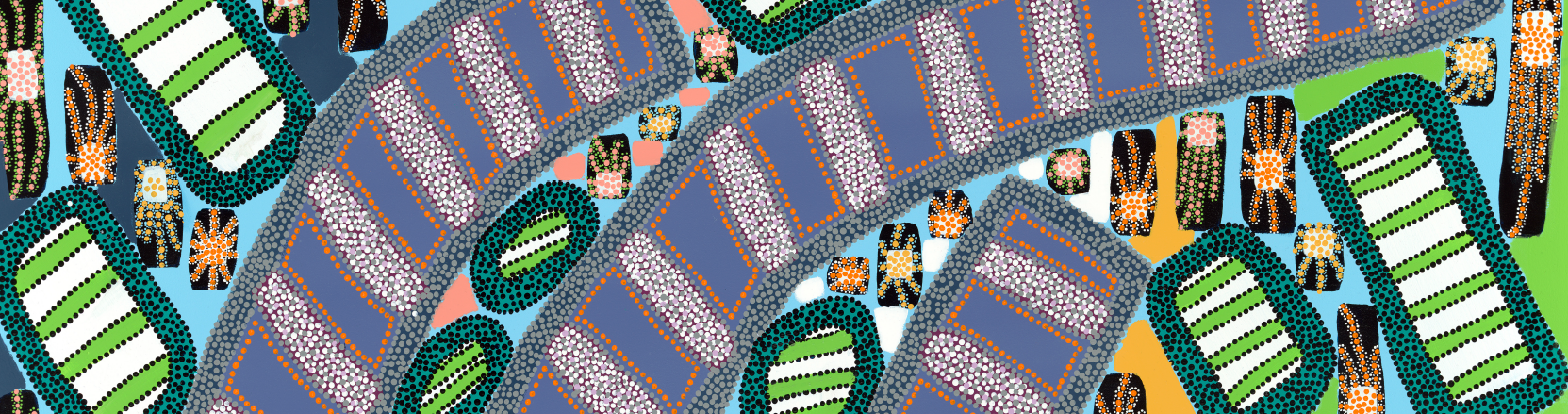
**Prequalification Scheme:**

**Performance and Management Services (SCM0005)**

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**Applicant Guidelines**

**All Suppliers**



**Acknowledgement of Country**

NSW Treasury acknowledges that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia, and the oldest continuing culture in human history.

We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we walk with.

We celebrate the deep and enduring connection of Aboriginal and Torres Strait Islander peoples to Country and acknowledge their continuing custodianship of the land, seas and sky.

We acknowledge the ongoing stewardship of Aboriginal and Torres Strait Islander peoples, and the important contribution they make to our communities and economies.

We reflect on the continuing impact of government policies and practices, and recognise our responsibility to work together with and for Aboriginal and Torres Strait Islander peoples, families and communities, towards improved economic, social and cultural outcomes.

Artwork: ‘Regeneration’ by Josie Rose 2020

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# SCHEDULE OF DOCUMENT AMENDMENTS

|  |  |  |
| --- | --- | --- |
| **Revision Number** | **Date** | **Update Description** |
| 1 | July 2016 | Removal of Legal Services from Scheme, General Reformatting. |
| 2 | December 2016 | Clarity on application detail requirements and What is not covered by the scheme. |
| 3 | February 2017 | Rollover of scheme for two years to 19 February 2019. |
| 4 | June 2017 | Update is reflective of the changes in February 2017. |
| 5 | June 2018 | Amalgamation of Applicant Guidelines in line with revised Scheme Rules and addition of new Engagement Type definitions. |
| 6 | August 2019 | Change of lead Department, email addresses and GST changes for engagement values. |
| 7 | October 2019 | Changes to accommodate NSW Audit Office Recommendations regarding Probity Services. Changes to:   * Addition of Clauses 5.7 and 5.8 * Evaluation Criteria – 6.1(e) and (f) * Information to be provided 7.1 |
| 8 | November 2019 | Addition to clause 5.8 – two further engagement types. |
| 9 | February 2020 | Rollover of scheme for 12 months to 19 February 2021 |
| 10 | March 2020 | Clarification that 13a has now been transferred to SCM0020 |
| 11 | February 2021 | Rollover of scheme for 12 months to 19 February 2022 |
| 12 | December 2021 | Updated according to the new branding guide and links to buy.nsw. |
| 13 | February 2022 | Rollover of scheme for 12 months to 19 February 2023 |

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**Applicant Guidelines – Performance Management Services Scheme (P&MSS)**

# Introduction

The Scheme creates a framework for the prequalification of organisations that provide performance and management services to NSW Government agencies.

NSW Procurement maintains a list of individuals and companies (P&MSS Supplier Listing) with a demonstrated track record in one or more engagement types. The P&MSS Supplier Listing is updated monthly and is publicly available to view on the Performance and Management Services Scheme webpage on info.buy.nsw.

## 1.1 Engagement Types

The Scheme has 15 engagement types as follows:

***1 - Government and Business Strategy*** – including Strategy Development and Planning, Strategic Business Case, Business Performance Reviews, Organisational Design/Transformation, Business Intelligence, Cost Management, Governance and Policy Review/Development.

***2 - Business Processes*** - advice and/or assistance regarding Business process mapping/re-engineering

***3 - Project Management*** – leading and managing, best practice, planning and facilitations services

***4 - Change Management*** – advice and/or assistance for significant change including communication planning and project management.

***5 - Financial Services*** – including accounting services, accounting standards, finance process reviews, asset management, Valuations, financial/economic advisory and forensic accounting.

***6 - Audit, Quality Assurance and Risk*** – including Internal/External Audits, Risk management and probity services. (6c Probity Services are only available to fully prequalified applicants)

***7 - Taxation*** – including Goods and services tax (GST) and other tax services

***8 - Human Resources*** – including Human Capital Management, Culture, Work Health and Safety, remuneration, retention and diversity.

