



Government of **Western Australia**
Department of **Treasury and Finance**
Building Management and Works

BUILDERS INFORMATION PACK

BUILDERS PREQUALIFICATION SCHEME FOR WORKS CONTRACTS

**(FOR TENDERING AND CONTRACTING FOR
MAJOR NON-RESIDENTIAL BUILDING WORKS CONTRACTS WITH
THE MINISTER FOR WORKS)**

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TABLE OF CONTENTS

BUILDERS PREQUALIFICATION SCHEME FOR TENDERING AND CONTRACTING FOR MAJOR NON-RESIDENTIAL BUILDING WORKS CONTRACTS WITH THE MINISTER FOR WORKS..... 2

1	INTRODUCTION	2
2	DEFINITIONS.....	2
3	CONFIDENTIALITY.....	3
4	BUSINESS RISK ASSESSMENT.....	3
5	LEVELS OF PREQUALIFICATION.....	3
6	WITHDRAWAL OF PREQUALIFICATION.....	5
7	REGIONAL BUILDING CONTRACTORS – TENDER SPECIFIC UPGRADES	5
8	APPEAL PROCESS	5
9	APPLICATION OF THE SCHEME IN THE TENDERING PROCESS	5
10	OVERVIEW OF DTF PREQUALIFICATION SCHEME	5
11	TENDERING.....	8
12	CONTRACTING.....	10

APPENDIX 1 - APPLICATION FOR BUILDERS PREQUALIFICATION FOR TENDERING AND CONTRACTING FOR WORKS CONTRACTS WITH THE MINISTER FOR WORKS 13

1	NOTES	13
2	APPLICATION STATUS	13
3	BUSINESS PROFILE.....	14
4	PRINCIPAL CONTACT DETAILS (WESTERN AUSTRALIA)	14
5	GST REGISTRATION	15
6	NAME AND POSITION OF PERSON WHO MAY BE CONTACTED FOR FURTHER INFORMATION, IF REQUIRED	15
7	REQUIRED ATTACHMENTS.....	15
8	CERTIFICATION	15

APPENDIX 2 - APPLICATION FOR BUILDERS PREQUALIFICATION FOR TENDERING AND CONTRACTING FOR WORKS CONTRACTS WITH THE MINISTER FOR WORKS 16

1	NOTES	16
2	APPLICATION STATUS	16
3	BUSINESS PROFILE.....	17
4	PRINCIPAL CONTACT DETAILS (WESTERN AUSTRALIA)	17
5	NAME AND POSITION OF PERSON WHO MAY BE CONTACTED FOR FURTHER INFORMATION, IF REQUIRED	18
6	OTHER PERMANENT OPERATIONAL OFFICES.....	18
7	REQUESTED LEVEL OF PREQUALIFICATION	18
8	CORPORATE DETAILS	18
9	FINANCIAL DETAILS.....	18
10	CORPORATE EXPERIENCE.....	19
11	HUMAN RESOURCES.....	23
12	CODE OF PRACTICE FOR THE BUILDING AND CONSTRUCTION INDUSTRY IN WESTERN AUSTRALIA.....	26
13	REQUIRED ATTACHMENTS.....	33
14	CERTIFICATION	33

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ENQUIRIES

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BUILDERS PREQUALIFICATION SCHEME FOR TENDERING AND CONTRACTING FOR MAJOR NON-RESIDENTIAL BUILDING WORKS CONTRACTS WITH THE MINISTER FOR WORKS

1 INTRODUCTION

The Department of Treasury and Finance (DTF), on behalf of the Minister for Works (the Minister), administers a system of prequalification for building contractors in the building and construction industry known as the Builders Prequalification Scheme for Works Contracts (BPS). To be eligible to compete for State Government Non-residential Building Works contracts, tendered by DTF on behalf of the Minister, building contractors must first be prequalified at the appropriate level under the BPS. However, prequalification under the BPS must not be considered as a guarantee of success in being awarded a Government building works contract.

The BPS complies with the Government's commitment to:

- being an informed, competent and responsible client of the building and construction industry, through which it spends approximately \$570 million annually;
- consistency, fairness and transparency of its tendering and selection process for Government building projects;
- reducing the cost of tendering for both industry and Government stakeholders; and
- developing a sustainable industry across the State by encouraging continuous improvement and the pursuit of excellence through best practice.

2 DEFINITIONS

Applicant is defined as the entity (either an individual, a company or partnership) that seeks to tender and enter into contracts with the Minister.

Major Non-residential Building Works generally means a project managed and construction contract tendered by DTF on behalf of the Minister for:

- a) the erection or construction of a major non-residential building under the *Public Works Act 1902*; or
- b) the maintenance (other than service maintenance contracts) repair, renovation, alteration, extension, or improvement of a major non-residential building under the *Public Works Act 1902*.

but normally excludes:

- c) the programmed maintenance or breakdown repair of a major non-residential building;
- d) the construction, maintenance or repair of fitout works;
- e) the construction, maintenance or repair of single trade works;
- f) the construction, maintenance or repair of a residential building under the *Housing Act 1980*;
- g) the construction, maintenance or repair of a civil works including roads, bridges and the like;
- h) the construction, maintenance or repair of railway tracks, signals or associated structures;
- i) the construction, maintenance or repair of harbours, wharfs and other marine structures not related to land based building work; and
- j) the construction, maintenance or repair of a dam.

Where the proposed contract is of a non-typical construct only type (eg. Design & Construct, Build Own Operate or Build Own Operate Transfer, etc) or where the work under the contract is predominantly non-building in nature (eg. civil work, engineering work etc) DTF reserves the right to not include any of the prequalification requirements in the advertised tender.

Where the proposed contract is for works normally excluded, and the project and/or contracting risks warrant then DTF reserves the right to include in the particular tender appropriate requirements under the BPS.

The Principal in the contracts that flow from tenders advertised by DTF for major non-residential building works will normally be the Minister for Works. However, from time to time another State Government Minister, Department or a Government Trading Entity may be nominated as the Principal to the contract.

This definition should be taken as a guide only and is not exhaustive.

Principal Place of Business is defined as that Western Australian office from which the normal construction business of the Applicant/Prequalified Building Contractor is carried out.

Other Permanent Operational Place of Business is defined as an office/establishment, which is remote from the applicant’s principal place of business. This may be an office in another state or territory or in a regional town in Western Australia.

Prequalified Building Contractor (PBC) is defined as the entity (either an individual, a company, a partnership or a joint venture) that has satisfied the requirements for prequalification under the BPS and has been issued with a *Certificate of Prequalification* detailing the level of prequalification and any conditions that have been applied.

Key Operational Employee is defined as an employee, as defined under Taxation Ruling TR 2000/14 and that is directly involved in the day to day construction activities of the applicant or that is a Director, partner or the like that has legal responsibility for the operation of the applicant.

Regional Building Contractor is defined as a building contractor whose Principal Place of Business is within regional Zone 2 or 3 as defined under the *Buy Local Policy*. Refer to the State Supply Commission’s *Buy Local Policy* for definitions of the regional zones and the prescribed distances within each regional zone. Your local regional DTF office will be able to assist by providing view only copies of the *Buy Local Policy* and by advising where you can obtain your own copy.

3 CONFIDENTIALITY

The information contained in an application for prequalification will remain confidential between the applicant and DTF. A PBC’s level of prequalification under the BPS will also remain confidential. However, from time to time DTF may provide the Master Builders Association of WA with the current list of prequalified building contractors and their levels of prequalification.

4 BUSINESS RISK ASSESSMENT

All applicants for prequalification from Levels 1 to 5 shall be subject to a business risk assessment to determine the applicant’s financial capacity to carry out works at that level. DTF reserves the right to obtain business risk assessment reports in regard to the applicant’s financial and credit history from third parties.

5 LEVELS OF PREQUALIFICATION

Prequalification involves six financial levels relating to the estimated contract value (at Perth prices) and three technical levels relating to the complexity of the work under the contract. The levels and applicability are:

Financial Technical	LEVEL 0 From \$0 up to \$300,000	LEVEL 1 From \$300,001 up to \$1,300,000	LEVEL 2 From \$1,300,001 up to \$2,600,000	LEVEL 3 From \$2,600,001 up to \$5,500,000	LEVEL 4 From \$5,500,001 up to \$13,000,000	LEVEL 5 From \$13,000,001 up to \$45,000,000
COMPLEX	NOT APPLICABLE	B L E	B L E	C A B L E	C A B L E	APPLICABLE
CONVENTIONAL	NOT APPLICABLE	L I C A	L I C A	A P P L I	A P P L I	NOT APPLICABLE
SIMPLE	APPLICABLE	A P P	A P P	NOT NORMALLY APPLICABLE	NOT APPLICABLE	NOT APPLICABLE

Please note that the financial ranges shown are Perth based values, GST inclusive.

