

Rea, Peter
Monday, 20 August 2012 1:49 PM
McNulty, Hamish
Maginness, Ron; Florence, Rod
Manuka Oval Lights - Project Status

Hamish,

Greg Sutton is hopeful of receiving a program from Tony tonight. So possibly we will be able to advise tomorrow. Security is still pending – have made contact with Greg and left a message with Mal Lee (Managing Director Dialight ILS Australia), I will follow up again tomorrow.

Don Gilson is still chasing the issue of the requirement for BA or not.

Affinity (Brendan) has a surveyor on site today and is hopeful of a meeting Don on Wed to agree on exact location of poles. As was mentioned at our site Meeting the only one which may be a bit contentious is the one close to the cottage.

Contract. Don is hopeful of having a draft for John Anthony by Wed.

I will be contacting John Anthony today, to investigate as to if or when the steel will be ordered.

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



eter

From: John Anthony [JAnthony@AbacusLighting.com]
Sent: Saturday, 11 August 2012 3:39 PM
To: Rea, Peter; Scott Cauchi; Malcolm Lee
Cc: Greg Sutton; Bankwest Lee; Tony Staten
Subject: RE: MANUKA

Hi Peter,

I am sure we will meet you next week during our visit to Canberra and we can iron out some small issues. We (Greg Sutton, Tony Staten, myself) arrive on Monday 13th staying till Wednesday for start up meetings with all involved. Look forward to seeing you then. John

For and on behalf of Abacus Lighting

John Anthony | Abacus Lighting
Export Sales Director

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

twitter.com/AbacusLighting

From: Rea, Peter [mailto:Peter.Rea@act.gov.au]
Sent: 09 August 2012 23:47
To: Scott Cauchi; Malcolm Lee
Cc: John Anthony; Greg Sutton; Bankwest Lee
Subject: RE: MANUKA

Hi Scott,

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The only thing that we might need to do is amend the payment schedule that the first payment will be made on receipt of the bank guarantee and not on execution of contract (if agreed).

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From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Thursday, 9 August 2012 6:33 PM
To: Rea, Peter; Malcolm Lee
Cc: John Anthony; Greg Sutton; Bankwest Lee
Subject: Re: MANUKA

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We will be working full steam ahead to get things underway, and if there is anything you can do from your end, it would be greatly appreciated.

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

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From: Malcolm Lee [<mailto:mlee@dialight.com.au>]

Sent: Thursday, 9 August 2012 1:59 PM

To: Rea, Peter

Cc: Scott Cauchi; John Anthony

Subject: Re: MANUKA

Hi Peter, Bankwest is owned by the commonwealth if that helps.

Best regards

Malcolm Lee

Managing Director

Dialight ILS Australia

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F:+61-8-9244 7601

M: +61 448330266

W: www.dialight.com.au <<http://www.dialight.com.au>>

A: Unit 4/42 Collingwood Street

Osborne Park WA 6017

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Thanks and kind regards

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Cc: Scott Cauchi
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For and on behalf of Abacus Lighting.

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000107

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

Registered office Exning Road,
Newmarket, CB8 0AX
Registered in England No. 2486024

Appendix 1

Abacus
World Leaders in Lighting

Abacus Lighting Limited
Oddcroft 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

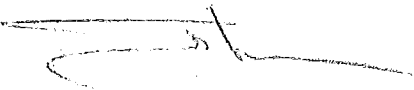
FAO Nick Giles
Company Secretary
Dialight plc
Exning Road
Newmarket
CB8 0AX

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



Insurance Broking
 Oval Insurance Broking Limited
 Tollerton Hall
 Tollerton
 Nottingham
 NG12 4GF
 Tel: 0115 9376100
 Fax: 0845 8339942
 www.theovalgroup.com

TO WHOM IT MAY CONCERN

13 March 2012

Dear Sirs

Abacus Holdings Ltd & Subsidiary Companies (including Abacus Lighting Ltd)
Our Ref: 84557

We are the Risk and Insurance Managers for the above clients and have pleasure in confirming details of their insurance arrangements as follows:-

Employers' Liability

Insurer	:	ACE European Group Ltd
Policy No.	:	
Expiry Date	:	30 December 2012
Limit of Indemnity any one occurrence	:	£25,000,000
Inner limit (if applicable)	:	£5,000,000 in respect of Terrorism

