ACT Government
Major Projects Canberra

ACT GOVERNMENT PREQUALIFICATION SCHEME FOR WEED CONTROL CONTRACTORS

APPLICATION

Please return completed application to:

Project Development and Support, Prequalification
(PO Box 158 Canberra City, ACT, 2602)
Level 3, Pod A3, Callam Offices, 50 Easty Street, Phillip ACT 2606.
Email: MPCprequalification@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 MPCprequalification@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 MPCPrequalification@act.gov.au

1. Nature of Application

GUIDE NOTE:

New/renewing Applicants and Applications for upgrades

In selecting the Category(ies) for which Prequalification is sought, each new Applicant should carefully consider which particular Category(ies) best reflects its current capabilities. This step relies on the Applicant making a realistic self-assessment of its ability to successfully deliver contracts involving the type of work described in each category.

Following this, the Applicant must ensure that its Application clearly addresses the relevant criteria and clearly demonstrates the Applicant's capabilities for the Prequalification Category(ies) selected.

Indicate whether this is a new Application, a renewal or an Application for an upgrade of Prequalification categories and/or Thresholds (please tick):

New Application	☐
Renewal Application	☐
Additional Categories	☐

2. General Information

Applicants must provide the following general information:

a	Name of the company or entity under which this Application is being made and under which tenders will be submitted	
b	Trading name (if different)	

c	Type of Entity	Public Company	☐
		Private Company	☐
		Individual	☐
		Joint Venture	☐
		Trust / Trustee	☐
d	State of registration of company (if applicable)		
e	ABN		
f	ACN or ARBN		
g	Address of registered office		
h	Postal address		
i	Business address		
J	Preferred address (please tick)	Address of Registered Office	☐
		Postal Address	☐
		Business Address	☐
k	Contact for Prequalification enquiries (full name, position and email address)		
l	Telephone number		
m	Email address		

N	Website address	
o	Membership of industry associations (please list)	

3. Secure Local Jobs Code Certification

Applicants will be required to hold a Secure Local Jobs Code (SLJC) Certificate issued in accordance with the SLJC Strategy prior to being granted Prequalification.
Information on how Applicants can apply for a SLJC certificate:
• https://www.procurement.act.gov.au/supplying-to-act-government/securelocaljobs
Applicants are required to retain a Secure Local Jobs Code certificate issued in accordance with the SLJC Strategy, while they are prequalified.

Secure Local Jobs Code Certificate attached Yes ☐

4. Categories of Work and Thresholds

GUIDE NOTE:

Please complete this Application in conjunction with reading the 'Guidelines for Applicants' package for the Prequalification of Weed Control Contractors.

Please complete the attached schedules 1 to 9 and the Schedule Form of Undertaking with Employee and Industrial Relations Obligations for Weed Control Services Supplier.

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.

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.

Please indicate which services you will provide and the price per hour. This price will remain as your listed price for the appropriate 6 months, either 1 January to 30 June or 1 July to 31 December.
Hourly rates are applicable for all locations. No travelling allowance is payable to or from work sites including remote areas.

Item	Service	Yes	No
A	High Volume Spot Spray Applications (Two Operators) Price per hour (including GST)	☐	☐
B	High Volume Spot Spray Applications (One Operator) Price per Hour (including GST)	☐	☐
C	Spray Applications Requiring Quad (ATV) Motorbikes Price per Hour (including GST)	☐	☐
D	Boom Spray Applications/Broad Acre (Per Hectare) Price per Hectare (including GST) Price per Hour (including GST) Boom Spray width in metres	☐	☐
E	Tree Frilling Injection, including Willow Control (Two Operators) Price per Hour (including GST)	☐	☐
F	Cut Stump Treatment of Woody Weeds (Two Operators) Price per Hour (including GST)	☐	☐
G	Felling of Trees and Saplings, including Pine Wilding Control (Per Operator) Price per Hour (including equipment required) (including GST) Loppers, hand saw and/or chainsaw equipment listed in Schedule 2, Service G	☐ ☐	☐ ☐
H	Removal and Chipping of Woody Weeds (3 operators) Price per Hour (including Tip Truck) (including GST) List type of equipment, size, horsepower in Schedule 2, Service H	☐ ☐	☐ ☐
I	Mechanical Removal of Woody Weeds Price per Hour with operator (including GST) List type of equipment, size, horsepower in Schedule 2, Service I	☐ ☐	☐ ☐

Item	Service	Yes	No
J	Hire of Additional Labour Price per Hour, Per Operator (including GST)	☐	☐
K	Hire of Additional Equipment List available equipment below, or in an Attachment, with Price per Hour (including GST) Price per Day (including GST) for each additional item of equipment.	☐	☐
L	Some weed control works within each service category (A to I above) may be parcelled out as a Job Lot to control any weed species within an identified area). I would like to be considered for such work and be invited to quote for the Job Lots.	☐	☐
M	Roadside Weed Control – Temporary Traffic Management Plan implementation Must have undergone appropriate training. Price per Hour (including GST)	☐	☐
N	Mechanical Aquatic Weed Harvesting & Removal Price per Hour (including GST)	☐	☐
O	Control of invasive grasses with GP Fluproponate: a) Using hand held shaker packs Price per Hour (including GST) One Operator Price per Hour (including GST) Two Operators b) Using a tractor/vehicle mounted spreader Price per Hour (including GST)	☐	☐

I / We, _____
(Name/s)
agree to the above schedule for the term of 6 months to either 30 June 20XX or 31 December 20XX (circle appropriate date).