The BPS does not affect any statutory obligations under the *Builders Registration Act 1939* (the ‘Act’). A PBC must comply with the Act and all other statutory obligations when tendering and contracting for building works.

5.1 PREQUALIFICATION AT LEVEL 0

Applicants for prequalification at Level 0 are only required to provide their name, contact details, evidence of the legal entity under which they wish to be prequalified and demonstrate that they have an operational office. An Application for Prequalification at Level 0 (Appendix 1) is recommended. This can be completed and submitted to DTF at the time of tender.

5.2 PREQUALIFICATION AT LEVELS 1 TO 5 INCLUSIVE

Applicants for prequalification at Levels 1 to 5 inclusive are required to submit details, such as target financial and technical level, technical ability, staff structure, references, financial details, etc as set out in the enclosed Application Form (Appendix 2).

An Evaluation Panel assesses applications and the Panel’s recommendations are subject to endorsement by DTF Tenders Committee. DTF will advise applicants in writing of the outcome of their application.

Applications are not assessed unless they are complete. In normal circumstances, 30 days should be allowed for the assessment process. Until the applicant is advised in writing of the outcome of the assessment it is limited to tender for contracts that do not include in the tender documents any prequalification requirements, prequalification requirements higher than Level 0, or if the application is for an upgrade in financial and/or technical level, then to the financial and/or technical level of its current prequalification.

PBCs that are prequalified at a technical level other than Complex may tender for contracts that are advertised in the immediately lower financial level and one technical level higher. For example, a PBC prequalified at Level 3 Conventional may also tender for a contract tendered at Level 2 Complex.

In some instances, a PBC may have limitations or conditions placed upon its prequalification. When this occurs, the PBC will be advised of the limitations or conditions applied and it will be the PBC’s responsibility to ensure that it complies with these when tendering.

Periodic reviews of prequalification may occur, and building contractors may be requested to update information and submit an application for change in prequalification when deemed appropriate by DTF.

A PBC’s prequalification is not permanent and it is possible for building contractors to move from one level to another in either direction. This may occur by application at any time, the time of the periodic review or at the discretion of DTF should there be any change in a particular PBC’s performance, financial or technical standing.

5.3 DURATION OF PREQUALIFICATION

A PBC’s prequalification is not permanent.

A PBC’s level of prequalification will be renewed biennially. DTF will issue a reminder notice to PBC’s two months before the prequalification becomes due, to provide a new completed application for Builders’ Prequalification. This must be received by DTF no later than 1 calendar month after the PBC’s due date for prequalification. Failure to do so may result in the PBC’s prequalification being “Withdrawn”. The submission of a new completed Application for Builders Prequalification Form does not mean that the PBC’s level of prequalification will be automatically renewed. Every new completed Application for Builders’ Prequalification will be assessed on its own merits.

Once a PBC’s prequalification has been “Withdrawn” for the reasons stated above, reinstatement will be considered only upon receipt by DTF of a new completed Application for Prequalification.

It is also possible for PBC’s to move from one financial and/or technical level to another in either direction. This may be by request of the PBC, at any time, or at the time of the Biennial Renewal or at the discretion of DTF should there be any change in a PBC’s circumstances or as a result contracting performance reports.

5.4 DECLINING AN APPLICATION FOR PREQUALIFICATION

DTF does not guarantee that any application will be approved and reserves the right to decline any application or to approve an application at any level other than the level requested.

6 WITHDRAWAL OF PREQUALIFICATION

DTF reserves the right to withdraw a PBC's prequalification at any time for any reason.

7 REGIONAL BUILDING CONTRACTORS – TENDER SPECIFIC UPGRADES

Building contractors whose principal place of business is within regional zone 2 or 3, as defined in the *Buy Local Policy* may be offered the opportunity to tender for contracts for major non-residential building works in the regional zone, and within the prescribed distance of the building contractor's principal place of business, in the financial level immediately above their approved financial level. Refer to the State Supply Commission's *Buy Local Policy* for definitions of the regional zones and the prescribed distances within each regional zone. Your local regional DTF office will be able to assist by providing view only copies of the *Buy Local Policy* and by advising where you can obtain your own copy.

Should a regional building contractor wish to take advantage of this opportunity, it must seek written approval to do so prior to tender submission. Such approval is at the absolute discretion of DTF and will be dependent upon the particular circumstances prevailing at the time, the value and relative complexity of the contract and the works within the contract. Tenders will not be considered unless approval from DTF Manager, Business Risk is obtained prior to the preparation and submission of the tender.

8 APPEAL PROCESS

Applicants dissatisfied with the outcome of their applications may appeal the decision.

Requests for appeals must be in writing addressed to the Manager, Business Risk.

Applicants wishing to appeal the outcome of their applications may submit any additional information in support of their application with their appeal request.

Appeals will be assessed by a panel comprising a senior DTF officer who was not involved in the original prequalification process, one member of the original Evaluation Panel, a person nominated by the building contractor that is independent of the building contractor and that is knowledgeable of the building industry and its associated risk, and, with the agreement of the building contractor a representative of the executive of the Master Builders Association of WA. The appeals panel will comprise no less than 3 persons. In the event of a tie, the appeal will be passed to the Executive Director, Building Management and Works, DTF, for review and decision.

The Applicant will be advised of the outcome of the appeal process in writing, and the decision is final.

An unsuccessful appeal does not prohibit the Applicant from submitting a future application for prequalification.

9 APPLICATION OF THE SCHEME IN THE TENDERING PROCESS

Refer to the DHW Tendering and Contracting Practices for Works Contracts sections 11 & 12 of this pack for details on how this scheme is applied in our tendering processes.

10 OVERVIEW OF DTF PREQUALIFICATION SCHEME

The following table provides an overview of the BPS. The final decision as to whether or not an applicant complies with or meets each item of the criteria for each level is at the absolute discretion of DTF.

Please note that the financial ranges shown are Perth based values, GST inclusive.

LEVEL	FINANCIAL LIMIT	PREQUALIFICATION REQUIREMENTS Metropolitan Contracts	PREQUALIFICATION REQUIREMENTS Regional Contracts
LEVEL 0 (Simple)	From \$0 to \$300,000	No prequalification requirements. Prequalification can occur at time of tender.	As for metropolitan contracts.
LEVEL 1 (Simple, Conventional and Complex)	From \$300,001 to \$1,300,000	In the absolute discretion of DTF. Demonstrated experience in contracting for general building works (residential and/or commercial and/or industrial) above \$300,000. Demonstrated financial capacity to contract for building works up to \$1,300,000. Ongoing satisfactory performance is a factor for maintaining level of prequalification.	As for metropolitan contracts. Plus regional building contractors that are not prequalified at Level 1 may seek approval, on a tender-by-tender basis, to tender for Level 1 contracts that are within the prescribed distance from their principal place of business.
LEVEL 2 (Simple, Conventional and Complex)	From \$1,300,001 to \$2,600,000	In the absolute discretion of DTF: Demonstrated experience in contracting for commercial and/or industrial building works above \$1,300,000 and up to \$2,600,000. Demonstrated financial capacity to contract for building works up to \$2,600,000. Ongoing satisfactory performance is a factor for maintaining level of prequalification.	As for metropolitan contracts. Plus regional contractors that are prequalified at Level 1 may seek approval, on a tender-by-tender basis, to tender for Level 2 contracts that are within the prescribed distance from their principal place of business.
LEVEL 3 (Conventional and Complex)	From \$2,600,001 to \$5,500,000	In the absolute discretion of DTF: 1. Demonstrated experience in contracting for commercial and/or industrial building works above \$2,600,000 and up to \$5,500,000. 2. Demonstrated financial capacity to contract for building works up to \$5,500,000. 3. Can demonstrate a commitment to the <i>Code of Practice</i> by satisfying criteria under the headings: - Client Satisfaction; - Human Resource Management; - Continuous Improvement; - Occupational safety and Health Management; and - Environmental Management. Ongoing satisfactory performance is a factor for maintaining level of prequalification.	As for metropolitan contracts. Plus regional contractors that are prequalified at Level 2 may seek approval, on a tender-by-tender basis, to tender for Level 3 contracts that are within the prescribed distance from their principal place of business.

