

SCM100002 PROCUREMENT LIST

SCM100002 Procurement List – Agency Guidelines

For Construction Services Valued Over \$9 million

September 2026



Acknowledgement of Country

NSW Public Works acknowledges that it stands on Country which always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging.



We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.

NSW Public Works



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Schedule of Document Amendments

Date	Update Description
September 2026	• Added Acknowledgement of Country • Removed Modular Building work category • Minor wording corrections

What's Changed?

To facilitate procurements valued over \$9 million excluding GST, a separate Procurement List (PL) has been established.

The PL for construction services was originally established in 2020 as part of Scheme SCM1461 to meet the requirements of NSW Procurement Board Direction PBD 2019-05-Enforceable Procurement Provisions (EPP).

With the IT System changeover to the buy.nsw Supplier Hub system in 2023, NSW Public Works (PW), in collaboration with the Department of Customer Service (DCS), has taken this opportunity to streamline the application process and flow of prequalification information to users.

The online application form for SCM100002 is available on the buy.nsw Supplier Hub system.

The existing prequalified suppliers with Individual Financial Thresholds over \$9 million have been transferred to the newly created SCM100002 Procurement List.

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1. Procurement List Overview

1.1 What is a Procurement List?

This PL provides a mechanism for the NSW Government, local councils and universities to procure construction services valued over \$9 million. A PL is a list of suitable suppliers who can be used for more than one procurement by one or more agencies, and it is equivalent to a prequalification scheme.

This PL was established in accordance with Part 6 of the EPP and may be used for a procurement to which the EPP applies. NSW Procurement Policy Framework Section of this document describes the EPP and includes the policy framework and legislation applicable.

The NSW Government invites international and domestic suppliers to make an application to be included on this PL. Applications are continuously open, and the period of the PL is indefinite, which means it will continue to operate until suppliers are notified of its termination.

The application process must be completed via the buy.nsw Supplier Hub website, previously called the eTendering system. If the NSW Government is satisfied that the applicant meets the Conditions for Participation, the applicant will be included on the PL as a supplier.

Only suppliers, or a limited number of suppliers, included on the PL may receive invitations from NSW Government agencies to make submissions relating to procurements for which the list was established.

NSW Government agencies may also seek to conduct negotiations relating to any procurements from suppliers included on the PL. This may include post tender negotiations with the preferred tenderer.

The following table lists the key benefits of the PL:

Benefits to NSW Government	Benefits to Suppliers
Easy identification of suppliers to be included in submissions for construction services. This reduces the time, cost and risk to agencies who need to comply with the EPP provisions	Ability to be invited by NSW Government to make submissions for construction services
A centralised prequalification assessment based on objective criteria to appoint suitable suppliers	Continuously open application process including to increase the maximum value for which the supplier is prequalified based on financial capacity and previous experience
Sharing of performance related information and volume allocation to construction suppliers across the NSW Government	A streamlined approach to submit a single application and prequalify for all agencies

1.2 Guiding Principles for the PL

The guiding principles for the PL are:

- Agencies and suppliers using the PL must comply with the PL Conditions for Participation. Lodging an application evidences the applicant's agreement to comply with the PL Conditions for Participation, if appointed to the PL.
- Domestic and international suppliers are encouraged to apply. Applications will be assessed regardless of location.
- Aboriginal-owned businesses, particularly those who have the capacity and capability to deliver projects in regional NSW, are encouraged to apply.
- Appointment to the PL is not a guarantee that tendering opportunities will be offered. Tendering opportunities are offered individually by agencies using the Supplier Hub system.
- Supplier must keep their online profile information up to date and advise the Government Agency responsible for the PL of all material changes to their circumstances.
- Agencies may request additional information, such as current financial statements, during the tendering process or at time of contract.
- Standard contract terms and conditions, for example based on the GC21 Edition-2 contracting suite, will apply to engagements for work, however the contractual agreement between an agency and supplier are outside the scope of this PL.
- Suppliers must maintain a satisfactory record of compliance with PL Conditions for Participation. This includes ensuring that all their sub-contractors, consultants and employees also comply with their legal obligations.
- Suppliers must comply with government business ethics requirements set out in Procurement Policy documents, including [PBD-2017-07 Conduct by Suppliers](#).
- Failure by a supplier to comply with PL Conditions for Participation may result in removal from the list and will limit future business opportunities with government agencies.
- False declarations in the application process may void the application and may lead to disqualification from future applications to any of the Government's prequalification schemes and panel arrangements.

1.3 Registration as a Buyer on Supplier Hub

NSW Government buyers must be registered on buy.nsw Supplier Hub to access the prequalified supplier's information.

