



SUPPLIER PREQUALIFICATION SCHEME

Construction Contractors Prequalification Scheme – Applicant Guidelines

General construction works between \$1 and \$9 million

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More information

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What's changed?

From 29 November 2020 NSW Government Agencies can no longer use Scheme SCM1461 for procurements above \$9M ex GST as a result of the introduction of the Enforceable Procurement provisions by the NSW Procurement Board.

To facilitate procurements above \$9M ex GST, a separate Procurement List was established. Applicants are encouraged to apply for that Procurement List to supply General Construction Works above \$9M.

In December 2020 this Scheme was amended to:

- Only operate between \$1M and \$9M
- Include a new work category: Demolition Works. Suppliers are encouraged to submit a new application to become prequalified for this category
- Updated guidelines and conditions
- Updated performance management and reporting.

Transition of existing Suppliers

Suppliers currently prequalified under SCM1461 for works between \$9M and \$10M

Suppliers currently prequalified under SCM1461 for works between \$9M and \$10M are **required to submit an Application to be included on the Procurement List**, if desired by the Supplier.

If such a Suppliers does not submit an Application for inclusion on the Procurement List Agencies will no longer be able to include the Supplier in procurements above \$9M ex GST.

However, the Supplier will continue to be prequalified under SCM1461 and Agencies can continue to include the Supplier in procurements above \$1M and below \$9M.

Suppliers currently prequalified under SCM1461 for works above \$10M

Suppliers currently prequalified under SCM1461 for works above \$10M have already been contacted by the NSW Government with an invitation to **automatically transition to the Procurement List**. No immediate action is required from these Suppliers unless they disagree with the Procurement List Conditions and would like to opt-out of the automatic transition to the Procurement List. For clarity Suppliers automatically transitioning to the Procurement List **will not be required to submit a new Application**. Suppliers will be required to update their Supplier information by 31 August 2021.

Suppliers will be required to update their Supplier information by 31 August 2021.

Suppliers currently prequalified under SCM1461 for works between \$1M and 9M

No immediate action is required from these Suppliers and they do not need to submit a new Application unless they would like to apply for the new category Demolition Works. These Suppliers will continue to be prequalified under SCM1461 and Agencies can continue to include the Supplier in procurements above \$1M and below \$9M.

Where to start

Buy.NSW

Scheme Applicant Guidelines and associated documents for Applicants and Agencies are available at <https://buy.nsw.gov.au/schemes>.

Terms and definitions

Refer to Terms and definitions used in this document.

Registering and applying

Applicants must be registered on the Suppliers Hub before commencing the application process <https://suppliers.buy.nsw.gov.au/>

Refer to section 3.1 in this document for further information on registering for the Supplier Hub.

The online application form for the Construction Prequalification Scheme is available through the Supplier Hub

<https://www.tenders.nsw.gov.au/?event=public.scheme.show&RFTUUID=BF842AD6-BCF9-5768-2D5427E47C7328B9>

Each step of the application process is explained in detail at section 3.

Enquiries

For enquiries please contact: construction.suppliers@pwa.nsw.gov.au

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1. Introduction

1.1 What is the Scheme?

This Prequalification Scheme (Scheme) provides a mechanism for the NSW Government to procure General Construction Works between \$1 million and \$9 million ex GST.

Applications are continuously open and the Scheme is set to expire on 31 December 2025. This Scheme may be used to procure the following Construction Services:

- **Building Works:** Multi-trade building works for new buildings and additions to existing buildings
- **Heritage Building Works:** include restoration and conservation works and or associated stonemasonry, carving & fixing, roofing, carpentry, plastering and painting
- **Modular Building Works:** include portable buildings, prefabricated buildings, modules or sections manufactured off-site and amenable to on-site expedited delivery or modular assembly.
- **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
- **Civil Works:** For civil engineering works including excavation and bulk earth works, minor roads and related works, water and wastewater infrastructure and drainage works
- **Water Infrastructure:** include reservoirs, dams and or associated pipelines, pumping stations, balance tanks, surge tanks, storage tanks and discharge structures
- **Wastewater infrastructure:** include sewage treatment plants and or associated pipelines and pumping stations
- **Demolition Works:** Includes demolishing or dismantling a structure or part of a structure that is either load bearing or related to the physical integrity of the structure.

Further details on the Work Categories are provided at section 3.7.

The following table lists the key benefits of the Scheme:

Benefits to NSW Government	Benefits to Suppliers
Easy identification of Suppliers to be included in submissions for General Construction Works. This reduces the time, cost and risk to agencies to procure these services	Ability to be invited by NSW Government to make submissions for General Construction Works
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 What is the purpose of this document?

The purpose of this document is to guide the Applicant through the online application process. The process is in four parts:

- 1) Eligibility Checklist for inclusion on the Scheme (refer section 2)
- 2) New user registration on the Suppliers Hub (refer section 3.1)
- 3) Application process via <https://suppliers.buy.nsw.gov.au/> (refer section 3.2)
- 4) Applicant guidelines for Best Practice Accreditation (refer section 5)

These linked systems are operated and managed by NSW Procurement and Department of Customer Service.

- If you are aware of your Scheme eligibility and are already registered in Suppliers Hub/eTendering, you can go directly to guidance in section 3.3 to 3.8
- If you're a new user, continue to the next section.

2. How do I know if I am eligible to apply?

The NSW Government recommends that companies considering applying for inclusion on the Scheme, should complete the below Scheme Eligibility Checklist. The checklist provides an indication as to whether the Applicant may be eligible for inclusion on the Scheme.

A positive outcome does not guarantee that the Applicant will be successful in its Application for the Scheme. A negative outcome in any criteria will provide an indication as to areas where an Applicant may be unable to meet eligibility requirements. Where the Applicant is not eligible for inclusion on the Scheme, the Applicant may then implement actions to address eligibility before applying for inclusion on the Scheme.

Note that once included on the Scheme, Agencies seeking submissions from Suppliers may request additional information on financial capability, or may request a [Working with Children’s Check](#) on nominated personnel.

