



SUPPLIER INFORMATION

A Guide to Supplying to State Contracts



Procurement
Government Services

A division of the Department of **Services, Technology & Administration**

FURTHER INFORMATION

For further information or to obtain a copy of the Contract Guide, please contact the Client Support Centre.



1800 NSW BUY
1800 679 289



www.nswbuy.com.au
www.nswprocurement.com.au



nswbuy@services.nsw.gov.au

Contents

Welcome	4
How do I become a supplier to a State Contract?	5
Who can purchase from State Contracts?	5
Defining your customer base	6
Nominee purchasing arrangements	6
Marketing to customers	7
Purchasing channels	9
Good business practice	10
Contract management fee	10
Performance monitoring	11
Sponsorship guidelines	11
Plans, Policies, Codes and Guidelines	12
Feedback and complaints	14
Further information	15

Welcome

Whether you're already a registered supplier, or wanting to become a supplier to the NSW Government, this guide will help you achieve successful outcomes for your business.

Around 16,500 Government and non-government customers buy from an extensive range of products and services supplied by sole suppliers or panels of suppliers. Contracts are usually awarded for a period of three (3) to five (5) years.

State Contracts (Whole-of-Government Contracts) help suppliers tap into one of the largest collective markets in Australia.

We can illustrate this using the Information and Communication Technologies (ICT) sector as an example. The NSW Government has around 290,000 personal computers, 70,000 notebooks and 20,000 handheld devices and spends in excess of \$100 Million per annum on software.

The cost to provide and support this type of technology for 290,000 Government employees exceeds \$700 million - making this Contract one of the country's largest sources of revenue for the ICT sector.

NSW Procurement (NSWP), a division of the Department of Services, Technology and Administration (DSTA), will manage your contract on behalf of the State Contracts Control Board (SCCB). A vendor manager is assigned to provide you with assistance and advice.

Starting off as a supplier with NSWP you'll receive a letter with the following attachments:

- A copy of this guide
- An electronic version of the official supplier logo for use in any advertising which relates specifically to products and services available under a State Contract
- An electronic version of the supplier certificate which relates to the State Contract to display in your business
- A request form - which you will need to complete if you would like to request an official embossed version of your supplier certificate
- Your vendor manager's contact details

If you are interested in becoming a supplier, we recommend you read this guide and visit our website, www.nswbuy.com.au, for further information. If you have any questions please contact the Client Support Centre using the details below:

NSW Procurement

Client Support Centre

Phone: **1800 NSW BUY** (1800 679 289)

Email: nswbuy@services.nsw.gov.au

How do I become a supplier to a State Contract?

To become an eligible State Contract supplier, you'll need to respond to a Request for Tender (RFT) for a State Contract and be successful in your application to become a contractor.

Registering with NSW eTendering

To receive information about upcoming RFTs, and business opportunities, register for free alerts at www.tenders.nsw.gov.au.

The eTendering website lists upcoming, current and closed business opportunities that have been provided by either the SCCB or specific agencies. The site also provides details of awarded contracts totalling more than \$150,000.

i-Tenders

i-Tenders Supplier is a software solution designed to provide industry with easier access to NSW Government business opportunities. The application is a faster, more efficient way to access Government tenders. Tenders software is available when you respond to a RFT. To register your organisation with i-Tenders, visit: <http://ebseforms.commerce.nsw.gov.au>

Who can purchase from State Contracts?

As a supplier or potential supplier to a State Contract, it is important to know your potential customer base:

The following list covers all eligible customer categories:

- (a) Any public sector service agency employing staff appointed under the Public Sector Employment and Management Act 2002;
- (b) A public body as defined by clause 18(4) of the Public Sector Management (Goods and Services) Regulation 2000 being:
 - (i) A Government trading enterprise (including a State-owned corporation);
 - (ii) A public or private hospital (including an area health service);
 - (iii) Councils and local government agencies;
 - (iv) A charity or other community non-profit organisation;
 - (v) A public or private school or a college or university;
 - (vi) A public authority of this State, the Commonwealth or of any other State or Territory; and
 - (vii) A contractor to an eligible customer (but only in respect to a specific contract, or contacts).

