

PREQUALIFICATION

OF CONSTRUCTION INDUSTRY

FOOTPATH CONTRACTORS



APPLICATION

Please return completed application to:

Infrastructure Canberra
2 Constitution Avenue, Canberra ACT 2601 PO Box 158,
CANBERRA ACT 2601
Email: iCBRPrequalification@act.gov.au
Attention: Prequalification Registrar

NOTE: Electronic Submission of Application.

Electronic Submission of all applications is preferred.
When preparing the application, please separately save each document as a pdf file.
When saving pdf files please save with a suitably descriptive title. Eg "Prof Indem Ins or Pub Liab Ins"
Emails to iCBRPrequalification@act.gov.au are limited to 10 Mb.
If your application exceeds this size, the ACT Government's file hosting service is "Objective Connect" for which you must obtain prior approval. Please Phone 6207 7154 or email iCBRPrequalification@act.gov.au

1. Nature of Application

Indicate whether this is a new Application, a renewal or an Application for an upgrade of prequalification categories and work choices (please tick):

New Application

Renewal

Up- Grade

2. Contractor Details

Name of the company or entity under which this Application is being made and under which tenders will be submitted

Trading Name

ABN/ACN

Year enterprise was established

Please ✓ if your organisation is one of the following:

Company

Partnership

Sole Trader

Government enterprise

Trust

Address of Registered Office:

Telephone

Contract Person's Name

Mobile

Email

Business Address / Place of
Business

Postal Address

3. Notes

If applicable, please attach an organisation chart with details of the Company structure, including parent companies; related entities; affiliations with their relationship to this entity.

Organisational Chart attached

Please complete this Application in conjunction with reading the 'Prequalification of Construction Industry – Footpath Contractors – Guidelines for Applicants' package.

Please also note that Prequalification is a Condition of Tender and therefore must be maintained during the life of any contract issued to a provider as a result of that Tender / Expression of Interest / Request for Offer.

4. Insurances

Please provide details of the following insurances: *(copies of insurance certificates should be attached to application)*

Public Liability

Insurer

Sum Insured

Expiry Date

Workers Compensation

Insurer

Sum Insured

Expiry Date

5. Technical Capacity / Past Performance /Firms experience

Describe 3 – 5 recent projects that you have undertaken as a footpath contractor in the past 12 to 24 months, or as a contractor in a related construction field. Please include dollar value and the type of project.

If applicable, please also include a structure of the organisation including length of time in business. This should include position titles as well as qualifications and licences held.

Please attach these documents to your application.

General Information (please fill in for each project)

Project 1

Project Name

Project Details

Project Completion Date

Overall Value of the Project

Project Location

Client Organisation

Client Contact – Referee Details
(Name and contact numbers)

Project 2

Project Name

Project Details

Project Completion Date

Overall Value of the Project

Project Location

Client Organisation

Client Contact – Referee Details
(Name and contact numbers)

Project 3

Project Name

Project Details

Project Completion Date

Overall Value of the Project

Project Location

Client Organisation

Client Contact – Referee Details
(Name and contact numbers)

Project 4

Project Name

Project Details

Project Completion Date

Overall Value of the Project

Project Location

Client Organisation

Client Contact – Referee Details
(Name and contact numbers)

Project 5

Project Name

Project Details

Project Completion Date

Overall Value of the Project

Project Location

Client Organisation

Client Contact – Referee Details
(Name and contact numbers)

6. Quality Assurance, Occupational Health and Safety and Environmental Management Systems, Temporary Traffic Management Plans

Please submit examples of the above plans for your company or business utilised from current or recent previous projects.

Quality Assurance AS/NZS ISO 9001:2015

Plan Attached

Occupational Health and Safety AS/NZS 4801:2001

Plan Attached

Environmental Management System AS/NZS ISO 14001 : 2015

Plan Attached

7. Australia Procurement and Construction Council (APCC) National Code of Practice for the Construction Industry (Code)

Applicants need to acknowledge general compliance with the principles of the Code.

Acknowledged

The Code is applicable to the activities of both the applicant seeking prequalification and the Territory agency.

The Code and associated documents can be downloaded from www.apcc.gov.au.

