaygroup.com.au>
Date: Thu, 5 Jul 2012 22:55:31 -0700
To: Scott Cauchi <scauchi@dialight.com.au>
Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Dear Scott,

Thank you for the response.

I am writing to inform you that the ACT Treasury Directorate has requested for an assessment of Dialight ILS Australia Pty Ltd (the Australian Company) and Dialight PLC (the Foreign Company) for the Manuka Oval Sports Lighting. Accordingly, we would need the financial information of Dialight ILS Australia Pty Ltd in its own capacity and the financials of Dialight PLC in its own capacity.

For your reference our point of contact for Dialight PLC is Nick Giles and Tanya, our office administrator has sent an email to info@dialight.com <mailto:info@dialight.com> .

Should you have any enquiries, please do not hesitate to contact me.

Yours sincerely,

Edy Theo
Corporate Analyst

Kingsway Financial Assessments Pty Ltd
202, Level 2, 332 Oxford St
Bondi Junction NSW 2022 Australia

Ph: +61 2 8305-0601 Fx: +61 2 9389-9336
Email: edy.theo@kingswaygroup.com.au <mailto:edy.theo@kingswaygroup.com.au>
Web: http://www.kingswayassessments.com.au <http://www.kingswayassessments.com.au>

From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Friday, 6 July 2012 3:37 PM
To: Edy Theo
Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Thank you Edy, I have passed on to our Financial department in the UK and have requested the return information by COB Monday.

Thanks and kind regards

Scott Cauchi
National Sales Director
Dialight ILS Australia

U4/42 Collingwood St
Osborne Park W.A. 6017
P: +61 8 9244 7600
F: +61 8 9244 7601
M: +61 409 995 744
W: **www.dialight.com.au <http://www.dialight.com.au/>**

Dialight ILS

From: Tanya Holm [mailto:TanyaHolm@kingswaygroup.com.au] **On Behalf Of** Edy Theo
Sent: Friday, 6 July 2012 12:47 PM
To: Scott Cauchi
Cc: Edy Theo
Subject: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Tender Assessment Report

Scott Cauchi
Dialight ILS Australia Pty Ltd ABN: 70 120 809 501
Unit 4
42 Collingwood Street
Osborne Park WA 6017

Our ref: 21289

ACT Treasury Directorate, Shared Services Procurement / Contractor
Manuka Oval Sports Lighting

Kingsway Financial Assessments Pty Ltd (Kingsway) has been engaged to conduct financial assessments on organisations applying for prequalification and / or tendering for contracts with the **ACT Treasury Directorate.**

For the purpose of this financial assessment we request that you complete the attached **Assessment Kit.** The checklist in the kit will identify which items you will need to provide.

In addition to completing the Assessment Kit you will also be required to provide copies of Financial Statements for the years specified and may be asked to obtain a letter from your banker.

The information that you provide will be utilised for the purpose of this assessment only and will remain confidential.

Once you have returned the requested information, a corporate analyst may contact you to discuss the financial assessment in greater detail.

We would appreciate your response on or before **Tuesday, 10 July 2012** in order to meet our client's deadline.

If, for any reason, you are not able to meet this deadline, please contact our office immediately. Any questions can be directed to **Edy Theo** on 0283050601.

Yours sincerely,

Tanya Holm
Office Administrator

Kingsway Financial Assessments Pty Ltd
202, Level 2, 332 Oxford St
Bondi Junction
NSW 2022

Ph: +61 2 8305-0602 Fax: +61 2 9389-9336
Email: tanya.holm@kingswaygroup.com.au
http://www.kingswayassessments.com.au

------ End of Forwarded Message

Rea, Peter

From: Bradfield, Noel
Sent: Thursday, 12 July 2012 10:18 AM
To: Rea, Peter; Maginness, Ron
Subject: FW: Assessment Request Dialight ILS Australia Pty Ltd Report #21289
Attachments: 3e Dialight Europe Limited Annual_Report_2011 DRAFT.pdf

Good morning Peter and Ron

Below details follow up by Kingsway and response by the tendering company.

I would believe that we would require an assessment on the direct parent company – Dialight Europe Limited. The tender would need to be supported by a guarantee from the direct parent company.

If you require an assessment on Dialight PLC which includes its controlled entities, we would need a guarantee from Dialight PLC and each of its controlled entities.

Would you please advise whether you require an assessment on the direct parent or Dialight PLC

Thanks

Noel Bradfield | Senior Prequalification Officer
Phone 02 6207 7154 | Fax 02 6207 6500
Shared Services Procurement | Treasury | **ACT Government**
Level 1 North, 16 Challis St Dickson ACT 2602 | www.act.gov.au

---

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Sent: Wednesday, 11 July 2012 2:58 PM
To: Bradfield, Noel
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Dear Noel,

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In summary, the financials of the Ultimate Parent were posted on their website, but it only consist of the audited consolidated financials of Dialight PLC and its controlled entities. In addition, the subject has also provided the financials of Dialight Europe Limited (the Direct Parent). Would you be able to advise whether a financial assessment based on the consolidated group's financials is acceptable?

Please advise should you have any further instructions.

Yours sincerely,

Edy Theo
Corporate Analyst

Kingsway Financial Assessments Pty Ltd
202, Level 2, 332 Oxford St
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Email: edy.theo@kingswaygroup.com.au
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From: Malcolm Lee [mailto:mlee@dialight.com.au]
Sent: Tuesday, 10 July 2012 7:05 PM
To: Edy Theo
Cc: Millard, David (David.Millard@dialight.com); Scott Cauchi; Admin
Subject: FW: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

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Best regards

Malcolm Lee

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Cc: Scott Cauchi; Millard, David
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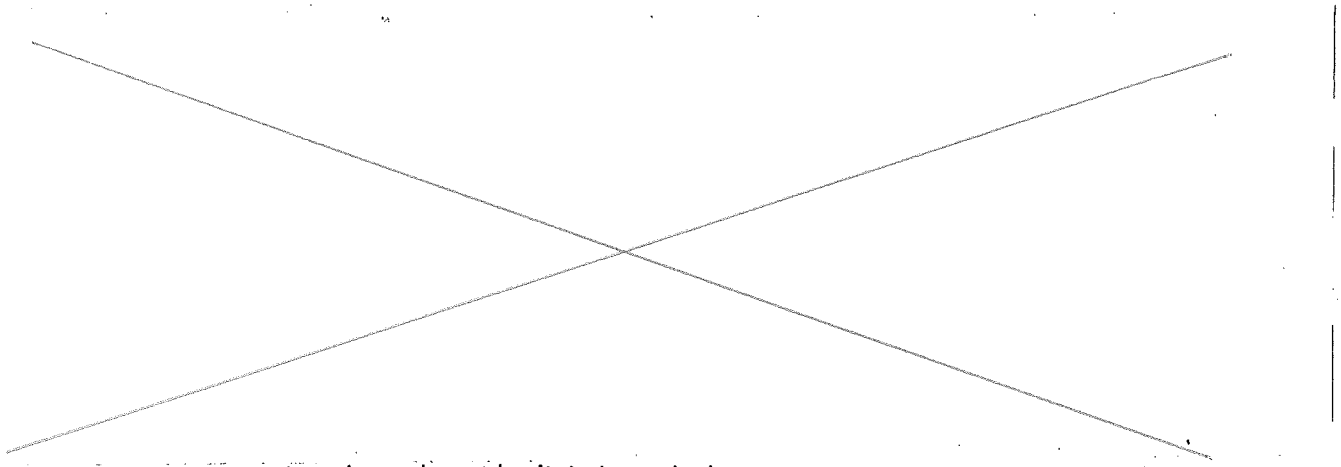
Australia Pty Limited. All financial information for Dialight PLC is available at: *www.dialight.com/FinancialInformation/FinancialReports*



Should you have any enquiries, please do not hesitate to contact me.

Yours sincerely,

Edy Theo
Corporate Analyst

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Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

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If you have any further queries, please do not hesitate to give me a call on the numbers below. Also, if need Scott Cauchi will be in Sydney tomorrow and would be available to meet with you to discuss.

And here is the second.....

Best regards

Malcolm Lee
Managing Director
Dialight ILS Australia Pty Ltd

P: +61-8-9244 7600
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M: +61 448 330266

Skype: mallee64
W: www.dialight.com.au
A: Unit 4/42 Collingwood Street
Osborne Park
Western Australia 6017

Dialight ILS

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Sent: Saturday, 7 July 2012 11:08 AM
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Subject: FW: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

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Date: Thu, 5 Jul 2012 22:55:31 -0700
To: Scott Cauchi <scauchi@dialight.com.au>
Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

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For your reference our point of contact for Dialight PLC is Nick Giles and Tanya, our office administrator has sent an email to info@dialight.com <mailto:info@dialight.com> .

Should you have any enquiries, please do not hesitate to contact me.

Yours sincerely,

Edy Theo
Corporate Analyst

Kingsway Financial Assessments Pty Ltd
202, Level 2, 332 Oxford St
Bondi Junction NSW 2022 Australia

Ph: +61 2 8305-0601 Fx: +61 2 9389-9336

Email: edy.theo@kingswaygroup.com.au <mailto:edy.theo@kingswaygroup.com.au>
Web: http://www.kingswayassessments.com.au <http://www.kingswayassessments.com.au>

From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Friday, 6 July 2012 3:37 PM
To: Edy Theo
Subject: RE: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

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Thanks and kind regards

Scott Cauchi
National Sales Director
Dialight ILS Australia

U4/42 Collingwood St
Osborne Park W.A. 6017
P: +61 8 9244 7600
F: +61 8 9244 7601
M: +61 409 995 744
W: www.dialight.com.au <http://www.dialight.com.au/>

From: Tanya Holm [mailto:TanyaHolm@kingswaygroup.com.au] **On Behalf Of** Edy Theo
Sent: Friday, 6 July 2012 12:47 PM
To: Scott Cauchi
Cc: Edy Theo
Subject: Assessment Request Dialight ILS Australia Pty Ltd Report #21289

Tender Assessment Report

Scott Cauchi
Dialight ILS Australia Pty Ltd ABN: 70 120 809 501
Unit 4
42 Collingwood Street
Osborne Park WA 6017

Our ref: 21289

ACT Treasury Directorate, Shared Services Procurement / Contractor
Manuka Oval Sports Lighting

Kingsway Financial Assessments Pty Ltd (Kingsway) has been engaged to conduct financial assessments on organisations applying for prequalification and / or tendering for contracts with the **ACT Treasury Directorate.**

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We would appreciate your response on or before **Tuesday, 10 July 2012** in order to meet our client's deadline.

If, for any reason, you are not able to meet this deadline, please contact our office immediately. Any questions can be directed to **Edy Theo** on 0283050601.

Yours sincerely,

Tanya Holm
Office Administrator

Kingsway Financial Assessments Pty Ltd
202, Level 2, 332 Oxford St
Bondi Junction
NSW 2022

Ph: +61 2 8305-0602 Fax: +61 2 9389-9336
Email: tanya.holm@kingswaygroup.com.au
http://www.kingswayassessments.com.au

------ End of Forwarded Message

DIALIGHT EUROPE LIMITED

ANNUAL REPORT AND FINANCIAL STATEMENTS
For the year ended 31 December 2011

Registered No. 186538 England and Wales

DIRECTORS' REPORT

The directors present their report and the accounts of the company for the year ended 31 December 2011.

PRINCIPAL ACTIVITIES

The principal activity of the company during the year was the development, manufacture and sale of LED (Light Emitting Diode) lighting products into the commercial and hazardous industrial markets, the manufacture and sale of LED products into the traffic market, and the supply of electromagnetic disconnect components into the utility market.

BUSINESS REVIEW

Strategy and performance

Lighting
Following the acquisition of the trade and assets of fellow group company Dialight Lumidrives Limited in 2010, to add to its LED lighting manufacturing capability for the traffic market, the company is uniquely positioned to deliver complete energy-efficient LED lighting solutions for a growing client base in Europe, the Middle-East, Africa and Asia. Dialight defines the current state of LED lighting technology with continuous innovations in light output, efficacy and reliability for our complete line of high-specification lighting fixtures specifically designed for industrial, commercial, hazardous location and transportation applications. These results are directly related to our ongoing commitment to advancing solid-state lighting products that vastly reduce maintenance, improve safety, ease disposal and are more environmentally friendly – thereby helping to reduce CO_2 emissions, the dominant greenhouse gas contributor to global warming. With our high-specification range of products we are uniquely positioned for a number of long-term global growth trends, many of which are driven by government regulations and environmental initiatives.

We focus on large, niche markets, each with a barrier to entry, offering compelling operational, environmental and cost-efficiency benefits using advances enabled by LED technology to expand our presence in new markets. We invest in research and development, using our technical expertise in thermal management, optics and electronic circuitry to innovate through the development and improvement of new and existing products, bringing further efficiencies through cost improvements and product design. We continue to create intellectual property across our research team. Our expansion into key regions continues with the establishment of regional channel partners to increase our growth opportunities and global reach.

Lighting revenue increased from £8.0m in 2010 to £15.1m in 2011.

Electromagnetic components
The company continues to supply electromagnetic disconnect components into the utility market, but revenue in this segment was marginally down in 2011 to £13.9m. Potential growth in sales into the US SMART meter market was not possible due to commodity price increases, which were not accepted by some of our US customer base. Although this segment offers strong growth potential, the Board has decided to investigate the potential for selling this business.

Principal risks and uncertainties

The following section sets out the principal risks and uncertainties facing the company. There may be other risks and uncertainties which are not yet known or which are currently considered to be immaterial but later turn out to have a material impact. Some of the areas set out will be outside of any influence that the business may exert. Should any of the risks actually materialise then Dialight Europe Limited's business, financial condition and prospects could be materially and adversely affected.

Competitive environment
The company operates in competitive markets and there exists a threat that existing competitors or potential new entrants will be successful in taking market share. The threat may, for example, come from an extremely aggressive pricing policy or development of a product using new technology. This could result in reduced sales and profit.

The focus on identifying, developing and maintaining sales routes to market, servicing strong customer relationships, competitive and leading edge product portfolios and operating a cost efficient manufacturing

plants supports Dialight Europe as a major player in the company's chosen markets and helps to reduce the risk of losing market share to competition.

Principal risks and uncertainties (continued)

Laws and regulations
The company's operations are subject to a wide range of laws and regulations including employment, environmental and health and safety legislation. The company has an employee handbook detailing employment practices and staff who receive the appropriate training and support to operate in their roles. The business has a health and safety manager responsible for compliance and performance in this area.

Intellectual Property
The development and ownership of intellectual property is critical in underpinning the growth potential for the business. The company operates a stringent policy on the sharing of know-how with third parties as well as having a well defined policy on the in-house identification and registration of patents. If the company fails to or is unable to protect, maintain and enforce its existing intellectual property, it may result in the loss of the company to the exclusive right to use technologies and processes which are included or used in its businesses.

Product Liability Risks
If a product of the company does not conform to agreed specifications or is otherwise defective, the company may be subject to claims by its customers arising from end-product defects or other such claims. The company carries product liability insurance.

Currency exchange rate risk
The company is exposed to exchange rate risk as sales/purchases are carried out in currencies other than Sterling leading to transactional foreign exchange risk. Where possible the company nets such exposures and maintains a hedging programme utilising foreign exchange forward contracts and currency overdrafts to cover specific contracts and such proportion of other anticipated exposures as can be estimated with reasonable certainty.

Price risk
Both selling and cost prices continue to be under pressure, especially commodity market materials. The company actively works to minimise cost through effective sourcing, supplier negotiation and product engineering.

Credit risk
The customer base is primarily large OEM's and Distributors, which have shown low bad debt risk. All new customers are investigated for credit worthiness and credit limits applied accordingly. The company is proactive in ensuring that customers pay in a timely manner.

Liquidity & cashflow risk
£2,889,000 cash was generated during the year. Dialight Europe continued to support growth by installing new manufacturing plant to support higher volumes and reduce product cost. The company had £3,240,000 cash as at 31 December 2011. Cashflow is managed by obtaining credit checks on all new customers, regular reviews of the payment history of existing customers and proactive chasing of debts as they fall due. Cash is monitored on a continuing basis to ensure matching of incoming and outgoing cashflows. The company's policy is to pay suppliers on agreed terms, after seeking the best possible terms.

PROFIT AND LOSS ACCOUNT AND DIVIDENDS

The profit and loss account is set out on page x.

The directors do not recommend the payment of a dividend (2010: £nil).

DIRECTORS

The directors of the company, who have held office during the year, are as follows:

W J Gibbs – Resigned 15 May 2011
R Burton

M Fryer
N Giles
D Richardson – Appointed 10 February 2012

RESEARCH AND DEVELOPMENT

The company continues to increase the quality of resources engaged in research and product development and to update and expand its product range. Continuity of investment in this area is essential for the company to retain and increase its competitive position in its markets.

EMPLOYEES

Employment policies are designed to meet local conditions and requirements, and enable any special needs to be accommodated within the environment. Staff appraisals and consultations take place between individuals and management, training and development is undertaken as required. All employees are given equal opportunities to develop their experience and their careers. The company gives full and fair consideration to applications for employment from disabled persons where a handicapped or disabled person can adequately fulfil the requirements for the job. Employees who become disabled are provided, where practicable, with continuing employment under normal terms and conditions and are provided with training and career development opportunities wherever appropriate.

