



## APPLICATION -FOR PERSONS SEEKING APPROVAL TO INSTALL, SERVICE & REMOVE TAXI CAMERA SURVEILLANCE UNITS

This application consists of three parts.

Part A- Information for Applicants;

Part B- Evaluation Criteria; and

Part C- The undertaking by the Applicant to abide by the Director General's requirements for servicing installing and removing Taxi Camera Surveillance Units (TCSUs).

Please ensure that you complete parts B and C.

### **GLOSSARY OF TERMS USED**

In this document, unless the contrary intention appears -

"**Act**" means the *Taxi Act 1994*

"**Approved Persons**" includes a public body, or association or body of persons, incorporate or unincorporated that has been approved to 'service', install and remove Taxi Camera Surveillance Units in Western Australia.

"**Annual TCSU inspection**" means the comprehensive inspection undertaken of the TCSU, undertaken once every 12 months in accordance with the Regulations to verify whether the TCSU is still in proper working order.

"**Certificate of Installation**" means the certificate provided by the Department of Transport in respect of the TCSU.

"**Department, Department of Transport or DoT**" means the Department of the Public Service of the State of Western Australia principally assisting the Minister for Transport in the administration of the *Taxi Act 1994*.

"**Director General**" means the Chief Executive Officer of the Department.

"**Inspection(s)**" or any word or expression descriptive of inspect means that work undertaken to verify that the TCSU is still in proper working order.

"**Manufacturer**" means a person who makes or produces a TCSU, or who contributes to the process of manufacturing the TCSU.

"**Persons**" or any word or expression descriptive of a person includes a public body, or association or body of persons, incorporate or unincorporated that has been approved to 'service', install and remove Taxi Camera Surveillance Units in Western Australia.

"**Regulations**" means the *Taxi Regulations 1995*.

"**Replacement program**" means the program managed by the Department of Transport to eliminate old and unsupported TCSUs and replace them with TCSUs complying with the new Standard. The program commences on 1 July 2011 and will be completed by 31 December 2013.



"**Services**" means repairing, maintaining, adjusting, inspecting, modifying and testing TCSUs in accordance with Taxi Regulation 1995 "

"**Standard**" means the Department's Taxi Camera Surveillance Unit Standard 2011.

"**Supplier**" means a person who supplies TCSU to the Western Australian Taxi Industry.

"**Taxi Camera Surveillance Unit**" or "**TCSU**" means a device approved under Taxi Regulation 1995 that makes visual or audio-visual recordings.

"**Vehicle Safety & Standards branch**" means the branch of the Department of Transport's which administers the Western Australia's vehicle safety regulations and standards under the Act.

## **PART A -INFORMATION FOR THE APPLICANT**

### **1.1 Introduction and Background**

The Director General focuses on strategic transport planning and policy across the range of public and commercial transport systems, as well as operational transport functions and improving collaboration and integration between existing public sector agencies within the transport portfolio.

The Director General regulates the taxi industry across Western Australia. Under the current regulatory framework, taxis in the Perth Metropolitan Area are required to be fitted with TCSU's.

The Passenger Services Business Unit of the Director General has been working on producing the new TCSU Standard that will better serve the taxi industry and help make taxis a safer working environment for drivers.

The Director General is seeking Applications from persons able to be approved to Service, Install or Remove TCSUs (the Service) in accordance with Manufacturer's instructions.

The TCSUs are to be in accordance with the requirements outlined in the Standard (provided as **Attachment 1** to this document for Applicants information). The Service shall be provided within the Perth Metropolitan Area.

From 1 July 2011 all TCSUs to be installed in taxis for the first time will have to comply with the Standard.

There are also approximately 1,890 vehicles which will require replacement TCSUs. This replacement programme will be phased in over a 30 month period, as follows:

**Phase 1:** Between 1 July 2011 and 30 June 2012, all currently installed Raywood 20/20 models will be required to be replaced with an Approved TCSU that is compliant with the Standard.

**Phase 2:** Between 1 July 2012 and 30 June 2013, all currently installed Raywood 30/30 models and VerifEye models (installed prior to 1 January 2010) will be required to be replaced with an Approved TCSU that is compliant with the Standard.



**Phase 3:** Between 1 July 2013 and 31 December 2013, all currently installed VerifEye models (installed on or after 1 January 2010) will be required to be replaced with an Approved TCSU that is compliant with the Standard.

## **1.2 Objective of this process**

It is intended that the Director General of Transport identify and approve persons willing and able to Service, Install or Remove TCSUs in line with Manufacturer's instructions in the Perth Metropolitan Area.