LEVEL	FINANCIAL LIMIT	PREQUALIFICATION REQUIREMENTS Metropolitan Contracts	PREQUALIFICATION REQUIREMENTS Regional Contracts
LEVEL 4 (Conventional and Complex)	From \$5,500,001 to \$13,000,000	<p>In the absolute discretion of DTF:</p> <p>Demonstrated experience in contracting for commercial and/or industrial building works above \$5,500,000 and up to \$13,000,000.</p> <p>Demonstrated financial capacity to contract for building works up to \$13,000,000.</p> <p>Can demonstrate a commitment to the <i>Code of Practice</i> by satisfying criteria under the headings:</p> <ul style="list-style-type: none"> - Client Satisfaction; - Human Resource Management; - Continuous Improvement; - Occupational Safety and Health Management; and - Environmental Management. <p>Ongoing satisfactory performance is a factor for maintaining level of prequalification.</p>	<p>As for metropolitan building contractors.</p> <p>Plus regional contractors that are prequalified at Level 3 may seek approval, on a tender-by-tender basis, to tender for Level 4 contracts that are within the prescribed distance from their principal place of business.</p>
LEVEL 5 (Complex)	From \$13,000,001 to \$45,000,000	<p>In the absolute discretion of DTF:</p> <p>Demonstrated experience in contracting for commercial and/or industrial building works above \$13,000,000 and up to \$45,000,000.</p> <p>Demonstrated financial capacity to contract for building works up to \$45,000,000.</p> <p>Can demonstrate a commitment to the <i>Code of Practice</i> by satisfying criteria under the headings:</p> <ul style="list-style-type: none"> - Client Satisfaction; - Human Resource Management; - Continuous Improvement; - Occupational Safety and Health Management; and - Environmental Management. <p>Ongoing satisfactory performance is a factor for maintaining level of prequalification</p>	<p>As for metropolitan contractors.</p> <p>Plus regional contractors that are prequalified at Level 4 may seek approval, on a tender-by-tender basis, to tender for Level 5 contracts that are within the prescribed distance from their principal place of business.</p>
	Above \$45,000,000	<p>Contract specific prequalification criteria that will include:</p> <p>Level of prequalification under DTF's BPS, and;</p> <p>Level of ongoing commitment to local industry.</p>	<p>As for metropolitan contractors.</p>

DTF TENDERING AND CONTRACTING PRACTICES FOR NON-RESIDENTIAL BUILDING WORKS CONTRACTS

11 TENDERING

11.1 CODE OF TENDERING

DTF tendering rules and procedures comply with Australian Standard AS 4120-1994, Code of Tendering.

11.2 CODE OF PRACTICE

In consideration of being permitted to tender, tenderers agree as a fundamental condition to act in accordance with the *Code of Practice* for the Building and Construction Industry in Western Australia in the tender and in any contract arising out of the tender. Tenderers also agree to comply with the Australian Standard Code of Tendering AS4120-1994. The Principal may require tenderers to make the attestation prescribed in AS4120-1994 Section 7.5, which deals with malpractice.

11.3 BUILDERS PREQUALIFICATION SCHEME

Subject to the provision in relation to regional contractors – Tender Specific Upgrades, building contractors wishing to submit tenders for contracts, which include in the tender documents a notice that tenderers must be prequalified with DTF under its BPS for works contracts at either of Levels 1 to 5 inclusive in order to qualify, must be prequalified at the specified, or a higher level, prior to the first advertised date of the tenders or an Expression of Interest (EOI) related to a tender. Applications for prequalification at either Levels 1 to 5 inclusive, related to a specific tender and received after the tender or an EOI related to the tender has been advertised will not be considered for that tender.

11.3.1 Tendering for Contracts up to and including Level 5

Tendering is generally carried out by public open tenders within Levels 0 to Level 5 inclusive, except that, tenders within Levels 1 to 5 inclusive, only those building contractors prequalified at the specified or a higher level, prior to the first date of the advertising of the tender or an EOI related to the tender, will be eligible to submit a tender.

When public tenders are called, the advertisement and the tender documents include a notice advising the relevant level for the tender.

11.3.2 Exception

DTF reserves the right to determine that a tender for a contract will not be advertised publicly. For such tenders an EOI or a Registration of Interest (ROI) to tender may be either publicly advertised or faxed to relevant prequalified building contractors. Prospective tenderers will be required to respond in accordance with the provisions contained in the EOI or ROI in writing. Tenderers will be selected, from those that have registered their interest in writing, by a panel of senior DTF officers and, when appropriate, the responsible consultant and a client representative. The panel will take into account such factors as geographical location, current workload and performance etc. The prospective tenderers are advised of the relevant factors when ROI's are invited. In normal circumstances, this process will result in about six tenderers being selected and invited to submit a tender. Circumstances may dictate that a lesser or greater number be invited. However, this will never be less than three and only in unusual circumstances, or where necessary to meet local purchasing obligations, would the number exceed eight. It should be noted that it is in the interests of Government not to confine the number of competitive bids too strictly. However, Government is also aware of the costs that tendering for contracts at this level place on the building industry. Selections are only made from contractors registered in the relevant or higher category.

11.3.3 Tendering for Contracts Greater than \$45,000,000 in Value

Contracts deemed by DTF to be greater than \$45,000,000 in value are sometimes considered sufficiently complex or unique to warrant tendering procedures that are outside the general requirements of DTF's BPS for works contracts.

ROI's may be called initially to gauge the market response. Dependent on the number of responses received DTF reserves the right to proceed directly to tender or call for EOI to shortlist the number of respondents.

The respondents' levels of prequalification with DTF may also be taken into consideration in determining the course of action.

Where ROI's are not called, tenders for these contracts will normally involve a two-stage process. Stage one will normally involve a publicly advertised EOI. An EOI will normally be invited from the whole industry and not limited to only those building contractors prequalified under DTF's BPS for works contracts. Respondents to the EOI will be required to address project and contract specific selection criteria. These criteria will normally include a respondent's level of prequalification under DTF's BPS for works contracts and the level of ongoing commitment to the Western Australian building industry. Other project and contract specific selection criteria will also need to be addressed by respondents. Tenderers will be selected, from those that have expressed an interest and responsible consultant and a client representative. In normal circumstances, this process will result in about three tenderers being selected and invited to submit a tender. Circumstances may dictate that a greater number be invited. However, this will never be less than three and only in unusual circumstances, or where necessary to meet local purchasing obligations, would the number exceed eight. It should be noted that it is in the interests of Government not to confine the number of competitive bids too strictly. However, Government is also aware of the costs that tendering for contracts at this level place on the building industry.

Notwithstanding the preceding paragraphs, contracts above \$45,000,000 may be publicly advertised as per the normal tendering procedures under the BPS when deemed warranted by DTF at its absolute discretion.

11.4 REGIONAL CONTRACTORS – TENDER SPECIFIC UPGRADES

Building contractors whose principal place of business is within a regional zone may be afforded the opportunity to tender for works contracts in the regional zone and within the prescribed distance of the building contractor's principal place of business in the financial level immediately above their approved financial limit. Refer to the State Supply Commission's *Buy Local Policy* for definitions of the regional zones and the prescribed distances within each regional zone. Your local DTF office will be able to assist by providing view only copies of the *Buy Local Policy* and by advising where you can obtain your own copy.

Should a building contractor wish to take advantage of this opportunity, it must seek written approval to do so prior to submitting a tender. Such approval is at the absolute discretion of DTF and will be dependent upon the particular circumstances prevailing at the time, the size and relative complexity of the contract and the works within the contract. Tenders will not be considered unless approval from DTF Manager Business Risk is obtained prior to the preparation and submission of the tender.

11.5 DTF APPLICATION OF THE BUY LOCAL POLICY

The State Government's *Buy Local Policy* provides regional suppliers with an enhanced opportunity to successfully bid for Government contracts.

You are encouraged to obtain a copy of the policy from the State Supply Commission, Dumas House, 5th Floor / 2 Havelock Street, West Perth, or from the Commission's Website at <http://www.ssc.wa.gov.au>. View only copies are also available in the DTF Tenders Office and in each of DTF's regional offices.

All enquiries relating to the *Buy Local Policy* should be directed to the State Supply Commission.

The State Government's *Buy Local Policy* shall apply to DTF's tenders, and any contracts that may result, to the extent described in the tender documentation.

11.6 ABORIGINAL ENTERPRISE AND EMPLOYMENT TENDERING PREFERENCE POLICY

The *Aboriginal Enterprise and Employment Tendering Preference Policy* (AEETPP) applies to all tenders and quotations called by DTF for construction and trade-based contracts.

The AEETPP is administered by the Department of Housing and a copy of the policy can be obtained from the Department of Housing website at www.housing.wa.gov.au under Aboriginal Housing.

11.7 BUSINESS RISK POLICY

DTF will assess the financial viability and capacity of contractors tendering with the Department. A business risk assessment will be carried out at the time of application for prequalification, every six months

for PBC's that regularly tender and on successful tenderers where there has not been a recent business risk assessment.

