



Western Australian Industry Participation Strategy (WAIPS) Implementation Guidelines

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INTRODUCTION

The Western Australian Government is a large purchaser of a range of goods, services, housing and works that is required to sustain its functions. The Government considers it essential to better use its purchasing power to achieve value for money for the State. This means that in going forward, the focus will not just be on price but also on the broader impact to the Western Australian and Australian economy such as job creation and retention, workforce development, supply chain development and innovation and diversification. Particular emphasis is to be given to the involvement of small to medium size enterprises (SMEs).

The McGowan Government introduced the Western Australian Jobs Bill 2017 to overhaul WA's approach to government procurement. A requirement under the Bill is the introduction of a Western Australian Industry Participation Strategy (WAIPS).

These Guidelines have been produced to assist Western Australian Agencies to implement the requirements of the WAIPS and thereby are part of the strategy. A further aspect of assistance is through the Department of Jobs, Tourism, Science and Innovation's Industry Participation Advisory Service (IPAS) and the Regional Development Commission's Local Content Officers. In both cases assistance will be available to both business and agencies in terms of the application of the WAIPS.

Agency application of the WAIPS will be closely monitored to ensure adherence to all principles and requirements. Agency and supplier feedback will also be frequently sought in order to promptly address any implementation issues which may impact on the WAIPS and the scope of this document.

The effectiveness of the Western Australian Jobs Bill 2017 will be formally reviewed five years from commencement.



RELATED DOCUMENTS

These Guidelines should be read in conjunction with the following documents.

- Buy Local Policy 2002
- Building Local Industry Policy 2004
- Western Australian Jobs Bill 2017
- Western Australian Jobs Regulations 2017 (to be developed)
- Western Australian Industry Participation Strategy
- Western Australian Industry Participation Strategy Guidelines for industry (to be developed)
- State Supply Commission Act 1991, State Supply Commission Supply Policies and Department of Finance purchasing guidelines
- Priority Start Policy } Confirm
- Aboriginal Procurement Policy } Confirm

OBJECTIVES

The WAIPS was introduced to give effect to the objectives contained within the Western Australian Jobs Bill 2017. These being:

- Promoting the diversification and growth of the Western Australian economy by targeting supply opportunities for local industry;
- Providing suppliers of goods or services with increased access to, and raised awareness of, local industry capability;
- Encouraging local industry to adopt, where appropriate, world's best practice in workplace innovation and the use of new technologies and materials;
- Promoting increased apprenticeship, training and job opportunities in Western Australia;
- Promoting increased opportunities for local industry to develop import replacement capacity by giving local industry, in particular small or medium enterprises, full, fair and reasonable opportunity to compete against foreign suppliers of goods or services.



For the optimum operation of WAIPS, all Agencies must pursue open and effective competition in the calling and letting of contracts. Otherwise, local industry will not be afforded maximum opportunity under the strategy.

COVERAGE

As outlined in the Western Australian Jobs Bill 2017 the generic term Agency covers Government trading entities, departments, sub-departments and statutory authorities (as listed in Schedule 1 of the *Financial Management Act 2006*).

Agency includes the electricity corporations, port authorities, the Water Corporation and the Western Australian Land Authority. The Bill also covers public/private partnerships.

The WAIPS operates for purchases above defined threshold values. These are detailed under Part 2 below.

WAIPS does not apply to universities, local government procurement, grants or community service contracts.

OVERVIEW

The WAIPS has five key implementation components as summarised below.

Part 1 Procurement Principles/Policies

Part 1 outlines existing State Government and State Supply Commission procurement principles and policies that should be utilised to support the WAIPS as they represent sound procurement practices in its implementation. Examples include:

- Procurement Planning, Evaluation Reports and Contract Management
- Open and Effective Competition
- Probity and Accountability
- Value for Money



The application of these principles and policies is basic to WAIP's functioning effectively as they maximise the opportunity for participation.

