



**Finance  
& Services**

# **GUIDELINES FOR AGENCIES**

**CONSULTANT PREQUALIFICATION SCHEME  
2013-2016 FOR CONSTRUCTION AND RELATED  
WORKS**

**March 2015**

## GENERAL ENQUIRY INFORMATION

### **Agencies seeking a list of Consultants:**

Agencies seeking a list of Consultants for a specific project are to submit a request using the form:

#### **Selective Tenders - Select a tenderer panel**

(please submit to the address indicated on the form)

### **The form is available online:**

1. Go to web site: [www.procurepoint.nsw.gov.au](http://www.procurepoint.nsw.gov.au)
2. Select: '**Procurement System for Construction**' from the drop down menu
3. Select: '**Service provider selection for Construction**'
4. Select: '**Consultant Selection**'
5. Select: '**Selective Tenders - Select a tenderer panel**'

### **Additional information:**

Agencies may refer to the following Scheme documents for additional information:

1. **Guidelines for Applicants**
2. **Scheme Conditions**
3. **Application Form**

The above documents are available on the web site:

[www.procurepoint.nsw.gov.au](http://www.procurepoint.nsw.gov.au)

### **Enquiries:**

For enquiries please contact:

**PH: 1800 679 289**

**E: [NSWBUY@finance.nsw.gov.au](mailto:NSWBUY@finance.nsw.gov.au)**

## SCHEDULE OF DOCUMENT AMENDMENTS

<b>Revision Number</b>	<b>Date</b>	<b>Update Description</b>
0.	28 May 2013	Document Original
1.	25 July 2013	Web links updated
2.	23 August 2013	Section 3 updated with a detailed list of Consultant Work Categories
3.	11 March 2015	Updated Department of Finance & Services (DFS), to Office of Finance & Services (OFS).

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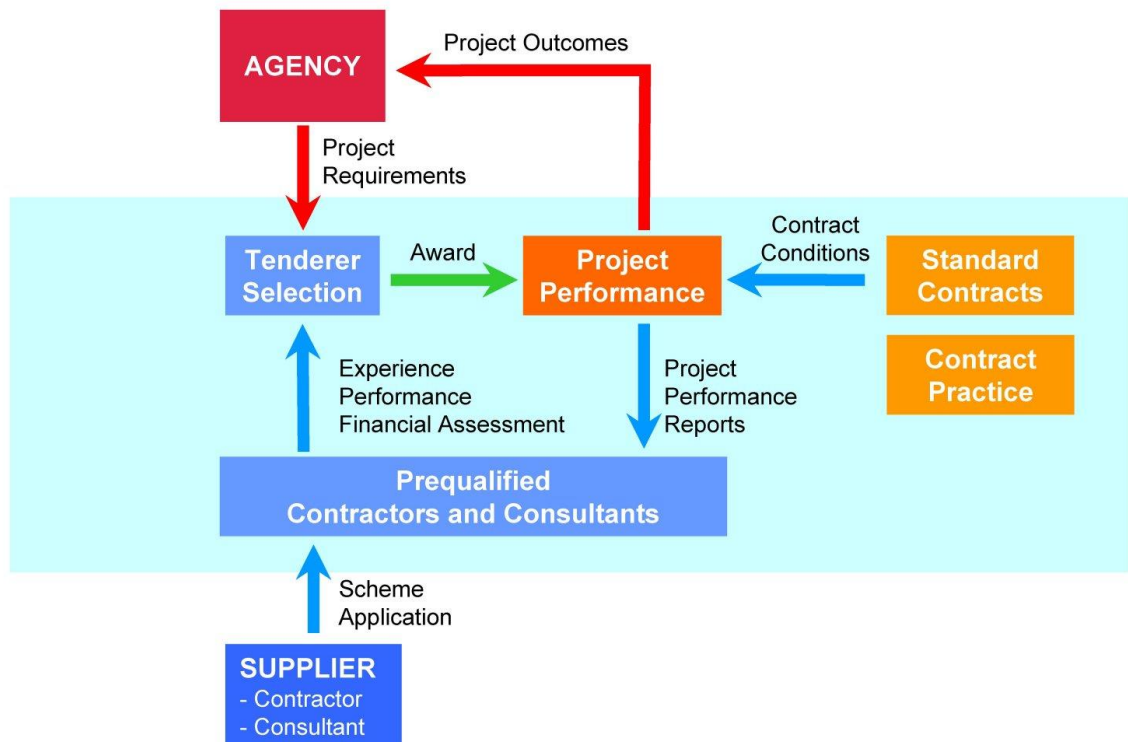
### 3.0 INTRODUCTION