Customers must be officially registered with NSW before they can purchase from State Contracts. Eligible customers are encouraged to register here:

<http://ebseforms.services.nsw.gov.au>

Official orders on SCCB Contracts should contain the organisation's NSWBUY Identification Number (NSWBUY#) to verify a supplier's eligibility.

Suppliers that receive an order with a NSWBUY# should confirm the customer's eligibility before proceeding. You can verify this status by checking the customer list below, or by contacting the NSW Client Support Centre. Alternatively, you can contact the organisation directly and request this information.

Defining Your Customer Base

Nominee Purchasing Arrangements

A list of eligible customers can be found on the NSW website at <http://www.nswbuy.com.au/PDF/nswbuy-customer-listing.aspx>

Eligible customers can arrange, in certain instances, for a nominee (third party) purchaser to have access to a State Contract.

To use a real-life example: a flooring sub-contractor undertaking work for a public sector agency can be authorised to place orders via relevant State Contracts. Organisations wishing to take advantage of this provision should complete the eForm within the customer registration area at <http://ebseforms.commerce.nsw.gov.au>. This form needs to be completed in full and submitted to NSW for approval.

Approval will be granted for a finite period of time. This period usually ends when the contract term is completed. Access will be limited to State Contracts that have direct relevance to an agreement between the nominating customer organisation and a nominee purchaser.

Marketing to Customers

As an approved supplier, it is important to actively market your goods or services to your potential customer base. You can encourage purchases from State Contracts by demonstrating the significant cost savings on offer. A list of eligible customers has already been provided above.

This customer list should be considered as a starting point only. You are entitled to market to new customers, providing they meet the criteria set out above. New customers need to register with NSW before they are eligible to purchase from State Contracts.

NSWP supports your organisation by marketing State Contracts to NSW and ACT Government agencies; not-for-profit organisations; local councils; universities and clubs.

To maximise a State Contract's potential, a range of NSWP promotional materials and support teams is also available. These include:

- The State Contracts guide (<http://www.nswbuy.com.au/state-contracts-guide/index.html>);
- Advertisements in trade magazines;
- Fact sheets and contract guides (click on the State Contract category image at www.nswbuy.com.au);
- Regular publications (<http://www.nswprocurement.com.au/publications.aspx>);
- Seminars, exhibitions and other promotional events;
- Websites;
- The NSWP Client Services Team;
- The NSWP Client Support Centre (1800NSWBUY); and
- smartbuy® nswbuy catalogues and other ePortals.

Use of approved supplier logo

NSWP provides suppliers with an approved supplier logo and guidelines for its use. The logo can be used to verify that you are a current supplier to a State Contract. This logo supersedes any previous approved logos issued. The DSTA logo is not an indicator of preferred supplier status and it should therefore not be used on general corporate or marketing materials.

Policy on logo use

Publications

The approved supplier logo should only be used in advertisements, brochures or web pages specifically related to the SCCB contract for which you are a contractor. The logo cannot be used on the homepage of your website. It should also not be used in publications, advertisements or any other marketing materials that contain non-contract items. This includes but is not limited to, items such as letterheads, business cards, promotional items and signage on vehicles.

Appearance

The logo must appear as shown below, with size proportions intact, and including the start and end date and the contact number. You should not alter this logo.

Example only



The logo should generally be reproduced in full colour only. To use the logo in grayscale or reverse white you will need to apply in writing to Strategic Communications at branding@services.nsw.gov.au. No other variations of the logo are permitted.

Ownership of logo

The Approved Supplier logo remains the property of the NSW Government and DSTA. Use of the logo is only authorised for the contract period, and while you remain a contractor to this contract. If in any doubt about correct logo usage please seek advice from the NSWP Client Support Centre and Strategic Communications. Improper use of the Supplier Logo will result in the indefinite withdrawal of approval for use.

Maintenance of logo records

NSWP maintains a record of contractors that have applied to use the approved supplier logo. NSWP reserves the right to view copies of any instances of its use. If the contract expires, or you cease to be a contractor, approval to use the logo is revoked.