Part 2 WAIPS Supply/Participation Plan

Part 2 outlines the threshold values for WAIPS. Contracts over these values are classified as a WAIPS supply. Prospective suppliers for these contracts will be required to prepare a core or full participation plan. This section outlines this requirement and which option is applicable. The approach is tiered to ensure the costs of compliance for both government and industry is in proportion to the opportunity.

Part 3 Strategic Projects

Part 3 establishes the particular requirements for strategic projects over \$50 million capital - \$250 million whole of life basis that the Minister for Jobs has determined are strategic in their generation of significant opportunities for local industry participation. These may include additional considerations such as employment, capital investment, and/or skills and technology transfer through the supply chain and other measurable economic benefits as determined by the Minister.

Part 4 Regional Procurement

Part 4 focusses on procurements in regional areas requiring consideration is given to the economic impact to the geographic region (*as defined by the Regional Development Act 1993*). This should include ensuring that regional industry have a full, fair and reasonable opportunity to participate in sub-contracting and supply arrangements.

The introduction of local content officers with Regional Development Commissions and their roles within each region is outlined under this section.

Part 4 also addresses the establishment of supplier panels or prime contracts that cover one or more region.



Part 5 Achieving Value for Money

Part 5 emphasises that value for money is a primary consideration when making procurement decisions. Value for money includes both financial and non-financial costs and benefits. This section details how Agencies must consider Parts 1 to 4 in the context of achieving value for money outcomes for the State.

PART 1 – PROCUREMENT PRINCIPLES/POLICIES

Procurement Planning

An Agency is required to prepare a procurement plan for contracts over \$5 million. This plan must address local industry capacity and capability in designing the contract size and scope; and outlining the anticipated level of local content for regional (if applicable), Western Australia, Australia and New Zealand. The plan will also outline the methods of advertising the tender. The procurement plan should be reflected in the contract management plan, which is triggered at the same value.

The plan also needs to note the relationship between the contract and the exception under Free Trade Agreements (refer page 27 below).

Upcoming Tender notification

Tenders over \$5 million (goods and services), \$2 million (housing and works regional) and \$10 million (housing and works metro) must be listed on the Tenders WA page as upcoming tenders. Agencies should provide information on the scope of the tender, the timeline for advertisement and a relevant contact person.



Open and Effective competition

It is necessary that supply requirements generate a full, fair and reasonable opportunity through open and effective competition. All tenders over \$250,000 (inc of GST) must be advertised through Tenders WA.

Exemptions from the requirement to advertise can be granted through the accountable authority or delegate. All exemptions must be kept on record.

Notification to Unsuccessful Bidders

When an open tender process has been used, an Agency must provide unsuccessful bidders with the name and total contract value or total estimated contract value of the successful bidder. Unsuccessful bidders must be provided with a debriefing on request. If dissatisfied, a further approach can be made to the State Supply Commission.

Purchasing from an Australian Disability Enterprise or an Aboriginal organisation

Where there is an opportunity to procure from:

- an entity that primarily exists to provide the services of persons with a disability and that business is a registered Australian Disability Enterprise; or
- a registered Aboriginal organisation;

then an Agency may procure directly from those entities without complying with the minimum requirements. Partially exempt Agencies are not required to obtain advice from the Department of Finance when procuring from Australian Disability Enterprises or Aboriginal organisation.



Probity and accountability

An Agency must be able to demonstrate to suppliers and the community that it conducts its procurement activities with high standards of probity and accountability.

Probity requires that an Agency conduct its procurement activities ethically, honestly and fairly. Elements of a procurement culture that promotes and demonstrates high standards of probity include the following:

- Expected behaviours are articulated and enforced.
- Officers involved are skilled, knowledgeable and experienced.
- Appropriate checks and balances are in place at various stages in the procurement process.
- The concept of conflict of interest is well understood and strategies are in place to identify and manage potential issues.
- Communication with suppliers is consistent and does not disadvantage or advantage one supplier over others.
- Officers are not compromised in their ability to act, or to be seen to act, impartially.
- Confidentiality of supplier information and evaluation processes is secure.

