



AUSTRALASIAN **PROCUREMENT
CONSTRUCTION** AND
COUNCIL

National Prequalification System for Non-residential Building (NPS)

Registration for Mutual Recognition Form

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.

Participating Jurisdictions and Participating Agencies

New South Wales	NSW Procurement, Department of Finance and Services
Western Australia	Building Management and Works, Department of Finance
South Australia	Building Management, Department for Transport, Energy and Infrastructure
Victoria	Construction Supplier Register, Department of Transport
Queensland	Works Division, Department of Public Works
Tasmania	Procurement, Risk and Contract Management Branch
Northern Territory	Procurement Policy, Department of Business and Employment
Australian Capital Territory	ACT Procurement Solutions, Department of Treasury
Commonwealth	Various agencies that may undertake non-residential building construction

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 (application for prequalification)
3. NPS Registration for Mutual Recognition Form (this document)
4. NPS Contractor Performance Report (review of performance and compliance)

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

ENQUIRIES - ASSESSING AGENCY CONTACT DETAILS

Registration for Mutual Recognition Form Lodgement

- 1) Email Address: (this is the preferred mode of communication)

- 2) Postal Address: (alternative mode of communication)

General NPS enquiries are to be directed through the email address above.

- 3) **Urgent enquiries** may be made to the following Contact Officers:
[Insert names and contact details of Contact Officers]

INSTRUCTIONS TO APPLICANTS:

1. The Registration for Mutual Recognition Form is to be completed by the Applicant and lodged preferably electronically with the Assessing Agency where prequalification (under the NPS) has been awarded.
2. A lodged Registration for Mutual Recognition Form will be submitted by the Assessing Agency to the Participating Agency/ies for processing where mutual recognition of the NPS is being sought.
3. Subject to jurisdictional due diligence assessment, notification of NPS mutual recognition will be provided by the Assessing Agency.

SCHEDULE 1: PRELIMINARIES

Applicants must provide the following general information:

Name of company or entity under which this Mutual Recognition Registration is being made.

Trading Name: (if different to above)

Australian Business Number (ABN):

Australian Company Number (ACN):

Builder's registration/license number (mandatory in some jurisdictions):

Address of Registered Office :

Postal Address: (If different to above)

Telephone Number:

SCHEDULE 2: CONTACT DETAILS OF MUTUAL RECOGNITION APPLICANT

(a) Name:

(b) Position:

(c) Contact number:

(d) Email address:

SCHEDULE 3: JURISDICTION(S) WHERE MUTUAL RECOGNITION IS SOUGHT

NSW WA SA VIC TAS QLD NT ACT

Please refer to Attachment A for specific jurisdictional requirements that may be applicable to this application.

SCHEDULE 4: CONTRACT TYPES

The Applicant should indicate contract types of interest for work. (Refer to the NPS Guidelines for more information.)

Contract Type

Construct/Construct Only

Design and Construct

Managing Contractor

Design, Construct and Maintain

Relationship-based Strategies (including Early Contractor Involvement)

SCHEDULE 5: CONTRACTOR APPLICATION FOR MUTUAL RECOGNITION



, hereby seeks Registration for Mutual Recognition with , accepts local tender requirements and declares that the particulars submitted are true and correct and that all the required information has been supplied.

The Contractor acknowledges that in order to obtain mutual recognition, they may be required to provide a Deed of Guarantee (which may be project specific) acceptable to the Participating Jurisdiction/s.

The Contractor undertakes to comply with the respective participating jurisdictions requirements (identified in Attachment A) when tendering in that participating jurisdiction/s.

Signed:

Name:

Company Secretary / Director

Position:

Date:

ATTACHMENT A:

Parameters of mutual recognition

Mutual recognition under the NPS means a contractor's prequalification status will be recognised when the contractor seeks to register with any other Participating Agency. A contractor must comply with all statutory requirements, as well as the following jurisdictional requirements.

Key features of the NPS include:

- contractors prequalified by the Assessing Agency may apply for recognition by any Participating Agency
- recognition by another Participating Agency will only require minimal details to be submitted (i.e. details of the company and a contact person – local contact person to be provided where applicable) and evidence of prequalification with the Assessing Agency; acknowledgement of jurisdiction specific policies and legislation will be required
- prequalified contractors eligibility to tender will only be considered if they can demonstrate compliance with any relevant jurisdictional specific requirements.

Note: To be eligible for prequalification in most jurisdictions, a contractor must hold an appropriate building licence.