It is company policy to keep employees as fully informed as possible, on matters which affect them, through communication procedures including regular briefings and consultative committees on each site.

DISCLOSURE OF INFORMATION TO AUDITORS

The directors who held office at the date of approval of this Directors' Report confirm that, so far as they are aware, there is no relevant audit information of which the company's auditors are unaware; and each director has taken all the steps that they ought to have taken as a director to make themselves aware of any relevant audit information and to establish that the company's auditors are aware of that information.

AUDITORS

Pursuant to Section 487 of the Companies Act 2006, the auditors will be deemed to be re-appointed and KPMG Audit Plc will, therefore, continue in office.

By order of the Board

Nick Giles
Company Secretary
Dialight Europe Limited
1st Floor
Exning Road
Newmarket
CB8 0AX

STATEMENT OF DIRECTORS' RESPONSIBILITIES IN RESPECT OF THE DIRECTORS' REPORT AND THE FINANCIAL STATEMENTS

The directors are responsible for preparing the Directors' Report and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law they have elected to prepare the financial statements in accordance with UK Accounting Standards and applicable law (UK Generally Accepted Accounting Practice).

Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the profit or loss of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgments and estimates that are reasonable and prudent;
- state whether applicable UK Accounting Standards have been followed, subject to any material departures disclosed and explained in the financial statements; and
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They have general responsibility for taking such steps as are reasonably open to them to safeguard the assets of the company and to prevent and detect fraud and other irregularities.

INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF DIALIGHT EUROPE LIMITED

We have audited the financial statements of Dialight Europe Limited for the year ended 31 December 2011 set out on pages 6 to 20. The financial reporting framework that has been applied in their preparation is applicable law and UK Accounting Standards (UK Generally Accepted Accounting Practice).

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members, as a body, for our audit work, for this report, or for the opinions we have formed.

Respective responsibilities of directors and auditor
As explained more fully in the Directors' Responsibilities Statement set out on page 4, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. Our responsibility is to audit, and express an opinion on, the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those Standards require us to comply with the Auditing Practices Board's (APB's) Ethical Standards for Auditors.

Scope of the audit of the financial statement
A description of the scope of an audit of financial statements is provided on the APB's web-site at www.frc.org.uk/apb/scope/private.cfm.

Opinion on financial statements
In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 December 2010 and of its profit for the year then ended;
- have been properly prepared in accordance with the UK Generally Accepted Accounting Practice; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

Opinion on other matter prescribed by the Companies Act 2006
In our opinion the information given in the Directors' Report for the financial year for which the financial statements are prepared is consistent with the financial statements.

Matters on which we are required to report by exception
We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit.

GA Watts, (Senior Statutory Auditor)
for and on behalf of KPMG Audit Plc, Statutory Auditor

Chartered Accountants
One Snowhill
Snow Hill Queensway
Birmingham
B4 6GH

1 April 2012

PROFIT AND LOSS ACCOUNT
for the year ended 31 December 2011

	Notes	2011	2010
		£'000	£'000
TURNOVER	2	**29,022**	22,623
Cost of sales		**(25,494)**	(19,733)
GROSS PROFIT		**3,528**	2,890
Distribution costs		**(1,995)**	(595)
Administrative expenses		**(2,233)**	(1,327)
OPERATING (LOSS)/PROFIT	3	**(700)**	968
Net interest	6	**(67)**	(67)
(LOSS)/PROFIT ON ORDINARY ACTIVITIES BEFORE TAX		**(767)**	901
Exceptional Items	7	**(1,388)**	-
(LOSS)/PROFIT BEFORE TAX		**(2,155)**	901
Tax on (loss)/profit on ordinary activities	8	**621**	(167)
(LOSS)/PROFIT ON ORDINARY ACTIVITIES AFTER TAX	19	**(1,534)**	734

All activities were continuing throughout both the current and previous periods.

STATEMENT OF TOTAL RECOGNISED GAINS AND LOSSES
for the year ended 31 December 2011

	2011	2010
	£'000	£'000
Actuarial gains/(losses) on defined benefit scheme	7	(625)
Tax on items taken directly in equity	(2)	175
Net income recognised directly in equity	5	(450)
(Loss)/profit for the period	(1,534)	734
Total recognised income and expense in the period	(1,529)	284

BALANCE SHEET
at 31 December 2011

	Notes	2011 £'000	2010 £'000
FIXED ASSETS			
Intangible assets	9	**2,289**	2,409
Tangible assets	10	**2,790**	2,603
Investments	11	**511**	-
		5,590	5,012
CURRENT ASSETS			
Stock	12	**4,957**	1,842
Debtors	13	**15,606**	15,791
Cash		**3,240**	351
		23,803	17,984
Creditors - amounts falling due within one year	14	**(23,120)**	(15,056)
NET CURRENT ASSETS		**683**	2,928
TOTAL ASSETS LESS CURRENT LIABILITIES		**6,273**	7,940
Provision for Liabilities and Charges	16	**(69)**	(71)
NET ASSETS EXCLUDING PENSION FUND ASSET		**6,204**	7,869
PENSION FUND ASSET	22	**589**	308
NET ASSETS		**6,793**	8,177
CAPITAL AND RESERVES			
Called up share capital	17	**3,931**	3,931
Profit and loss account	18	**2,862**	4,246
Shareholders' funds (all equity)	19	**6,793**	8,177

These accounts were approved by the Board on x April 2012

M Fryer .....

Registered No. 186538 England and Wales

NOTES TO THE ACCOUNTS

1. STATEMENT OF ACCOUNTING POLICIES

Accounting convention

The accounts are prepared in accordance with the historical cost convention and in accordance with applicable accounting standards. A summary of the principal accounting policies is set out below.

The following accounting policies have been applied consistently in dealing with items which are considered material to the accounts.

- *Going concern*

The directors have prepared detailed forecasts and consider that the company will be able to settle all current and future debts as they fall due for at least twelve months from the date of approval of these financial statements. The directors therefore believe that it is appropriate for the financial statements to be prepared on a going concern basis.

- *Goodwill and negative goodwill*

Purchased goodwill (representing the excess of the fair value of the consideration given over the fair value of the separable net assets acquired) arising on consolidation/business combination is capitalised. Positive goodwill is amortised to nil by equal instalments over its estimated useful life. The estimated useful life of the group's goodwill is 20 year.

- *Depreciation*

Depreciation is calculated so as to write off the cost, less estimated net realisable value, of tangible fixed assets on a straight-line basis over the expected useful economic lives of the assets concerned. Land is not depreciated. The principal annual rates used for this purpose are:

Buildings - 3%
Plant, machinery, fixtures and fittings -10%
Office equipment - 10%
Computer equipment - 33%
Tooling and moulds - 33%
Motor vehicles - 33%
Leasehold Improvements – over term of lease

- *Leased assets*

Rentals paid under operating leases are charged to the profit and loss account on a straight-line basis over the period of the lease term.

- *Foreign currencies*

Exchange profits or losses resulting from the years trading are accounted for in the results for the year.

Assets and liabilities expressed in foreign currencies are translated into sterling at the rates of exchange ruling at the end of the financial year, or at forward rates where covered by forward exchange contracts.

- *Stock and work in progress*

Stocks and work in progress are stated at the lower of cost and net realisable value. Cost includes material, direct labour and all overheads appropriate to the relevant stage of production. Net realisable value represents the estimated amount at which stocks and work in progress will be realised after taking into account all relevant marketing, selling and distribution costs.

NOTES TO THE ACCOUNTS (continued)

STATEMENT OF ACCOUNTING POLICIES (continued)

- *Taxation*

Deferred taxation is recognised without discounting in respect of all timing differences between the treatment of certain terms for taxation and accounting purposes which have arisen but not reversed by the balance sheet date, except as otherwise required by FRS 19.

- *Pensions contributions*

The company operates a defined benefit and defined contribution pension scheme. The assets of all the arrangements are held separately from the company in independently administered funds. The amounts charged against profit in respect of the defined contribution arrangement are the contributions payable to this arrangement in the accounting period.

For the defined benefit scheme the assets are measured at market value. The liabilities are measured on the Projected Unit method, discounting at the current rate of return of a high quality corporate bond of the appropriate term and currency to the liability, as required under FRS 17.

Defined Benefit Scheme deficits are recognised in full and presented on the face of the balance sheet. The movement in the deficit is split between operating charges, financing items and actuarial gains and losses in the statement of recognised gains and losses.

- *Share based payments*

Where the company's parent grants rights to its equity instruments to the company's employees, which are accounted for as equity-settled in the consolidated accounts of the parent, the Company accounts for these share-based payments as equity-settled, except in relation to UITF44 "FRS 20-Group and Treasury Share transactions". In the current year the profit has been reduced by £38,000 (2010: £39,000) with a corresponding credit to equity.

- *Engineering technology*

All costs incurred on research, product development and engineering technology are written off to the profit and loss account as incurred.

- *Cashflow*

Under Financial Reporting Standard 1 (revised 1996) the company is exempt from the requirement to prepare a cash flow statement on the grounds that a parent undertaking includes the company in its own published consolidated financial statements.

- *Revenue recognition*

Revenue from the sale of goods is recognised in the profit and loss account when the significant risks and rewards of ownership have been transferred to the buyers, recovery of the consideration is probable, the associated costs and possible return of goods can be estimated reliably, and there is no continuing management involvement with the goods. Revenue from the sale of goods is measured at the fair value of the consideration received or receivable, net of returns and allowances, trade discounts, volume rebates and product returns.

NOTES TO THE ACCOUNTS (continued)

2. TURNOVER

Turnover comprises the invoiced value of goods and services exclusive of VAT.

The company's operations are located in the UK and comprise two classes of business.

Components	2011 £'000	2010 £'000
Sales by destination were as follows:		
United Kingdom	3,658	4,079
Other European	807	746
North America	8,796	9,155
Rest of World	636	663
	13,897	14,643

Lighting	2011 £'000	2010 £'000
Sales by destination were as follows:		
United Kingdom	7,078	3,003
Other European	5,331	4,954
North America	281	23
Rest of World	2,435	-
	15,124	7,980

Total	2011 £'000	2010 £'000
Sales by destination were as follows:		
United Kingdom	10,736	7,082
Other European	6,138	5,700
North America	9,077	9,178
Rest of World	3,071	663
	29,022	22,623

3. OPERATING PROFIT

	2011 £'000	2010 £'000
Operating profit is stated after charging:		
Depreciation on tangible fixed assets	506	294
Engineering and technology research costs	1,411	615
Operating lease rentals:		
• Plant and machinery	60	54
Audit of these financial statements	61	18

Amounts paid to the company's auditors in respect of services to the company other than the audit of the company's financial statements have not been disclosed as this information is disclosed on a consolidated basis in the financial statements of Dialight plc.

NOTES TO THE ACCOUNTS (continued)

4. STAFF COSTS

	2011 £'000	2010 £'000
Staff costs during the year were:		
Wages and salaries	4,454	2,778
Share based payment expense	38	39
Social security costs	437	256
Pension costs	217	323
	5,146	3,396

In accordance with UITF44 "FRS20-Group and Treasury Share Transactions" the cost of share options awarded to employees of the company by the parent company, Dialight plc, is charged as an expense with a corresponding contribution from the parent included in reserves.

EMPLOYEE INFORMATION

	2011 Number	2010 Number
The average number of employees during the year is analysed as follows:		
Production	113	106
Distribution and selling	10	10
Administration	10	9
	133	125

5. DIRECTORS' EMOLUMENTS

	2011 £'000	2010 £'000
Emoluments	120	169
Company contributions to a money purchase pension scheme	-	-
Members of money purchase pension scheme	-	-

6. NET INTEREST

	2011 £'000	2010 £'000
Expected return on assets in defined benefit pension scheme	972	909
Group interest receivable	194	-
	1,166	909
Interest charge on pension scheme liabilities	(993)	(961)
Bank interest	-	(15)
Group interest payable	(240)	-
	(1,233)	(976)
Net interest payable	(67)	(67)

7. EXCEPTIONAL ITEMS

Exceptional Items	(1,388)	-

During the year, the Company reached agreement to settle a longstanding dispute with a rail signalling customer for which an LED signal had been in development since 2007.

NOTES TO THE ACCOUNTS (continued)

8. TAX ON PROFIT ON ORDINARY ACTIVITIES

(a) Tax on profit/(loss) on ordinary activities

	2011 £'000	2010 £'000
Current tax:		
- UK Corporation Tax at 26.5% (2010:28%)	(122)	119
- Adjustments to current tax in respect of prior years	-	-
Total current tax (credit)/charge	(122)	119
Deferred tax:		
- Origination and reversal of timing differences	(316)	140
- Adjustment in respect of previous years	(183)	(92)
Total tax (credit)/charge	(621)	167

(b) Factors affecting current tax charge

The tax assessed on the profit on ordinary activities for the year differs from the standard rate of tax in the UK. The differences are reconciled below:

	2011 £'000	2010 £'000
(Loss)/profit on ordinary activities before taxation	(2,155)	901
(Loss)/profit on ordinary activities multiplied by standard rate of corporation tax in the UK of 26.5% (2010: 28.0%)	(571)	252
The actual tax credit for the current year differs from the standard rate for the reasons set out below:		
- Expenses not deductible for tax purposes	-	3
- Depreciation less than/(in excess of) capital allowances	8	2
- Other timing differences	4	3
- Change in tax rate	104	(1)
- Permanent Differences	32	-
- Adjustment in respect of prior years	(198)	(92)
Total current tax credit	(621)	167

Factors that may affect future tax charges:

The 2011 Budget on 23 March 2011 announced that the UK corporation tax rate will reduce to 23% over a period of 4 years from 2011. The first reduction in the UK corporation tax rate from 28% to 27% (effective from 1 April 2011) was substantively enacted on 20 July 2010, and further reductions to 26% (effective from 1 April 2011) and 25% (effective from 1 April 2012) were substantively enacted on 29 March 2011 and 5 July 2011 respectively.

This will reduce the company's future current tax charge accordingly. The deferred tax asset at 31 December 2011 has been calculated based on the rate of 25% substantively enacted at the balance sheet date.
It has not been possible to quantify the full anticipated effect of the announced further 2% rate reduction, although this will further reduce the company's future current tax charge and reduce the company's deferred tax asset accordingly.

NOTES TO THE ACCOUNTS (continued)

9. INTANGIBLE ASSETS

Goodwill

	2011 £'000
Cost:	
At 1 January 2011 and at 31 December 2011	2,409
Amortisation:	
At 1 January 2011 and at 31 December 2011	-
Net book value	
As at 31 December 2011	**2,409**
As at 31 December 2010	2,409

10. TANGIBLE ASSETS

	Freehold Land & Buildings £'000	Leasehold Improvements £'000	Plant Equipment & Vehicles £'000	Total £'000
Cost:				
At 1 January 2011	1,.610	109	6,321	8,040
Additions	14	-	640	654
At 31 December 2011	1,624	109	6,961	8,694
Depreciation:				
At 1 January 2011	(662)	(71)	(4,704)	(5,437)
Charged to profit and loss	(21)	(23)	(423)	(467)
At 31 December 2011	(683)	(94)	(5,127)	(5,904)
Net book value at 31 December 2011	**941**	**15**	**1,834**	**2,790**
Net book value at 31 December 2010	948	38	1,617	2,603

11. INVESTMENTS

Investments in subsidiary undertakings:	£'000
Cost:	
At 1 January 2011	-
Additions	**511**
At 31 December 2011	**511**
Provisions:	
At 1 January 2011 and 31 December 2011	-
Net book value at 31 December 2011	**511**
Net book value at 31 December 2010	-

Details of the principal subsidiary companies, are as follows:

Name	Country of Operation	Percentage owned	Principal activity
Belling Lee Limited	England & Wales	100%	Dormant
PED Limited	England & Wales	100%	Dormant
Dialight ILS Australia Pty Limited	Australia	75%	Sale of Signals/Illumination products
Dialight Japan KK	Japan	75%	Sale of Signals/Illumination products

NOTES TO THE ACCOUNTS (continued)

12. STOCK

	2011 £'000	2010 £'000
Raw materials and consumables	3,503	1,433
Work in progress	74	102
Finished goods and goods for resale	1.380	307
	4,957	1,842

13. DEBTORS

	2011 £'000	2010 £'000
Trade debtors	5,352	5,110
Other debtors	27	67
Deferred tax asset (note 15)	1,487	808
Prepayments	233	222
Amounts owed by group companies	8,507	9,584
	15,606	15,791

14. CREDITORS : Amounts falling due within one year

	2011 £'000	2010 £'000
Trade creditors	5,998	3,514
Tax and social security costs	151	252
Other creditors	461	-
Amounts owed to group companies	16,084	10,965
Accruals and deferred income	426	288
	23,120	15,056

15. COMMITMENTS UNDER LEASES

The company is committed to the following annual payments under operating leases:

	2011 £'000	2010 £'000
Plant and machinery		
Leases expiring:		
- within one year	24	2
- between one and five years inclusive	30	58
- after five years	-	-
	54	60

The company is committed to the following annual payments under operating lease:

	2011 £'000	2010 £'000
Property		
Leases expiring:		
- within one year	134	144
- between one and five years inclusive	-	-
- after five years	-	-
	134	144

NOTES TO THE ACCOUNTS (continued)

16. PROVISIONS FOR LIABILITIES AND CHARGES

Deferred tax (liability)/asset

	£'000
At 1 January 2011	688
Profit and loss account	497
Recognised in equity	107
Statement of total recognised gains and losses	(2)
At 31 December 2011	1,290

An analysis of deferred tax is as follows:

	2011 £'000	2010 £'000
Share based payments	28	36
Losses	1,407	707
Depreciation in advance of capital allowances	35	53
Short term timing differences	17	12
At 31 December (see note 12)	1,487	808
Pension surplus (see note 21)	(197)	(120)
	1,290	688

Warranty

	2011 £'000
At 1 January 2011	(71)
Used in year	2
At 31 December 2011	(69)

The provision for warranty relates to lighting products and if a claim is made will be paid during the next twelve months.