For further information contact Manager, Business Risk
Standards & Practice
Building Management & Works
Phone: (08) 9488 2719
Fax: (08) 9488 2740
Email: trina.baillie@bmw.wa.gov.au

12 CONTRACTING

12.1 GENERAL

12.1.1 Payment of Industry Training Fund Levy

The Contractor is deemed to be the project owner under the *Building and Construction Industry Training Fund and Levy Collection Act 1990* (the Act).

The Contractor shall pay all levies required to be paid under the Act.

12.2 CONTRACTOR PERFORMANCE REPORTING

The Superintendent's Representative will, at various stages during this contract, prepare a report for the sole use of the Principal in respect to all aspects of the Contractor's performance. The frequency of the reports will be agreed with the Contractor but will not be less than (the number of times will be specified for each contract) occasions during the period of the contract and at Practical Completion.

The Contractor is to be aware that the outcome of these performance reports will be used by the Principal in consideration of the Contractor's level of prequalification under DTF BPS for works contracts and in future tendering and contracting opportunities with the Principal.

12.3 PRIORITY START – BUILDING POLICY

12.3.1 The Policy

Priority Start – Building is a State Government policy administered by Department of Education and Training (DET) that ensures Government achieves a significant contribution in the engagement of apprentices and trainees in the building and construction industry.

12.3.2 Policy Requirements

To be eligible to undertake any State Government building construction contracts that have an estimated labour component in excess of \$300,000, head contractors will need to be registered by DET.

For the information and assistance regarding *Priority Start – Building* registration contact:

Priority Start – Building Policy Coordinator
Department of Education and Training
Level 2, 151 Royal Street
EAST PERTH WA 6004

Telephone No: (08) 9264 4789
Facsimile No: (08) 9264 4853
E-mail: ps.building@det.wa.edu.au
Website: www.apprenticeships.det.wa.edu.au/initiatives

The registration process is renewable each year.

Employers external to Western Australia can apply for registration, however, only Western Australia indentured apprentices and trainees can be nominated.

Prior to the acceptance of the tender and within two days from the date of request from the Principal, should the Principal make such a request, the tenderer shall lodge with the Principal a completed and signed Priority Start – Building Policy Schedule.

12.3.3 When Does it Apply

The *Priority Start – Building* policy applies to all construction contracts where estimated labour value of the contract, at Perth prices and GST exclusive, exceeds \$300,000.

The pre-tender estimate for the contract must be accompanied by an estimate of the labour value of the contract, at Perth prices and GST exclusive.

12.4 MAJOR BUILDING WORKS CONTRACTS

12.4.1 General Conditions of Contract

The General Conditions of Contract are normally the Australian Standard AS2124-1992. For design/construct or novated contracts, DTF normally uses the Australian Standard AS4300-1995.

A copy of the General Conditions of Contract may be purchased from SAI Global.

Tenderers shall include in their tender the costs of complying with the terms of these General Conditions of Contract and amendments.

These contracts require the execution of a Formal Instrument of Agreement. A copy of this agreement, BMW02, is available for inspection at the Tenders Office, Ground Floor, 99 Plain Street, East Perth.

12.4.2 Code of Practice

The Contractor shall comply with the *Code of Practice* for the Building and Construction Industry in Western Australia and any failure to do so shall constitute a default for the purposes of Clause 44 of the General Conditions of Contract.

The Principal shall be entitled to recover from the Contractor:

- The sum of any monies received by the Contractor;
or
- Any sum by which the tender price was increased in contravention of AS4120-1994 as if such sum were a debt due from the Contractor to the Principal.

12.4.3 Statutory Declaration

Payment of Workers - On the occasions that it is considered appropriate, the Superintendent will request a statutory declaration from the Contractor in accordance with Clause 43(a) of the General Conditions of Contract.

Payment of Subcontractors - The Contractor is obligated to give to the Superintendent not earlier than 14 days after it has made each claim for payment under Clause 42.1, and before the Principal makes payment to it, the statutory declaration required under Clause 43(b) of the General Conditions of Contract.

Withholding of Payment by the Principal - Clause 43(c) of the General Conditions of Contract provides the Principal with the authority to withhold payment to the Contractor when a required statutory declaration is not provided.

12.4.4 Privity of Contracts

Where subcontracts exist between the PBC and subcontractors, including nominated and selected subcontractors, prequalification does not alter the privity of contract between the PBC and the Subcontractor and does not impose any express or implied legal obligation of any nature whatsoever in contract or by any other means on the part of the Principal to the Subcontractor.

12.5 MINOR WORKS CONTRACTS

12.5.1 Conditions of Contract

DTF currently has its own *Minor Works Conditions of Tendering and Conditions of Contract*. A copy of these general conditions is available for inspection at the Tenders Office, Ground Floor, 99 Plain Street, East Perth.

12.5.2 Code of Practice

The Contractor shall comply with the *Code of Practice* for the Building and Construction Industry in Western Australia and any failure to do so shall constitute a default for the purposes of Clause G19 of the Conditions of Contract. The Principal shall be entitled to recover from the Contractor:

The Principal shall be entitled to recover from the Contractor:

- The sum of any monies received by the Contractor;
or
- Any sum by which the tender price was increased in contravention of AS4120-1994.

Such sum shall be deducted from the moneys otherwise due under a progress certificate given under Clause G16 of the Conditions of Contract as if such sum were a debt due from the Contractor to the Principal under or by virtue of a provision of the contract.

12.5.3 Statutory Declaration – Payment of Workers

On the occasions that it is considered appropriate the Principal will request a statutory declaration from the Contractor in accordance with Clause G18 of the Conditions of Contract.



Government of **Western Australia**
 Department of **Treasury and Finance**
 Building Management and Works

**APPENDIX 1 - APPLICATION FOR BUILDERS PREQUALIFICATION
 FOR TENDERING AND CONTRACTING
 FOR WORKS CONTRACTS WITH THE
 MINISTER FOR WORKS**

LEVEL 0 (ONLY) (For Contracts Valued Up To \$300,000)

1 NOTES

- Building contractors who wish to be considered for tendering with DTF, on behalf of the Minister for Works (DTF) for major non-residential building works contracts, which have an estimated value (at Perth prices) not exceeding \$300,000 GST inclusive, should complete this application form.
- This application form can be submitted at any time up to and including with a tender. However, building contractors wishing to submit tenders for contracts, which include in the tender documents a notice that tenderers must be prequalified with DTF at Level 1 or higher, in order to qualify, must be prequalified at the specified or a higher Level, prior to the first advertisement date of the tender or an EOI related to the tender. Applications for prequalification, related to a specific tender and received after the tender or an EOI related to the tender has been advertised will not be considered for that tender.
- Only complete applications will be considered. A complete application is one that includes all requested attachments. It is the applicant’s responsibility to ensure the completeness of the application.
- Brochures, pamphlets or the like, which may provide further information on the applicant and its services, may be attached and these will be retained for reference.
- Information provided in this application will be treated as confidential and maintained on file for future reference. It will be available only to those DTF staff directly concerned with the system.
- Applicants should allow a minimum of 30 days for the processing of the application.
- DTF may seek to update its information periodically and also encourages building contractors to provide details of changes as they occur.
- Failure to provide updated information when requested may result in the building contractor having its prequalification set aside.
- Queries regarding the BPS and the completion of this application may be directed to the Business Analyst (Prequalification) on telephone number (08) 9488 2720 or via email on michael.pugliese@bmw.wa.gov.au
- Return your completed application to:

Delivery Address:
 Michael Pugliese
 Business Analyst (Prequalification)
 Building Management & Works
 6th Floor, 200 Adelaide Terrace
 EAST PERTH WA 6004

Email Address:
michael.pugliese@bmw.wa.gov.au

2 APPLICATION STATUS

(Tick appropriate box)

INITIAL PREQUALIFICATION

UPDATE OF DETAILS

dd/mm/yyyy

(Dated)

3 BUSINESS PROFILE

LEGAL ENTITY (company or individual): _____

TRUST NAME (where relevant): _____

BUSINESS/TRADING NAME (if different from legal entity): _____

AUSTRALIAN COMPANY NUMBER (where relevant): _____

AUSTRALIAN BUSINESS NUMBER: _____

BUILDERS' REGISTRATION NUMBER OF BUSINESS: _____

TYPE OF BUSINESS:

(Tick appropriate box)	Sole Trader	<input type="checkbox"/>	Trustee Company	<input type="checkbox"/>
	Partnership	<input type="checkbox"/>	Nominee Company	<input type="checkbox"/>
	Public Company	<input type="checkbox"/>	Private Company	<input type="checkbox"/>
	Other	<input type="checkbox"/>	(please specify)	_____

NOTE: For Pty Ltd only, please attach current copy of the company register, names of office bearers and share distribution. For firms operating under a Registered Business Name, please attach a current copy of the Business Name Registration showing the ownership details of the Business Name. For firms operating under a Trust arrangement, please attach a copy of the Trust Deed.