***9 - Procurement and Supply Chain*** – including Procurement/Sourcing, category management, procurement accreditation and supply chain.

***10 - Marketing and Customer*** – including Market Research, Customer/Customer Experience and pricing.

***11 - Actuarial Services*** – advice and assistance on financial risk modelling, assessing and planning.

***12 - Transaction Services*** – advice and assistance on Mergers and Acquisitions.

***13 – (not in use)*** – Telecommunications used to be covered by the P&MS Scheme under engagement type 13. It has now transferred over to the ICT Services Scheme.

***14 - Specialised Services*** – including Crisis Management, Environmental Impact Assessment, Fraud and Corruption Investigations, Training and Development, Internal communications, External Communications, Event Management and service delivery.

***15 - Infrastructure*** – including strategy and planning, risk, major project procurement/delivery and project management, contracting and communication.

Each engagement type has associated sub types. Descriptions for all engagement types are located on the Performance and Management Services Scheme page on info.buy.nsw.

NSW Government Agencies may engage Scheme suppliers for high-level specialist advice and assistance that they require in the engagement types listed above. These types of services are typically regarded as a ‘consultancy’, the Scheme, however, can be used by agencies regardless of whether suppliers are engaged as ‘consultants’ or as ‘professional or specialist contractors’.

## 1.2 Standard Commercial Framework

A mandated standard commercial framework applies only to engagement type 1 – 12 of the Scheme. This framework is to ensure consistency in commercial outcomes, such as capped resource rates and expenses, for NSW Government Agencies.

Applicants will be asked through the application process (refer to Section 5) as to their compliance with the standard commercial framework as:

* Compliance with the standard commercial framework by Scheme suppliers enables NSW Government Agencies to procure up to $250,000 (excl. GST) worth of services through a single sourcing approach.

Further Information on the standard commercial framework is available on the Performance and Management Services Scheme webpage on info.buy.nsw.gov.au.

## 1.3 Scheme accessibility for new market entrants and Small and Medium Enterprises

New market entrants, such as suppliers with limited work experience in Australia or with NSW Government, and Small and Medium Enterprises can prequalify through the Scheme under a ‘Base’ qualification (see Section 4) to provide low-risk services valued up to $50,000 (excl. GST).

‘Base’ prequalification has fewer stringent evaluation criteria within the application process, such as no requirement for referee reports, and engagements with NSW Government Agencies are subject to lower insurance and liability thresholds.

Easy Access Registration List (EARL) suppliers, who could provide low-risk services up to $50,000 (excl. GST), under the earlier versions of the Scheme have been converted to ‘Base’ prequalification.

Base Suppliers may apply to upgrade to Full prequalification at any time during the Scheme’s duration.

In July 2012, the Scheme established the Easy Access Registration List (EARL) to enable Applicants to prequalify under the scheme to provide low risk performance and management services valued at up to $50,000 (excl. GST) to NSW Government Agencies (Agencies). EARL Suppliers were not required to submit referee reports during the application process.

In 2018, the EARL Scheme Rules were withdrawn and combined into a single Scheme Rules document for all suppliers. The EARL classification of suppliers has been changed to Base level prequalification.

Detailed information on ‘Base’ qualification and applicable terms and conditions for this prequalification level is available in the P&MS Scheme Rules as published on the info.buy.nsw website.

## 1.4 Context

In 2008, the NSW Department of Premier and Cabinet (DPC), in conjunction with the NSW Department of Finance and Services (DFS), established the Prequalification Scheme: Performance and Management Services (the Scheme). The full responsibility for the Scheme was transferred to Department of Finance, Services & Innovation (DFSI) in April 2012.

In 2018, the scheme was changed to enable the extension of the current engagement types and to streamline documentation and search capability.

In July 2019, NSW Procurement moved to NSW Treasury (Treasury).

# Policy Requirements

The NSW Government ***Goods and Services Procurement Policy Framework for NSW Government Agencies*** (‘Procurement Policy’) outline’s how the NSW Government will conduct its procurement activities when interacting with the private sector. The Procurement Policy establishes standards of behaviour expected from government agencies and suppliers.

[Procurement Policy Framework | info.buy.nsw](https://info.buy.nsw.gov.au/policy-library/policies/procurement-policy-framework)

Members of the Scheme must demonstrate a commitment to; and consistent application of the standards of behaviour outlined in the Procurement Policy and; comply with the requirements of the Scheme Rules.

# What does the Scheme not cover?

The Scheme will not cover areas of procurement already addressed by other prequalification schemes or panel contracts, including:

1. NSW Procurement (period) contracts
2. Construction-related consultant - See Consultants in Construction SCM1191
3. Contingent Workforce Prequalification Scheme SCM0007
4. ICT goods and services - See ICT Services Prequalification Scheme SCM0020
5. Legal Services – See Legal Services Panel (no legal services to be provided through this scheme)
6. Other NSW Prequalification schemes
7. The P&MS Scheme is for services only, and not for the provision of goods.

# What are the levels of entry to the Scheme?

## 4.1 Full Qualification

Applicants apply for full pre-qualification for selected engagement types (in line with their core business offering). These suppliers are assessed and approved (pre-qualified) by Treasury to provide consultancy services for specific engagement types.

Application for full pre-qualification includes submission of at least 3 referee reports, rate information for engagement types 14 – 15 (where applicable) and organisational experience details via supplied templates.

## 4.2 Base

Applicants register for selected key engagement types. These suppliers do not need to provide referee reports in support of their nominated engagement types.

These suppliers are able to provide low risk services valued up to $50,000 (excl. GST). As Base suppliers have not been fully pre-qualified, they are not recommended to NSW Government Agencies for projects considered to be high risk or for engagements valued at above $50,000.