Public / Products Liability

Insurer	:	ACE European Group Ltd
Policy No.	:	
Expiry Date	:	30 December 2012
Limit of Indemnity any one occurrence and in the annual aggregate in respect of Products Liability	:	£25,000,000
Excess in respect of each and every claim for property damage	:	£500
Indemnity to Principals for whom our clients are working	:	Included

Contractors All Risks

Insurer	:	ACE European Group Ltd
Policy No.	:	
Expiry Date	:	30 December 2012
Limit of Indemnity any one contract site	:	£1,000,000
Excess each and every claim	:	£1,000

Hired In Plant

Insurer	:	ACE European Group Ltd
Policy No.	:	
Expiry Date	:	30 December 2012
Limits of Indemnity any one item	:	£600,000
Excess each and every claim	:	£1,000

This statement of cover extract has been prepared purely as confirmation of the insurance in force at the date of this letter which is subject to the terms and conditions of the insurance policy(ies). We accept no responsibility for any inadvertent or negligent act, error or omission on our part in preparing the statement or for any loss, damage or expense incurred by the recipient arising from reliance on the information given. We remain solely the agent of our Client and owe no legal duty or otherwise to any third party.



Should the insurance cover be cancelled assigned or changed in any way during the period of insurance neither we nor insurers accept any obligation to notify any recipient.

Yours faithfully

A handwritten signature in cursive script that reads "Jennifer Davenport".

Mrs Jennifer Davenport
Corporate Account Handler
Direct Dial: 0115 937 1227
Email: jenny.davenport@theovalgroup.com

001090



Insurance Broking
 5 Western Boulevard
 Leicester
 LE2 7EX
 Tel: 0116 254 6221
 Fax: 0845 833 9943
 www.theovalgroup.com

VERIFICATION OF INSURANCE

We the undersigned Brokers, hereby certify that the following described insurance is in force at this date.

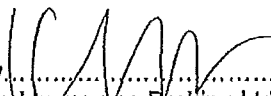
NAME OF INSURED	Abacus Holdings Ltd & Subsidiary Companies
TYPE OF INSURANCE	Professional Indemnity
INSURERS	QBE Insurance Ltd
POLICY NUMBER	_____
PERIOD	31/12/2011 to 30/12/2012
LIMIT OF INDEMNITY	£10,000,000 in the aggregate
EXCESS	£20,000 each and every claim

This document is provided to you as a matter of information only and its issue does not make the person or organisation to whom it is issued an additional insured, nor does it modify in any manner the contract of Insurance between the above named insured and the Underwriters. Any amendment, change or extension to such contract may only be made by specific endorsement attached thereto.

In issuing this document, there is no obligation to inform any person whatsoever of the cancellation, amendment, or alteration of the policy that this document evidences.

Subject to Policy Terms and Conditions.

Dated: 10 January 2012

By 
 Oval Insurance Broking Ltd

Rea, Peter

From: Rea, Peter
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Cc: Scott Cauchi; John Anthony; 'Greg Sutton'
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Cc: Maginness, Ron; John Lawson; Tony Staten; Greg Sutton
Subject: MANUKA

Dear Peter,

We are in the process of raising the Performance Guarantee which we will present in our standard format via Dialight UK which will run for 12 months after the handover of the installation. Do you have a standard template that you use or will our own standard format be OK? I mention this now so as to ensure the swift signature of contract and our subsequent upfront payment via ILS/Dialight.

Look forward to meeting you next week together with Ron. John A

For and on behalf of Abacus Lighting

John Anthony | Abacus Lighting
Export Sales Director

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

twitter.com/AbacusLighting

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.abacushlighting.com

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Rea, Peter

From: Rod Florence [R.Florence@canberrastadium.com]
Sent: Thursday, 9 August 2012 1:41 PM
To: Rea, Peter
Cc: Maginness, Ron; Guthrie, Neale
Subject: RE: MANUKA

Pete

This is not something I can make a call on.

However, if Dialight aren't going to be able to access the \$541k during this time, why do we need to pay them? It appears that they want our money so the bank can hold it as the guarantee.

Please suggest that we hold the 10% until the guarantee comes through and see how they respond to that.

Cheers

od

From: Rea, Peter [mailto:Peter.Rea@act.gov.au]
Sent: Thursday, 9 August 2012 1:27 PM
To: Scott Cauchi; John Anthony
Cc: Malcolm Lee
Subject: RE: MANUKA

Hi Scott,

I will need to talk with the client to see if they will accept this proposal.