The NSW Government *Procurement Policy* was released under Treasury Circular NSW TC 04/07, on 1 July 2004. This introduced an *Agency Accreditation Scheme for Construction* by NSW Treasury for construction projects. This also established guidelines for agencies using the NSW Government *Procurement System for Construction*. NSW Treasury has since transferred the administration of the *Agency Accreditation Scheme for Construction* to the Office of Finance & Services (OFS).

The NSW Government *Procurement System for Construction* is developed, operated and maintained by the Office of Finance & Services (OFS). The *Procurement System for Construction* consists of management systems, guidelines, practice guides and tools for selection of procurement strategies, contract risk allocation, service provider selection (including prequalification/accreditation of service providers), tender processes and guidance on contract administration to support NSW Government agencies.

The prequalification of consultants is carried out by OFS under the NSW Government procurement System for Construction through the *Consultant Prequalification Scheme 2013-2016 (the Scheme)*.

This document provides guidance for NSW Government Agencies, State Owned Corporations, public institutions (such as Universities) and NSW Local Government Councils using the Procurement System for Construction to support their selection of suitable prequalified construction consultants for work.



**Consultant Prequalification within the NSW Government Procurement System for Construction.** Agency requirements are matched with prequalified firms. The agency decides on those firms to be offered opportunities to tender. OFS provides information and guidance to support agency decision making

## 2.0 PURPOSE, OBJECTIVES & BENEFITS

The purpose of the Scheme is to provide an appropriate management system to enable OFS, government agencies and their expert procurement advisors to procure consultants efficiently and effectively in the specified categories to carry out construction consultancy contracts.

The objectives of the Scheme are to:

- reduce the time and cost to agencies of the process of procuring construction consultants
- reduce the risk for agencies engaging with the private sector when carrying out construction
- enable OFS to establish panels of suitable consultants according to their demonstrated expertise, capacity and capability for specific work types and contract values
- facilitate the selection and invitation of prequalified consultants from the panels to tender for specific work
- encourage continuous improvement and better contract outcomes by providing agencies with a system where they can select the better performing prequalified consultants for more tender opportunities
- manage consultant performance in a fair and transparent way
- deliver improved project outcomes for government.

The benefits of the Scheme for NSW government agencies include enabling:

- selection of tenderers who have demonstrated suitable experience, capability and capacity to achieve better and more consistent contract outcomes
- provision of consultants with appropriate demonstrated specific experience and capacity for projects
- agency preference to be taken into account when selecting prequalified tenderers
- opportunity for agencies to develop a mutually beneficial ongoing business relationship with consultants, while complying with the requirements for probity, value for money and fairness to tenderers and potential consultants
- reduction in tendering costs and time while maintaining appropriate levels of competition
- significantly reduced tender assessment times and simplified contract administration because prequalified tenderers have already demonstrated an understanding of and compliance with NSW government construction industry benchmarks, with management procedures and systems requirements
- conducting business with the best of the private sector through a Scheme which provides for incentives for good performance, and also for the application of restrictions or sanctions in the event of poor performance, as measured against the respective scheme requirements.

### 3.0 WORK CATEGORIES

NSW government agencies may access firms prequalified under the Scheme within the following work categories.