The purpose of Base qualification is to enable access to suppliers who do not currently have the references and work experience to apply for Full Qualification under the Performance and Management Scheme by:

1. streamlining the registration process to enable the provision of low-risk service engagements limited in value up to $50,000 exclusive of GST (and in certain limited circumstances through flow-on engagements up to $75,000 exclusive of GST)
2. enabling opportunity of access to government work and experience.
3. encourage agencies to engage with base suppliers where appropriate and provide opportunity for industry development.
4. encouraging agencies to provide opportunity to new Small and Medium Enterprises through the Base listing for services that are low risk and low value.
5. enabling supplier development and transition to Full qualification.

Engagements of Base Suppliers should be undertaken for the provision of services that do not expose Agencies to a high level of risk. Agencies should use their discretion and consider risk when determining the suitability of engaging a Base Supplier for work as these Suppliers have not been assessed as rigorously as Suppliers with Full Prequalification.

Base Suppliers agree that once having achieved full prequalification, that the Base qualification is suspended. The suspension will be across all Base engagement types held at that time. Where an applicant is not successful for Full Prequalification when applied, the Base level will remain in place. Full prequalified suppliers cannot apply for Base level.

The Base level is intended to be a short-term listing with reviews of suppliers conducted to determine if a supplier should apply to full or be recommended for removal from the P&MS scheme.

# How do I become a member of the Scheme?

## 5.1

The application/assessment/approval process for the Scheme is undertaken online via the NSW Governments eTendering application.

## 5.2

Suppliers who wish to become members of the Scheme must engage in the following process:

1. Set up an eTendering account. Account set up is via the following URL: <https://tenders.nsw.gov.au/dfs/?event=public.registereduser.new>

2. Complete and submit their registration using the online application form available at: <https://www.tenders.nsw.gov.au/?event=public.scheme.show&RFTUUID=5AE7B95E-A020-7139-29B891589FA4E2E2>

3. Complete and submit by the online application. The application must be submitted using the online application form accessed by clicking the “Supplier Application Form” link at <https://www.tenders.nsw.gov.au/?event=public.scheme.show&RFTUUID=5AE7B95E-A020-7139-29B891589FA4E2E2>

Guidance on completing the application and the required templates are available through the application web link.

## 5.3

The process will allow applicants to select either Base registration or apply for full prequalification. Applicants must only apply for one of the registrations at any one time.

## 5.4

Base registration is for low risk work engagements up to a value of $50,000. Full Qualification is for all risk levels and engagement values.

## 5.5

Treasury will not be held liable for any costs or damages incurred by the Applicant in the exercise of such discretion.

## 5.6

Where specified qualifications or licensing are required for a capability this requirement must be met by all applicants.

## 5.7

Engagement type 6c Probity Services is restricted to Full Prequalification Service Providers with Specified Personnel for Engagement Type 6c Probity Services. Employment screening checks are required for all Specified Personnel and are performed by NSW Procurement using NSW Government contract C0011.

## 5.8

Suppliers approved for Engagement Type 6c Probity Services are limited to providing services in the following assurance-related engagement types:

1g Governance

5b Accounting standards

5g Forensic advisory

6a Internal/external audit

6b Risk management

6c Probity services

7a Goods and Services Tax

7b Other Tax services

9a Procurement/Sourcing

9b Category Management

9c Procurement Accreditation

14a Crisis Management

14c Fraud and corruption investigation

15b Risk

15c Major Project Procurement/Delivery and Project Management

## 5.9

All applications will be assessed initially by the assessors in Treasury and one or more independent members, in accordance with the evaluation criteria set out in the “Scheme Rules”.

## 5.10

If further clarification is required, the applicant may be invited to attend an interview with the Assessment Body.

## 5.11

Treasury will record the result in eTendering and notify all applicants of its decision via email.

## 5.12

If any applicant believes that there are substantive grounds for the assessors to reconsider its decision, the applicant may request a review of the decision.

## 5.13

Once applicants are admitted to the Scheme, they may be engaged by NSW Government agencies to perform work in their approved engagement types.

## 5.14

The receipt of approval by a Supplier **does not guarantee**:

1. continuity of registration or prequalification during the duration of the Scheme;
2. receipt of opportunities to tender; or
3. that engagements or work of any kind or quantity will be offered.

## 5.15

Information submitted with an application will be treated as confidential by Agencies unless otherwise required by law, and may be subject to reference checking and other enquiries.

## 5.16

The “read only” overview allows Applicants to prepare for the application process:

* allows applicants to view descriptions of the engagement types and decide upon which engagement types they will apply for. It is recommended that applicants do not apply for all engagement types as each of these are distinct and separate in the skill sets required.
* download supplementary guidance for the online application form and its required templates (referee report, rate card and organisational experience template).

## 5.17

Once the Applicant has decided upon the engagement types they will be applying for, they are able to download the referee report template, input details about the engagement types they are applying for and dispatch to the selected referee.

**Note:** three referee reports are only required for Full pre-qualification and the referee should provide comments in relation to the Applicant’s nominated engagement types.

## 5.18

The application process will also require the Applicant to input free text into a few sections, including "General Requirements" (see read only version) and "Supporting Evidence" for selected engagement types. Supporting evidence is the free text field next to each engagement type and should describe the Applicant’s ability and experience for each of the applied for engagement types.

## 5.19

Supporting evidence gives the applicant the opportunity to describe the organisations setup and/or methodologies or frameworks used to provide these services and note specific examples of work undertaken (examples can be the same engagements as detailed within the referee reports or other engagements). This gives the application assessors an understanding of the organisations skills and capability to provide these services from the organisations viewpoint. The referee reports provide further confirmation that the applicant has the experience to provide the applied for engagement types.

## 5.20

Applicants should also review the "Scheme Rules" posted on the read-only version. The final stage of the actual application process is to agree to abide by the "Scheme Rules". There are also guidelines for applicants posted on the read-only version of the application.