Obtaining a logo

To obtain the logo please contact the NSWP Client Support Centre on **1800 NSWBUY (1800 679 289)**, requesting permission for your vendor manager to supply you with a logo. The request must list your business name, address, phone number and a contact person.

Advertising your products and services

Advertising is your responsibility. The same applies to decisions about the suitability of various advertising and marketing mediums

There are a number of Government publications that can be leveraged to advertise your products and services. A range of privately owned journals, directories, magazines and e-communications also target the Government market and related professions. Advertising in private publications may be effective, but you should note that the NSW Government does not endorse these.

The following are examples of a wide number of publications on the market:

- Procurement Professional is the official publication of CIPS Australia P/L, the peak body serving the needs of the procurement profession in Australasia. Published bi-monthly.
- PPNews emails are designed to deliver the latest procurement news, CIPSA news, blogs and procurement jobs directly to almost 10,000 procurement professionals across the Australasian region. Sent out fortnightly.
- PP online (www.PPonline.com.au) provides both Chartered Institute of Purchasing and Supply Australia (CIPSA) members and non-members with access to digital versions of PP magazine, news, events and blogs.
- Government News is a bi-monthly magazine with news and feature articles with significant reach into the public service sector. For further details, visit www.intermedia.com.au
- LG (Local Government) News is an email-based weekly briefing service, for Australia's 700-plus councils. For details visit www.halledit.com.au
- Council Manager is a monthly publication distributed to senior decision makers within council across Australia. For further details, visit www.halledit.com.au
- Local Agenda is the official publication of the NSW Local Government and Shires Association, delivered free by Australia Post to all 152 councils and chambers across the state.
- NCOSS News is a monthly newsletter sent to over 850 members and affiliates within the community and not-for-profit sector. For further information visit www.ncoss.org.au

Purchasing Channels

Eligible customers can place orders via several channels. The method of purchase will depend largely on the nature of the goods and services and the purchasing systems used by each customer. These include:

- Direct phone calls to a supplier;
- Purchase Order emails;
- Purchase Order faxes;
- Purchase Orders placed through traditional post;
- Orders placed through a visiting client representative; and
- Online channels (eg: smartbuy® the NSW Government electronic market place or a vendor's own online channel).

smartbuy® nswbuy catalogue

smartbuy® is a purpose-built application managed by NSW. smartbuy® has a suite of solutions available to assist organisations with electronic procurement.

The nswbuy catalogue is a user-friendly solution for online purchases delivered through smartbuy®. The catalogue's key advantage is the ability to view and compare all products and prices on the one page. A select range of contracts is available via the nswbuy catalogue.

Where appropriate, suppliers are encouraged to support smartbuy® online purchasing by providing accurate pricing; and up-to-date product and services information.

To complete an online smartbuy® registration visit <http://ebseforms.services.nsw.gov.au/Home.aspx>

What does smartbuy® offer suppliers?

- The advantage of a single entry point to all Government procurement;
- Low- to zero-cost entry for suppliers into the Government marketplace;
- Comprehensive information targeted to a specific market;
- Tools to help suppliers streamline their administration and internal ordering; processes and procedures, leading to increased efficiencies;
- Accuracy of orders, and a system that reduces errors and incorrect orders; and
- Reduced cost of sale and streamlined fulfillment of orders.

Good Business Practice

Contract Management Fee

The following guidelines have been developed to clarify the purchasing process:

- Suppliers are responsible for informing customers about a State Contract's purchasing requirements; this includes things like the Contract number, and specific item references.
- To use a State Contract or NSW Procurement products or services, all customers must be officially registered with NSW Procurement, suppliers may not make their own determination as to eligibility, but may notify NSW Procurement of issues with a buyer. To confirm eligibility status, a list is available on the nswbuy website or, suppliers should contact the Client Support Centre on **1800 NSW BUY (1800 679 289)** with the customer's ABN and nswbuy#.
- Suppliers can validate a customer's status by calling the Client Support Centre on **1800 NSW BUY (1800 679 289)**.
- The contract price displayed on the smartbuy® website is generally the maximum price suppliers can charge for goods and services. There are exceptions, such as for Workplace Supplies (c1006), which is a best price contract with three possible prices i.e. Non Free Into Store, Free Into Store and Free to Desktop.
- When a customer chooses to use a State Contract they must abide by the same ethical principles that apply to public sector use of such arrangements.
- Each customer is expected to settle all accounts within the agreed terms.

