



New South Wales Government
Procurement System for Construction

Procurement Practice Guide

Performance Management

21 February 2011

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NSW Procurement Client Support Centre:

Telephone: 1800 NSW BUY (1800 679 289)

Email: nswp_support@services.nsw.gov.au

Schedule of Document Amendments

Revision Number	Date	Update Description
0.	July 2008	Document Original - first publication
1.	21 February 2011	<p>Department of Services Technology & Administration inserted to replace all references to the Department of Commerce.</p> <p>Sections 2.5, 3.4, 5.5: Include reference to new report template: Project Director Performance Report.</p> <p>Section 2.5: Remove Gateway Review element from Performance Management System as data now resides with NSW Treasury.</p> <p>Section 2.5: Identify contribution of Stakeholder Performance Reports to the overall performance score of Contractors and Project Managers when combined with relevant CPR and Project Manager Performance reports respectively.</p> <p>Section 4.2: Clarification that a copy of any amended performance report is to be forwarded to the relevant Contractor or Consultant</p> <p>Section 4.3: Clarify that performance reports are actually required to be delivered to the Department by the first week in February, May, August and November (with reports covering the preceding 3 month period)</p> <p>Section 4.4 clarified to indicate the need to provide the contractor or consultant with a copy of the fully completed and signed performance report to assist the contractor or consultant better understand the views held as to their Performance.</p> <p>The previous Section 4.10 "Performance bonus" as in the previous document has been removed (from the current corresponding Section 5) as such bonuses are no longer applicable. Note that an alternative approach to performance recognition is introduced in Section 2.5.</p>

Performance Management

Contents

1	Definition reference links.....	1
2	Introduction.....	2
2.1	Purpose.....	2
2.2	The vision.....	2
2.3	NSW Government Procurement Policy	3
2.4	The Performance Management System.....	3
2.5	Performance Management.....	4
3	Performance reporting systems	6
3.1	Role of performance reporting in the Procurement System.....	6
3.2	Objectives of performance reporting.....	7
3.3	Benefits of performance reporting	7
3.4	Types of reports.....	8
4	Contractor & Consultant Performance Reporting (CPR) System	9
4.1	Contractor & consultant performance reporting behaviour.....	9
4.2	Contractor & consultant performance reporting process	9
4.3	When to prepare contractor & consultant performance reports	11
4.4	Content of Performance Reports	11
5	Stakeholder Performance Review & Reporting (SPR) System	12
5.1	System scope.....	12
5.2	SPR - A distinct reporting system	12
5.3	Objectives.....	12
5.4	SPR system.....	13
5.5	SPR process.....	13
5.6	SPR Report Elements	14
5.7	Consultation during SPR process.....	14
5.8	SPR preparation	14
5.9	SPR information utilisation.....	15
5.10	SPR management	15
5.11	Confidentiality.....	15
6	Data management.....	16
6.1	Access to CCMS reports and data.....	16
6.2	CCMS Restriction codes	16
6.3	Release of Contractor & Consultant Performance Reporting information to outside organisations	17
7	Legal aspects of performance reporting.....	18
8	The Performance - Prequalification relationship.....	20
8.1	Contractor & consultant prequalification schemes	20
8.2	Performance management provisions	20
8.3	Performance management procedures	21
9	Contractor & consultant performance management - Review List	21
9.1	Introduction.....	21
9.2	Contractor and Consultant Review List	22
9.3	Placement of a contractor or consultant on the Review List.....	22
9.4	Management of the Review List	23
10	Department of Services Technology & Administration Panel of Assessors	23
11	Improvement & Feedback.....	25

1 Definition reference links

Key terminology, documents and systems may be referenced by access to the **internet links below**:

