Application Form

**National Prequalification System for Civil (Road and Bridge) Construction Contracts**

October 2022

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| **GENERAL INSTRUCTIONS:**  This Application Form is applicable to prequalification under the National Prequalification System (NPS) and all sections must be fully completed by:   * All new applicants * Applicants requesting an upgrade and/or renewal   Applicants prequalified with another Participating Authority and are seeking mutual recognition with VicRoads, are not required to complete this Application Form, but must apply for mutual recognition using a National Prequalification System Mutual Recognition Application Form which can be obtained from the VicRoads website.  Guide notes are included to assist in the completion of this Application Form. Guide notes are in shaded boxes below each relevant section. This Application Form should be read and filled out with reference to the National Prequalification System Guidelines, which provides additional relevant information.  It is possible that the provision of the same information is required more than once. The same information may be assessed a number of times under different assessment criteria. Unless otherwise requested, an Applicant may provide information once, and in instances where the information is requested again, cross-reference should be made to the location of the original information.  In addition to this application form, reference to [NPS Application Spreadsheet 10-2022.xlsx](https://view.officeapps.live.com/op/view.aspx?src=http%3A%2F%2Fwebapps.vicroads.vic.gov.au%2Fvrne%2Fprequal.nsf%2Fcb79292090a72bdcca256d2b008116b8%2F555ed341c5a66822ca25783700059dbc%2F%24FILE%2FNPS%2520Application%2520Spreadsheet%252010-2022.xlsx&wdOrigin=BROWSELINK) is made throughout this application. Download this document and complete as required for submission along with this application form.  All information provided must be relevant to the prequalification category or categories sought.  PLEASE READ THE INSTRUCTION BELOW VERY CAREFULLY: Failure to do so will result in the application being returned to the Applicant and not being assessed.  Supporting documents must be either in WORD or PDF format only.  All attachments and supporting documentation shall be filed and labelled in accordance with the relevant subsection and question, i.e. *1.1(a) <Document Name.pdf>*  When documentary evidence for an item is requested, the Applicant must provide actual copies of documentation from the relevant project, i.e. copies of the actual project management plans and completed ITP’s etc. Generic, blank or sample documents will not be accepted. |

SUBMITTING THE APPLICATION

All Applicants must complete the checklist below. Please ensure that all information provided is correct and supporting information is attached in accordance with the instructions and requirements of this Application. DoT reserves the right to reject applications that have not supplied the correct information and attachments.

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| * All supporting documents named in accordance with the requirements (see General Instructions page 1) |  |
| * All password protection and expiry dates have been removed from all documents provided via a cloud storage service. |  |
| * A copy of this application form is included in Microsoft Word (.doc) and Adobe Acrobat (,pdf) formats |  |
| * All supporting documents are actual copies of documents from the Applicant’s nominated projects |  |
| * Each sheet in the NPS Application Spreadsheet 10-2022 has been completed in accordance with the instructions listed at the bottom of each sheet |  |
| * Resumes are provided utilising the format provided in Appendix A (in this application form) |  |

*In submitting this Application for prequalification, we certify that the information in this Application is true and correct and fully complies with the National Prequalification System Requirements in the Application Form. We also acknowledge and agree to and hereby incorporate the ‘*[*Terms and Conditions of Prequalification*](https://www.vicroads.vic.gov.au/-/media/files/documents/business-and-industry/prequalificationconditions-29apr2022.ashx)*’ referred to in the National Prequalification System Guidelines and provide the undertakings therein.*

Signed: …………………………………..………………….………………..

Name: ………………………………..……………….……………………..

Company Secretary / Director

Date: …………….………………………………………………………….

***Please email the completed application form and all supporting information as a hyperlink to***  [procurementservicesprequal@roads.vic.gov.au](mailto:procurementservicesprequal@roads.vic.gov.au)

# Preliminaries

| Preliminaries | | | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| a. | Application type | Choose an item. | | | | |
| b. | Application document link  *(no expiry date, password protection and full download rights required)* | Link to cloud storage service containing the application and supporting documents. | | | | |
| c. | Name of the company or entity  *(the ‘Applicant’)* | Company or entity under which this application is being made and under which tenders will be submitted. | | | | |
| d. | Trading name | If different to company or entity | | | | |
| e. | Type of entity | Public company, private company, incorporated joint venture or unincorporated joint venture (Cannot be a trust). | | | | |
| f. | State where company registered | Enter text here | | | | |
| g. | ABN | Enter text here | | | | |
| h. | ACN or ARBN | Enter text here | | | | |
| i. | Address of registered office | Enter text here | | | | |
| j. | Postal address | Enter text here | | | | |
| k. | Business address | Enter text here | | | | |
| l. | Telephone number | Enter text here | | | | |
| m. | Company email address | Enter text here | | | | |
| n. | Company website | Enter text here | | | | |
| o. | Contact for prequalification enquiries | Name | Enter text here | | | |
| Position | Enter text here | | | |
| Email | Enter text here | | | |
| Telephone | Enter text here | Mobile | | Enter text here |
| p. | Contact for general enquiries | Name | Enter text here | | | |
| Position | Enter text here | | | |
| Email | Enter text here | | | |
| Telephone | Enter text here | Mobile | | Enter text here |
| q. | Workcover Insurance  (Where the workcover policy is not provided in Victoria, a cross-border policy may apply for any DoT contracts.) | attach copy | | | | |
| Provide filename of Workcover certificate | | | | |
| Certificate Number | Enter text here | Expiry Date | | Enter text here |
| Self-Insured |  | | | |
| r. | List any membership(s) or industry associations | Enter text here | | | | |
| s. | Current DoT Prequalification levels  *(if applicable)* | Roadworks | Choose an item. | | | |
| Bridgeworks | Choose an item. | | | |
| Financial | Refer to: ‘4. Financial capacity’ for more information (Page 26 in this document) | | | |
| t. | Category and Level applied for  *See Guide Note below for more information* | Roadworks | Choose an item. | | | |
| Bridgeworks | Choose an item. | | | |
| Financial | Financial levels will be determined by the Department of Transport | | | |
| u. | Number of years the Applicant has been under the current structure | Victoria | Nationally | | Internationally | |
| Enter text here | Enter text here | | Enter text here | |
| v. | Number of years the Applicant has been under the current ownership | Victoria | Nationally | | Internationally | |
| Enter text here | Enter text here | | Enter text here | |
| w. | If applicable, provide details of any former business names and give details | Enter text here | | | | |
| x. | In the last five years, has the Applicant, or any former business identified above, been liquidated or entered into receivership, administration, scheme of arrangement, or creditors’ composition pursuant to the *Bankruptcy Act 1966* (Cth) or *Corporations Act 2001* (Cth)? | If yes, provide detail below | | | | |
| Enter text here | | | | |
| y. | Have any of the proprietors, principals, directors, managers or secretaries of the Applicant, or any former business identified above (or their spouses) ever been bankrupt? | If yes, provide details below | | | | |
| Enter text here | | | | |
| z. | Has the Applicant, over the last six years, had any convictions recorded against it or are there any current or pending proceedings, either in a Court of Law or in arbitration? | If yes, provide details below | | | | |
| Enter text here | | | | |