Accountability requires that an Agency be able to publicly account for its decisions and take responsibility for the achievement of procurement outcomes. Elements of a procurement culture that promotes and demonstrates a high level of accountability include the following:

- Responsibility for decisions is readily identifiable.
- Adequate records are maintained to enable external scrutiny of decisions.
- Compliance with Government and State Supply Commission policies.
- Contract award details are made public through the Tenders WA website.
- Processes are in place to provide feedback to unsuccessful bidders and to manage supplier complaints.



Publishing Contract Award Information

Where the awarded contract value is \$250,000 or above, under the WAIPS an Agency must publish the contract details on Tenders WA after the successful bidder has been notified.

Also under the WAIPS, where the awarded contract value is varied by \$50,000 or more an Agency must publish the varied contract value on Tenders WA.

An Agency is required to comply with this requirement when purchasing from a Common Use Arrangement (CUA), unless the CUA Buyers Guide states otherwise.

An Agency is not required to comply with this requirement if the accountable authority considers that the release of those contract details presents a significant operational risk, such as the potential to compromise security.

Other procurement principles

Competitive Neutrality - Competitive neutrality requires that government business activities do not have a competitive advantage simply by virtue of public sector ownership.

Complaint handling process - Agencies must have a complaint handling processes as outlined in the Premier's Circular.

Sub-contractor relations - Agencies must ensure sub-contractor contract involvement is transparent either as part of the initial offer to supply or jointly with the appointed head contractor post contract award.

Use of Australian Standards - Where an Australian standard is available it should be specified in the tender.



Specifications - A specification must not require or refer to a particular trademark or trade name, patent, copyright, design or type, specific origin, producer, or supplier, unless there is no other sufficiently precise or intelligible way of describing the requirement. In an exceptional circumstance when this type of specification is used, words such as 'or equivalent' must be included in the specification.

Imported Content Impost - The ANZGPA 20% imported content price impost should be applied to simple goods procurements where price is the deciding factor besides conformance issues.

Private Sector Providers - Selection of an entity to undertake work on behalf of an Agency, which includes purchasing, must include consideration of proposed methodology and use of competitive local suppliers.

Non-WAIPS Supplies - Non-WAIPS supplies (i.e. supplies that do not meet the WAIPS supply thresholds) continue as is in terms of existing policies and processes.

PART 2 – WAIPS SUPPLY/PARTICIPATION PLAN

Contracts over the values outlined in the following table are classified as a WAIPS supply. For WAIPS supply contracts an Agency is required to include the need for all prospective suppliers to prepare and submit either a core or full participation plan as part of their bid.

- a) **Core Participation Plan** – The prospective supplier will be required to outline local economic benefits should a contract be awarded.
- b) **Full Participation Plan** – A plan as to how a prospective supplier anticipates fulfilment of a contract will generate designated economic benefit and demonstrate the means for provision of full, fair and reasonable opportunity to local industry.



It should be noted that a participation plan's structure will vary with the type of WAIPS supply (templates attached).

Requirement based on the type of procurement; value; and location

(Note: these thresholds are open for discussion).

Form of Procurement (Type of WAIPS Supply)	Core Participation Plan	Full Participation Plan – where the Government commits:
Goods and services – metropolitan and regional contracts	\$500,000 (metro) - \$5 million \$250,000 (regional) - \$5million	\$5 million or above
Regional housing and works contracts, including: Builds, refurbishments, alterations, maintenance contracts	\$250,000 - \$2 million	\$2 million or above
Metropolitan housing and works contracts	\$1 million - \$10 million	\$10 million or above

Core Participation Plan

Weighting

The participation plan should be weighted at 20% of the qualitative evaluation.

Where a decision is made by the Agency that only involves compliance criteria (i.e. a price based decision), prospective suppliers should still be required to submit a core participation plan as part of their offer.

When the Agency is making a price based decision, the tender documents should outline that submission of the conforming lowest price will not necessarily result in contract award.

Assessing the Core Participation Plan

When assessing the Plan, consideration by the procuring agency will be given to the likelihood of achieving the following economic benefits:



- a) The likely extent of involvement by local industry in contract delivery.
- b) Jobs created or maintained by the head contractor and sub-contractors in contract delivery.
- c) The number of apprenticeships/traineeships that will be used by the head contractor and sub-contractors in contract of delivery.