DATE WHEN BUSINESS COMMENCED OPERATION: _____

4 PRINCIPAL CONTACT DETAILS (WESTERN AUSTRALIA)

PRINCIPAL BUSINESS ADDRESS: Floor Level: _____ Unit No.: _____

Building Name _____

Street No.: _____ Street Name: _____

Suburb/Town/City: _____

State: _____ Postcode: _____

PRINCIPAL POSTAL ADDRESS: AS ABOVE (please tick box)

(If different from above, provide full postal details)

Floor Level: _____ Unit No.: _____

Building Name _____

Street No.: _____ Street Name: _____

Post office address: _____

Suburb/Town/City: _____

State: _____ Postcode: _____

TELEPHONE NUMBERS: () _____ () _____

FACSIMILE NUMBERS: () _____ () _____

EMAIL ADDRESS: _____

PRINCIPAL CONTACT PERSON: Mr, Ms, Mrs, Miss _____

(Please circle) _____ (First Name) _____ (Surname)

POSITION IN FIRM: _____

5 GST REGISTRATION

It is a requirement that PBC’s be registered for GST and that they have an Australian Business Number (ABN). The application is required to provide its ABN in section 3 of this application form. The applicant is to confirm here that it is registered for GST:

The applicant is registered for GST Yes No (Tick appropriate box)

6 NAME AND POSITION OF PERSON WHO MAY BE CONTACTED FOR FURTHER INFORMATION, IF REQUIRED

NAME:	_____
POSITION IN FIRM:	_____
TELEPHONE No.:	_____
FACSIMILE No.:	_____

7 REQUIRED ATTACHMENTS

The attachments requested throughout this form are required as part of the application, so please ensure they are included. **Below is a checklist of the requested attachments.**

You may also include in your application any comments or further information you believe may better inform DTF of your firm, its technical expertise, resourcing, financial capacity or the like.

Required Attachment	Included
Current copy of a Company extract from the Australian Securities and Investments Commission (ASIC) if you are tendering as a Company, or Business Name registration details if not incorporated, and a copy of the Trust Deed if applicable.	Yes <input type="checkbox"/>

8 CERTIFICATION

I/We certify that I/we have read and understand all the information contained in the Builders Information Pack. I/We further certify that all the information provided in this application for LEVEL..... (specify one financial and one technical level only) prequalification is true and correct in every detail and all required information has been supplied.		
Name/s of authorised officer/s:	_____	_____
	(First name & surname in block letters)	(First name & surname in block letters)
Position/s held in Firm:	_____	_____
	(In block letters)	(In block letters)
Signature/s of authorised officer/s:	_____	_____
Date: _____ day of _____	_____	_____
(Day no.)	(Month)	(Year)

Submit your completed application to: Michael Pugliese
 Business Analyst (Prequalification)
 Department of Treasury and Finance
 Building Management & Works
 6th Floor, 200 Adelaide Terrace
 EAST PERTH WA 6004

For confidentiality, applications should be submitted in a sealed envelope marked “STRICTLY CONFIDENTIAL”. Enquiries should be directed to the Business Analyst (Prequalification) on telephone number (08) 9488 2720.



Government of **Western Australia**
 Department of **Treasury and Finance**
 Building Management and Works

**APPENDIX 2 - APPLICATION FOR BUILDERS PREQUALIFICATION
 FOR TENDERING AND CONTRACTING
 FOR WORKS CONTRACTS WITH
 THE MINISTER FOR WORKS**

LEVELS 1 TO 5 (For Contracts Valued in Excess of \$300,000)

1 NOTES

- Building contractors who wish to be considered for tendering with DTF, on behalf of the Minister for Works (DTF) for major non-residential building works contracts with the Minister for Works, which have an estimated value (at Perth prices) exceeding \$300,000 GST inclusive must complete this application form.
- This application can be submitted at any time. However, building contractors wishing to submit tenders for contracts, which include in the tender documents a notice that tenderers must be prequalified at either of Levels 1 through to 5 inclusive, in order to qualify, must be prequalified in the specified level, or a higher level, prior to the first advertisement date of the tender or any EOI in relation to the tender. Applications for prequalification, related to a specific tender and received after the tender or EOI related to the tender has been advertised will not be considered for that tender.
- Only complete applications will be assessed. A complete application is one that includes all requested attachments. It is the applicant’s responsibility to ensure the completeness of the application.
- Brochures, pamphlets or the like, which may provide further information on the applicant and its services, may be attached and these will be retained for reference.
- Information provided in this application will be treated as confidential and maintained on file for future reference. It will be available only to those DTF staff directly concerned with the system.
- Applicants should allow a minimum of 30 days for the processing of the application.
- DTF may seek to update its information periodically and also encourages building contractors to provide details of changes as they occur.
- Failure to provide updated information when requested may result in the building contractor having its prequalification set aside.
- Any queries regarding the BPS and the completion of this application may be directed to the Business Analyst (Prequalification) telephone number (08) 9488 2720.

• Return your completed application to:

Delivery Address:
 Michael Pugliese
 Business Analyst (Prequalification)
 Building Management & Works
 6th Floor, 200 Adelaide Terrace
 EAST PERTH WA 6004

Email Address:
michael.pugliese@bmw.wa.gov.au

2 APPLICATION STATUS

Tick appropriate box

- INITIAL PREQUALIFICATION**
- RENEWAL OF PREQUALIFICATION**
- REQUEST FOR UPGRADE IN PREQUALIFICATION**

dd/mm/yyyy

(Dated)

3 BUSINESS PROFILE

LEGAL ENTITY (company or individual): _____

TRUST NAME (where relevant): _____

BUSINESS/TRADING NAME (if different from legal entity): _____

AUSTRALIAN COMPANY NUMBER (where relevant): _____

AUSTRALIAN BUSINESS NUMBER: _____

BUILDERS REGISTRATION NUMBER OF BUSINESS: _____

TYPE OF BUSINESS:

(Tick appropriate box)	Sole Trader	<input type="checkbox"/>	Trustee Company	<input type="checkbox"/>
	Partnership	<input type="checkbox"/>	Nominee Company	<input type="checkbox"/>
	Public Company	<input type="checkbox"/>	Private Company	<input type="checkbox"/>
	Other	<input type="checkbox"/>	(please specify)	_____

NOTE: For Pty Ltd only, please attach current copy of the company register, names of office bearers and share distribution. For firms operating under a Registered Business Name, please attach a current copy of the Business Name Registration showing the ownership details of the Business Name. For firms operating under a Trust arrangement, please attach a copy of the Trust Deed.

DATE WHEN BUSINESS COMMENCED OPERATION: _____

4 PRINCIPAL CONTACT DETAILS (WESTERN AUSTRALIA)

PRINCIPAL BUSINESS ADDRESS: Floor Level: _____ Unit No.: _____

Building Name _____

Street No.: _____ Street Name: _____

Suburb/Town/City: _____

State: _____ Postcode: _____

PRINCIPAL POSTAL ADDRESS: AS ABOVE (please tick box)

(If different from above, provide full postal details)

Floor Level: _____ Unit No.: _____

Building Name _____

Street No.: _____ Street Name: _____

Post office address: _____

Suburb/Town/City: _____

State: _____ Postcode: _____

TELEPHONE NUMBERS: () _____ () _____

FACSIMILE NUMBERS: () _____ () _____

EMAIL ADDRESS: _____

PRINCIPAL CONTACT PERSON: Mr, Ms, Mrs, Miss _____

(Please circle) _____ (First Name) _____ (Surname)

POSITION IN FIRM: _____

5 NAME AND POSITION OF PERSON WHO MAY BE CONTACTED FOR FURTHER INFORMATION, IF REQUIRED

NAME:			
POSITION IN FIRM:			
TELEPHONE No.:		FACSIMILE No.:	

6 OTHER PERMANENT OPERATIONAL OFFICES

List hereunder the names of the cities/towns where the applicant has another permanent operational office/s.

OTHER OFFICE / ESTABLISHMENT LOCATION:	1.	
	2.	
	3.	
	4.	
	5.	

7 REQUESTED LEVEL OF PREQUALIFICATION

Please indicate **one** Financial and Complexity Level only by ticking the appropriate box.

Please refer to the following pages for further information and explanation on each of the technical levels.

Please note that the financial ranges shown are Perth based values, GST inclusive.