Signature _____ Date _____

SCHEDULE 2 - Weed Control Services Offered & Pesticide Application Equipment

For each service you offer to supply, indicate your compliance (Yes or No) with equipment requirements. Agency officers will carry out inspections of the equipment.

Please tick Yes or No

Service	Description	Yes	No
A	High Volume Spot Spray Applications (Two Operators) This service requires the supply of the following equipment:	☐	☐
	A spray unit attached to the vehicle that is fitted with: • a dual spraying outlet • hose reels capable of working both simultaneously or separately; and	☐	☐
	• hose reels that are retractable – 'Quick Spray' or equivalent.	☐	☐
	Spray units are also fitted with: • a spraying tank with a minimum capacity of 400 litres;	☐	☐
	• a low pressure pump operating between 70-700 kpa;	☐	☐
	• a pressure gauge; and	☐	☐
	• spray outlets with a minimum 100m of 12mm diameter low friction pressure hose	☐	☐
	Vehicles that comply with road safety and manufacturer's specification when spraying tanks are filled.	☐	☐
	Hand held lance units – only used to apply herbicides from motorised spray units to the major known 'grass' weeds.	☐	☐
	Hand held spray gun unit that provides sufficient herbicide spray coverage of large clumps of environmental (woody) weeds.	☐	☐
	The following equipment is available for use instead of the motorised equipment on small areas or for specialised application techniques: • a piston or diaphragm pump knapsack spraying unit fitted with a pressure gauge;	☐	☐
	• constant pressure knapsack sprayer fitted with suitable cut/off trigger, lance and nozzles or small hand held boom with pressure gauge;	☐	☐
	• wick wipers (hand held) for the application of glyphosate herbicide; and	☐	☐
	• hand held drench gun.	☐	☐

Service	Description	Yes	No
	Other equipment offered is listed in an attachment.	☐	☐
B	High Volume Spot Spray Applications - One Operator. This service includes the supply of the same equipment as for Service A.	☐	☐
C	Spray Applications Requiring Quad (ATV) Motorbikes This service includes the supply of the following equipment:	☐	☐
	Operators trained and competent in the operation of ATVs	☐	☐
	Motorcycle helmets meeting the appropriate Australian Standard being worn at all times when operating the vehicle.	☐	☐
	ATVs used are of a four wheel drive configuration And a minimum of 250cc engine capacity.	☐	☐
	The trailer used to transport the ATV is capable of travelling through rough terrain	☐	☐
	The ATV spray unit consists: • of a 60 litre tank; and • a minimum of 20 metres of hose retractable reels.	☐ ☐	☐ ☐
	Variable jet pistol spray guns or hand held lances that are fitted with: • an instantaneous cut of mechanism; and • a suitable low drift hydraulic nozzle.	☐ ☐	☐ ☐
D	Boom Spray Applications/Broad Acre (Per Hectare). This service includes the supply of the following equipment:	☐	☐
	Boom spray equipment: • has a minimum width of six (6) metres (indicate width in metres) _____ Metres • is fitted with fixed fan jets of a size capable of applying the desired application rate at between 175 to 280 kpa; • has nozzles with output all within 10%; and • is fitted with marking equipment to provide visual identification of the area covered and to avoid overlap in spray lines. • Vehicle is equipped with fully operational air conditioning units: OR • has filtered helmet or respirator for operators: OR • has filtered air provided via cabin mounted or portable 'Breath Easy' units.	☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐

