ACT Government

National Prequalification System for (Road and Bridge) Construction

-REQUIREMENTS

Infrastructure Canberra

Prequalification, Portfolio Performance and Procurement

Version 8, September 2026

(Aligning with Austroads National Prequalification System Requirements Template AP-C96-25 Edition 2.3 December 2025)

Refer also to the Application for Civil Road and Bridge

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1. Introduction

1.1 Background

Austroads has developed the National Prequalification System (NPS) to create a harmonised framework for roadworks and bridgeworks construction contracts. Companies wishing to submit tenders to Australian Road Agencies for these contracts must be prequalified under the NPS. The ACT Government is a participant in the NPS.

The key features of the NPS include:

- consistent eligibility requirements and prequalification categories across Participating Agencies;
- a company that is prequalified in one jurisdiction may have that prequalification recognised by other Participating Agencies;
- minimisation of unique localised systems and requirements;
- consistent contractor performance reporting and sharing of this information across road agencies; and
- the promotion of best practice in the road and bridge construction industry.

Prequalification consists of a continuous process of:

- an initial assessment of a contractor's capabilities at the time of lodgement of an Application (including its operational management systems);
- further financial and/or technical checks during the tender assessment process, before a contract is awarded;
- assessment of a contractor's performance in a contract, during and at the completion of contracts, and at other times when a review may be warranted;
- periodic review of financial accounts as appropriate;
- review of the technical capabilities after any significant changes within the company; and
- Three-year renewal via the submission of a new application.

Further information about the national prequalification system may be obtained from:

1. https://www.act.gov.au/infrastructurecanberra/supplying-to-government/prequalification/apply-for-national-prequalification , in the ACT, and

2. https://austroads.gov.au/publications/project-delivery/ap-c96-25

To access the register of prequalified companies, refer to: https://austroads.gov.au/infrastructure/national-prequalification/prequalified-contractors

1.2 Scope

Prequalification is a mandatory requirement for all ACT Government civil construction contracts.

There is no prequalification category for Maintenance Agreements.

The agencies listed in Table 1 are participants in the NPS.

Table 1: Participating Agencies

Table 1: Participating jurisdictions and authorities	
Jurisdiction	**Authority(s)**
New South Wales	Transport for NSW
Victoria	Department of Transport and Planning
Queensland	Department of Transport and Main Roads, Queensland (DTMR)
Western Australia	Main Roads Western Australia (MRWA)
South Australia	Department for Infrastructure and Transport
Tasmania	Department of State Growth
Australian Capital Territory	Infrastructure Canberra

Note: Where a Commonwealth agency decides to seek tenders from prequalified contractors, it will recognise relevant prequalification status awarded by states and territories under the Austroads National Prequalification System.

1.3 Applications

If a contractor wishes to become prequalified with the ACT Government and it does not have existing prequalification with another Participating Agency, the contractor must apply by using the application form available from Apply for National prequalification - Infrastructure Canberra (act.gov.au) and submitting it in accordance with the instructions on the form.

If a contractor has previously applied for prequalification with another Participating Agency, the Applicant must include the relevant details in the current application. Unless agreed otherwise with the Participating Agencies concerned, Applications must be submitted to the Participating Agency in the state where the Applicant's head office is located.

Applications submitted to the ACT Government do not currently attract an administration fee. However, the ACT Government reserves the right to introduce an administration fee in accordance with the Austroads National Prequalification System requirements.

1.4 Mutual Recognition

If a contractor is already prequalified with another Participating Agency, the contractor may seek mutual recognition of that prequalification with the ACT Government by the submission of a mutual recognition application form found on the Infrastructure Canberra website: Apply for National prequalification - Infrastructure Canberra (act.gov.au)

Mutual recognition of prequalification granted by other Participating Agencies is not automatic and must be initiated by the prequalified contractor. The mutual recognition application must include a copy of the prequalification certificate and the letter from the original Assessing Agency.

Mutual recognition only applies to contractors with "Full" prequalification. Contractors with a "Conditional" prequalification (refer Clause 3.3) are generally ineligible for automatic mutual recognition. However, at its sole discretion, the ACT Government may elect to recognise the "Conditional" prequalification status of a Contractor.

The ACT Government may undertake its own investigation of a company seeking mutual recognition and may request further information from the contractor or from the original Assessing Agency before granting mutual recognition.

2. Prequalification Categories and Financial Levels

2.1 Overview

Under the NPS, contracts for the construction of roadworks and / or bridgeworks are categorised as follows:

- Roadworks: R1 to R5 (with R1 being the lowest level)
- Bridgeworks: B1 to B4 (with B1 being the lowest level)

Contracts are also categorised by financial levels, which are further described in Section 2.3.

Typical characteristics of contracts in each roadworks and bridgeworks category are summarised in Appendix A.

To become prequalified at a particular level, an Applicant must satisfy the Assessing Agency that it has the management systems, relevant technical experience of the key personnel as it relates to road and bridge construction, good performance on previous applicable projects, readily available resources, and financial capacity to successfully complete a contract at that level.

2.2 Specialist Categories

Code	Name	Descriptor
TS	Traffic Signals	Trade activity installation of control devices – both electronic and mechanical, but excluding static signage and road (line) marking
LS	Land subdivision	Contractor activity for infrastructure works inclusive of landscape and storm-water management, road-works, mains reticulation and site servicing.
TSG	Trunk Services, gas	Contractor or trade activity installation of pipe and ancillary works for conveying of gas between building developments.

TSH	Trunk Services, hydraulics	Contractor or trade activity installation of pipe and ancillary works for conveying of potable water, sewageand stormwater between building developments.
MS	Major Stormwater	Contractor or trade activity installation of structure for the storage / control of water flow; such as dams, weirs, spillways, dykes, embankments, retention ponds, reservoirs, channels or canals, cut-off drains andgross pollutant traps.
TSS	Trunk services, steam	Contractor or trade activity installation of pipe and ancillary works for conveying superheated, saturatedor domestic pressure steam – generally for industrial and commercial uses.
MSH	Mains services, hydraulics	Trade activity installation of pipe and ancillary works for conveying of potable water, sewage and storm water within building developments.
TMI	Traffic management, intersections	Installation and maintenance of temporary road signs, road furniture such as bollards & cones, temporary pavement marking, delineators, traffic signals, and warning signs necessary for the diversion of traffic and pedestrians during construction projects requiring traffic lane or footpath closures.
CIRR	Cable installation & road re-instatement	Activity combing the capabilities of underground cable installation and subsequent reinstatement oftraffic pavements and shoulders of pavements (thrust boring).
PLRR	Pipe laying & road re-instatement	Activity combing the capabilities of underground pipe laying installation and subsequent reinstatement of traffic pavements and shoulders of pavements (thrust boring).
PI	Pole installation	Activity involving installation of poles for overhead cable and street lighting.
SRM	Signage & road marking	Activity for delineation – by the manufacture and erection of signs and line marking – to create static traffic control devices.
D	Demolition	Activity involving all general dismantling and or removal of buildings, structures and civil (site clearing) works by manual, mechanical, explosive, implosive or other means.

RWCS	Road works, crack sealing	Activity for the supply and application of bituminous, cement or epoxy-based compounds to re-instate waterproofing qualities of pavement surfaces.
RWSS	Road works, spray sealing	Activity to describe sprayed bituminous surfacing. The application of applying a thin film of bitumen-based binder to a prepared road surface, by spraying bitumen through a calibrated sprayer to the road surface. Aggregate is then spread over this film and rolled into the binder to ensure that the stone adheres to the road surface.
RWAS	Road Works, Asphalt surfacing	The application of laying a mixture of bitumen and pre-heated aggregate which is maintained at a defined temperature and subsequently spread and compacted while still hot. Common asphalt surfacing include Dense Graded Asphalt, Open Graded Asphalt, Fine Gap Graded Asphalt, Stone Mastic Asphalt and Ultra Thin Asphalt.
BM	Bridge Maintenance	This activity relates to maintenance activities to preserve the structural integrity of bridges and extend service lives of various bridge elements.

2.3 Financial Levels

The financial levels are identified by the letter 'F'. The levels are summarised in Table 2.