Successful Applicants will be placed on a panel of Approved Persons for the period of appointment.

The Director General reserves the right in his entire discretion to withdraw his approval that a person is an approved person under the Regulation if a person is no longer fulfilling the Director General's requirements; is no longer considered suitable or is no longer complying with the undertaking provided in Part C.

## **1.3 Number of Approved Persons**

The Director General will not limit the number of Approved Persons. However, approval will depend on the ability of Applicants to meet the Director General's requirements.

## **1.4 Requirements to be an Approved Person**

Under the Taxi Act 1994 and Taxi Regulations 1995 it is prohibited that anyone other than an 'approved person' - approved by the Director General install, remove and service TCSUs.

The Director General will appoint Approved Persons at his entire discretion with reference to the following factors:-

- The quality of applications (determined through the Evaluation Process);
- The capacity of suitable applicants to undertake the Service((volume of installation);
- The location of suitable applicants;
- The Applicant providing the Undertaking in Part C.

The number of Approved Persons and their location will be matters for the Director General's discretion.

## **1.5 Insurance Requirements**

An Applicant who is determined to be an Approved Person shall effect and maintain the following insurances to the limits specified below for the period of the appointment or such period as may be otherwise stated, and shall, if required by the Director General produce evidence of such insurances at any time:

- Products Liability cover of not less than \$20 million any one occurrence and in the aggregate any one year.
- Public Liability cover of not less than \$20 million any one occurrence but unlimited in the aggregate.



- Workers' compensation insurance in accordance with the provisions of the Workers' Compensation and Injury Management Act 1981 (WA), including cover for common law liability for an amount of not less than \$50 million for any one occurrence in respect of workers of the Approved Provider. The insurance policy must be extended to cover any claims and liability that may arise with an indemnity under section 175(2) of the Workers' Compensation and Injury Management Act 1981.

### **1.6 No Guarantee of Work**

The Director General gives no guarantee of the volume of work that will result from appointment as an Approved Person through this approval process nor does he give any undertakings or warranties that the Approved Person will be contracted to supply any of the Services to the taxi industry.

### **1.7 Appointment as an Approved Persons**

Successful Applicants will be notified by the Director General of their appointment as an Approved Person and of their term of appointment by a letter of appointment

### **1.8 Period of the Appointment to be an Approved Person**

The term of the appointment shall be 5 years. However, the Director General may at his entire discretion withdraw the appointment of an approved person if he considers the person either is no longer suitable or is no longer meeting the evaluation criteria outlined in this application form to perform the Services or is no longer complying with the undertaking given in Part C. .

### **1.9 Evaluation Process**

All sections of the Application Form must be completed and required documentation provided. Failure to do so may result in the Application being rejected.

### **1.10 Acceptance/Rejection of Applications**

The Director General is not bound to accept the Application and may reject any or all Applications submitted.

The acceptance of any Application shall be entirely at the discretion of the Director General.

### **1.11 Applicant to Inform Itself**

The Applicant shall be deemed to have:

- (a) examined the application form and any other information available to the Applicant for the purposes of making this application;
- (b) examined all further information relevant to the risks, contingencies and other circumstances having an effect on its Application and which may be obtainable by making reasonable enquiries; and
- (c) satisfied itself as to the correctness and sufficiency of its Application including all matters and things necessary for the due and proper performance and completion of the Application.



### **1.12 No Masquerades**

If the Applicant is acting as agent or trustee for or jointly with another person, persons, corporation or corporations, this shall be fully disclosed by the Applicant in its Application. If the Applicant fails to fully disclose the identity of all participants and the nature of its relationship to those participants, the Application will be null and void, at the option of the Director General. No claims by undisclosed participants will be recognised by the Director General.

### **1.13 Conflict of Interest**

1.13.1 A conflict of interest arises when an Applicant, or a person associated with the Applicant, is in a position to benefit directly or indirectly from the actions of the Applicant through an unfair or unintended imposition or loss on the Director General or some other party. A conflict of interest can also arise when an Applicant's integrity, objectivity or fairness in performing the requirements of this Application is at risk due to a personal interest or conflicting business arrangement.

1.13.2 Applicants must disclose in their Applications any potential or actual conflicts of interest that they may have or may be perceived to have in respect of their responsibilities to the State and other parties in the course of performing the requirements of these Services, should they be selected as the successful Applicant.

1.13.3 Applicants must also specify how they will identify and manage the potential for conflicts or perceptions of conflicts if one arises. Applications must explain how the State will gain assurance that the conflict of interest or perceived conflict of interest will not impact adversely on the requirements of the Applicant to undertake the tasks identified in this Application.