The evaluating agency should seek advice from the Industry Participation Advisory Service (Department of Jobs, Tourism, Science and Innovation).

A template (attached) has been developed for the core participation plan.

Exemptions from assessing a Core Participation Plan

When the core participation plan is required, an exemption can be sought through the Minister for Jobs. The grounds for exemption are the same of those outlined for a full participation plan described in the next section.

Agency Process for Core Participation Plan

Project inception

- Ensure proposed contracting model or intended specifications encourage local participation in the offer to supply.

Drafting tender/request

- Ensure inclusion of reference to core plan and appropriate weighting and reporting requirement.
- Where a tender/request will not have qualitative criteria, prospective suppliers should still be required to outline a core plan as part of their offer.



Assessment of offers

- Evaluate core participation plan in conjunction with IPAS.
- Where qualitative criteria are not used, the information provided by the prospective supplier supply arrangements should be considered as part of a value for money assessment.

Contract award

- Agency should include need to report at contract conclusion on fulfilment of plan elements.
- Ensure contractor supplier seeks approval to vary from what is contained within their response to the requirement.
- Ensure contractor supplier is aware that independent audits may occur to determine whether commitments made were adequately met.
- Provide copy of plan to the IPAS.
- Provide report to Minister for Jobs on request.

Full Participation Plan

Template

Templates have been developed for inclusion in tender documents. These are attached and will be available via the jobs portal.

- Goods and Services Full Participation Plan template.
- Housing and Works Full Participation Plan template.

Weighting

The full participation plan must be assessed at 20% of the qualitative evaluation.

Where a decision is made by the Agency that only involves compliance criteria (i.e. a price based decision), prospective suppliers should still be required to submit a participation plan as part of their offer.



When the Agency is making a price based decision, the tender documents should outline that submission of the conforming lowest price will not necessarily result in contract award.

Assessing the Full Participation Plan

For supply opportunities meeting the full participation plan threshold, IPAS will assist in assessing the viability of the participation plans. As necessary regional local content officers will be consulted. This advice will take into consideration the extent to which commitments are achievable. When applicable, this assessment will also consider the prospective suppliers achievements in meeting participation plan objectives in previous government contracts for similar purchases.

The participation plan template covers both generation of opportunity and anticipated outcomes. The latter is based on the objectives of the Western Australian Jobs Bill 2017.

Exemptions from Full Participation Plans

Under the proposed Western Australian Jobs Bill 2017 regulations, broad categories will be listed for exemptions of participation plans. These include the following categories:

- a) Locationally fixed** – by nature, the procurement has to be performed within WA; the estimation of local participation is 100% or close to; and there is little or no variation anticipated between offers to supply.

Examples

- A straightforward lease of an existing building (no or very minor scope for maintenance)
- A contract to clean a local school or office building
- A contract to provide gardening services



b) Overseas by nature – acquisition of specialised equipment that is not manufactured within Australia; and where the acquisition is 90% or greater of the estimated contract value.

Examples

- Medical equipment, MRI, X-ray machines
- Industrial vehicles

c) Must be performed overseas – a small number of procurements are for overseas services.

Examples

- Maintenance of an overseas office
- Marketing Western Australia (tourism)

d) Procurement that is classified as sensitive – and the accountable authority has approved an exemption from a competitive process.

Examples

- Procurement of firearms.
- Emergency services procurement in relation to counter-terrorism efforts.

Exemptions should be listed on the jobs portal. Exemptions must be approved by the Minister for Jobs or a delegated authority. The full process for seeking exemptions will be outlined in the regulations to the Western Australian Jobs Bill.

Implementing the WAIPS across the Purchasing Cycle

1. Project inception

Advise IPAS by email when Agency is aware that a procurement may be undertaken that meets the participation plan threshold (even when the project falls within an exemption category).