Conditions for Participation (reference to Scheme Conditions)	Eligibility criteria	Compliant (Yes or No)
Legal Capacity (3.1.1)	<p><i>The Applicant has the legal capacity to enter into contracts with the NSW Government.</i></p> <ul style="list-style-type: none"> • Applicant has a current Australian Business Number (ABN) • If applicable, additional evidence of company registration outside of Australia <p><i>Applications may only be lodged by legal entities with an ABN. A business or trading name is not a legal entity unless it is also the name of the registered company. Applicants should ensure the Application identifies a legal entity as the Applicant.</i></p> <ul style="list-style-type: none"> • Suppliers trading under a Trustee company arrangement (e.g. Trustee for the Smith Family Trust) are eligible to apply if, under the terms of the trust deed, they have power to enter into a contract on behalf of the trust. Trusts (e.g. Smith Family Trust) are not eligible for prequalification, as they cannot enter into a contract for services with an agency. • Companies that possess relevant experience in specified fields may be eligible to apply for the Scheme for particular Categories. • An incorporated joint venture (JV) must meet the criteria for inclusion on the Scheme in its own right and provide a copy of the joint venture agreement. Where a newly-formed JV may have difficulty satisfying some of the criteria referable to financial capacity, the same principles regarding newly-formed companies may apply 	Yes / No

Conditions for Participation (reference to Scheme Conditions)	Eligibility criteria	Compliant (Yes or No)
	<ul style="list-style-type: none"> An unincorporated joint venture may comprise separate legal entities coming together and combining strengths for the purpose of undertaking specific projects. An unincorporated joint venture is not an entity in its own right and operates under a contractual arrangement between the joint venture parties. Both parties to the joint venture need to be assessed in their own right. The unincorporated joint venture arrangement will need to be assessed in addition to other criteria. Applications will need to include a copy of the joint venture agreement and the structure of the joint venture for consideration. 	
	Applicants cannot be a Trust.	Yes / No
	<ul style="list-style-type: none"> Applicants are not applying for the same category of work and Upper Contract Value as any already included Supplier who is a related, associated or subsidiary business entity of the Applicant. 	Yes / No
	<ul style="list-style-type: none"> Applicants are not a joint venture applying for the same category of work or Upper Contract Value as any of the parties to the joint venture. 	Yes / No
	<ul style="list-style-type: none"> Agreement to the NSW Government Supplier Code of Conduct (refer section 8.4 of Scheme Conditions). 	Yes / No
	<ul style="list-style-type: none"> Whether, on reasonable grounds, there is an unacceptable level of risk arising from legal proceedings (including fines) issued or underway against the Applicant in the two years preceding the Applicant's application. 	Yes / No
Financial Capacity (3.1.2)	<p><i>The Applicant has the financial capacity to enter into contracts with the NSW Government:</i></p> <ul style="list-style-type: none"> Financial viability of the entity that is the Applicant is proven through financial statements for the previous two financial years: Applicants must provide audited financial statements where available. If the Applicant is not required to prepare audited financial statements, statutory accounts which have been prepared by an external accountant are to be provided Financial statements for any other organisation than the Applicant (e.g. parent company) will not be accepted, except when the Applicant is covered by an ASIC Deed of Cross Guarantee For Australian companies, the financial statement must represent same ABN as provided for the Applicant. 	Yes / No

Conditions for Participation (reference to Scheme Conditions)	Eligibility criteria	Compliant (Yes or No)
	<ul style="list-style-type: none"> ○ Financial statements must be prepared following internationally recognised Accounting Standards, such as IFRS, US-GAAP, or AASB. Financial statements should be provided in US Dollars, Euro or Australian Dollars ○ The Applicant should be able to demonstrate all of the following: <ul style="list-style-type: none"> ○ Net Tangible Assets (Total Assets less Total Liabilities less intangibles) of not less than 5% of the Upper Contract Value sought ○ Current Ratio (ratio of current assets to current liabilities) in excess of 1. ○ Working Capital in excess of 10% of the Upper Contract Value sought ○ a minimum annual turnover of \$1 million. <p><i>Where NSW Government does not have full confidence in the accuracy of the financial statement, it reserves the right to reject the application or request certain securities in addition to the normal contract securities. The securities required would be in the form of an Unconditional Undertaking provided by and claimable through an approved Australian bank or a foreign bank with a full banking licence in Australia and permanent branches established in Australia, preferably within New South Wales.</i></p>	
	<ul style="list-style-type: none"> ● The Directors of the Applicant have never been insolvent or bankrupt 	Yes / No
	<ul style="list-style-type: none"> ● The Applicant can provide the total contract value of a project delivered over the past two years. 	Yes / No
Commercial Ability (3.1.3)	<p><i>The Applicant has the commercial ability to enter into contracts with the NSW Government:</i></p> <ul style="list-style-type: none"> ● At least two of the organisation’s senior staff members have completed GC21 cooperative based contracting training, which is also available online, and can provide evidence of the course attended. ● At least two of the Key Personnel nominated by the Applicant have completed training relating to Conflict Resolution and can provide evidence of the course attended. ● At least two of the Key Personnel nominated by the Applicant have completed training relating to Alternative Dispute Resolution and can provide evidence of the course attended. 	