NSWP charges a contract management fee on most State Contracts. This is either an agreed percentage of the value of sales, or a flat fee.

The fee is collected to assist in the development and maintenance of Contracts, including tender development, client support, vendor management and Contract maintenance.

If your Contract has management fee provisions, you are required to comply with these arrangements. Your Contract will set out these contractual obligations in writing.

NSWP manages an active audit program to check the validity of reports submitted by vendors. Failure to comply with any of the management fee requirements may be considered a breach of the contract. This can in turn lead to sanctions and may entitle the SCCB to terminate the Contract and recover any monies owed.

Performance Monitoring

NSWP monitors supplier performance.

NSWP uses a range of approaches to manage vendor performance which may include scorecards or service level agreements.

Your vendor manager will work with you to build an appropriate performance framework. Your vendor manager will regularly review your performance and help you resolve any issues that need to be addressed.

Vendor performance can assist with recommendations for Contract extension or renewal. Failure to comply with performance requirements may be considered a breach of the Contract.

Sponsorship Guidelines

Strict guidelines apply to sponsorship arrangements with NSW Government agencies.

Whether your company initiates a request, or is approached by a Government agency to enter into a sponsorship arrangement, we recommended that you review the Independent Commission Against Corruption's (ICAC) "Sponsorship in the Public Sector" document. This document provides guidance to public sector agencies on when to accept or grant a sponsorship. Find it at www.icac.nsw.gov.au

Please note that ICAC advises that:

- Sponsorship does not include: the selling of advertising space; joint ventures; consultancies and grants (in regard to received sponsorship);
- Sponsorship does not include unconditional gifts, donations, bequests or endowments; and
- Sponsorship is not philanthropic. A sponsor expects to receive a reciprocal benefit beyond a modest acknowledgement.

Plans, Policies, Codes and Guidelines

As a supplier it is important that you understand mandatory Government procurement policies and guidelines. Below are some of the policy areas you should be aware of. More detail can be found at www.nswprocurement.com.au

Requirement to use State Contracts

Premier's Memorandum (M2006-11) - Procurement Reforms

All agencies, other than State Owned Corporations, must use SCCB Whole-of-Government Contracts - where available - when procuring goods and services. State Owned Corporations are encouraged to use SCCB contracts where appropriate.

Procurement Guidelines in the absence of State Contracts

Where no State Contract is available, agencies can undertake their own procurement in accordance with the General Purchasing Delegation. To view SCCB delegations and directions: <http://www.nswprocurement.com.au/Government-Procurement-Frameworks/Goods---Services/Delegations.aspx>

Local Jobs First

The Local Jobs First Plan seeks to support jobs by enhancing opportunities for Australian and New Zealand small and medium enterprises to win Government Contracts for the supply of goods and services. To view the Premier's Circular 2010-09, Local Jobs First: http://www.nswprocurement.com.au/Government-Procurement-Frameworks/Goods---Services/Framework.aspx#Local_Jobs_First

NSW Government Procurement Policy

The primary objective of the Procurement Policy is to ensure Government procurement activities achieve value for money in support of Government service delivery, while being fair, ethical and transparent. To view the policy: http://www.treasury.nsw.gov.au/__data/assets/pdf_file/0004/3955/tpp04-1.pdf

NSW Government Code of Practice for Procurement

The Code of Practice and its related implementation guidelines covers all Government procurement and outlines the philosophy, obligations and standards of behaviour applicable to all parties in the supply chain during the procurement process. To view the NSW Government Code of Practice for Procurement: <http://www.nswprocurement.com.au/Government-Procurement-Frameworks/Overarching-Procurement-Environment/Code-of-Practice-and-Implementation-Guidelines.aspx>

