



**National Prequalification
System for
Non-residential Building
(NPS)**

**Application Form
& Referee Report**

The National Prequalification System for Non-residential Building (NPS) aims to create certainty and consistency, and streamline the process of prequalification for contractors working in multiple jurisdictions. It applies to non-residential government building contracts where the construction cost estimate is \$50 million and above in Participating Jurisdictions. This seamless process for mutual recognition of prequalification status for contractors across all jurisdictions commenced on 1 January 2011. For details of participating jurisdictions and participating agencies please refer to the APCC website.

NOTE: Commonwealth agencies are unlikely to process prequalification applications. Where a Commonwealth agency decides to seek tenders from prequalified contractors, it will recognise relevant prequalification status awarded by States and Territories under the APCC National Prequalification System.

NPS Documents

Applicants should access the full set of NPS documents before undertaking their applications.

1. NPS Guidelines (explaining the NPS system)
2. NPS Application Form and Referee Report (this document)
3. NPS Registration for Mutual Recognition Form (for recognition in multiple jurisdictions)
4. NPS Contractor Performance Report (review of performance and compliance)

All documents can be downloaded from www.apcc.gov.au

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1. General Instructions

This National Prequalification System for Non-residential Building (NPS) Application Form must be fully completed by all Applicants seeking NPS prequalification. This NPS Application Form must be lodged with the Assessing Agency (i.e. the jurisdiction in which the contractor intends to bid for a tender) for assessment.

This NPS Application Form contains form fields to enable it to be completed either electronically or in hard copy.

Guide notes are included to assist in the completion of this NPS Application Form. Guide notes are in shaded boxes below each relevant section.

This NPS Application Form should be read and completed with reference to the NPS Guidelines which provide additional relevant information.

To provide a pathway for contractors that can demonstrate financial capability to above \$50M however are yet to have experience with a building contract over \$50 million and wish to become prequalified contractor may seek to be assessed in accord with the following Guidelines:

- ✓ The contractor is required to demonstrate capability and capacity to perform over \$50M. This may include previous building contracts completed concurrently; however each building contract must be not less the \$40M for the construction cost
- ✓ The Assessing Agency has full jurisdiction over the application and adjudicating capability and capacity
- ✓ A successful applicant would be granted prequalification for a probationary period until the first building contract over \$50M was successfully completed and reflected in Contractor Performance Reporting
- ✓ While on probation, the contractor is limited to bidding for tenders up to 20% uplift from the highest value completed building contract construction cost, for example previous highest completed building contract construction cost is \$45 million, the contractor is limited to bidding for a tender up to \$58.5 million.

GUIDE NOTE:

Information being requested relates to the legal entity seeking NPS prequalification, referred to as the 'Applicant'

1. New/renewing Applicants and applications for variations

In selecting one or more of the contract types for which prequalification is sought, each new Applicant should carefully consider which particular contract type(s) best reflects its current capabilities. This step relies on the Applicant making a realistic self-assessment of its ability to successfully deliver contracts at the required level.

Following this, the Applicant must ensure that its application clearly addresses the relevant criteria and clearly demonstrates the Applicant's capabilities for the prequalification contract type(s) selected.

2. Applicants already prequalified with another Participating Agency

An Applicant already prequalified under the NPS and seeking mutual recognition should submit the completed NPS Registration for Mutual Recognition Form to the NPS Assessing Agency (i.e. the Agency which initially assessed the contractor for prequalification under the NPS).

Notification of NPS mutual recognition will be provided by the Assessing Agency if mutual recognition is accepted.

Mutual recognition only applies to non-residential building contract types where the construction cost estimate is \$50 million and over.

Confidentiality and Exchange of Information

Information submitted in an application for prequalification will be treated as commercial-in-confidence and will not be disclosed to any party outside the Assessing and Participating Agencies and its assessors, unless legally required to do so, or to obtain legal or financial advice, or as required for the purpose of appeals regarding prequalification decisions.

The Assessing Agency may refer an Applicant's documentation to its external assessors for assessment. External assessors are required to maintain confidentiality of all information received.

In lodging an application, Applicants agree to provide the necessary authority to enable searches and enquiries to be carried out.

Once prequalified, a contractor's details, including its performance on specific contracts, may be shared with other Participating Agencies and government agencies for the purpose of monitoring performance and to determine continued eligibility for prequalification.

By submitting an application, the Applicant authorises the Assessing Agency to gather, monitor, assess, and communicate to other Participating Agencies information about the Applicant's financial position and its performance for the purposes of administering the jurisdictional roles and obligations under the NPS.