To register as a buyer an email address that has a government domain is required. Sign up using this link <https://buy.nsw.gov.au/login/signup>:

Log in or sign up

[Log in](#)
[Sign up](#)

Create an account

☐ I'm a buyer

You can sign up as a buyer if you're a NSW Government employee or an employee of another eligible organisation.

☐ I'm a supplier

To get started, register your email with us, once verified you will be able to build your supplier profile.

1.4 Download Members CSV File

Once logged in, on the Buyer Dashboard select the Scheme Lists under Resources and Tools to download the full list of prequalified suppliers in CSV format:

Libraries

Resources for buyers and suppliers. Searchable policy, training, schemes and category collections.

[Categories](#)


Popular searches

Pre-filtered supplier groups to help you source relevant suppliers for your opportunities.

[ICT Services Scheme](#)


Resources and tools

Information, guidance and resources for managing your procurement objectives.

[Scheme lists](#)

[Schemes](#)

[Construction over \\$1m](#)

[Commercial frameworks](#)

[Policies](#)

[PMS Scheme](#)

[Resources](#)

[Contracts](#)

[Construction up to \\$1m](#)

[Help](#)

[Gender-equitable](#)


Select the 'Download members CSV' file for the particular scheme:

Scheme lists (download CSV)

A list of prequalified suppliers grouped by arrangements. The complete updated supplier list is available on download. For more supplier information use the [supplier list](#).

SCM0005 - Prequalification Scheme: Performance and Management Services

[Download members CSV](#)

The Performance and Management Scheme is for NSW government buyers to acquire professional services.

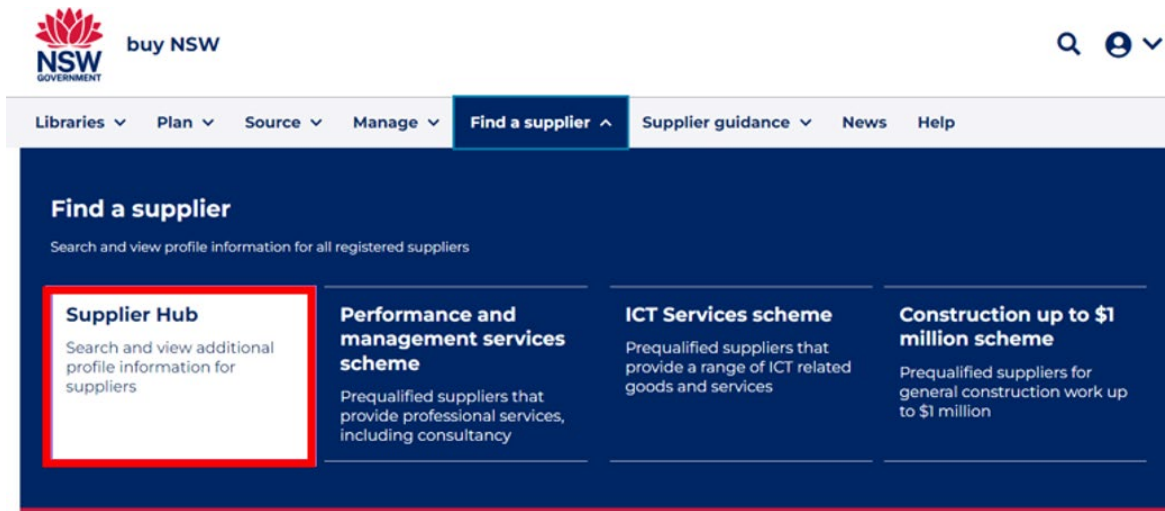
SCM0007 - Prequalification Scheme: Contingent Workforce

[Download members CSV](#)