Table 2: NPS Financial levels

Table 4: NPS Financial levels	
Financial level	**Maximum values (including GST)**
F0.25*	Up to $250 000
F1*	$1 million
F2*	$2 million
F5	$5 million
F10	$10 million
F15	$15 million
F20	$20 million
F25	$25 million
F50	$50 million
F75	$75 million
F100	$100 million
F150	$150 million
F150 PLUS	Unlimited

** Financial levels F0.25, F1 and F2 are optional prequalification levels under the National Prequalification System.*

The assessed financial level reflects the contractor's assessed contract capacity over a rolling 12-month period.

Applicants should note that the financial prequalification level is only indicative, as it represents the Applicant's financial capacity at a particular point in time. The ACT Government may requirean updated financial assessment to be undertaken prior to the award of any contract.

The results of any such updated assessment will not immediately affect the financial level a contractor is prequalified for. However, a major variance between the financial level assessed at pre-award and the approved level of financial prequalification may trigger a review of the contractor's financial prequalification status. This could result in the contractor being excluded from further consideration with respect to the tendered works, and/or a reassessment of the contractor's financial level which could then result in a financial downgrade.

Where an applicant is a subsidiary company ACT Government reserves the right to examine the resources of the parent company in conjunction with the company seeking prequalification or other related entities.

Prequalified contractors may seek financial reassessment at any time after the release of their annual accounts. However, any additional costs incurred as a result of additional assessment beyond those required by the ACT Government (i.e. annual financial assessment required under the National Prequalification System, or updated financial assessments prior to the award of relevant contracts) may be borne by the prequalified contractor.

3. Prequalification Requirements

3.1 General

Companies (i.e. entities with an Australian Company Number) are eligible to apply for "Full" prequalification. At the absolute discretion of each Participating Agency, "Conditional" prequalification, where the Applicant does not fully comply with every specified criterion, may be granted.

3.2 Full Prequalification

Companies

Civil engineering construction companies that possess relevant experience in the construction of roads and bridge structures are eligible to apply for prequalification.

Incorporated joint ventures

An incorporated joint venture is a separate legal entity that may have been formed specifically to undertake a project or projects. The entity may draw upon the resources (technical and/or financial) of the entities supporting the joint venture.

All Joint Venture members of an incorporated joint venture applying for prequalification must meet the criteria for prequalification in their own right. The ACT Government recognises, however, that a newly formed joint venture may have difficulty satisfying some of the financial criteria (such as profit performance) and will therefore apply the same principles outlined below regarding newly formed companies.
The ACT Government only recognises Incorporated Joint Ventures for National Prequalification System for Civil (Road and Bridge) Construction projects.

All members of an Incorporated Joint Venture must accept joint and several liability for all obligations associated with contracts undertaken under the prequalification.

For more information see ACT Government Factsheet: - Joint Venture Guide Lines - Factsheet Final

3.3 Conditional Prequalification

Where an Applicant does not meet every specified eligibility criteria, but the Assessing Agency

considers that there will be benefits to the Assessing Agency by allowing that company to submit tenders, the Applicant may be granted "Conditional" Prequalification.

Examples of Conditional Prequalification include:

- Where the Applicant does not meet the financial criteria in its own right, but the Assessing Agency is satisfied that financial stability can be ensured though the provision of a Deed of Guarantee from a parent company and / or an additional unconditional undertaking from an approved financial institution.
- Where a newly formed company, which has suitably experienced personnel and satisfies the requirements for systems and other resources, is unable to satisfy all of the past experience criteria, but the Assessing Agency considers that the company is competent to undertake the work.
- Where a company does not completely satisfy all of the assessment criteria, but the Assessing Agency has a high level of confidence that the company could successfully complete a contract at that level and there would be strategic benefits in having an additional contractor being able to submit tenders in a regional area.

The granting of Conditional Prequalification is at the absolute discretion of the Assessing Agency and other Participation Agencies are under no obligation to recognise Conditional Prequalification. If another Participating Agency elects to recognise Conditional Prequalification, it may be on the same conditions imposed by the Assessing Agency, or similar conditions that meet the other Participating Agency's specific requirements.

Providing the conditionally prequalified contractor continues to comply with the nominated conditions of their prequalification, they will be eligible to tender for contracts in the categories and financial level they are conditionally prequalified in.

3.4 Unincorporated Joint Ventures

The granting of prequalification to unincorporated joint ventures is at the sole discretion of each Participating Agency. Unincorporated joint ventures are only eligible for "Conditional" Prequalification and other Participating Agencies may elect to not mutually recognise these entities.

The ACT Government will not accept applications from Unincorporated joint ventures.

The ACT Government does not accept applications from unincorporated joint ventures. Where recognised elsewhere under mutual recognition arrangements the underlying joint and several liability requirements of the NPS will apply.

3.5 Overseas Contractors

Austroads recognises there will be difficulties for overseas based companies in establishing operations within Australia. Some of the challenges and difficulties faced by the company may include:

- the cost of establishing operations with no guarantee of immediate work;

- the need to mobilise staff quickly after contracts are awarded in order to meet contractual time obligations;
- a lack of knowledge and experience with local conditions;
- having no established relationships with local suppliers (materials & plant) and subcontractors;
- a lack of knowledge of local legislation including environmental and work health & safety legislation; and
- a lack of familiarity with the ACT Government's standard forms of contract and specifications.

To ensure the ACT Government has confidence in the capabilities of an overseas Applicant, the application for prequalification should include a submission outlining how the company proposes to manage the above issues.

As with Australian companies that seek prequalification, the overseas company must apply for prequalification in the name of the entity that they will be entering into contracts in Australia and provide information relevant to that particular entity. The technical information must be relevant to road and bridge construction and there must be a clear link between the work undertaken by the Australian entity and the overseas company.

The overseas company must clearly explain and demonstrate their specific involvement in any Joint Ventures or any other type of multi contractual work.

The assessment will consider the capability (i.e. experience, resources, management systems and financial capacity) of both the Australian and overseas entities. The assessment for "Full" prequalification will be based on the Australian entity. However, at its sole discretion, ACT Government may grant "Conditional" prequalification at a higher level if it forms the opinion that of the overseas entity will reasonably contribute to the capability of the Australian entity and the issues mentioned above have been adequately addressed.

The following requirements also apply to overseas Applicants:

- The Applicant must be a registered business within Australia and must nominate their Australian Company Number (ACN) or Australian Registered Business Number (ARBN) in their application.
- Submission of 3 years of audited and director-signed end-of-financial-year accounts prepared in accordance with international accounting and auditing standards.
- Independently audited financial statements no more than 3 months old must be submitted in support of financial data supplied.
- Financial accounts must be in $US, € or a currency which is acceptable to the Assessing Agency. The independent auditor must be an organisation which is recognised by the ACT Government's financial advisors.
- Where the ACT Government does not have full confidence in the accuracy of the financial statement, it reserves the right to reject the application or request certain securities in addition to the normal contract securities. The securities required would be in the form of an Unconditional Undertaking provided by and claimable through an approved Australian bank or

a foreign bank with a full banking licence in Australia and permanent branches established in Australia, preferably within Australian Capital Territory.

- The Applicant must hold and maintain a bank account in Australia with:
  - an Australian bank; or
  - a foreign bank with a full banking licence in Australia and permanent branches established in Australia.
- Written applications for prequalification must be submitted in English and key personnel nominated in the application must be fluent in speaking English.

3.6 Exclusions

Prequalification does not extend to related or subsidiary companies or entities of a prequalified contractor. Any such company or entity must apply for prequalification in its own right.

Where two or more related companies apply for prequalification, resources and project experience are deemed to be allocated to a single company and cannot be considered in the assessment of the other companies.

The following are ineligible for prequalification under the NPS:

- project management companies (i.e. the company has no internal construction resources and outsources all of the site work);
- trusts and trustees;
- natural persons; and
- partnerships between natural persons.

Where a Participating Agency manages prequalification systems for specialist categories (for example, asphalt and spray sealing), other Participating Agencies may elect to not mutually recognise this prequalification.

4. Assessment Criteria

Applications will be assessed against the following criteria. Refer to Appendix B for full details of the minimum criteria for each level.

4.1 Technical Capability

1. Company experience, including senior management with a demonstrated track record of successful project delivery;
2. Company resources that include sufficient key personnel with the appropriate qualifications, licences (where relevant) in road and bridge construction and technical capability;
3. Management systems; and
4. Appropriate availability of plant and equipment.

It is expected that resources nominated in an application are predominately “in house”. If subcontractor resources are nominated for core construction activities, the Applicant must provide clear evidence of an established and successful working relationship with the subcontractor.