2. Preliminaries

Nature of Application

Indicate whether this is a new Application for NPS, an Application for renewal or an Application for a variation of prequalification categories.

New Application

OR

Renewal

OR

Variation

General Information

Applicants must provide the following general information:

Name of the company or entity under which this Application is being made and under which it is intended that tenders will be submitted (hereinafter referred to as the Applicant).

Trading Name (if different).

State the type of entity e.g. Public or Private Company, Individual, Joint Venture etc.

State of Registration of Company (if applicable).

Australian Business Number (ABN).

Australian Company Number (ACN).

Address of Registered Office.

Postal Address (if different to above).

Business Address (if different to above).

Preferred Address? (please tick)

Address of Registered Office

Postal Address

Business Address

Telephone Number.

Facsimile Number.

Email Address.

Website Address.

Contact for Prequalification Enquiries (full name, position and email address).

Contact for General Enquiries (full name, position and email address).

3. Prequalification Categories – Contract types

The prequalification categories are defined in the separate document, the NPS

Guidelines. The table below identifies each contract type for the NPS.

Mark () in the table your preference for responding to contract opportunities in the respective contract types.

Contract types	CONSTRUCT/ CONSTRUCT ONLY	DESIGN & CONSTRUCT	MANAGING CONTRACTOR	DESIGN, CONSTRUCT & MAINTAIN	RELATIONSHIP

4. Company Profile

GENERAL INSTRUCTIONS:

All information provided should be relevant to the prequalification contract type(s) sought.

4.1 Organisational Structure

Applicants should attach an organisational chart showing the relationship between the Applicant and parent and subsidiary companies (where relevant), including the names of Principals, Directors and Partners.

Organisational Chart attached (please tick to confirm)

4.2 Stability of Organisation

(a) Provide in tabular form the following information:

	Local State/Territory	Nationally	Internationally
Years under current structure			
Years under current ownership			
Years operating as main contractor			
Years operating as major subcontractor			

(b) If applicable, provide details of any former business names and give details as for (a) above.

(c) In the last five years, has the Applicant, or any former business identified in sub-clause (b), been liquidated or entered into receivership, administration, scheme of arrangement, or creditors' composition pursuant to the Bankruptcy Act or Corporations Law? If yes, give details.

(d) Have any of the Proprietors, Principals, Directors, Managers or Secretaries of the Applicant, or any former business identified in sub-clause (b) (or their spouses) ever been bankrupt? If yes, give details.

(e) 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, please provide details.

GUIDE NOTE:

Demonstration that the Applicant has been successfully operating under its current structure and ownership for some years, especially within the local state/territory and within Australia, provides confidence that the Applicant is stable.

4.3 Senior Management

Provide the names, experience and qualifications of Directors and Senior Managers nominated.

Name/Position:

Name/Position:

Name/Position:

Name/Position:

5. Technical Capacity

Experience in type of work
 Evidence of appropriately qualified key personnel
 Evidence of relevant licences to practice
 Third party certified and/or jurisdictional second party certified management systems

GENERAL INSTRUCTIONS:

All information provided should be relevant to the prequalification procurement strategy(s) sought.

LIST OF EXTERNAL PERFORMANCE REPORTS

The Applicant is to identify and detail a list of all Contractor Performance Reports included within the Application.

Project Name	Value (\$)	Date Contract Completed	Client Organisation Name	Report Referee Organisation	Work Type:	Contract System C/CO, DC, DCM, MC, R	Applicant has Checked Completeness of Report

Contract System – C/CO = Construct/Construct Only; DC = Design & Construct; MC = Managing Contractor; DCM = Design, Construct & Maintain; R = Relationship

6. Company Experience

GENERAL INSTRUCTIONS:

All information provided should be relevant to the prequalification contract type(s) sought.

Evidence of earlier relevant experience may also be submitted where the Applicant considers that such information may support its application.

Current and Completed Projects

SCHEDULE A: EXPERIENCE – CONSTRUCT/CONSTRUCT ONLY(C/CO)

The Principal under the terms of the contract provides the contractor with documentation which fully describes the work to be undertaken. The contractor then builds the works according to the project documentation prepared by the principal's consultants. The contractor may be responsible for carrying out some design documentation to the extent specified by the contract. The contract can be based on a lump sum, a schedule of rates and lump sums or bill of quantities.

Provide details of at least two **CONSTRUCT/CONSTRUCT ONLY** contracts completed in the last three years. Also indicate the details of **CONSTRUCT/CONSTRUCT ONLY** contracts recently awarded where construction has not yet commenced.