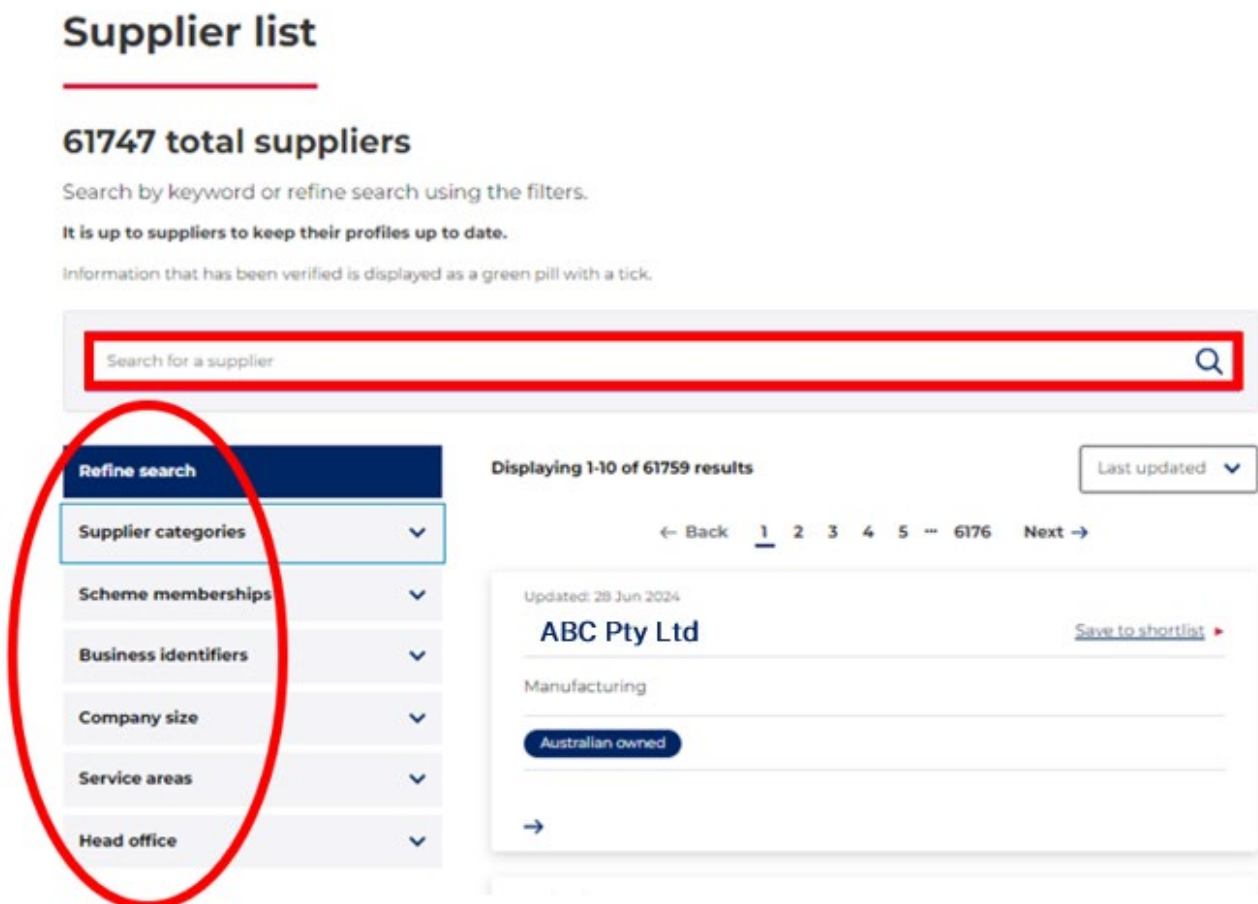
SCM0007 is open to applications from recruitment organisations for the provision of contingent labour to NSW Government and eligible buyers.

1.5 Accessing Individual Supplier Information Online

Once logged in, choose the “Find a supplier” tab and select Supplier Hub tile as shown in the screenshot below:



A particular supplier can be found by entering the name in the search field. Also, various filters can be used to identify suppliers by expanding the menu under the Refine Search as shown in the screenshot below:



1.6 Enquiries

For scheme general enquiries please contact: contractorprequal@pwa.nsw.gov.au or contact the NSW Procurement Service Centre at 1800 679 289 or buy.nsw@customerservice.nsw.gov.au.

2. Procurement Planning

2.1 Link to NSW Government Procurement Framework

This PL is relevant to [NSW Procurement's Plan-Source-Manage approach](#) to procurement. It assists agencies in the planning phase to identify suppliers who are suitably qualified to tender for construction services over \$9 million.

Please note:

- the source and manage phases of procurement are outside of the scope of the PL.
- agencies using this PL are encouraged to develop their own sourcing strategies in accordance with the NSW Procurement Policy Framework and the EPP.

2.2 NSW Government Construction Pipeline of Work

The NSW Government is committed to the continued transparency of its project pipeline, to attract investment and early participation in the design, construction, management and operation of major infrastructure projects across the whole of NSW.

Applicants and suppliers are encouraged to view detailed information about upcoming projects on Infrastructure NSW website under Industry menu.

2.3 Out of Scope

Construction services not explicitly listed in the Capabilities Section are out of scope for this PL.

Applicants are to note that other mechanisms exist for the NSW Government to procure the services listed at the Capabilities Section in addition to this PL, including:

- Open approach to market (in accordance with Part 4 of the EPP)
- SCM5861 Land and Housing Residential Building Works
- SCM5862 Modern Methods of Construction Procurement List
- HI19543 Invitation to Submit an Expression of Interest for Health Infrastructure Construction Services Contractor Procurement List
- SCM1461 Scheme for Construction Work between \$1 million and \$9 million
- SCM0256 General Construction Works up to \$1 million.