1.13.4 Identification of a conflict of interest or a perceived conflict of interest will not automatically exclude an Application from consideration. The Director General reserves the right to assess the potential impact of the conflict or perceived conflict in relation to the Application before a final decision is made, however, the Department's decision to exclude will be final.

### **1.14 Sub-Contracting**

The Applicant disclose to the Director General, if the whole or part of the requirements of this appointment are to be fulfilled by a subcontractor.

### **1.15 Ownership of Application Responses**

All documents, materials, articles and information submitted by the Applicant as part of, or in support of its Application shall become, upon submission, the absolute property of the Crown in right of the State of Western Australia and will not be returned to the Applicant at the conclusion of the process PROVIDED that the Applicant will be entitled to retain copyright and other intellectual property rights therein, unless otherwise stated in the Application.

### **1.16 Disclosure of Business Information**



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The Director General may seek further information relating to your Application, including but not limited to your financial capability to fulfil the requirements of this appointment.

**1.17 Clarification**

Following the evaluation of Applications and prior to appointment, the Applicant may be required to clarify matters. Should the clarification sought fail to satisfy, the Director General, he may give the Application no further consideration.

**1.18 Applicant's Conditions**

The Applicant must not include as part of their Application their own standard, general or special conditions of agreement. No Agreement awarded in relation to this Application shall include or be deemed to be subject to the successful Applicant's standard, general or special conditions of agreement unless specifically incorporated therein by an express term or provision of the Agreement.

**1.19 Public Disclosure of Application Details**

Documents and other information relevant to this process may be required to be disclosed by virtue of Government policy or a law or by being tabled in Parliament.



**PART B - EVALUATION CRITERIA & APPLICATION FORM**

Applications will be evaluated against the following criteria using information provided in the Application. It is important to note that all sections of the Application are to be completed and the required documentation provided by the Applicant. Failure to fully complete the Application and/or provide the requested documentation may result in the Application being rejected.

<b>Evaluation Criteria</b>
Organisational capability and previous experience in the Servicing, Installation and Removal of Taxi Camera Surveillance Units (TCSUs) or similar type of equipment
Adequacy and suitability of organisation’s employees and facilities (this can include proposed facilities and proposed selection process for employees). Police Clearances for all employees proposed to undertake tasks relating to TCSUs must be provided.
Organisational capability to comply with the ‘Applicants Undertakings’ in Part C.
Adequacy and suitability of organisation’s proposed controls to prevent misconduct from employees regarding the recorded content of TCSUs
Approval / letter of endorsement from the Manufacturer/s to install service and remove their TCSUs.

**INFORMATION TO BE SUPPLIED BY THE APPLICANT**

**2 IDENTITY OF APPLICANT AND GENERAL INFORMATION**

**2.1 Information about the Applicant**

2.1.1 Name and Contact Details

<b>NAME OF APPLICANT (LEGAL NAME):</b>			
(Full name or names of Company, Incorporated Association, or Sole Trader and, if a Firm or Partnership, state the full names of all individual members).			
<b>REGISTERED BUSINESS NAME (TRADING NAME):</b>			
<b>ABN</b>		<b>ACN</b>	
<b>ADDRESS OF APPLICANT:</b> (Registered office or principal place of business)			



<b>BUSINESS POSTAL ADDRESS:</b>			
<b>TELEPHONE NO:</b>	(   )	<b>FACSIMILE NO:</b>	(   )
<b>MOBILE NO:</b>		<b>EMAIL:</b>	
<b>NAME OF CONTACT PERSON:</b>			
<b>TITLE/OFFICIAL POSITION:</b>			
<b>DATE:</b>			

2.1.2 Identity of Applicant

- 2.1.2.a The Applicant must state whether or not the Person submitting the Application is acting merely as the agent of a third party and if so, provide the name and address of the Applicant.
- 2.1.2.b The Applicant must state whether it is acting as a trustee and, if so, provide the name of the trust and details of the trust deed or the name and address of each beneficiary.

<b>➔ Are you:</b>	
Acting as the agent of a third party Applicant?	<b>YES / NO</b>
Acting as trustee of a trust?	<b>YES / NO</b>
If Yes to either above, provide details as requested:	

2.2 Conflict of Interest

- 2.2.1.a The Applicant must clearly state whether or not it has or will have or is likely to have, any conflict of interest with respect to the Application or any resultant Appointment.