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| **GUIDE NOTE:**   1. When selecting the prequalification category(s), the Applicant should carefully consider which particular category(s) best reflects its current capabilities. This step relies on the Applicant making a realistic self-assessment of its ability to successfully deliver contracts involving the type of work described in each category. Work descriptions are found in the [Guidelines National Prequalification System for Civil (Road and Bridge) Construction Contracts (vicroads.vic.gov.au)](http://webapps.vicroads.vic.gov.au/vrne/prequal.nsf/cb79292090a72bdcca256d2b008116b8/555ed341c5a66822ca25783700059dbc/$FILE/Guidelines%20-%20National%20Prequalification%20System%20-%20Road%20and%20Bridge%20Construction%2018-05-2022.pdf) document – ‘Appendix A Guidance for the Applicable Prequalification Category’ (page 19).   Following this, the Applicant must ensure that its application clearly addresses the relevant criteria and clearly demonstrates the Applicant’s experience and capabilities for the prequalification category(s) sought. |

# Company Experience

## Structure, stability and Period of Operation

1. Applicants must attach an organisational chart showing the relationship between the Applicant and parent and subsidiary companies (where relevant), including names of principals, directors and partners.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide details of current directors, company secretary and other senior managers.

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| **Full Name** | **Position** |
| Enter text here | Enter text here |
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| Enter text here | Enter text here |

1. Indicate the number of years of relevant experience the Applicant has

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  | Victoria | Nationally | Internationally |
| as a head contractor for relevant projects. | | Enter text here | Enter text here | Enter text here |
| as a subcontractor for relevant projects. | | Enter text here | Enter text here | Enter text here |

## Experience in successfully delivering contracts

1. Provide details of relevant current (maximum 10) and completed (maximum 10) applicable to each category of prequalification sought. Complete Sheet 1 Projects in [NPS Application Spreadsheet 10-2022.xlsx](https://view.officeapps.live.com/op/view.aspx?src=http%3A%2F%2Fwebapps.vicroads.vic.gov.au%2Fvrne%2Fprequal.nsf%2Fcb79292090a72bdcca256d2b008116b8%2F555ed341c5a66822ca25783700059dbc%2F%24FILE%2FNPS%2520Application%2520Spreadsheet%252010-2022.xlsx&wdOrigin=BROWSELINK)

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| **GUIDE NOTE:**   1. Projects should be from the last 5 years except for R1/B1 categories which should be from the last 3 years. The company must demonstrate that it has undertaken a minimum of two projects that involved typical characteristics from the nominated level that it is applying for in [Guidelines National Prequalification System for Civil (Road and Bridge) Construction Contracts(vicroads.vic.gov.au)](http://webapps.vicroads.vic.gov.au/vrne/prequal.nsf/cb79292090a72bdcca256d2b008116b8/555ed341c5a66822ca25783700059dbc/$FILE/Guidelines%20-%20National%20Prequalification%20System%20-%20Road%20and%20Bridge%20Construction%2018-05-2022.pdf) document - ‘Appendix A Guidance for the Applicable Prequalification Category’ (page 19). 2. Projects must be listed in order of date completed, from newest to oldest. 3. Applications will be assessed against ‘4 – Assessment Criteria’ (page 8&9) and ‘Appendix B - Assessment Criteria’ (page 24), in the [Guidelines National Prequalification System for Civil (Road and Bridge) Construction Contracts (vicroads.vic.gov.au)](http://webapps.vicroads.vic.gov.au/vrne/prequal.nsf/cb79292090a72bdcca256d2b008116b8/555ed341c5a66822ca25783700059dbc/$FILE/Guidelines%20-%20National%20Prequalification%20System%20-%20Road%20and%20Bridge%20Construction%2018-05-2022.pdf) document. 4. For projects involving combined roadworks and structures, details of the scope, value and timing of both the road component and the bridge/structures component must be separately identified. 5. Nominated projects must contain characteristics to be assessed at the appropriate level    1. Road construction       1. General features of works       2. Earthworks       3. Pavement       4. Drainage    2. Bridge construction       1. Typical features of structure       2. Earthworks       3. Foundation 6. **The applicant must satisfy the above criteria before its application is considered for the prequalification level being sought.** |

## Demonstrated Performance

### Contract Completion

1. Has the Applicant, including any partner, principal, director or senior staff member ever been associated with a contract which has failed to complete or been renegotiated into a different contract type (e.g. AS 2124 contract renegotiated into an alliance)? If yes, provide the name of the individual or organisation and the reason for failure or renegotiation.

Enter response here. If Yes, provide a description of the circumstances leading to the non-completion of the contract and whether the work was completed by another Contractor. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

### Contract Delivery Performance

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| **GUIDE NOTE:**  When assessing the Applicant’s delivery performance, VicRoads may seek comments from client contacts provided by the Contractor and other relevant source. |

# Company Resources and Technical Capability

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| **GENERAL INSTRUCTIONS:**  All information provided should be relevant to the prequalification category or categories sought. |

## Organisational / Managerial Structure

1. Provide a detailed and current version of a project organisational chart that clearly relates to the Applicant’s **local roadworks and/or associated structures and operations**, and also identifies senior positions and project personnel. The senior positions and project personnel should include those personnel with responsibility for quality management, OH&S management, environmental management, and worksite traffic management.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Applicants must:    1. provide an organisation chart identifying key positions and reporting responsibilities, together with a summary of roles and responsibilities for key positions within the organisation    2. outline its project team structure, and reporting responsibilities within the team and to management, with details of projects where the project team has operated successfully    3. demonstrate that the personnel identified in the organisation chart as project personnel are available for contracts to be undertaken for the Participating Authority. |

## Personnel

1. List the average number of all full-time equivalent employees located in the local state/territory and also separately list those located in the rest of Australia over the past 12 months under each of these general categories:

|  |  |  |
| --- | --- | --- |
| **Category** | **Average No. Full Time Employees** | |
| **Victoria** | **Nationally** |
| Management | Enter text here | Enter text here |
| Administration | Enter text here | Enter text here |
| Project Managers | Enter text here | Enter text here |
| Site Engineers | Enter text here | Enter text here |
| Surveyors | Enter text here | Enter text here |
| Supervisors | Enter text here | Enter text here |
| Site Staff (by trade classification) | Enter text here | Enter text here |
| Staff holding Advanced Worksite Traffic Management certificates | Enter text here | Enter text here |
| Staff holding Worksite Traffic Management certificates | Enter text here | Enter text here |
| Staff holding Traffic Controllers certificates | Enter text here | Enter text here |

## Key Personnel

### Senior Management

1. Provide the names of directors and senior managers and other relevant details in in Sheet 2. Personnelin NPS Application Spreadsheet 10-2022.xlsx

1. Provide a current, detailed resume for each person nominated. Resumes must also demonstrate that each person has experience relevant to the duties and responsibilities of their nominated position. Resumes must be completed using the provided template in Appendix A (in this application form) and listed in the relevant column in in Sheet 2. Personnelin NPS Application Spreadsheet 10-2022.xlsx

### Key Operational Personnel

1. Provide the names, qualifications, roles and responsibilities in Sheet 2. Personnelin NPS Application Spreadsheet 10-2022.xlsx of all key operational personnel permanently employed in this Victoria or employed elsewhere and who are available and relevant to the Application for prequalification who are proposed for the following roles in relation to contract works to be undertaken for the Participating Authority:

* operational management
* quality management
* OH&S management
* environmental management
* worksite traffic management
* project managers
* project and site engineers
* senior supervisors and contractor’s representatives
* quality management representative
* foremen
* others (e.g., surveyors, specialised plant operators – please specify).