## 5.21

Treasury reserves the absolute discretion to:

1. accept an Application with or without limitations and/or conditions
2. reject an Application
3. withdraw a Supplier’s registration from the scheme
4. direct an applicant to apply for full qualification

# Evaluation criteria used for assessing applications

## 6.1

All applications will be assessed according to the following evaluation criteria:

1. demonstrated capability and experience in the groups and engagement types applied for;
2. demonstrated capability and experience in the following general areas:
3. well-developed project leadership, planning and management skills;
4. demonstrated ability to provide high level strategic advice;
5. good understanding of contemporary approaches to public sector administration and reform.
6. **For Full prequalification only** - demonstrated experience, satisfactory previous performance and applicant referee reports (for work completed within the last 3 years from the date of application) that include referee comments in relation to the applicants applied for engagement types.
7. demonstrated capability, including management, human resources and Current commercial rates and prices, current insurances and other resources.
8. **For Engagement Types 5 Finance, 6 Audit, Quality Assurance and Risk, and 7 Taxation:** where applicable demonstrated application of and compliance with professional standards from appropriate recognised professional bodies such as Institute of Chartered Accountants Australia (ICAA), CPA Australia (CPAA), Institute of Public Accountants (IPA), Institute of Internal Auditors (IIA), Information Systems Audit & Control Association (ISACA), Chartered Institute of Procurement and Supply (CIPS).
9. **Engagement Type 6C Probity Services** are limited to Specified Personnel subject to satisfactory employment screening checks performed by NSW Procurement using NSW Government contract C0011 Employment Checks.
10. For Investigation Services ONLY: where applicable, applicants must hold appropriate master licenses or individual licenses for investigative activity such as Commercial Agent or Private Inquiry Agent (CAPI); license from NSW Police Force or equivalent.
11. For Engagement Type 11C Actuarial Services – demonstrate ability to determine, assess and plan for financial impact of risks. Economic and financial evaluation of contractual relationships. Use of mathematical and statistical models for evaluating risks and forecasting. Assessing and planning for the impact and management of financial and insurance risks. Actuarial systems and processes.

## 6.2

Applications for Base level prequalification will be assessed according to the same criteria as Full prequalification except:

1. the supplier must be a Small and Medium Enterprise or a new market entrant;
2. referee reports are not mandatory to support nominated engagement types.

# 7. What information must I provide in an Application to the Scheme?

## 7.1

All Applicants need to ensure that the Company Profile provides at a minimum the following information:

* Detail of all Specified Personnel experience and qualifications;
* Provide a clear and concise description of the key consultancy services offered by the organisation.
* For applications for Engagement Type 6c Probity Services, the Company Profile must nominate Specified Personnel and demonstrate how each person has skills and experience in performing all probity activities listed below from Section 3 of the Standards Australia Handbook “Assuring probity in decision-making”:
  + Confidentiality
  + Conflicts of interest
  + Probity plans
  + Review of documentation
  + Working papers
  + Probity reports
  + Roles in briefings, evaluation committee meetings, contract negotiations, tenderer debriefings

## 7.2

All Applicants need to ensure that the Organisational Experience Document provides the following information:

* Please include at least three (3) consultancy engagement undertaken and completed in the last 3 years.
* Experience within or outside of Australia is relevant
* If your organisation is new and has limited organisational experience you may include details of the experience of the principal consultants within your organisation.
* The engagement details must describe the services your organisation provided only and should detail the actual services provided.
* Value must only be the value of your organisations engagement. Do not provide the full value of a program of works that you have played a part in – your engagement value only is to be provided.
* Ensure you nominate the actual capability applicable to the engagement services (this should be key engagement types only, do not list all engagement types)

## 7.3

For Full Qualification Applicants Referee reports:

* Should detail work completed or ongoing in the last 3 years from the date of the application. Consideration may be given to work outside the 3-year period, were it is considered appropriate.
* Must clearly detail the engagement;
* Must clearly detail the actual work completed within the capability detail 2.1 of the referee report template. Comments of “work completed” or repetition of the engagement type descriptions are not acceptable.
* Must show detail for all engagement types applied for. (Recommended that applicants only apply for engagement types they can support from referee reports)

## 7.4

All applicants must provide rates in the format provided in the scheme application form. See also Clause 10 of Scheme Rules for further details on Rates and Charges.

# 8. Rates and Charges

## 8.1

The range of rates provided in an Application shall remain firm for an initial 24-month period from date of approval. At that time, an application may be made by a Supplier to update the daily rates specified in an Application.

## 8.2

Applicants must provide daily rates GST exclusive.

## 8.3

Daily rates are based on a minimum of 8 working hours per day.

## 8.4

The rates shall include all costs of the Applicant excluding subsistence and travel costs outside the Sydney Metropolitan Area and/or from Interstate and including employee related costs, data processing, the provision of personal computers, any other tools or equipment required in the provision of Services, and travel costs within the Sydney metropolitan area (except if the Supplier is from Interstate).

## 8.5

Subsistence and travel expenses outside the Sydney metropolitan area and/or where the Supplier is from Interstate are to be charged at actual cost, or at the rates specified under the Crown Employees (Public Service Conditions of Employment) Reviewed Award 2006, whichever is the lesser. These expenses are to be agreed upon with the Agency prior to the engagement and supported by receipts/invoices.

## **8.6**

The daily rates specified in an Application will be taken into account by the Assessment Body. Agencies may take the daily rates specified in an Application into account when selecting a Supplier for work.

## 8.7

The fees to be charged for each individual engagement for which the Supplier is selected shall be agreed between the Supplier and the Agency. The Agency may negotiate rates with the Supplier.

## 8.8

Suppliers agree to provide quotes to Agencies for work if requested and to ensure any quote provided is GST inclusive.

