



**Property
NSW**

GUIDELINES FOR APPLICANTS

**SCHEME NO. SCM4271
Real Estate Sales Agent
Prequalification Scheme
2017-2019**

Amendment, Distribution & Authorisation Record

Amendment Record

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V1.3	Update of who can apply to the scheme and additional applicant FAQs – Pages 6, 11 & 12	17/10/2017
V1.4	Update of Property NSW address details – Page 2 Update on who can apply to join the scheme – Page 6 Additional applicant FAQs – Pages 10, 11 & 12	30/01/2018
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<https://www.procurepoint.nsw.gov.au/scm4271>

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Introduction

In March 2014, what is now Property NSW established the NSW Government's Real Property Sales Agent Prequalified Panel, significantly improving the efficiency of procuring real estate services.

A review of the panel resulted in the introduction of the Real Estate Sales Agent Prequalification Scheme (the 'Scheme') in August 2017, which aims to deliver time and cost savings to real estate professionals. The application process is entirely online – offering a simple, streamlined solution.

Applicants can apply for property types, regions and value categories that match their area of expertise, providing opportunities for small to medium size businesses particularly in regional areas to qualify for the scheme.

The scheme is open for the duration of the term; therefore, suppliers can apply when it suits them and can update their capabilities as their experience grows.

Government Agencies refer to the 'NSW Procurement Policy Framework (July 2015)' (the 'Procurement Policy'), which outlines the responsibilities and standards of behaviour expected of Service Providers involved in procurement activities:

https://www.procurepoint.nsw.gov.au/system/files/documents/procurement_policy_framework_-_july_2015.pdf

Scheme Service Providers must adhere to the standards established under the Procurement Policy to ensure that procedural fairness is observed during the procurement process.

What services does the scheme cover?

The scheme covers the marketing and associated real estate agency services for the sale of properties declared surplus to government requirements. The key components of the services are:

- Developing marketing strategy, including providing comments on the current market conditions for properties of similar value and method of sale.
- Preparation and execution of marketing campaign, including preparation of marketing materials (including budgeting) and managing sales-related enquiries.
- Providing regular market feedback (i.e. weekly) during the campaign period.
- Negotiating transactions.

These services are divided into categories, which are defined by capability set. The capability sets are colour coded and prefixed with a letter for ease of reference. For a description of these, please refer to "Template 2 – Experience and Capabilities" which can be found on the ProcurePoint website under "Templates and Resources." <https://www.procurepoint.nsw.gov.au/scm4271>

What services does the scheme not cover?

The scheme will not cover areas of procurement already addressed by NSW Government schemes or panel contracts; including other arrangements managed by Property NSW or any NSW Government agency.

How does the scheme differ from the previous panel?

Many changes have been made following the review of the panel to ensure an improved user experience for both real estate agencies and buyers. These include:

- The scheme will be managed entirely online, delivering significant time and cost savings to real estate professionals
- The Request for Quote process will be managed via the existing Government platform (eQuote.) Once prequalified for specific capabilities, real estate professionals can be selected by Government Agencies to bid for related services; ensuring opportunities for the providers in projects that match their areas of expertise.
- The scheme is open for the duration of the term; allowing applicants to join at a time that suits them. In addition, providers can apply for additional capabilities at any point after they are prequalified; once they can provide evidence to substantiate their updated application.
- Real estate agencies that are part of a franchise are required to complete a separate application for each office that wishes to participate in the scheme. This ensures opportunities for small to medium sized businesses and regional offices; and ultimately results in better outcomes because providers can be selected for services that relate to their core business.

If I am already prequalified under another whole of government arrangement or on the previous NSW Government's Real Property Sales Agent Prequalified Panel am I automatically eligible for this scheme?

No. Each individual real estate agency is to apply based on the requirements of this scheme.

Who can apply to join the scheme?

All registered and licensed real estate sales agencies may apply providing they can demonstrate capability and experience and meet all specified requirements. In the case of franchises, each individual office must apply on their own merit using their individual ABN and not that of their head office. Trustee companies must apply under the ABN of the Trustee (not that of the Trust.)

Local offices that use a Head Office ABN will need to provide the local address of that office (PO box addresses will not be accepted) and the sales pertaining to that office. The Head Office may also choose to submit a separate corporate application in addition to the local submissions; as they may

be approached for larger scale procurements. In this instance, the applicant should state that they are a head office under the “Office detail” – “Office / Location name” field.

How do I become a service provider for the scheme?