NSW Government Tendering Guidelines

The Tendering Guidelines provide agencies with a structured approach to planning and implementing tendering and associated processes. The Guidelines also provide industry with an understanding of the processes undertaken by NSW Government agencies to ensure fairness and probity in tendering. To view the NSW Government Tendering Guidelines: http://www.nswprocurement.com.au/psc/nsw_government_guidelines/tendering_guidelines.pdf

Corruption prevention

There are a number of documents published by ICAC. To view these: <http://www.nswprocurement.com.au/Government-Procurement-Frameworks/Overarching-Procurement-Environment.aspx>

Gateway Review System

The Gateway Reviews are independent assessments applied at key decision points in the procurement process. If a project's estimated cost is \$10m or above, or the project is assessed as high risk using the Gateway Project Profile Assessment Tool, a Gateway Strategy and Business Case Review should to be completed. To view the Gateway system: <http://www.nswprocurement.com.au/Government-Procurement-Frameworks/Gateway-Review.aspx>

Public Disclosure of Information arising from NSW Government Tenders and Contracts

The Government is committed to transparency in its tendering and contracting practices. Disclosure requirements for contracts are captured within the Freedom of Information Act 1989: http://www.dpc.nsw.gov.au/publications/memos_and_circulars/ministerial_memoranda/2007/m2007-01

Sustainability Policy for NSW Government

This Policy sets targets and strategies for sustainable water and energy use; the reduction of greenhouse gas emissions; waste and fleet management and sustainable purchasing. http://www.dpc.nsw.gov.au/publications/memos_and_circulars/ministerial_memoranda/2008/m2008-28_sustainability_policy_for_nsw_government

Procurement for construction

In addition to overarching procurement requirements that apply to all procurement, these documents apply specifically to construction projects: <http://www.nswprocurement.com.au/Government-Procurement-Frameworks/Construction/Framework.aspx>

Procurement for property and accommodation

In addition to overarching procurement requirements that apply to all procurement, there are also documents specifically covering property and accommodation projects. <http://www.nswprocurement.com.au/Government-Procurement-Frameworks/Property---Accommodation/Framework.aspx>

Feedback and Complaints

The SCCB aims to promote best practice by delivering excellence and innovative business solutions. If you have any views, suggestions or ideas on the way this service can be enhanced, our board is keen to hear from you.

For suggestions please email
nswbuy@services.nsw.gov.au

NSW Government Procurement Policy aims to ensure that Government procurement activities achieve best value for money while supporting the delivery of Government services. Any activity that contravenes the NSW Code of Practice for Procurement should be reported to the following address:

Chair
State Contracts Control Board
McKell Building
2-24 Rawson Place
SYDNEY NSW 2000

All reports will be treated in confidence.

Further Information

Further reading

NSW Government:

www.nsw.gov.au

State Contract Control Board (SCCB):

www.nswbuy.com.au

NSW Procurement State Contract
Information & Publications:

www.nswbuy.com.au

NSW Procurement Policy, Guidelines & Information

www.nswprocurement.com.au

smartbuy® online purchasing

www.nswbuy.com.au > Buying for Government

eTendering website:

www.tenders.nsw.gov.au

Independent Commission Against Corruption (ICAC):

www.icac.nsw.gov.au

**Department of Services,
Technology and Administration**

NSW Procurement

McKell Building, 2-24 Rawson Place

Sydney NSW 2000

nswbuy@1800NSWBUY (679 289)

www.nswbuy.com.au

nswbuy@services.nsw.gov.au

A Guide to Supplying to State Contracts

SUPPLIER INFORMATION



Procurement
Government Services

A division of the Department of **Services, Technology & Administration**

FURTHER INFORMATION

For further information or to obtain a copy of the Contract Guide, please contact the Client Support Centre.



1800 NSW BUY
1800 679 289



www.nswbuy.com.au
www.nswprocurement.com.au



nswbuy@services.nsw.gov.au