Alternatively is there another bank (e.g. one of the big four : Commonwealth, ANZ etc) that you are able to approach.

Will advise you as soon as I can.

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



From: Scott Cauchi [mailto:scauchi@dialight.com.au]
Sent: Thursday, 9 August 2012 12:41 PM
To: Rea, Peter; John Anthony
Cc: Malcolm Lee
Subject: RE: MANUKA

Hi Peter, I have spoken with our bank this morning "Bankwest", and I have everything underway. There will be no problem as the guarantee will be cash backed, however they have informed me that with their new policies and procedures, even a cash backed guarantee will take approx. 3 weeks to organise and get signed off.

I fear that this will have an impact on the programming of the project. Is there any way that we can progress with signing the contract and issuing the first progress payment claim "execution of contract - 10%" whilst this paperwork is being done. Would a letter from the bank saying that they have held the sum of \$541,900.00 whilst the paperwork is being drawn suffice?

I am just trying to think of ways to move forward here with such a tight timeframe.

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: Rea, Peter [<mailto:Peter.Rea@act.gov.au>]
Sent: Thursday, 9 August 2012 10:30 AM
To: John Anthony
Cc: Scott Cauchi
Subject: RE: MANUKA

Hi John,

Your standard format will suffice, but I have spoken to Scott from Dialight and he is organising an ACT Government preferred Bank Guarantee.

Please liaise with him.

Regards

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

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Rea, Peter

From: Scott Cauchi [scauchi@dialight.com.au]
Sent: Thursday, 9 August 2012 1:32 PM
To: Rea, Peter
Subject: RE: MANUKA

Hi Peter, considering that we would have to start from scratch with another bank, I think it would be an even more drawn out process.

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: Rea, Peter [mailto:Peter.Rea@act.gov.au]
Sent: Thursday, 9 August 2012 11:27 AM
To: Scott Cauchi; John Anthony
Cc: Malcolm Lee
Subject: RE: MANUKA

Hi Scott,

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Alternatively is there another bank (e.g. one of the big four : Commonwealth, ANZ etc) that you are able to approach.

Will advise you as soon as I can.

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Cc: Scott Cauchi
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Hi John,

Your standard format will suffice, but I have spoken to Scott from Dialight and he is organising an ACT Government preferred Bank Guarantee.

Please liaise with him.

Regards

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Phone: 02 6205 4292 | Mob: 0435 966 887 | Fax: 02 6207 5468

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From: John Anthony [<mailto:JAnthony@AbacusLighting.com>]
Sent: Thursday, 9 August 2012 1:36 AM
To: Rea, Peter
Cc: Maginness, Ron; John Lawson; Tony Staten; Greg Sutton
Subject: MANUKA

Dear Peter,

We are in the process of raising the Performance Guarantee which we will present in our standard format via Dialight UK which will run for 12 months after the handover of the installation. Do you have a standard template that you use or will our own standard format be OK? I mention this now so as to ensure the swift signature of contract and our subsequent upfront payment via ILS/Dialight.

Look forward to meeting you next week together with Ron. John A

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

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2010
2010

Rea, Peter

From: Greg Sutton [gsutton@dialight.com.au]
Sent: Thursday, 9 August 2012 12:38 PM
To: Rea, Peter
Subject: Re: MANUKA

Cool

Regards
Greg Sutton
0419 917 880

On 09/08/2012, at 12:27 PM, "Rea, Peter" <Peter.Rea@act.gov.au> wrote:

Correct, I have spoken to Scott today and he is organising the guarantee as we speak.

I will send John an email advising this.

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

<image002.png>

From: Greg Sutton [<mailto:gsutton@dialight.com.au>]
Sent: Thursday, 9 August 2012 11:46 AM
To: Rea, Peter
Subject: RE: MANUKA

Peter,
This is something that they must have to do OS, All you need is bank Guarantee form our bank isn't that correct.

Regards

Greg Sutton
M 0419 917 880
P 1300 657 147
F 02 9679 2618
MDesSc(Illumination) Tech I.E.S
**East Coast Business Development Manager &
Lighting Engineer**
Dialight ILS Australia
www.dialight.com.au
<image001.png>

From: Rea, Peter [<mailto:Peter.Rea@act.gov.au>]
Sent: Thursday, 9 August 2012 10:28 AM
To: Greg Sutton
Subject: RE: MANUKA

Greg,

Are you able to enlighten me as to what John is proposing.