1. Provide a current, detailed resume for each person nominated. Resumes must also demonstrate that each person has experience relevant to the duties and responsibilities of their nominated position. Resumes must be completed using the provided template in Appendix A (in this application form) and listed in the relevant column in in Sheet 2. Personnelin NPS Application Spreadsheet 10-2022.xlsx

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| **GUIDE NOTE:**   1. Resumes must be sufficiently detailed to demonstrate each person’s level of knowledge and experience relevant to the scope of works for the prequalification category(s) sought. 2. Resumes must adopt the format of resume provided in Appendix A (in this application form). Applicants may adapt this in line with their company style and/or add additional information as necessary. 3. Resumes must be no more than 2 pages per person. 4. The information in the resumes must:    1. demonstrate the extent of each person’s involvement in activities that demonstrate capability in relevant projects, noting especially direct involvement in any of the Applicant’s current or completed projects nominated in this submission.    2. provide a clear indication of the scope of work involved in each project, (i.e. type of bridge or roadworks)    3. for managerial positions; examples of managerial performance, specific management initiatives or any significant awards achieved.    4. For operational positions; details of licences held in the state or territory (excluding motor vehicle licences)    5. relevant training, including continuous professional development 5. The following principles shall be considered in assessing the capability and experience of Applicants:    1. Applicant organisations must have adequate experience and competence in the activities, specialties and complexities expected at the technical level for which prequalification is being sought.    2. Proven ability of key personnel to work together effectively as a team must also be demonstrated. It may not be sufficient to simply recruit staff with the appropriate experience.    3. Engineers with tertiary qualifications in the relevant disciplines must be included in the staff of Applicant organisations for on-site supervision and/or decision making when technical processes of a critical nature are underway (for example, foundations, pile driving, concrete pouring, prestressing of concrete). For Level 1 (road and bridge) prequalification, consultant engineers may be used provided the Applicant is able to demonstrate these arrangements have been effectively used on previous projects.    4. Experience requirements defined in the tables of requirements for the various levels of staff and for the various project levels are generally minimum requirements, subject to application of principle 5 below where warranted.    5. Individual members of the Applicant's managerial staff who do not have the nominated minimum length of experience on works for the relevant type, scale or complexity may be accepted provided that:       1. the total length of experience of the overall managerial team satisfies the intent of the various requirements, and       2. the Applicant has adequate measures in place to compensate for any shortcomings on the part of individual members of the managerial team, and       3. critical requirements (for example, those for plant operators) are satisfied. 6. These criteria apply in the same manner as defined above to staff engaged by an Applicant for a particular project, function, or work activity, and for managerial staff of nominated subcontractors and specialised suppliers. 7. The Applicant must demonstrate that the nominated personnel are available for contracts to be undertaken as and when required for the Participating Authority. It is accepted that for the lower categories of prequalification one person can occupy a variety of roles. |

## Plant and Equipment

1. Provide details of the methodology and sources proposed for the supply of plant and equipment to meet the Participating Authority’s requirements and identify the principal sources of supply.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide a copy of the Applicant’s corporate policy / procedure on subcontracting for plant and equipment.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Attach a list of major plant and equipment owned by the Applicant (excluding registered commuting vehicles.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**  1. Evidence could include, but should not be limited to:   1. approach to the use of external supply for its plant and equipment (if applicable) 2. approach to subcontracts or alliances for providing plant and equipment (if applicable) 3. listing of major plant and equipment owned by the organisation. 4. It is important that Applicants demonstrate how they propose to resource the Participating Authority’s contracts. |

# Management Systems

Applicants must demonstrate that they have in place management systems that meet the mandatory requirements applicable to each prequalification category being applied for before they can be considered for prequalification.

Applicants must attach a copy of the Certificate, Scope of Certification (must cover the prequalification category(s) sought) and any relevant Schedules which demonstrate that the Applicant has the nominated systems in place according to Table 1.

For R1, R2 and/or B1, B2 applications using the VicRoads checklists, a fully completed “VicRoads Declaration Form” must be submitted with the application. VicRoads checklists and VicRoads Declaration Form are available on VicRoads website with this application form.

**Table 1 - Summary of audit and certification requirements for management systems under the National Prequalification System**

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| --- | --- | --- | --- | --- |
| Category | Management System Type | Standard | Type of Audit Required | Auditor Level |
| R1,R2 B1,B2 [[1]](#footnote-2) [[2]](#footnote-3)  2 | Quality Management System | VicRoads Checklist | Audit against the requirements the VicRoads Checklist. | **[[3]](#footnote-4)** JAS-ANZ accredited 3rd Party Conformity Assessment Body, employing auditors experienced in the Civil Construction industry.  OR  **[[4]](#footnote-5)** Exemplar Global registered auditors, experienced in the Civil Construction industry. |
| Environmental Management System | VicRoads Checklist |
| OHS Management System | VicRoads Checklist |
| Certified Integrated Management System (for example, CCF-IMS or equivalent) | Industry Code or Management System | 3rd party certification | Auditors engaged by a JAS-ANZ accredited Conformity Assessment Body and approved to assess to the CCF Code. |
| R3/B3 and above | Quality Management System | AS/NZS ISO 9001:2016 | 3rd party certification | **3** JAS-ANZ accredited 3rd Party Conformity Assessment Body, employing auditors experienced in the Civil Construction industry. |
| Environmental Management System | AS/NZS ISO 14001:2016 |
| OHS Management System | **[[5]](#footnote-6)** AS/NZS 4801 ISO 45001 |

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| Current Third Party Certification | |
| VicRoads Declaration Form (R1,R2 / B1,B2 only) | Enter filename here |
| CCF certificate (R1,R2 / B1,B2 only) | Enter filename here |
| 3rd Party Certification | Enter filename here |
| Accredited with the Office of the Federal Safety Commissioner | Enter filename here |
| Occupational health & safety management certificate (OHS) | Enter filename here |
| Environmental management certificate | Enter filename here |

## Quality Management

### System Utilisation

1. Provide a signed copy of the Applicant’s quality management policy.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide evidence of the Quality Management System (QMS) being in place and used on projects by completing in Sheet 3. Management Systemsin NPS Application Spreadsheet 10-2022.xlsx and including supporting documents.