Procurements from government bodies that are not listed at Schedule 1 of the EPP may also use procurement mechanisms other than this PL.

2.4 Compliance with the EPP Requirements

The NSW Procurement Board issued a Direction in response to its obligations under international procurement agreements. The PBD-2019-05-EPP under the Public Works and Procurement Act 1912 requires that unless the Direction states otherwise, agencies:

- must not discriminate against any supplier due to its degree of foreign affiliation or ownership, location, or the origin of its goods and services
- must use an open approach to market for all procurements to which the EPP applies, unless the procurement is from a supplier on a PL that was established in accordance with EPP Part 6 and is for goods or services for which that PL may be used as per clause 13c of EPP Part 4
- must, in determining a limited number of suppliers who may receive the invitations to make a submission in relation to a procurement, apply the criteria set out in the PL Conditions for Participation in selecting those limited number of suppliers as per EPP Part 4.

The PL was established in accordance with EPP Part 6, and agencies can therefore use the PL instead of an open market approach as long as the criteria for selecting the limited number of suppliers as set out in the Tendering Rules in this document.

2.5 Estimating the Value of the Procurement

Agencies need to assess the estimated value of their procurement to correctly determine if they can use Scheme SCM1461 or SCM100002 PL for procuring construction services.

As per EPP clause 7, the estimated value of a procurement is an estimate of the maximum value (excluding GST) of the proposed procurement contract made by the agency, and is to include the value of the following:

- the goods or services to be procured,
- all forms of remuneration payable by the government agency, including any premiums, fees, commissions, interest and other revenue streams that may be provided for in the proposed contract,
- any options, extensions, renewals or other mechanisms that may be executed over the life of the contract.

If a procurement is to be conducted in multiple parts with a number of proposed procurement contracts awarded either at the same time or over a period of time, with one or more suppliers, the estimated value of the procurement must include the estimated value of all of the proposed procurement contracts.

A procurement must not be divided into separate parts if a purpose of the division is to avoid a relevant procurement threshold.

If the maximum value of a proposed procurement cannot be estimated, the procurement is taken to have an estimated value that exceeds the relevant EPP procurement threshold for the procurement.

Agencies are to note that the threshold for a procurement of construction services is \$9.584 million. This PL can be used for procurements above \$9 million. The lower threshold of \$9 million has been chosen as it is easier to communicate to agencies and suppliers and allows for adjustments to the EPP threshold which may occur in the future.

Agencies undertaking procurement with a value greater than \$1 million and below \$9 million are encouraged to consider [SCM1461](#). If the procurement is below \$1 million, agencies must use [SCM0256](#).

3. Capabilities

3.1 Work Categories

This PL covers the following work categories related to construction services as defined in the EPP Board Direction:

Work Category	Description
1A Building Works	Multi-trade building works for new buildings and additions to existing buildings.
1B Civil Works	For civil engineering works including excavation and bulk earthworks, minor roads and related works.
1C Fitout and Refurbishment	Fitout and refurbishment work, as well as the final preparation of internal areas for occupation by the client in new and existing buildings.
1D Heritage Building Works	Include restoration and conservation works and or associated stonemasonry, carving & fixing, roofing, carpentry, plastering and painting.
1E Water Infrastructure	Include reservoirs, dams and or associated pipelines, pumping stations, balance tanks, surge tanks, storage tanks and discharge structures.
1F Wastewater infrastructure	Include sewage treatment plants and or associated pipelines and pumping stations.

3.2 Contract System/Delivery Models

Procuring entities may approach suppliers for the provision of services under the following Contract System/Delivery Models:

Contract System	Description
2A Construction (C)	The supplier may be responsible for completing the Principal's design and carrying out design documentation and design coordination to the extent specified and for construction using designs and documentation prepared by the Principal. The supplier's design obligation may include preparation of fabrication drawings and may include completion of other design details. This includes the contract system often called Design Development and Construct.
2B Design and Construct (D&C)	The supplier is responsible for a significant part of the design, design development, and documentation and design coordination, as well as construction.
2C Managing Contractor (MC)	The managing supplier may be engaged on a project brief, to commission, manage and accept responsibility for consultants that design the works and suppliers that construct the works. The Principal may also engage a Project Manager or Project Director to manage the Managing Supplier Contract and to support and advise the Principal. A Managing Supplier Contract usually involves the payment of actual reasonable costs (up to a Guaranteed Construction Sum(s), where agreed for construction work, or a Guaranteed Price for all the work) plus fees.

4. Inviting Submissions from Suppliers

4.1 Market Approaches Guide

Refer to the [Market Approaches Guide](#) on buy.nsw for approaching the supplier market.

