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| **Aboriginal, SME and Local Participation Plan Template**The Aboriginal Procurement Policy (2021) requires that suppliers submit an Aboriginal Participation Plan for all projects valued at $7.5m or above with their tender documents.The SME and Regional Procurement Policy (2021) requires that suppliers submit an SME & Local Participation Plan which references SME and NSW specific content for all goods and services contracts valued at $3m or above. This plan is the supplier’s commitment to APP, SME and Local content on the project. Plans will be finalised with the agency contract manager upon contract award and suppliers will be required to report progress against the plan quarterly.NOTE**:** this is a template only and indicates the required information. Agencies may allow suppliers to use other formats, and may amend as appropriate to meet the objective of the procurement.**Guidance for agencies:** Please **amend the title and description** of the plan to match the contract, as follows (and delete this text highlighted in yellow):* + For goods and services contracts between $3 million and $7.5 million, only a SME & Local Participation Plan is required (only the SME and Regional Procurement Policy applies)
	+ For goods and services contracts over $7.5 million an Aboriginal, SME and Local Participation Plan is required (the Aboriginal Procurement Policy and SME and Regional Procurement Policy applies)
	+ For construction contracts over $7.5 million, only an Aboriginal Participation Plan is required (only the Aboriginal Procurement Policy applies)
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| Contracting agency | Eg; Transport for NSW |
| Project Name & ID | Name and ID number as per NSW etendering |
| Project Location | Suburb and postcode or region where project will take place |
| Project start date | If known, or estimate |
| Expected project end date |  |
| Supplier name and contact details |  |
| Supplier ABN |  |
| Are you an Aboriginal business? | If no, please skip next question |
| Is your business recognised as an Aboriginal business by: | Please tick appropriate response:[ ]  Supply Nation[ ]  NSW Indigenous Chamber of Commerce[ ]  None of the above |

**Guidance for agencies:**

This template has been provided to meet the requirements of participation plans for the following types of contracts:

* Goods and services contracts between $3 million and $7.5 million
* Goods and services contracts over $7.5 million
* Construction contracts over $7.5 million

The parts of the participation plan relevant to the specific contracts is indicated, and agencies must **delete the sections which are not relevant** to the contract.

Instructions:

* Please **delete the text highlighted in yellow** before sending to suppliers
* **Commitments in red** will be contractually binding for the chosen supplier(s)
* This template is a suggestion, and agencies may amend as necessary or use their own templates
* Plans will be finalised with the agency contact upon contract award and suppliers will be required to report progress against the plan quarterly.

**For suppliers:**

**Commitments in red** will be contractually binding should you be chosen as the supplier.

Plans will be finalised with the agency contact upon contract award and suppliers will be required to report progress against the plan quarterly.

1. **SME Content Commitments**

Please include for Goods and services contracts over $3 million.

Please delete for Construction contracts.

SME content is evaluated against the minimum 10% SME non-price evaluation criterion.

**Supplier notes:**

Please complete as many fields as possible, including if you are an SME supplier and where there are SME subcontracting opportunities.

Subcontracting opportunities with an SME may also be with an Aboriginal business that is an SME (please note where this occurs).

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| **SME Content Commitments** |
| SME status | Are you an SME (Australian or New Zealand based enterprises with fewer than 200 full-time equivalent employees)?[ ]  Yes[ ]  NoIf you are an SME, you are not required to complete or report on the three fields below, however, you can complete as much as possible of the three fields below. |
| SME Subcontracting(Subcontracting with an Australian or New Zealand based enterprises with fewer than 200 full-time equivalent employees) | List of SME (Australian or New Zealand based enterprises with fewer than 200 full-time equivalent employees) subcontractors (indicating when this is an Aboriginal-owned supplier):* Description of good or service to be procured, name of SME subcontractor, [ABN](http://www.abr.business.gov.au/), value of good or service, percentage of contract value (*E.g. office furniture- desks and chairs, Office Supplies XYZ, 12 345 678 901, $5000, 2% of contract value*)
* Description of good or service to be procured, name of SME subcontractor, [ABN](http://www.abr.business.gov.au/), value of good or service, percentage of contract value
* Description of good or service to be procured, name of SME subcontractor, [ABN](http://www.abr.business.gov.au/), value of good or service, percentage of contract value