Service	Description	Yes	No
E	Tree Frilling Injection, including Willow Control - Two Operators. This includes the following services:	☐	☐
	All equipment, including drills, axes, and applicators etc are provided.	☐	☐
	All works undertaken will be in accordance with ACT Weed Strategy at https://www.environment.act.gov.au/__data/assets/pdf_file/0007/575071/ACT-Weeds-Strategy-2009-2019.pdf	☐	☐
F	Cut Stump Treatment of Woody Weeds - Two Operators. All works undertaken will be in accordance with ACT Weed Strategy at https://www.environment.act.gov.au/__data/assets/pdf_file/0007/575071/ACT-Weeds-Strategy-2009-2019.pdf	☐	☐
G	Felling of Trees and Saplings, including Pine Wilding Control1 - Per Operator. This includes the following services:	☐	☐
	Operators have been adequately trained and are competent in the use of chainsaws.	☐	☐
	Public safety will be ensured at all times before and after pine wilding control is undertaken.	☐	☐
	In areas of dense forest canopy, pine wilding once cut will be removed to ground level to ensure public safety is not threatened by falling trees at a later date.	☐	☐
	Stumps will be cut as close to ground level as possible.	☐	☐
	Plants that are less than 0.5 metres in height will be hand pulled and completely removed from the ground.	☐	☐
	1 *Removal of pine wildings* *Note: Pine Wilding Control is the removal of Pinus radiata that has naturally propagated from planted stands in undesirable areas such as high conservation areas, native forest, and borders with other land managers. The aim is to reduce competition with native species and to increase the habitat value and visual amenity of the area.* *This includes the following services:* *Removal of pine wildings from Territory land using manual or mechanical methods – loppers, handsaw and chainsaw, in accordance with the following methodology:* *Pine wildings must be felled manually or mechanically with regard to the following:* *a) all stems must be cut below the lowest green needle;* *b) the stump must be one third of the stump diameter or less in height;*	☐	☐

Service	Description	Yes	No

c) each stem must be completely severed from the stump;
d) all felled material must be moved into the block behind the first row of stumps;
e) boundaries of compartments that must be treated are identified as the middle of the road around the compartment; and
f) a fifty (50) metre buffer zone will be required to be treated in instances where ex plantation adjoins native forest.

It is expected that these services will be conducted with a minimum crew of five (5). List available equipment below or in an Attachment.

H Removal and Chipping of Woody Weeds. This includes cut material, such as cut stump treatment of woody weeds, willow control, sucker control or pine wildings, that is required to be removed from the project area will be chipped and stored at specified locations within the project area. ☐ ☐

I Mechanical Removal of Woody Weeds – One Operator. ☐ ☐
This includes the following services and equipment:

Woody weeds will be mechanically removed as directed. ☐ ☐

Rubber tracked earth moving/excavating machines will be preferred to avoid punctures to tubed tyres and to minimise damage to the environment. ☐ ☐

Operators have been adequately trained and are competent in the use of this machinery. ☐ ☐

When directed all exposed/broken stumps and roots will be treated as per the cut stump treatment prescription. ☐ ☐
An additional labour (operator) will be provided.

J Hire of Additional Labour. When required, additional labour units (operators) will be provided to undertake/assist with any of the services A to I above eg knapsack applications, chipping, stump painting etc. ☐ ☐

K Hire of Additional Equipment (particularly in remote localities). ☐ ☐
List available equipment below or in an Attachment – include capacity, type of vehicle etc
Water Tanker ☐ ☐
Tanks on Trailers ☐ ☐

Service	Description	Yes	No
L	Some weed control works within each service category (A to I above) may be parcelled out as a Job Lot to control any weed species within an identified area). I would like to be considered for such work and be invited to quote for the Job Lots.	☐	☐
M	Roadside Weed Control – Temporary Traffic Management Plan implementation	☐	☐
N	Mechanical Aquatic Weed Harvesting & Removal Services This includes the following services:	☐	☐
	Removal of aquatic weeds from waterways using a 'water rake' or similar harvesting tool.	☐	☐
	Transport harvested plant material to an approved site for disposal. List available equipment below or in an Attachment	☐	☐
O	Control of Invasive Grasses with GP Flupropanate:	☐	☐
	Using hand held shaker packs	☐	☐
	Using a tractor/vehicle mounted spreader	☐	☐

Plant and Equipment including Vehicles	**Yes / Noted**	**No**
Please note that at the time of an agency issuing a purchase order or contract - after inviting quotations - vehicles and equipment must meet the requirements as set out in the 'Check List For Spray Contractor's Vehicles And Equipment' (attached)	☐	☐
All vehicles, plant and equipment must be presented in a cleaned down state, free of weed seeds, dirt, mud and organic material that may have been transported from a previously infested area. There may also be a requirement for vehicles to be washed/cleaned down at designated areas prior to leaving infested areas in order to minimise the potential spread of weeds seeds.	☐	☐
All equipment will be available for inspection by ACT agency requiring weed control services prior to an agency arranging a contract or at any other time.	☐	☐

SCHEDULE 2

Service G - Removal of pine wildings.

Record and attach details of additional equipment here (include type of equipment, machinery, capacity details, kilowatt output and related information).

SCHEDULE 2 (Continued)

Service H - Removal and Chipping Of Woody Weeds.

Record and attach details of equipment here (include type, size and kilowatt output)

SCHEDULE 2 (Continued)

Service I – Mechanical Removal of Woody Weeds – One Operator Record and attach details of equipment here (include type, size and kilowatt output).