8. Secure Local Jobs Code

Applicants will be required to hold a Secure Local Jobs Code (SLJC) Certificate issued in accordance with the SLJC legislation prior to being granted Prequalification. Information on how Applicants can apply for SLJC application for a certificate is available at:

<https://www.procurement.act.gov.au/securelocaljobs/apply> .

Applicants are required to retain a Secure Local Jobs Code certificate issued in accordance with the SLJC legislation while they are Prequalified.

9. Schedule of Services Offered

As part of satisfying the technical capacity criterion the Applicant must provide information requested on areas of work (that relate to the services ticked below) that include (but may not be limited to) the following:

- expertise or specialisation;
- past experience;
- staffing levels;
- management and administration capabilities including the use of sub-contractors and plant and equipment resources.

This information can be attached to this application.

Place a ✓ for 'yes' or 'no' for the services you wish to be nominated for.

Item	Service	Yes	No
1.	Concrete footpaths and associated works		
2.	Asphalt footpaths and associated works		
3.	Vehicle crossings		
4.	Kerb and gutter		
5.	Pram crossings		
6.	Pavers		
7.	Restoration of the verge		
8.	Bollard installation and removal		
9.	Stone pitching; and		
10.	Damaged sprinkler repairs.		

Statutory Declaration

Statutory Declarations Act 1959 (Cwlth)

I, _____ (name) of _____ (address) and _____ (occupation) make the following declaration under the *Statutory Declarations Act 1959* (Cwlth).

The information and details specified in the following 5 pages, titled 'Ethical Suppliers Declaration', are, I believe, correct as of the date of this declaration.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

Signature of person making the declaration

Declared at _____ on _____

Before me,

Signature of person before whom the declaration is made

Full name, qualification and address of person before whom the declaration is made (in printed letters).'

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years - see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the Criminal Code applies to all offences against the *Statutory Declarations Act 1959* - see section 5A of the *Statutory Declarations Act 1959*.

Note 3 'Note 3 A person before whom a statutory declaration may be made is prescribed under the *Statutory Declarations Regulations 1993* (Cwlth) as amended from time to time and includes, but is not limited to, a justice of the peace, a legal practitioner or a police officer.'

STATUTORY DECLARATION / ETHICAL SUPPLIERS DECLARATION

Statutory Declarations Act 1959 (Cth)

I _____ (Name) of
Address

(Occupation of person making declaration)

make the following declaration under the Statutory Declarations Act 1959 (Cth),

Name of Applicant Entity in relation to which I make this Declaration:

*[Insert full legal title of Contractor
e.g. XYZ Pty Limited]*

ACN / ABN of the Applicant Entity:

If a company, include ACN, and if a partnership or sole proprietor, include the full names of individual members and ABN.

1. The following industrial instrument (award or agreement) made pursuant to any **Prescribed Legislation** specifically apply to the **Employees** of the **Applicant Entity** and is binding on it.

*[Insert details of Industrial
Instruments (this is the award
you pay your employees under)]*

2. The **Applicant Entity** has in the preceding 24 months of the date of this Declaration complied with all its **Employee and industrial relations obligations**.

Yes

No

3. The **Applicant Entity** has in the preceding 24 months of the date of this Declaration recognised the rights of **Employees** to union membership and representation.

Yes

No

4. The **Applicant Entity** has in the preceding 24 months of the date of this Declaration complied with any amendments to wages and conditions of employment for their **Employees** as decided by any authorised industrial or wage- setting agency.

Yes

No

5. In the preceding 24 months of the date of this Declaration there have been either:
- (a) no findings against the **Applicant Entity** by a court, tribunal, commission or board of a breach of any **Prescribed Legislation**, including a finding of a breach in a non-confidential consent order;

OR

- (b) the following findings against the **Applicant Entity** by a court, tribunal, commission or board of a breach of any **Prescribed Legislation**, including a finding of a breach in a non-confidential consent order

[provide Full Details of Findings].

6. In the preceding 24 months of the date of this Declaration there have been either:

- (a) no convictions under the **Prescribed Legislation** against the **Applicant Entity**;

OR

- (a) the following convictions under the **Prescribed Legislation** against the **Applicant Entity**

[provide Full Details of Convictions].