### System Performance

1. Provide evidence of the overall performance of the Applicant’s QMS.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. The Application could include, but should not be limited to:    1. a general overview on how the QMS has performed and improved over the last five years    2. minutes of management meetings reviewing the QMS    3. reference to audit reports with comments about the overall performance of the system and/or comparison to previous audits    4. number of non-conformances identified by the Applicant through its QMS. |

1. Provide copies of the reports of the last two compliance audits undertaken by the Applicant’s certifying body.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. The reports from the last two compliance audits by the certifying body are to confirm that the Applicant is managing quality issues in accordance with its QMS. Complete reports, including all comments must be provided. |

Has the Applicant received any major non-conformances from its certifying body in relation to its QMS over the last three years? If so, provide details and measures taken for corrective action and the outcome of these actions.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Where system non-conformances are reported the number, nature, and how the contractor took corrective action will be noted. All non-conformances must be reported (unedited). |

## Occupational Health and Safety (OH&S) Management

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| **Important Note**  **The Australian Government Building and Construction WHS Accreditation Scheme (the Scheme) and the implications for undertaking contracts for the Participating Authority**  The Scheme applies to any building work contract:  • which is valued at $4 million or more;  • where the contract is part of a project which is indirectly funded by the Australian Government; and  • the Australian Government’s contribution to the project is:  (a) at least $6 million and represents at least 50% of the total construction value; or  (b) $10 million or more, irrespective of the proportion of Australian Government funding.  In Victoria a successful tenderer must be accredited under the Scheme **at the time of close of tender submissions** for building work, and maintain accreditation under the Scheme while the building work is being carried out.  Further detailed information about the Scheme may be obtained from the Federal Safety Commissioner website at [www.fsc.gov.au](http://www.fsc.gov.au) |

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| **GUIDE NOTE:**   1. Applicants that are accredited with the Office of the Federal Safety Commissioner under the Australian Government’s Building and Construction WHS Accreditation Scheme are not required to complete this Section. |

### System Utilisation

1. Provide a signed copy of the Applicant’s corporate OH&S policy statement.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide evidence of the occupational health and safety management being in place and used on projects by completing Sheet 3. Management Systemsin NPS Application Spreadsheet 10-2022.xlsx and including supporting documents.

### System Performance

1. Provide documentary evidence of the overall performance of the Applicant’s OH&S Management System.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Evidence could include, but should not be limited to:    1. a general overview on how the Applicant’s system has performed and improved over the last five years    2. reference can be made to audit reports where positive comments have been made about the overall improvement of the system since previous audits    3. documentation supporting a reduction to Lost Time Injury Frequency Rate and workers compensation claims over an extended period of time, and any successful management initiatives, including details of outcomes. |

1. Provide copies of the reports of the last two compliance audits undertaken by the Applicant’s certifying body

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. The reports from the last two compliance audits by the certifying body are to confirm that the Applicant is managing OH&S in accordance with its OH&S Management System. Complete reports must be provided and must include all comments. |

1. Has the Applicant received any major non-conformances from its certifying body in relation to its OH&S Management System over the last three years? If so, provide details and measures taken for corrective action and the outcome of these actions.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Where system non-conformances are reported, the number, nature, and how the contractor took corrective action will be noted. All non-conformances must be reported (unedited). |

1. Has the Applicant ever been issued with any Improvement Notices or Infringement Notices from a regulatory body? If so, provide details.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Details of any Improvement Notices issued to the Applicant should be complete and unedited. |

1. Give details of Lost Time Injury Frequency Rate over the last three years.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide the details of workers compensation claims in the past three years.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

## Environmental Management Systems (EMS)

### System Utilisation

1. Provide a signed copy of the Applicant’s corporate environmental management policy statement..

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide evidence of the environmental management system being in place and used on projects by completing Sheet 3. Management Systemsin NPS Application Spreadsheet 10-2022.xlsx and including supporting documents.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

### System Performance

1. Provide documentary evidence indicating the Applicant’s overall performance in environmental management.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Evidence could include, but should not be limited to:    1. examples of good management practices in projects where environmental issues were present, showing how they were dealt with to manage, mitigate or eliminate the issues    2. copies of previous project environmental risk assessments. |

1. Provide copies of the reports of the last two compliance audits undertaken by the Applicant’s certifying body.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. The reports from the last two compliance audits by the certifying body are to confirm that the contractor is managing environmental matters in accordance with its EMS. 2. Complete reports must be provided and must include all comments. |

1. Has the Applicant received any major non-conformances from its certifying body in relation to its EMS over the last three years? If so, provide details and measures taken for corrective action and the outcome of these actions.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Where EMS non-conformances are reported, the number, nature, and how the contractor took corrective action will be noted. All non-conformances must be reported (unedited). |

1. In the last three years, has the Applicant been issued any prosecutions, notices or directions for legislative breaches by any Australian environmental regulatory authority? If so, provide details.

Enter response here. All relevant files should be reference at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Full details must be provided of any breaches (i.e. notices of incidents breaching environmental standards or requirements). This information must be complete and unedited. |

## Traffic Management

1. Identify if the traffic management is performed by the Applicant or whether it has established relationships and utilises accredited Worksite Traffic Management contractor(s).

|  |  |
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| Traffic Management performed directly by Applicant |  |
| Traffic Management performed by accredited subcontractor(s) (*complete section 3.4.1 if this applies*) |  |

1. Provide the Applicant’s corporate policy on traffic management.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide evidence of the utilisation of a system to manage traffic management by completing Sheet 3. Management Systemsin NPS Application Spreadsheet 10-2022.xlsx and attaching supporting documentation.

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| **GUIDE NOTE:**   1. Worksite traffic management procedures should be in accordance with the Participating Authority’s requirements. 2. Applicants seeking prequalification for higher categories should have in place procedures for:    1. for managing complex site traffic management including high traffic flows, staging, major detours and temporary roads.    2. address the safety of all road users, including pedestrians, cyclists, and other vulnerable road user groups.    3. monitoring and measuring traffic management plans 3. Evidence of successful use of the traffic management procedures on relevant projects could include, but should not be limited to:    1. audit reports    2. sample of previous on-site induction process    3. nominated key personnel responsible for traffic/safety, including roles and responsibilities. 4. A minimum of three most recent Traffic Management Plans should be provided. 5. For higher prequalification levels Traffic Management Strategies with supporting Traffic Management Plans and Traffic Guidance schemes should be provided. 6. Supporting documents should show a variety of appropriate worksite scenarios (e.g. a high level prequalification category would require demonstration of detailed management plans for complex worksite traffic management involving high traffic flows, staging, major detours and temporary roads; |

1. For the Key Personnel nominated in **Section 2.3**, identify employees that hold Worksite Traffic Management Certificates by completingin Sheet 2. Personnelin NPS Application Spreadsheet 10-2022.xlsx.