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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<image002.png>

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John Anthony | Abacus Lighting
Export Sales Director

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Sent: Thursday, 9 August 2012 12:30 PM
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Cc: 'Scott Cauchi'
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Peter Rea | A/g Senior Project Officer
Phone: 02 6205 4292 | Mob: 0435 966 887 | Fax: 02 6207 5468

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For and on behalf of Abacus Lighting

John Anthony | Abacus Lighting
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Insurance Broking
 5 Western Boulevard
 Leicester
 LE2 7EX
 Tel: 0116 254 6221
 Fax: 0845 833 9943
 www.theovalgroup.com

VERIFICATION OF INSURANCE

We the undersigned Brokers, hereby certify that the following described insurance is in force at this date.

NAME OF INSURED	Abacus Holdings Ltd & Subsidiary Companies
TYPE OF INSURANCE	Professional Indemnity
INSURERS	QBE Insurance Ltd
POLICY NUMBER	_____
PERIOD	31/12/2011 to 30/12/2012
LIMIT OF INDEMNITY	£10,000,000 in the aggregate
EXCESS	£20,000 each and every claim

This document is provided to you as a matter of information only and its issue does not make the person or organisation to whom it is issued an additional insured, nor does it modify in any manner the contract of Insurance between the above named insured and the Underwriters. Any amendment, change or extension to such contract may only be made by specific endorsement attached thereto.

In issuing this document, there is no obligation to inform any person whatsoever of the cancellation, amendment, or alteration of the policy that this document evidences.

Subject to Policy Terms and Conditions.

Dated: 10 January 2012

By: 
 Oval Insurance Broking Ltd



Insurance Broking
 Oval Insurance Broking Limited
 Tollerton Hall
 Tollerton
 Nottingham
 NG12 4GF
 Tel: 0115 9376100
 Fax: 0845 8339942
 www.theovalgroup.com

TO WHOM IT MAY CONCERN

13 March 2012

Dear Sirs

Abacus Holdings Ltd & Subsidiary Companies (Including Abacus Lighting Ltd)
 Our Ref: 84557

We are the Risk and Insurance Managers for the above clients and have pleasure in confirming details of their insurance arrangements as follows:-

Employers' Liability

Insurer	:	ACE European Group Ltd
Policy No.	:	_____
Expiry Date	:	30 December 2012
Limit of Indemnity any one occurrence	:	£25,000,000
Inner limit (if applicable)	:	£5,000,000 in respect of Terrorism

Public / Products Liability

Insurer	:	ACE European Group Ltd
Policy No.	:	_____
Expiry Date	:	30 December 2012
Limit of Indemnity any one occurrence and in the annual aggregate in respect of Products Liability	:	£25,000,000
Excess in respect of each and every claim for property damage	:	£500
Indemnity to Principals for whom our clients are working	:	Included

Contractors All Risks

Insurer	:	ACE European Group Ltd
Policy No.	:	_____
Expiry Date	:	30 December 2012
Limit of Indemnity any one contract site	:	£1,000,000
Excess each and every claim	:	£1,000

Hired In Plant

Insurer	:	ACE European Group Ltd
Policy No.	:	_____
Expiry Date	:	30 December 2012
Limits of Indemnity any one item	:	£600,000
Excess each and every claim	:	£1,000

This statement of cover extract has been prepared purely as confirmation of the insurance in force at the date of this letter which is subject to the terms and conditions of the insurance policy(ies). We accept no responsibility for any inadvertent or negligent act, error or omission on our part in preparing the statement or for any loss, damage or expense incurred by the recipient arising from reliance on the information given. We remain solely the agent of our Client and owe no legal duty or otherwise to any third party.

iic
 Investor In
 customers®

Investor in Customers (iic), has recognised the Oval group as providing Outstanding client service.

Oval Insurance Broking Limited
 Registered Office: 9 South Parade,
 Wakefield WF1 1LR
 Registered in England No: 01195184
 Authorised and regulated by the
 Financial Services Authority



Should the insurance cover be cancelled assigned or changed in any way during the period of insurance neither we nor insurers accept any obligation to notify any recipient.

Yours faithfully

A handwritten signature in black ink that reads "J Davenport".