Conditions for Participation (reference to Scheme Conditions)	Eligibility criteria	Compliant (Yes or No)
	<ul style="list-style-type: none"> • The Applicant can demonstrate that adequate Quality Management Systems (QMS) systems are in place, including through accreditation/certifications such as: <ul style="list-style-type: none"> ○ Certification to ISO 9001 through an organization listed by JAZ ANZ. 	Yes / No
	<ul style="list-style-type: none"> • The Applicant can demonstrate that QMS systems are being followed and complied with through the submission of the following documents: <ul style="list-style-type: none"> ○ Two Inspection and Test Plans (ITP) developed within the past two years and evidence that they have been implemented on projects. 	Yes / No
	<ul style="list-style-type: none"> • The Applicant can demonstrate that adequate Work Health and Safety (WHS) systems are in place, including through accreditation/certifications such as: <ul style="list-style-type: none"> ○ Certification to ISO 45001, or ○ Current accreditation with the Office of the Federal Safety Commissioner. 	Yes / No
	<ul style="list-style-type: none"> • The Applicant can demonstrate that WHS systems are being followed and complied with, provide for two contracts completed in the last 2 years one of the following documents: <ul style="list-style-type: none"> ○ Third party WHS Audit Report, or ○ Site Safety Inspection Report signed off by WHS Manager, or ○ Site Safety Corrective Action Report signed off by WHS Manager. 	Yes / No
Technical Ability (3.1.4)	<i>The Applicant has the technical ability to enter into contracts with the NSW Government:</i>	
	<ul style="list-style-type: none"> • The Applicant can demonstrate at least two years of relevant experience delivering contracts within the categories nominated, wherever they have occurred. 	Yes / No
	<ul style="list-style-type: none"> • The Applicant can provide two client referees and performance reports for fully completed contracts delivered during the last three years for each nominated Work Category. 	Yes / No
	<ul style="list-style-type: none"> • The Applicant can demonstrate experience of key personnel in categories nominated, wherever it has occurred. 	Yes / No

Conditions for Participation (reference to Scheme Conditions)	Eligibility criteria	Compliant (Yes or No)
Best Practice Accreditation (3.1.5)	<i>The following information will be asked of Applicants only if they are applying for Best Practice Accreditation (refer to section 5.2 for further information on eligibility):</i>	
	The Applicant has been prequalified and included as a Supplier on SCM1461 with an Upper Contract Value exceeding \$2.5M.	Yes / No
	The Applicant has achieved a CPR benchmark score of 65% for all contracts procured through the NSW Government Procurement System for Construction for all work in progress within the last three years.	Yes / No
	The Applicant is be able to provide evidence of meeting the Best Practice Matrix criteria (refer to Best Practice Matrix) including ability to provide extracts of relevant policy, procedures, communications, training and operational records.	Yes / No
	The Applicant is to be able to provide audit reports that demonstrate the organisation’s WHS Management System and Quality Management System at a satisfactory standard from the last three years.	Yes / No
Additional information (3.1.6)	<i>The following additional information will be asked of Applicants for informational purposes only and do not form part of the conditions of participation</i>	
	<ul style="list-style-type: none"> The Applicant can provide details of an authorised representative who can submit the Application for and on behalf of the Applicant. 	Yes / No
	<ul style="list-style-type: none"> The Applicant can provide information on the organisation’s years in operation, number of FTEs and contact details. 	Yes / No
	<ul style="list-style-type: none"> The Applicant can provide details on the regions within Australia (if applicable) that it has serviced. 	Yes / No
	<ul style="list-style-type: none"> The Applicant can demonstrate its commitment to the Skills and Training Policy. The Applicant can demonstrate its compliance with the Modern Slavery Act. 	Yes / No

3. How do I lodge an Application?

Please read the Scheme Conditions document
before commencing your Application.

3.1 Register on the Suppliers Hub

Before applying for inclusion on the Scheme, an Applicant must first register as a new user on <https://suppliers.buy.nsw.gov.au/>. Existing users can log in from this page.

Information provided as part of new user registration will be saved to your entity's profile. The registered user in this profile will be the default email contact for Applications lodged.

For help relating to registration on the Suppliers Hub, refer to:

<https://suppliers.buy.nsw.gov.au/help?preserveScrollPosition=true&targetSection=supplier>

3.1.1 ABN

The Applicant must be a registered business within Australia and must nominate their Australian Registered Business Number (ABN) in their application. This applies to both domestic and international (overseas-based) Applicants.

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.

Please ensure that the business name and ABN of the entity applying matches the records maintained by the Australian Business Register <http://abr.business.gov.au/>

We will be able to determine what type of entity your business is by the ABN you provide.

3.1.2 Aboriginal-owned businesses

The NSW Government provides opportunities for Aboriginal-owned businesses and employees through the supply chain of NSW Government contracts.

Is your entity an Aboriginal business? Select the most appropriate answer in the form:

- Certified by Supply Nation
- Certified by NSW Indigenous Chamber of Commerce
- an organisation representing Aboriginal owned businesses in another state or territory that is a member of the First Australians Chamber of Commerce and Industry.

For more information on why we ask this question, refer to [Aboriginal Procurement Policy](#)

3.1.3 Small and medium enterprises

The NSW Government wants to make it easier for small, medium and regional enterprises to do business with government.

Indicate the number of full time equivalent (FTE) employees that your business declared on its last tax return.

- 1 – 19 (small business)
- 20 – 100 (medium business)
- 101 – 200 (medium business)
- Over 200 (large business).

You may select only one answer. For more information on why we ask this question, refer to [NSW Government Small and Medium Enterprise and Regional Procurement Policy](#).

3.2 Lodge an online application

Once you have registered, log into the Suppliers Hub and start your Application using the following link:

- <https://www.tenders.nsw.gov.au/?event=public.scheme.show&RFTUUID=BF842AD6-BCF9-5768-2D5427E47C7328B9>

The following will provide step by step guidance through the Application process. Please note all responses in the Application must be provided in English.

3.3 Step 1: Entity detail

Please ensure that the ABN of the entity applying matches the records maintained by the Australian Business Register. For further information please refer to <http://abr.business.gov.au/>

To get started, you can copy details from your personal profile or a previous lodgement by selecting the 'copy details' link.

3.3.1 Email address for notifications

This field will be pre-populated with the email address of the registered user.

3.3.2 ABN

Please enter your valid ABN (Australian Business Number) without spaces.

Refer to 3.1.1 ABN in this document for further information.

3.3.3 Aboriginal-owned businesses

Is this an Aboriginal or Torres Strait Islander owned organisation?

Please select Yes or No.

Refer to [3.2 3.1.2 Aboriginal-owned businesses](#) in this document for further information.

3.3.4 Full-time employees

How many full-time equivalent employees are employed in your organisation?

Please select one of the options. This can be based on:

- Business activity statements (BAS) or tax return for Australian companies
- Evidence that demonstrates FTEs for international companies.

This will help us to determine if you are a small or medium entity (SME).

Refer to [3.3](#) 3.1.3 Small and medium enterprises in this document for further information.