For categories R2/B2 and above, the nominated key personnel must be retained ‘in house’.

4.2 Financial capacity

To be considered for prequalification and to maintain prequalification status, contractors must demonstrate strong business viability over both the short and long term.

Applicants that demonstrate sufficient financial capacity to be prequalified will be assigned a financial ‘level’ and become eligible to tender for advertised contracts that nominate a financial level, providing the Applicant is prequalified in the advertised technical categories.

A financial assessment will be undertaken on the entity seeking prequalification, which could be the subsidiary of a parent company. In some cases, the ACT Government (at its own discretion) may allow the financial capacity of a parent company to be assessed when considering the financial capacity of the applicant.

The ACT Government may also request a suitable undertaking from the parent entity, such as a Letter of Undertaking or parent company Deed of Guarantee. The parent company then becomes the guaranteeing entity.

Any award of financial level based on or including an assessment of a parent company will be regarded as Conditional prequalification.

In assessing financial capacity, inter-company arrangements including related entity loans and current contractual commitments will be taken into account.

5. Assessment Process

5.1 Assessment of Applications

The ACT Government will assess all Applications for prequalification to determine the Applicant’s capability to undertake contracts in the nominated category and an appropriate financial level. A mixture of internal and external assessors may be used.

Assessment of Applications will be based on the following:

- information contained in the completed Application and attached supporting documentation;
- referee reports;
- documented evidence held by ACT Government regarding the Applicant’s previous performance;
- information that was submitted in a previous prequalification application (where appropriate);

- information obtained by other Participating Agencies or government agencies regarding the Applicant's previous performance; and
- any other valid information relevant to the Application, notwithstanding that the information has not been submitted by the Applicant.

5.2 Notification

Applicants will be notified in writing regarding which, if any, prequalification category(s) and financial level they have achieved within 30 business days of lodgement of their Application (providing all relevant information was included), unless significant issues arise during consideration of an Application in which case further information may be sought. Such notifications will include, where warranted, any specific limitations or conditions applicable to the allocated prequalification category.

Applicants that are not satisfied with the outcome of the assessment may lodge a request for a review or appeal, as detailed in Section 6.8 of this document.

5.3 Upgrading Prequalification Status

A prequalified contractor may apply for an upgrade of its prequalification status after having successfully completed several projects at the current level. To upgrade, a new application form must be lodged with the original Assessing Agency.

To be eligible for an upgrade in a road or bridge category, a Contractor must be able to demonstrate that its circumstances have changed sufficiently since its last prequalification application was assessed. As such, it may not be necessary to complete the entire application form and Applicants should confirm the requirements for the application with the ACT Government before submitting an upgrade application. Temporary upgrades for specific projects will not be issued.

In the event the applicant is granted an upgrade, it will be necessary to submit further mutual recognition application(s) to the other Participating Agencies.

Refer to Clause 2.3 for information regarding upgrades to Financial Categories.

5.4 Cost of Assessment

The ACT Government may charge for the cost of assessing the original Application. However, if:

- the information submitted with an Application is deficient or misleading;
- the Applicant then submits further information which reasonably should have been included in the original Application; and
- the ACT Government incurs additional costs as a consequence of late submission of information,

The ACT Government may charge the Applicant for those additional costs incurred.

Applicants are advised to carefully check that all information requested is provided, particularly the financial information.

Applicants will be charged if they seek an early re-assessment of their application before the date required by the ACT Government.

6. Maintenance of Prequalification Status

6.1 General

The ongoing management of the NPS is the responsibility of the NPS Management Committee, which comprises a representative from each Participating Agency.

If a contractor wishes to appeal a decision of a Participating Agency pursuant to Clause 6.8, it will be required to notify the Chairperson of the NPS Management Committee. The ACT Government will provide the contact details of the Chairperson if requested by a contactor.

6.2 Provision of Updated Information

In order for a prequalified contractor to maintain its prequalification status, the contractor must submit for assessment regular and full updates of information to support its ongoing financial capacity, technical capacity, and experience as follows:

- up-to-date financial information – annually
- up-to-date information on Company Profile, Company Experience and Technical Capacity – at a minimum every three years or following a significant change in any of these areas.

The ACT Government will monitor and assess the ongoing performance of each prequalified contractor. Each contractor's prequalification status will depend on the contractor maintaining a good level of performance in its delivery of contracts.

A Contractor Performance Report will be prepared upon completion of each contract and interim reports will be completed in accordance with individual contract conditions and ACT Government policies.

The reports will be used to promote the process of continuous improvement, to assist in Applications for upgrades in prequalification status, to support the contractor's ongoing prequalification status and to ensure a common understanding of expectations for both parties regarding the contracted works.

6.3 Prequalification Status

Where a matter of concern is identified, the Participating Agency may:

- undertake a review of the contractor;
- meet with the senior management of the contractor;

- issue a warning to the contractor regarding the matter; or
- if the matter is serious (eg: being placed in voluntary administration), immediately issue a "Show Cause" notice pursuant to Clause 6.4.

Where a contractor is operating across multiple jurisdictions under the mutual recognition framework and a sanction would apply across those jurisdictions, any review may be undertaken by a sub-committee of the NPS Management Committee.

Any of the following may result in a review of a contractor's prequalification status or the issue of a warning letter:

- where conditional prequalification has been granted subject to a review being carried out following completion of the first contract under the conditional arrangement;
- where the ACT Government reasonably considers a contractor's performance to be unsatisfactory;
- where a conditional financial prequalification has been granted subject to the review being carried out on specific financial statements;
- following changes to a contractor's organisational structure, or technical, financial or management capacity which, in the opinion of the ACT Government, may have an adverse effect on the contractor's performance;
- where restrictions on a licence/registration to practise are imposed, or third-party certification of a management system is withdrawn or has expired; or
- for failure to comply with the terms and conditions of prequalification.

6.4 Show Cause Notice

The ACT Government may suspend, downgrade or cancel a contractor's prequalification status at its discretion. If any such action is proposed, the contractor will be issued with a formal "Show Cause" Notice and given the opportunity to respond to the issues raised in the notice.

The Show Cause Notice shall:

- state that it is a notice under the National Prequalification System terms and conditions;
- specify the alleged breach;
- require the contractor to show cause in writing why the ACT Government should not exercise the right to cancel, suspend or downgrade the contractor's prequalification status; and
- specify the time and date (not more than 10 business days) by which the contractor must showcause.

The ACT Government may make further enquiries to verify the contractor's responses.

If by the time specified in a Show Cause Notice the contractor fails to respond or to show reasonable cause why the ACT Government should not adjust the prequalification status, the ACT Government may cancel, suspend or downgrade the prequalification status without further notice to the contractor. In exercising its rights under Section 6 of this document, the ACT Government will not act capriciously or act with bias.

If an Assessing Agency suspends, downgrades or cancels a contractor's prequalification, the change in status is automatically applicable to any other Participating Agency that has recognised the contractor's prequalification, unless that Participating Agency determines otherwise.

The contractor may elect to appeal the imposition of the sanction in accordance with the process outlined in Section 6.8 of this document.

6.5 Suspension

A contractor's prequalification may be suspended where there is a temporary or short term issue affecting their ability to satisfy the prequalification criteria specified in this document. Any such suspension will be in place until the temporary problem is remedied and the contractor is again able to satisfy all of the criteria corresponding to the level of prequalification granted.

Where a contractor operates under mutual recognition arrangements, suspension may take the form of a withdrawal of recognition of the contractor's prequalification status by Participating Agencies for a specified period of time. Other Participating Agencies which recognise the prequalified contractor will be notified of the suspension and its cause.

6.6 Downgrading

If, in the reasonable opinion of the Assessing Agency, the contractor no longer satisfies the requirements for a particular category of prequalification but is capable of satisfying the requirements for a lower category, their prequalification may be downgraded. Examples of breaches that may give rise to downgrading of a contractor's prequalification status include:

- repeated minor contractual or prequalification system non-compliances where, in the opinion of the ACT Government, there is an unacceptable risk in allowing the contractor to remain prequalified at their current prequalification level; or
- an adverse change in the organisation's management systems or technical capability (including availability of key personnel), but the contractor can demonstrate that requirements for a lower level of prequalification are met.