This advice should include:



- Whether a Cabinet submission or ERC submission will be required for project (IPAS to provide local participation input).
- Whether the procurement falls within an exemption category and exemption will be sought.
- The scope of the procurement.
- The timeline for approach to market.
- The estimated value of the procurement over its life (including extension options).
- The proposed procurement model (e.g. design and construct, construct only).
- Timing of placement on the forthcoming tenders list (Tenders WA).

2. Tender Planning

- Agency procurement plan developed and approved by the delegated authority.
- Agency places future tender on early tender advice (Tenders WA) as appropriate.
- Agency determines as to whether the tender meets the core or full participation plan requirement, or may be classified as a strategic project. IPAS to be advised.
- Agency provides general advice to potential suppliers.

3. Tender Drafting

- Agency drafts Tender Request on appropriate template.
- Agency ensures principles of openness, equity, transparency and value for money are incorporated.
- Agency includes core or full participation plan requirement with 20% weighting or strategic project clause, as appropriate.
- Agency uses Australian standards in specifications.
- Agency outlines dispute resolution process.
- Advises prospective tenderers that IPAS and/or local content officers can assist in identifying local SMEs for inclusion in the offers to supply.

4. Tender Advertisement

- Agency tender placed on Tenders WA.
- Specific enquiries from potential suppliers require Agency response.



- IPAS and/or local content officers continue to assist potential suppliers respond to core or full participation plan or strategic projects requirements.
- Agency undertakes briefings as appropriate.

5. Tender Assessment

- Agency assesses offers to supply for conformance.
- Agency assesses offers to supply against qualitative criteria.
- Agency seeks IPAS input on participation plan.
- Value for money used to measure price against qualitative criterion.
- Price scrutinised for sustainability.
- Any clarification sought and preferred respondent identified.
- Agency evaluation report prepared.
- Due diligence on contract conducted as necessary.
- Negotiations conducted, if necessary.

6. Tender Award

- Delegated authority signs off on decision.
- Contract finalised including participation plan commitments and reporting.
- Copy of participation plan provided to IPAS.
- Publish contract award decision on Tenders WA.
- Post tender briefing to unsuccessful bidders provided on request.
- Summary of participation plan placed on jobs portal website.

7. Contract management

- Contract management plan prepared by Agency at same values as a procurement plan.
- Regular reports provided to procuring Agency on implementation of participation plan.
- Reports provided to Minister for Jobs on request.

The above actions should be conducted in accordance with State Supply Commission guidelines.



PART 3 - STRATEGIC PROJECTS

A project with an estimated value of \$50 million capital - \$250 million on a whole-of-life basis or more may be classified by the Minister for Jobs as a Strategic Project. Strategic Projects are supply opportunities that have the potential to generate additional significant economic activity and local jobs. The Minister for Jobs determines the additional requirements which are published in a Notice of Determination.

Examples of qualitative determinations could include location, project duration, linkage between contract fulfilment and other market opportunities and a project's ability to demonstrate Western Australian economic attractiveness. Other anticipated benefits could encompass project provision of infrastructure, use of Aboriginal organisation and generation of social outcomes. When the Minister for Jobs declares a project as strategic, additional local participation requirements will be incorporated into the participation plan template to assist the State to achieve maximum benefits from the expenditure.

When an Agency is undertaking procurement with an estimated value of \$50 million - \$250 million or more, contact should be made with IPAS at the project planning stage. To avoid any delays in going to the market, contact should be made as early as possible.

When a project has been declared as Strategic, IPAS can work with the procuring Agency in finalising additional requirements.

At the discretion of the Minister for Jobs, a variation of the 20% weighting may be prescribed to the qualitative criterion.

PART 4 – REGIONAL PROCUREMENT

A key function of the WAIPS is to maximise the participation of competitive regional industry in relevant Agency contracts.



Local Content Officers in Regional Development Commissions

An initiative (May 2017) has been the introduction of local content officers operating within the nine Regional Development Commission offices.

The officers' functions include:

- Linking regional industry with supply opportunities.
- Promoting regional capabilities to major contractors.
- Acting as a liaison point between regional industry and local state Agency offices.
- Monitoring of WAIPS application and outcomes in their region.
- Coordinating training and briefing sessions for regional industry on how to successfully produce an offer to supply for government supply.