17. CALLED UP SHARE CAPITAL

	2011 Number	2011 £'000	2010 Number	2010 £'000
ISSUED AND FULLY PAID				
Ordinary shares of £1 each	3,931,116	3,931	3,931,116	3,931

NOTES TO THE ACCOUNTS (continued)

18. PROFIT AND LOSS ACCOUNT

	£'000
At 1 January 2011	4,246
Profit for the year	(1,393)
Share based payment	145
Total recognised gains and losses	5
At 31 December 2011	**3,003**

	2011 £'000	2010 £'000
Profit and loss account excluding pension asset	**2,414**	3,938
Pension asset	**589**	308
Profit and loss account	**3,003**	4,246

19. RECONCILIATION OF MOVEMENTS IN SHAREHOLDERS' FUNDS

	2011 £'000	2010 £'000
Opening shareholders' funds at 1 January	**8,177**	7,854
Share based payment, net of taxes	**145**	39
Total recognised gains and losses	**(1,388)**	284
Balance carried forward	**6,934**	8,177

20. ACQUISITIONS

With effect from 31 December 2010, the trade and assets of fellow group company, Dialight Lumidrives Limited were acquired for consideration of £1,189,000. The resulting goodwill of £2,409,000 was capitalised and will be written off over the next 20 years.

The assets acquired were as follows:

	Fair value £'000
Tangible fixed assets	176
Stock	670
Debtors	550
Creditors	(301)
Bank overdraft	(565)
Intercompany creditors	(2,252)
Warranty provision	(71)
Deferred tax asset	573
	(1,220)
Goodwill (note 8)	2,409
Consideration	1,189

The balance remains as an intercompany creditor due to Dialight Lumidrives Limited.

On 31 December 2010, the trade and certain net liabilities of fellow group company, Dialight BLP Limited (formerly Dialight Europe Limited) were acquired for consideration of £7,685,000 due from Dialight BLP Limited (formerly Dialight Europe Limited).

NOTES TO THE ACCOUNTS (continued)

20. ACQUISITIONS (continued)

The assets transferred were as follows:

	Book value £'000
Stock	142
Debtors	169
Intercompany debtors	893
Creditors	(73)
Bank overdraft	(1,294)
Intercompany creditors	(7,747)
Deferred tax asset	225
	(7,685)
Goodwill (see note 8)	-
Consideration	(7,685)

The balance remains as an intercompany debtor due from Dialight BLP Limited (formerly Dialight Europe Limited.

21. COMMITMENTS FOR CAPITAL EXPENDITURE

	2011 £'000	2010 £'000
Capital commitments for the company comprise:		
Expenditure contracted for	**92**	35

22. PENSION SCHEMES

The company operates both a defined benefit scheme and defined contribution plan. The assets of the schemes are held separately from those of the company. The defined benefit plan is closed to new members.

	2011 £'000	2010 £'000
Present value of liabilities	**(18,695)**	(18,514)
Fair value of plan assets	**19,481**	18,942
Recognised asset for defined benefit obligations	**786**	428
Deferred tax (see note 15)	**(197)**	(120)
Pension asset net of deferred tax	**589**	308

Plan assets consist of the following:

	2011 £'000	2010 £'000
Equities	**7,413**	7,895
Bonds	**7,554**	6,960
Property	**225**	0
Cash	**4,289**	4,087
	19,481	18,942

NOTES TO THE ACCOUNTS (continued)

22. PENSION SCHEMES (continued)

Movements in the present value of defined benefit obligations

	2011 £'000	2010 £'000
Liabilities at 1 January	18,514	16,963
Current service cost	32	75
Employee element of service cost	10	18
Interest cost	993	961
Benefits paid	(923)	(810)
Actuarial gain	69	1,307
Liabilities at 31 December	18,695	18,514

Movements in fair value of plan assets

	2011 £'000	2010 £'000
Assets at 1 January	18,942	17,961
Expected return on scheme assets	972	909
Employer contributions	404	182
Member contributions	10	18
Benefit paid	(923)	(810)
Actuarial gain	76	682
Assets at 31 December	19,481	18,942

Expense recognised in the profit and loss account

	2011 £'000	2010 £'000
Current service costs	32	75
Settlement/loss	-	-
Interest on obligation	993	961
Expected return on plan assets	(972)	(909)
	53	127

The expense is recognised in the following line items in the profit and loss account

	2011 £'000	2010 £'000
Cost of sales	-	41
Distribution costs	-	8
Administrative expenses	32	26
Net financing charge	53	52
	85	127
Actuarial gain on plan assets	76	682
Actuarial loss from liabilities	(69)	(1,307)
Net actuarial (loss)/gain recognised in Statement of Recognised Gains and Losses	7	(625)
Cumulative actuarial loss recognised in Statement of Recognised Gains and Losses	(628)	(635)

NOTES TO THE ACCOUNTS (continued)

22. PENSION SCHEMES (continued)

	2011	2010	2009	2008	2007
	£'000	£'000	£'000	£'000	£'000
Defined benefit obligation	**(18,695)**	(18,514)	(16,963)	(16,573)	(19,093)
Scheme assets	**19,481**	18,942	17,961	16,834	19,055
Surplus/(deficit)	**786**	428	998	261	(38)
Experience adjustments on liabilities	**xx**	77	(1,861)	3,081	(72)
Experience adjustments on assets	**xxx**	(702)	2,325	(3,053)	270

Liability for defined benefit obligations
The principal assumptions at the balance sheet date (expressed as weighted averages) are:

	(% per annum)		
	2011	2010	2009
Discount rate at 31 December	**4.7**	5.50	5.70
Future salary increases	**n/a**	3.00	4.25
Future pension increases	**3.00**	3.65	3.65
Inflation – RPI	**3.00**	3.70	3.75
Inflation – CPI	**2.20**	n/a	n/a
Deferred revaluation	**2.20**	3.00	3.75

The expected long term rates of return were:

	(% per annum)		
	2011	2010	2009
Equities	**6.5**	6.5	6.5
Bonds	**3.0**	4.2	4.5
Cash	**3.0**	4.2	3.75

For its UK pension arrangements the Group has, for the purpose of calculating its liabilities as at 31 December 2011, used SAPS mortality tables based on year of birth (as is published by the Institute of Actuaries). The UK mortality tables are based on the latest mortality investigations and reflect an industry-wide recognition that life expectations have improved. The average life expectancy of an individual currently aged 45 years and retiring at age 65 years is 24.10 years for males and 26.5 years for females. For individuals currently aged 65 years the average life expectancy is 22.2 years for males and 24.6 years for females.

The expected long-term rate of return for investments is based on the portfolio as a whole and not on individual asset categories. The return is based exclusively on historical returns, without adjustments which are crossed checked against market expectations from external sources.

The company expects that contributions to the defined benefit plan in 2012 will be at a similar level to contributions paid in 2011.

23. CONTINGENT LIABILITIES

Guarantees given by the bank to third parties on behalf of the company amounted to £nil (2010: £nil).

NOTES TO THE ACCOUNTS (continued)

24. ULTIMATE PARENT UNDERTAKING

The company's immediate and ultimate parent undertaking and controlling party is Dialight plc. It has included the company in its group accounts. Copies of Dialight plc's accounts are available from the Company Secretary at Exning Road, Newmarket, CB8 0AX.

The company has taken advantage of the exemptions conferred by FRS8 and has not disclosed transactions with related parties that are wholly owned by a member of the Dialight group.

25. POST BALANCE SHEET EVENTS

In January 2012, the Board decided to investigate the potential for selling the Electromagnetic Components business.

For information in 2011, the business contributed £10.7m of sales, contribution of £1.6m and net profit of £0.4m. Net assets are £1.0m.

The Board has considered the requirements of IFRS5 but as they were not committed to a programme to sell the business at 31 December 2011, it was deemed not to meet the criteria and hence has not been classified as held for sale or presented as a discontinued operation.

Rea, Peter

From: Scott Cauchi [scauchi@dialight.com.au]
Sent: Wednesday, 11 July 2012 5:56 PM
To: Ian Smith
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Maginness, Ron
Subject: RE: MANUKA OVAL LIGHTS

Thank you Ian. I have now logged in and changed the password.

Thanks and kind regards

Scott Cauchi
National Sales Director
Dialight ILS Australia

U4/42 Collingwood St
Osborne Park W.A. 6017
P: +61 8 9244 7600
F: +61 8 9244 7601
M: +61 409 995 744
W: www.dialight.com.au

Dialight ILS

From: Ian Smith [mailto:Ian.Smith@cox.com.au]
Sent: Wednesday, 11 July 2012 2:03 PM
To: Scott Cauchi
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Maginness, Ron
Subject: RE: MANUKA OVAL LIGHTS

Hi Scott,

Drop box web address is: http://dropbox.cox.com.au/

You can log in to the Manuka Lights Tender Drop box with the details in the attached email. When you first do so please change your password to something more intuitive. If you have any issues downloading the info, please let me know.

Cheers,

IS.

Ian Smith - Director

COX

Cox Architecture

22 Jardine Street, Kingston ACT 2604 Australia
E: Ian.Smith@cox.com.au | T: +61 2 6239 6255 | M: +61 437 037 981 | W: coxarchitecture.com.au | Disclaimer

From: Maginness, Ron [mailto:Ron.Maginness@act.gov.au]
Sent: Wednesday, 11 July 2012 3:55 PM
To: Scott Cauchi
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Ian Smith
Subject: MANUKA OVAL LIGHTS

Scott,

Following discussions between ourselves and John Anthony from Abacus Lighting it was confirmed that Dialight ILS will now be the lead tenderer and contracting entity for the Manuka Oval Lights project. Could you please confirm this arrangement and advise the contact person for the project. At this stage we have added you to the project Drop Box where all of the project information is uploaded. Ian Smith from Cox Architecture will let you know how it all works.

Could you also provide confirmation that Dialight PLC will underwrite the project and provide all the necessary guarantees required by the contract.

Look forward to hearing from you in due course.

Regards

Ron

Ron Maginness| Consultant Project Manager|
| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649
Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601
www.economicdevelopment.act.gov.au

Rea, Peter

From: Ian Smith [Ian.Smith@cox.com.au]
Sent: Wednesday, 11 July 2012 5:47 PM
To: Maginness, Ron
Cc: Rea, Peter; McNulty, Hamish
Subject: RE: MANUKA OVAL LIGHTS

Something reassuring about a guy who says he will 'revert ASAP'. Suggests precision I think...

IS.

Ian Smith - Director

COX

Cox Architecture
22 Jardine Street, Kingston ACT 2604 Australia
E: Ian.Smith@cox.com.au | T: +61 2 6239 6255 | M: +61 437 037 981 | W: coxarchitecture.com.au | Disclaimer

---

From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Wednesday, 11 July 2012 5:41 PM
To: Maginness, Ron
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Ian Smith
Subject: RE: MANUKA OVAL LIGHTS

Hi Ron, this is fantastic news and we look forward to the process from here. I will arrange written confirmation from Dialight PLC that they will underwrite the project and provide all the necessary guarantees required by the contract.

I will revert ASAP

Thanks and kind regards

Scott Cauchi
National Sales Director
Dialight ILS Australia

U4/42 Collingwood St
Osborne Park W.A. 6017
P: +61 8 9244 7600
F: +61 8 9244 7601
M: +61 409 995 744
W: www.dialight.com.au

Dialight ILS

From: Maginness, Ron [mailto:Ron.Maginness@act.gov.au]
Sent: Wednesday, 11 July 2012 1:55 PM
To: Scott Cauchi
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Ian Smith
Subject: MANUKA OVAL LIGHTS

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Could you also provide confirmation that Dialight PLC will underwrite the project and provide all the necessary guarantees required by the contract.

Look forward to hearing from you in due course.

Regards

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Ron Maginness| Consultant Project Manager|

| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649

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www.economicdevelopment.act.gov.au

Rea, Peter

From: Ian Smith [Ian.Smith@cox.com.au]
Sent: Wednesday, 11 July 2012 4:03 PM
To: Scott Cauchi
Cc: Rea, Peter; John Anthony; McNulty, Hamish; Maginness, Ron
Subject: RE: MANUKA OVAL LIGHTS
Attachments: COX Notification - new account

Hi Scott,

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IS.

Ian Smith - Director

COX

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Could you also provide confirmation that Dialight PLC will underwrite the project and provide all the necessary guarantees required by the contract.

Look forward to hearing from you in due course.

Regards

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www.economicdevelopment.act.gov.au

Rea, Peter

From: Maginness, Ron
Sent: Friday, 6 July 2012 4:09 PM
To: McNulty, Hamish; Rea, Peter
Subject: FW: Manuka Oval

Happy little vegemites

Ron Maginness| Consultant Project Manager|

| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649

Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601

www.economicdevelopment.act.gov.au

From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Friday, 6 July 2012 2:38 PM
To: Maginness, Ron
Cc: John Anthony; Greg Sutton; Malcolm Lee; Fryer, Mark
Subject: Manuka Oval

Hi Ron,
I have just been speaking with John Anthony and it was mentioned that If Abacus were the preferred Vendor for the lighting installation at Manuka Oval, you preference would be to place orders via Dialight ILS Australia Pty Ltd.

We would be delighted to assist in any way possible, and ensure a smooth transaction throughout the entire contract and construction process. As you know Dialight ILS are a part of Dialight PLC, so if there is any further financial documents required, please let me know and I will send them over. I have Copied Mr Mark Fryer, our group Finance Director, Who will assist me in any further documentation you may require.

Abacus Lighting will continue to project manage every stage of the contract, along with myself, Malcolm Lee (Dialight ILS General Manager) and Mr Greg Sutton, who is based in Sydney and will be able to attend regular site meetings as per the contract.

I look forward to hearing back from you soon

Thanks and kind regards

Scott Cauchi
National Sales Director
Dialight ILS Australia

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Osborne Park W.A. 6017
P: +61 8 9244 7600
F: +61 8 9244 7601
M: +61 409 995 744
W: www.dialight.com.au

Dialight
ILS

Rea, Peter

From: John Anthony [JAnthony@AbacusLighting.com]
Sent: Friday, 6 July 2012 3:23 PM
To: Maginness, Ron
Cc: McNulty, Hamish; Rea, Peter; John Lawson; Andrew Morris-Richardson; Scott Cauchi; Malcolm Lee
Subject: RE: MANUKA OVAL LIGHTING

Hi Ron,

Thanks for your message. Naturally we are disappointed that you have a concern over our financial standing, but I am pleased to say that our Australian Partners ILS/Dialite will immediately take the lead and will enter their name with you as front line bidders supported with our project management. I notice that they have already been in contact with you and registered as bidders in an earlier email. They have now been requested to submit the financial information for assessment which will come from their parent company. I can assure you that they are supremely well financed.

In the meantime, we are progressing with the tender and will complete this on time. John

For and on behalf of Abacus Lighting

John Anthony | Abacus Lighting
Export Sales Director

Mob. +44 (0)7770 730 442
email janthony@abacuslighting.com

twitter.com/AbacusLighting

-----Original Message-----
From: Maginness, Ron [mailto:Ron.Maginness@act.gov.au]
Sent: 06 July 2012 03:06
To: John Anthony
Cc: McNulty, Hamish; Rea, Peter
Subject: MANUKA OVAL LIGHTING

John,

Regards

Ron

Ron Maginness| Consultant Project Manager|
| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649
Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601 www.economicdevelopment.act.gov.au

Please consider the environment before printing this e-mail.