6.7 Cancellation

Examples of breaches that may give rise to cancellation of a contractor's prequalification status include:

- unsatisfactory performance on one or more contracts between the contractor and one or more Participating Agencies;
- the prequalified contractor has been placed into voluntary administration or involved in a compromise or other arrangements with creditors;
- an adverse change in the organisation's management systems or technical capability (including availability of key personnel) such that the contractor no longer fully meets the requirements for prequalification at any level;
- where a contractor has been granted conditional prequalification subject to it meeting certain requirements and it fails to meet those requirements within the stipulated timeframes; or
- where the contractor is experiencing financial problems, as verified by the ACT Government.

6.8 Reviews

If a contractor is not satisfied with any decision made by a Participating Agency, the contractor may request a review of the decision by the original assessors, providing sufficient additional information is submitted to warrant a review. Any request for a review must be lodged with the ACT Government within 20 business days of the date of the letter advising of the prequalification decision.

6.9 Appeals

If an Applicant is not satisfied with the outcome of a review, the Applicant may lodge an appeal with the ACT Government or with the Chairperson of the NPS Management Committee within 20 business days of the date of the letter advising of the prequalification decision. The Applicant may request the appeal process to be managed by the Chairperson of the Austroads NPS Management Committee on behalf of the ACT Government.

Unless agreed otherwise by the Applicant and the Participating Agency, the appeal will be conducted in accordance with this Clause 6.9 and considered by either:

- An independent expert; or
- A specially convened Appeals Panel, comprising of at least three members; of which two members will be from the NPS Management Committee or be assessors from other participating agencies. The third member is an independent expert. The original assessor is excluded from participation in the panel.

ACT Government will use reasonable endeavours to provide the names of three independent experts, from which the Applicant will be invited to choose one. If the appellant does not select an independent expert within 15 business days, the selection may be made by ACT Government.

The independent expert must have:

- comprehensive experience and / or knowledge of roadworks and bridgeworks construction; and
- qualifications in dispute resolution, arbitration (acceptable for membership of Resolution Institute) or other qualifications acceptable to the parties.

If an Appeals Panel is selected, they must convene (which may be by teleconference or video link) within 20 business days of the latter of:

- the selection of the independent expert; and
- the provision of all information supporting the appeal.

Once selected, the Appeals Panel or independent expert:

- must review the original decision, including the information provided by the Applicant and the assessment by the agency;
- may consider or request new or additional information;
- must act impartially in accordance with this requirements document; and

- must make a determination, including written reasons for the determination, within 40 business days of the provision of all information relevant to the appeal.

The determination is final and binding on both the Participating Agency and the Applicant.

6.10 Cost of Reviews and Appeals

If a review or appeal is unsuccessful and the NPS Management Committee reasonably forms the opinion that the review or appeal was without merit and had no reasonable chance of success, the costs of engaging any independent expert will be borne by the Applicant.

7. Tendering as a Prequalified Contractor

7.1 General

Where specified in the invitation of tenders, contractors wishing to bid for the work must be prequalified in the nominated technical categories and, where stipulated by the ACT Government at the relevant advertised financial level. Non prequalified contractors may receive tender documents but must be prequalified at close of tender.

When a contract involves both road and bridge construction, the ACT Government will determine the appropriate prequalification category for each component of that contract, together with the financial level. The ACT Government will determine the prequalification category for each contract based on complexity and risk. Notwithstanding this, tenderers must address any evaluation criteria in the invitation of tenders and comply with the conditions of tendering.

Refer to the individual participating agency for their tendering requirements.

The ACT Government may nominate one category as the primary category and another as the secondary category. In the event that a contractor is prequalified in only one of these categories (and any stipulated financial level) that contractor may, if it is prequalified for the primary category, submit a tender using a subcontractor that is prequalified in the secondary category.

For example, a contract may be advertised as R3/B3 where it has roadworks characteristics corresponding to category R3 and bridgeworks characteristics corresponding to category B3. In this example, contractors prequalified in these or higher categories would be eligible to tender for this contract. Where stipulated by the ACT Government, the contractor may also need to be prequalified at an advertised financial level e.g. F10.

Alternatively, if R3 was nominated as the primary category, a contractor prequalified at R3 or higher would be eligible to tender providing it nominated a subcontractor that is prequalified at B3 (or higher) to undertake the bridgework components.

Tenders will not be accepted from contractors prequalified in the secondary category and nominating a subcontractor that is prequalified in the primary category.

7.2 Joint Ventures

Non prequalified Joint Ventures may obtain tender documentation but must be prequalified as a joint venture before a contract is entered into.

Joint ventures must note that all contracts entered into with the ACT Government are on the basis of joint and several liability.

7.3 Prequalification Checks Prior to Awarding of a Contract

The ACT Government may undertake a check of the preferred tenderer's prequalification status prior to the award of a contract, including any technical and/or financial matters.

8. Terms and Conditions of Prequalification

8.1 General

Contractors wishing to tender for ACT Government Road and Bridge construction contracts in the Australian Capital Territory must be prequalified at close of tenders.

The ACT Government grants prequalification for a nominal period of 36 months.

Eligibility requirements are described in this document, along with the terms and conditions of prequalification and the process that will be undertaken by the ACT Government to assess and review prequalification Applications.

Contractors seeking prequalification ("Applicants") and prequalified contractors are required to comply with the terms and conditions and associated procedures described in this Section 8.

8.2 No Guarantee of Work

Prequalification is not to be construed as a guarantee of work. Prequalification only determines a contractor's eligibility to tender for work, subject to meeting any local legislative/regulatory requirements. Participating Agencies apply government procurement principles, including value-for-money, in the assessment and selection of tenders.

8.3 Application Requirements

To become prequalified, an Applicant must select one or more prequalification categories that it believes to be commensurate with its capabilities and submit an Application Form with supporting information that addresses all specified criteria.

In submitting its Application, the Applicant gives permission to the ACT Government to carry out such investigations as are considered necessary to evaluate the Application and to determine whether it meets the relevant prequalification criteria. These investigations include a company search, bank reference checks and referee checks on key personnel.

In undertaking its assessment, the ACT Government may take into account other information in its possession, or information provided by other Participating Agencies or government agencies. In

considering Applications from subsidiary companies the ACT Government reserves the right to examine the resources of the parent company or entity, or other related entities, if considered warranted.

8.4 Confidentiality

The ACT Government may refer an Applicant's documentation to its external assessors for assessment. External assessors are required to maintain confidentiality of all information received. However, in lodging an Application, Applicants agree to provide the necessary agency to enable searches and enquiries to be carried out for the assessment.

Information submitted in an Application for prequalification will be treated as commercial-in-confidence and will not be disclosed to any party outside the ACT Government and its assessors unless the ACT Government is legally required to do so, for the purposes of obtaining legal or financial advice, or in relation to appeals regarding prequalification decisions.

Once prequalified, a contractor's details, including details of 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. Lists of prequalified contractors may be made publicly available by the ACT Government, or on the National Prequalification Database.

8.5 Change of Circumstances

Prequalified contractors have an obligation to advise the ACT Government of any change in circumstances that may be material to their prequalification status, including any convictions or breaches of legislation or statutory regulations.

Further information is provided in Section 6 of this document.

8.6 Governing Law

These terms and conditions shall be governed by the ACT Government and each party submits to the exclusive jurisdiction of the Courts in that state or territory. Where appropriate the reviews and appeals process outlined in Section 6.4 will be utilised.

8.7 Applicant's Undertaking

Acceptance of terms and conditions

In applying for prequalification (including renewal, where required by the ACT Government) or upgrading, the Applicant is deemed to have accepted the terms and conditions of prequalification, which the Applicant acknowledges and accepts may be varied from time to time.

Accuracy of application information

The Applicant must ensure that all particulars in the Application are true and correct in every detail.

Use of prequalification status for advertising and promotion

The Applicant agrees not to use any information relating to its prequalification status or contract performance in its advertising or promotional material or publish such information in any form without the express written consent of the ACT Government. The Applicant further agrees that it accepts full responsibility for any consequences arising from the use of such information.

8.8 Other – ACT Government specific requirements

Statutory Declarations

Contractors must submit with their National Prequalification Scheme Application:

- a signed Statutory Declaration / Ethical Suppliers Declaration; and
- a signed Applicant's Declaration /Statutory Declaration in relation to Work Health & Safety performance.

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. An SLJC is also required prior to the ACT Government being able to accept your tender or quote (where applicable).