Real estate sales agent businesses must apply online via the NSW Governments eTendering application. To do so, applicants must have an eTender account, which can be managed here:

<https://tenders.nsw.gov.au/?event=public.registereduser.new&redirectString=>

Once applicants have an account, they must complete their scheme applications via the NSW Tendering website here:

<https://tenders.nsw.gov.au/?event=public.login.form>

Do I need to provide reference material to support the application?

The online process requires the applicant to select responses in the system by either radio buttons or free text. The questionnaire section has related templates for the applicant to download, complete, and attach in the relevant area. Supporting documents should be limited to no more than three additional pages.

Can I apply for multiple categories with one application?

Yes. Businesses can select all relevant regions and value categories within one or both property types provided they can provide sufficient evidence to support their claim. The complexity category is *optional* and evidence can relate to either property type.

Can I utilise one example across multiple capabilities?

Yes, each recent sales example may address multiple capabilities.

How long does the application process take?

Applicants can expect an outcome within six weeks of submission.

If a sales agency’s application is rejected, when can they reapply?

If an applicant can demonstrate that it has rectified any non-compliance from a previously rejected application, they may reapply and in addition must address the non-complying responses.

What agreement applies to the scheme?

Sales agents will agree to the terms and conditions associated with the scheme and will be required to sign the REINSW Agency Agreement upon engagement; “Not for Use” examples are available for download for both Residential and Other – Commercial.

Annexure A with Special Conditions is provided for download and must accompany the relevant REINSW agreement upon engagement.

Amendments to the terms and conditions and agreements will not be accepted. The Principal reserves the right not to consider the application if it contains departures.

How long is the scheme open?

The scheme launched in August 2017 for an initial period of two years. Prior to August 2019, the scheme owners will conduct a review and inform current scheme members of the outcome. The scheme may be extended and prequalification will remain valid throughout the additional period. Providers may be required to provide updates from time to time.

What is the expected volume of work?

During 2015-16, Property NSW alone transacted 130 sales worth \$431.5 million. It is anticipated to deliver a pipeline of \$2.3 billion worth of transactions over the financial years 2017–21. This is an estimate of the assets that are currently being reviewed and assessed in consultation with government agencies, including State Owned Corporations and Public Trading Enterprises, which may be considered for sale, redevelopment, improvement or continued occupation by government.

Where are the properties located?

Projects of various sizes and complexities across the state have been identified for sale. Service Providers from all regions of NSW with experience in residential, rural, industrial and commercial property sales, particularly SMEs with regional experience, are encouraged to apply. Applicants are to note that the scheme applies to NSW only; all other states and territories of Australia are excluded.

Who can use the scheme?

All government agencies, state owned corporations and local government entities may access this scheme.

Where can I find additional information?

The scheme is outlined on the ProcurePoint website here:

<https://www.procurepoint.nsw.gov.au/>

All enquiries should be sent to salesagent.prequal@property.nsw.gov.au

I am having technical issues with the eTender system. Who do I contact?

If you are experiencing technical issues while trying to submit your application, contact the NSW Procurement Service Centre on **1800 679 289** or email nswbuy@finance.nsw.gov.au

Applicant FAQs

Several of our local offices operate under one ABN. The system picks this up as a duplicate. What is the process in this scenario?

Submit a separate application for each office, regardless of the duplication notification and select the relevant office from the list of Business Names. The office/location name field must be used to differentiate the applications.

My office is a Trustee Company. What entity do I apply under?

You must apply under the ABN of the trustee as opposed to the trust. This is because should you be engaged at RFQ stage – the principal cannot legally contract with a trust. The ACN of the trustee is also required. This must be entered in the ACN field (which appears after the ABN field) under “Entity Detail.” This is not a mandatory field; however, it allows for the capture of information required when dealing with a trustee.

Can Head Offices submit separate applications?

Head Offices can submit separate applications; however, this should be in addition to local office submissions. Head Offices may be approached for large scale procurements or programs of works. Refer to the below question for the additional information required for Head Office applications.

Under the “Office detail” – “Office / Location name” how much detail is required?

The suburb must be included. If the suburb is not included in the response to this question – the application will be rejected and the application will have to be resubmitted. In the case of Head Office applications; the words “Head Office” also need to be captured within this field.

Can I apply for larger regions than what is indicated on the application capabilities e.g. Greater Sydney?

The regions are as they appear on the application as the intention is to engage local businesses that are active in that particular market. You can apply for multiple regions provided you can provide sufficient sales examples within that capability.