LOCAL TENDER ELIGIBILITY REQUIREMENTS BY JURISDICTION

The Contractor (identified above) undertakes to comply with the following jurisdictional government requirements (which will be amended from time to time) when tendering for government work within that jurisdiction:

New South Wales

- NSW Government *Code of Practice for Procurement and Implementation Guidelines*
- NSW Government *Procurement System for Construction*; and Contractor Best Practice Accreditation
- *The Building and Construction Industry Security of Payment Act 1999* (NSW)
- OHS management system accredited under the Australian Government Building and Construction OHS Accreditation Scheme managed by the Office of the Federal Safety Commissioner or the *NSW Government Occupational Health and Safety Management System Guidelines, 4th edition* (with evidence of recent satisfactory implementation)
- Environmental Management System certified to AS/NZS ISO 140000: 2007 or accredited under the *NSW Government Environmental Management System Guidelines, 2nd Edition, September 2009* (with evidence of recent satisfactory implementation)
- NSW Government *Industrial Relations Management Guidelines, December 1999*
- NSW Government *Aboriginal Participation in Construction Guidelines*
- NSW Government *Training Management Guidelines, February 2009*

Western Australia

- Buy Local Policy, July 2002, as amended (State Supply Commission)
- Building Local Industry Policy (Department of Commerce)
- Code of Practice for the Building and Construction Industry in Western Australia (Department of Commerce)
- The Contractor is deemed to be the project owner under the *Building and Construction Industry Training Fund and Levy Collection Act 1990 (WA)* and shall pay all levies required to be paid under this Act
- Priority Start – Building policy (Department of Training and Workforce Development)
- Indigenous Enterprise and Employment Tendering Preference Policy (Department of Treasury and Finance) applies to all tenders and quotations called by the Department of Treasury and Finance for construction and trade-based contracts
- Australian Standard Code of Tendering AS4120-1994
- *Construction Contracts Act 2004 (WA)*
- *Builders' Registration Act 1939 (WA)*

South Australia

- Code of Practice for the South Australian Construction Industry
- *Building Work Contractors Act 1995* (SA)
- *Construction Industry Long Service Leave Act 1987* (SA)
- SA Government Policy on Workforce Participation in Government Construction (Procurement)

Victoria

- Victorian Code of Practice for the building and construction industry;
- Victorian Industrial Relations Principles
- Victorian 'Industry Participation Policy
- *The Building and Construction Industry Security of Payment Act 2002* (VIC)
- Victorian Building Practitioner Registration
- lodge a completed and signed Industrial Relations form

Tasmania

- Australian Standard Code of Tendering AS 4120-1994
- *Building Act 2016* (Tas)
- *Building and Construction Industry Security of Payment Act 2009* (Tas)
- National Code of Practice for the Construction Industry and the Tasmanian Annexure to the Code
- Tasmanian Government's Building and Construction Training Policy
- Tasmanian Government's Policy on Confidentiality of Information in Government Contracts
- Tasmanian Government's Principal Nominated Insurance requirements
- Compliance with all other statutory obligations including the *Work Health and Safety Act 2012* (Tas); registration with TasBuild Limited; and the *Construction Industry (Long Service) Act 1997* (Tas).

Queensland

To be eligible for prequalification in Queensland, a contractor must hold an appropriate building license, issued by the Queensland Building Services Authority (BSA) in accordance with the *Queensland Building Services Authority Act 1991*.

A contractor must satisfy the BSA's *Financial Requirements for Licensing* to obtain a building license.

A contractor must comply with all statutory requirements, as well as the following Queensland Government-approved contracting policies, guidelines and arrangements when tendering or contracting with the Queensland Government:

- Contractor PQC Financial Requirements Guideline
- Contractor PQC Conditions of Prequalification
- Queensland Code of Practice for the Building and Construction Industry
- Local Industry Policy
- Indigenous Employment Policy for Queensland Government Building and Civil Construction Projects (where applicable)
- Building and Construction Contracts Structured Training Policy
- Contractor PQC Managing Occupational Health and Safety on Government Building Projects Guideline
- Contractor PQC Improving Workforce Management on Government Building Projects Guideline
- Recycling Policy for Buildings and Civil Infrastructure (where applicable)

Please refer to www.works.qld.gov.au to source these documents.

Australian Capital Territory

- National Code of Practice for the Construction Industry 1997
- *Long Service Leave (Portable Schemes) Act 2009* (ACT)
- Ethical Suppliers Declaration
- Builder's Registration
- Evidence of appropriate public liability and workers compensation insurances

Northern Territory

- Procurement Code
- *Construction Industry Long Service Leave and Benefits Act 2005* (NT)
- *Building Act*
- Registration with Contractor Accreditation Ltd (CAL) under inbound Mutual Recognition provisions