SCHEDULE 2 (Continued)

Service K – Hire of Additional Equipment

Record and attach details of additional equipment here (include capacity, type of vehicle etc).

SCHEDULE 2 (Continued)

Service N – Mechanical Harvesting & Removal of Aquatic Weed Services

Record and attach details of additional equipment here (include capacity, type of vehicle such as mechanical water rake or similar harvesting tool).

SCHEDULE 2 (Continued)

Check List For Spray Contractor's Vehicles and Equipment

CONTRACTOR	
VEHICLE	

	Tick if relevant
Cabin: Chemcert or Equivalent Certification for Every Operator MSDS Sheets Product Labels Temporary Traffic Management Plan (Where Appropriate)	
Personal Protection Equipment: Overalls Gloves Eye Protection Soap & Washing Water (Eyes, Hands Etc) Fluorescent Vest Face Mask / Respirator	
Chainsaw Safety Equipment: Hard Hat Chaps Ear & Eye Protection	
Signage: Front & Rear of Vehicle **"Warning – Spray Operator – Keep Clear"** Flashing Light on Vehicle TTMP Signs Signage on Tank Advising of Chemical	
Spraying Equipment (including Backpacks): Leaks General Condition Tank Capacity _____ Litres Pump Condition Foam Marker for Boomspray Equipment Other Equipment	

	Tick if relevant
Water Filling Equipment: ACTEWAGL metered Stand-Pipe (min 25mm delivery hose) Filling Hose Prevents Back-Flow (min 200mm air gap) Pump	
Filling via bottom of tank must not be undertaken:	
Vehicle Chemical Storage: Locked Container and Poison Sign	
Spill Kit	

Inspected by

Date

SCHEDULE 3 - Staff Qualifications & Experience

Answer the questions below, and list in the table the names of proposed staff (operators) that will undertake the weed control work including their qualifications and experience.

	Yes	No
Proposed operators who will be using herbicides or pesticides are listed on the Environmental Authorisation.	☐	☐
The proposed operators all have at least two (2) years relevant experience in the use of weed control equipment and the use of horticultural chemicals.	☐	☐

STAFF (OPERATORS)

Names	Qualification	Experience

SCHEDULE 4 - Registration Certificates & Insurances

Registration Certificates

	Yes	No
Copies of current registrations for vehicles to be used for weed control services for ACT Agencies are attached	☐	☐

Insurances

Evidence of the following current insurances is attached:

Public Liability (of not less than $20m) ☐ ☐

Insurer

Sum insured

Date of expiry

Workers Compensation (unlimited) ☐ ☐

Insurer

Date of expiry

Personal Injury ☐ ☐

Insurer

Sum insured

Date of expiry

Product Liability (of not less than $20m) ☐ ☐

Insurer

Sum insured

Date of expiry

Third-Party (for each vehicle offered) Vehicle 1 ☐ ☐

Insurer

Sum insured

Date of expiry

	Yes	No
Third-Party (for each vehicle offered) Vehicle 2	☐	☐
Insurer		
Sum insured		
Date of expiry		
Third-Party (for each vehicle offered)Vehicle 3	☐	☐
Insurer		
Sum insured		
Date of expiry		
Comprehensive (for each vehicle offered) Vehicle 1	☐	☐
Insurer		
Sum insured		
Date of expiry		
Comprehensive (for each vehicle offered)Vehicle 2	☐	☐
Insurer		
Sum insured		
Date of expiry		
Comprehensive (for each vehicle offered)Vehicle 3		
Insurer		
Sum insured		
Date of expiry		

SCHEDULE 5 - Acknowledged understanding of Relevant Statutes, Regulations, By-Laws and Requirements of Commonwealth, State, Territory or Local Authority

	Yes	No
We / I am (insert name/s) am aware of the relevant Statutes, Regulations, By-Laws and requirements of Commonwealth, State, Territory or local authority.	☐	☐

We are/I am able to deliver a weed control service that complies with requirements set out in:

• the *Planning and Development Act* 2007 Ecologically Sustainable Development and environmental principles (see schedule 7);	☐	☐
• the *Environmental Protection Act 1997*;	☐	☐
• ACT Weed Strategy at https://www.environment.act.gov.au/__data/assets/pdf_file/0007/575071/ACT-Weeds-Strategy-2009-2019.pdf;	☐	☐
• Environment, Planning and Sustainable Development Directorate - Use of AGVET Chemicals – see https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1559/kw/agvet%20chemicals	☐	☐
• the *Work Health Safety Act 2011 as* amended, and associated regulations in relation to work practices; and	☐	☐
• the *Dangerous Substances Act 2004* and associated regulations including obligations specifically on hazardous pesticides.	☐	☐

SCHEDULE 6 - Relevant Experience & Referees

A statement is provided below of our/my relevant experience in undertaking weed control projects.

Name & Contact Details of Three Referees.