3.4 Step 2: Office Detail

3.4.1 Details from ABN

You will notice that your entity name, entity type, ABN, ACN (if applicable), business name, State/Territory and postcode of your registered office will be automatically extracted from the Australian Business Register

If there is more than one business name associated with your ABN, select the correct entity from the dropdown list. Please enter the State/Territory and Postcode of the selected entity.

3.4.2 Office details

Enter the primary office location of your business.

3.4.3 Contact details

The contact person may be different to the registered user who is submitting the application.

- All emails will be sent to the registered user.
- All other forms of communication will be addressed to the contact person.

Ensure the email address of the registered user is actively monitored as this will be the email used by government buyers to contact you. Please ensure that the details of the registered user AND/OR the contact person are amended if they are on leave, or no longer working in the business.

For the contact person, please enter:

- preferred salutation; e.g. Mr, Mrs, Miss, Ms, Sir, Madam, Dr etc.
- first name, last name and their position in the business
- postal address, including town, city and country
- phone number, mobile number and web address.

3.4.4 Service area

NSW Regions

This question asks you to nominate the area/s in which your company provides its services. The regions available within NSW are:

Northern Region

- Far North Coast
- Mid North Coast
- New England

Hunter Region

- Central Coast
- Hunter

Metro North Region

- Cumberland/Prospect
- Nepean
- Northern Sydney

Metro South

- Inner West
- South East Sydney
- South west Sydney

Western Region

- Central West
- Orana/Far West
- Riverina Murray

Southern Region

- Illawarra
 - Southern Highlands.
-

States and Territories

As above, you may select states and territories in which you do or do not currently have existing capacity and capability to operate in. If selected and you do not currently provide services in, you are indicating that you would be willing to provide services in these locations if appointed onto the Scheme.

3.5 Step 3: Prequalification types

Applicants can apply for prequalification in two categories:

SCM1461	Procurement List
<p>General construction works above \$1 million and up to \$9 million (ex GST)</p> <p>Refer to this document.</p>	<p>General construction works above \$9 million (ex GST)</p> <p>Refer to the Procurement List Applicant Guidelines.</p>

Please tick the first option that says, “For contracts valued \$1M to \$9M (SCM1461 – Prequalification Scheme for General Construction Works)”.

3.6 Step 4: Questionnaire

To complete the following questionnaire:

- Follow the Instructions column in the tables below
- Follow the guidance in the templates provided on the online application form
- Refer to Scheme Conditions for more detail, if required.

Note: * means a response is required.

3.6.1 Applicant Details

	Applicant Details	Instructions	References
1	Authorised Representative *	The person completing the application is to provide their full name, position and contact details as the duly authorised representative completing the application for and on behalf of the Applicant.	
2	Applicant's Acknowledgement *	<p>Tick the checkboxes to confirm agreement to all associated terms, conditions, requirements and obligations by the Applicant should inclusion onto the Scheme be successful.</p> <p>Note: by checking these boxes, the registered user completing the online application form confirms that they are authorised to submit the application for and on behalf of the Applicant. The Applicant's Acknowledgement is a Condition of Participation.</p>	<ul style="list-style-type: none"> • 3.1 in Scheme Conditions
3	What type of organisation is your business? *	Please select one of the options that best describes the Applicant's current corporate structure.	
4	Is the organisation an Australian Disability Enterprise?	Please select Yes or No. NSW Government agencies are encouraged to buy from ADE organisations where possible.	
5	Years in operation *	Please enter a number in years of the time the organisation has been in operation.	

	Applicant Details	Instructions	References
6	Describe the organisation’s approach to the NSW Government’s Skills and Training Policy. *	Provide a brief description in the text box of how your organisation contributes to the NSW Government’s commitment to the construction workforce.	<ul style="list-style-type: none"> 8.8 in Scheme Conditions Infrastructure Skills Legacy Program (ISLP)
7	Describe how the organisation is compliant with the Commonwealth Modern Slavery Act. *	Provide a brief description in the text box of how your organisation is compliant with the Commonwealth Modern Slavery Act.	<ul style="list-style-type: none"> 8.9 in Scheme Conditions Modern Slavery Act 2018 (NSW)
8	Provide any other applicable licences or certifications the organisation has.	<p>This is an optional question that provides the opportunity strengthen their application.</p> <p>If applying for inclusion in the work category demolition works, please also upload evidence of your demolition license (DE1) or restricted demolition license (DE2).</p>	

3.6.2 Legal Capacity

	Legal Capacity	Instructions	References
1	Supplier Code of Conduct *	<p>Please tick this box to confirm you’ve acknowledged and agree to the NSW Supplier Code of Conduct. This is a standard of behaviour that suppliers must comply with when working for the NSW Government. Additionally, compliance with the NSW Industrial Relations Guidelines: Building and Construction is required.</p> <p>Note: this is a Condition of Participation.</p>	<ul style="list-style-type: none"> 3.1 in Scheme Conditions
2	Fines *	<p>Use the <i>Fines</i> template to identify all fines, proceedings, prosecutions and convictions recorded against the organisation or Key Personnel in the two years before the date of application. This should include any ICAC proceedings, WHS and Environmental matters and other investigations.</p> <p>Upload the completed template in Word or PDF.</p>	<ul style="list-style-type: none"> Fines template

3.6.3 Financial Capacity

	Financial Capacity	Instructions	References
1	Financial details *	<p>Use the <i>Financial details</i> template to provide financial details for the past two years.</p> <p>Upload the completed template in Word or PDF.</p>	<ul style="list-style-type: none"> Financial Details Table template
2	Declaration *	<p>Tick the checkbox. Applicants must declare that Directors of the organisation have never been insolvent or bankrupt in any organisation in any country and are not currently subject to insolvency proceedings.</p> <p>Note: this is a Condition of Participation as per 3.1 in the Scheme Conditions.</p>	<ul style="list-style-type: none"> 3.1.2 in Scheme Conditions
3	Financial statements *	<p>Provide the organisation's annual financial statements for the previous two years. These financial statements must be audited where possible, or have statutory accounts provided by an external accountant, and must be prepared following internationally recognised Accounting Standards such as IFRS, US-GAAP, or AASB.</p> <p>Combine into one file and upload as Word, PDF or zip file.</p>	