# 9. Insurance

## 9.1

Applicants are to maintain insurance policies for Public Liability and Workers' Compensation in accordance with the Scheme Rules and otherwise where required by law.

## 9.2

Professional Indemnity Insurance is not mandatory but may be required for some engagements. The adequacy of the insurance coverage to meet the risk and any monetary limit that is set for the nature of an engagement will be determined by agencies at the time the supplier is engaged.

## 9.3

Prior to engagement, agencies may request that suppliers provide proof of insurance.

# 10. Can Suppliers prequalified in other jurisdictions be recognised under the Scheme?

Suppliers already in consultancy panels, multi-use lists or any form of contract arrangements in other jurisdictions can be recognised and accepted under the Scheme subject to the conditions that the Supplier:

* remains registered in the arrangement at the original jurisdiction;
* submits an application using the online application form;
* signs an agreement to provide services in NSW in accordance with the Scheme Rules; and
* provides the rates/costs of services for the engagement types applied for.

# 11. On what terms are Suppliers from the Scheme engaged?

## 11.1 On what terms are Suppliers engaged?

If prequalified and engaged by an agency through the Scheme, Applicants agree to the terms and conditions for any engagement as detailed in the Standard Form of Agreement – Terms and Conditions contained within the “Scheme Rules” applicable to the level of their registration.

It is not necessary to sign the Standard Form of Agreement – Terms and Conditions for each or any engagement; instead, parties will complete a form of Agreement Details relevant to their level of registration in respect of each engagement.

The details of scope of work, fees and other requirements for the engagement will be set out within the Standard Form of Agreement - Agreement Details between the parties. Where the parties want to sign a document, the parties may sign the Agreement Details.

The Supplier agrees not to seek any amendment to the Standard Form Agreement - Terms and Conditions.

The Standard Form Agreement – Agreement Details for Base suppliers and Full prequalified supplier are available on the Scheme’s info.buy.nsw webpage

[Performance and Management Services Scheme | info.buy.nsw](https://info.buy.nsw.gov.au/schemes/performance-and-management-services-scheme)

## 11.2 On what terms are Base Suppliers to be engaged?

A Supplier registered on the Base is available to be engaged by an Agency for low-risk engagements of value up to $50,000 (excl. GST).

Any engagement between an Agency and a Base supplier must be set out using the Standard Form of agreement – Agreement Details – Base Suppliers available on info.buy.nsw.

# 12. Does the Scheme allow for additional or ‘flow-on’ engagement?

## 12.1

A supplier’s engagement may result in the need for related ‘flow-on’ work. If possible, agencies will give notice to suppliers when they are first invited to submit a proposal.

## 12.2

Regardless of advanced notice being given, a supplier who has undertaken an initial engagement may be invited by the agency to submit a proposal for further work provided the following criteria are met:

* satisfactory performance;
* demonstrated knowledge and expertise developed during the initial engagement; and
* value for money for additional related engagements.

## 12.3 Flow on for Full

The total value of the first and related flow-on engagements is not to exceed the lesser of:

* three times the value of the first engagement or
* $500,000 (with all costs excluding GST).

Where flow-on engagements are likely to exceed the applicable limit, a minimum of three suppliers from the Scheme should be invited to provide quotations unless exceptional circumstances can be demonstrated. Where there are exceptional circumstances, these must be approved by the Agency’s Minister, the Board, Chief Executive Officer or authorised person at the agency in line with delegations for this particular purpose.

The following examples are provided to help suppliers understand and comply with the Scheme Rules on flow-on work. All fees in the examples are exclusive of GST.

## 12.3.1 Scenario 1

Agency X has engaged Supplier A for an internal audit on its payroll process with fees totaling $30,000. As a result of this review, weaknesses were noted on the payroll system and Agency X now requires a review on general computer controls including system security to be conducted. The estimated total fee for this additional review is $50,000.

**Can Agency X offer the flow-on work directly to Supplier A provided that the three mandatory criteria on satisfactory performance, demonstrated knowledge and expertise and value for money have been met?**

**Yes.** The fees for the initial engagement and the flow-on engagement total $80,000 which is:

* less than $500,000 and less than $90,000 or
* three times the value of the first engagement.

## 12.3.2 Scenario 2

Agency X has engaged Supplier A for an internal audit on its payroll process with fees totaling $30,000. As a result of this review, weaknesses were noted on the payroll system and Agency X further engaged Supplier A (after meeting all the criteria) to conduct a review on general computer controls including system security with total fees of $50,000.

As a result of the findings from the two previous reviews, Agency X now decided to have a fraud control review performed across the entire agency. The estimated fee for this review is $75,000.

**Can Agency X offer the work directly to Supplier A provided that the three mandatory criteria on satisfactory performance, demonstrated knowledge and expertise and value for money have been met?**

**No.** The total fees for the initial engagement and the two flow-on engagements are $155,000 which is:

* less than $500,000 but greater than $90,000 or
* three times the value of the first engagement.

Agency X therefore needs to obtain three (3) written quotations from prequalified suppliers to perform the fraud control review.

## 12.3.3 Scenario 3

Agency X has engaged Supplier A for an internal audit on its payroll process with fees totaling $300,000. As a result of this review, weaknesses were noted on the payroll system and Agency X now requires a review on general computer controls including system security to be conducted. The estimated total fee for the additional review is $220,000.

**Can Agency X offer the work directly to Supplier A provided that the three mandatory criteria on satisfactory performance, demonstrated knowledge and expertise and value for money have been met?**

**No.** The total fees for the initial engagement and the flow-on engagement are $520,000 which is:

* less than $900,000 or three times the value of the first engagement **but**
* greater than $500,000.

Agency X therefore needs to obtain three (3) written quotations from prequalified suppliers to perform the review on general computer controls.