2.2.1.b The Applicant must disclose any information which might be relevant to a perceived, potential or real conflict of interest with respect to the Application or any resultant Appointment.

Yes, I would like to declare a conflict of interest

No, I do not have a conflict of interest to declare

### 2.3 Insurance

The Applicant should provide details of their proposed insurance coverage including the name of the Insurer, Policy Number, value insured and date of expiry. Evidence of such policies must be provided if requested.

Insurance Type	Insurer	Policy No	Amount (\$)	Expiry Date
Public Liability				
Products Liability				

### 2.4 References

The Applicant should identify organisations, contact names and telephone numbers for which goods or services of a similar nature were supplied. These references may be used to verify claims of relevant experience and performance. The nominated referees must be willing to provide information to the Department.

REFEREE NAME	ORGANISATION	PHONE NO.	FACSIMILE	NATURE OF CONTRACT

**PLEASE COMPLETE THIS SECTION AND RETURN WITH YOUR APPLICATION**

### 3 RESPONSE TO WEIGHTED EVALUATION CRITERIA

The Applicant is required to provide sufficient information, against each of the evaluation criteria using the same headings and in the same order as listed in the APPLICATION, to demonstrate its ability to carry out the requirements of the APPLICATION. The following sub-clauses provide a guide to the type of information required.

#### 3.1 Organisational capability and previous experience in the Servicing, Installation and Removal of Taxi Camera Surveillance Units (TCSUs) or similar type of equipment



3.1.1 Provide a brief background on the Applicant covering company history, company size, current client list, professional associations, staff numbers broken down by job description and a description of the company's facilities.  **Details attached (please tick ✓)**

3.1.2 Provide examples of previous work and the outcomes, preferably recent and in areas relevant to the requirements of this appointment.  **Details attached (please tick ✓)**

**3.2 Adequacy and suitability of the organisation's employees and facilities**

3.2.1 List the qualifications of the employees and any ongoing training that will be provided.  **Details attached (please tick ✓)**

3.2.2 Provide Police Clearances of employees that will undertake annual TCSU inspections.  **Details attached (please tick ✓)**

3.2.3 Outline why the organisations facilities are suitable to perform this service (i.e. location is convenient for taxi drivers, the facilities are appropriately equipped to service, install and remove TCSUs etc).  **Details attached (please tick ✓)**

**3.3 Organisational capability to comply with the conditions of registration**

3.3.1 Outline the organisation's capabilities with regard to complying with the conditions of registration (Attachment 1).  **Details attached (please tick ✓)**

**3.4 Adequacy and suitability of organisation's proposed controls to prevent misconduct from employees regarding the recorded content of TCSUs**

3.4.1 Outline your proposed controls to prevent misconduct from employees regarding the recorded content of TCSUs  **Details attached (please tick ✓)**

**3.5 Approval from the Manufacturer/s to install, service and remove their TCSUs**

3.5.1 Please nominate which TCSUs you are applying to become an approved installer for and provide approval letter from Manufacturer (including evidence of training)  **Details attached (please tick ✓)**



### 3.6 Other Information

The Applicant is encouraged to submit any further information that would support or that the Applicant considers may support its Application.

## **PART C - APPLICANTS UNDERTAKING**

### **REGARDING- APPLICATION FOR PERSONS SEEKING APPROVAL TO INSTALL, SERVICE & REMOVE TAXI CAMERA SURVEILLANCE UNITS (TCSUs)**

I the undersigned, hereby provide the Director General with an irrevocable undertaking that should I ..... (Person) be appointed to be an Approved Person under the Taxi Act 1994 and Taxi Regulations 1995 to 'service', install and remove TCSUs, then I bind .....(Person) to conduct my/organisations affairs in the following manner-

#### **1. Servicing**

- 1.1. Provide appropriate and reliable Services and facilities to support the operation and maintenance of TCSUs fitted to taxis.
- 1.2. Provide appropriate and reliable Services and facilities to support the 2011 to 2013 TCSU replacement program.
- 1.3. Use the manufacturer's repair instructions when 'servicing' the TCSU.
- 1.4. When performing annual TCSU 'inspections' verify the following:
  - 1.4.1. that all parts are in working order, are still positioned correctly and are not obstructing the view of the taxi driver;
  - 1.4.2. that the TCSU is still sealed;
  - 1.4.3. the TCSU's unique serial number is still visible;
  - 1.4.4. the TCSU's cameras and/or lenses are free of any scratches and are positioned as intended;
  - 1.4.5. the TCSU and its components have no loose connections to power sources or other dependent components of the unit;
  - 1.4.6. the TCSU can perform a self test without going into Fault Mode;
  - 1.4.7. the TCSU was first installed in a vehicle no more than 5 years prior.
- 1.5. In addition I Undertake to complete the following during an annual TCSU 'inspection':-
  - 1.5.1. A check of the '*log of events*' and note any historical events that are likely to influence the operation of the system in the future if the problem is not resolved;
  - 1.5.2. A test download to verify that images and sound are recorded according to the manufacturer's product description. The following shall be completed:
    - 1.5.2.1. The TCSU continues to record for three hours after the ignition is turned off. For the purpose of an annual inspection only