Category	Work Type Code	Summary Description
<b>Management</b>		
Project Director	335	Project Management of planning services and activities required for capital works funding submissions (Business Case) to NSW Treasury.
Project Manager Planning - Health	336	Project Management of services to support health planning, design, town planning and approval process for Health related capital works (excluding the project management of construction delivery and project management of planning by the head contractor following award of the construction contract).
Project Manager Delivery - Health	390	Project Management of construction activities during the design, delivery of Health related capital works assets including project management of planning by the head contractor following award of the construction contract.
Project Management	313	Project Manager for the effective and economic design and construction of projects.
<b>Planning</b>		
Value Management Facilitators	328	Value Management Studies including workshop facilitation and report preparation.
Town Planning	208	Specialist advice, design and documentation related to the urban environment to ensure the orderly development of communities.
Quantity Surveying	301	Cost planning and estimating for architectural facilities including cashflows, cost management, cost forecasting of contract documentation.
Compliance & Certification	216	Specialist advice with respect to building regulations NOT carried out in the course of a normal architectural commission.
<b>Engineering</b>		
Geotechnical Engineering	109	Investigation and report on ground conditions, natural behaviour, response to artificially changed conditions and capacity to support civil and architectural structures. Specialist areas: Hydrogeology, engineering geology, soil mechanics and rock mechanics.
Civil Engineering	118	Design and documentation of civil structures such as bridges, dams, retaining walls, reservoirs, car parks and roads.



Category	Work Type Code	Summary Description
Structural Engineering	119	Design and documentation of the structural components of buildings, such as footings, beams, floors, roof structure walls, columns and roadworks, hydraulic & stormwater designs associated with buildings.
Electrical – Building	115	Design and documentation of requirements for indoor and outdoor lighting, power, HV/LV reticulation and switchboards, control, uninterruptable power supplies, generators, fire detection and voice and data cabling for site services, architectural facilities and buildings for civil works.
Mechanical - Building	116	Design and documentation of requirements for air conditioning, heating, ventilation, domestic hot water, non-potable water, cool rooms, steam, medical/industrial gases, building management and control systems for architectural facilities and buildings for civil works.
Hydraulic – incl. Town Gas, LPG and Fire Services	111	Design and documentation of hydraulic services within buildings and as site services to buildings, incl. water, sewerage, drainage, stormwater, town gas, LPG and fire hydrants and hose reels.
Fire Services – Sprinklers	117	Design and documentation of requirements for sprinkler systems. Does not include fire hydrants and hose reels, see Category 111 - Hydraulic.
Traffic & Transport Engineering	124	Advice, design and documentation related to traffic flow on and around sites.
Electronic Security	120	Design, documentation, site inspection, training and commissioning of electronic security systems for Correctional Centres, Court Houses, Police Stations and Juvenile Justice Centres. Special Selection Criteria and Site Conditions apply. <b>Specialist Areas:</b> Electronic Perimeter Security Systems, Closed Circuit Television (CCTV), Video Conferencing, Guard Tour System, Cell Call System – includes Pass Door Intercom, Access Control Systems, Intruder Alarm Systems, Duress Systems, Public Address System, MATV System, Radio System, Biometrics, X-Ray Screening System, Walk Through Metal Detectors, PABX System, Voice System (Telephones), Data System (Computers), Cabling, Conduits and Pits, Lightning Protection, Uninterrupted Power Supply (UPS), Graphical User Interface (GUI)
<b>Architectural</b>		
Architectural - General	201	Design Consultant specialising in Architecture including office buildings, fitout and refurbishment, residences, industrial and commercial offices and non-specialist areas. <b>Specialist areas:</b> Court Houses, Police Stations.