3.6.4 Commercial Ability

	Commercial Ability	Instructions	References
1	Cooperative based contracting training *	<p>Provide certificates of GC21 training by two senior staff within the organisation. If training has not been undertaken by two senior staff, this needs to be obtained before proceeding with the Application. Please refer to the NSW Government's training offering in the link provided.</p> <p>Once obtained, combine the certificates into one file and upload as Word, PDF or zip file.</p>	<ul style="list-style-type: none"> GC21 cooperative based contracting training

	Commercial Ability	Instructions	References
2	Key Personnel *	<p>Use the <i>Contact and key personnel</i> template to provide details of Directors, Partners, Managers, key senior staff, and the main points of contact for the Scheme, including their relevant professional experience.</p> <p>Note: <u>two</u> of the Key Personnel nominated in this form will be required to have attended the relevant training (evidence to be provided in the following sections).</p> <p>Upload the completed template in Word or PDF.</p>	<ul style="list-style-type: none"> Contact and Key Personnel template
3	Conflict Resolution Training *	<p>Provide certificates of two senior staff that have completed formal Conflict Resolution training. If training has not been undertaken by two senior staff, this needs to be obtained before proceeding with the Application. This training can be provided, and certificates obtained, by any nationally recognised industry body or accreditation.</p> <p>Note: details of the personnel who have undertaken this training must be provided in the <i>Contact and key personnel</i> form in the previous question.</p>	
4	Alternative Dispute Resolution Training *	<p>Provide certificates of two senior staff that have completed formal Alternative Dispute Resolution training. If training has not been undertaken by two senior staff, this needs to be obtained before proceeding with the Application. This training can be provided, and certificates obtained, by any nationally recognised industry body or accreditation.</p> <p>Note: details of the personnel who have undertaken this training must be provided in the <i>Contact and key personnel</i> form in the previous question.</p>	
5	Quality Management System (QMS) *	<p>To demonstrate that adequate QMS systems are in place, provide evidence of accreditation/certifications such as:</p> <ul style="list-style-type: none"> Certification to ISO 9001:2015 through an organisation listed by JAS-ANZ. <p>Combine into one file (if applicable) and upload as Word, PDF or zip file.</p> <p>Select the calendar icon to provide the date of the expiry of the accreditation/certification.</p>	

	Commercial Ability	Instructions	References
6	Quality Management Reports *	To demonstrate that QMS systems are being followed and complied with, provide two Inspection and Test Plans (ITP) developed in the past two years and evidence that they have been implemented on projects. Combine into one file and upload as Word, PDF or zip file.	
7	Work Health and Safety (WHS) Management System *	To demonstrate that adequate WHS systems are in place, provide evidence of accreditation/certifications such as: <ul style="list-style-type: none"> • Certification to ISO 45001:2018 through an organisation listed by JAS-ANZ, or • Current accreditation with the Office of the Federal Safety Commissioner. Combine into one file (if applicable) and upload as Word, PDF or zip file. Select the calendar icon to provide the date of the expiry of the accreditation/certification.	
8	WHS Reports *	To demonstrate that WHS systems are being followed and complied with, provide for two contracts completed in the last 2 years one of the following documents: <ul style="list-style-type: none"> • Third party WHS Audit Report, or • Site Safety Inspection Report signed off by WHS Manager, or • Site Safety Corrective Action Report signed off by WHS Manager. Combine into one file and upload as Word, PDF or zip file.	

3.6.5 Technical Ability

	Technical Ability	Instructions	References
1	Experience *	Use the <i>Experience</i> template to provide requested details of relevant contracts that are either currently being undertaken or have been completed in the last two years. Note: at least two project examples for each Work Category (capability) you are applying for are required. Upload the completed template in Word or PDF.	<ul style="list-style-type: none"> • Experience template

	Technical Ability	Instructions	References
2	Client referee / performance reports *	<p>Use the <i>Client referee report</i> template to obtain client referee or performance reports for projects completed within the last two years.</p> <p>Note: one referee report is required for each Work Category (capability) for which you are applying.</p> <p>Combine into one file and upload as Word, PDF or zip file.</p>	<ul style="list-style-type: none"> Client Referee Report template

3.6.6 Best Practice Accreditation

Note: if you are not currently prequalified under the Scheme, it is unlikely you will be completing this part of the Application at the first instance. To be considered for Best Practice Accreditation, you need to first submit an application for inclusion on the Scheme. Once relevant experience and a CPR score of at least 65% is achieved, you can then reopen this Application and complete this section of the questionnaire. To determine if you are eligible for Best Practice Accreditation, you should undertake a self-assessment using the Best Practice Eligibility Checklist. Refer to section 5 of this document for further information.

Please note that the Best Practice Accreditation threshold is from \$2.5 to \$9million.

3.7 Step 5: Capabilities

3.7.1 Work categories

Identify the work categories for which your organisation would provide services if included onto the Scheme. The category selection should be based on your demonstrated recent experience and capabilities. There are various sub-categories in the primary categories of:

- **Building Works:** Multi-trade building works for new buildings and additions to existing buildings.
- **Heritage Building Works:** include restoration and conservation works and or associated stonemasonry, carving & fixing, roofing, carpentry, plastering and painting
- **Modular Building Works:** include portable buildings, prefabricated buildings, modules or sections manufactured off-site and amenable to on-site expedited delivery or modular assembly.
- **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.
- **Civil Works:** For civil engineering works including excavation and bulk earth works, minor roads and related works.
- **Water Infrastructure:** include reservoirs, dams and or associated pipelines, pumping stations, balance tanks, surge tanks, storage tanks and discharge structures
- **Wastewater infrastructure:** include sewage treatment plants and or associated pipelines and pumping stations
- **Demolition Works:** Includes demolishing or dismantling a structure or part of a structure that is either load bearing or related to the physical integrity of the structure.