Financial Technical	LEVEL 1 From \$300,001 up to \$1,300,000	LEVEL 2 From \$1,300,001 up to \$2,600,000	LEVEL 3 From \$2,600,001 up to \$5,500,000	LEVEL 4 From \$5,500,001 up to \$13,000,000	LEVEL 5 From \$13,000,001 up to \$45,000,000
COMPLEX	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CONVENTIONAL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	NOT APPLICABLE
SIMPLE	<input type="checkbox"/>	<input type="checkbox"/>	NOT NORMALLY APPLICABLE	NOT APPLICABLE	NOT APPLICABLE

8 CORPORATE DETAILS

Attach business name registration details of firm if not incorporated (for individuals and partnerships).

If incorporated attach company extract from ASIC. This is to include details of directorships, shareholdings and paid up capital.

9 FINANCIAL DETAILS

Attach current written confirmation from financial institution named, to the availability and extent of finance. Attach a copy of Profit and Loss Accounts and Balance Sheets, of applicant, for the previous three years.

9.1 GST REGISTRATION

It is a requirement that PBC's be registered for GST and that they have an ABN. The applicant is required to provide its ABN in section 3 of this application form. The applicant is to confirm here that it is registered for GST.

The applicant is registered for GST Yes No (Tick appropriate box)

9.2 BANK

NAME OF BANK:	_____
ADDRESS OF BANK:	_____
CONTACT NAME/S AT BANK:	_____
TELEPHONE NUMBER/S AT BANK:	_____

9.3 FINANCE

ACCESS TO FINANCE:
(a) Bank (name): _____
(b) Other (name): _____

9.4 NAMES OF MAJOR TRADE CREDITORS

1. _____
2. _____
3. _____
4. _____

9.5 TRADE CREDITORS

Attach written references from a minimum of three of these trade creditors.

10 CORPORATE EXPERIENCE

10.1 PERFORMANCE RELATED REFERENCES

Written references from a minimum of three separate referees that are independent from the applicant.

Referees should be the responsible contract administrator for the contract and not the client. As a minimum, references should include commentary on the applicant’s organisational ability, time and cost performance, standard of workmanship and level of cooperation. The applicant may also include its own comments on its organisational ability, time and cost performance, standard of workmanship and level of cooperation.

10.2 TECHNICAL DETAILS

DTF has grouped various facilities into 1 of its 3 broad bands of technical complexities. The following tables show the types of facilities that DTF has grouped within each band. Applicants should demonstrate their technical experience by aligning their included lists of previous completed and current contracts to the 3 bands of complexity set out below.

If an applicant believes that one or more of its projects is covered by one of the following listed facility types but due to circumstances in the project its complexity level is greater than that shown below then the applicant must state in its application the level of complexity the applicant believes is appropriate and provide evidence that supports this opinion. DTF will undertake only to consider the applicants opinion of a change in complexity.

COMPLEX FACILITIES

Academy	Concert Hall	Marina
Ambulance Station	Convention Centre	Museum
Amenities Building	Court House	Office Facilities (High Rise - greater than 3 floors)
Aquaculture Park	Crematoria	Operating Theatre
Aquatic Centre (Indoor & Outdoor)	Dental Surgery	Prison (Remand, Medium, Maximum & Juvenile)
Art Gallery	Film/TV Studio	Railway Station
Bank	Fire Station	Research Centre
Brewery	Grandstand	Residential (multi-unit and multi storey)
Broadcast Studio	High (Senior) School	Restaurant
Church	Hospital	Technical College
Cinema	Laboratory	Theatre
Commercial Kitchen	Lecture Theatre	University
Commercial Laundry	Library	Veterinarian Facility

CONVENTIONAL FACILITIES

Abattoir	Funeral Parlour	Post Office
Agricultural College	Gymnasium	Primary School
Apartment House	Hall (not Theatre)	Prison (Minimum)
Boiler House	Hostel	Residential (multi-unit, single storey)
Café (Tearoom)	Hotel	Residential College
Cafeteria	Indoor Sports Pavilion (non-aquatic)	Service Station
Camp School	Medical Centre	Shopping Centre
Child Care Centre	Motel	Social Club
Community Centre	Multi-Purpose Health Care Facility	Storage Facilities (special)
Cool Store	Municipal/Civic Centre	Swimming Pool
Department Store	Nursing Home	Telephone Exchange
Dining Hall	Office Facilities (Low Rise - up to 3 floors)	Tourist Centre
Drive-in Theatre	Outdoor Sports Stadium	Town Hall
Exhibition Building	Parking Station	Transport Terminal
Factory (heavy industry)	Passenger Terminal	Zoological Facility
Family Centre	Police Station	

SIMPLE FACILITIES

Ablution Facility	Shed or Shelter
Factory (light industry)	Storage Facilities (general)
Hangar	Transportable Buildings
Nursing Post	Workshop (general)
Residential (single, duplex, triplex)	

10.3 BUILDING PROJECTS COMPLETED DURING LAST TWO YEARS

Copy this page if there is insufficient space to provide the complete list on one page (additional write protected document available online or on request).

Attach written references from a minimum of three separate referees that are independent to the applicant. Referees should be the responsible contract administrator for the project and not the client. As a minimum, references should include commentary on the applicant’s organisational ability, time and cost performance, standard of workmanship and level of co-operation.

List other significant building contracts if desired – Western Australian projects to be emphasised. Projects where the applicant did not act as the Builder (ie Project or Construction Manager) are to be separately identified.

Year	Description of Contract	Original Contract Value Perth base value (GST Inclusive)	Construction Period	Name of Supervising Architect and/or Construction Authority provide contact details	Facility Complexity		
					Complex	Conventional	Simple
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10.4 BUILDING PROJECTS CURRENTLY UNDER CONSTRUCTION

Copy this page if there is insufficient space to provide the complete list on one page (additional write protected document available online or on request).

Contracts where the applicant is not acting as the Builder (ie Project or Construction Manager) are to be separately identified.

Year	Description of Contract	Original Contract Value Perth base value (GST Inclusive)	Construction Period	Name of Supervising Architect and/or Construction Authority provide contact details	Facility Complexity		
					Complex	Conventional	Simple
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		\$	wks		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11 HUMAN RESOURCES

Attach organisation chart of firm.

11.1 NUMBER OF RESOURCES

Enter, in each category, the number of core permanent staff located at your principal place of business and in each other permanent operational office.

List only salaried and wages employees. Contract staff, subcontractors, consultants and the like are not to be included. DTF reserves the right to verify this information with other organisations.

Where a staff member is only part-time, please indicate by "PT" stating the percentage of time worked. Only count each employee once. Where an employee performs more than one role then they are to be included only against their primary role.

POSITION IN FIRM	No.	Location if not at Head Office	POSITION IN FIRM	No.	Location if not at Head Office
Directors			Supervisors		
Partners			Foremen		
Company Secretaries			Tradesmen		
Managing Directors			Others (Please Specify)		
Project managers					
Construction Managers					
Contract Managers					
Office Managers					
Quality Officers					
Quantity Surveyors					
Site Managers					

11.2 QUALIFICATIONS AND EXPERIENCE OF INDIVIDUAL RESOURCES

Complete a separate page for each key operational employee identified in Section 11.1. This information on each Director or Principal of the firm is mandatory but is not required for non-operational employees such as general office staff, accounts staff, reception staff and the like.

SURNAME: _____	FIRST NAME/S: _____	POSITION IN FIRM: _____	
LOCATION: <small>(eg Head office or name of town if at a regional office)</small>	YEAR JOINED FIRM: _____	TENURE IN FIRM:	Full-time <input type="checkbox"/> Part-time <input type="checkbox"/>
PREVIOUS EMPLOYMENT AND ASSOCIATIONS WITH OTHER FIRMS:			
Name of other Firm	Association	Current	Previous
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
ACADEMIC QUALIFICATIONS:			
Registered Builder: Yes <input type="checkbox"/>	Registration Number _____	No <input type="checkbox"/>	
Qualifications <small>(eg Degree, Diploma, Certificate)</small>	Year obtained	Other Courses, Qualifications	Year obtained
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Membership of Professional, Trade Organisations	Year obtained	Other Memberships of Professional, Trade Organisations	Year obtained
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

SURNAME: _____ **FIRST NAME/S:** _____

PERSONAL EXPERIENCE

Year	Description of Contract	Value of Contract Perth base value (GST inclusive)	Role in Contract	Facility Complexity		
				Complex	Conventional	Simple
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	\$ _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

12 CODE OF PRACTICE FOR THE BUILDING AND CONSTRUCTION INDUSTRY IN WESTERN AUSTRALIA

It is an obligation in every non-residential building works contract that the Contractor shall comply with the *Code of Practice* for the Building and Construction Industry in Western Australia and any failure to do so shall constitute a default under the contract. Copies of the *Code of Practice* can be obtained from the Department of Commerce (Labour Relations), Dumas House, 2 Havelock St, West Perth. WA 6005.