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| **GUIDE NOTE:**   1. The person with overall responsibility for construction operations should hold an Advanced Worksite Traffic Management Certificate 2. Approximately one half of the Applicant’s project managers nominated to work on contracts for the Participating Authority, hold Worksite Traffic Management Certificates or an equivalent qualification, issued by an accredited training provider |

1. Provide the Applicant’s policy and training program as it relates to Worksite Traffic Management

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Persons directly in charge of operations on site (e.g. project managers, supervisors and foremen), to hold, as a minimum, a Worksite Traffic Management Certificate issued by an accredited training provider 2. Persons controlling traffic on a worksite to hold a Traffic Controller’s Certificate issued by an accredited training provider. |

1. Provide details of the number of traffic-related accidents which occurred at the Applicant’s worksites over the last three years.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Details could include but should not be limited to traffic-related accidents associated with the works (vehicular accidents, accidents involving cyclists, pedestrians, and any other user group). 2. Information relating to any insurance claims or legal action must be provided. |

1. Has the Applicant ever received a complaint by any previous client in relation to inadequate worksite traffic management? If so, provide details.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**  Unedited details of complaints and their outcomes must be included if they have occurred. |

### Traffic Management by subcontractor

1. Provide a copy of the Applicant’s worksite traffic management purchasing procedure.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide names of accredited Worksite traffic management contractor(s) with which the applicant has an established relationship.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide evidence of utilisation of the traffic management purchasing procedures on relevant projects.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Worksite traffic management purchasing procedure should reflect the category of prequalification sought. Applicants seeking prequalification for higher categories should have in place procedures that include traffic management strategies for complex site traffic management which would typically include high traffic flows staging major detours and temporary roads. 2. Evidence of successful use of the traffic management procedures on relevant projects could include, but should not be limited to:    1. audit reports    2. list of relevant projects on which the system has been effectively deployed    3. nominated key personnel responsible for traffic/safety, including roles and responsibilities. 3. The Applicant should identify by way of policy, procedure and documentary evidence what system it has in place for the management and supervision of traffic management provided by subcontractors. |

## Subcontractor Management

1. Provide details of the Applicant’s approach to the management of its consultants, subcontractors and suppliers.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Information could include, but should not be limited to:    1. Subcontractor management procedures    2. outcomes of meetings, workshops and surveys    3. examples of the form of subcontract used and/or details of any alliance arrangements. |

1. Provide details of how, and to what extent, the Applicant would typically utilise consultants, subcontractors and suppliers.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. The extent of use of consultants, subcontractors and suppliers will influence the level of project management required on the part of the contractor to effectively manage the contracted works. 2. The Applicant could consider the individual work components which make up a typically appropriate project(s) and describe briefly whether each component is typically carried out by consultants, direct labour force or by subcontract. |

## Industrial Relations

1. Provide evidence of a system in place including for the management of industrial relations.

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| Complete the Industrial Relations Checklist (Section C) |  |
| Complete the Declaration of Compliance (Section C) |  |
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| **GUIDE NOTE:**   1. Applicants should refer to and complete Section C of this application form regarding the Department of Transport’s requirements for Industrial Relations Management Systems. |

## Partnering / Relationship Management

1. Provide a signed copy of the Applicant’s corporate policy on partnering/relationship management.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Detail the Applicant’s attitude to partnering/relationship management.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide documentary evidence demonstrating the Applicant’s approach to partnering/relationship management. (List any attached documentation).

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

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| **GUIDE NOTE:**   1. Evidence could include, but should not be limited to:    1. Communication plans based on strong relationship management principles, including interfaces with the following:       1. principal       2. principal’s representative       3. superintendent       4. consultants       5. major subcontractors       6. other subcontractors       7. suppliers    2. Communication strategies and systems for managing the impact of road / bridge / asphalt works on existing services and dealing with statutory, regulatory and utility services authorities, including evidence of current knowledge about relevant legislation and permits (for example IPA, ERA requirements):       1. state government agencies       2. local government       3. water and sewerage services       4. telecommunications       5. electricity, gas and so on.    3. Outcomes of partnering meetings/workshops, surveys. |

## Community/Stakeholder Engagement

1. Provide a signed copy of the Applicant’s corporate policy on community/stakeholder engagement.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

1. Provide documentary evidence indicating the Applicant’s participation and performance in community/stakeholder engagement. Examples must be directly relevant to the prequalification category(s) applied for. (List any attached documentation.)

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

|  |
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| **GUIDE NOTE:**   1. Evidence could include, but should not be limited to:    1. Copies of relevant previous project community/stakeholder engagement plans.    2. A list of typical activities undertaken during a project, e.g. leaflet drops, involvement in public information sessions/presentations, dedicated community engagement personnel as well as evaluation (e.g. surveys).    3. Communication strategies for interfacing with, but not limited to, the following:    4. adjacent landowners    5. local community    6. cultural heritage and environmental stakeholder groups    7. road users    8. emergency services    9. media    10. local government    11. service providers. 2. An Applicant wishing to obtain a higher level prequalification category(s) must be able to demonstrate greater detail and involvement. |

1. Has the Applicant ever received a complaint by any previous client in relation to poor management of community/stakeholder engagement? If so, provide details.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

|  |
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| **GUIDE NOTE:**   1. Details could include, but should not be limited to:    1. location    2. dates    3. client    4. nature of the complaint    5. initiator of the complaint (i.e. resident, pedestrian etc.)    6. total number of the same type of complaint    7. how the complaint was handled, how the problem was managed to ensure it was minimised, mitigated or eliminated so that it may not arise again on that project or future projects.    8. Details of any complaints must be provided and be complete and unedited. |

## Human Resources

1. Provide documentary evidence of performance in, and policies for, the management of human resources.

Enter response here. All relevant files must be referenced at the bottom of this response (refer to General Instructions on page 1 for mandatory file naming conventions).

|  |
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| **GUIDE NOTE:**   1. Documentary evidence could include, but should not be limited to:    1. policy on human resource management    2. availability of training programs/professional development for staff    3. human resource management manuals and procedures    4. management of apprentices and trainees    5. other relevant HR policies such as equal opportunity etc. |

# Financial Capacity

|  |
| --- |
| **GENERAL INSTRUCTIONS:**  **Financial information is not required to be submitted with this application.**  The information submitted pursuant to this section shall remain confidential. The Applicant’s financial information must be audited by a \*suitably qualified accountant. If the financial information is not audited, then a Compilation Report from a suitably qualified accountant should be provided. The signed Audit Report or Compilation Report, which must include the full name, qualifications, company and signature of the accountant, must be included with the financial information.  The cost of the initial financial assessment will be borne by the assessing authority. However, at the assessing authority’s discretion, the Applicant may be requested to cover the cost of any additional or follow-up assessments, including assessments in support of a prequalified contractor’s request for an upgrade of financial levels during the prequalification period.  \*Note: A suitably qualified accountant is an accountant who is qualified as a Certified Practising Accountant, Chartered Accountant or Professional National Accountant within the Australian accounting profession. |

## Requirements for Different Types of Applicants

There are a variety of legal entities that can submit Applications for prequalification. These include companies and joint ventures.