Mrs Jennifer Davenport
Corporate Account Handler
Direct Dial: 0115 937 1227
Email: jenny.davenport@theovalgroup.com



Project Officer: Peter Rea (02) 6205 4292
 Contracts Officer: Andy Oughton (02) 6205 4745

Mr Scott Cauchi
 National Sales Director
 Dialight ILS Australia Pty Ltd
 ACN: 120 809 501
 Unit 4 / 42 Collingwood Street
 OSBORNE PARK WA 6017

Dear Mr Cauchi

Contract No: 2012.19899.111
Project: Design and Construct of Fixed Sports Lighting at Manuka Oval

The Australian Capital Territory accepts your offer dated 16 July 2012 for the Design and Construction of Fixed Sports Lighting at Manuka Oval project for the GST-inclusive amount of five million, four hundred and eighteen thousand, seven hundred and seventy eight dollars (\$5,418,778.00).

You are required to provide the Superintendent the name and the address of all subcontractor/s for the duration of the contract. This information is to be provided to the Superintendent within 14 days of the successful subcontractor being advised. The Superintendent will then provide this information to the Australian Capital Territory to validate that appropriate industrial obligations are being met.

You will be required to execute the Contract Documents. A Courier will deliver the Contract Documents to you when they are ready for execution.

To enable the execution of the contract you are reminded that a security deposit of \$541,900.00 in an approved form must be lodged with this office within 28 days from the date of this letter. The Security Deposit must be forwarded to the **Manager, Contracts and Prequalification Unit** who can be contacted on 02 6207 5982.

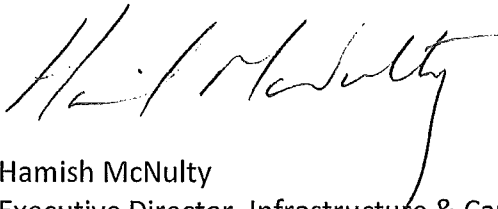
<p>The postal address is:</p> <p>Manager Contracts and Prequalification Unit Shared Services Procurement PO Box 818 DICKSON ACT 2602</p>	<p>OR</p>	<p>physical address is:</p> <p>Manager Contracts and Prequalification Unit Shared Services Procurement Level 1, North Building Dame Pattie Menzies House 16 Challis Street DICKSON ACT 2602</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

You are required to reach practical completion by 21 December 2012.

You will need to send evidence of your appropriate levels of Professional Liability insurance to the Territory before you will be allowed access to the site or any work may commence.

We would like to take this opportunity to advise you that this Letter of Acceptance as well as all associated works are subject to the approval of the Development Application which is currently pending. You will be notified of the outcome. No legal relationship will exist between you and the Territory until such time as you have been notified of the approval of the Development Application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Hamish McNulty', written in a cursive style.

Hamish McNulty
Executive Director, Infrastructure & Capital Works
Economic Development Directorate

2 August 2012

Rea, Peter

From: Greg Sutton [gsutton@dialight.com.au]
Sent: Monday, 30 July 2012 10:54 AM
To: Rea, Peter
Cc: janthony@abacuslighting.com
Subject: RE: 19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval

Peter,
Minutes reviewed and accepted.
I aim to have everything back to you by COB Wednesday 1st August.

Regards

Greg Sutton
M 0419 917 880
P 1300 657 147
F 02 9679 2618
...IDesSc(Illumination) Tech I.E.S
**East Coast Business Development Manager &
Lighting Engineer**
Dialight ILS Australia
www.dialight.com.au

Dialight
ILS



From: Rea, Peter [<mailto:Peter.Rea@act.gov.au>]
Sent: Friday, 27 July 2012 4:21 PM
To: Greg Sutton
Cc: janthony@abacuslighting.com
Subject: 19899.111 - Design and Construct of Fixed Sports Lighting at Manuka Oval
Importance: High

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
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**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

	<p>the project?) would be nice to have a list of people for the next few layers down as well...</p> <ul style="list-style-type: none"> • maybe a diagram would be good?...
e)	Design Development Process
f)	<p>Programme and Completion Date The ACT Government is very serious about a completion date of 21 December 2012 for this project.</p>
2.	<p>Other Business</p> <ul style="list-style-type: none"> • 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 in 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 talk about 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)



AGENDA [Meeting/Dialight ILS Australia Pty Ltd]