## 12.3.4 Scenario 4

Agency X engaged Supplier A (a fully prequalified supplier) through a competitive procurement process to conduct an organisational review of the agency’s corporate functions for a total value of $475,000. As a result of the review, a comprehensive report with key recommendations was produced and several recommendations referred to operational issues within an identified business unit. Agency X now wishes to directly offer additional flow-on work of reviewing the operations of the identified business unit to Supplier A with fees totalling $75,000.

**Can Agency X directly provide the additional work to Supplier A provided that the three mandatory criteria on satisfactory performance, demonstrated knowledge and expertise and value for money have been met?**

**Yes.** A genuinely competitive procurement process (with at least three written quotes) for the initial engagement would fulfill the principles of the Scheme and the NSW Procurement Policy Framework more broadly and there is no agency obligation under the Scheme Rules to approach other fully qualified suppliers for flow-on engagements. The variation in this scenario is directly linked to the first piece of work and is not three times the value of the initial engagement.

However, any additional internal procurement requirements from Agency X should be abided by before approval and Agency X should consider any new risks that may arise with the flow-on engagement.

## 12.4 Flow on for Base

A Supplier registered on the Base is available to be engaged by an Agency for low-risk engagements up to $50,000 (excl. GST) against their registered engagement types.

It is recognised however that in certain limited circumstances, engagements of a Supplier pursuant to Base may exceed $50,000 (excl. GST) because a flow-on engagement becomes necessary. The total value of the first and related flow-on engagements is not to exceed $75,000 (excl. GST).

If the flow on engagement exceeds $75,000 (excl. GST), then the Agency is obliged to approach a different Supplier for a quote for the further work.

# 13. What information is maintained by Treasury under the Scheme?

## 13.1

The NSW Treasury will be collecting a range of information from selected suppliers on a monthly basis, including but not limited to:

* the name of the supplier;
* the total value of the engagement;
* any variations or flow-on engagements; and
* a brief description of the engagement and the outcome.

Reasonable notice will be provided to any supplier selected to provide reporting on engagements with NSW Government and other eligible users of this scheme. Notice will be provided in writing via email.

## 13.2 Vendor Management System

Agencies may implement a Vendor Management System (VMS) in relation to the engagement of Consultants. It is anticipated that the VMS selected will be accessed via the internet by both Agency and the Supplier. All Suppliers on this Scheme agree to work with the VMS at no additional cost to the Agency. All suppliers agree to accept recipient created tax invoices (RCTI)

## 13.3 Managed Service Provider

Agencies may implement a panel of Managed Suppliers (MSP) arrangement. All suppliers agree to work with the MSP where requested by the Agency Representative at no additional cost to the Agency.

If the supplier is successfully engaged as a MSP by an Agency, the suppliers must agree to transition any and all work engagements from that Agency prior to commencing as the MSP for that Agency.

# 14. How is performance monitored and reported on?

## 14.1

Quality assurance, value for money, and performance improvement are key objectives of the Scheme. To help meet these objectives, Agencies are required to submit a Performance Report in circumstances where, a Supplier’s performance is considered unsatisfactory.

## 14.2

Where an Agency considers that a Supplier’s performance has been unsatisfactory, the Supplier will be kept informed and afforded an opportunity to show cause as to why it should not be rated ‘unsatisfactory’.

## 14.3

A report in the format provided at Attachment B is to be provided by an agency in the following instances

* a supplier’s performance is considered unsatisfactory; or
* the total cost of the engagement (and any related flow-on engagements) is more than $150,000 exclusive of GST.

## 14.4

Where an Agency considers that a supplier’s performance has been unsatisfactory, the supplier will be kept informed and afforded an opportunity to show cause as to why it should not be rated ‘unsatisfactory’.

## 14.5

Where a Base level supplier is engaged, were appropriate, the provision of a referee report to the supplier at end of engagement to support the supplier development and future upgrade to Full Qualification. See Attachment C.

# 15. Can a supplier be removed from the Scheme?

## 15.1

**Yes.** A supplier’s membership may be revoked at any time for a number of reasons, including where the supplier:

* has breached any term of the Scheme Rules, including adherence to the NSW Government’s Goods and Services Procurement Policy Framework for NSW Government Agencies, including not updating contact details;
* has breached Government’s Goods and Services Procurement Policy Framework for NSW Government Agencies;
* has been the subject of one or more adverse Performance Reports submitted by an agency or agencies;
* is not considered to be suitable for future work;
* has frequently declined tendering opportunities without providing valid reasons, lodged late tenders, or lodged unsatisfactory tenders;
* has experienced an adverse change in expertise or capacity; or has experienced an adverse change in business status.
* has provided false or misleading information in their application to the scheme

## 15.2

Before a supplier’s membership is revoked, the Treasury will advise the supplier of the matters prompting the revocation and will give the supplier the opportunity to provide reasons as to why its membership should not be revoked.

## 15.3

A supplier may also have their membership suspended if an adverse Performance Report, or a number of adverse Performance Reports, have been submitted. The supplier may be asked to show cause as to why it should not be suspended as a member of the Scheme until it can provide evidence of having rectified the conduct the subject of the adverse Performance Report or Reports.

## 15.4

Exception to this is where contact has been attempted but all contact details are invalid and a web search has failed to locate any current contact details. In this case suspension will be undertaken without notice.

## 15.5

Suppliers may use a generic email address is used as contact point due to staff turnover. Receipt of offers may fail if the personal email account is no longer operational.

## 15.6

Where a supplier who has had its membership suspended or revoked believes that there are substantive grounds for a review of the decision, the supplier may request such a review in writing. A report on the review will be prepared by the Treasury will inform the supplier of the outcome of the review.

## 15.7

Where a supplier who has had its membership suspended or revoked due to contact details or profile not being kept up to date does not respond within the 2 months of the suspension the supplier will not be reinstated they will be required to reapply for the scheme and complete the application as a new applicant.