4.2 Tendering Rules

Agencies inviting tenders must seek submissions from three suppliers as a minimum.

The above minimum number of suppliers to be invited does not override any approved procurement governance requirements developed for an agency's business. Agencies should check the relevant policies for allowable variances from the Tendering Rules.

The key principle of obtaining value for money in the procurement must be addressed by the procuring officer in all cases.

In determining which suppliers should receive the invitation to make a submission in relation to a procurement, agencies must use open approach to market (EPP Part 4) and apply the criteria set out in the PL Conditions for Participation in selecting those limited number of suppliers, namely the suppliers':

- Nominated work category.
- Relevant experience, wherever it has occurred.
- Financial capacity to undertake the proposed work.
- Availability and capacity for undertaking the proposed work.

A supplier who is not invited to make a submission can potentially lodge a complaint with the agency under Part 11 of the Public Works and Procurement Act alleging that the agency has not complied with EPP provisions regarding invitations to submissions. This includes circumstances where they allege that the agency has not applied the selection criteria set out in the notice establishing the PL. Agencies must further ensure they understand the EPP and conform with the EPP when seeking tender submissions and engaging suppliers off this PL.

Unaccredited agencies are reminded that they must comply with the [assurance process for construction procurements](#) valued over \$1.3 million (excluding GST).

4.3 Publishing of Tender

The buy.nsw Opportunities Hub module should be used by agencies to publish the current NSW Government opportunities at <https://buy.nsw.gov.au/opportunity>.

4.4 Contractual Agreements

The contractual agreement between the agency and the contractor is outside the scope of this PL. However, agencies should use NSW Government's standard construction contracts such as GC21 Edition-2.

4.5 Trust Business Structures and Sole Traders

Trusts (e.g. Smith Family Trust), trustees (e.g. Trustee for the Smith Family Trust) and sole traders are not eligible for inclusion on the PL.

4.6 Insurances

For this PL, applicants are not required to provide evidence of insurance at the time of prequalification. However, agencies should ask for a proof of works insurance, public liability, workers compensation and/or professional indemnity insurance (as required) at the tendering and contract award stages.

4.7 Relevant Qualifications or Certifications

Agencies are advised to apply their due diligence at the tendering stage to ensure the relevant qualifications are valid and certificates are current.

5. Supplier Performance

5.1 Performance Assessment

Suppliers included on the PL are subject to a process of continuous monitoring and review in all matters related to the PL including the supplier's performance and project outcomes.

Agencies are encouraged to support PW, which is the agency responsible for the PL, in administering the PL by monitoring the performance of the suppliers.

Specifically, this includes the development of Contractor Performance Reports (CPR) and their regular provision to NSW PW.

Agencies are further encouraged to monitor the following items and report any findings to NSW PW:

Legal Capacity

- Ethical business practices, including compliance with NSW Government Supplier Code of Conduct.
- SafeWork NSW notices or on-the-spot fines issued to the supplier on any of its contracts.
- Convictions or prosecutions for workplace safety or environmental law breaches.
- If the supplier has been found guilty of professional misconduct.
- Failure to obey an adjudicator's determination under Building and Construction Industry Security of Payment Regulation 2020 (NSW), subject to other legal rights.
- If the Independent Commission Against Corruption (or an equivalent body in a jurisdiction in Australia), within the previous 10 years, has made a finding or has been of the opinion that the supplier has engaged in corrupt conduct.
- If the supplier has made one or more false declarations.
- If the supplier has failed to pay taxes.
- If the supplier has been convicted of an offence punishable by imprisonment for a term of 2 years or more, or by a fine of \$200,000 or more.
- If the supplier exhibited unprofessional conduct in a jurisdiction in Australia.

Financial Capacity

- Financial Performance, specifically if the supplier remains a financially viable business.
- Whether the supplier is bankrupt or insolvent.

Commercial Ability

- Tendering Performance on submissions including whether the supplier has:

- declined submission opportunities offered without providing valid reason.
 - failed to make a submission without providing any valid reason after having accepted the submission opportunity.
 - made late submissions.
 - made qualified, non-complying or uncompetitive submissions.
- The preparation of proper and conclusive accident and incident reports on any of the supplier's contracts in NSW.
 - The level of appropriateness of corrective actions implemented by the supplier following the report of a serious WHS event on the supplier's sites.
 - Results of any Quality Assurance Audit, or Environmental Management System Audit, or WHS Management System Audit conducted for or on behalf of any NSW Government Agency or by any properly credentialed Auditor or Auditor group.
 - The supplier's compliance with its own business management systems, and whether these systems are kept updated in line with certification/accreditation requirements.
 - The supplier's compliance with its own Project Management systems.
 - Industrial relations issues that have resulted in a significant disruption to the works progress on the supplier's NSW Government contracts.
 - Aboriginal Participation in Construction and whether the supplier achieves the targets stated in the related policy documents (if applicable).
 - Training and Development and whether the supplier complies with the requirements of the [Infrastructure Skills Legacy Program \(ISLP\)](#).