Date: 26 July 2012

Time: 2:00pm

Location: Transact House

1. Agenda topics

- a) Commercial arrangements;
 - i. Written Guarantee from Dialight PLC
- b) Bank Guarantees;
 - i. 40% stated in RFT (\$2,167,511.20)
- c) Technical Conformance;
 - i. Must demonstrate conformance with Technical Specifications
- d) Proposed Project team;
 - i. Subcontractors
 - ii. Certifiers
- e) Design Development Process; and
 - i. 1-2 weeks working with the Architect
- f) Programme and Completion date.
 - i. Design (not Included in Programme)
 - ii. Verification works (not Included in Programme)

2. Other business:

3. Next meeting (if required):

Questions

1 Dialight ILS

1.1 Technical aspects not confirmed in the tender

The Dialight ILS tender does provide confirmation of the number of lighting towers and floodlights, lamp correlated colour temperature, colour rendering performance, types of luminaires and control gear, IP ratings, tower and headframe design, tower finishes and tower maintenance access.

However, the tender does not confirm conformance with several other technical aspects of the tender specification. These aspects are summarised below.

Although they did not confirm conformance with the following aspects, they also did not provide information indicating that their design would conflict with the design intents.

1.1.1 Zero cost items

The tender breakdown schedule lists the following items as having zero cost. It is not clear if this means that these items are excluded from the tender or if their costs are included in other elements.

- LV earthing system
- Making good surfaces upon completion of works
- Relocation of any existing services as required

1.1.2 Scope of works aspects not confirmed

- Provision of communications racks at each tower (section 1.1 item 10)
- Working with the Venue Manager to maintain the venue as operational during works, particularly with regard to the GWS Giants game on 18 August (section 1.1 item 11)
- Coordination of electrical works with ActewAGL and any associated connection fees (section 1.4)

1.1.3 Technical lighting aspects not confirmed

- Light flicker avoidance (section 5.10)
- Supplementary lighting around the Oval (section 5.11)
- Lighting controls approach and equipment (section 5.23)

1.1.4 Lighting tower aspects not confirmed

- Tower design life (section 6.4)

1.1.5 Completion of works aspects not confirmed

- Programming of the lighting control system (section 5.26)
- As-built drawings and operation & maintenance manuals (sections 7.2 and 7.3)
- Allowance for re-adjustment of floodlights following switch on (section 7.4.4)
- Provision of identified spares (section 7.5)
- Training of site staff at completion (section 7.6)

1.2 Lighting technical performance

The Dialight ILS tender includes proposed lighting designs for broadcast AFL, broadcast cricket and non-broadcast match mode (500 lux switch-down). A brief review of these designs is given below.

The proposed designs meet the technical standards set out in the Sports Lighting Performance Specification. Most aspects of technical performance meet the relaxed standard rather than the ideal performance.

There is one area of concern that should be further investigated if Dialight ILS's tender is successful. This is the vertical illuminance levels at the cricket wickets for cameras located behind the wickets. These areas are shown to receive ~1,320 lux as a minimum, compared to the specified minimum performance of 1,600 lux.

It is also noted that the threshold increment levels with the lighting in broadcast mode are worse than what was shown in the DA documentation. However, the 500 lux switch-down results are still in compliance with AS 4282. This change does not impact on compliance with AS 4282 as the latter specifically excludes broadcast mode lighting.

The Dialight ILS information also does not confirm compliance with the specified technical lighting standards for modes other than broadcast and the 500 lux switch-down. The successful tenderer will need to demonstrate compliance in all lighting modes, including practice modes.

The Dialight ILS tender programme does not include time for lighting design and confirmation by the design and client teams. Some allowance should be made for such review and confirmation and slight adjustments to the design if and as required.

1.3 Certification (section 1.3)

Dialight ILS have not nominated a locally certified electrician to complete electrical installation works.

They have also not nominated parties to perform certification of the tower structural design and electrical works.

1.4 Assessment

Dialight ILS have confirmed all of these aspects (for broadcast and non-broadcast match modes).

Dialight ILS have not allowed any time in their programme for such design or verification works.

Dialight ILS have not nominated certifiers for any works.

Dialight ILS have include this extended warranty as an optional cost, as requested in the tender documentation.

1.5 Points of note

- Dialight ILS, they should allow some time in their programme for design and verification works prior to ordering equipment;
- They should also provide confirmation of performance of lighting modes other than broadcast and non-broadcast match play; and
- provide confirmation of the various aspects identified within this document.