SCHEDULE 7 - Commitment to the Principles of Environmental Sustainability

Commitment to the Principles of Environmental Sustainability

	Yes	No
In support of the ACT Government's strategic aim to reduce waste we are committed to recycling materials that cannot be used in the landscape.	☐	☐
I/We will use recycling depots that are located at Mitchell Soil Recycling Centre, Mugga Lane or Belconnen landfills when recycling materials.	☐	☐

General Comments in Support of Application.

SCHEDULE 8 - Environmental Authorisation

	Yes	No
Authorisation / s are attached	☐	☐

SCHEDULE 9. STATUTORY DECLARATION

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. In this declaration a reference to:
    a. **"Adverse Ruling"** means a ruling, order, notice (including without limitation any improvement notice or prohibition notice), conviction or finding made or issued by any Authorised Entity.
    b. **"Authorised Entity"** means any court, tribunal, board, commission, regulatory agency (including without limitation the director-general, commissioner, regulator or any inspector referred to in the Prescribed Legislation) or other entity with jurisdiction to determine employee and industrial relations matters or work health and safety matters to the effect that the Applicant has contravened the Prescribed Legislation.
    c. **"Employee"** means a natural person who is employed under a contract of service (excluding professional or information technology services) to provide the Applicant with his or her labour.
    d. **"Full Details"** means the details of:
        (i) the nature of the Adverse Ruling, breach or offence;
        (ii) the name of the relevant Authorised Entity;
        (iii) the State or Territory in which the proceeding or prosecution was brought;
        (iv) the date of the Adverse Ruling was made, or the proceeding or prosecution was commenced and the number or description assigned

to the proceeding or prosecution;

(v) the entity against which the Adverse Ruling, breach or offence was made or issued;

(vi) any document setting out the Adverse Ruling, breach or offence (including provision of a copy of the same);

(vii) any conviction recorded or adverse finding made in respect of the Adverse Ruling, breach or offence;

(viii) any penalty, fine or order imposed by an Authorised Entity in respect of the Adverse Ruling, breach or offence and the maximum penalty, fine or order that could have been imposed under the Prescribed Legislation;

(ix) any remedial measures or other actions proposed or recommended by the Authorised Entity and details of steps taken by the Applicant to comply with those remedial measures or other actions; and

(x) the status of the Adverse Ruling, breach or offence as at the date of the declaration.

e. **"Industrial Instruments"** means an award or agreement, however designated, that is made under or recognised by the Prescribed Legislation.

f. **"Prescribed Legislation"** means all applicable Acts and subordinate instruments of the Commonwealth and the Territory, which deal with matters relating to industrial relations, employment and/or workplace safety obligations that apply to an entity including (as amended or replaced from time to time) but not limited to:

(i) Fair Work Act 2009 (Cth);
(ii) Fair Work (Building Industry) Act 2012 (Cth);
(iii) Fair Work (Transitional Provisions and Consequential Amendments) Act 2009 (Cth);
(iv) Income Tax Assessment Act 1997 (Cth);
(v) Independent Contractors Act 2006 (Cth);
(vi) Industry Research and Development Act 1986 (Cth);
(vii) Long Service Leave Act 1976 (ACT);
(viii) Long Service Leave (Portable Schemes) Act 2009 (ACT);
(ix) Migration Act 1958 (Cth);
(x) Paid Parental Leave Act 2010 (Cth);
(xi) Payroll Tax Act 2011 (ACT);
(xii) Safety, Rehabilitation and Compensation Act 1988 (Cth);
(xiii) Superannuation Guarantee (Administration) Act 1992 (Cth);
(xiv) Superannuation Guarantee Charge Act 1992 (Cth);
(xv) Work Health and Safety Act 2011 (ACT);
(xvi) Workers' Compensation Act 1951 (ACT);
(xvii) Workplace Gender Equality Act 2012 (Cth).

g. **"Prescribed Works or Services"** means works or services that require the exertion of labour by Employees.
h. **"Secure Local Jobs Code Certificate"** has the meaning given by the Government Procurement Act 2001.
i. **"Secure Local Jobs Code"** has the meaning given by the Government Procurement Act 2001.
j. **"Territory-Funded Work"** has the meaning given by the Government Procurement Act 2001.

2. I am authorised on behalf of the Applicant to make this declaration.

3. The information supplied by the Applicant is true and correct. Any further information to be supplied by the Applicant to enable assessment of its application will be true and correct.

4. The Applicant is aware that Applicants must hold a Secure Local Jobs Code Certificate and that once certified Applicants must comply with the Secure Local Jobs Code.

5. The Applicant agrees to comply with all applicable Territory policies and legislation referable to Territory-Funded Work and, if the Applicant is prequalified under a prequalification scheme in the Territory, the WHS Active Certification Policy.