Agencies undertaking procurement for regional contracts are expected to work cooperatively with these officers. A list of Regional Development Commissions and their contact information is attached.

Statewide Contracting

Statewide panel contracts are panel arrangements with one or more supplier, to supply products and/or services to two or more regions. They generally have agreed rates or prices but no guaranteed volumes.

Agencies must ensure that regional industry can supply to a select region or regions in Statewide panel contracts. For example, a maintenance contract that covers properties across the State must allow for a Pilbara-based industry to only tender for supply to the Pilbara region if it chooses. This is to ensure that regional industry are not disadvantaged by a requirement for a single supplier across the State.

Where the overall contract value is estimated at \$250,000 - \$5 million, the core participation plan should be used for assessment. Contract value above this will require submissions of full participation plans.



In situations where it is proposed that a single supplier will be used and regional industry will participate through sub-contracting, the Agency should include a requirement for the selected head contractor to prepare an appropriate participation plan. The participation plan should include the nominated sub-contractors and/or the method of appointing sub-contractors.

Delegated Spend

Accountable authorities must implement administrative arrangements for purchasing and contracting that support supply relationships with regional industry through increases in delegated spend levels. Decentralisation of purchasing functions and responsibilities to officers located in regional areas can stimulate local competition and provide increased opportunities for local industry.

Common Use Arrangements

All Common Use Arrangement should be non-mandatory in the regions. Agencies buying in the regions should provide opportunities to regional industry capable of providing the goods or services covered by a common use arrangement.

Regional Price Preferences

The regional price preference, under the Buy Local Policy, will continue to operate for both quotations and tenders when there is no offer to supply from the rest of Australia or New Zealand. Details on the operation of the regional price preference can be obtained (insert link).

In cases where, through shortlisting, interstate bids have been eliminated, the regional price preference can be re-introduced. Additionally, increased emphasis will be given to investigation and elimination of artificial bids designed to neutralise the regional price preference.



PART 5 – ACHIEVING VALUE FOR MONEY

An Agency must ensure that its procurement achieves the best value for money outcome. Achieving best value for money outcomes requires an Agency to ensure that its procurement activities are aligned with government policies, objectives and strategies and that it actively supports whole of government initiatives. An important component of value for money is ensuring that an offer is valid and sustainable in terms of proposed approach (both price and non-price).

At the individual purchase level, value for money requires that in its assessments, an Agency considers price and non-price factors, where relevant, and makes a balanced judgement about the best outcome. The value for money assessment may vary in complexity depending on the nature of the purchase, ranging from a simple price assessment for low value highly commoditised goods, services, housing and works through to a detailed assessment and comparison of price and non-price factors.

Non-price factors include:

- Benefits outlined in the participation plan;
- The quality of the goods and services;
- Fitness for purpose of the proposal;
- The potential supplier's relevant experience and performance history;
- Flexibility of the proposal (including innovation and adaptability over the lifecycle of the procurement);
- Environmental sustainability of the proposed goods and services (such as energy efficiency and environmental impact); and
- Whole of life costs.

An essential aspect of value for money is consideration and confirmation that the price contained in the offer to supply is sustainable. Methods such as open book accounting can be utilised for this purpose. The application of the value for money approach should also, in terms of both whole of life costs and risk management, support sourcing in proximity to agency location.



COMPLIANCE AND AUDIT

Reporting

Agencies are required to ensure that WAIPS based contracts contain an obligation for the successful supplier to report on the implementation of the participation plan outlined in their offer to supply. The report should be provided to the Agency within two months of practical completion, if the contract length is 12 months or less. If the contract length is 12 months or greater, reports should be provided every six months from contract commencement.

These reports should be provided to Minister for Jobs upon request. Reports cover core, full and strategic project plans. Aggregate report outcomes will be presented to parliament. Commercial in confidence aspects will be respected.

Audit

The government has the capacity to audit both the application of WAIPS and the outcomes of WAIPS based contracts.