-----Original Message-----
From: John Anthony [mailto:JAnthony@AbacusLighting.com]
Sent: Friday, 29 June 2012 2:39 PM
To: Maginness, Ron
Subject: Re: LETTER FOR MANUKA

Thanks Ron,

We have received a request this morning to provide additional information on Holdings and Head Office will reply on this immediately. It is noted that the tender documents will be released on Monday. I will be in Australia till Wednesday next. Please contact me at any time if any additional info is required from our side. John

For and on behalf of Abacus Lighting

John Anthony | Abacus Lighting
Export Sales Director
-
Oddicroft Lane, Sutton-in-Ashfield,
Nottinghamshire, NG17 5FT, United Kingdom
-
Tel +44 (0)1623 518 214 | Mob +44 (0)7770 730 442
-
www.abacuslighting.com | twitter.com/AbacusLighting janthony@abacuslighting

On 29 Jun 2012, at 14:21, "Maginness, Ron" <Ron.Maginness@act.gov.au> wrote:

> John
> Our financial assessors are reviewing Abacas Holdings accounts and if
> this is favorable I will discuss the letter with you
>
> This should be finalised mid week and will not delay the tender which will be issued Monday.
> Regards
> Ron
>
> Sent from my iPhone
>
> On 29/06/2012, at 10:44 AM, "John Anthony" <JAnthony@AbacusLighting.com> wrote:
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>> Ron, I attach the draft letter. If it is OK we will print it on
>> Holdings letter head. Please let me know if you want any changes and
>> also where this needs to be sent if not to yourself. John
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>> Mob +44 (0)7770 730 442
>> email janthony@abacuslighting.com
>>
>> twitter.com/AbacusLighting <http://twitter.com/AbacusLighting>
>>

>>
>>
>> From: Maginness, Ron [mailto:Ron.Maginness@act.gov.au]
>> Sent: 29 June 2012 01:38
>> To: John Anthony
>> Subject: Re: LETTER FOR MANUKA
>>
>> John
>> Yes
>>
>> Sent from my iPhone
>>
>> On 29/06/2012, at 10:13 AM, "John Anthony"
<JAnthony@AbacusLighting.com<mailto:JAnthony@AbacusLighting.com>> wrote:
>> Hi Ron,
>>
>> I tried your mobile and left a message.
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>> I have a draft of the letter you require from Abacus Holdings. Can I
>> email this to you? If acceptable we will print this officially and
>> submit. Look forward to hearing from you. John
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>> For and on behalf of Abacus Lighting
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>> **
>> *
>>
>> Abacus Lighting Limited
>>
>> Oddicroft Lane, Sutton in Ashfield, Nottinghamshire, UK, NG17 5FT
>>
>> Company Registration Number: 612235
>>
>> Telephone: +44 (0)1623 511 111 Fax: +44 (0)1623 552 133
>>
>> www.abacuslighting.com<http://www.abacuslighting.com>
>>
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Rea, Peter

From: Maginness, Ron
Sent: Friday, 6 July 2012 12:06 PM
To: John Anthony
Cc: McNulty, Hamish; Rea, Peter
Subject: MANUKA OVAL LIGHTING

Ron

Ron Maginness| Consultant Project Manager|
| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649
Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601 www.economicdevelopment.act.gov.au

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Sent: Friday, 29 June 2012 2:39 PM
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For and on behalf of Abacus Lighting

John Anthony | Abacus Lighting
Export Sales Director
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Nottinghamshire, NG17 5FT, United Kingdom
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Tel +44 (0)1623 518 214 | Mob +44 (0)7770 730 442
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>> **
>> *
>> Abacus Lighting Limited
>> Oddicroft Lane, Sutton in Ashfield, Nottinghamshire, UK, NG17 5FT
>> Company Registration Number: 612235
>> Telephone: +44 (0)1623 511 111 Fax: +44 (0)1623 552 133
>> www.abacuslighting.com
>>
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>> <Binding Letter of Comfort.docx>

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Abacus Lighting Limited
Oddicroft Lane, Sutton in Ashfield, Nottinghamshire, UK, NG17 5FT Company Registration Number: 612235
Telephone: +44 (0)1623 511 111 Fax: +44 (0)1623 552 133
www.abacuslighting.com

Rea, Peter

From: Bradfield, Noel
Sent: Thursday, 5 July 2012 5:13 PM
To: Rea, Peter
Subject: Manuka Oval Sports Lighting - Project No. 19899 - Abacus Holdings Limited
Attachments: Abacus Holdings.pdf

Good morning Peter

I have attached an abridged financial assessment for Abacus Holdings Limited in relation to the above project.

The following observations are made:

- NOTE that financial assessment was conducted in Great British Pounds the result of which is Unsatisfactory.

Please do not hesitate to contact me should you require any clarification.

Thanks

Noel Bradfield | Senior Prequalification Officer
Phone 02 6207 7154 | Fax 02 6207 6500
Shared Services Procurement | Treasury | **ACT Government**
Level 1 North, 16 Challis St Dickson ACT 2602 | www.act.gov.au

Kingsway Financial Assessments PTY LTD

ABN: 43 074 731 374

202, Level 2, 332 Oxford St
Bondi Junction NSW 2022
Tel: (61-2) 8305-0600
Fax: (61-2) 9389-9336

Email: assessments@kingswaygroup.com.au
Web: www.kingswaygroup.com.au

Date:	05-July-2012
Report No:	21235
Code:	ABACLIGH

PRIVATE AND CONFIDENTIAL

SUBJECT:

ABACUS HOLDINGS LIMITED

ABN

TENDER ASSESSMENT REPORT
Detailed

PREPARED FOR:

ACT TREASURY DIRECTORATE
Shared Services Procurement / Contractor

Attention	Noel	Bradfield	Phone:	(02) 6207 7154

Work Description	Installation of Sport Stadium Lighting
Contract Name	Manuka Oval Sports Lighting
Location	
Job Ref.	19899

1. Executive Summary

Report 21235

Subject	Abacus Holdings Limited	Incorporation	
ABN		State	
Entity Type	Foreign Company	Paid up Capital	
Entity Class	Liability unknown		
Entity Status	Not Applicable	Currency	£

Financial Statements	Abacus Holdings Limited	31-Dec-11
Status / Level	Draft	Entity

Key items	31-Dec-10	31-Dec-11	% Change	Criteria	
				Excess (Shortfall)	Rating
Sales Revenue	443,791	378,032	(15%)	£	
Profit After Tax	47,111	5,875	(88%)		
Net Tangible Assets	2,620,000	2,626,557	0%	2,271,463	Good
Working Capital	(428,000)	(377,141)	12%	(732,235)	Unsatisfactory
Current Ratio	0.2	0.4	95%	(0.6)	Unsatisfactory

Rating				
	Contract	Manuka Oval Sports Lighting		
22%	Contract Value	$ 5,347,000	Prequalification Value	N/A
Unsatisfactory	Adjusted Value	N/A		

Financial data used: The rating in this report is based upon the draft financial statements of Abacus Holdings Limited ("the Company") as at 31 December 2011. Comparatives to previous periods were provided. The financial statements were denominated in British pound sterling and the exchange rate at 31 December 2011 was A$1 = £0.6641.

Revenue & profitability: For the period ended 31 December 2011, the Company recorded revenue from ordinary activities of £378,032 resulting in a net profit after tax of £5,875. The £ equivalent project value to annualised sales revenue was 16%. The £ equivalent annualised project value to average sales revenue was 848%.

Key financial indicators: As at 31 December 2011, net assets were £2,626,557 which included no intangible assets. Net tangible assets were £2,626,557. Deficiency in working capital was £(377,141). The current ratio was 0.4. Given that the results were based on draft financial statements, the final results may be different upon finalisation of the fiscal 2012 financial statements.

Income tax expense: The Company did not record an expense for income tax for the period ended 31 December 2011.

Criteria: The Financial Capacity Scorecard and table above show the extent to which the Company has met the required criteria (See criteria - excess / shortfall above).

Rating: The Company has been assigned with an "**Unsatisfactory**" rating with respect to the Installation of Sport stadium Lighting - Manuka Oval Sports Lighting project valued at $5,347,000.

Concerns: Further to the Assessment Criteria, please note the following concerns below. Where considered appropriate you may wish to implement risk management strategies. Please contact our office if clarification or assistance is required.

1. Executive Summary

1. **Key financial indicators:** The Company did not meet the minimum financial criteria with respect to 1) Working capital, 2) the current ratio, and 3) project value to average revenue.

2. **Trade debtors:** As at 31 December 2011, the Company recorded trade debtors in the amount of £305,991. This amount was material in the context of the Company's negative working capital recorded at that date. This indicated that the Company's working capital is influenced by how readily trade debtors can be converted into cash.

Notes: We also note the following:

1. **Collections:** As at 31 December 2011, days receivable stood at 295 days compared to 3 days at 31 December 2010.

2. **Gearing:** The debt to equity ratio was 23% representing the proportion of total non-current liabilities to total equity. The debt ratio was 33% which gives an indication of the percentage of the entity's assets that are financed via debt. The interest cover ratio was 1 indicating that profit before income tax & interest covered interest payments 1 times.

3. **Reconciliation:** The retained profits as at 31 December 2011 did not correspond with their figure for the previous period by the amount of £356. In view of the immateriality of the amount involved, an adjustment to the financial statements was not considered to be necessary.

4. **Other information:** Although not utilised in this assessment, the respondent also provided the Consolidated financial statements of Abacus Holdings Limited which can be assessed upon request.

1. Executive Summary - Adjustments

Adjusted Contract Value

Contract Value	$ 5,347,000
- (A) Effect if contract duration is more than 12 months	$ -
+ (B) Effect of other contracts to be considered simultaneously	$ -
+ (C) Effect of recently commenced projects	$ -
Adjusted Contract Value	$ 5,347,000

Adjustment Details

(A) Effect if contract duration is more than 12 months

		Duration		Contract Value
Contract Under Review		17	weeks	$5,347,000
Annualised over 52 weeks	Not applicable	52	weeks	$5,347,000

(B) Effect of other contracts to be considered simultaneously

Contracts			Start Date	Value
Total other new contracts				$0

(C) Effect of recently commenced projects

	Commenced within 6 weeks from assessment date	Value	Start Date	% Complete	Unexecuted value
C1					$0
C2					$0
C3					$0
	Total unexecuted value of recently commenced projects				$0

2. Financial Assessment Rating

Abacus Holdings Limited **ABN**

Tender Assessment Report

Work Description	Installation of Sport Stadium Lightin	Contract No.	19899
Contract Name	Manuka Oval Sports Lighting		
Location			
Contract Value	$5,347,000	Adjusted Value	N/A

Financial Data Used	Date	Status	Level	Used in rating
Abacus Holdings Limited	31-Dec-09	Audited	Entity	
Abacus Holdings Limited	31-Dec-10	Audited	Entity	
Abacus Holdings Limited	31-Dec-11	Draft	Entity	Yes

Financial Capacity Scorecard

Rated items	unsatisfactory	acceptable	good	superior	n/a
Financial Statements	☐	☑	☐	☐	☐
Ratio Analysis	☑	☐	☐	☐	☐
Working Capital	☑	☐	☐	☐	☐
Current Ratio	☑	☐	☐	☐	☐
Net Tangible Assets	☐	☐	☑	☐	☐
Banking Facilities	☐	☑	☐	☐	☐
Contractors Declaration	☐	☑	☐	☐	☐
Supplier Payments	☐	☐	☐	☐	☑
Subcontractor Payments	☐	☐	☐	☐	☑
Defaults / Legal Actions	☐	☐	☐	☐	☑
Project Value to Sales Revenue	☑	☐	☐	☐	☐
Analyst's Assessment	☑	☐	☐	☐	☐
Overall Assessment	☑	☐	☐	☐	☐

Financial capacity has not met the required criteria

22%	Unsatisfactory

Main Financial Criteria Applied		Value		Denominator
1	Net Tangible Assets	10%	of	Contract Value
2	Working Capital	10%	of	Contract Value
3	Current Ratio	1.00		
4	Project_value_to_ave_revenue_p	50%		Average Revenue

3. Financial Statements

Financial statements for: Abacus Holdings Limited ABN:	Audited 31-Dec 2009 £	Audited 31-Dec 2010 £	Draft 31-Dec 2011 £
PROFIT AND LOSS SUMMARY			
Revenue from ordinary activities	434,216	443,791	378,032
Cost of sales	No information	No information	No information
Gross profit	No information	No information	No information
Other income	0	0	0
Net profit/(loss) before income tax & interest	(76,208)	43,376	23,703
Interest expense	3,145	11,200	17,828
Income tax expense	0	(14,935)	0
Net profit/(loss) after income tax expense	(79,353)	47,111	5,875
Adjustments made to reserves	183,000	(8,000)	0
Dividends paid	0	0	0
BALANCE SHEET SUMMARY			
Cash & cash equivalents	0	0	0
Trade debtors	0	4,000	305,991
Inventories	0	0	0
Investments	0	0	0
Related entity loans / receivables	0	119,000	0
Other current assets	8,000	5,000	0
Total current assets	**8,000**	**128,000**	**305,991**
Net fixed assets	1,330,000	1,309,000	1,287,719
Intangible assets	0	0	0
Investments	1,575,000	2,323,000	2,317,782
Related entity loans / receivables	0	0	0
Other non current assets	0	0	0
Total non-current assets	**2,905,000**	**3,632,000**	**3,605,501**
Total assets	**2,913,000**	**3,760,000**	**3,911,492**
Short term debt	214,000	463,000	0
Trade creditors	36,000	48,000	683,132
Accruals	82,000	40,000	0
Provisions	0	0	0
Related entity loans / payables	0	0	0
Other current liabilities	8,000	5,000	0
Total current liabilities	**340,000**	**556,000**	**683,132**
Long term debt	0	584,000	0
Related entity loans / payables	0	0	0
Other non-current liabilities	0	0	601,803
Total non-current liabilities	**0**	**584,000**	**601,803**
Total liabilities	**340,000**	**1,140,000**	**1,284,935**
Contributed equity	63,000	63,000	63,092
Retained profits (losses)	1,053,000	1,108,000	1,114,231
Other reserves	1,457,000	1,449,000	1,449,234
Total equity	**2,573,000**	**2,620,000**	**2,626,557**
Total equity and liabilities	**2,913,000**	**3,760,000**	**3,911,492**

4. Ratio Analysis

Financial statements for: Abacus Holdings Limited ABN:	Audited 31-Dec 2009 £	Audited 31-Dec 2010 £	Draft 31-Dec 2011 £
BALANCE SHEET RATIOS			
Net tangible assets	**2,573,000**	**2,620,000**	**2,626,557**
Working capital	(332,000)	(428,000)	(377,141)
Net assets	**2,573,000**	**2,620,000**	**2,626,557**
Net tangible assets to project value	48%	49%	49%
Working capital to project value	(6%)	(8%)	(7%)
Total assets turnover	0.1	0.1	0.1
Fixed assets turnover	0.3	0.3	0.3
LIQUIDITY RATIOS			
Current ratio	**0.0**	**0.2**	**0.4**
Quick ratio	0.0	0.2	0.4
Days receivable	0	3	295
Days creditors	N/A	N/A	N/A
Inventory turnover ratio	N/A	N/A	N/A
RISK RATIOS			
Debt to equity ratio	0%	22%	23%
Debt ratio	12%	30%	33%
Interest cover (times interest earned)	(24)	4	1
Total equity to total assets	88%	70%	67%
Total equity to total liabilities	757%	230%	204%
Project value to average sales revenue	1277.1%	1277.1%	1277.1%
PROFITABILITY RATIOS			
Gross profit margin	N/A	N/A	N/A
Net profit margin	(18.3%)	10.6%	1.6%
Return on equity	N/A	2%	0%
Return on total assets	(3%)	1%	0%

Rea, Peter

From:	Rea, Peter
Sent:	Friday, 27 July 2012 4:21 PM
To:	'gsutton@dialight.com.au'
Cc:	'janthony@abacuslighting.com'
Subject:	19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval
Attachments:	Manuka Sports Lighting - Post Tender Negotiations - Minutes - 26 July 2012.doc; 19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval - Meeting.doc
Importance:	High

Tracking:

Recipient	Delivery	Read
'gsutton@dialight.com.au'		
'janthony@abacuslighting.com'		
Maginness, Ron	Delivered: 27/07/2012 4:22 PM	Read: 27/07/2012 7:43 PM
Florence, Rod		

Hi Greg,

Please find attached minutes of the Post Tender Negotiations held at Transact House yesterday 26 July 2012.

Could you please review the minutes and if everything is in order confirm acceptance of them before COB Monday 30 July 2012.

These minute may form part of the contract between The Territory and Dialight.

Also please find attached a list of the questions that require clarification.

It was also discussed that Dialight would provide a preferred security amount as well as payment schedule and what is included in your maintenance proposal.

I am still awaiting a programme of events and will follow that up early next week.