6. By submitting an application the Applicant authorises the Territory to:

    a. obtain from any Territory, State or Commonwealth government agency (including for the avoidance of doubt, any regulatory or law enforcement body) and take into account in its evaluation, information, including information about the Applicant's performance under contracts (whether or not those contracts were with the Territory, State or Commonwealth or another entity and whether or not those contracts were identified by the Applicant in its application);

    b. obtain and take into account in its evaluation, information from referees or other reputable sources on the performance of the Applicant on projects (whether or not they are identified by the Applicant in their application);

    c. use any information obtained from any Territory, State or Commonwealth government agency (including for the avoidance of doubt, any regulatory or law enforcement body), referee or other reputable source for any government purposes including, without limitation, assessment of suitability for award of contract;

    d. provide information about the Applicant to any Territory, State or Commonwealth government agency, including information provided by the Applicant and information related to the Applicant's performance at any time and for any reason;

    e. provide the name of the Applicant and this declaration to Unions ACT; and

f. provide this declaration to any Territory, State or Commonwealth government agency (including any regulatory or law enforcement body, which includes, without limitation WorkSafe ACT) as evidence of the Applicant's consent to allow that agency to release information as requested by the Territory to the Territory.

7. The following Industrial Instruments made pursuant to any Prescribed Legislation specifically applies to the Employees of the Applicant and are binding on it or them.

[Insert details of Industrial Instruments (this is the award you pay your employees under). If no Employees write "N/A"]

8. The Applicant has in the preceding 36 months of the date of this declaration complied with all applicable Industrial Instruments.

☐ True (delete 8A and initial)

☐ Not true (answer 8A)

☐ N/A No Employees (delete 8A)

8A. The Applicant has not complied with the following Industrial Instruments in the following respects.
[Insert full details]

9. The Applicant has in the preceding 36 months of the date of this declaration complied with all Prescribed Legislation

☐ True (delete 9A and initial)

☐ Not true (answer 9A)

☐ N/A No Employees (delete 9A)

9A. The Applicant has not complied with the following Prescribed Legislation.

[Insert Full Details of the failure to comply with Prescribed Legislation]

10. The Applicant has in the preceding 36 months of the date of this declaration recognised the rights of its Employees to union membership and representation.

☐ True (delete 10A and initial)

☐ Not true (answer 10A)

☐ N/A No Employees (delete 10A)

10A. The Applicant has not recognised the rights of Employees to union membership and representation in the following respects.

[Insert Full Details of how the Applicant has not recognised the rights of Employees to union membership and representation]

11. The Applicant has in the preceding 36 months of the date of this declaration complied with all amendments to wages and conditions of employment for their Employees as decided by any authorised industrial or wage-setting agency.

☐ True (delete 11A and initial)

☐ Not true (answer 11A)

☐ N/A No Employees (delete 11A)

11A. The Applicant has not complied with all amendments to wages and conditions of employment for their Employees as decided by any authorised industrial or wage-setting agency in the following respects:

[Insert Full Details of how the Applicant has failed to comply with all amendments to wages and conditions of employment]

12. In the preceding 36 months of the date of this declaration there have been no findings against the Applicant by an Authorised Entity, including a finding of a breach in a non-confidential consent order.

☐ True (delete 12 and initial)

☐ Not true (answer 12A)

☐ N/A No Employees (delete 12A)

12A. There have been the following findings (Full Details of which are provided) against the Applicant by an Authorised Entity:

[Set out Full Details of findings]

13. In the preceding 36 months of the date of this declaration there have been no Adverse Rulings under the Prescribed Legislation against the Applicant.

☐ True (delete 13 and initial)

☐ Not true (answer 13A)

☐ N/A No Employees (delete 13A)

13A. There have been the following Adverse Rulings under the Prescribed Legislation against the Applicant:

[Set out Full Details of Adverse Rulings]

14. There are currently no proceedings or prosecutions against the Applicant in respect of a breach of any Prescribed Legislation.

☐ True (delete 14 and initial)

☐ Not true (answer 14A)

☐ N/A No Employees (delete 14A)

14A. There are currently the following proceedings or prosecutions against the Applicant in respect of a breach of Prescribed Legislation.

[Set out Full Details of proceedings or prosecutions]

15. The Applicant has not been required to implement any remedial measures to ensure future compliance with the Prescribed Legislation.

☐ True (delete 15 and initial)

☐ Not true (answer 15A)

☐ N/A No Employees (delete 15A)

15A. The Applicant has been required to implement the following remedial measures to ensure future compliance with the Prescribed Legislation:

[Set out Full Details of the remedial measures implemented]

16. Below is a complete list of all projects (both completed and current) in the Australian Capital Territory where the Applicant has had management or control of a project site and on which an audit into any aspect of work health and safety performance or compliance has been conducted in the 36 months prior to the date of this declaration.
[Set out list of projects, or is none “n/a”]

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 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 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.