7. There are currently:

(a) no proceedings or prosecutions against the Applicant Entity in respect of a breach of any Prescribed Legislation

OR

(b) the following proceedings and prosecutions are currently brought against the Applicant Entity

[provide Full Details of Proceedings].

8. The **Applicant Entity** has:

(a) not been required to implement any remedial measures to ensure future compliance with the **Prescribed Legislation**

OR

(b) the **Applicant Entity** has implemented the following remedial measures to ensure future compliance with **Prescribed Legislation**.

[provide Full Details of Remedial Measures].

9. I am authorised on behalf of the **Applicant Entity** to make this declaration.

10. In this declaration:

Full Details means details of:

- (a) the nature of the breach or offence or alleged breach or offence;
- (b) any conviction recorded or adverse finding made in respect of the breach or offence;
- (c) any penalty or orders imposed by a court, tribunal, commission or board in respect of the breach or offence and the maximum penalty that could have been imposed under the **Prescribed Legislation**;
- (d) the name of the court, tribunal, commission or board, the State or Territory in which the proceeding or prosecution is brought, the date on which the proceeding or prosecution was commenced and the number or description assigned to the proceeding or prosecution by the court, tribunal, commission or board; and
- (e) the name of the entity against which the finding or conviction was made or the proceeding or prosecution was initiated.

Applicant Entity means the legal entity (individual or company) that is applying for prequalification

Employee means a natural person who is employed by the Applicant Entity under a contract of service (excluding professional or information technology services) to provide the Applicant Entity with his or her labour.

Employee and industrial relations obligations means compliance with:

- (a) **Prescribed Legislation**; and
- (b) the orders, direction or decisions of any court, tribunal, board, commission or other entity with jurisdiction to consider the interpretation, breach or any other matter concerning **Prescribed Legislation**.

Note: Examples of Employee and industrial relations obligations may typically include:

- payment of remuneration;
- training; annual holidays;
- long service leave entitlements;
- occupational health and safety; workers' compensation;
- injury management, (including rehabilitation);
- legal age of employment; discrimination; and superannuation.

This list is non exhaustive.

Prescribed Legislation means:

- (a) any industrial instruments applicable to Employees;
- (b) *Long Service Leave Act 1976 (ACT)*;
- (c) *Work Safety Act 2008 (ACT)*;
- (d) *Long Service Leave (Portable Schemes) Act 2009 (ACT)*;

- (e) *Workers' Compensation Act 1951* (ACT);
- (f) *Fair Work Act 2009* (Cth);
- (g) *Superannuation Guarantee (Administration) Act 1992* (Cth);
- (h) *Building and Construction industry Improvement Act 2005* (Cth);
- (i) *Workplace Gender Equality Act 2012* (Cth);
- (j) *Paid Parental Leave Act 2010* (Cth);
- (k) *Payroll Tax Act 2011* (ACT);
- (l) *Work Health and Safety Act 2011* (ACT);
- (m) any Regulations made under the above Acts;
- (n) any laws of the Commonwealth or the Australian Capital Territory which vary or replace the above Acts or Regulations, or any part of them; and
- (o) any other Acts or Regulations of the Commonwealth or the Australian Capital Territory, which deal with matters relating to industrial relations, employment and/or workplace safety obligations.

Secure Local Jobs Code - The ACT Government has changed the way it awards contracts to support businesses that do the right thing by their workers. Secure Local Jobs strengthens the ACT Government's procurement practices so its contracts are only awarded to businesses that meet high ethical and labor standards. The new requirements apply to businesses tendering for construction, cleaning, security or traffic management work from 15 January 2019 and will create fairer procurement processes for ethical employers whilst holding to account business not meeting their industrial and legal obligations. Applicants should inform themselves about the requirements of Secure Local Jobs by reviewing the policy which can be accessed on the ACT Procurement website <https://www.procurement.act.gov.au/supplying-to-act-government/securelocaljobs>.