Technical Ability

- Project outcomes of projects delivered by the supplier
- Client satisfaction on projects delivered by the supplier
- Contractor Performance Reports (CPR)
- Deficiency or persistent deficiencies in the performance by the supplier of any substantive requirement or obligation under a contract.

5.2 Exclusion from PL

The NSW Government may exclude a supplier from the PL. Reasons for exclusion specifically include that the NSW Government has reasonable belief regarding any of the following:

- That the supplier has acted in contravention to the NSW Supplier Code of Conduct.
- Failure to obey an adjudicator's determination under Building and Construction Industry Security of Payment Regulation 2008 (NSW), subject to other legal rights.

- That the supplier is bankrupt or insolvent.
- That the supplier has made one or more false declarations.
- That there has been a significant deficiency or persistent deficiencies in the performance by the supplier of any substantive requirement or obligation under a prior contract.
- The Independent Commission Against Corruption (or an equivalent body in a jurisdiction in Australia), within the previous 10 years, has made a finding or has been of the opinion that the supplier has engaged in corrupt conduct.
- That the supplier has failed to pay taxes.
- That the supplier has been convicted of an offence punishable by imprisonment for a term of 2 years or more, or by a fine of \$200,000 or more.
- That the supplier has been found guilty of professional misconduct or
- Unprofessional conduct in a jurisdiction in Australia.

In the above, a reference to supplier includes, if the supplier is a body corporate, a director and any other person involved in the management of the affairs of the body corporate.

6. Complaints, Review and Development of PL

6.1 Complaints

Any complaint from a supplier that alleges that the agency has contravened an enforceable provision in the EPP Direction must be managed in accordance with relevant provisions in Part 11 of the Public Works and Procurement Act (PWP Act), specifically Divisions 5, 6 and 7. This includes requirements to investigate the complaint, take action to attempt to resolve the complaint and to prepare a report. In some circumstances an agency may need to suspend a procurement while the complaint is investigated.

Agencies are encouraged to manage any complaint in accordance with the [NSW Procurement Board Complaint Management Guidelines](#).

As the PL is for procurements to which the EPP applies, agencies are to note:

- Affected applicants and suppliers may complain to the government agency responsible for this PL, if they believe the government agency responsible for this PL plans to breach, is breaching or has breached, an enforceable procurement provision in the EPP.
- Affected applicants and suppliers may complain to an agency using this PL, if they believe that agency has plans to breach, is breaching or has breached, an enforceable procurement provision in the EPP.
- Applicants and suppliers may, in relation to complaints, apply to the Supreme Court to:
 - grant an injunction to stop the agency from breaching or proposing to breach an enforceable procurement provision,
 - grant an injunction requiring the agency to do any act or thing necessary to avoid or remedy a breach or proposed breach of an enforceable procurement provision,
 - make an order for the agency to pay compensation (limited to certain matters) to the supplier in respect of the breach or proposed breach of an enforceable procurement provision.
- Applicants and suppliers that wish to seek an injunction from the Supreme Court must apply within 10 days (or any other period prescribed by the regulations) after the later of:
 - the day on which the alleged breach occurred.
 - the day on which the supplier became aware, or ought reasonably to have become aware, of the alleged breach or the alleged proposed breach of an enforceable procurement provision in the EPP.
- Agencies must act in a timely manner to consider and resolve complaints, if agencies wish to minimise the likelihood of the supplier taking the matter to the Supreme Court.

- The Supreme Court may allow a supplier to apply for an injunction after the 10 day time limit has passed if the Court is satisfied that the delay is due to the supplier's reasonable attempt to resolve the complaint before applying for the injunction, or there are special circumstances that warrant a longer period.
- While the Supreme Court may potentially hear a complaint after the 10 day time limit, the obligation remains on agencies to respond to complaints in a timely and responsive manner.

Applicants and suppliers wishing to lodge a complaint in relation to an alleged breach of an enforceable procurement provision within the EPP must:

- Make the complaint in writing.
- If the complaint relates directly to how this PL is established or administered or if the complaint is in relation to an application to be included on the PL, submit the complaint to the Secretary of the Department of Primary Industry and Regional Development (DPIRD).
- If the complaint relates to an invitation to a submission or the award of a specific tender, quote, procurement or contract, submit the complaint to the agency head of the agency that is responsible for that specific tender, quote, procurement or contract.