APPLICANT'S DECLARATION / STATUTORY DECLARATION

Statutory Declarations Act 1959 (Cth)

I (Name) of Address

(Occupation 1.06 inof person making declaration)

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

1. In this declaration a reference to:

a. "**Adverse Action"** means any ruling, order, notice (including, without limitation any improvement notice or prohibition notice), conviction or finding made or issued by any Authorised Entity.

b. "**Applicant**" is ***[insert full legal name of Applicant for prequalification including the ACN/ABN as per that identified on the Application form forprequalification].***

c. **"Application"** means the Applicants' application for mutual recognition under the National Prequalification Scheme, and includes any application for renewal or upgrade of prequalification.

d. "**Authorised Entity**" means any court, tribunal, board, commission, regulatory agency (including, without limitation, the director-general, commissioner, regulator or any inspector referred to in WHS Legislation) or other entity with jurisdiction to determine whether an entity (which includes a person)) has complied with, or is complying with WHS Legislation.

e. **"Full Details"** means the details of:

(a) the nature of the Adverse Action;

(b) The name of the relevant Authorised Entity;

(c) The date of the Adverse Action;

(d) The entity against which the Adverse Action was made or issued;

(e) any document setting out the Adverse Action (including provision of a copy of the same);

(f) any penalty, fine or order imposed by an Authorised Entity in respect of the Adverse Action and the maximum penalty, fine or order that could have been imposed under the WHS Legislation;

(g) any remedial measures or other actions proposed or recommended in the Adverse Action and details of steps taken by the Applicant to comply with those remedial

measures or other actions; and

(h) the status of the Adverse Action as at the date of the declaration.

f. "**Prequalification Scheme**" means the "National Prequalification System for Civil (Road and Bridge) Construction Contracts".

i. "**Territory"** means: when used in a geographical sense, the Australian Capital Territory; and

ii. when used in any other sense means the Australian Capital Territory being the body politic established by section 7 of the *Australian Capital Territory (Self-Government) Act 1988* (Cth) and any Territory entity under the *Auditor-General Act 1996* (ACT) excluding: the University of Canberra; a Territory-owned corporation or another entity established under the *Corporations Act 2001* (Cth).

g. **"WHS Legislation"** means each of the following:

i. *Work Safety Act 2008* (ACT);

ii. *Work Health and Safety Act 2011* (ACT);

iii. any Regulations and instruments made or issued under the above Acts;

iv. any laws which vary or replace the above laws, or any part of them;

v. all other laws applicable in the Australian Capital Territory which deal with matters relating to work health and safety; and

vi. all other laws applicable in any other Australian state or territory (other than the Territory), which deal with matters relating to work health and safety.

2. I am authorised on behalf of the Applicant to make this declaration.

3. The information supplied by the Applicant with and in its Application is true and correct. Any further information to be supplied by the Applicant to enable assessment of it Application will be true and correct.

4. The Applicant accepts the terms and conditions applying to prequalification set out in the Prequalification Scheme and acknowledges those terms and conditions will apply to it if it becomes prequalified in the Territory.

5. The Applicant acknowledges the terms and conditions set out in the Prequalification Scheme may be varied from time to time by the Territory.

6. The Applicant is compliant with the National Code of Practice for the Construction Industry.

- Applicants will be required to hold a Secure Local Jobs Code (SLJC) Certificate issued in accordance with the SLJC Strategy prior to being granted Prequalification. Information on how Applicants can apply for a SLJC 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 Strategy while they are prequalified.

7. While prequalified, the Applicant agrees to comply with all Territory policies referable to work on Territory construction projects including, without limitation, the WHS Active Certification Policy.

8. By submitting an Application (and while prequalified, if prequalification is granted to the Applicant) the Applicant authorises the Territory to:

   i. obtain from any Territory, State or Commonwealth government agency (including for the avoidance of doubt, any regulatory or law enforcement body) and take into account in its evaluation (and any review of prequalification status under the Prequalification Scheme), information, including information about the Applicant's performance under contracts (whether or not those contracts were with the Territory, State or Commonwealth or another entity and whether or not those contracts were identified by the Applicant in its Application);

   ii. obtain and take into account in its evaluation of the Application (and any review of prequalification status under the Prequalification Scheme), information from referees or other reputable sources on the performance of the Applicant on projects (whether or not they are identified by the Applicant in their Application);

   iii. use any information obtained from any Territory, State or Commonwealth government agency (including for the avoidance of doubt, any regulatory or law enforcement body), referee or other reputable source for any government purposes including, without limitation, assessment of suitability for award of contract, registration or selective tender lists; the granting of prequalification; the review of prequalification status and the review and appeal process set out in this Prequalification Scheme;

   iv. provide information about the Applicant to any Territory, State or Commonwealth government agency, including information provided by the Applicant and information related to the Applicant's performance at any time and for any reason;

   v. Provide the name of the Applicant to Unions ACT; and

   vi. Provide this declaration to any Territory, State or Commonwealth government agency (including any regulatory or law enforcement body, which includes, without limitation WorkSafe ACT) as evidence of the Applicant's consent to allow that agency to release information as requested by the Territory to the Territory.