# 16. How long will the Scheme operate for?

The Scheme commenced in 2008. The delegate of the NSW Treasury (Treasury) approved the continuation of the Scheme to 12 February 2023.

Modifications to the Scheme may be made at the discretion of Treasury whilst the Scheme remains in operation.

# 

# SCHEME APPLICATION OVERVIEW

Only applications that fully satisfy all of the requirements in the application form will be assessed. Therefore, it is imperative that applicants carefully read, understand and address what is asked for. Applications that are incomplete or found to be misleading may not be further considered.

The applicants should also refer to the following documents when preparing their application:

* “Scheme Rules”

For more detailed guidance, contact NSW Procurement at [NSWBuy@treasury.nsw.gov.au](mailto:NSWBuy@treasury.nsw.gov.au).

## Scheme Overview

Information regarding the Scheme including documentation is available via the info.buy.nsw website. The Scheme is managed by the NSW Treasury (Treasury), NSW Procurement.

The Scheme provides NSW Government Agencies and associated entities with access to a panel of registered and pre-qualified suppliers who provide a variety of business consultancy services.

The Scheme contains 15 business consultancy groups, these six groups contain 52 subgroups (see "Description of Engagement Types" on the info.buy.nsw website).

There are two types of suppliers on the Scheme. Applicants can only sit in one of the listings.

# Attachment A – Supplier Feedback

The feedback of Suppliers is sought on the guidance provided for the use of the Prequalification Scheme: Performance and Management Services. Feedback may be provided at any time.

**Feedback Form for Suppliers – email to** [NSWbuy@treasury.nsw.gov.au](mailto:NSWbuy@treasury.nsw.gov.au)

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **< Poor-Good-Excellent >** | | | | | | |
| **1.** How do you rate the following aspects of the Scheme: |  | | | | | | |
| 1. Clarity of Scheme Guidelines and documentation. | **1** | | **2** | | **3** | **4** | **5** |
| 1. Application process (Base Prequalification) | **1** | | **2** | | **3** | **4** | **5** |
| 1. Application process (Full prequalification) | **1** | | **2** | | **3** | **4** | **5** |
| 1. Timeliness of processing applications and notification of outcome. | **1** | | **2** | | **3** | **4** | **5** |
| 1. Adequacy of training documentation: Supplier - Responding to RFX | **1** | | **2** | | **3** | **4** | **5** |
| 1. Responding to an RFX | **1** | | **2** | | **3** | **4** | **5** |
| 1. Clarification and resolution of any issues raised. | **1** | | **2** | | **3** | **4** | **5** |
| **2.** How do you rate the overall benefits provided to your organisation from being prequalified under the Scheme. | **1** | | **2** | | **3** | **4** | **5** |
| **3.** How do you rate the efficiency in the tendering process from being prequalified under the Scheme. | **1** | | **2** | | **3** | **4** | **5** |
| **4.** Do you think that using the Scheme has saved you time in the procurement process: **Yes / No**  **Comments:** | | | | | | | |
| **5.** Will you retain and continue your membership under the Scheme: **Yes / No**  **Comments:** | | | | | | | |
| **6.** How do you think the Scheme process can be further improved.  **Comments:** | | | | | | | |
| **7.** Overall, how would you rate the operations of the Scheme? | | **1** | | **2** | **3** | **4** | **5** |
| **Supplier Name:**  **Contact:**  **Date:** | | | | | | | |

# 

# Attachment B - Performance Report Template

**Prequalified Supplier Performance Report**

PREQUALIFICATION SCHEME: PERFORMANCE AND MANAGEMENT SERVICES

Under the Scheme Rules, all engaging agencies are required to submit a Supplier Performance Report for each engagement where the consultancy services where:

* the total value of the relevant engagement is more than $150,000 (excluding GST); or
* the performance of, and the services provided by, the Supplier are considered by the agency to be unsatisfactory.

The reports are due at the completion date of the engagement or whenever a critical aspect of performance is unsatisfactory. For further guidance on the requirement, agencies can refer to the Guidelines for Agencies.

## Project Details

|  |  |
| --- | --- |
| **Supplier’s Organisation Name:** |  |
| **Supplier’s Contact Person:** |  |
| **Supplier’s Contact Phone:** |  |
| **RFT No.:** |  |
| **Engagement/Project No.:** |  |
| **Engagement/Project Name:** |  |
| **Engagement Description:** |  |
| **Date Engagement Commenced:** |  |
| **Date Engagement Completed:** |  |
| **Total Fee for this engagement (excluding GST):** | $ |

## Assessment

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **As the client who paid for this service, how well did the SUPPLIER meet your expectations?** | **N/A** | **Unsatisfactory** | | **Marginal** | **Acceptable** | **Good** | | **Superior** |
| 1. **Time Management**   *E.g., meeting milestones, resourcing, planning, reporting* |  |  | |  |  |  | |  |
| 1. **Management & Suitability of Personnel**   *E.g., skills, experience, sufficient number, appropriate seniority used* |  |  | |  |  |  | |  |
| 1. **Standard of Service**   *E.g., meeting brief, budget, value for money, no rework, supervision, no over servicing or under servicing* |  |  | |  |  |  | |  |
| 1. **Quality Outcomes**   *E.g., accuracy, usability, and effectiveness of results* |  |  | |  |  |  | |  |
| 1. **Cost**   *Actual cost did not exceed cost estimate without prior agreement* |  |  | |  |  |  | |  |
| 1. **Communications**   *Appropriate level of reporting* |  |  | |  |  |  | |  |
| 1. **Information Technology**   *IT used where appropriate to increase efficiency and reduce costs* |  |  | |  |  |  | |  |
| 1. **Cooperative Relationships**   *E.g., Cooperative approach, commitment, resolving issues* |  |  | |  |  |  | |  |
| 1. **Recommendation for Future Work**   *Would you recommend the Service Provider for similar type of work?* | Yes ► | |  | | No ► | |  | |
|  | | | | | | | | |
| **Additional Comments on the Supplier’s Performance** | | | | | | | | |
| *<Comments may be extended on next page>* | | | | | | | | |