Applicants are required to retain a Secure Local Jobs Code certificate issued in accordance with the SLJC Legislation while they are prequalified and while they undertake work for the ACT Government.

Information on how Applicants can apply for a SLJC certificate is available at:
https://www.procurement.act.gov.au/secure-local-jobs

Labour Relations Training and Workplace Equity (LRTWE) Plan

To undertake certain kinds of work for the Territory a LRTWE Plan is required to be completed during tender. Contractors also need to demonstrate ongoing compliance with the reporting obligations during a project. A LRTWEP is required to be completed, in consultation with your employees for cleaning, security or traffic management if the value of the work is equal to or greater than $25,000 and for construction work if the value of work is equal to or greater than $200,000. (Excluded services include professional, scientific and technical services (ANZSIC, Division M).)

Refer to the LRTWE Plan under resources on the Secure Local Jobs website:
https://www.procurement.act.gov.au/secure-local-jobs

Ethical Treatment of Workers Evaluation (ETWE)

Ethical Treatment of Workers Evaluation is a requirement of the ACT Government that ensures suppliers align their behaviour and business practices with the Fair and Safe Conditions for Workers Procurement Value under the Government Procurement (Ethical Treatment of Workers Evaluation) Direction 2023(No 2). It is applied during tender to procurements that are:

- subject to the secure Local Jobs Code; or
- in an industry with a high risk of modern slavery not already covered under the SLJC and;
- has an estimated value of $200,000 or more.

For further information refer to:
https://www.procurement.act.gov.au/secure-local-jobs/SecureLocalJobsEthicalTreatmentofWorkersEvaluation

Long Service Leave Authority (LSLA)

It is a mandatory requirement that all Employers and their Employees who undertake construction work in the Territory be registered with the LSLA. This is a requirement for the National Prequalification Scheme Application. Further information can be obtained at:
https://actleave.act.gov.au/

Active Certification Policy

Contractors should also make themselves aware of the Territory's Active Certification policy during contract. Information can be found at:
https://www.act.gov.au/majorprojectscanberra/supplying-to-government/work-health-and-safety

9. Definitions and Interpretation

- **Applicant** means the legal entity lodging the Application.
- **Application** means the completed submission ('Application Form'), lodged by the Applicant tobe prequalified in one or more categories and a financial level.
- **Jurisdiction** is the Australian Capital Territory.
- **LSLA – ACT Long Service Leave Authority** which administers the portable long service leave scheme for construction under ACT Government legislation.
- **National Prequalification System** means the National Prequalification System for Civil (Roadand Bridge) Construction Contracts developed by Austroads.
- **Participating Agency** is ACT Government.
- **Professional Civil Engineer** means a person who:
    - Holds a 4 year civil engineering degree from a university that is accredited under the Washington Accord: and
    - is eligible to be registered in a relevant area of practice in the National Engineering Register. (https://portal.engineersaustralia.org.au/ner/search)
- **Secure Local Jobs Code –** Refer to section 8.8**.** 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 labour standards and create fairer

procurement processes for ethical employers whilst holding to account business not meeting their industrial and legal obligations.

- **Tender** includes quotation, proposal or registration/expression of interest.
- "**Includes**" or "**including**" shall not be interpreted as a word of limitation.
- The word "**or**" is not exclusive.

Disclaimer

- The National Prequalification System has been specifically established to meet the requirements of Participating Agencies, and Participating Agencies rely on an Applicant's own documentation in undertaking any assessments.
- Other persons and organisations seeking to deal with a prequalified contractor must rely on their own independent enquiries and judgment. The ACT Government and its officers, employees and agents do not represent that any prequalified contractor is technically, financially or otherwise sound.
- This document outlines the minimum requirements of the National Prequalification System. The ACT Government reserves the right to expand upon and tailor these requirements or any of the processes outlined in this document as appropriate to better reflect their local requirements. Where possible, the local contracting industry will be consulted before any significant changes are introduced.
- To the extent permitted by law, the ACT Government and its officers, employees and agents are not liable for any costs, loss, damage or injury (howsoever caused) incurred by any person as a result of the exercise of the discretion to grant prequalification, downgrade, suspend or cancel a company's prequalification.

Appendix A Guidance for the Applicable Prequalification Category

Table A 1: Typical characteristic of contract roadworks[1]

Category	General features of works	Earthworks	Pavement	Drainage	Miscellaneous	Traffic management	Services	Subcontractors /consultants	Stakeholder / project management	Cultural Heritage & Environmental Management
R1	Typically rural or semi-urban works with minimal traffic & issues. Minor works including simple construction, reconstruction and widening.	Earthworks to a maximum of 2m in cut or fill.	Simple granular pavements with sprayed seal surfacing.	Minor culvert work and reinforced concrete works RCP, Steel or plastic pipes < 600 mm dia no more than 2 bays.	Roadside furniture (e.g. signs, safety barriers).	Non-complex worksite traffic management. Typically AADT<2,000 vehicles/day.	No service location works.	Non-complex subcontract management (eg spray seal subcontractor, worksite traffic control)	Non-complex project management.	Low level environmental management. Nil to low cultural heritage. Majority of work in previously disturbed ground within road footprint.

1 *When determining the applicable prequalification category, the Participating Agency will consider the predominance of characteristics for each project, rather than considering a single characteristicin isolation. For example; for a roadworks contract to be classified as R2, at least 5 of the 10 typical characteristics for R2 listed in Table A1 above would need to be substantially applicable to the contract concerned.*

Category	General features of works	Earthworks	Pavement	Drainage	Miscellaneous	Traffic management	Services	Subcontractors/ consultants	Stakeholder / project management	Cultural Heritage & Environmental Management
R2 R1 activities plus majority of the following:	• Low complexity at grade intersection and channelisation works.	• Significant earthwork including structural fill and rock protection. •Excavation in rock not requiring blasting. •Cut or fill up to 5m in height or depth (cutting).	• Significant longitudinaljoints with existing pavements. • simple A/C pavements.	• Medium-sized culvert works, RCBC <1.8m height and _ ≤10 bays). • Cross and longitudinal drainage. • Interface with bridge construction.	• Lighting. • Minor works associated with traffic signals. • Pedestrian crossing or similar. • Simple traffic light modifications.	• Non-complex to moderately complex worksite traffic management. • Typically AADT 2,000-5,000 vehicles/day.	• Interface with non – complex service relocation works.	• Identification and management of select or nominated subcontractors.	• Non-complex project management • Simple community/stakeholder management.	• Monitoring during clearing and grubbing. • Cultural heritage assessment and artefacts collection during monitoring. • Management of multiple native groups. • Dilapidation survey, dust monitoring, vibration monitoring.
R3 R2 activities plus majority of the following:	•More complex intersections located at urban location. •Medium to large scale of works.	•General earthworks exceeding 5 m in cut or fill. •Mechanically stabilised earth construction to a nominal 5 m in height. •Excavation in hard rock where blasting is likely to be required.	•Pavement construction using marginal materials (non – standard). •Pavement construction using modified materials (e.g. cement treated sub-base). •Deep lift asphalt. •Small scale concrete pavement.	•Special foundation and/ or subgrade and subsoil drainage treatments. •Includes large size culverts, multiple bays and link slab culverts.	• Permanent traffic signals for moderate to heavily trafficked intersection.	•Moderately complex worksite traffic management. •Typically AADT between 5,000 and 40,000 vehicles/day. •Multiple staging of simple traffic shift. •Hard wired temporary traffic signals.	• Moderately complex service relocations including conduits (e.g. electrical, communication services).	•Non-complex design management. •Moderately complex subcontractor management and coordination.	• Moderately complex to complex community/ stakeholder management. • Moderately complex project management.	• Relocation of flora and fauna. •Installation of fauna fencing. •Identificationof culturally significant tree or sacred site.