Project Description	Location	Client Organisation	Client's Contact Person and Phone Number	Target Construction Sum (in \$ '000)	Contract Duration (weeks) with Percent Completed to date	Date of Actual Completion or Anticipated Completion

Attach additional pages if required.

SCHEDULE B: EXPERIENCE – DESIGN & CONSTRUCT

The Contractor is responsible for a significant part of the design, design development, documentation and design coordination, as well as construction.

Provide details of at least two **DESIGN & CONSTRUCT** contracts completed in the last three years. Also indicate the details of **DESIGN & CONSTRUCT** contracts recently awarded where construction has not yet commenced.

Project Description	Location	Client Organisation	Client's Contact Person and Phone Number	Target Construction Sum (in \$ '000)	Contract Duration (weeks) with Percent Completed to date	Date of Actual Completion or Anticipated Completion

Attach additional pages if required.

SCHEDULE C: EXPERIENCE – MANAGING CONTRACTOR

The Managing Contractor may be engaged on a project brief, to commission, manage and accept responsibility for consultants that design the works and subcontractors that construct the works. The Principal may also engage a project manager or project director to manage the Managing Contractor contract and to support and advise the Principal. A Managing Contractor contract usually involves the payment of actual reasonable costs (up to a guaranteed or targeted construction sum(s), where agreed for construction work, or a guaranteed price for all the work) plus fees. (The Principal refers to the client who awards the contract.)

Provide details of at least two **MANAGING CONTRACTOR** contracts currently completed in the last three years. Also indicate the details of **MANAGING CONTRACTOR** contracts recently awarded where construction has not yet commenced.

Project Description	Location	Client Organisation	Client's Contact Person and Phone Number	Target Construction Sum (in \$ '000)	Contract Duration (weeks) with Percent Completed to date	Date of Actual Completion or Anticipated Completion

Attach additional pages if required.

SCHEDULE D: EXPERIENCE – DESIGN, CONSTRUCT & MAINTAIN

The Contractor is provided with a project brief, generally including some concept design, and the quality and performance requirements of the asset are specified. The Contractor is responsible for the preparation or completion of the concept design, development of the design, preparation of construction documentation, construction of the asset and maintenance for a specified period (say 10 years). Asset condition monitoring indicators are specified, by which the performance of the completed asset will be measured during the maintenance period.

Provide details of at least two **DESIGN, CONSTRUCT & MAINTAIN** contracts completed in the last three years. Also indicate the details of **DESIGN, CONSTRUCT & MAINTAIN** contracts recently awarded where construction has not yet commenced.

Project Description	Location	Client Organisation	Client's Contact Person and Phone Number	Target Construction Sum (in \$ '000)	Contract Duration (weeks) with Percent Completed to date	Date of Actual Completion or Anticipated Completion

Attach additional pages if required.

SCHEDULE E: EXPERIENCE – RELATIONSHIP

These include early contractor (or tenderer) involvement (**ECI**).

ECI enables the Principal to work with a Contractor to better identify and allocate risks prior to or as part of a tender process to establish a fixed price. It enables the Contractors to commence the pricing phase with a full understanding of the contract requirements. It also enables the Principal to monitor contractor performance against KPIs and effectively work with the Contractor to resolve issues in advance settling the price, time and other parameters of the contract. ECI is an effective early component of any the above contracting strategies aligned with cooperative contracting. (The Principal refers to the client who awards the contract.)

Provide details of all **RELATIONSHIP** contracts completed in the last three years. Also indicate the details of **RELATIONSHIP** contracts recently awarded where construction has not yet commenced.

Project Description	Location	Client Organisation	Client's Contact Person and Phone Number	Target Construction Sum (in \$ '000)	Contract Duration (weeks) with Percent Completed to date	Date of Actual Completion or Anticipated Completion

Attach additional pages if required.

7. Financial Capacity

GENERAL INSTRUCTIONS:

The information submitted pursuant to this section shall remain confidential. The Applicant's financial information must be externally audited by an ASIC registered auditor. The signed Audit Report including the full name, qualifications, company and signature of the accountant, must be provided with the Application.

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.

1. Single companies

No additional requirements.

2. Company within a consolidated group

The Application must clearly identify which company within the group is applying for prequalification. That 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 Assessing Agency, a subsidiary company may submit audited financial statements for the parent company (or guaranteeing entity) for assessment together with an acceptable Deed of Company Guarantee or an undertaking to be jointly and severally liable.

In considering Applications from related companies or entities, the Assessing Agency reserves the right to examine the resources of any parent or related company/ies or entity/ies if considered warranted.