Applicants and suppliers may withdraw the complaint by sending a written notice to the agency head.

6.2 Review and Development of the PL

The Department provides a small, dedicated team to administer the PL, assist agencies and suppliers with enquiries that can be sent at: contractorprequal@pwa.nsw.gov.au

7. NSW Procurement Policy Framework

This section provides context about the applicable legislative and policy framework within which the PL operates.

Suppliers and agencies must at all times comply with all relevant laws and policies, including but not limited to those listed in this section. A supplier's breach of any relevant policies and/or laws may result in its exclusion from the PL.

The [NSW Procurement Policy Framework](#) provides a consolidated view of government procurement objectives and the Procurement Board's requirements as they apply to each step of the procurement process.

7.1 Procurement Board Directions

From time to time the NSW Procurement Board issues Directions under the [Public Works and Procurement Act 1912](#). These Directions determine the rules and guidelines around public sector procurement within the NSW Government. A library of all current Directions in force can be found on [the buy.nsw website](#).

7.2 Enforceable Procurement Provisions - EPP

The NSW Government issued a Direction in response to its obligations under international procurement agreements. The [Procurement \(Enforceable Procurement Provisions\) Direction 2019](#) under the Public Works and Procurement Act 1912 includes provisions about how Government must engage with its supplier market in a way that is fair, open and transparent to all suppliers, including international suppliers. This PL has been established following the requirements of the EPP Part 6.

7.3 Government Action Plan: A Ten-Point Commitment to the Construction Sector

The NSW Government recognises that it can only achieve its infrastructure objectives in partnership with the private sector, and that this depends on healthy ongoing competition between a capable field of construction firms, sub-contractors and the industry supply chain – not just now, but for years to come.

The NSW Government aims to be a “best in class” client for the construction industry and its suppliers. In return, it expects the industry to meet the highest standards of integrity, quality, innovation, diversity, and inclusiveness. In 2018, A Ten-Point Commitment to the construction sector was developed with the support and input of industry through the Australian Constructors Association (ACA) and the Civil Contractors Federation NSW (CCF) and is implemented through the NSW Construction Leadership Group (CLG).

The CLG is working with agencies to monitor the delivery of the Ten- Point Commitment to the construction sector. Agencies now prepare Implementation Statements which track progress against the Ten- Point Commitment actions at key milestones on NSW Government projects with

a capital value above \$50 million. Further information is available on the Infrastructure NSW website. The CLG can be reached through this email: clg@infrastructure.nsw.gov.au

The Ten-Point Commitment is now referred to as the NSW Government Principles for Partnership with the Construction Industry.

7.4 NSW Government Supplier Code of Conduct

The NSW Government strives to conduct sustainable and inclusive government procurement.

Our suppliers are our partners in delivering the best social and commercial outcomes for the state of NSW and its citizens.

The NSW Government requires all suppliers to comply with relevant standards of behaviour and must report findings of dishonest, unfair, unconscionable, corrupt or illegal conduct to the NSW Procurement Board. These requirements are essential to business confidence in the NSW Government's procurement regime as well as public trust more broadly in the Government's decision-making processes.

A minimum set of expectations and behaviours for doing business with NSW Government has been articulated in the [Supplier Code of Conduct](#). All applicants and suppliers to this PL must comply with it and must have a satisfactory record of compliance with the Code. This also includes ensuring that suppliers and their subcontractors, consultants, and contractors comply with their legal obligations regarding their employees.

Applicants and suppliers must further comply with the [NSW Industrial Relations Guidelines: Building and Construction](#).

7.5 Financial Assessment

[Financial assessments](#) are part of the due diligence process in awarding NSW Government contracts. They are used to check the financial capacity of the supplier to complete works or supply goods. Financial assessments are further undertaken during a contract to identify and assess any changes in the financial position and risks associated with the solvency of the contractor.

The agency responsible for this PL uses financial assessments during the application process and at regular intervals on suppliers that are included on the PL (refer PL Conditions for Participation). The NSW Government may engage a service provider prequalified under the Financial Services Pre-qualification Scheme SCM2491 to undertake such assessments.

7.6 Small and Medium Enterprise (SME) and Regional Procurement

The NSW Government is seeking to strengthen its construction supply chain to accommodate its [Small and Medium Enterprise and Regional Procurement Policy](#). This will provide greater opportunities for SMEs and local businesses in regional NSW.

The PL application process will identify small and medium businesses with the appropriate capability and capacity to participate in construction projects. Applicants are expected to select only those regions that their current capacity and capability can support.

For further information refer to [the Procurement Board Direction PBD2019-03](#) on [buy.nsw](#) website.