The commitment will be evidenced by continuous improvement in the following areas:

- Business practices and relationships;
- Industrial relations
- Training and skills development;
- Use of technology and innovation in construction;
- Administration and tendering;
- Security of payment.
- Occupational Safety and Health; and
- Environmental management;

In addition to this and as evidence of commitment to the objectives of the *Code of Practice* it is a requirement that applicants for prequalification at Level 3 and higher demonstrate that they are committed to achieving best practice through continuous improvement.

The *Code of Practice* areas are considered by DTF under the following 6 main headings:

1. Client Satisfaction
 - Business practices and relationships;
2. Human Resource Management
 - Industrial relations
 - Training and skills development;
3. Continuous Improvement
 - Use of technology and innovation in construction;
4. Quality Management
 - Administration and tendering
 - Security of payment;
5. Occupational Safety and Health Management; and
6. Environmental Management.

At the moment DTF has set 4 levels of commitment to each of the areas. The levels are:

- a. Best Practice;
- b. Continuous Improvement;
- c. Establishment; and
- d. Development.

There are no criteria to be met at the best practices level for prequalification at this time. However, as improvements occur across the industry DTF may introduce the best practice level as a requirement for prequalification at Level 5.

The *Code of Practice* Tables on the following page show the level of commitment required by applicants considering prequalification at either Level 3, 4 or 5.

The *Code of Practice* – Measures tables on the subsequent pages list the measures (criteria) considered by DTF when determining the level of commitment.

The applicant must provide documentary evidence to show how their organisation satisfies each measure (criterion) shown under each heading in the *Code of Practice*.

Examples of the kind of documentation required are set out below:

- Procedure manuals with completed forms, reports, letters;
- Documents defining company structure roles and responsibilities, operational manuals;
- Meeting agendas, minutes of meetings, completed forms;
- Policy statements;
- Training matrix, programs, certificates;
- Computer systems, programs;
- Business plans, performance indicators, benchmarks;
- Quality system manuals, accreditation certificates;
- Occupational Safety and Health manuals, completed forms showing implemented processes; and
- Examples of completed and implemented environmental reports.

12.1 CODE OF PRACTICE TABLES (✓ INDICATES LEVEL REQUIRED. SEE TABLES ON 12.2 – 12.5 FOR FURTHER INFO)**LEVEL 3 PREQUALIFICATION**

SCHEME STAGE	1. CLIENT SATISFACTION	2. HUMAN RESOURCE MANAGEMENT	3. CONTINUOUS IMPROVEMENT	4. QUALITY MANAGEMENT	5. OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT	6. ENVIRONMENTAL MANAGEMENT
a. Best Practice Stage						
b. Continuous Improvement Stage						
c. Establishment Stage						
d. Development Stage	✓	✓	✓	✓	✓	✓

LEVEL 4 PREQUALIFICATION

SCHEME STAGE	1. CLIENT SATISFACTION	2. HUMAN RESOURCE MANAGEMENT	3. CONTINUOUS IMPROVEMENT	4. QUALITY MANAGEMENT	5. OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT	6. ENVIRONMENTAL MANAGEMENT
a. Best Practice Stage						
b. Continuous Improvement Stage						
c. Establishment Stage	✓	✓	✓	✓	✓	
d. Development Stage						✓

LEVEL 5 PREQUALIFICATION

SCHEME STAGE	1. CLIENT SATISFACTION	2. HUMAN RESOURCE MANAGEMENT	3. CONTINUOUS IMPROVEMENT	4. QUALITY MANAGEMENT	5. OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT	6. ENVIRONMENTAL MANAGEMENT
a. Best Practice Stage						
b. Continuous Improvement Stage	✓	✓	✓	✓	✓	
c. Establishment Stage						
d. Development Stage						✓

12.2 CODE OF PRACTICE MEASURES - BEST PRACTICE STAGE (A)

1. CLIENT SATISFACTION	2. HUMAN RESOURCE MANAGEMENT	3. CONTINUOUS IMPROVEMENT	4. QUALITY MANAGEMENT	5. OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT	6. ENVIRONMENTAL MANAGEMENT
<p>Forming alliances with subcontractors, suppliers and consultants to package high value, integrated and comprehensive solutions to clients.</p> <p>Client manager seeks out client concerns and reports to management.</p> <p>End user survey carried out approximately 12 months after project handover, used to improve client service.</p> <p>Identification of repeat clients over at least 5 years.</p> <p>Endorsements from clients maintained for projects completed in, at least, the last 5 years.</p>	<p>Has developed a strategic approach to human resource management that includes industrial relation considerations.</p> <p>Has fully documented and implemented an innovative training program across the firm based on flexible delivery and equitable access.</p> <p>Skill formation/training plans for both technical and non-technical skills based on long-range needs and commitment.</p> <p>Job functions of project managers, site administration personnel and tradespersons are designed for flexibility.</p> <p>Semi autonomous teams work effectively on projects.</p>	<p>Performance appraisal emphasises a continuous improvement approach to all activities.</p> <p>Action taken at management meetings to address areas of the business plan not meeting agreed targets.</p> <p>Quality, OSH, and environmental management systems are mainstreamed into workplace and management decision-making processes.</p> <p>Participating in information technology organisations.</p> <p>Cooperating with relevant research or promotional bodies to demonstrate the effectiveness and benefits of information technology.</p> <p>Benchmarking with local and international organisations to improve performance for clients in relation to client objectives of time, service, and quality.</p>	<p>Recognised industry leader for outstanding quality management performance by industry or Government bodies.</p> <p>External project audit reports indicate a very good performance in all facets of the quality management system implementation.</p>	<p>Recognised industry leader for outstanding OSH management performance by industry or Government bodies.</p> <p>Working to influence and improve OSH regulations.</p> <p>Strong management commitment to improve safety culture.</p> <p>External project audit reports indicate a very good performance in all facets of the OSH management system implementation.</p>	<p>Recognised industry leader in environmental management performance by industry or government bodies.</p> <p>Full Ecological Sustainable Development reporting with indicators of sustainability. Economic, social and environmental issues linked to corporate performance indicators are:</p> <ul style="list-style-type: none"> - commitment throughout the organisation; - economic, social and environmental performance integrated into corporate accounting system; - environmental management system is fully operational; and - full environmental reporting including indicators of sustainability. <p>Working to influence and improve environmental regulations.</p> <p>External project audit reports indicate a very good performance in all facets of the environmental management system implementation.</p>

12.3 CODE OF PRACTICE MEASURES - CONTINUOUS IMPROVEMENT STAGE (B)

1. CLIENT SATISFACTION	2. HUMAN RESOURCE MANAGEMENT	3. CONTINUOUS IMPROVEMENT	4. QUALITY MANAGEMENT	5. OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT	6. ENVIRONMENTAL MANAGEMENT
<p>Manager appointed to ensure client service with roles and responsibilities defined.</p> <p>Procedures implemented to record, analyse and promptly respond to client concerns.</p> <p>Project personnel formally advised of client concerns.</p>	<p>Implemented strategy to achieve an open two-way communication with employees to facilitate feedback.</p> <p>A strategy is in place for the management of industrial relations issues on construction sites.</p> <p>Industrial relations issues that may impact on the works are identified prior to commencement.</p> <p>Human resources policies, procedures and training support the creative involvement of employees.</p> <p>Skill formation/training plans reviewed annually to meet skill needs that match the direction of the organisation. Plans to include the use of information technology.</p>	<p>Goals and long term vision defined for the organisation including innovative solutions to improve service to clients.</p> <p>Progress with business plan implementation is considered regularly at management meetings, and includes captured information relating to performance indicators.</p> <p>A policy developed to mainstream quality, OSH, and environmental management systems into workplace and management decision-making processes.</p> <p>Benchmarking with local organisations to improve performance for clients in relation to client objectives of time, service and quality.</p>	<p>Management regularly reviews the company's quality system performance and initiates improvements in the organisation and on projects.</p> <p>Reviews to at least include consideration of:</p> <ul style="list-style-type: none"> - captured information relating to performance measures; - internal and external audits/reviews results; - the need for changes in work methods; - adequacy of training; and - an analysis of trends in non-conformances. <p>External project audit reports indicate a good performance for the quality management system implementation.</p>	<p>Management regularly reviews OSH performance and initiates improvements in the organisation. Reviews to at least include consideration of:</p> <ul style="list-style-type: none"> - captured information relating to performance measures; - internal and external audits/reviews results; - the need for changes in work methods; - adequacy of training; and - an analysis of trends in non-conformances. <p>OSH is an agenda item at all management meetings.</p> <p>OSH system applies across all Government and private sector projects.</p> <p>External project audit reports indicate a good performance for the OSH management system implementation.</p>	<p>Management regularly reviews the company's environmental management performance and initiates improvements in the organisation. Reviews to at least include consideration of:</p> <ul style="list-style-type: none"> - captured information relating to performance measures; - internal and external audits/reviews results; - the need for changes in work methods; - adequacy of training; and - an analysis of trends in non-conformances. <p>Measures in place to encourage subcontractors to improve environmental performance.</p> <p>Environmental criteria used in the procurement of materials and the selection of subcontractors.</p> <p>External project audit reports indicate a good performance for the environmental management system implementation.</p>