Again thank you for meeting with us.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

Shared Services Procurement | Treasury | **ACT Government**
Level 3 North, **DPMH**, 16 Challis Street Dickson ACT 2602 | GPO Box 818 Dickson ACT 2602 | www.act.gov.au

ACT Government
Economic Development

Manuka Sports Lighting - Post Tender Negotiations
Thursday 26 July 2012
2:00 – 3:00 pm
Level 6 Boardroom, TransACT House

ATTENDEES		
Hamish McNulty	EDD	Executive Director – Infrastructure and Capital Works
Ron Maginness	EDD	Project Consultant
Peter Rea	SSP	Senior Project Officer
Greg Sutton	Dialight	Business Development Manager
Lauren cairns	EDD	Secretariat

1.0	SUBJECT
a)	**Commercial Arrangements** • Tender says 40% negotiable.... • Ron raised payment schedule... 20% upfront... timing (Abacus would like around 10%) • Gov want to make sure manage our exposure and risk.... • at every point Gov want to have someone to sign off... • (around 900k for footings) • Ron suggests Dialight talk to Abacus and work out a draft for agreeable payment plan (send to Ron for discussion)
b)	**Bank Guarantees** (see above?)
c)	**Technical Conformance** • Get a list of other events to take place other than just the Giants game.... (for Dialight) • Light flicker avoidance - Cameras tend to get rid of the flicker... • Ecowise, Kalus/Clause? Affinity... may be interested in being an ACT partner - most likely it will be Clause or 'Klaus'? • Surety claim for contractors... stat dec (peter knows about this) secure payment... Gov will pay Dialight & Dialight pay contractors... • **Warranty** - work through what this includes: • lamp maintenance before each season (lamp outages - 5%... roughly 30 lamps) • a yearly breakdown of what we get for the 90k over 10 years requested from Greg (Dialight).
d)	**Proposed Project Team** • contractors? • consultants? • engineering? (certification) • John has sent a list of names through to Greg for his team. • Greg will be the main contact person... • who is running job on site? (what qualifications/experience - allocation of time to

	the project?) would be nice to have a list of people for the next few layers down as well... • maybe a diagram would be good?...
e)	**Design Development Process**
f)	**Programme and Completion Date** The ACT Government is very serious about a completion date of 21 December 2012 for this project.
2.	**Other Business** • Regular meetings on progress would be a good idea- • key priorities for Gov letter of acceptance out this week- need these questions resolved first.. • program update then list 'payment 1 - footings' etc.... list what has been paid for i: which stages... • Painting - Peter has the colour scheme... (colour: 7000 darker one) it will be galvanised... pre primer can be used to treat it... can spray it with a dilute solution of sulphuric acid.... (Ron and Peter will discuss) • Control - manual control will be installed in each cabinet... what does price include? • There was some talkabout more lamps being placed towards to bottom of the pole ... what will the shape allow for? (Ian? and Leigh? need to discuss and agree a way forward.) • minutes of this meeting to be sent to Greg tomorrow.... weekend to look over them.... • Can Ron/Peter please send the list of questions electronically to Greg- he will put some comments on there and then send to John for info/comments. •
3.	**Next Meeting (f required)**

Rea, Peter

From: John Anthony [JAnthony@AbacusLighting.com]
Sent: Thursday, 26 July 2012 5:51 PM
To: Rea, Peter
Cc: Maginness, Ron; Ian Smith; Lee Dye; Greg Sutton
Subject: FW: Manuka Sport Lighting - Preferred Options

Hi Peter,

We fully understand that the official order is yet to be placed and that various clarifications are required prior to signature. However, we must move forward at speed to maintain momentum in the preparation of drawings for approvals and manufacture. This is a time consuming process and we really need use the time available to us now and reduce any possible delays by way of following protocol.

Again, we fully understand that a formal contract has yet to be placed, but trust you understand our reasons to progress.

For and on behalf of Abacus Lighting

John Anthony | Abacus Lighting
Export Sales Director

Mob +44 (0)7770 730 442
email janthony@abacuslighting.com

twitter.com/AbacusLighting

From: Rea, Peter [mailto:Peter.Rea@act.gov.au]
Sent: 26 July 2012 04:12
To: Lee Dye
Cc: Florence, Rod; Maginness, Ron; Ian Smith
Subject: Manuka Sport Lighting - Preferred Options

Hi Lee

Dialight ILS and their partner Abacus have been formally notified by Letter of Intent that they are the preferred Tenderer for this project and pre-contract negotiation is currently occurring.

EDD is happy for Cox Architecture to work with the preferred Tenderer on progressing design details for the lights.

However, the Tenderer must be aware that this communication and assistance is not to be construed as a formal acceptance of the Tenderers submission.

There will be no legally enforceable relationship between the parties until the Territory has issued a Letter of Acceptance and executed a contract substantially in the form of contract listed in the RFT.

Could you please confirm acceptance of the aforementioned.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

Shared Services Procurement | Treasury | **ACT Government**
Level 3 North, **DPMH**, 16 Challis Street Dickson ACT 2602 | GPO Box 818 Dickson ACT 2602 | www.act.gov.au

Rea, Peter

From: Rea, Peter
Sent: Thursday, 26 July 2012 1:18 PM
To: 'Ian Smith'
Cc: Maginness, Ron; Florence, Rod
Subject: Manuka Sport Lighting - Preferred Options

Hi Ian,

Following up to the email I sent Lee Dye of Abacus Lighting.

Subject to Abacus confirming acceptance of the email issued 26 July 2012, we are happy for you to commence a dialogue with Abacus Lighting.

The only condition is that strict confidentiality is maintained at this early stage of the process.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

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Level 3 North, **DPMH**, 16 Challis Street Dickson ACT 2602 | GPO Box 818 Dickson ACT 2602 | www.act.gov.au

ACT Government
Treasury

Rea, Peter

From: Rea, Peter
Sent: Thursday, 26 July 2012 1:12 PM
To: 'ldye@AbacusLighting.com'
Cc: Florence, Rod; Maginness, Ron; 'Ian Smith'
Subject: Manuka Sport Lighting - Preferred Options

Hi Lee

Dialight ILS and their partner Abacus have been formally notified by Letter of Intent that they are the preferred Tenderer for this project and pre-contract negotiation is currently occurring.

EDD is happy for Cox Architecture to work with the preferred Tenderer on progressing design details for the lights.

However, the Tenderer must be aware that this communication and assistance is not to be construed as a formal acceptance of the Tenderers submission.

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Could you please confirm acceptance of the aforementioned.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

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ACT Government
Economic Development

MINUTE

REF: BM12/1486

SUBJECT: CHANGE OF CONTRACTING ENTITY FOR ABACUS LIGHTING FOR THE MANUKA OVAL SPORTS LIGHTING PROJECT

11/7/12

To: Director-General, Economic Development Directorate
Executive Director Land Development Supported. 11.7.12.
Cc Executive Director, Tourism, Events and Sport

From: Executive Director, Infrastructure and Capital Works

Date: 11 July 2012

Purpose

To seek your approval to change the contracting entity of one of the select tenderers for the Manuka Oval Sports Lighting project from Abacus Lighting to Dialight ILS Australia (retaining Abacus Lighting as a specialist sub-contractor).

Background

On 16 June 2012, you approved a select tender procurement process for the design and construction of sports lighting at Manuka Oval.

Select tender approval was provided for the two leading world-wide sports lighting companies, Musco Lighting (US) and Abacus Lighting (UK).

Issues

As part of the Directorate's due diligence process, an independent financial assessment has been undertaken by Kingsway Financial Assessments on the accounts of both companies. The assessment has identified a level of financial risk associated with the company Abacus Lighting and its parent company Abacus Holdings.

Following these discussions it is recommended that the Directorate adopt a precautionary approach to this situation in order to reduce project risks. It is therefore recommended that neither Abacus Lighting nor Abacus Holdings be considered as the lead contracting entity for these services.

Abacus Lighting has formed a strategic partnership with an Australian Company Dialight ILS Australia, a wholly owned subsidiary of Dialight PLC, a public company listed on the London Stock Exchange. For many years this partnership has been delivering lighting solutions to the mining industry in Australia and it is the intention that this partnership would be retained for the Manuka Oval Lighting project. The previously nominated role of Dialight ILS was to provide project management services to Abacus for the construction and installation processes at Manuka Oval. The proposal is now that the roles be reversed with Dialight ILS Australia taking on the lead role in the project with Abacus Lighting being a specialist subcontractor.

An independent financial assessment has also been commissioned on Dialight ILS Australia and its parent company Dialight PLC. This assessment did not identify any financial risks associated with either company.

Abacus Lighting continues to be a world-leader in the supply of sport lighting products and have delivered significant pre-tender design works in relation to this tender. At this point of the project process it would not be desirable to eliminate Abacus Lighting from potential involvement in the project purely on the basis of the financial assessment.

Abacus has proposed that Dialight ILS Australia will take the lead contractor role in tendering for the Manuka Oval Sports Lighting project with Abacus as a sub-contractor This has been subsequently confirmed as being acceptable to Dialight ILS Australia. This proposal has been considered and is recommended on the basis that:

- Dialight ILS is an Australian company with the financial capacity required for this project and is underwritten by the parent company Dialight PLC;
- Dialight ILS would assume all financial and contractual risk for the project including any payments to local and national based sub-contractors; and
- It was already understood that Dialight ILS was to take a major role in the project through their existing partnership agreement with Abacus, if they were successful in winning the tender.

Recommendations

It is recommended that you:

- Note that Abacus Lighting is not considered suitable as lead contractor for the Manuka Oval Sports Lighting project;
- Amend your previous approval for a select tender process to include Musco Lighting and Dialight ILS Australia; and
- Note that this approval is sought on the basis that Dialight ILS and Musco Lighting are the only two suppliers capable of completing the project in the time available.

Hamish McNulty
Executive Director
Infrastructure and Capital Works

11 July 2012

Action Officer: Rod Florence
Branch: Venue and Event Services
Extension: 6256 6713

David Dawes 11/7/12
AGREED/NOT AGREED/NOTED/PLEASE DISCUSS

From: Rea, Peter
Sent: Tuesday, 24 July 2012 3:54 PM
To: 'scauchi@dialight.com.au'
Subject: 19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval
Attachments: 19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval - Agenda.doc

Importance: High

Dialight ILS Australia Pty Ltd
Attn. Mr Scott Cauchi

Dear Mr Scott Cauchi

REQUEST FOR TENDER No. 19899.111

Design and Construct of Fixed Sports Lighting at Manuka Oval

I refer to your tender submitted in the name of:

- Dialight ILS Australia Pty Ltd ABN 70 120 809 501

Tenders lodged in response to the RFT have been evaluated and your organisation has been identified as the preferred Tenderer for the Design and Construct of Fixed Sports Lighting at Manuka Oval.

However, the successful negotiation of a contract between the Australian Capital Territory and Dialight ILS Australia Pty Ltd is a prerequisite to your organisation's ranking as preferred Tenderer being progressed to the status of contracted party.

If a contract is not concluded the Territory may at any time discontinue contract negotiations with your organisation. There will be no legally enforceable relationship between the parties until execution of a contract substantially in the form of contract listed in the RFT.

The Territory invites you to attend a contract negotiation meeting to be confirmed.

Please find attached an agenda with topics identified for discussions.

Could you please ensure that personnel attending the meeting must be empowered to make decisions.

Kind Regards,

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

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AGENDA
[Meeting/Dialight ILS Australia Pty Ltd]

Date: TBC
Time: TBC
Location: TBC

1. **Agenda topics**

   a) Commercial arrangements;

   b) Bank Guarantees;

   c) Technical Conformance;

   d) Proposed Project team;

   e) Design Development Process; and

   f) Programme and Completion date.

2. **Other business:**

3. **Next meeting (if required):**

Rea, Peter

From: Rea, Peter
Sent: Tuesday, 24 July 2012 3:50 PM
To: 'scauchi@dialight.com.au'
Subject: 19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval
Attachments: 19899.111 - Endorsed Letter of Intent.pdf

Importance: High

Dear Mr Cauchi,

Please find attached the Letter of Intent for the Design and Construct of Fixed Sports Lighting at Manuka Oval.

I will follow this up with an email requesting a contract negotiation meeting.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 | Mob: 0435 966 887 | Fax: 02 6207 5468

Shared Services Procurement | Treasury | **ACT Government**
Level 3 North, **DPMH**, 16 Challis Street Dickson ACT 2602 | GPO Box 818 Dickson ACT 2602 | www.act.gov.au

ACT Government
Treasury

ACT Government
Economic Development

Dialight ILS Australia Pty Ltd
Attn. Mr Scott Cauchi
National Sales Director
Unit 4, 42 Collingwood Street
Osborne Park, Perth
Western Australia 6017

Dear Mr Cauchi

REQUEST FOR TENDER No. 19899.111

DESIGN AND CONSTRUCT OF FIXED SPORTS LIGHTING AT MANUKA OVAL

I refer to the tender submitted in the name of Dialight ILS Australia Pty Ltd ABN 70 120 809 501

Tenders lodged in response to the Request For Tender (RFT) for the Design and Construct of Fixed Sports Lighting at Manuka Oval have been evaluated in accordance with the RFT. Following the conclusion of the evaluation process, your Organisation has been identified as the preferred Tenderer.

The Australian Capital Territory (**Territory**) wishes to commence contract negotiations with your Organisation. If the Territory and your Organisation are unable to successfully negotiate a contract the Territory may, at any time, discontinue contract negotiations with your Organisation.

In anticipation of your Organisation's agreement to proceed to contract negotiation, you are requested to present to Peter Rea the following insurance documentation:

Without limiting the insurance that is required to be held by the successful Tenderer by law (e.g. worker's compensation) or under the contract, the successful Tenderer will be required to take out and maintain:

a) public liability insurance to a value of $20,000,000.00 in respect of each occurrence;

b) professional indemnity insurance in the amount of $10,000,000.00 in the annual aggregate;

c) product liability insurance to a value of $10,000,000.00 in the annual aggregate , policies should note the interests of the Territory; and

d) workers' compensation insurance to the extent required by any law applicable in the Territory.

Certificates of Currency for the required insurances listed above must be presented to this office prior to the execution of a successfully negotiated contract by the Territory.

This letter does not legally bind the Territory. No legal obligations arise between the Territory and your Organisation until the Territory has issued a Letter of Acceptance and executed a contract substantially in the form of contract listed in the RFT.

The Territory officer responsible for the administration of this process is Peter Rea and can be contacted by telephone on (02) 6205 4292.

Yours sincerely

Hamish McNulty
Infrastructure and Capital Works
Economic Development Directorate

24 July 2012

ACT
Government

TENDER EVALUATION REPORT

REQUEST FOR TENDER No 19899.111

DESIGN AND CONSTRUCT OF FIXED SPORTS LIGHTING AT MANUKA OVAL
("PROJECT")

ON BEHALF OF

ECONOMIC DEVELOPMENT DIRECTORATE

REPRESENTED BY

TERRITORY VENUES AND EVENTS

TABLE OF CONTENTS

ATTACHMENTS

1. Purpose

To seek approval for the engagement of Dialight ILS Australia Pty Ltd to undertake the Project.

2. Project Background

The design, documentation, shop drawing, fabrication, transport, supply, construction, installation, commissioning, testing, certification and related ancillary works to deliver broadcast quality lighting.

3. Project Details

Program

The following timetable applies to the Project:

No	Tasks	Date
1.	Tenders Advertised / Invited	02/07/2012
2.	Tenders Closed	17/07/2012

Funding

Funding contributions have been identified from, ACT Government and Commonwealth Government.

4. Probity, Disclosure Of Conflicts Of Interest & Confidentiality

All members of the Tender Evaluation Team have been asked to disclose any conflict of interest or association they might have with the Tenderers for the Project. No member has disclosed that he or she has a conflict of interest or association with any of the Tenderers.

All documents and proceedings of the Tender Evaluation Team have been treated as confidential.

5. Probity Auditor/Advisor

The TET did not require the use of a specialist advisor.

6. Tenders Received

The following Tenders were received.

- Dialight ILS Australia Pty Ltd (Inc GST); and
- Musco Lighting Australia Pty Ltd (Inc GST).

No tenders were received late.

No Alternative tenders were received.

All tenders were registered on the Internal Tender Notice at folio 51 & 52 of file 2012/9945:

Conformity of Tenders/ Compliance

A compliance check was undertaken, please see **Attachment A**.

7. Evaluation

Tenders were evaluated in accordance with the endorsed Procurement Plan including applicable procurement guidelines.

The following tenders that passed the Mandatory Criteria and Technical Capabilities were deemed suitable; they were then assessed against the weighted criteria and given weighted scores:

1. Dialight ILS Australia Pty Ltd; and
2. Musco Lighting Australia Pty Ltd

Please see **Attachment B** for TET comments and scores.

8. Equal Employment Opportunity

The Tender Evaluation Team confirms that the preferred tenderer is not listed on the following website:

http://www.eowa.gov.au/Reporting And Compliance/What Happens if my Report does not Comply/List of Non Compliant Organisations.asp

9. Debriefing Of Unsuccessful Tenderers

Letters will be sent to all unsuccessful tenderers and will include:

- appreciation for submitting an offer, registration or pre-qualification information;
- regret that they were unsuccessful on this occasion;

- advice of public notification on the "Contracts Register" which is available from the Shared Services Procurement Website at www.procurement.act.gov.au;
- an offer to debrief, if requested; and
- the encouragement to submit offers in the future.

10. RECOMMENDATION

The Tender Evaluation Team (TET) recommends that Dialight ILS Australia Pty Ltd be nominated as the preferred Tenderer at a total cost of $ ———— (GST is included) as this tender represents the best value for money, and that the TET be authorised to enter into contract negotiations on the following basis:

Item No	Issue to be negotiated
1	Commercial arrangements
2	Bank Guarantees
3	Technical Conformance
4	Proposed Project team
5	Design Development Process
6	Programme and Completion date

Peter Rea	Ron Maginness	Rod Florence
Chairperson	Member	Member
24/7/12	24/7/12	24/7/12

11. Delegate Approval

11.1. Recommendation

Tender Evaluation Team recommendation:

Approved / Not Approved / Requires Clarification.

The Tender Evaluation Team is authorised to:

1.	Enter into contract negotiations with the preferred Tenderer within the parameters outlined in their recommendation.	✓
2.	Arrange for a contract to be prepared between the Territory and the preferred Tenderer, provided the outcomes of the contract negotiations are successful as outlined in the TET's recommendation.	✓
3.	Arrange public announcement following contract execution.	✓
4.	Provide a debriefing to unsuccessful Tenderers following contract execution.	✓

11.2. Contract Execution Request

I have the properly delegated authority from the Director General of Economic Development Directorate with regard to the above approved procurement expenditure to **sign**, as may be required to effect the delivery of the Project, the following documents:

1. Letter of Acceptance / Intent;
2. Contract / Deed of Agreement;
3. Variation of Contract / Deed of Agreement; and
4. any other Related Document.