The Applicant must fully describe the form of legal entity under which it operates. The nature of the entity will influence the financial information that the Applicant is required to submit. For entities not described below, refer to the prequalification Guidelines for more information.

#### Single companies

No additional requirements.

#### Company within a consolidated group

The Application must clearly identify which company within the group is applying for prequalification or, alternatively, if it is the group itself which is applying for prequalification. The company will be assessed in its own right, based on its individual financial statements and any additional information that may be requested. Where specifically allowed by the Participating Authority, a subsidiary company may submit audited financial statements for the parent company (or guaranteeing entity) for assessment, along with suitable undertakings from the parent entity, such as a Letter of Undertaking or Parent Company Guarantee. Where the parent company (or guaranteeing entity) is unable to provide the required undertakings, the subsidiary must be assessed in its own right.

In considering Applications from subsidiary companies or entities, the Participating Authority reserves the right to examine the resources of the parent company or entity if considered warranted.

#### Joint ventures

The Participating Authority will consider Applications for prequalification from joint ventures. Joint ventures may be either incorporated or unincorporated. An incorporated joint venture will be assessed as a legal entity in its own right. Where prequalification of unincorporated joint ventures is allowed by the assessing authority, they will be assessed on a case-by-case basis, which will include a separate assessment of each joint venture party. A copy of the proposed joint venture agreement is to be included with all Applications for joint venture prequalification.

## Information to be Submitted (when requested by financial assessment consultant)

**NOTE: Financial information is NOT required to be submitted with this application.**

### Basic Information

Following receipt of this application, VicRoads will appoint a Financial Assessment Consultant which will contact the Applicant. The Applicant or its nominated representative will be required to provide the following information (as a minimum) which will be treated with strict confidentiality.

| Documentation |
| --- |
| 1. Group structure. |
| 1. Audited annual report/financial statements for the last three years (\*). |
| 1. Management accounts that are no more than three months old (\*). |
| 1. Details of any debt facilities (type, amount, term, repayment arrangements, security details), including any undrawn credit lines. |
| 1. Details of any encumbrances over business assets. |
| 1. Details of any contingent liabilities, including guarantees provided. |
| 1. Details of any financial covenants by which the business must adhere for any loan facilities. |
| 1. Details of any current or pending legal action against the directors or company. |
| 1. Availability of guarantees (financial or performance). This includes any cross guarantees that may apply between group entities. |
| 1. Details of key management positions (name, position held, qualifications, experience). |
| 1. Governance practices, including details of accounting policies and controls, budget preparation processes, internal financial skills and qualifications, internal financial management reporting and review processes. |

(\*) The financial statements/management accounts should include the following:

* balance sheet
* profit and loss statement
* cash flow statement
* notes to and forming part of the financial statements
* signed Director’s Report (when Applicant is a company)
* signed Auditor’s Report
* signed Director’s Declaration.

If the Applicant is an entity of a type that is not required to be audited, statutory financial statements, including a Director’s Report and Director’s Declaration, must be provided, as well as a Compilation Report from the qualified accountant who prepared the financial statements.

Details of any other information that has the potential to materially affect the financial position of the entity must be provided with the Application.

#### Additional information

Additional information may be requested to support the assessment, and the financial assessor may also source relevant information from publicly available sources e.g. Dun and Bradstreet and/or IBIS World reports and ratings, ASIC and the Australian Business Register.

### Cash Flow

1. Details of historical cash flow performance for the current financial year and the previous three financial years.
2. A cash flow budget for the next 12 months, clearly defining the expected source and timing of:
   1. inflows (receipts from billing)
   2. outflows (including labour costs, material costs, equipment costs, etc.).
3. Details of all assumptions used must be included.

### Capacity to borrow – current bank facilities

1. Name of bank and contact details of bank manager.
2. Details of all current bank balances. The following bank facilities, showing funds available, utilised and remaining, are to be provided.
   1. Overdraft
   2. Revolving lease
   3. Other leases
   4. Business credit card access
   5. Guarantee by bank revolving facility
   6. Other credit facilities (please specify)
3. Letter/s from the bank/financiers which details the facilities available to the Applicant. Also, give details of the facilities that have been utilised by the Applicant. Typically, this will include information on overdrafts, credit facilities, and other sources of finance.

**SECTION C - Industrial Relations Management Systems (VicRoads)**

**Detailed Guidance on Industrial Relations Management Criteria**

**Mandatory evaluation criteria for industrial relations management**

The Ministerial Directions for Public Construction Procurement in Victoria at [Evaluation criteria (Direction 3.7)](https://www.dtf.vic.gov.au/public-construction-policy-and-resources/evaluation-criteria-direction-and-instruction-37) establish that mandatory evaluation criteria for industrial relations management must be used when assessing tender submissions for public construction when:

* where the procurement includes supply of Works and the value of the Works (or Works component) exceeds $500,000 (inclusive of GST).

The evaluation criteria are available at [Mandatory evaluation criteria for industrial relations management (Attachment 2 to Instruction 3.7)](https://www.dtf.vic.gov.au/public-construction-policy-and-resources/mandatory-evaluation-criteria-industrial-relations-management-attachment-2-instruction-37). The criteria are also listed in this guide.

**About this Guide**

This guide provides further guidance on the mandatory evaluation criteria for industrial relations management.

This Guide contains the following parts:

|  |  |  |
| --- | --- | --- |
| **Part** | **Contains** | **Page** |
| 1 | Context | 2 |
| 2 | What does a Tender participant\*\* need to have / provide to satisfy the Industrial Relations Management Criteria | 2 |
| 3 | Industrial Relations Management Criteria | 3 |
| Schedule 1: Industrial Relations Management Criteria Self-Assessment Checklist | | 6 |
| Schedule 2: Declaration of Compliance with Industrial Relations Management Criteria | | 10 |

\*\* **Also refers to existing prequalified suppliers and applicants for prequalification.**

**Guidance on Industrial Relations Management Criteria**

1. **Context**

All Victorian employers and employees including the public sector are covered by the national industrial relations system established by the **Fair Work Act 2009 (Cth)**. The Victorian Government supports the role of the Fair Work Commission as the national industrial and workplace relations tribunal to carry out a range of functions including:

* providing a safety net of minimum conditions, including minimum wages in awards;
* facilitating good faith bargaining and the making of enterprise agreements;
* granting remedies for unfair dismissal;
* regulating the taking of industrial action;
* resolving a range of collective and individual workplace disputes through conciliation, mediation and in some cases arbitration; and
* functions in connection with workplace determinations, equal remuneration, transfer of business, general workplace protections and right of entry.