3. Joint ventures

The Assessing Agency will consider Applications for prequalification from joint ventures. Joint ventures may be either incorporated or unincorporated. Incorporated joint ventures will be assessed as legal entities in their own right. Where prequalification of unincorporated joint ventures is allowed, the joint ventures will be assessed on a case-by-case basis including 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

Basic information

The following information is to be submitted with all applications:

(a) Audited annual report/financial statements for the last three years.	
(b) Details of any overdraft facilities available.	
(c) Details of any bank guarantee facilities available.	
(d) Details of other bank funding facilities available.	
(e) Names of major trade creditors.	

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

Capacity to borrow / Current bank facilities

Provide name of bank and contact details of Bank Manager.

Additional information

Additional financial information may be requested of an Applicant prior to any contract award.

8. External Client Referee Reports

1) Company letterhead to be inserted / used (here)

EXTERNAL CLIENT REFEREE REPORT ON THE CONTRACTOR'S PERFORMANCE

GUIDE NOTE:

The client is to insert the company letterhead details and logo electronically or, print covering page on the letterhead of the reporting company or organisation. Each page of the original of the document is to be signed. The person completing and signing this document should be a person holding an appropriately senior position that authorises them to report on behalf of the company or organisation

1. Please return the completed, original pages to the Contractor who has made the request for this report.

1.1) Contractor name		
1.2) Referees name provided by		1.3) Phone
1.4) Project name / description		
1.5) Site location / address		
1.6) Intended function, purpose, use (of completed project)		
1.7) Detailed description of work conducted by contractor		
1.8) Design work conducted by contractor (if applicable)		
1.9) Contract price		1.10) Contract (completion date)

2. Two probity-related questions are asked regarding the Contractor and your company

2.1) Has anyone influenced or tried to influence you or the organisation in regard to the preparation of this Client Referee Report? (tick or replace with checked box)

Yes

No

2.2) Does your company conduct any business or trade with the Applicant's company: (tick or replace with checked box)

At the present time?

Since the project was completed?

Will do so in the near future?

3) The following questions are about the Contractor and the Contractor's performance on the above-mentioned project. Please mark the box that corresponds with your rating. The rating options to be used for the questions are: U = Unsatisfactory M = Marginal A = Acceptable G = Good S = Superior

Contractor's Performance'	U	M	A	G	S
3.1) Project Management (Time) Ability to keep the project on time. To achieve milestones in the time planned. To overcome delays from inclement weather or external sources					
3.2) Project Management (Human Resources) Ability to engage and retain sufficient numbers of staff as well as appropriately qualified / experienced staff for the project					
3.3) Project Management (Subcontractors and suppliers to the project) Ability to manage both on-site and off-site subcontractors. Ability to effectively coordinate trade groups on the site. Ability to manage suppliers to the project					
3.4) Project Management (Documentation) Ability to maintain proper records of the project. Ability to submit claims for payment with the correct supporting evidence. Ability to request further information, drawings and reports in a timely manner					
3.5) Co-operation Level Ability to develop and maintain co-operative relationships between key stakeholders to the contract. Their ability to promptly inform key stakeholders of matters likely to affect the time, or cost or quality and / or workplace safety of the site					
3.6) Management of Worksite Safety Ability to establish and maintain a worksite safety system that minimised the exposure of site workers and others persons to injury or harm. Ability to control sub-contractors to ensure that they did the same					

Contractor's Performance	U	M	A	G	S
3.7) Management of Site Industrial Relations Ability to properly and effectively manage industrial relations matters. Ability to maintain a reasonable level of harmony on the site					
3.8) Management of Environmental Preservation Matters Ability to take proper measures to control any damage, harm or threats to the environment					
3.9) Quality of the Finished Product Ability to provide the correct quality of the finished product as set down in the specification. Ability to accept responsibility for defects and to fix them in a timely manner					
3.10) Quality Assurance System The level of compliance with the required Quality Assurance Standard. Their ability to provide in a professional and timely manner the information, evidence and records in document form you needed as a client					
3.11) Design Documents – if the job was Design & Construct or DD&C (otherwise N/A) The adequacy of their documentation in meeting the requirements of the contract					
3.12) Maintenance - if the job was DCM (otherwise N/A) The adequacy of maintenance in meeting the requirements of the contract					

The rating options are: U = Unsatisfactory M = Marginal A = Acceptable G = Good S = Superior

4) General comments regarding the firm's performance on the project:

Referee Details

4.1) Company or organisation name		
4.2) Your current position title		
4.3) Your role during the construction		
4.4) Office phone		
4.5) Mobile		
4.6) Email		
4.7) Signature		4.8) Date
4.9) Name (please print)		

Thank you for your participation in this activity.