Signature: Date: 24/7/1

Print name: Hamish McNulty Position: Executive Director Infrastructure and Capital Works, Economic Development Directorate

Attachment A

CONFORMITY OF TENDERS SCHEDULE

Tenderer	Tender submitted on time	Documentation addressing the criteria	Completed and signed Tender Schedule / Declaration by Tenderer	Pricing schedule and Schedule of Rates	Detailed Construction Program	Schedule 1 Form of Undertaking	Completed and signed Ethical Suppliers Declaration	Statement of environment authorisation	Copy of IRE	Entity Check (ASIC check)	Comments
Dialight ILS Australia Pty Ltd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	
Musco Lighting Australia Pty Ltd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	

Note: Should a Tenderer at the time of close of Tender not be able to demonstrate compliance with mandatory criteria No's 1, 2 and 3 the Tenderer is to provide a methodology demonstrating how they will meet and comply with these requirements prior to commencement of works.

EVALUATION CRITERIA, COMMENTS & SCORES

Tenders were evaluated in accordance with the following assessable criteria and scoring regime.

MANDATORY CRITERIA	PASS/FAIL
1. Tenderers must comply with the *National Code of Practice for the Construction Industry* (Please refer to note below).	YES ☐ NO ☐
2. Certified compliance with Industrial Relations and Employment (IRE) Obligations Strategy for ACT Government Capital Works prior to commencement of work on site (Please refer to note below).	YES ☐ NO ☐
3. Tenderers are to provide details of their Quality Assurance systems including environmental management plan and a waste management plan, and any other documentation that demonstrates for example: i) compliance with the Environment and Waste Management(Refer to clause 3.01.6 of the Request For Tender (RFT) Document); ii) appropriate OHS&R management system operating within the Tenderer's business; and iii) Quality Assurance Plans or Manuals. (Please refer to note below)	YES ☐ NO ☐
4. Tenderers and their nominated sub-contractors must comply with Equal opportunity for Women in the Workplace Act 1999 (Commonwealth). (Refer to website: http://www.eeo.gov.au/compliance/non compliance/list/index.html)	YES ☐ NO ☐
5. Tenderers are to provide copies of their audited statement of financial position and statement of financial performance for the last two (2) financial years. Tenderers are to demonstrate a financial capacity to successfully undertake the works.	YES ☐ NO ☐
Note: Should a Tenderer at the time of close of Tender not be able to demonstrate compliance with mandatory criteria No's 1, 2 and 3 the Tenderer is to provide a methodology demonstrating how they will meet and comply with these requirements prior to commencement of works.	
WEIGHTED CRITERIA	**WEIGHTING**
1. Task Appreciation and Methodology. Each Tenderers level of task appreciation and proposed methodology will be evaluated.	35%

To evaluate this, each submission is to: i) demonstrate an understanding of the requirements and to provide details of the methodology by which the requirement will be fulfilled; and ii) Technical and design compliance with the RFT documents.	
2. Past Performance by the Respondent in the supply of similar or related goods and services, including the proven quality of similar goods The Territory requires each Tenderer to demonstrate that it has successfully supplied similar or related goods, services and/or works (as relevant) in the past. To evaluate this, each submission is to include: i) details of contracts involving a similar requirement; and ii) a description and details of a similar requirement provided within the previous 5 years.	10%
3. Experience of the Tenderers personnel and contractors in providing similar or related goods, services or works The Territory will evaluate the Tenderers personnel's experience, qualifications and competence in suppling or undertaking the Goods, Services and/or Works (as relevant to each Item). To evaluate this, each submission is to include: i) details of qualifications, experience and competence of the Tenderers employees who would be engaged in the provision of the requirement for the relevant quoted Item including the names of such employees (who will be named as "specified personnel" in the contract), the position held by those employees and a brief description of their skill and experience levels; The Tenderer must notify the Territory in its submission if it intends to use subcontractors to provide the Goods, Services and/or Works (or any part thereof) (as relevant to each Item). If the Tenderer intends to use subcontractors, it must provide in its Quote: ii) details of the extent to which the Tenderer intends to involve sub-contractors; iii) the names, qualifications and skill of the sub-contractors; iv) the previous experience in providing a similar requirement of the subcontractors; and v) contact details of two (2) referees, including name, address and telephone number that are able to attest to the capacity of the Tenderer against each of the selection criteria. The assessment panel may seek reports from referees.	20%

4. **Demonstrated Ability** Tenderers Submission demonstrates the Tenderers ability to meet with the critical timeframes for project milestones and project practical completion, including a detailed construction program in the form of a Gantt Chart.	35%
TOTAL	**100%**
NON-WEIGHTED CRITERIA	
Financial Offer Tenderer will submit pricing in accordance with the Pricing Schedule provided.	

RISK RATING TABLE FOR USE IN TENDER EVALUATION

The Evaluation Team will adopt the following numerical scoring scale against which each Team member will assess the weighted evaluation criteria.

Descriptor	Sample Commentary	Rating
Superior	Highly convincing and credible. Response demonstrates superior capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Comprehensively documented with all claims fully substantiated. Insignificant risk.	10
Outstanding	Highly convincing and credible. Response demonstrates outstanding capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Documentation provides complete details. All claims adequately demonstrated and substantiated. Insignificant risk.	9
Excellent	Response complies, is convincing and credible. Response demonstrates excellent capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Some minor lack of substantiation but the Tenderer's overall claim is supported. Low risk.	8
Very Good	Response complies, is convincing and credible. Response demonstrates very good capability, capacity and experience, relevant to, or understanding of, the requirements of the Evaluation Criterion. Minor uncertainties and shortcomings in the Tenderer's claims or documentation. Low risk.	7
Good	Response complies and is credible but not completely convincing. Response demonstrates adequate capability, capacity and experience, relevant to, or understanding of, the requirements of the Evaluation Criterion. Tenderer's claims have some gaps. Low risk.	6
Adequate	Response has minor omissions. Credible but barely convincing. Response demonstrates only a marginal capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Medium risk.	5
Reservations	Barely convincing. Response has shortcomings and deficiencies in demonstrating the Tenderer's capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Medium risk.	4
Poor	Unconvincing. Response has significant flaws in demonstrating the Tenderer's capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Medium risk.	3
Very Poor	Unconvincing. Response is significantly flawed and fundamental details are lacking. Minimal information has been provided to demonstrate the Tenderer's capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. High risk.	2
Inadequate	Response is totally unconvincing and requirements have not been met. Response has inadequate information to demonstrate the Tenderer's capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. High risk.	1
Not Acceptable	Tenderer was not evaluated as it did not provide any requested information and/or contravened nominated restrictions. High risk.	0

WEIGHTED CRITERIA

CRITERIA 1: Task Appreciation and Methodology.

Each Tenderers level of task appreciation and proposed methodology will be evaluated.

To evaluate this, each submission is to:

i) demonstrate an understanding of the requirements and to provide details of the methodology by which the requirement will be fulfilled; and

ii) technical and design compliance with the RFT documents.

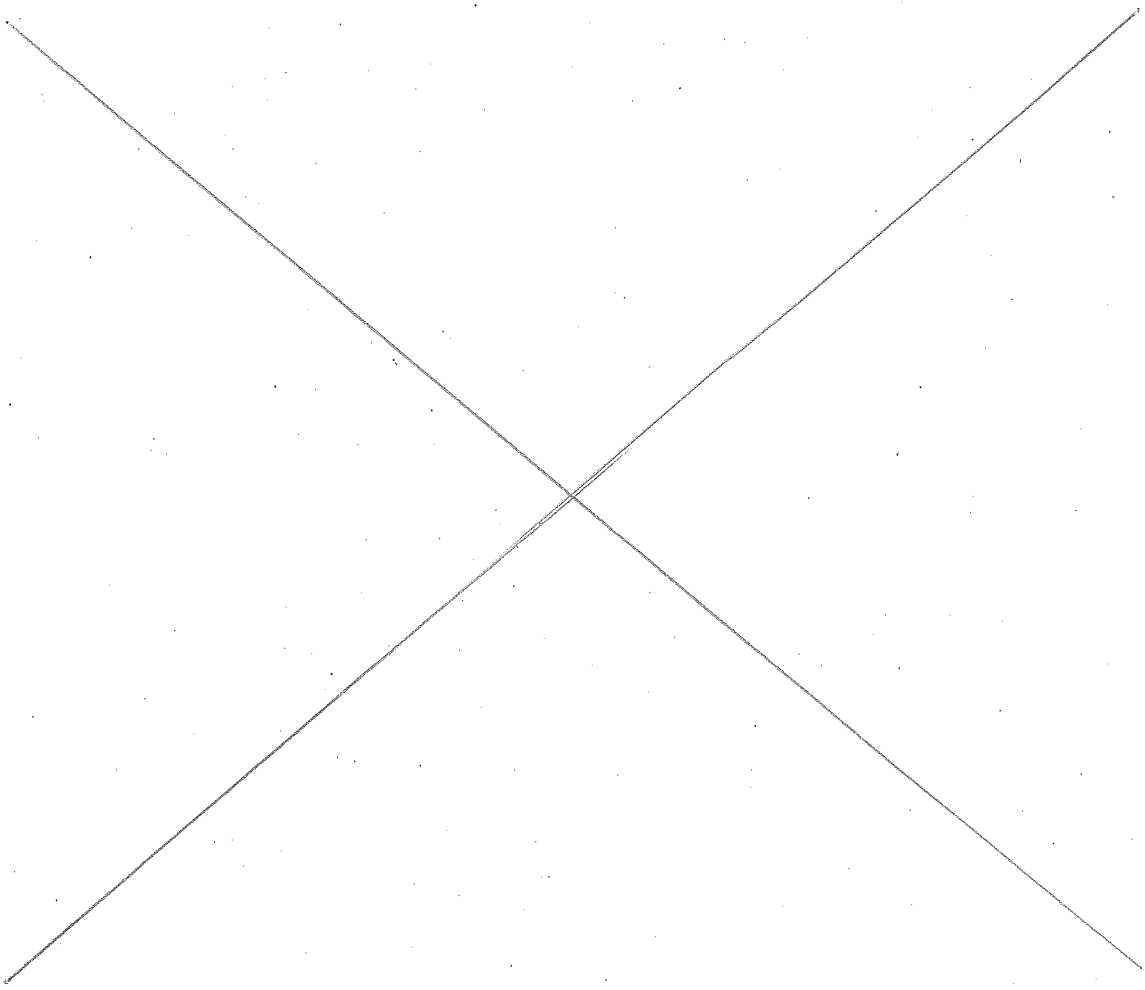
CRITERIA 2: Past Performance by the Respondent in the supply of similar or related goods and services, including the proven quality of similar goods

The Territory requires each Tenderer to demonstrate that it has successfully supplied similar or related goods, services and/or works (as relevant) in the past.

To evaluate this, each submission is to include:

i) details of contracts involving a similar requirement; and

ii) a description and details of a similar requirement provided within the previous 5 years.



<u>CRITERIA 3:</u> Experience of the Tenderers personnel and contractors in providing similar or related goods, services or works

The Territory will evaluate the Tenderers personnel's experience, qualifications and competence in suppling or undertaking the Goods, Services and/or Works (as relevant to each Item).

To evaluate this, each submission is to include:

i) details of qualifications, experience and competence of the Tenderers employees who would be engaged in the provision of the requirement for the relevant quoted Item including the names of such employees (who will be named as "specified personnel" in the contract), the position held by those employees and a brief description of their skill and experience levels;

The Tenderer must notify the Territory in its submission if it intends to use subcontractors to provide the Goods, Services and/or Works (or any part thereof) (as relevant to each Item). If the Tenderer intends to use subcontractors, it must provide in its Quote:

ii) details of the extent to which the Tenderer intends to involve sub-contractors;

iii) the names, qualifications and skill of the sub-contractors;

iv) the previous experience in providing a similar requirement of the subcontractors; and

v) contact details of two (2) referees, including name, address and telephone number that are able to attest to the capacity of the Tenderer against each of the selection criteria. The assessment panel may seek reports from referees.

CRITERIA 4: Demonstrated Ability

Tenderers Submission demonstrates the Tenderers ability to meet with the critical timeframes for project milestones and project practical completion, including a detailed construction program in the form of a Gantt Chart.

OVERALL SUMMARY

POST CLARIFICATION SUMMARY

Attachment C

CLARIFICATION

The Tender Evaluation Team has requested clarification for Project No 19899 - Tender No 19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval.

In regards to your GST inclusive price of $ could you please confirm what this price includes in terms of the following matters:

Your quick response is important as any delay could affect the outcome of the Tender Evaluation.

Therefore could you please respond to each of these issues by email before 12:00pm Monday 23 July 2012.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

Shared Services Procurement | Treasury | **ACT Government**
Level 3 North, **DPMH,** 16 Challis Street Dickson ACT 2602 | GPO Box 818 Dickson ACT 2602 | www.act.gov.au

ACT Government Treasury

Attachment D

TECHNICAL ASSESSMENT

ARUP

Subject Sports Lighting Tender Review

Date 20 July 2012 Job No/Ref 223208/PJG

1 Purpose of document

This document presents a technical review of received tenders following Tender No. 19899.111 Design and Construct of Fixed Sports Lighting at Manuka Oval. The scope of this review covers technical aspects of the received tenders and does not consider commercial, contractual or architectural issues.

This document is intended as input to the tender review panel. Responsibility for selection between the tenders is the responsibility of the tender review panel.

The document begins by identifying aspects where each tender either conflicts with or does not clarify conformation with the tender performance specification and/or the design intents. References are given to sections of the Sports Lighting Performance Specification. It concludes by comparing the technical aspects of each tender and providing recommendations for the tender review panel.

PLUS PAGES 2-5

Attachment E

DESIGN ASSESSMENT

Cox Architecture

23 July 2012
Shared Services Procurement
Mr. Peter Rea
Via email: peter.rea@act.gov.au
Re Manuka Oval Sport Lighting Tender – Design Response Assessment
Dear Ron,
As requested we have reviewed the Design response material provided by Dialight/Abacus and Musco and comment as follows:
Dialight/Abacus
We have reviewed Abacus drawings IM200/101/GA1, IM200/101/GA2, and IM200/102/GA1 contained in the Dialight/Abacus 'Manuka Stadium Proposal V3' document. These three drawings represent their design response in terms of communicating their understanding of the design intent for the lighting towers contained in the tender documents, and how they would translate that intent into reality.
The Dialight/Abacus response it is an impressive first effort. They have clearly put a considerable effort and care into their response, and it is reasonably faithful to the design intent.
Elements need refinement, but this was always envisaged to be the case and we have planned to to achieve this via the detailed design process to be conducted prior to finalizing shop drawings and commencing fabrication.
The Dialight/Abacus response demonstrates a good appreciation of the design intent, and requirements generally, and gives us confidence that we could achieve an excellent result which meets the design intent working with them.

Kind Regards,
Ian A. Smith
Director

COST ASSESSMENT

Ron,

Please find attached a copy of the Comparison of Tenders for the Sport Lighting at Manuka Oval including a comparison against the original budget.

We have also included the benchmarking data for the lighting towers to the different Stadia as requested.

Please note that this email and attached document is a review of the Tender Submissions received and is to assist the Tender review panel in their decision to appoint the Main Contractor for the Sport Lighting to Manuka Oval only and is not a recommendation for either Tenderer.

Should you have any queries please do not hesitate to contact us.