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recorded information from the time that the vehicle was driven into the 'person's' 'workshop' and the ignition was subsequently turned off can be downloaded.

- 1.5.2.2. Any material downloaded during servicing shall be disposed of by permanent deletion from the computer or laptop used to perform the download.
- 1.5.2.3. Downloaded material should not be used for a purpose other than testing.
- 1.5.2.4. Only previously nominated personnel, where police clearances have been provided to the Department, shall undertake this testing.

## **2. Installation**

- 2.1. Only install TCSUs that are approved by the Director General.
- 2.2. Only install TCSUs in the manner prescribed by its manufacturer
- 2.3. Ensure during installation that TCSU and its parts are in working order, tamper proof and are "vandal resistant" (as described in the Standard).
- 2.4. Ensure that the manufacturer's 'mini user guide' is provided to the vehicle owner upon installation.
- 2.5. In the event that a new model or type of vehicle is used as a taxi, it will be necessary to first obtain confirmation from Vehicle Safety & Standard branch exactly where the TCSU should be located in order not to interfere with the vehicles compliance with the Vehicle Standards under the Act.
- 2.6. Upon completion of installation, test the TCSU in accordance with 1.4.2.
- 2.7. Upon completion of installation and testing, issue the vehicle owner with a 'Certificate of Installation' in the form approved by the Director General.

## **3. Removal**

- 3.1. During the TCSU 'replacement program', from 1 July 2011 to 31 December 2013, assist the Department in facilitating the program by:-
  - 3.1.1. Inform the Department of instances where taxi vehicle owners or drivers have attempted to install a non complying TCSU in their taxi
  - 3.1.2. retain old TCSUs (from vehicle owners that own the old TCSU) until they can be collected by the disposal company contracted by Department. The Department will arrange regular collection of the old TCSUs and will have them destroyed.

## **4. Administration**

- 4.1. Obtain and maintain liability insurance covering the legal liability of the Applicant and the Applicant's personnel for an amount of:-
  - 4.1.1. not less than (\$20 million) for any one occurrence;
  - 4.1.2. unlimited in the aggregate in respect of public liability; and
  - 4.1.3. limited in the annual aggregate to (\$20 million) in respect of products liability.



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- 4.1.4. Obtain and maintain such insurance for the period of appointment or such period as may be otherwise stated, with the required insurances to the limits specified, and shall, if required by the Department, produce evidence of such insurances at any time:
- 4.2. Any person who is in your employ by you for the purpose of Servicing TCSU must be approved to do so, by the Director General and be appropriately trained and qualified at all times.
- 4.3. Notify the Department if a previously approved employee (as per clause 4.2.1) is no longer employed or engaged to 'service', install and remove TCSUs in taxis.
- 4.4. 'Maintain contact with the TCSU manufacturer to keep up to date with any issues or changes made to the TCSU.
- 4.5. Where you are also the 'supplier' provide an itemised invoice, showing the cost of the TCSU and the cost of installation as separate amounts.
  - 4.4.1 During the replacement program, the Department must be provided with a copy of the itemised invoice for each TCSUs being subsidised. The Department will pay 80% of the cost of the TCSU (up to a cap of \$3,600) and the taxi operator shall be responsible for the remainder of the cost of the TCSU and installation costs.

**5. Record keeping**

- 5.1. Establish and maintain, in a manner approved by the Director General, a register of the:
  - 5.1.1. TCSUs you have installed in taxis; and
  - 5.1.2. TCSU annual inspection certificates you have issued and document when you have not provided a certificate including the date and time of inspection.
- 5.2. Provide the above mentioned register and documentation to the Department on a regular basis at the intervals or times requested by the Department.

**I confirm that I have read and understood the Director General's requirements of me in Parts A; B and C of this application.**

Signature \_\_\_\_\_

Name \_\_\_\_\_

Being duly authorised to give this undertaking.

Date

Witness Signature \_\_\_\_\_

Witness Name \_\_\_\_\_

Date