3.7.2 Contract system

Identify the type(s) of contract system your organisation provides with its services:

- **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.
- **Design and Construct (DC)**
The Supplier is responsible for a significant part of the design, design development, and documentation and design coordination, as well as construction.

On the online application form, select one or more contract systems that your organisation is seeking to provide services for if included on the Scheme. This selection should be based on your demonstrated recent experience and capabilities.

3.8 Step 6: Review

3.8.1 Submit Scheme Application

Read the Scheme Conditions that are linked within the document provided in this question. Once you have read these, tick the checkbox to confirm that, as the authorised representative for the Applicant, you agree to the terms and conditions if your application is successful.

Review your responses. If you need to make any amendments, click on the arrow to expand the corresponding section and click 'Edit details'.

Once you are back at the Review page and happy with your responses, click 'Submit application'.

4. How will the NSW Government assess the Application?

4.1 Assessment of Applications

The government Agency responsible for the Scheme will assess the Application solely on the conditions for participation that are specified in section 3.1 of the Scheme Conditions.

The following methods may be used to verify that the Applicant satisfies these conditions of participation:

- A lookup on the Australian Business Register (ABR) website to validate information including the ABN, Business Name, Business Address provided by the Applicant
- Engagement of an external assessor to verify the financial viability of the Applicant independent of where the business activity occurred
- Evaluation of the Applicant's commercial and technical abilities on the basis of the information provided by the Applicant about its business activities, wherever they have occurred
- Referee checks to validate the nominated project experience and the experience of key personnel
- Checks to validate the accuracy of any certificates provided, such as for qualifications, licenses, certifications, and accreditations.

4.2 Outcome of the Application

4.2.1 Notification of the outcome

If the government Agency responsible for the Scheme is satisfied that the Applicant meets the conditions for participation of the Scheme, it must include the Supplier on the Scheme. A notification of inclusion on the Scheme will be issued to the Applicant.

The government Agency responsible for the Scheme will promptly notify the Applicant if it rejects its Application. Debriefs of unsuccessful Applications are available upon request and will be provided in writing outlining the reasons the Application was unsuccessful.

4.2.2 Upper Contract Value

The Agency responsible for the Scheme will determine an 'Upper Contract Value' for the Supplier based on the Applicant's demonstrated financial capability and contract performance capability.

The Upper Contract Value represents the potential value of the largest single contract, or the total value of smaller contracts for which the Supplier may be considered for tendering opportunities on an annualised basis.

Based on the information provided by the Applicant in the Financial Capacity section of the application, the NSW Government will determine an Upper Contract Value to which the Supplier will be able to deliver work to the NSW Government once included on the Scheme and if successful in a subsequent submission to an Agency. The Upper Contract Value will be the lesser of the financial capability and maximum contract value projects delivered over the past three years.

Example:1

Financial Capacity assessed by the NSW Government through an external assessor = \$8M

Scheme SCM1461 operates below \$9M

Project 1: contract value at \$7M

Project 2: contract value at \$6.5M

The Applicant will be included on the Scheme to \$9M and will have a financial threshold of \$7M

Example:2

Financial Capacity assessed by the NSW Government through an external assessor = \$5M

Scheme SCM1461 operates below \$9M

Project 1: contract value at \$7M

Project 2: contract value at \$10M

The Applicant will be included on the Scheme to \$9M and will have a financial threshold of \$5M

Applicants and Agencies should note that the Upper Contract Value is only indicative, as it represents the Applicant's financial capacity at a particular point in time. NSW Government will require an updated financial assessment to be undertaken prior to the award of any contract, at regular periods during a contract and while included on the Scheme.

4.2.3 Review, Appeals and Complaints

If an Applicant is not satisfied with the decision made by the NSW Government regarding its Application, the Applicant may request a formal review, appeal the outcomes of the review or make a formal complaint.

Complaints may include covered procurement complaints which refer to alleged breach(es) of the EPP which must be managed by the NSW Government in accordance with Part 11, Divisions 5 to 7 of the Public Works and Procurement Act (as amended by the Public Works and Procurement Amendment Act).

For further information about review, appeals and complaints refer to section 5 of the Scheme Conditions.

5. Best Practice Accreditation

5.1 Overview

The Construction Contractors Prequalification Scheme (Scheme) caters for two levels of Contractor capability including Prequalified Contractors as well as a higher level of capability of Best Practice Accredited Contractors.

Applicants must in the first instance obtain prequalification for work valued \$2.5M or over before applying for Best Practice Accreditation.

5.2 Eligibility

The Best Practice Eligibility checklist should be completed by the Applicant to indicate whether the organisation may be eligible for Best Practice Accreditation under the Scheme.

Where the organisation is not eligible for Best Practice Accreditation, the actions required to address eligibility are to be addressed. On receipt of an Application from an organisation via the eTendering website, the Agency responsible for the Scheme will review the organisation's eligibility. The organisation may be requested to provide additional information including records to support the Application.

#	Eligibility criteria	Actions required to progress eligibility where relevant	Compliant (Yes or No)
1	<p>Prequalification</p> <p>The organisation is to be currently prequalified under the Contractor Prequalification and Best Practice Accreditation Scheme for work of value \$2.5M or greater.</p>	The organisation is to become prequalified.	Yes / No

#	Eligibility criteria	Actions required to progress eligibility where relevant	Compliant (Yes or No)
2	<p>Performance Internal Review</p> <p>Where an organisation has been awarded work through the NSW Government Procurement System for Construction, the firm is to formally track and review at the Executive level, the organisation’s own performance based on Contractor Performance Reports for all contracts procured in this manner in the last three years.</p> <p>The organisation is to ensure that it obtains and retains fully completed copies of CPRs from the Project Manager.</p>	<p>The organisation is to improve its performance to meet the Best Practice Performance benchmark requirements.</p>	<p>Yes / No</p>
3	<p>Performance Delivery</p> <p>The organisation is to have achieved a Best Practice Performance benchmark of 65% based on the Contractor Performance Reports for all contracts procured through the NSW Government Procurement System for Construction for all work in progress within the last three (3) years.</p> <p>The firm is required to provide:</p> <ul style="list-style-type: none"> • four (4) Client Referee Reports (based on the provided template); or • four (4) Contractor Performance Reports (based on the performance reports of other NSW Agency Clients) <p>for work fully completed within the last three (3) years which meet the 65% Best Practice Performance benchmark.</p>	<p>The organisation is to improve its performance to meet the Best Practice Performance benchmark requirements.</p>	<p>Yes / No</p>
4	<p>Management System Audits</p> <p>The organisation is to be able to provide audit reports from independent 3rd party auditors demonstrating that a satisfactory standard has been achieved during the preceding 3 years on projects including the organisation’s:</p> <ul style="list-style-type: none"> • WHS Management System • Quality Management System. 	<p>Obtain audit report required</p>	<p>Yes / No</p>

