



Inquiry into the procurement and delivery of MyWay+

Answer to question taken on notice

Asked by: Mr Thomas Emerson MLA

Addressed to: Chris Steel MLA, Minister for Transport

In relation to: NEC contract compliance

Hearing: **01/05/2025**

Uncorrected Proof Transcript: **UPT 1/5/2025, p 51-52.**

Transcript provided: **06/05/2025**

Answer Due: **13/05/2025**

Chris Steel MLA, Minister for Transport took on notice the following question:

MR EMERSON: Earlier today NEC said that they do not believe they are currently in breach of their contract requirements, but we are hearing that not compliant, DDA compliant, is that because of failure in the contract or is it your assessment that they are in breach of their contract? Part of the remit of this inquiry is we are looking at the procurement process.

Mr McHugh: I think Mark has explained that within the contract, the project completion phase is when they would need to meet all of the requirements of the scope, and if they were, at that point, non-compliant from an assessment perspective, then that would be a breach of the contract. But until we reach that point, they are working within the scope of the contract. Now, the timeframe question is one that would be subject to project management principles and approved extensions of time and the like, and potentially one that we can take on notice and provide some context.

I think in that light and noting your questions around contract management and compliance of the contract, I can confirm that the territory has corresponded with NEC, notifying them of our expectations of project completion and compliance with the elements of the contract. That may relate to the topics that you are talking about at the moment. So there is active contract management negotiation happening between the parties. NEC have not responded to that correspondence yet, but when they do, we will work through those things.

Chris Steel MLA, Minister for Transport: The answer to the Member's question is as follows:

I refer the member to the response provided to QTON 010 from this hearing session, 1 May 2025.

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Approved for circulation to the Standing Committee on Environment, Planning, Transport and City Services.

Signature: 

Date: 13/5/25

By Chris Steel MLA, Minister for Transport