## Signature by Referee *e.g., General Manager, Director, Senior Project Manager*

**\*Please Note:** Referee Reports must be signed and dated or will not be considered

|  |  |  |  |
| --- | --- | --- | --- |
| **Name:** | **Signature:** | | |
| **Title:** |  | | |
| **Date:** |  | | |
| **Tel No.:** |  | **Mobile No.:** |  |
| **E-mail:** |  | | |
| **Signature:** |  | | |

|  |
| --- |
| **Delivery Instructions:** The Applicant Referee Report is to be forwarded by the Referee to the Applicant. The Applicant is to include all Applicant Referee Reports in their application to form a single and complete submission. |

# Attachment C - Referee Report for Suppliers

**Referee Report - Performance and Management Services Scheme.**

Referee reports are used to assess whether the Applicant has demonstrated experience in the Engagement Types they have applied for within their application to join the Scheme.

## Section 1: To be completed by the Applicant.

**1.0 – Complete the following Applied for Engagement Types Table**

“Applied for Engagement Types” are the Engagement Types that the applicant has applied for during the application process to join the Scheme and that are relevant to the referee. Descriptions of Engagement Types are available on the info.buy.nsw website.

**Complete the following:**

|  |  |
| --- | --- |
| **ID: (*e.g. 1a)*** | **Engagement Type Title: *(e.g. Strategy Development and Planning)*** |
|  |  |
|  |  |
|  |  |
|  | *Add further rows as required* |

## Section 2: To be completed by the Referee (2.0 to 2.4)

**\*Please Note:**

* Referee Reports must be signed and dated or will not be considered.
* Engagements should have been completed in the last three years, ongoing engagements will be considered on a case by case basis.
* The Referee Report comments should relate to the engagement types that the applicant has applied for and that are specified within the Applied for Engagement Types Table above.
* The Referee Report can relate to the Referee’s experience with the Applicant or with its principal consultants and may include more than one engagement. Where the Applicant was employed as a public servant in the last 24 months, relevant work-related Referees can be provided to satisfy this requirement.
* The NSW Treasury may contact the Referee to verify or clarify aspects of this Report.

**2.0: REFEREE DETAILS**

Please type in the following:

|  |  |
| --- | --- |
| **Referee’s Organisation Name:** |  |
| **Address:** |  |
| **ABN:** |  |

**2.1: ENGAGEMENT DETAILS**

\* Please Note: The Applicant is the Supplier which undertook the engagement.

|  |  |
| --- | --- |
| **Applicant’s Organisation Name:** |  |
| **Engagement / Project Name:** |  |
| **Engagement Description:** | *(Briefly outline the nature of the engagement and the applicant’s role)* |
| **Date Engagement Commenced:** |  |
| **Date Engagement Completed:** |  |
| **Total Fee for this engagement (excl. GST):** | $ |

**2.**2: REFEREE COMMENTS

Referee comments are necessary to determine whether the applicant has demonstrated experience in the Engagement Type they have applied for. Applicants specify the type they have applied for within the **Applied for Engagement Types Table on page 1.** (Descriptions of Engagement Types are available via the link on page 1).

|  |  |
| --- | --- |
| **Applicant’s Applied for Engagement Type ID:** *(e.g. 1a)* | **Referee Comments:** Please comment on the Applicant’s role in relation to the engagement types the Applicant has applied for.  (comments may be extended as required. Details needs to cover the role and responsibilities of the applicant within the engagement as specified in 2.1 in line to the applied engagement type/s). |
|  |  |
|  | Add further rows as required |

**2.3: GENERAL CRITERIA**

**\* Please Note:** General Criteria 1-8 are for the performance of the role in relation to the engagement noted in section 2.1.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **As the client who paid for this service, how well did the SUPPLIER meet your expectations?** | **N/A** | **Unsatisfactory** | **Marginal** | **Acceptable** | **Good** | **Superior** |
| 1. **Time Management**   *E.g., meeting milestones, resourcing, planning, reporting* |  |  |  |  |  |  |
| 1. **Management & Suitability of Personnel**   *E.g., skills, experience, sufficient number, appropriate seniority used* |  |  |  |  |  |  |
| 1. **Standard of Service**   *E.g., meeting brief, budget, value for money, no rework, supervision, no over servicing or under servicing* |  |  |  |  |  |  |
| 1. **Quality Outcomes**   *E.g., accuracy, usability, and effectiveness of results* |  |  |  |  |  |  |
| 1. **Cost**   *Actual cost did not exceed cost estimate without prior agreement* |  |  |  |  |  |  |
| 1. **Communications**   *Appropriate level of reporting* |  |  |  |  |  |  |
| 1. **Information Technology**   *IT used where appropriate to increase efficiency and reduce costs* |  |  |  |  |  |  |
| 1. **Cooperative Relationships**   *E.g., Cooperative approach, commitment, resolving issues* |  |  |  |  |  |  |

**2.4: SIGNATURE (by Referee) e.g., General Manager, Director, Senior Project Manager**

**\*Please Note:** Referee Reports must be signed and dated or will not be considered

|  |  |  |  |
| --- | --- | --- | --- |
| **Name:** | **Signature:** | | |
| **Title:** |  | | |
| **Date:** |  | | |
| **Tel No.:** |  | **Mobile No.:** |  |
| **E-mail:** |  | | |
| **Signature:** |  | | |

|  |
| --- |
| **Delivery Instructions:** The Applicant Referee Report is to be forwarded by the Referee to the Applicant. The Applicant is to include all Applicant Referee Reports in their application to form a single and complete submission |