Subcontractor means an entity that is contracted by the **Applicant Entity** to provide services or works in connection with a **Contract** between the Territory and the **Applicant Entity**.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

[Signature of person making the declaration]

[Print name of person making the declaration]

Declared at

on Date

Guide Note – Click in date and use drop down arrow

Before me:

[Signature of person before whom the declaration is made]

[Full name, qualification and address of person before whom the declaration is made (in printed letters)] *Note – Refer list of qualified witnesses below*

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years – see section 11 of the Statutory Declarations Act 1959.

Note 2 Chapter 2 of the Criminal Code applies to all offences against the Statutory Declarations Act 1959 – see section 5A of the Statutory Declarations Act 1959.

A statutory declaration under the Statutory Declarations Act 1959 may be made before—

- (1) A person who is currently licensed or registered under a law to practise in one of the following occupations:
- | | | |
|----------------------|----------------------|--------------------|
| Chiropractor | Dentist | Legal practitioner |
| Medical practitioner | Nurse | Optometrist |
| Patent attorney | Pharmacist | Physiotherapist |
| Psychologist | Trade marks attorney | Veterinary surgeon |
- (2) A person who is enrolled on the roll of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or
- (3) A person who is in the following list:
- Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 - Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the Consular Fees Act 1955)
 - Bailiff
 - Bank officer with 5 or more continuous years of service
 - Building society officer with 5 or more years of continuous service
 - Chief executive officer of a Commonwealth court
 - Clerk of a court
 - Commissioner for Affidavits
 - Commissioner for Declarations
 - Credit union officer with 5 or more years of continuous service
 - Employee of the Australian Trade Commission who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3 (d) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place
 - Employee of the Commonwealth who is:
 - (a) in a country or place outside Australia; and
 - (b) authorised under paragraph 3 (c) of the Consular Fees Act 1955; and
 - (c) exercising his or her function in that place
 - Fellow of the National Tax Accountants' Association
 - Finance company officer with 5 or more years of continuous service
 - Holder of a statutory office not specified in another item in this list
 - Judge of a court
 - Justice of the Peace
 - Magistrate
 - Marriage celebrant registered under Subdivision C of Division 1 of Part IV of the Marriage Act 1961
 - Master of a court
 - Member of Chartered Secretaries Australia
 - Member of Engineers Australia, other than at the grade of student
 - Member of the Association of Taxation and Management Accountants
 - Member of the Australasian Institute of Mining and Metallurgy
 - Member of the Australian Defence Force who is:
 - (a) an officer; or
 - (b) a non-commissioned officer within the meaning of the Defence Force Discipline Act 1982 with 5 or more years of continuous service; or
 - (c) a warrant officer within the meaning of that Act
 - Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants
 - Member of:
 - (a) the Parliament of the Commonwealth; or
 - (b) the Parliament of a State; or
 - (c) a Territory legislature; or
 - (d) a local government authority of a State or Territory
 - Minister of religion registered under Subdivision A of Division 1 of Part IV of the Marriage Act 1961
 - Notary public
 - Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public
 - Permanent employee of:
 - (a) the Commonwealth or a Commonwealth authority; or
 - (b) a State or Territory or a State or Territory authority; or
 - (c) a local government authority;
 - with 5 or more years of continuous service who is not specified in another item in this list
 - Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made
 - Police officer
 - Registrar, or Deputy Registrar, of a court
 - Senior Executive Service employee of:
 - (a) the Commonwealth or a Commonwealth authority; or
 - (b) a State or Territory or a State or Territory authority
 - Sheriff
 - Sheriff's officer
 - Teacher employed on a full-time basis at a school or tertiary education institution

Applications should consist of all documentation outlined in these procedures, together with any other supporting technical or financial information.

Applicants are encouraged to submit the Application via email to iCBRPrequalification@act.gov.au (maximum limit of 10 mg), on USB/thumb drive or hard copy, in a read-only format. One hard copy of the Application and supporting information may be provided if electronic submission is not possible. The technical information should be separate from the financial information.

Applications cannot be submitted via facsimile.

10. Application Checklist for Applicants

Please tick the boxes to ensure all aspects of your application are complete

Contractor Details

Insurances (copies attached)

Technical Capacity / Past Performance / Firms experience

Quality Assurance, Occupational Health, Safety and Rehabilitation and Environmental Management & Temporary and Traffic Management Plans

Statutory Declaration in relation to Ethical Suppliers Declaration

Consent to share information