9. The Applicant acknowledges that in the event it is granted mutual recognition under the Prequalification Scheme the Territory does not guarantee, warrant or represent that any business or a minimum value of business will be contracted to or earned or received by the Applicant.

10. No Adverse Action has been made or issued against the Applicant in the preceding 36 months of the date of this declaration.

True(delete 11A and initial) ☐ Not true ☐ (answer 11A)

11A. Full Details of all Adverse Action made or issued in the preceding 36 months of the date of this declaration against the Applicant are as follows.

[Instructional note - read carefully and delete from final document prepared for signature as required having regard to contents of note.
Insert Full Details of all Adverse Action – refer definition of "Full Details" for information which will be required to be provided.
If there is insufficient space to insert the Full Detail of all Adverse Action in this clause 11A of the declaration you may include the Full Detail in an attachment to this declaration which should be marked "Attachment A to statutory declaration of [insert name of person making declaration]". The first page of Attachment A should be signed by both the person making the declaration and the witness to the declaration with a note as follows – "This and the following xxx [insert number of pages at Attachment A] pages are Attachment A to the statutory declaration of [insert name of person making declaration]". The person making the declaration and their witness should also initial each page of Attachment A. If this process is to be adopted the person preparing this declaration should delete this instructional note and insert the following wording (in addition to retaining the existing wording in clause 11A) as part of ensuring a complying declaration is submitted with the Application:
"The Full Detail of all Adverse Action are set out in Attachment A to this statutory declaration and the contents of that Attachment A form part of this declaration and are true and correct in every respect."]

11. Below is a complete list of all projects (both completed and current) in the Australian Capital Territory where the Applicant has had management or control of the project site and on which an audit into any aspect of work health and safety performance or compliance has been conducted in the 36 months prior to the date of this declaration.

[Insert list of projects]

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 witnessed 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.*

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

10. SUBMITTING THE APPLICATION

In submitting this Application for prequalification, I / we certify that the information in this Application is true and correct and fully complies with the requirements in the Guidelines and Application Form.

Confidentiality and Information Sharing

By submitting this prequalification application the applicant authorises the Territory to provide to any Territory, State or Commonwealth government agency (including any regulatory or law enforcement body, which includes, without limitation, WorkSafe ACT) as evidence of the applicant's consent to allow that agency to release information as requested by the Territory to any Territory, State or Commonwealth government agency.

The Territory may refer an applicant's documentation to an external agency or assessor for information sharing or assessment. Such entities are required to maintain confidentiality of all information received.

Information submitted in an application for prequalification will be treated as commercial-in-confidence and will not be disclosed to any party outside the Territory and its agencies and assessors unless the Territory is legally required to do so for the purposes of obtaining legal or financial advice in the context of the applicant's prequalification application.

Once prequalified, a prequalified supplier's details, including details of its performance of contracts awarded, may be shared with Territory and other government agencies for the purpose of monitoring contract performance and to determine continued eligibility for prequalification.

Prequalified suppliers' details will be notified on the Major Projects Canberra website https://www.act.gov.au/majorprojectscanberra/prequalification/prequalification-and-supplier-lists

Acceptance of terms and conditions

In applying for prequalification, including renewal, 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.

I/We accept that in submitting this Application, I/we may be asked to provide documentation relating to the above information prior to entering into a contract or at anytime during the contract period.

COMPANY NAME:

NAME OF AUTHORISED SIGNATURE ON BEHALF OF APPLICANT:

POSITION OF AUTHORISED SIGNATORY:

SIGNATURE

DATE

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

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"

Application Checklist for Weed Control Contractors

Please tick to ensure all aspects of your application are complete.

Contractor Details

SCHEDULE 1 -	Weed Control Services Offered	☐
SCHEDULE 2 -	Weed Control Services Offered & Pesticide Application Equipment	☐
SCHEDULE 3 -	Staff Qualifications & Experience	☐
SCHEDULE 4 -	Registration Certificates & Insurances	☐
SCHEDULE 5 -	Demonstrated Knowledge of Relevant Territory & Commonwealth Legislation & Regulations	☐
SCHEDULE 6 -	Relevant Experience & Referees	☐
SCHEDULE 7 -	Commitment to the Principles of Environmental Sustainability	☐
SCHEDULE 8 -	Environmental Authorisation	☐
SCHEDULE 9	Ethical Suppliers Statutory Declaration	☐
SCHEDULE 10 -	Consent to share information	☐
SCHEDULE 11 -	Applicant's Declaration	☐
SCHEDULE 12 -	Secure Local Jobs Code Certificate	☐