There is the option under “*Property Type Two – Other: Commercial/retail/industrial/vacant land*” to apply for “Whole of State” under capability B17.

Question one in the application questionnaire (Contact and Key Personnel) requests Licensee details. Is this referring to the Licensee in charge or the corporation license?

The applicant is to provide details of the Licensee in charge.

Question one in the application questionnaire (Contact and Key Personnel) requests a table for “Management and Key Staff.” Is a list of all staff members required?

No – just management and key staff that are likely to be involved in the projects should your agency be engaged.

Question two in the application questionnaire (Experience) requests evidence of relevant sales examples. How recent do these examples need to be and do they need to be within the defined geographical area?

For the small and medium sale categories; sales must have occurred within the 12 months prior to the application submission date. For large, major and complexity sale categories; sales must have occurred within the 24 months prior to the application submission date. Examples must be from within the defined geographical area.

What is the purpose of the capability 'B17'?

Capability B17 is only available for property type 2. It is for real estate agencies that can deliver services across the WHOLE OF NSW in all the subcategories (commercial, retail, industrial, vacant land.) If an agency applies for this capability – they should have the capacity to deliver on ALL capabilities in property type two. Although the examples required are for sales over \$10M; selecting this capability will not preclude agencies from opportunities for sales under \$10M."

If an application is "recommended to withdraw" does the allowable time period for sales examples refer to the original application date or the resubmission date?

Sales examples must be within the allowable time period according to the original application date.

Can the sales examples provided be for contracts that have exchanged but not settled?

It is acceptable to provide examples of contracts that have exchanged but not settled provided the settlement is in progress at the time of application.

What is the definition of "Property Type 1 – Residential" and "Property Type 2 – Other: Commercial/retail/industrial/vacant land"?

PNSW refers to 'ATO Goods and Services Tax Ruling [GSTR 2012/5](#) – Goods and services tax: residential premises':

- "55. The term 'residential premises' is defined to mean land or building that:
- (a) is occupied as a residence or for residential accommodation; or
 - (b) is intended to be occupied, and is capable of being occupied, as a residence or for residential accommodation"

The term does not include vacant land.

Sites that fit the above description are classed as "Property Type 1 – Residential." All other sites are classed as "Property Type 2 – Other: Commercial/retail/industrial/vacant land.

What is "rural land" and which property type does it fit into?

"Rural land" as defined under the [Property, Stock and Business Agents Act \(2002\)](#) is 'land that is used, or apparently intended to be used, for gain or profit from grazing of livestock, dairying, poultry farming, viticulture, orcharding, beekeeping, horticulture, the growing of crops of any kind, and vegetable growing.' This is covered under Property Type Two – Other: Commercial/retail/industrial/vacant land.

Complexity C07 refers to demonstrated access to local and broader market purchasers (domestic and offshore.) Can you expand on what needs to be demonstrated?

The focus of this complexity is access to a breadth of buyers, particularly overseas purchasers.

Complexity C08 refers to “land and licence packages.” Can you provide a definition of this term?

In the context of the Real Estate Sales Agent Prequalification Scheme, the definition of the term ‘land and licence package’ is the concurrent sale of property (incl. vacant land) and associated liquor licence (i.e. hotel licence) and, if applicable, gaming assets

Question three in the application questionnaire (Referee reports) requests two signed referee reports. Define the term ‘referee’ in this context.

The term ‘referee’ in this context is defined to have the same meaning as the term ‘principal’ in the REINSW Agency Agreement as owner(s) and/or vendor(s) of property, or someone who is legally acting for the owner(s) and/or vendor(s).

How many referee reports must be provided?

A minimum of two referee reports per application must be provided. This minimum applies regardless of the capabilities selected. If multiple capabilities are selected; it would be beneficial for the assessment process to supply reports that support different categories. The two reports provided should relate to different projects.

What is the purpose of “Template 5 – Financial & Legal” and “Template 5a – Business Entity Information”?

Templates 5 and 5a capture all the information legally required and ensure there will be no adverse risk to government should you be engaged at RFQ stage. It is imperative that the applicant name entered on these documents matches the entity on the application. The name of the director or the business name alone will not suffice. Include the business name if you operate under an umbrella ABN. If you are a trustee company – enter as ‘The Trustee for XXX Trust T/A YYY.’

Template 5a must be completed by all applicants. This will ensure less requirements for clarification(s).