#	Eligibility criteria	Actions required to progress eligibility where relevant	Compliant (Yes or No)
5	<p>Tendering Performance</p> <p>Where an organisation has accepted an opportunity within the last three (3) years, the organisation is to have provided advanced warning and reasons to the Agency responsible for the Scheme should it be unable to tender.</p>	The organisation is to improve its tendering performance	Yes / No
6	<p>Financial Capacity</p> <p>The organisation is to be able to continue to meet the Financial prequalification requirements including best practice requirements for net tangible assets of not less than 7% of upper limit of the financial range set for prequalification; Current ratio of 1; Working capital in excess of 10% of the upper limit of the financial range set for prequalification.</p>	Advise of the changes to the organisation's financial status and request a revision of the organisation's prequalification level.	Yes / No
7	<p>Contractual Claims Record</p> <p>The organisation is to have supported cooperative relationships for work undertaken through the NSW Government Procurement System for Construction by ensuring that any claims made are within the times prescribed in the contract; are factual and have legal merit; have been provided with evidence demonstrating full justification; have not been exaggerated loaded or padded in anticipation of a lesser amount.</p>	Advise of the contract, outline the nature of the claim and detail the changes to the organisation's policy, procedures and practices which demonstrate commitment to support cooperative relationships when making contractual claims, where justified, on any future work.	Yes / No
8	<p>Best Practice Implementation</p> <p>The organisation is to be able to provide evidence of meeting the Best Practice Matrix criteria including ability to provide extracts of relevant policy, procedures, communications, training and operational records.</p>	Implement changes to the organisation's policy, procedure and implementation which would enable the organisation to demonstrate compliance with criteria.	Yes / No

5.3 Application

The application process between the Supplier and the Agency responsible for the Scheme is outlined below:

1. The Supplier confirms its eligibility to be considered for Best Practice Accreditation by completing the Best Practice Eligibility Checklist (refer section 5.2)
 - a. Where not eligible, the organisation takes the necessary actions required to become eligible.
2. The Supplier submits an Application for Best Practice Accreditation to the Agency responsible for the Scheme by following the instructions in the table below.

	Best Practice Accreditation	Instructions	References
1	Performance Internal Review	<p>Use the provided template to complete a summary of project details and performance outcomes based on contracts with the NSW Government. Within the template, you will also need to provide a response on key findings discovered from CPRs and how these findings have led to improvements that have supported the delivery of projects to the NSW Government.</p> <p>Upload the completed template in Word or PDF.</p>	<ul style="list-style-type: none"> • Performance Internal Review template
2	Performance Delivery	<p>If you have undertaken work through the NSW Government Procurement System for Construction for three years, you will need to provide evidence that your organisation has achieved a Best Practice performance benchmark of 65% based on Contractor Performance Reports (CPR).</p> <p>Note: The Best Practice performance benchmark is achieved by CPR scores having an average of 65% or over.</p> <p>If you have not undertaken three years of work with the NSW Government, you will need to provide either four (4) Client Referee Reports (using the provided template) or four (4) Contractor Performance Reports (based on NSW Government’s CPR template) for work fully completed in the last three years. This must also meet the Best Practice performance benchmark of 65%.</p> <p>Combine into one file and upload as Word, PDF or zip file.</p>	<ul style="list-style-type: none"> • NSW Government's CPR template

	Best Practice Accreditation	Instructions	References
3	Best Practice Matrix	<p>Use the provided template to complete each row of the better practice matrix. You are required to provide summary statements to demonstrate how your organisation meets each criterion. Extracts of business documents are required to support each criterion. Documents are to clearly demonstrate the organisation’s business direction (policy, procedure, strategy), how this is communicated (correspondence, notices, training) as well as evidence of actual implementation (live operational records) relevant to the criteria. A tightly focused submission with sections and criteria tabbed, and with key relevant text in the extracts highlighted above is required.</p> <p>Upload the completed template in Word or PDF.</p>	<ul style="list-style-type: none"> Best Practice Matrix template
4	Management System Audits	<p>Obtain audit reports from independent 3rd party auditors on your organisation within the last three years. Ensure these show the achievement of a satisfactory standard so that it supports your Application. It must include an assessment on your Work Health and Safety Management System as well as your Quality Management System to demonstrate that adequate systems are in place and standards are being complied with.</p> <p>Combine into one file and upload as Word, PDF or zip file.</p>	

3. The Agency responsible for the Scheme may request additional information provided that the quality of the Supplier’s initial Application indicates significant potential for meeting requirements.
 - a. If requested, the Applicant provides additional information.
4. The Agency responsible for the Scheme assesses the response to any requests for additional information and decides whether the Supplier has met requirements.
5. The Agency responsible for the Scheme will advise the Supplier in writing as to the outcome of its Application, including whether the organisation:
 - a. Has been invited to attend an interview with a Panel of Assessors
 - b. Has not yet achieved Best Practice Accreditation (reasons will be provided and actions suggested for any future application by the organisation).
6. If invited, the Supplier attends an interview with the Panel of Assessors, responding to questions on aspects of the Application which require clarification to the Agency responsible for the Scheme. The Supplier may be required to provide additional relevant information.

7. The Panel of Assessors will meet following the conclusion of the interview with the organisation to discuss the response and decide whether the Supplier has demonstrated its ability to meet the Best Practice Accreditation requirements.
8. The Agency responsible for the Scheme will advise the Supplier in writing as to the outcome of its Application, including whether the Supplier has either:
 - a. achieved Best Practice Accreditation.
 - b. not yet achieved Best Practice Accreditation (reasons will also be provided, and actions suggested for any future application by the Supplier).