12.4 CODE OF PRACTICE MEASURES - ESTABLISHMENT STAGE (C)

1. CLIENT SATISFACTION	2. HUMAN RESOURCE MANAGEMENT	3. CONTINUOUS IMPROVEMENT	4. QUALITY MANAGEMENT	5. OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT	6. ENVIRONMENTAL MANAGEMENT
<p>Regular project meetings and formal project reports to clients.</p> <p>Individual profiles of key personnel are made available to clients.</p> <p>Clients formally advised of impending key staff changes including the appropriateness of the new personnel.</p> <p>An implemented policy to offer to arrange walk throughs for end users/clients with any identified shortcomings recorded.</p> <p>An implemented policy to raise employee awareness of client concerns on projects.</p> <p>Endorsements from clients maintained for projects completed in, at least, the last 3 years.</p> <p>Performance in relation to client objectives of time, services and quality reviewed for projects. Shortcomings in outcomes identified and improvements implemented.</p> <p>Procedures in place to provide advance warnings to clients of any issues that may impact upon project quality, cost or time.</p>	<p>Skill formation/training plans being implemented covering technical and non-technical skills. Skills to include as necessary:</p> <ul style="list-style-type: none"> - project planning; - plan reading; - human resource management; and - contract management. <p>Determine skill requirements to meet project needs.</p> <p>Management shares information with employees. eg consultative committees; safety and health committees; company magazine.</p> <p>Human resource planning initiatives implemented including flexible workplace practices to maximise client service delivery.</p> <p>Coaching and mentoring provided for project personnel.</p>	<p>Management responsibilities are clear throughout the organisation and management performance is measured.</p> <p>Goals and long term vision defined for the organisation.</p> <p>Business plan developed with key result areas, objectives, and performance indicators.</p> <p>Policies implemented to capture and monitor information relating to performance indicators in business plan.</p> <p>Business plan incorporates a commitment to the development of information technology along with the financial resources to achieve this objective.</p> <p>A policy under consideration by management to mainstream quality and OSH management, and environmental management systems into workplace and management decision-making processes.</p> <p>Development of a plan to implement benchmarking with other organisations to improve performance for clients in relation to client objectives of time, service and quality.</p>	<p>Project staff and key subcontractors are trained in the full operation of the quality management system.</p> <p>Project staff is involved in regular surveillance of the quality management system.</p> <p>An effective internal auditing/review program of the quality management system in place that has been used to improve the system.</p> <p>Effective non-conformance detection and prevention system in place.</p> <p>Subcontractors understand and are complying with their quality management responsibilities.</p> <p>Inspection and test plans prepared and implemented for projects.</p> <p>A strategy in place to capture and monitor information relating to quality management performance measures.</p> <p>Formal zero defects at practical completion policy with processes in place to achieve this target.</p> <p>Project audit reports indicate acceptable performance for quality management system implementation.</p>	<p>Project staff and key subcontractors are trained in the full operation of the OSH management system.</p> <p>Project staff is involved in regular surveillance of the OSH management system.</p> <p>An effective internal auditing/review program of the OSH management system in place that has been used to improve the system.</p> <p>Effective corrective action system in place.</p> <p>Subcontractors understand and are complying with their OSH management system responsibilities.</p> <p>Safety Management Plans prepared and implemented for projects.</p> <p>A strategy in place to capture and monitor information relating to OSH management performance measures.</p> <p>Project audit reports indicate acceptable performance for the OSH management system implementation.</p>	<p>Project staff and key subcontractors are trained in the full implementation of environmental management plans.</p> <p>Project staff is involved in regular surveillance of the implementation of environmental management plans.</p> <p>Subcontractors understand and are complying with their environmental management plan responsibilities.</p>

12.5 CODE OF PRACTICE MEASURES - DEVELOPMENT STAGE (D)

1. CLIENT SATISFACTION	2. HUMAN RESOURCE MANAGEMENT	3. CONTINUOUS IMPROVEMENT	4. QUALITY MANAGEMENT	5. OCCUPATIONAL SAFETY AND HEALTH MANAGEMENT	6. ENVIRONMENTAL MANAGEMENT
<p>Committed to DTF as an important client.</p> <p>Document client concerns on current and recent projects.</p> <p>Document employee ideas and methods to improve client service.</p> <p>Participate in industry meetings (eg through industry associations) on client service issues.</p>	<p>Skill formation/training plans being developed covering technical and non-technical skills. Skills to include as necessary:</p> <ul style="list-style-type: none"> - project planning, - plan reading, - human resource management; and - contract management. <p>Team based problem-solving skills being developed.</p> <p>Employee skill profile documented.</p>	<p>The roles of managers are documented and understood by managers and employees.</p> <p>Developing a formal business plan with a strategy to monitor plan at management meetings.</p> <p>Management collects data on the company's project performance.</p>	<p>CEO/Principal is involved in monitoring of quality management system.</p> <p>Training sessions conducted on quality management systems for all site personnel.</p> <p>Identified and documented performance measures in quality management.</p> <p>Processes in place to address deficiencies identified.</p>	<p>CEO/Principal is involved in monitoring of OSH management system.</p> <p>Training sessions conducted on OSH management system for all site personnel.</p> <p>Identified and documented performance measures in OSH management.</p> <p>Processes in place to address deficiencies identified.</p> <p>Safety inductions are in place on current projects and records maintained.</p>	<p>CEO/Principal is involved in monitoring of environmental management plans.</p> <p>Environmental management plans prepared and implemented for projects.</p> <p>Training sessions planned or conducted on contractor's environmental management plans for all site personnel.</p> <p>Processes in place to address deficiencies identified in implementation of environmental management plans.</p>

13 REQUIRED ATTACHMENTS

The attachments requested throughout this form are required as part of the application, so please ensure they are included. Submitting an incomplete application will delay the commencement of the assessment. Below is a checklist of the requested attachments. You may also include in your application any comments or further information you believe may better inform DTF of your firm, its technical expertise, resourcing, financial capacity or the like.

Required Attachments	Included
1. Current copy of a Company extract from ASIC if you are tendering as a Company, or Business Name registration details if not incorporated, and a copy of the Trust Deed if required.	Yes <input type="checkbox"/>
2. Copy of Profit and Loss Accounts and Balance Sheets of applicant, for the previous three years.	Yes <input type="checkbox"/>
3. Current written confirmation from financial institution named, to the availability and extent of finance.	Yes <input type="checkbox"/>
4. Written references from at least three trade creditors.	Yes <input type="checkbox"/>
5. Organisation chart of firm.	Yes <input type="checkbox"/>
6. Written references from at least three separate independent referees relating to performance.	Yes <input type="checkbox"/>
7. A brief statement as to how the applicant satisfies each measure (criteria) and examples in the applicant’s organisation that demonstrate the applicants’ satisfaction of a measure (criteria) in respect to the <i>Code of Practice</i> . (Applications for prequalification at Level 3, 4 or 5 only)	Yes <input type="checkbox"/>

14 CERTIFICATION

I/We certify that I/we have read and understand all the information contained in the Builders Information Pack. I/We further certify that all the information provided in this application for LEVEL (specify one financial and one technical level only) prequalification is true and correct in every detail and all required information has been supplied.

Name/s of authorised officer/s:

_____ (First & surname in block letters)

_____ (First & surname in block letters)

Position/s held in Firm:

_____ (In block letters)

_____ (In block letters)

Signature/s of authorised officer/s:

Date: _____ day of _____

_____ (Day no.)

_____ (Month)

_____ (Year)

Submit your completed application to:

Michael Pugliese
 Business Analyst (Prequalification)
 Building Management & Works
 Department of Treasury and Finance
 6th Floor, 200 Adelaide Terrace
 EAST PERTH WA 6004

For confidentiality, applications should be submitted in a sealed envelope marked “STRICTLY CONFIDENTIAL”. Enquiries should be directed to the Business Analyst (Prequalification) on telephone number (08) 9488 2720.