



Active Transport Fund

Request for Tender Exemption

**March 2025**

## Introduction

All works greater than $100,000 under the Active Transport Fund must be subject to public tender under section 24 of the *National Land Transport Act 2014*.

A single project may consist of several different sets of works (earthworks, pre-fabricated components, etc.) If these components are tendered, and the remainder is less than $100,000 no tender exemption is required.

Where you use a panel which was established through an open competitive process this is equivalent to tendering, and no exemption is required.

It is possible to seek an exemption from the Minister where it can be demonstrated that there are exceptional circumstances where the use of a public tender would not be recommended. This form allows you to request that exemption.

All sections of the form are mandatory.

## Returning the form

Please check that you have completed all sections of the form, including signature (electronic is acceptable). Once complete this document should be returned by email to:

* ActiveTransportFund@infrastructure.gov.au.

Proponents should also provide an email copy to their state/territory transport/infrastructure agency contact.

## Questions

Should you have any questions or concerns regarding this form, please contact the Active Transport Fund team through the appropriate email address above.

## Next steps

Once this form is received, the department will check that it meets our requirements. The Minister or their delegate will make the final decision. You will be advised by email of that decision. If we need more information about your request, we will contact you.

**Do not undertake construction which requires a tender exemption before a decision is made. If you incur costs before the decision is made they may not be eligible for funding.**

**If the decision is made to decline your request you will need to call for tenders.**

## Request for Tender Exemption

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| **Project Number** |  |
| **Project Name** |  |
| **Proponent (council or state)** |  |
| **Australian Government Funding ($)** |  |
| **Total Project cost ($)** |  |
| **Scope of works for which the exemption is sought** |  |
| **Value of these works ($)** |  |
| **Intended entity to undertake these works**For example - XXXX Shire Council day labour |  |
| **Category under which the exemption is being sought**Choose one or more of these categories |[ ]  The work is urgently required because of an emergency. |
|  |[ ]  The work is of such a minor nature that the invitation of tenders for the work would involve undue additional cost. |
|  |[ ]  The work is of a kind for which it is not practicable to prepare adequate tender specifications. |
|  |[ ]  The work is of a kind for which competitive tenders are unlikely to be received. |
|  |[ ]  The work will contribute to employment in a region. |
| **Supporting reasons for the exemption**Attach additional pages as requiredFor example – there is only one company with a crane of the required size within Australia, or Council did not receive an acceptable bid for the last three procurements of this size. |  |
| **Your name** |  |
| **Your role** |  |
| **Your email address and phone number** |  |
| **Signature** |  |
| **Date** |  |