1. **What does a Tender participant need to have / provide to satisfy the Industrial Relations Management Criteria?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | When applying for pre-qualification | When prequalified supplier submitting a tender | When non-prequalified supplier submitting tender | Have in place or required to provide | Reference |
| 1. Industrial Relations Policy | ✓ |  | ✓ | Have in place | Checklist section A |
| 1. Industrial Relations Plan |  | ✓ | ✓ | Have in place | Checklist sections B, E |
| 1. Industrial Relations Self-Assessment Checklist | ✓ |  | ✓ | Provide to Agency | Schedule 1 |
| 1. Declaration of Compliance with the Industrial Relations Management Criteria | ✓ |  | ✓ | Provide to Agency | Schedule 2 |

The purpose of the Industrial Relations Self-Assessment Checklist (the **Checklist**) (Schedule 1, below) and Declaration of Compliance with the Industrial Relations Management Criteria (the **Declaration**) (Schedule 2, below) is to assist Victorian Government departments and public bodies establish confidence in the industrial relations management practices of tender participants who seek to undertake work for the Victorian Government.

The tender participant’s compliance with the Industrial Relations Management Criteria may be subject to further assessment by the relevant department or public body. Documentary evidence to substantiate the tender participant’s assessment may be required.

1. **Industrial Relations Management Criteria**

To enable completion of the Checklist and Declaration, and to satisfy the Industrial Relations Management Criteria, a tender participant must have in place the following:

* an Industrial Relations Policy Statement;
* an Industrial Relations Plan (to be developed for each project) which outlines;
  + proposed approach to managing workplace relations risks;
  + proposed approach to compliance with legal obligations;
  + proposed approach to the management of employee’s entitlements; and
  + proposed approach to managing subcontractors.
* a declaration stating compliance with the Industrial Relations Management Criteria including obligations under Commonwealth and State legislation relating to wages and conditions of employment (see 3.2.2 below).

The Victorian Government encourages industry to adopt a proactive approach to the management of industrial relations at the enterprise level, and to integrate industrial relations management activity into project planning and management.

**3.1 Industrial Relations Policy Statement**

Tender participants must have an Industrial Relations Policy statement that details:

* the organisational structure for each project identifying the senior personnel, their responsibilities and the reporting lines;
* the contact details of the people responsible for managing workplace relations matters;
* the process for consulting and communicating with the workforce, including strategies to communicate with and manage the relationship with employees, subcontractors, construction unions and representatives of building associations;
* the disputes resolution and grievance procedure;
* the process for managing subcontractor compliance with legal obligations.

The policy should be signed by the most senior person within the organisation, for example the Chief Executive Officer, Directors, or Partners (as appropriate) to demonstrate commitment at the most senior levels of the organisation.

**3.2 Industrial Relations Plan**

The objective of the Plan is to ensure each project is delivered on time and on budget, while reducing the likelihood of workplace relations issues.

Tender participants are required to develop Industrial Relations Plans (the **Plan**) for each project that:

* assesses the workplace relations risks specific to that project;
* outlines approaches tailored to manage those specific risks; and
* outline a contingency plan to respond to unforeseen risks.

The Plan must identify industrial relations issues that are relevant to your organisations and actions that will be taken in the event of the following types of incidents:

* grievance disputes;
* inclement weather;
* site issues including site allowances, amenities, clothing and tools;
* potential or actual industrial action; and
* unforeseen risks.

**3.2.1 Compliance with legal obligations**

Tender participants are required to identify and comply with their legal obligations under relevant Commonwealth and State legislation, and industrial instruments including:

* Commonwealth workplace relations legislation;
* applicable enterprise agreements and modern awards;
* applicable project agreements;
* Victorian long service leave legislation;
* Victorian occupational health and safety legislation;
* Victorian workers compensation legislation;
* Victorian and Commonwealth equal opportunity, anti-discrimination and charter of human rights and responsibilities legislation; and
* legislation relating to the operation of superannuation.

Tender participants must have in place policies and procedures to ensure compliance with legal obligations, this may be a statement in the Plan. They will also be required to sign a declaration of compliance with the Industrial Relations Management Criteria, which includes ensuring compliance with their legal obligations.

**3.2.2 Management of Employee Entitlements**

Tender participants are required to provide employees with at least their minimum entitlements for wages and conditions of employment as specified in the relevant modern award, enterprise agreement or employment contract.

Tender participants are required to provide a signed declaration that states compliance in the past 24-month period with obligations under Commonwealth and State legislation relating to wages and conditions of employment.

Tender participants may be required to provide documentary evidence relating to the payment of lawful payment including:

* minimum wages such as penalty rates, overtime and casual rates;
* allowances;
* annual leave;
* long service leave (for example registration with the relevant scheme such as CoINVEST);
* superannuation (for example registration with the relevant scheme such as Cbus);
* workers compensation insurance; and
* other lawful payments where they are specified in a modern award or enterprise agreement (for example payments made to redundancy funds including Incolink).

Where an organisation has implemented remedial measures to address non-compliance with their legal obligations, evidence must be provided to demonstrate the strategies put in place to rectify the relevant problem and ensure compliance in the future with lawful requirements.

The proposed approach to the management of employee’s entitlements may be specified in the Plan.

**3.2.3 Management of subcontractors**

Tender participants are required to have in place policies and procedures that detail the approach that will be taken to the selection, engagement and management of subcontractors. The policies must also detail the strategies that will be put in place to ensure subcontractors comply with their legal obligations.

Departments and public bodies may require tender participants to demonstrate that the subcontractors they engage comply with their legal obligations. One way to meet this requirement could be to require subcontractors to provide documentation similar to the Checklist and Declaration detailed below in Schedules 1 and 2.

The proposed approach to managing subcontractors may be specified in the Plan.