Add or remove bullet points as necessaryNumber of SME subcontractors: \_\_\_\_  |
| SME participation commitment | Estimated value of products/goods procured from SMEs: $\_\_\_*Non labour components of contract*Estimated value of services/labour procured from SMEs: $\_\_\_*All costs related to time spent by an employee or subcontractor in contract delivery* |
| SME participation percentage | Percentage of contract spend estimated to be with SMEs: \_\_% |

1. **SUSTAINABILITY COMMITMENTS**
2. **Sustainability outcomes (Optional)**

An agency may use this section of the plan to obtain information from a supplier which can be used to evaluate the supplier’s commitments to sustainability outcomes to address the minimum 10% Sustainability non-price evaluation criterion. If this is to occur:

* Please include for Goods and services contracts over $3 million
* Please delete for Construction contracts

Alternatively, an agency may choose to remove this section of the plan if they intend to obtain information from a supplier in a different way to evaluate the supplier’s commitments to sustainability outcomes to address the minimum 10% Sustainability non-price evaluation criterion.

Please fill out as many fields as possible, if there are opportunities for other sustainability commitments in the contract.

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| **Sustainability Commitments (Optional)**  |
| Support of the government’s economic, ethical, environment and social priorities | OPTIONAL: It is recommended that agencies provide details of the specific focus for the Sustainability Criteria/outcomes depending on the nature of the contract and an analysis of the supplier market. e.g. Due to the context of the tender, the focus of the evaluation of sustainability is [*agencies may use the list below as guidance*].Indication of how to meet the government’s economic, ethical, environmental and social priorities. This may include:* Creation of jobs in NSW (where possible)
* Developing and sustaining NSW industry capabilities, including through supporting people to gain in-demand or relevant skills, providing relevant skills and training opportunities and employing trainees or apprentices in NSW
* Supporting remote and regional communities, such as through employment opportunities, upskilling and training
* Industry development, including sharing knowledge, skills and technology
* Productivity benefits, including the creation of innovative practices, products and supply chains
* Aboriginal participation (e.g. Aboriginal-owned businesses in the supply chain or FTE opportunities for Aboriginal people)
* Supplier commitments to prevent or minimise the risk of modern slavery in their supply chain
* Capital investment
* Initiatives to increase resource efficiency and reduce waste
* Participation of social enterprises or disability employment organisations in the supply chain
* Lease real estate in a number of states and cities which are green star rated
* Using goods and services from a business that provides services of persons with a disability

Add or remove bullet points as necessary |

1. **Local Participation**

Please include for Goods and services contracts over $3 million

Please delete for Construction contracts.

Please complete as many fields as possible, including if there are opportunities for local content in the contract.

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| **Local Participation Commitments (where possible)**Note:For the purpose of the SME and Local Participation Plan, local content is defined as: goods produced, services provided, and labour supplied by the NSW industry |
| NSW jobs | Number of FTEs in NSW (where possible): \_\_\_ |
| NSW content value | Total estimated value of products/goods procured in NSW (where possible): $*Non labour components of contract (detailed above)*Total estimated value of services/labour procured in NSW (where possible): $*All costs related to time spent by an employee in contract delivery*List of goods and services opportunities for NSW businesses:* Detail of good or service to be procured from a NSW business, value of good or service
* Detail of good or service to be procured from a NSW business, value of good or service
* Detail of good or service to be procured from a NSW business, value of good or service

Add or remove bullet points as necessary |
| NSW Capital Expenditure | Estimated value of capital expenditure in NSW (where possible): $*This figure is separate from your tender value. It is the total value of capital investment (spend by your business), for example building, leasing or procuring infrastructure that benefit NSW communities. Either purchased in NSW or to be retained in the state and to be used as part of the contract delivery. Previously purchased assets are to be calculated at a depreciated value.* |

1. **Aboriginal Participation Commitments**

Please include for the following contracts:

* Construction contracts over $7.5 million
* Goods and services contracts over $7.5 million

Aboriginal participation may be assessed as part of the minimum 10% Sustainability non-price evaluation criterion.