6. Frequently Asked Questions

1) My organisation is prequalified under SCM1461 for general construction works. Do we have to complete a new Application for this amended Scheme?

You only need to modify your already approved application and reapply for Demolition Works category

2) My organisation is Best Practice Accredited under the previous Scheme. Do we have to complete a whole new application for this amended Scheme?

This will not be required. Organisations will have their Best Practice Accreditation automatically rolled over onto the amended Scheme. Organisations may be requested to provide an update of some information and will be contacted to advise of the information where required. Please note that Best Practice Accreditation is only available for up to \$9M threshold.

3) What are the advantages to becoming Best Practice Accredited?

Best Practice Accredited contractors will receive preference over non-accredited contractors for selective tendering opportunities for contracts valued from \$2.5M.

4) Do I apply for Best Practice, at the same time as I submit my application for prequalification?

The organisation will first need to be prequalified for works valued at \$2.5M or over in any of the main work categories, i.e. building work, fitout & refurbishment, civil works or demolition works. Once prequalified, the organisation may then consider applying for Best Practice Accreditation.

5) What would our organisation have to do to become Best Practice Accredited?

- Once prequalified for works valued at \$2.5M or over, the organisation would need to conduct a self-assessment of its ability to meet the Best Practice Accreditation requirements.
- The organisation should also make use of the Best Practice Eligibility checklist (section 5.2) to determine its eligibility to apply. Where the organisation considers it is able to meet these requirements, the organisation may then submit an application for Best Practice Accreditation.
- The Department will conduct an assessment of the organisation's Application and advise of any other information required.

6) My organisation only undertakes work in a specific field e.g. engineering, roofing etc. How can I be included on the Scheme?

The Scheme covers Work Categories as specified at section 3.7 of this document. This includes some specialist categories. If your organisation's capabilities fits within the category descriptions, you can apply to become prequalified.

7) I want to undertake work in a geographical area in which I have not provided my services in previously. Am I still eligible for inclusion on the Scheme?

If you can demonstrate your organisation's legal and financial capacity, as well as its commercial and technical abilities, you are eligible for inclusion on the Scheme. If there are areas you have serviced previously, please indicate these areas in the Service Area sections at part 2 (3.4 Step 2: Office Detail) of the online application form.

8) What type and how many referee reports do I need?

Two (2) per category of work for which the organisation seeks to submit an Application. The referee reports must be for projects completed within the last three (3) years.

9) Can I use referee reports for partially completed jobs in my application?

Only referee reports for completed works are acceptable.

10) Can I use referee reports for work that was completed when I was working in or managing another organisation?

Only referee reports for the current organisation are acceptable.

11) Once I am included on the Scheme – am I guaranteed work?

The organisation is eligible to be considered for government work as it arises, based on Agency needs. There is no guarantee of work.

12) Is the government Agency responsible for the Scheme the Client on work that is offered?

The Client is almost always another NSW Government Agency rather than the government Agency responsible for the Scheme. The government Agency responsible for the Scheme only very rarely initiates construction work for its own limited needs. The government Agency responsible for the Scheme does have a role to operate the Scheme to support the project delivery needs of NSW Government Agencies.

13) To what value of work can I considered once included on the Scheme?

Based on the information provided by the Applicant to demonstrate its financial capacity, the NSW Government will determine an Upper Contract Value to which the Supplier will be able to deliver work to the NSW Government once included on the PL and if successful in a subsequent submission to an Agency. The Upper Contract Value will be the lesser of the financial capability and maximum contract value of a project delivered over the past 3 years.

14) How can our organisation become eligible for larger valued works?

Suppliers included on the Scheme must demonstrate both financial capability and relevant recent experience in work to the value sought. The organisation is to submit an application for an increase to the specific work type and contract system of interest. A further financial assessment of the organisation will be undertaken to this level. The organisation will also need to provide Client Referee reports for contracts completed within the last three (3) years at or above the value of the Upper Contract Value sought for each work type and contract system combination. Client Referee Reports from private sector clients are acceptable.

15) What do I need to do to remain included on the Scheme?

Suppliers need to continue to meet the requirements of the Scheme on an ongoing basis including retaining certifications and accreditations of Management Systems, meeting financial assessment requirements as well as meeting performance score benchmarks on Contractor Performance Reports. The organisation will need to continually monitor its ability to remain on the Scheme and contact the government Agency responsible for the Scheme should any significant aspect of its capability or profile information change.

7. 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 Scheme. This includes State owned corporations, universities, local councils etc. (Agencies)
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 Scheme
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 <ol style="list-style-type: none"> a) pre-erection works b) construction works c) repairs, alterations and restorations.
Contract system	A system for managing contracts, based on the type of services provided by the Supplier
Supplier performance report (CPR)	A report completed using the NSW Government's CPR template or accepted method
EPP Enforceable Procurement Provisions	The Procurement (Enforceable Procurement Provisions) Direction 2019 under the Public Works and Procurement Act 1912
Supplier Hub / 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.

Term	Definition
Framework	NSW Procurement Policy Framework - the suite of legislation, policies, Board Directions and other rules that apply to procurement in NSW (including construction procurement)
Government	New South Wales Government
Regional NSW	includes all areas within NSW outside the Newcastle, Sydney and Wollongong metropolitan areas
SCM1461	Supplier Prequalification Scheme for Construction Works above \$1 million and below \$9 million (ex GST)
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 Scheme to provide construction works between \$1 million and \$9 million (ex GST)
The Agency responsible for the Scheme	Department of Regional NSW
Upper Contract Value	Represents the potential value of the largest single contract, or the total value of smaller contracts for which the Supplier may be considered for tendering opportunities on an annualised basis.
Work Categories	A system to classify similar types of work, e.g. building works, civil works and fitout. Referred to as Capabilities in the online application form.
Works	Construction works including building works, fitout, civil works and demolition works but excluding construction related consultancy services, architectural design and heritage conservation