Edward Carroll
Associate
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ecarroll@davislangdon.com.au
Edward.Carroll@aecom.com

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Tender Breakdown - Manuka Oval Lighting Installation

No.	Item	Qty	Unit	Rate	Abacus Tender Total $	Muscos Tender Total	DL Cost Plan Total	Benchmarking Bellerive Stadium	Benchmarking Skoda Stadium	Benchmarking Skilled Stadium
	Preliminaries (Please provide breakdown of each)									
1.	Preliminaries Off-Site		Item							
2.	Preliminaries On Site		Item							
3.	Common Shared Preliminaries		Item							
4.	Independent chartered professional engineer be engaged by the contractor to carry out an independent review and certification of the design.		Item							
	Subtotal - Preliminaries									
	Lighting Towers - Design, Fabrication and Delivery									
5.	Main Contractor's Design Fees		Item							
6.	Shop Drawings		Item							
7.	Lighting Tower Fabrication									
	Inclined Lighting Tower Pole (Galvanized finish)		No							
	Lighting Tower Headframe - Option 3		No							
	Floodlight and Lamps		No							
	Access Hoist, Ladders and Gantries		No							
	Associated Switchboards and Electrical components		Item							
8.	Transportation, Delivery and Storage									
	Inclined Lighting Tower Pole		No							
	Lighting Tower Headframe		No							
	Floodlight and Lamps		No							
	Access Hoist, Ladders and Gantries		No							
	Switchboards and Associated Electrical components to towers		Item							
	Subtotal - Lighting Design Etc									
	Lighting Towers - Construction Works									
9.	Footings for Light Towers									
	Excavation Works		Item							
	Concrete Works		Item							
	Reinforcement to Excavations		Item							
	Making good existing upon completion		Item							
	Sundry items		Item							
10.	Erection of Lighting Towers									
	Erection and installation of Primary Structure for Towers (Pole)		No							
	Erection and installation of Headframes to Towers		No							
	Erection and Installation of Floodlight and Lamps		No							
	Installation of Switchboards and associated Electrical Works to Towers Only		Item							
	Installation of Centralized touch screen control		Item							
	Subtotal - Lighting Tower Construction									
	Subtotal For Lighting Towers									
	Site Wide Power Reticulation From Substation Lighting Towers Only									
11.	Low Voltage Reticulation Cable									
	LV power distribution from MSB to each Lighting tower including but not limited to cabling, distribution boards PVC conduit laid, jointed and bedded in trench and fully installed pits, including excavation, disposal of surplus spoil and backfill		Item							
	Supply and installation of LV main switchboard including retail energy metering and all protection devices.		Item							
	Supply and installation of distribution boards for the provision of temporary power and lighting including all protection devices		Item							
	Supply and installation of small power outlets and accessories, including final circuits for temporary event overlays		Item							
	LV earthing system		Item							
	Design, supply and installation of Lightning protection system for Light towers		Item							
	Tower lighting controls - fibre cable from towers to Bradman Stand		Item							
	Subtotal - Site Wide Power									

Tender Breakdown - Manuka Oval Lighting Installation

No.	Item	Qty	Unit	Rate	Abacus Tender Total $	Muscos Tender Total	DL Cost Plan Total	Benchmarking Bellerive Stadium	Benchmarking Skoda Stadium	Benchmarking Skilled Stadium
	Substation Enclosure									
12.	Substation									
	Provision of Plinths for padmount substations (supplied and installed by others) as per ACTew-AGL Drawing 4943-01 Rev B		Item							
	Substation Enclosure as documented including Main Switchboard supplying the sport lighting		Item							
	Supply and installation of consumer mains from substation to Main switchboard		Item							
	Conduits from the substation to the HV side as required by ActewAGL		Item							
	Subtotal - Substation									
	Testing and Commissioning									
13.	Testing and Commissioning		Item							
	Subtotal - Testing and Commissioning									
	Total Excluding GST							4,500,000	2,800,000	9,500,000
	GST Total									
	Total Including GST									
	Cost Per Lighting Tower (excl GST)							1,125,000	1,400,000	2,375,000
	Nr of Towers							4Nr	2Nr	5Nr

Tender Breakdown - Manuka Oval Lighting Installation

No.	Item	Qty	Unit	Rate
	Tender Options (please incl additional preliminaries if required)			
	Lighting Pole Options			
A.	Lighting Tower Headframe - Option 2 Inclined		Item	
	Maintenance			
B.	10 Year Integrated Maintenance		Item	
	Fibre Backbone System			
C.	Supply and installation of fibre backbone cabling system from Bradman building control room to each tower including all containment and associated trenching		Item	
D.	Procurement and installation of six IP rated communications racks including vertical and horizontal cable management and fibre optic break out trays. Fibre to be terminated within each of the six cabinets		Item	
	Reticulation System			
E.	Supply and installation of a pit and conduit system to allow for the future installation of PA cabling from the Brandman building to each tower including all containment and associated trenching		Item	
	Lighting Poles			
F.	Cost Saving for changing lighting poles from inclined to Straight			
	Option 3		Item	
	Option 2		Item	
	Painting			
G.	High Preformance Paint Finish		Item	
	Tender Alternatives (Please list and cost below)			

This document is not to be reformatted or edited

REVIEW OF MUSCO LIGHTING CLARIFICATION

ARUP

Subject	Review of Musco Lighting Clarifications		
Date	24 July 2012	Job No/Ref	223208/PJG

1 Purpose of Document

This document presents a review of clarifications provided by Musco Lighting in response to a Request for Clarification issued by Shared Services Procurement on Friday 20 July.

This review focuses on technical lighting aspects and does not consider architectural and contractual responses.

8 Summary

Cox Architecture

SYDNEY
BRISBANE
MELBOURNE
PERTH
CANBERRA
DUBAI
ABU DHABI

ARCHITECTURE
PLANNING
URBAN DESIGN
INTERIOR DESIGN

23 July 2012

Shared Services Procurement
Mr. Peter Rea
Via email: peter.rea@act.gov.au

Re Manuka Oval Sport Lighting Tender – Design Response Assessment

COX

Dear Ron,

As requested we have reviewed the Design response material provided by Dialight/Abacus and Musco and comment as follows:

Dialight/Abacus

We have reviewed Abacus drawings IM200/101/GA1, IM200/101/GA2, and IM200/102/GA1 contained in the Dialight/Abacus 'Manuka Stadium Proposal V3' document. These three drawings represent their design response in terms of communicating their understanding of the design intent for the lighting towers contained in the tender documents, and how they would translate that intent into reality.

The Dialight/Abacus response it is an impressive first effort. They have clearly put a considerable effort and care into their response, and it is reasonably faithful to the design intent.

Elements need refinement, but this was always envisaged to be the case and we have planned to to achieve this via the detailed design process to be conducted prior to finalizing shop drawings and commencing fabrication.

The Dialight/Abacus response demonstrates a good appreciation of the design intent, and requirements generally, and gives us confidence that we could achieve an excellent result which meets the design intent working with them.

Kind Regards,

Ian A. Smith

Director

Cox Architecture Pty Ltd
ACN 002 535 891
Nominated Architects
Graham Humphries No. 718
Rodney Moss No. 846

22 Jardine Street
Kingston ACT 2604 Australia
T + 61 2 6239 6255
www.coxarchitecture.com.au

Rea, Peter

From: Maginness, Ron
Sent: Monday, 23 July 2012 11:23 AM
To: Florence, Rod; Rea, Peter; McNulty, Hamish
Subject: Fwd: Manuka Sport Lighting Tender Review
Attachments: Lighting Tender Schedule tender review.pdf; ATT00001.htm

Sent from my iPhone

Begin forwarded message:

From: "Carroll, Edward" <ecarroll@davislangdon.com.au>
Date: 23 July 2012 11:10:41 AM AEST
To: <ron.maginness@act.gov.au>
Subject: Manuka Sport Lighting Tender Review

Ron,

Please find attached a copy of the Comparison of Tenders for the Sport Lighting at Manuka Oval including a comparison against the original budget.

We have also included the benchmarking data for the lighting towers to the different Stadia as requested.

Having reviewed Arup's Tender Report we would agree with their recommendation requesting further information from tender's to enable us to thoroughly complete a like-for-like tender review. However, should this be not deemed achievable within the time constraints, we believe that the Tender submitted by Dialight – Abacus is the more realistic and achievable budget for these works (once performance specification is achieved).

Should this tender be accepted we would advise that the following considerations are made;

1. Confirm with Dialight that all items noted on drawings have been included within their Tender and incorporate this into their contract.
2. All items raised in Arup's reported are addressed, advising if any additional cost is applicable.
3. A interview / meeting be set up to ensure all scope and clients requirements are met and agreed with contractor.

Please note that this email and attached document is a review of the Tender Submissions received and is to assist the Tender review panel in their decision to appoint the Main Contractor for the Sport Lighting to Manuka Oval only and is not a recommendation for either Tenderer.

Should you have any queries please do not hesitate to contact us.

Edward Carroll
Associate

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ecarroll@davislangdon.com.au
Edward.Carroll@aecom.com

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lea, Peter

From: Carroll, Edward [ecarroll@davislangdon.com.au]
Sent: Friday, 20 July 2012 5:28 PM
To: Maginness, Ron
Cc: Rea, Peter
Subject: RE: MANUKA OVAL LIGHTS -CONFIDENTIAL
Attachments: Lighting Tender Schedule tender review.pdf

Ron / Peter,

Apologies for the delay. I had to attend a meeting that over ran.

Attached is a comparison of the Tenders including a comparison against the original budget.

We have also included the benchmarking data for the lighting towers to the different stadia as requested.

We would recommend that a full submission be provided by both tenderers, defining their complete scope of work including, stating any exclusions aswell as setting up tender interviews so this can be interrogated further.

We hope this helps is someway, but based on the information received it is difficult for us to assess the Tenders and recommend that either should be considered.

Please note that we have not been able to discuss this tender with Arup but will do so first thing Monday morning,

Any queries please do not hesitate to contact us.

Edward Carroll
Associate
D +61 3 9009 6716 M +61 407 672 234
ecarroll@davislangdon.com.au
Edward.Carroll@aecom.com

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www.davislangdon.com
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From: Maginness, Ron [mailto:Ron.Maginness@act.gov.au]
Sent: Friday, July 20, 2012 9:59 AM
To: Carroll, Edward

Cc: Rea, Peter; Ian Smith; Phillip Greenup
Subject: MANUKA OVAL LIGHTS -CONFIDENTIAL

Ed,

Glad you had a great holiday and that your liver survived the trip.

We now have received the two tenders for the supply and installation of the lights at Manuka Oval.

I would appreciate if you could review the tender schedules and provide a commentary on their respective value for money based on how the process relate against previous similar installations such as Bellerive Oval Hobart, Skoda Stadium at Homebush, and Kardinia Park Geelong.

I need to get an appreciation of what we are getting for our money

Peter Rea from Shared Services Procurement will send down the tender schedules for your consideration.

Regards

Ron

Ron Maginness| Consultant Project Manager|
| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649
Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601
www.economicdevelopment.act.gov.au

ACT
Government

TENDER EVALUATION REPORT

REQUEST FOR TENDER No 19899.111

DESIGN AND CONSTRUCT OF FIXED SPORTS LIGHTING AT MANUKA OVAL ("PROJECT")

ON BEHALF OF

ECONOMIC DEVELOPMENT DIRECTORATE

REPRESENTED BY

TERRITORY VENUES AND EVENTS

TABLE OF CONTENTS

ATTACHMENTS

1. Purpose

To seek approval for the engagement of ***(insert Preferred Tenderer's name)*** to undertake the Project.

2. Project Background

The design, documentation, shop drawing, fabrication, transport, supply, construction, installation, commissioning, testing, certification and related ancillary works to deliver broadcast quality lighting.

3. Project Details

Program

The following timetable applies to the Project:

No	Tasks	Date
1.	Tenders Advertised / Invited	02/07/2012
2.	Tenders Closed	17/07/2012

Funding

Funding contributions have been identified from, ACT Government and Commonwealth Government.

4. Probity, Disclosure Of Conflicts Of Interest & Confidentiality

All members of the Tender Evaluation Team have been asked to disclose any conflict of interest or association they might have with the Tenderers for the Project. No member has disclosed that he or she has a conflict of interest or association with any of the Tenderers.

All documents and proceedings of the Tender Evaluation Team have been treated as confidential.

5. Probity Auditor/Advisor

The TET did not require the use of a specialist advisor.

6. Tenders Received

The following Tenders were received.

- Dialight ILS Australia Pty Ltd $ ——— (Inc GST);
- Musco Lighting Australia Pty Ltd $ ——— (Inc GST).

No tenders were received late.

Alternative tenders were received from .....

All tenders were registered on the Internal Tender Notice at folio 51 & 52 of file 2012/9945:

Conformity of Tenders/ Compliance

A compliance check was undertaken, please see **Attachment A**.

7. Evaluation

Tenders were evaluated in accordance with the endorsed Procurement Plan including applicable procurement guidelines.

The following tenders that passed the Mandatory Criteria and Technical Capabilities were deemed suitable; they were then assessed against the weighted criteria and given weighted scores:

1. Dialight ILS Australia Pty Ltd
2. Musco Lighting Australia Pty Ltd

Please see **Attachment B** for TET comments and scores.

8. Equal Employment Opportunity

The Tender Evaluation Team confirms that the preferred tenderer is not listed on the following website:

http://www.eowa.gov.au/Reporting_And_Compliance/What_Happens_if_my_Report_does_not_Comply/List_of_Non_Compliant_Organisations.asp

9. Debriefing Of Unsuccessful Tenderers (Delete If Not Applicable)

Letters will be sent to all unsuccessful tenderers and will include:

- appreciation for submitting an offer, registration or pre-qualification information;
- regret that they were unsuccessful on this occasion;

- advice of public notification on the "Contracts Register" which is available from the Shared Services Procurement Website at www.procurement.act.gov.au;
- an offer to debrief, if requested; and
- the encouragement to submit offers in the future.

10. RECOMMENDATION

(Option 1 to be used where no negotiation is required before entering into contract with the preferred Tenderer)

The Tender Evaluation Team recommends the acceptance of the tender submitted by ***(insert preferred Tenderer's name)*** at a total cost of ***(insert $ value)*** (GST is included) as this tender represents the best value for money.

Peter Rea	Ron Maginness	Rod Florence
_____	_____	_____
Chairperson	Member	Member
/ /	/ /	/ /

(Option 2 to be used where the TET is recommending contract negotiations with the preferred Tenderer and is seeking delegate approval to negotiate on nominated items and outcomes sought.)

The Tender Evaluation Team (TET) recommends that ***(insert preferred Tenderer's name)*** be nominated as the preferred Tenderer, and that the TET be authorised to enter into contract negotiations on the following basis:

Or use the following option if price is not one of the issues to be negotiated.

The Tender Evaluation Team (TET) recommends that ***(insert preferred Tenderer's name)*** be nominated as the preferred Tenderer at a total cost of ***(insert $ value)*** (GST is included) as this tender represents the best value for money, and that the TET be authorised to enter into contract negotiations on the following basis:

Item No	Issue to be negotiated	Outcome sought
1		
2		
3		
4		
5		
6		

Chairperson	Member	Member
/ /	/ /	/ /

11. Delegate Approval

11.1. Recommendation

(Option 1 to be used where no negotiation is required before entering into contract with the preferred Tenderer. If using this option, sections 11.2 and 11.3 should be deleted.)

Tender Evaluation Team recommendation:

Approved / Not Approved / Requires Clarification.

The Tender Evaluation Team is authorised to:

- arrange for a contract to be prepared between the Territory and the preferred Tenderer; and
- provide a debriefing to unsuccessful Tenderers.

(Option 2 to be used where the TET is recommending contract negotiations with the preferred Tenderer and is seeking delegate approval to negotiate on nominated items and outcomes sought.)

Tender Evaluation Team recommendation:

Approved / Not Approved / Requires Clarification.

The Tender Evaluation Team is authorised to:

1.	Enter into contract negotiations with the preferred Tenderer within the parameters outlined in their recommendation.	☐
2.	Arrange for a contract to be prepared between the Territory and the preferred Tenderer, provided the outcomes of the contract negotiations are successful as outlined in the TET's recommendation.	☐
	OR	
	Report the outcomes of the contract negotiation back to me for approval prior to arranging for a contract to be prepared between the Territory and the preferred Tenderer.	☐
3.	Arrange public announcement (as applicable) following contract execution.	☐
4.	Provide a debriefing to unsuccessful Tenderers following contract execution.	☐

11.2. REPORT ON CONTRACT NEGOTIATIONS AND SUBSEQUENT RECOMMENDATION (TO BE COMPLETED IF REQUIRED BY DELEGATE)

Item No	Negotiated issue	Outcome achieved
1		
2		
3		
4		
5		
6		

Following successful contract negotiations as outlined, the Tender Evaluation Team recommends the acceptance of the tender submitted by ***(insert preferred Tenderer's name)*** at a total cost of ***(insert $ value)*** (GST is included) as this tender represents the best value for money.

Chairperson	Member	Member
/ /	/ /	/ /

11.3. Delegate Approval Following Contract Negotiations

Tender Evaluation Team recommendation:

Approved / Not Approved / Requires Clarification.

The Tender Evaluation Team is authorised to:

- arrange for a contract to be prepared between the Territory and the preferred Tenderer;
- arrange public announcement (as applicable); and
- provide a debriefing to unsuccessful Tenderers.

11.4. Contract Execution Request

I have the properly delegated authority from the Director General of *(insert Funding Agency)* with regard to the above approved procurement expenditure to authorise an officer of Shared Services Procurement, to **sign**, as may be required to effect the delivery of the Project, the following documents:

1. Letter of Acceptance / Intent;
2. Contract / Deed of Agreement;
3. Variation of Contract / Deed of Agreement; and
4. any other Related Document.

Signature:	_____	Date:	_____
Print name:	Hamish McNulty	Position:	Executive Director Infrastructure and Capital Works, Economic Development Directorate

Attachment A

CONFORMITY OF TENDERS SCHEDULE

Tenderer	Tender submitted on time	Documentation addressing the criteria	Completed and signed Tender Schedule / Declaration by Tenderer	Pricing schedule and Schedule of Rates	Detailed Construction Program	Schedule 1 Form of Undertaking	Completed and signed Ethical Suppliers Declaration	Statement of environment authorisation	Copy of IRE	Entity Check (ASIC check)	Comments
Dialight ILS Australia Pty Ltd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	
Musco Lighting Australia Pty Ltd	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	

Note: Should a Tenderer at the time of close of Tender not be able to demonstrate compliance with mandatory criteria No's 1, 2 and 3 the Tenderer is to provide a methodology demonstrating how they will meet and comply with these requirements prior to commencement of works.