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| **Aboriginal Participation requirements**  |
| Estimated contract value | Indicate estimated $ value of contract (eg: $8,300,000) |
| Exclusions | List the exclusion items and approximate value of the exclusion that you will be seeking to negotiate with the contracting agency. For example:* Lease of land adjacent to project site: $80,000
* Hire of construction machinery: $50,000
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| Project value | The project value is the contract value minus the proposed exclusions. For example: $8,300,000 - $130,000 = $8,170,000 (project value). |
| Aboriginal participation percentage | This will be a minimum of 1.5% of the project value or project workforce. The contracting agency may require a higher percentage of participation. |
| Value of Aboriginal participation | 1.5% of the project value (or higher per contracting agency requirements) – eg, $8,170,000 x 1.5% = $122,550 |
| **Plan to meet Aboriginal participation requirements** (if you are an Aboriginal business, you do not have to proceed further on this form).Aboriginal participation requirements may be met in the following ways:* A minimum 1.5% of project value directed toward Aboriginal businesses through sub-contracting
* A minimum 1.5% of the project workforce to be Aboriginal people across the life of the project
* A minimum 1.5% of the project value directed toward capability and capacity building of Aboriginal people or businesses
* Or, a combination of these options.
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| Subcontracting | If you are sub-contracting all or part of the Aboriginal participation requirement, your plan should include the following:* The portion of Aboriginal participation that will be directed to Aboriginal businesses through sub-contracting.
* Clearly identify opportunities for Aboriginal businesses in your supply chain.
* Methods for identifying Aboriginal businesses and clear communicating opportunities.
* You could include identifying Aboriginal businesses that your organisation will sub-contract in the delivery of the project.
* You could demonstrate an existing relationship with local stakeholder groups such as Local Aboriginal Land Councils or commit to develop a work relationship with specified stakeholders by a certain date if successful.
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| Employment | Total estimated project workforce (FTE):Estimated Aboriginal FTE: eg, total workforce x 1.5% (or percentage agreed).Your plan should include:* Clearly identified roles for Aboriginal employees and the skills required for these roles. Where possible, the majority of the roles should be central to the goods/services being delivered and located with local communities.

Identify ways to source suitable Aboriginal candidates, for example, through collaboration with employment service providers, consulting with Local Aboriginal Land Councils or local Aboriginal community controlled organisations, advertising through Aboriginal owned media outlets or hosting community information sessions. |
| Education, training or capability building for Aboriginal staff or businesses | If you are directing some or all of the Aboriginal participation requirement to education, training or capability building for Aboriginal staff or businesses, your plan should include:* The portion of the Aboriginal participation requirement that will be directed in this manner.
* Ways that you plan to retain and train Aboriginal employees for the role and ongoing development, for example, a mentoring or professional development program for Aboriginal employees, commitment to building cultural capability within the workplace which may include training of existing staff or working with Reconciliation Australia to agree a Reconciliation Action Plan.
* Courses or costs you plan to support for Aboriginal employees.
* Ways that you plan to build capability for Aboriginal businesses that are contributing directly to the project. For example, supplier diversity programs, business mentoring programs, assessing local Aboriginal business capability.
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| **Past Aboriginal participation compliance history** |
| Please indicate whether your business is currently, or has previously been, subject to Aboriginal participation requirements on a NSW Government project and if so, please indicate how it has performed against its commitments. | If your business is currently or has previously been subject to Aboriginal participation requirements, please advise the project, contracting agency, participation requirements and the businesses performance against the requirements (were the commitments met? If not, why not etc).If your business has no experience with Aboriginal participation requirements, evidence can be provided of your businesses commitment to Aboriginal employment or use of Aboriginal suppliers through:* Previous track record of Aboriginal employment and use of Aboriginal suppliers, including by providing examples or case studies.
* A Reconciliation Action Plan (RAP) or similar that provides a business commitment to Aboriginal employment and Aboriginal supplier targets.
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