Category	Work Type Code	Summary Description
Architecture - Health	203	Design Consultant specializing in Architecture - Health including Health Care Facilities (not Nurses Homes, Administration etc.) <b>Specialist areas:</b> Nursing Homes (used by Health Dept with reference to the Department's register, or as procurement managed for Health by the OFS) specifications.
Architecture Health Infrastructure - Planning	220	Completion of architectural services in the planning of new and refurbished health facilities including the preparation of design briefs, development of master plans, health facility planning, user consultation, concept and schematic designs.
Architecture Health Infrastructure - Delivery	221	Completion of architectural services in the documentation of new and refurbished health facilities including the undertaking user consultation, development of detailed design, construction documentation and contract administration.
Architecture - Education Primary & Secondary	202	Design Consultant specializing in Architecture - Education Primary & Secondary including primary and secondary education facilities.
Architecture - Education Tertiary	200	Design Consultant specializing in Architecture - Education Tertiary including tertiary education facilities.
Architecture - Correctional	204	Design Consultant specializing in Architecture - Correctional including correctional facilities.
Architectural - Heritage	219	Design Consultant specialising in Architecture - Heritage including heritage related work to office buildings, fitout and refurbishment, residences, industrial and commercial offices and non-specialist areas.
<b>Assessment</b>		
Environmental Studies	307	Assessment, analysis, evaluation and reporting of environmental issues or identified degradation, interference or conflicts, relevant to natural habitats, built environments or proposed developments including environmental impact assessment and major review of environmental factors including the formulation of appropriate action to be taken. <b>Specialist areas:</b> Flora and Fauna, Contaminated Ground.
Dispute Managers	337	Management of resolution of disputes arising from contracts between NSW government agencies and service providers under the NSW Government <i>Procurement System for Construction</i> .

## 4.0 PERFORMANCE OF CONSULTANTS

Agencies seeking to select consultants for tendering on work generally favour prequalified consultants who have recently achieved the highest level of performance on works. In this manner agencies use the NSW Government Procurement System for Construction to reward the best performing consultants with more work.

The performance information used to support such decision making originates from work delivered for a diverse range of agencies by a broad number of consultants.

On this basis a large store of performance information is amassed on a wide variety of consultants. Such information is only considered relevant for selection decision making purposes when it is relatively recent due to the potential for significant changes in the capabilities of consultants over time. On this basis, performance reports which are more than 2 years old (at the date of the reporting period) are usually discarded from consideration. In this manner “new” reports continuously “enter” the performance management system and “old” reports “exit”.

The continued successful operation of this system requires active participation and support by agencies which have used the Scheme and the Tenderer Selection process by ensuring the diligence of their Project Manager in the preparation of new Performance Reports. Performance Reports are required as follows:

- **on a quarterly basis** (forwarded to OFS by the first week of February, May, August and November)
- **immediately** should unsatisfactory performance become apparent at any time (this will enable OFS to initiate closer monitoring and/or communications including addressing systemic factors which may adversely influence other contracts)
- **following completion** of the contract.

The benefits to the agency in promoting the delivery of Performance Reports are significant:

- Enables problems to be raised and resolved early during the course of the work (not after when it is often too late)
- Enables government agencies to monitor performance on an ongoing basis
- Provides a transparent, consistent and often comprehensive basis for agencies to select tenderers for work
- Reduces the risks of engaging with consultants whose performance record is unsatisfactory
- Enables consultants to monitor their own performance
- Enables consultants to demonstrate their commitment to continuous improvement.
- Provides a basis for building co-operative relationships
- Provides the basis for establishing a cooperative, sustainable and high value mass of Performance information to readily support NSW government agencies involved in Tenderer Selection process decision making
- The performance reporting process provides an additional tool to encourage communication between the Project Manager and the consultant and to support active performance management of a consultant on an agency contract
- Performance reports provide an additional means by which agencies may obtain valuable information on the progress of the contract from their Project Manager

- In instances of highly adverse or repeatedly adverse performance, the performance reports substantiate reasons for the placement of sanctions on the consultant, which may result in a loss of tender opportunities
- When a consultant's performance is unsatisfactory, the performance report may be used to support the placement of the firm on the OFS Contractor and Consultant Review List (Review List) system. The Review List is used to manage the OFS business relationship with unsatisfactorily performing contractors and consultants.

## **5.0 HOW TO SELECT CONSULTANTS FOR TENDERING**

Clients are supported in the delivery of projects through the NSW Government Procurement System for Construction, which includes the OFS Consultant Prequalification Scheme.

The selection process is simple, streamlined, robust and effective. The selection process has been subject to ongoing continuous improvement, review and feedback resulting in a reliable and probity secure approach which is acknowledged and endorsed by NSW Government.