Attachment B

EVALUATION CRITERIA, COMMENTS & SCORES

Tenders were evaluated in accordance with the following assessable criteria and scoring regime.

MANDATORY CRITERIA	PASS/FAIL
1. Tenderers must comply with the *National Code of Practice for the Construction Industry* (Please refer to note below).	YES ☐ NO ☐
2. Certified compliance with Industrial Relations and Employment (IRE) Obligations Strategy for ACT Government Capital Works prior to commencement of work on site (Please refer to note below).	YES ☐ NO ☐
3. Tenderers are to provide details of their Quality Assurance systems including environmental management plan and a waste management plan, and any other documentation that demonstrates for example: i) compliance with the Environment and Waste Management(Refer to clause 3.01.6 of the Request For Tender (RFT) Document); ii) appropriate OHS&R management system operating within the Tenderer's business; and iii) Quality Assurance Plans or Manuals. (Please refer to note below)	YES ☐ NO ☐
4. Tenderers and their nominated sub-contractors must comply with Equal opportunity for Women in the Workplace Act 1999 (Commonwealth). (Refer to website: http://www.eeo.gov.au/compliance/non compliance/list/index.html)	YES ☐ NO ☐
5. Tenderers are to provide copies of their audited statement of financial position and statement of financial performance for the last two (2) financial years. Tenderers are to demonstrate a financial capacity to successfully undertake the works.	YES ☐ NO ☐
Note: Should a Tenderer at the time of close of Tender not be able to demonstrate compliance with mandatory criteria No's 1, 2 and 3 the Tenderer is to provide a methodology demonstrating how they will meet and comply with these requirements prior to commencement of works.	
WEIGHTED CRITERIA	**WEIGHTING**
1. Task Appreciation and Methodology. Each Tenderers level of task appreciation and proposed methodology will be evaluated.	35%

To evaluate this, each submission is to: i) demonstrate an understanding of the requirements and to provide details of the methodology by which the requirement will be fulfilled; and ii) Technical and design compliance with the RFT documents.	
2. Past Performance by the Respondent in the supply of similar or related goods and services, including the proven quality of similar goods The Territory requires each Tenderer to demonstrate that it has successfully supplied similar or related goods, services and/or works (as relevant) in the past. To evaluate this, each submission is to include: i) details of contracts involving a similar requirement; and ii) a description and details of a similar requirement provided within the previous 5 years.	10%
3. Experience of the Tenderers personnel and contractors in providing similar or related goods, services or works The Territory will evaluate the Tenderers personnel's experience, qualifications and competence in suppling or undertaking the Goods, Services and/or Works (as relevant to each Item). To evaluate this, each submission is to include: i) details of qualifications, experience and competence of the Tenderers employees who would be engaged in the provision of the requirement for the relevant quoted Item including the names of such employees (who will be named as "specified personnel" in the contract), the position held by those employees and a brief description of their skill and experience levels; The Tenderer must notify the Territory in its submission if it intends to use subcontractors to provide the Goods, Services and/or Works (or any part thereof) (as relevant to each Item). If the Tenderer intends to use subcontractors, it must provide in its Quote: ii) details of the extent to which the Tenderer intends to involve sub-contractors; iii) the names, qualifications and skill of the sub-contractors; iv) the previous experience in providing a similar requirement of the subcontractors; and v) contact details of two (2) referees, including name, address and telephone number that are able to attest to the capacity of the Tenderer against each of the selection criteria. The assessment panel may seek reports from referees.	20%

4. **Demonstrated Ability** Tenderers Submission demonstrates the Tenderers ability to meet with the critical timeframes for project milestones and project practical completion, including a detailed construction program in the form of a Gantt Chart.	35%
TOTAL	**100%**
NON-WEIGHTED CRITERIA	
Financial Offer Tenderer will submit pricing in accordance with the Pricing Schedule provided.	

RISK RATING TABLE FOR USE IN TENDER EVALUATION

The Evaluation Team will adopt the following numerical scoring scale against which each Team member will assess the weighted evaluation criteria.

Descriptor	Sample Commentary	Rating
Superior	Highly convincing and credible. Response demonstrates superior capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Comprehensively documented with all claims fully substantiated. Insignificant risk.	10
Outstanding	Highly convincing and credible. Response demonstrates outstanding capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Documentation provides complete details. All claims adequately demonstrated and substantiated. Insignificant risk.	9
Excellent	Response complies, is convincing and credible. Response demonstrates excellent capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Some minor lack of substantiation but the Tenderer's overall claim is supported. Low risk.	8
Very Good	Response complies, is convincing and credible. Response demonstrates very good capability, capacity and experience, relevant to, or understanding of, the requirements of the Evaluation Criterion. Minor uncertainties and shortcomings in the Tenderer's claims or documentation. Low risk.	7
Good	Response complies and is credible but not completely convincing. Response demonstrates adequate capability, capacity and experience, relevant to, or understanding of, the requirements of the Evaluation Criterion. Tenderer's claims have some gaps. Low risk.	6
Adequate	Response has minor omissions. Credible but barely convincing. Response demonstrates only a marginal capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Medium risk.	5
Reservations	Barely convincing. Response has shortcomings and deficiencies in demonstrating the Tenderer's capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. Medium risk.	4
Poor	Unconvincing. Response has significant flaws in demonstrating the Tenderer's capability, capacity and experience relevant to, or	3

	understanding of, the requirements of the Evaluation Criterion. Medium risk.	
Very Poor	Unconvincing. Response is significantly flawed and fundamental details are lacking. Minimal information has been provided to demonstrate the Tenderer's capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. High risk.	2
Inadequate	Response is totally unconvincing and requirements have not been met. Response has inadequate information to demonstrate the Tenderer's capability, capacity and experience relevant to, or understanding of, the requirements of the Evaluation Criterion. High risk.	1
Not Acceptable	Tenderer was not evaluated as it did not provide any requested information and/or contravened nominated restrictions. High risk.	0

WEIGHTED CRITERIA

CRITERIA 1: Task Appreciation and Methodology.

Each Tenderers level of task appreciation and proposed methodology will be evaluated.

To evaluate this, each submission is to:

i) demonstrate an understanding of the requirements and to provide details of the methodology by which the requirement will be fulfilled; and

ii) technical and design compliance with the RFT documents.

CRITERIA 2: Past Performance by the Respondent in the supply of similar or related goods and services, including the proven quality of similar goods

The Territory requires each Tenderer to demonstrate that it has successfully supplied similar or related goods, services and/or works (as relevant) in the past.

To evaluate this, each submission is to include:

i) details of contracts involving a similar requirement; and

ii) a description and details of a similar requirement provided within the previous 5 years.

CRITERIA 3: Experience of the Tenderers personnel and contractors in providing similar or related goods, services or works

The Territory will evaluate the Tenderers personnel's experience, qualifications and competence in suppling or undertaking the Goods, Services and/or Works (as relevant to each Item).

To evaluate this, each submission is to include:

i) details of qualifications, experience and competence of the Tenderers employees who would be engaged in the provision of the requirement for the relevant quoted Item including the names of such employees (who will be named as "specified personnel" in

the contract), the position held by those employees and a brief description of their skill and experience levels;

The Tenderer must notify the Territory in its submission if it intends to use subcontractors to provide the Goods, Services and/or Works (or any part thereof) (as relevant to each Item). If the Tenderer intends to use subcontractors, it must provide in its Quote:

ii) details of the extent to which the Tenderer intends to involve sub-contractors;

iii) the names, qualifications and skill of the sub-contractors;

iv) the previous experience in providing a similar requirement of the subcontractors; and

v) contact details of two (2) referees, including name, address and telephone number that are able to attest to the capacity of the Tenderer against each of the selection criteria. The assessment panel may seek reports from referees.

CRITERIA 4: Demonstrated Ability

Rea, Peter

From: Carroll, Edward [ecarroll@davislangdon.com.au]
Sent: Friday, 20 July 2012 11:23 AM
To: Rea, Peter; Maginness, Ron
Cc: Ian Smith; Phillip Greenup
Subject: RE: MANUKA OVAL LIGHTS -CONFIDENTIAL

No problem Peter,

Thanks for the quick response.

Once information received it would be great to have so we can ensure all items are captured.

The standard in Tenders is if its not priced it is deemed to be included however if you want to seek clarification on this we are happy for you to do so.

Thanks again.

Edward Carroll
Associate
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ecarroll@davislangdon.com.au
Edward.Carroll@aecom.com

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From: Rea, Peter [mailto:Peter.Rea@act.gov.au]
Sent: Friday, July 20, 2012 11:18 AM
To: Carroll, Edward; Maginness, Ron
Cc: Ian Smith; Phillip Greenup
Subject: RE: MANUKA OVAL LIGHTS -CONFIDENTIAL

Ed,

What I have provided you from both ———————— their complete Pricing Schedule.

We are currently seeking clarification from both tenderers in regards to their Technical Response there were no exclusions that came with their submission just a lot of gaps in ————————

———— not provided a Schedule or Rates I can seek in their clarification if required, but I won't have it until late Monday.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

Shared Services Procurement | Treasury | **ACT Government**
Level 3 North, **DPMH**, 16 Challis Street Dickson ACT 2602 | GPO Box 818 Dickson ACT 2602 | www.act.gov.au

ACT Government
Treasury

From: Carroll, Edward [mailto:ecarroll@davislangdon.com.au]
Sent: Friday, 20 July 2012 11:05 AM
To: Maginness, Ron
Cc: Rea, Peter; Ian Smith; Phillip Greenup
Subject: RE: MANUKA OVAL LIGHTS -CONFIDENTIAL

Thanks Ron,

I gave the liver a good run for its money and I think its glad to be back on Australian Soil.

I have receive the information from Peter and will start the overall review and comparison exercise immediately and will have something for you later afternoon.

Peter, with regards the information you have sent to me, was this the complete tender submission. Was there any clarifications / exclusions that came with their submission. This information may help to determine the gap aswell as us having to comment on any of the shortfalls with each Tender.

Also, has it been requested that ——— return the Schedule of Rates. This may also play a factor.

Thanks

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From: Maginness, Ron [mailto:Ron.Maginness@act.gov.au]
Sent: Friday, July 20, 2012 9:59 AM
To: Carroll, Edward
Cc: Rea, Peter; Ian Smith; Phillip Greenup
Subject: MANUKA OVAL LIGHTS -CONFIDENTIAL

Ed,

Glad you had a great holiday and that your liver survived the trip.

We now have received the two tenders for the supply and installation of the lights at Manuka Oval.

I would appreciate if you could review the tender schedules and provide a commentary on their respective value for money based on how the process relate against previous similar installations such as Bellerive Oval Hobart, Skoda Stadium at Homebush, and Kardinia Park Geelong.

I need to get an appreciation of what we are getting for our money and am concerned at the differential in prices from the two respondents.

Peter Rea from Shared Services Procurement will send down the tender schedules for your consideration.

Regards

Ron

Ron Maginness| Consultant Project Manager|

| phone: (02) 6207 9035| fax: (02) 6207 0123| mob: 0418 628 649

Economic Development Directorate | ACT Government |

Level 6, TransACT House, 470 Northbourne Avenue, Dickson ACT 2602, GPO Box 158 Canberra ACT 2601

www.economicdevelopment.act.gov.au

Rea, Peter

From: Carroll, Edward [ecarroll@davislangdon.com.au]
Sent: Friday, 20 July 2012 10:51 AM
To: Rea, Peter
Subject: RE: MANUKA OVAL LIGHTS -CONFIDENTIAL
Attachments: Confidentiality Agreement.pdf

Peter,

Please find attached signed Deed of Confidentiality.

Thanks

Edward Carroll
Associate
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ecarroll@davislangdon.com.au
Edward.Carroll@aecom.com

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From: Rea, Peter [mailto:Peter.Rea@act.gov.au]
Sent: Friday, July 20, 2012 10:04 AM
To: Carroll, Edward
Subject: MANUKA OVAL LIGHTS -CONFIDENTIAL

Hi Ed,

Please find attached the Pricing Schedules for Abacus and Musco as discussed with Ron Maginness.

Additionally Please find attached a Deed of Confidentiality for you to sign.

This is required before your evaluation of the Tenders submitted for Manuka Oval Sports Lighting.

Could you please sign and send back to me via email ASAP.

Regards

Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 |Mob: 0435 966 887 | Fax: 02 6207 5468

Shared Services Procurement | Treasury | **ACT Government**
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Cox Architecture

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ARCHITECTURE
PLANNING
URBAN DESIGN
INTERIOR DESIGN

19 July 2012

Economic Development Directorate
Mr. Ron Maginness
Via email: ron.maginness@act.gov.au

COX

Re Manuka Oval Sport Lighting Tender – Design Response Assessment

Dear Ron,

As requested we have reviewed the Design response material provided by Dialight/Abacus and Musco and comment as follows:

Dialight/Abacus

We have reviewed Abacus drawings IM200/101/GA1, IM200/101/GA2, and IM200/102/GA1 contained in the Dialight/Abacus 'Manuka Stadium Proposal V3' document. These three drawings represent their design response in terms of communicating their understanding of the design intent for the lighting towers contained in the tender documents, and how they would translate that intent into reality.

The Dialight/Abacus response it is an impressive first effort. They have clearly put a considerable effort and care into their response, and it is reasonably faithful to the design intent.

Elements need refinement, but this was always envisaged to be the case and we have planned to to achieve this via the detailed design process to be conducted prior to finalizing shop drawings and commencing fabrication.

The Dialight/Abacus response demonstrates a good appreciation of the design intent, and requirements generally, and gives us confidence that we could achieve an excellent result which meets the design intent working with them.

Kind Regards,

Ian A. Smith

Director

Cox Architecture Pty Ltd
ACN 002 535 891
Nominated Architects
Graham Humphries No. 718
Rodney Moss No. 846

22 Jardine Street
Kingston ACT 2604 Australia
T + 61 2 6239 6255
www.coxarchitecture.com.au

Rea, Peter

From: Ian Smith [Ian.Smith@cox.com.au]
Sent: Thursday, 19 July 2012 10:58 AM
To: Maginness, Ron
Cc: Florence, Rod; Rea, Peter; Guthrie, Neale; McNulty, Hamish
Subject: Manuka Oval Sport Lighting D&C - Design
Attachments: Manuka Stadium Proposal V3 - Design Elements.pdf

Dear Ron,

I have sent the relevant material including the attached for review to the team, including to Philip Cox. I have initial feedback from Stu, and will append any other comments I receive. When do you need to close out the technical review?

Basically we think the Dialight/Abacus response it is a pretty impressive first effort which they have put a lot of consideration into and which is pretty faithful to the intent. It gives us confidence that they could deliver on the project with a suitably refined solution.

Elements of it are looking a little 'clunky', but with some finessing via the proposed detailed design process we should get a very good working solution. We can guide them through our set-out methodology to create smoother knuckle transition and more cohesive form.

Main comments from our perspective on design only:

- Head frame shape reflects previous versions of the design and should be more triangular as per tender drawings, which in turn reduces the knuckle size;
- We would want to review the proposals for how the various joints would be executed. The general intent is to achieve a seamless form which they appear to appreciate, but as far as possible to this should extend to all connections rather than using basic flanged or cleated connections;
- Knuckle joint should provide a smoother transition between pole and frame. Is currently a linear rather than curved connection in front elevation. Abacus are proposing some form of cladding to achieve this knuckle. We will need to discuss with them, but a structural steel plate may be more workable;
- Ladder between pole and platform to curve to follow knuckle profile;
- Reduce working platform size and member sizes to minimum. Currently looks larger and heavier than necessary;
- If mesh is not possible perhaps the lighting cross bars should be a slightly larger CHS to emphasise curved form of head frame?
- The layout of front of each of the lights is intended to follow more closely the imaginary curved surface of the front face (not stepped as shown) secondary steel to make up the difference between bar and light bracket;
- The lighting bars are to be gradually rotated (in side view) from horizontal to the same rotation as the top bar of frame;
- The lights should be more evenly distributed along the bars to create a consistent light density across the whole face (not the "berry clusters" along each bar as shown); and
- As you know we had envisaged a woven mesh facing to the head frame, but at the last minute this was included as an option only due to concerns about cost and complexity. This is not shown on the Abacus drawings, and if possible we would like to discuss the potential for this via the design refinement process.

While we understand that timing is critical, we believe that it is crucial that we work with the successful tenderer to refine the design solution prior to fabrication rather than running with this tender version. This process is shown on the program and likely to commence about 25 July for about 1 - 2 weeks, but we could obvious start earlier if oyu get to a point where a preferred tenderer is identified.

We trust this assists,

IS.

Ian Smith - Director

COX

Cox Architecture

22 Jardine Street Kingston ACT 2604 Australia
E: Ian.Smith@cox.com.au | T: +61 2 6239 6255 | M: +61 437 037 981 | W: coxarchitecture.com.au | Disclaimer

Rea, Peter

From: Greg Sutton [gsutton@dialight.com.au]
Sent: Wednesday, 18 July 2012 8:18 AM
To: Rea, Peter
Subject: 19899.111 IRE Certificate

Peter,
Just an update on our IRE certificate, our certificate 988 came through on the 17th at 2.30pm. We did list in the documents that the application was submitted but the approval came through too late to include on the documentation.

Regards

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