7.7 Aboriginal Procurement Policy (APP)

This PL is aligned to the principles of NSW Government's [Growing NSW's First Economy](#) framework. The framework is a key element of [Opportunity, Choice, Healing, Responsibility and Empowerment \(OCHRE\)](#).

The APP policy recognises that industry has a key role to play in broadening opportunities for Aboriginal people and that the NSW Government can use its relationship with business to deliver positive social outcomes.

APP has been developed to create opportunities for Aboriginal owned businesses and encourage Aboriginal employment and training through the supply chain of NSW Government contracts. The PL application process will ask applicants if they are an Aboriginal business, as defined by the APP.

APP has been developed to create opportunities for Aboriginal owned businesses and encourage Aboriginal employment and training through the supply chain of NSW Government contracts. The Scheme Application process will ask applicants if they are an Aboriginal business, as defined by the [Aboriginal Procurement Policy](#) framework.

7.8 Skills and Training in Construction

The NSW Government has minimum levels of training for all major Government construction projects consistent with targets in the [Infrastructure Skills Legacy Program \(ISLP\)](#).

The ISLP provides an opportunity to create an on-going legacy for the people of NSW for employment, skills development and diversity in the construction workforce. The ISLP also contributes to improving productivity by building capability and capacity of the construction workforce.

For further information refer to [the Procurement Board Direction PBD2020-03](#) on [buy.nsw](#).

7.9 Modern Slavery Legislation

The [Modern Slavery Act 2018 \(NSW\)](#) came into effect on 01 January 2022. The Act recognises that modern slavery is prevalent around the world and in NSW, and sets out steps to ensure NSW is not contributing to these crimes.

Applicants and suppliers to the PL are expected to comply with the [Commonwealth Modern Slavery Act 2018](#) and the [Modern Slavery Act 2018 \(NSW\)](#). Refer to the following link for more information about Modern Slavery and Procurement:

<https://buy.nsw.gov.au/resources/modern-slavery-and-procurement>

Also, refer to PBD-2025-05 Modern slavery tender clauses for high modern slavery risk procurements.

7.10 Disability Organisations

An Australian Disability Enterprise (ADE) is a not-for-profit organisation that employs people with disabilities. ADEs have the same working conditions as other employers and they empower the disabled to contribute to their communities. NSW Government agencies [are encouraged to buy from ADE organisations](#) where possible.

Appendix A - Terms and Definitions

Term	Definition
ABN	Australian Business Number (ABN) is a unique number issued by the Australian Business Register (ABR) which is operated by the Australian Taxation Office (ATO) Under the A New Tax System (Australian Business Number) Act 1999. It identifies the business and is used in commercial transactions and dealings with the ATO.
ACN	Australian Company Number (ACN) is a unique number issued by the Australian Securities and Investments Commission (ASIC) to every company registered under the Commonwealth Corporations Act 2001 as an identifier.
Agency	NSW Government agencies, and other clients using the PL. This includes State owned corporations, universities, local councils etc.
Applicant	An entity that has applied for inclusion on the PL.
Application	Refers to the online application form and responses within it to produce a formal request to be considered for inclusion on the PL.
buy.nsw	The central repository for all NSW Government procurement, https://buy.nsw.gov.au
Construction Services	Services relating to construction of buildings or works, including a) pre-erection works b) construction work c) repairs, alterations and restorations.
Contract system	A system for managing contracts, based on the type of services provided by the supplier.
Contractor Performance Report (CPR)	A report completed using the NSW Government's CPR template or accepted method.
Enforceable Procurement Provisions (EPP)	The Procurement (Enforceable Procurement Provisions) Direction 2019 under the Public Works and Procurement Act 1912.
Framework	NSW Procurement Policy Framework - the suite of legislation, policies, Board Directions and other rules that apply to procurement in NSW (including construction procurement).

Term	Definition
Procurement List (PL)	A list established in accordance with Part 6 of the EPP that includes suppliers who have met the conditions of participation. A PL is intended to be used more than once for procurements by one or more agency.
Regional NSW	Includes all areas within NSW outside the Newcastle, Sydney and Wollongong metropolitan areas.
Small or Medium Enterprise	An Australian or New Zealand based enterprise with fewer than 200 full time equivalent (FTE) employees.
Supplier	An entity that has been included on the Procurement List to provide construction services valued over \$9 million (ex GST).
Supplier Hub (formerly eTendering)	The NSW Government's repository for past, current and future tenders. Suppliers can apply for prequalification schemes, manage their scheme application and change contact details. Agencies use the site to select prequalified suppliers for tendering opportunities.
The NSW government agency responsible for the PL	NSW Public Works.
Work categories	A classification of different types of construction work, e.g. Building Works, Civil Works, Fitout and Refurbishment, etc.