Category	General features of works	Earthworks	Pavement	Drainage	Miscellaneous	Traffic management	Services	Subcontractors /consultants	Stakeholder / project management	Cultural Heritage & Environmental Management
R4 R3 activities plus majority of the following:	• Grade-separated intersections. • Complex staging of construction works. • Duplication of major arterial road.	• Mechanically stabilised earth construction > 5m in height & other substantial retaining structures. • Embankments over very soft soils using wick drains, stone columns, etc & sophisticated monitoring.	• Heavy duty Asphalt pavements. • Bitumen treated base pavements.	• Permanent sedimentation catchment. • Complex gully box. • Arrangements for urban works.	• Simple ITS arrangements.	• Complex staged traffic management in high speed and/or urban environments. • Multiple traffic alignment changes. • Typically AADT between 40,000 and 100,000 vehicles/day.	• Complex service relocations. (e.g. construction of dedicated services corridor) • Including multiple stagingof coordination of Utility Services.	• Significant subcontracting is often involved. • Consultant team coordination and/or management. • Design management.	• Complex community /stakeholder interfaces. • Complex project management.	• Compliance with project specific environmental approvals from the relevant state or federal agencies (eg. EPBC).
R5 R4 activities plus majority of the following:	• Complex grade separated interchanges, multiple carriageways. • Motorway on a new urban alignment.	• Construction of zonal embankments. • Earthworks within 2m of tidal areas. • Aggressive unsuitable materials including acid sulphate soils.	• Slipform, large-scale concrete pavements.		• Permanent variable message signs and complex ITS arrangements.	• Complex staged traffic management in high speed &/or urban environments. • Multiple alignment changes. • Typically AADT>100,000 vehicles/day.		• Complex consultant team coordination and/or management.	• Very complex community/ stakeholder interfaces. • Very complex project management.	• Specific elements in design to meet environmental expectations (for example, fauna pass etc.).

Table A2 Typical characteristics of contract bridgeworks

Category	Typical Features ofStructure	Construction Methodology and Site Constraints	Foundations	Bearings, Joints and Ancillary Components	Environment, Community & Stakeholder Management
B1	• Large culvert including link slab or cast in situ deck units and multiple bay (>10 bays) culverts and similar drainage structures. • Basic reinforced concrete earth retaining structures. • Simple footbridges. • Simple single span road bridges (e.g. prestressed planks or standard section steel girders). • Minor repairs.	• Simple traffic management (e.g. rural roads). • Small stream crossing. • Minimal restrictions on access for cranes and other large plant.	• Simple spread footing foundations. eg: large base slabs. • Foundations for gantries.	• No expansion joint; or simple expansion joints (eg compression seal or asphalt plug) • Simple bearings	• Simple community/ stakeholder management. • Simple environment management.
B2 B1 activities plus majority of the following:	• Multiple span bridge using standard prestressed concrete girders or steel girders with a continuous cast in place concrete decks • Major repairs, such as deck replacement, deck widening or a significant barrier upgrade. • Arch structures under an embankment (e.g. corrugated steel or precast concrete) • Bridge founded on mechanically stabilised earth structure.	• Typically, construction over: - operating roads (low to medium traffic volumes), - non-electrified rail lines or - streams with intermitted / low flows or calm conditions. • Minimal constraints on construction sequencing	• Standard non-complex pile foundations (generally <25m length) without the need for floating equipment or temporary bridges. • Precast prestressed piles	• More complex expansion joints (eg elastomeric strip seal). • Standard pot bearings	• Moderate community/stakeholder management. • Moderate environmental management.
B3 B2 activities plus majority of the following:	• Voided slab superstructures. • Post tensioned cast in-situ structural elements. • Complex (ie variable depth) steel girders. • Major slipform piers. • Moderately complex geometry and size. • Cable stayed pedestrian bridges.	• Construction over heavily trafficked roads requiring complex traffic management. • Top down construction methodology. • Difficult site access. • Dewatering required. • Staged or complex bridge construction sequence eg: one lane at a time). • Heavy lifting of prefabricated superstructure into final position.	• Foundations which may be complex and/or require deep piling and/or require floating equipment or temporary bridges. • Include cast insitu piles, which may include simple dry rock sockets.	• Expansion joint accommodates large movement (typically >100 mm) • Finger Joints designed for large movements • Spherical bearings and heavily loaded pot bearings	• Moderate to complex community/ stakeholder interfaces and project management aspects. • Consultant team coordination and/or management. • Design management • Moderate to complex environmental management waterway barrier, low flow channels.

Category	Typical Features of Bridge Structure	Construction Methodology and Site Constraints	Foundations	Bearings, Joints and Ancillary Components	Environment, Community & Stakeholder Management
B4 B3 activities plus majority of the following:	• Significant fabricated steel superstructures (eg very large box girder). • Complex geometric/aesthetic shapes. • Major cable stayed structures. • Post tensioned concrete box girder. • Very large scale.	• Construction over water using coffer dams or large floating cranes. • Launching trusses for placement of girders /segments. • Incremental launched structures. • Balanced cantilever construction. • Jacking or moving a large superstructure into its final position	• Very heavy foundations. Including complex rock sockets at depth >10 metres. • Difficult installation conditions, including poured insitu piles in wet conditions. • Pile installation from floating equipment.	• Modular expansion joints or bespoke designs for very large movement. • Complex and / or very heavily loaded bearings.	• Complex community/ stakeholder interfaces and project management. • More complex consultant team coordination and/or management. • Complex design management. • Complex environmental management, working near ecologically sensitive marine environment, navigational waterways.

Notes:
1. When determining the applicable prequalification category, the Participating Agency will consider the predominance of characteristics for each project, rather than considering a single characteristic in isolation. For example; for a roadworks contract to be classified as R2, at least 5 of the 10 typical characteristics for R2 listed in Table A1 above would need to be substantially applicable to the project concerned.

2. "Minor Works" is a classification of a project which is:
- *smaller or less complex than R1 or B1;*
- *is missing essential elements of a R1 or B1 project; and / or*
- *provides a high level of confidence to the Assessing Agency that the Applicant could successfully build a R1 or B1 project.*

3. A Minor Works project may be considered to be relevant in an application for R1 or B1. Examples of Minor Works include:
- *the construction of a sealed road and / or reinforced concrete structure for a residential, commercial, mining or industrial development;*
- *construction of sealed hardstand areas, residential streets, carparks, large parking bays;*
- *a significant unsealed rural road; and*
- *pavement rehabilitation, without any other road construction.*

4. Where a project comprises of roadworks / bridgeworks and other civil works, only the works undertaken specifically for the road / bridge will be considered. Earthworks, pavements, drainage works, project management, stakeholder management, environmental management etc undertaken for other parts of the development will not be considered.

5. To be classified as a B2 project (or higher), the structure must be a bridge for vehicles, bicycles and/or pedestrians.

6. To be classified as a R3 / B3 (or higher) project, the road / bridge must:

- *have been constructed to a Participating Agency's specification or equivalent;*
- *have been tendered by a Participating Agency or on behalf of a Participating Agency; and*
- *at completion, be open to the public or under the care and control of a local council or Participating Agency.*

7. When assessing a project nominated by an Applicant, an independent assessment of the prequalification level applicable to that project will be made. In some instances, this may not coincide with the level nominated by agency which called the tender.

8. Where subcontractors are extensively used on a project, the following must be satisfied for that project to be considered in the application:

- *the applicant's management systems are used on the site;*
- *where applicable under the relevant WHS legislation, the Applicant is the "Principal Contractor"; and*
- *the site engineers, supervisors and project managers are employees of the Applicant.*

9. The Assessing Agency may exercise discretion as to whether the following are considered in the assessment:

- *projects which are currently under construction;*
- *projects where another contractor was managing or controlling the site works (eg the Applicant is a subcontractor or working under a managing contractor contract);*
- *projects which are for the partial construction of a road (eg the pavement construction is excluded from the contract) or bridge (construction of the substructure only); and*
- *the construction of airport runways, train bridges or marine structures.*

10. In a joint venture arrangement, only the work undertaken by the Applicant will be considered.

11. If a project was constructed under a different company name or by a related entity, the Applicant must be able to demonstrate that the resources and corporate knowledge from that project have been retained by the Applicant. Also refer to Clause 3.6

12. Fabricated overhead sign gantries are not classified as bridgeworks for the purposes of this prequalification system.