**Schedule 1: Industrial Relations Management Criteria Self-Assessment Checklist**

|  |  |  |
| --- | --- | --- |
| 1. Industrial Relations Policy   Note: All prequalified suppliers must have an Industrial Relations Policy in place. | Yes | No |
| 1. Does your organisation have an industrial relations policy statement, that is signed by most senior person in the organisation, that details: |  |  |
| * the organisational structure for each project identifying the senior personnel, their responsibilities and the reporting lines; |  |  |
| * the contact details of the people responsible for managing workplace relations matters; |  |  |
| * the process for consulting and communicating with the workforce, including strategies to communicate with and manage the relationship with employees, subcontractors, officers, delegates and other representatives of building associations; |  |  |
| * the disputes resolution and grievance procedure; |  |  |
| * the process for managing subcontractor compliance with legal obligations. |  |  |
| 1. Industrial Relations Plan   A fully complying Industrial Relations plan must be provided when submitting tenders. Refer 3.2 of this guide. | Yes | No |
| 1. Does your organisation have an industrial relations plan that identifies the following: |  |  |
| * the industrial relations issues that are relevant to your organisations; |  |  |
| * actions that will be taken in the event of the following types of incidents: * grievance disputes; * inclement weather; * site issues including site allowances, amenities, clothing and tools; * potential or actual industrial action; and * unforeseen risks. |  |  |
| 1. Compliance with legal obligation | Yes | No |
| 1. Does your organisation have policies and procedures to ensure compliance with the following categories of legislation: |  |  |
| * Commonwealth workplace relations legislation (including the Building and Construction Industry (Improving Productivity) Act 2016 (Cth) and where applicable the Code for the Tendering and Performance of Building Work 2016 and the Fair Work Act 2009 (Cth)) |  |  |
| * Long service leave (including the Construction Industry Long Service Leave Act 1997 (Vic) and Long Service Leave Act 1992 (Vic)) |  |  |
| * Occupational health and safety (including the Occupational Health and Safety Act 2004 (Vic)) |  |  |
| * Workers compensation (including the Workplace Injury Rehabilitation and Compensation Act 2013 (Vic)) |  |  |
| * Equal opportunity (including the Equal Opportunity Act 2010 (Vic)) |  |  |
| * Anti-discrimination (including the Age Discrimination Act 2004 (Cth), Sex Discrimination Act 1984 (Cth), Racial Discrimination Act 1975 (Cth) and Disability Discrimination Act 1992 (Cth)) |  |  |
| * Charter of human rights and responsibilities (including the [Charter of Human Rights and Responsibilities Act 2006](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/54d73763ef9dca36ca2571b6002428b0%21OpenDocument) (Vic) and the Australian Human Rights Commission Act 1986 (Cth)) |  |  |
| * Superannuation (including the Superannuation Guarantee Administration Act 1992 (Cth)) |  |  |
| 1. Management of Employee Entitlements | Yes | No |
| 1. Does your organisation only employ employees in accordance with an enterprise agreement approved by the Fair Work Commission, modern award or employment contract? |  |  |
| 1. Does your organisation have an applicable or proposed project agreement in place? |  |  |
| 1. Does your organisation have policies and procedures that allow employees to access information about the relevant enterprise agreement or modern award? |  |  |
| 1. In the past 24-month period, has your organisation complied with its obligations under Commonwealth workplace relations legislation? |  |  |
| 1. In the past 24-month period, has your organisation made the following payments relating to minimum wages and employment conditions? |  |  |
| * wages including penalty rates, overtime and casual rates; |  |  |
| * allowances; |  |  |
| * annual leave; |  |  |
| * long service leave; |  |  |
| * superannuation; |  |  |
| * workers compensation insurance; |  |  |
| * other lawful payments where they are specified in a modern award or enterprise agreement, for example, payments made to redundancy funds. |  |  |
| 1. In the last 24-month period, has your organisation been subject to: |  |  |
| * any findings against it by a court or tribunal regarding breach of an industrial instrument, including a breach of a non-confidential consent order? |  |  |
| * any current proceedings in respect of a breach of an industrial instrument? |  |  |
| 1. Management of subcontractors | Yes | No |
| 1. Does your organisation have in place policies and procedures to ensure that relevant contractual documentation, arrangements or agreements that require subcontractors to comply with their legal obligations? |  |  |

**Statement of Non-Compliance**

If you have answered no to any of the above questions (or yes to part D(6)), please provide a detailed explanation of the extent of non-compliance for each question below.

|  |  |
| --- | --- |
| **Criteria** | |
| **A** |  |
| **B** |  |
| **C** |  |
| **D** |  |
| **E** |  |

**Schedule 2: Declaration of Compliance with Industrial Relations Management Criteria**

|  |  |  |
| --- | --- | --- |
| Legal name of organisation |  | (the **tender participant**) |
| ABN / ACN |  |

|  |  |  |
| --- | --- | --- |
| Authorised Representative (name)\* |  | (the **Authorised Representative**) |
| Authorised Representative (title)\* |  |

I, the Authorised Representative of the tender participant, declare that the tender participant will comply with the Industrial Relations Management Criteria.

I acknowledge that all the information provided by or on behalf of the tender participant as part of the pre-qualification or tender process is current, accurate and provided in good faith. I acknowledge that those applying the **Industrial Relations Management Criteria Self-Assessment Checklist** may rely on the information and hereby indemnify the Victorian Government for any costs or liabilities incurred from or associated with use of the information.

I acknowledge that the Victorian Government may further assess the tender participants compliance with the Industrial Relations Management Criteria and may require the tender participant to provide documentary evidence to assist in such further assessment.

If the tender participant has not complied with their legal obligations in the past 24-months, and remedial measures have been implemented to address the non-compliance, I will attach evidence to this declaration to demonstrate the strategies put in place to rectify the non-compliance.

Signature of authorised representative:

................................................................................................................................

Name of authorised representative:

.................................................................................................................................

Dated: ………./………../……….

**\* The authorised representative must be nominated and must have the authority to complete the declaration and answer questions.**

**Appendix A - Resume Template**

|  |  |
| --- | --- |
| **Name** | [Full Name] |
| **Education** | [Qualification Name] [University Name] – [Year obtained] |
| **Current Position Title** | [Job Title] |
| **Current Role and Responsibilities** | [Provide a brief summary or the Key Personnel’s current role and responsibilities in the organisation. |
| **Work History** |  |
| **Organisation**  Date From - To | **[Position], [Project]**  [Summary of role and accomplishments. Clearly articulate the individual’s role, responsibilities and achievements of note in the role.] |
| **Organisation**  Date From - To | **[Position], [Project]**  [Summary of role and accomplishments. Clearly articulate the individual’s role, responsibilities and achievements of note in the role.] |
| **Organisation**  Date From - To | **[Position], [Project]**  [Summary of role and accomplishments. Clearly articulate the individual’s role, responsibilities and achievements of note in the role.] |
| **Organisation**  Date From - To | **[Position], [Project]**  [Summary of role and accomplishments. Clearly articulate the individual’s role, responsibilities and achievements of note in the role.] |
| **Organisation**  Date From - To | **[Position], [Project]**  [Summary of role and accomplishments. Clearly articulate the individual’s role, responsibilities and achievements of note in the role.] |
| **Organisation**  Date From - To | **[Position], [Project]**  [Summary of role and accomplishments. Clearly articulate the individual’s role, responsibilities and achievements of note in the role.] |

1. Third party certification to the ISO, AS/NZS standards (also acceptable for R1, R2 and B1, B2 - refer to R3, B3 and above). [↑](#footnote-ref-2)
2. At R2 & B2 categories, if a company’s management systems are either a Certified Integrated management system or audited against the VicRoads checklists, the prequalification status will be deemed to be “Conditional”. [↑](#footnote-ref-3)
3. A list of companies is available on the JAS ‑ANZ website [www.jas-anz.com.au](http://www.jas-anz.com.au/) (go to the JAS-ANZ Register and select: Accredited Bodies) [↑](#footnote-ref-4)
4. Exemplar Global internet site: [www.exemplarglobal.org](http://www.exemplarglobal.org) select: “Find an Auditor/Training”. [↑](#footnote-ref-5)
5. Accreditation under the Australian Government’s Building and Construction WHS Accreditation Scheme is deemed to satisfy the OHS requirements for prequalification at all levels. If the Applicant is accredited by the Office of the Federal Safety Commissioner in the above-mentioned Scheme, evidence of this accreditation must be attached. Further detailed information about the Scheme may be obtained from the Federal Safety Commissioner website at [www.fsc.gov.au](http://www.fsc.gov.au) [↑](#footnote-ref-6)