9. Additional Details

The following information is to be provided:

Items are to be attached to the application as tabulated below.

Item	ITEMS TO BE ATTACHED:		
	<p>Legal identity: A copy of the Applicant's ASIC Certificate of Registration must be provided where the Applicant is a company.</p>	<p>Attached Not Attached Not Applicable</p>	
	<p>Quality Management System (QMS): The Applicant must have a currently certified (second or third party) QMS to AS/NZS ISO 9001:2008. Evidence of second or third party certification of the Applicant's QMS must be attached.</p>	<p>Attached Not Attached</p>	
	<p>¹OHS Management System (OHSMS): The Applicant must have: <ul style="list-style-type: none"> (a) a currently certified (second or third party) OHSMS to AS/NZS 4801:2001, or ISO 45001, or; (b) accreditation under the Australian Government Building and Construction OHS Accreditation Scheme (FSC Accreditation). Evidence of second or third party certification of the Applicant's OHSMS or FSC Accreditation (as applicable) must be attached.</p>	<p>Attached Not Attached</p>	
	<p>Environmental Management System (EMS): The Applicant must have a currently certified (second or third party) EMS to AS/NZS ISO 14001:2004. Evidence of second or third party certification of the Applicant's EMS must be attached.</p>	<p>Attached Not Attached</p>	

¹Important Note

The Australian Government Building and Construction OH&S Accreditation Scheme (the Scheme) and the implications for undertaking contracts for the Participating Agency. The Scheme applies to contracts that are indirectly funded by the Australian Government, where the Australian Government contribution is at least \$5 million and represents at least 50% of the total construction value; or where the Australian Government contribution is \$10 million or more, irrespective of the proportion of Australian Government funding.

10. Submitting the Application

Applications must be signed and should include a covering letter on company letterhead including the following paragraph:

In submitting this application for NPS for prequalification, we certify that the information in this application is true and correct and fully complies with the requirements in the NPS Guidelines and NPS Application Form. The Applicant undertakes to comply with the Assessing Agency's local tender eligibility requirements. The Applicant also authorises any Participating Agency to gather, monitor, assess, and communicate to other Participating Agencies information about the Applicant's financial position and its performance for the purposes of administering the jurisdictional roles and obligations under the NPS.

The letter must be signed by the Applicant's authorised representative as follows:

Signed:

Name: _____ Company Secretary / Director

Position: _____ Date: _____

Applications should consist of all documentation outlined in this NPS Application Form, together with any other supporting technical or financial information.

Two copies of the Application and supporting information must be provided. The technical information should be separate from the financial information. Applicants are encouraged to submit the Application on disc, in a read-only format.

Applications cannot be submitted via facsimile.

Applications should be forwarded to the address given by the Assessing Agency.

Appendix A: Document Attachment Check List

The following Items are to be attached to the application as tabulated below.

Item	ITEMS TO BE ATTACHED: Two copies of Application and supporting information.		
4. Company Profile			
1	Organisational Chart	Attached	
		Not Attached	
5. Financial Capacity			
2	Deed of Company Guarantee (where applicable)	Attached	
		Not Attached	
		Not Applicable	
3	Copy of proposed joint venture agreement (where applicable)	Attached	
		Not Attached	
		Not Applicable	
4	Signed Audit Report/Financial Statements for the last three years	Attached	
		Not Attached	
5	Details of any overdraft facilities available	Attached	
		Not Attached	
6	Details of any bank funding facilities available	Attached	
		Not Attached	
7	Details of other bank funding facilities available	Attached	
		Not Attached	
8	Names of major trade creditors	Attached	
		Not Attached	
6. Company Experience			
9	Evidence of earlier relevant experience	Attached	
		Not Attached	
7. Technical Capacity			
10	Contractor Performance Reports (External)	Attached	
		Total number	
		Not Attached	

8. External Client Referee Reports			
11	External Client Referee Reports	Attached Not Attached	
12	Copy of Applicants ASIC Certificate of Registration (where Applicant is a Company)	Attached Not Attached Not Applicable	
13	Certification of Quality Management System (QMS)	Attached Not Attached	
14	Certification of OHS Management System (OHSMS)	Attached Not Attached	
15	Certification of Environmental Management System (EMS)	Attached Not Attached	
10. Submitting the Application			
16	Covering Letter	Attached	
17	Completed and signed Application Form	Attached	