Appendix B Assessment Criteria

Table B 1: Minimum Requirement for Each Category

	R1 / B1	R2 / B2	R3 / B3	R4 / B4	R5
Criteria 1: Company Experience					
1.1 Minimum Period of Operation (approximate)	•3 years as a head contractor or 4 years as a major subcontractor.	• 3 years as a head contractor.	• 4 years as a head contractor.	• 7 years as a head contractor.	• 10 years as a head contractor.
1.2 Experience in Successfully Delivering Contracts	•Sound experience with at least two relevant Minor Works projects successfully completed in thelast 3 years.	•Sound experience with the successful completion of at least two R1/B1 projects in the last 5 years.	• Sound experience with the successful completion of with at least two R2/B2 projects in the last 5 years.	• Sound experience with the successful completion of with at least three R3/B3 projects in the last 5 years.	•Sound experience with the successful completion of with at least two R4 projects in the last 5 years.
			• At least one of the nominated projects must have been tendered by a Participating Agency	• At least one of the nominated projects is located in an urban 'brownfields" environment with complex traffic management / staging.	• At least one of the nominated projects is located in an urban "brownfields" environment with complex traffic management / staging.
1.3 Demonstrated Performance	•The Applicant has not been responsible for a failure to complete a contract.	•The Applicant has not been responsible for a failure to complete a contract.	• The Applicant has not been responsible for a failure to complete a contract.	• The Applicant has not been responsible for a failure to complete a contract.	•The Applicant has not been responsible for a failure to complete a contract.
	•Good general performanceon relevant contracts.	•Good general performance on contracts relevant to R1/ B1.	• Good general performance on contracts relevant to R2/B2.	• Good general performance on contracts relevant to R3/B3.	•Good general performance on contracts relevant to R4.
Criteria 2: Company Resources and Technical Capability					
2.1 Organisational / Managerial Structure	• The Applicant's company structure and management structure are appropriate for the scale of projects to be undertaken in the applicable category.	• The Applicant's company structure and management structure are appropriate for the scale of projects to be undertaken in the applicable category.	• The Applicant's company structure and management structure are appropriate for the scale of projects to be undertaken in the applicable category.	• The Applicant's company structure and management structure are appropriate for the scale of projects to be undertaken in the applicable category.	• The Applicant's company structure and management structure are appropriate for the scale of projects to be undertaken in the applicable category.

	R1 / B1	R2 / B2	R3 / B3	R4 / B4	R5
2.2 Personnel	•The Applicant has sufficient personnel available to undertake R1 / B1 projects.	•The Applicant has sufficient personnel available to undertake R2 / B2 projects.	•The Applicant has sufficient personnel available to undertake R3 / B3 projects.	•The Applicant has sufficient personnel available to undertake R4 / B4 projects.	•The Applicant has sufficient personnel available to undertake R5 projects.
2.3 Key Personnel who are active in the entity's road/bridge works operations	•Key personnel have the qualifications and experience relevant to the duties and responsibilities of their nominated position.	•Key personnel have the qualifications and experience relevant to the duties and responsibilities of their nominated position.	•Key personnel have the qualifications and experience relevant to the duties and responsibilities of their nominated position.	•Key personnel have the qualifications and experience relevant to the duties and responsibilities of their nominated position.	• Key personnel have the qualifications and experience relevant to the duties and responsibilities of their nominated position.
	• At least one project manager is a Professional Civil Engineer with at least 3 years relevant experience in road/bridge works; or if not a Professional Civil Engineer, a project manager with relevant qualifications, at least 10 years relevant experience in road / bridge construction	• At least one project manager is a Professional Civil Engineer with at least 5 years relevantexperience in road/bridge works.	• At least 3 of the senior personnel are Professional Civil Engineers with at least 5 years relevant experience in road / bridge works.	• Typically, 8 or more (with an absolute minimum of 6) of the senior personnel are Professional Civil Engineers with at least 5 years relevant experience in road / bridge works.	• Typically, 15 or more (with an absolute minimum of 10) of the senior personnel are Professional Civil Engineers with at least 5 years relevant experience in road / bridge works.
	• Key professional/para-professional personnel and supervisory staff each have at least 2 years experience in road construction / bridge contracts.	• At least half of the key professionals / para-professionals and key supervisory staff have at least: 5 years construction experience; and 2 years of experience each in R1/B1-type contracts.	• At least half of the key professionals/para-professionals and key supervisory staff have at least: 5 years construction experience; and 2 years of experience each in R2/B2-type contracts.	• At least half of the key professionals/para-professionals and key supervisory staff have at least: 10 years construction experience; and 2 years of experience each in R3/B3-type contracts	• At least half of the key professionals/para-professionals and key supervisory staff have at least: 10 years construction experience; and 2 years of experience each in R4/B4-type contracts
2.4 Plant and Equipment	• The Applicant has demonstrated the capability to provide the plant and equipment required to properly resource R1/B1 contracts.	• The Applicant has demonstrated the capability to provide the plant and equipment required to properly resource R2/B2 contracts.	• The Applicant has demonstrated the capability to provide plant and equipment required to properly resource R3/B3 contracts.	• The Applicant has demonstrated the capability to provide the plant and equipment required to properly resource R4/B4 contracts.	• The Applicant has demonstrated the capabilityto provide the plant and equipment required to properly resource R5 contracts.

	R1 / B1	R2 / B2	R3 / B3	R4 / B4	R5
Criteria 3: Management Systems[1]					
3.1 Quality Management	•An independently audited system that meets the requirements of a checklist to be provided by the Assessing Agency Or Third party Certified to AS/NZS ISO 9001 by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to AS/NZS ISO 9001 by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to AS/NZS ISO 9001 by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to AS/NZS ISO 9001 by a JAS-ANZ accredited conformity assessment body.	• Certified to AS/NZS ISO 9001 by a JAS-ANZ accredited conformity assessment body.
	• Satisfactory corporate quality policy and example quality plans and ITP plans	•Satisfactory corporate quality policy and example quality plans and ITP plans.	•Satisfactory corporate quality policy and example quality plans and ITP plans.	•Satisfactory corporate quality policy and example quality plans and ITP plans.	•Satisfactory corporate quality policy and example quality plans and ITP plans.
		• Evidence of successful utilisation of the QMS on relevant projects.	• Evidence of successful utilisation of the QMS on relevant projects.	• Evidence of successful utilisation of the QMS on relevant projects.	• Evidence of successful utilisation of the QMS on relevant projects.
		• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.

1. Where third party certification of management systems is required for categories R1 /B1, the independent auditor that assesses the Applicant's management systems against the checklists or certifies the Integrated Management System must be:
   - engaged by a conformity assessment body accredited by the Joint Accreditation System for Australia and New Zealand (JAS-ANZ) to the relevant standard (http://www.jas-anz.com.au), or
   - registered by Exempla Global (or equivalent), with experience in the civil construction industry (refer: www.exemplarglobal.org).

   Third party certificates must state that the certification specifically applies to road / bridge construction. A reference to other categories alone (eg civil construction) is insufficient.

	R1 / B1	R2 / B2	R3 / B3	R4 / B4	R5
3.2 Work Health and Safety[2] (WHS)	• An independently audited system that meets the requirements of a checklist to be provided by the Assessing Agency OR Third party Certified to AS/NZS 4801 or to ISO 45001[3] by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to (AS/ NZS 4801)-Superseded by AS/ NZS ISO 45001:2018 by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to (AS/ NZS 4801)-Superseded by AS/ NZS ISO 45001:2018 by a JAS- ANZ accredited conformity assessment body	• Third party Certified to (AS/ NZS 4801)-Superseded by AS/ NZS ISO 45001:2018 by a JAS- ANZ accredited conformity assessment body	• Third party Certified to (AS/ NZS 4801)-Superseded by AS/ NZS ISO 45001:2018 by a JAS- ANZ accredited conformity assessment body
	• Satisfactory corporate WHS policy and example WHS plans.	• Satisfactory corporate WHS policy and example WHS plans.	• Satisfactory corporate WHS policy and example WHS plans.	• Satisfactory corporate WHS policy and example WHS plans.	• Satisfactory corporate WHS policy and example WHS plans.
	• Evidence of successful utilisation of the WHS system on relevant projects.	• Evidence of successful utilisation of the WHS system on relevant projects.	• Evidence of successful utilisation of the WHS system on relevant projects.	• Evidence of successful utilisation of the WHS system on relevant projects.	• Evidence of successful utilisation of the WHS system on relevant projects.
	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.
	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.
	• Lost Time Injury Frequency Rate for the past three years are similar to or less than industry averages.	• Lost Time Injury Frequency Rate for the past three years are similar to or less than industry averages.	• Lost Time Injury Frequency Rate for the past three years are similar to or less than industry averages.	• Lost Time Injury Frequency Rate for the past three years are similar to or less than industry averages.	• Lost Time Injury Frequency Rate for the past three years are similar to or less than industry averages.