The actions by an agency in preparation for a selection, commencement of the process and subsequent closure include:

## AGENCY ACTIONS:

1. Confirms that funds are available and approved for the engagement of the consultant.
2. Confirms a clear intention to proceed to a formal tender.
3. Submits the form: [Selective Tenders – Select a tenderer panel](#) (which enables OFS to provide sufficient supporting information for a Tenderer Selection Committee meeting). This to be submitted to the address indicated on the form.

This is to be provided at least 15 calendar days prior to the intended date for offering opportunities to tender to the panel consultants to be selected.

4. Completes the form: [Code of Conduct for a Tender Process](#) prior to or during the Tenderer Selection Committee with OFS.
5. Participates (directly or through a representative) in a Tenderer Selection Committee.

Note that if the agency is not accredited under the Agency Accreditation Scheme for Construction, then the agency must engage either an Accredited Agency or an external Prequalified Project Manager. Only an Accredited Agency or Prequalified Project Managers are eligible to perform the project management role. The prequalified Project Manager may be delegated by the agency to be its representative at the Tenderer Selection Committee.

6. The offering of opportunities to tender is conducted by OFS using the [Selective Tenders Confirm a tenderer panel / request for tenders](#) form, or in special circumstances by an Agency subject to prior agreement with OFS.
7. Conducts subsequent tender processes and awards the contract while continuing to meet the requirements of the [NSW Government Code of Practice for Procurement](#).
8. Advises OFS of the tendering outcomes including all tender prices and the name of the winning tenderer using the [Government Contract Disclosure](#) form.  
  
This information enables OFS to monitor the competitiveness of tendering performance of prequalified contractors and to support NSW government disclosure requirements.
9. Meets with the Project Manager which the agency engaged and discusses the Project Manager's performance on the contract. The agency completes the [Project Manager Performance Report](#) as stated on page 9.
10. Communicates regularly with the Project Manager to maintain an understanding of significant issues which may arise with the project. The agency may also request from the Project Manager, the provision of regular updates on the performance of the consultant including copies of the [Consultant Performance Report](#) (CPR).

As an option, the agency may elect to be included with the Project Manager

in the process of preparing a CPR.

The agency should also check that CPRs are being sent regularly, and on time, to OFS so that this information will be promptly available to support the next tenderer selection by the agency and that of other agencies and users.

11. Provides suggestions and feedback to OFS to encourage the improvement of the Scheme and the Tenderer Selection process.  
(Refer Section 6.0 AGENCY FEEDBACK: CONTINUOUS IMPROVEMENT)

## 6.0 AGENCY FEEDBACK: CONTINUOUS IMPROVEMENT

The feedback of Agencies is sought on OFS guidance provided for the use of the Consultant Prequalification Scheme as a basis for Tenderer Selection under the NSW Government Procurement System for Construction. Feedback may be provided by an Agency at any time as well as following each Tenderer Selection meeting.

To what degree do the following aspects of the Scheme and Tenderer Selection process satisfy the expectations of your Agency ?	Very Low	Low	Slightly Low	Slightly High	High	Very High
1. <b>Scheme Guidance documentation</b> Clarity, completeness and ease of use of this document including structure, content and use of Plain English.						
2. <b>Communications by OFS</b> Clarity and responsiveness of OFS guidance to the Agency in preparing for Tenderer Selection processes.						
3. <b>Tenderer Selection meeting</b> Effectiveness in meeting Agency requirements in the selection of suitable prequalified consultants.						
4. <b>Responsiveness of Selection process</b> Timely response in conducting Tenderer Selection processes to meet Agency procurement objectives.						
5. <b>Probity</b> Robustness of measures implemented by OFS to support Agency compliance with NSW Government Code of Practice for Procurement						
6. <b>Value</b> Benefit in the use of the Scheme and Tenderer Selection processes to meet the Agency delivery milestones and objectives.						

<b>7. Positive outcomes</b>
<b>8. Areas suggested for improvement</b>
<b>9. General Comments</b>

<b>10. Name of Agency</b>			
<b>11. Completed by</b>		<b>12. Date</b>	

Please email to [cpr@services.nsw.gov.au](mailto:cpr@services.nsw.gov.au)

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