Random audits may be carried out to confirm:

- That an Agency included the appropriate requirement in their tender.
- That the participation plan was suitably assessed in evaluation.
- That appropriate enquiry was undertaken if the Agency had concerns about the prospective supplier's ability to meet commitments.
- That the appointed prospective supplier met its local participation obligations outlined in the participation plan or sought to vary the commitments based on factors outside of its control.



TRADE AGREEMENTS AND SECTION 92 (CONSTITUTION)

The WA Government has obligations under the relevant government procurement chapters of the following bilateral trade agreements. Each of these agreements contains an SME related exception for government policies directed at supporting SMEs. As such, it is considered that WAIPS can function within the provisions of relevant FTAs.

- Australia – United States Free Trade Agreement (AUSFTA);
- Australia – Chile Free Trade Agreement (ACIFTA);
- Korea -Australia Free Trade Agreement (KAFTA); and
- Japan- Australia Economic Partnership Agreement (JAEPA).

(The WA Government defines an SME as one which is based in Australia or New Zealand and employs under 200 FTEs).

Additionally, Western Australia is a signatory to the Australia and New Zealand Government Procurement Agreement (ANZGPA), which restricts the use of state-based preferences. The WA Government also has obligations under Section 92 of the Australian Constitution in terms of the free flow of interstate trade. The WAIPS meets these obligations in its implementation.

AGENCY ASSISTANCE

IPAS and/or local content officers will:

- Provide advice and assistance to prospective suppliers in addressing the participation plan requirements, if requested.
- Provide assistance to government Agencies to comply with WAIPS.
- Provide industry seeking to update their supply chains with information on developing local industry capability.



- Introduce and maintain a jobs portal outlining WAIPS and identifying future tender opportunities.
- Assisting local SMEs in selling to government either directly or as sub-contractors.
- Provide Agencies with advice on the veracity of participation plans.
- Promote and educate Agencies on the WAIPS.
- Monitor the implementation of the WAIPS and compliance by Agencies and industry.
- Work with local content officers on regional contracts in terms of plan assessment.
- Address issues with the implementation of WAIPS and update the Strategy Guidelines when required.
- Monitor the Commonwealth and other State and Territory Industry Participation Policies to ensure Western Australia remains a leader in this field.
- Report to the Minister for Jobs annually on WAIPS outcomes.

REVIEW AND REVISION OF STRATEGY

The WA Government is committed to ensuring this strategy and accompanying documents are straightforward for Agencies to apply. This strategy will be updated when required and changes will be shown on the jobs portal. Input will be sought from both Agencies and suppliers.

There is a statutory requirement to review the Act within five years of commencement.

DEFINITIONS

Agency means an Agency as defined in the *Financial Management Act 2006* Section 3 other than a university listed in Schedule 1 to that Act; **or** a government trading entity.

Offer to supply means a bid, tender or other offer to supply goods, services, housing or works.

Supply means a supply of goods, services, housing and works.



Tenders WA is the WA Government website for advertising open tenders and expressions of interest.

Accountable Authority means the officer responsible for purchasing undertaken by an Agency. This is usually the Agency's Director General, Chief Executive Officer or their delegate.

Local industry is a business located in Australia or New Zealand.

Small and medium sized Enterprise (SME) a business with less than 200 full time employees.

Full, fair and reasonable opportunity:

Full: Australian and New Zealand industry is afforded the same opportunity as other global supply chain partners to participate in all aspects of a project (e.g. design, engineering, project management, professional services, IT architecture).

Fair: Australian and New Zealand industry is provided the same opportunity as global suppliers to compete on projects on an equal and transparent basis, including being given reasonable time to tender.

Reasonable: Tenders are free from non-market burdens that might rule out Australian industry and are structured in such a way as to provide Australian and New Zealand industries the opportunity to participate in projects.

CONTACT INFORMATION

Email: industry.participation@jtsi.wa.gov.au

Phone:

Postal Address:



APPENDICES

- Core participation plan template
- Goods and services full participation plan template
- Housing and works full participation plan template

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