2. Accreditation under the Australian Government's Building and Construction WHS Accreditation Scheme is deemed to satisfy the WHS requirement for prequalification at all levels

3. The International Standard on Occupational Health and Safety (OHS) ISO 45001:2018 was published by Standards Australia as a joint Australian / New Zealand standard in October 2018

	R1 / B1	R2 / B2	R3 / B3	R4 / B4	R5
3.3 Environmental Management Systems (EMS)	• An independently audited system that meets the requirements of a checklist to be provided by the Assessing Agency Or Third party Certified to AS/NZS ISO 14001 by a JAS-ANZ accredited conformity assessment body	• Third party Certified to AS/NZS ISO 14001 by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to AS/NZS ISO 14001 by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to AS/NZS ISO 14001 by a JAS-ANZ accredited conformity assessment body.	• Third party Certified to AS/NZS ISO 14001 by a JAS-ANZ accredited conformity assessment body.
	• Satisfactory corporate environmental policy and example environmental management plans	• Satisfactory corporate environmental policy and example environmental management plans.	• Satisfactory corporate environmental policy and example environmental management plans.	• Satisfactory corporate environmental policy and example environmental management plans.	• Satisfactory corporate environmental policy and example environmental management plans.
		• Evidence of successful utilisation of the EMS on relevant projects.	• Evidence of successful utilisation of the EMS on relevant projects.	• Evidence of successful utilisation of the EMS on relevant projects.	• Evidence of successful utilisation of the EMS on relevant projects.
		• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.	• No unresolved major non-conformances from its certifying body.
		• No unresolved Improvement Notices or Infringement Notices from a regulatory body.	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.	• No unresolved Improvement Notices or Infringement Notices from a regulatory body.
3.4 Traffic Management	• Satisfactory system in place for the management of traffic at worksites through properly trained and accredited in-house resources or established sub-contract arrangements.	• Satisfactory system in place for the management of traffic at worksites through properly trained and accredited in-house resources or established sub-contract arrangements.	• Satisfactory system in place for the management of traffic at worksites through properly trained and accredited in-house resources or established sub-contract arrangements.	• Satisfactory system in place for the management of traffic at worksites through properly trained and accredited in-house resources or established sub-contract arrangements.	• Satisfactory system in place for the management of traffic at worksites through properly trained and accredited in-house resources or established sub-contract arrangements.
	• Satisfactory example traffic management plan appropriate to the category applied for.	• Satisfactory example traffic management plan appropriate to the category applied for.	• Satisfactory example traffic management plan appropriate to the category applied for.	• Satisfactory example traffic management plan appropriate to the category applied for.	• Satisfactory example traffic management plan appropriate to the category applied for.

	R1 / B1	R2 / B2	R3 / B3	R4 / B4	R5
3.5 Subcontractor Management	• Satisfactory approach to the management of subcontractors and evidence of fair dealing with subcontractors.	• Satisfactory approach to the management of subcontractors and evidence of fair dealing with subcontractors.	• Satisfactory approach to the management of subcontractors and evidence of fair dealing with subcontractors.	• Satisfactory approach to the management of subcontractors and evidence of fair dealing with subcontractors.	• Satisfactory approach to the management of subcontractors and evidence of fair dealing with subcontractors.
	• Referee comments are generally positive and no issues have been raised regarding subcontractor management.	• Referee comments are generally positive and no issues have been raised regarding subcontractor management.	• Referee comments are generally positive and no issues have been raised regarding subcontractor management.	• Referee comments are generally positive and no issues have been raised regarding subcontractor management.	• Referee comments are generally positive and no issues have been raised regarding subcontractor management.
3.6 Partnering/ Relationship Management	• Has successfully participated in partnering/client relationship management at a level relevant to the category applied for. Demonstrates a positive attitude and willingness.	Has successfully participated in partnering/ client relationship management at a level relevant to the category applied for. Demonstrates a positive attitude and willingness.	Has successfully participated in partnering/ client relationship management at a level relevant to the category applied for. Demonstrates a positive attitude and willingness.	Has successfully participated in partnering/ client relationship management at a level relevant to the category applied for. Demonstrates positive attitude and willingness.	Has successfully participated in partnering/ client relationship management at a level relevant to the category applied for. Demonstrates a positive attitude and willingness.
3.7 Community/ Stakeholder Engagement		• Evidence of successful community/stakeholder engagement activities on relevant past projects.	• Evidence of successful community/stakeholder engagement activities on relevant past projects.	• Evidence of successful community/stakeholder engagement activities on relevant past projects.	• Evidence of successful community/stakeholder engagement activities on relevant past projects.

Criteria 4: Financial Capacity Assessment Methodology	
4.1 Preliminary Contract Capacity	• The preliminary contract capacity is assessed as 7.5 times the assessed working capital plus available credit lines. This is based on the core working capital determined from the entity's balance sheet (current assets less current liabilities). • Satisfactory evidence of the collectability of related entity loans should be provided. •
4.2 Application of Additional Risk Overlays that May Potentially Reduce the Assessed Contract Capacity Limit	• Limit the preliminary contract capacity to be no greater than 12.5 times net tangible assets – secondary contract capacity. • Application of key financial indicators as minimum requirements for prequalification: Quick Ratio of 0.8 or greater. • With a quick ratio 0.8 or greater, the financial capacity will be the lesser of the preliminary contract capacity or secondary contract capacity. •

4.3 Qualitative

- In assessing the qualitative adjustment, assessors will be required to refer to detailed guidelines.
- Based on the assessing consultant's experience, a comprehensive qualitative assessment may influence a further upward or downward adjustment after calculation of the contract capacity and the application of the risk overlays.
- The qualitative adjustment will consider matters such as:
  - a) Governance, including details of accounting policies and controls, budget preparation processes, risk management practices, internal financial skills and qualifications, internal financial management reporting and review processes.
  - b) Application of Accounting Standards.
  - c) Age of business, management experience, balance sheet management, etc.
  - d) Aging of debtors and creditors as at the latest reporting date.
  - e) Value, number and nature of registered charges.
  - f) Age of banking relationship.
  - g) Value and number of current contracts in progress, and the nature of each client.
  - h) Budgets and cashflow projections.
  - i) Consideration of the Debt-to-Equity Ratio. If better or worse than a benchmark of 60/40.
  - j) The revenue or average of previous 3 years, whichever is the greater.
  - k) An average of 3 years working capital and/or quick ratio.
  - l) Consideration of recent profit (after income tax) performance over the past 3 years.
  - m) Management Accounts vs. Compilation Statement vs. Audited Financial Statements.
  - n) Audit qualifications.
  - o) Extent of adoption of accounting standards and their transparency.
  - p) Details gleaned from credit reports, credit references from suppliers and subcontractors and other publicly available information.
  - q) Availability of credit lines or demonstrated capacity to obtain additional debt or equity.
    - i. Availability of credit lines may be determined by a reasonably conclusive means by way of:
      - Existing undrawn credit lines which should be evidenced by way of a facility approval letter.
      - Proposed or committed credit lines which should be evidenced by way of an unconditional (or reasonable limited conditions) indication that a loan would be provided if applied for.
    - ii. Alternatively, capacity to borrow may be considered based on:
      - Availability of funds in a related entity and assessment of the likely availability of those funds to support the entity being assessed.
      - The consultant's assessed strength of the balance sheet and trading history and an indication from the entity that they would be willing to borrow to meet working capital requirements, in need.
    - iii. For smaller entities, capacity to obtain additional equity will require assessment of the shareholders' or directors' capacity to contribute funds following their indication of a willingness to do so.

	iv. iv) For larger entities, direct input from the entity concerned in relation to any proposed new equity would need to be assessed. v. v) In each of the above cases, the effect of the new/ increased debt or equity on the financial standing of the entity would need to be considered. r) Upward adjustments to the preliminary contract capacity, while not limited, must be flagged with an asterisk when the adjustment is more than one level. For example, if contractor is assessed at F5 after the preliminary assessment and overlays, it may be adjusted to an F10* or F25*, etc. s) Downward adjustment to the preliminary maximum contract limit calculation are not limited and may decline to zero where unfavourable assessments prevail.
4.4 The Result-An Assessed Contract Capacity	• The assessed contract capacity is the recommended Financial Level, and reflects the maximum additional aggregate contract cash flow commitment over a 12-month period, assuming a relatively even spread of cash flow over that period.