- *2008-2010 Contractor Prequalification and Best Practice Accreditation Scheme*
- *Code of Conduct for a Tender Process*
- *Consultant Performance Report*
- *Consultant Prequalification Scheme 2008-2011*
- *Contractor Performance Report*
- *GC21 Edition 1 General Conditions of Contract*
- *GC21 Meetings and Workshops*
- *NSW Government Code of Practice for Procurement*
- *NSW Government Procurement System for Construction*
- *NSW Procurement Client Support Centre*
- *Performance management actions*
- *Performance management (procurement practice guide – THIS document)*
- *Project Director Performance Report*
- *Project Manager Performance Report*
- *Sample letter A - Notice to contractor or consultant inviting comment on Performance Report*
- *Sample Letter B - Notice to contractor or consultant when limited aspects of performance have been reported as unsatisfactory*
- *Sample Letter C - Notice to contractor or consultant when several and/or critical aspects of performance have been reported as unsatisfactory.*
- *Sample Letter D - Contractor's or consultant's performance may warrant the application of a sanction;*
- *Sample Letter E – Contractor's or consultant's business relationship with the Department may warrant the application of a sanction*
- *Sample Letter F - Decision by Panel of Assessors to apply a sanction to restrict future tendering opportunities to a contractor or consultant*
- *Sample Letter G - Informing Liquidator / Receiver Manager/ Administrator of the placement of the contractor or consultant on the Review List.*
- *Stakeholder Performance Report on the Client by the Contractor*
- *Stakeholder Performance Report on the Client by the Project Manager*
- *Stakeholder Performance Report on the Contractor by the Client Representative*
- *Stakeholder Performance Report on the Project Manager by the Contractor*

2 Introduction

2.1 Purpose

This Procurement Practice Guide applies to the performance management of:

- contractors carrying out construction contracts valued at \$0.5M or more;
- consultants carrying out consultant engagements valued at \$30,000 or more;
- contractors and consultants whenever a critical aspect of performance is unsatisfactory; and
- key stakeholders of construction contracts valued at \$1.0M or more procured under the NSW Government *Procurement System for Construction*.

An overview is provided of each of the system components of the Performance Management system operated under the NSW Government *Procurement System for Construction*, including:

- Contractor Prequalification and Best Practice Accreditation Scheme;
- Consultant Prequalification Scheme;
- Tendering and selection of Tenderers;
- Contractor and Consultant Performance Monitoring, Reporting and Management System; and
- Stakeholder Performance Review.

Detailed guidance is provided for agencies, contractors, consultants and other stakeholders who participate in the reporting and management systems that include:

- Contractor and Consultant Performance Reporting system;
- Stakeholder Performance Review and Reporting system;
- Performance Data Management;
- Contractor and Consultant Performance Management Review List; and
- Department of Services Technology & Administration Panel of Assessors.

2.2 The vision

The NSW Government's vision is to bring about sustained improvement in productivity and quality across the construction industry to deliver best value for money outcomes. This vision is being realised by the industry advancing in terms of its capability to deliver comprehensive solutions; developing an efficient and profitable industry through improved business management and the associated lifting of skills; an innovative culture with its associated contribution from information technology; and an environmentally responsible approach to changes in the built environment.

The actions in this NSW Government procurement framework for construction cover strategies across a broad field including business ethics, security of payment, workplace development, ecological sustainability, continuous improvement, and encouragement and recognition of good performance.

In support of this vision, a key procurement strategy is to facilitate ongoing improvement in industry performance and to encourage and reward better performance by service providers on government contracts. This is accomplished by offering more opportunities to do business together with the offer of longer-term relationships.

Under the NSW Government *Procurement System for Construction*, the Department of Services Technology & Administration has developed and implemented an integrated systems approach to performance management within the context of the

New South Wales Government Procurement Policy. A strong focus on comprehensive supplier performance and stakeholder feedback on performance is the centrepiece of the integrated approach to construction procurement.

2.3 NSW Government Procurement Policy

In July 2004, the NSW Government introduced a range of procurement policy reforms. Key elements of the reforms included:

- a simplified procurement policy, with a single Code of Practice for Procurement;
- Gateway Reviews;
- an Agency Accreditation Scheme for construction projects; and
- enhanced Treasury monitoring for construction projects.

Under these new arrangements, specific agencies are accredited by Treasury to carry out, unassisted, planning and/or delivery activities associated with the procurement of built assets. Those agencies without accreditation are required to obtain assistance from relevant external experts such as are available from the private sector or from an accredited agency such as the Department of Services Technology & Administration. External experts must use the NSW Government *Procurement System for Construction* maintained by the Department of Services Technology & Administration.

The objective is to assist agencies to make appropriate and informed decisions particularly in major procurements, without diminishing their accountability for outcomes.

When establishing the procurement policy, the NSW Government established behavioural requirements of the stakeholders to a procurement project. The NSW Government *Code of Practice for Procurement*, at Section 4 Standards of Behaviour, includes the requirement that all parties' behaviour includes **Co-operation**, which is defined as:

“Parties will maintain business relationships based on open and effective communication, respect and trust, and adopt a non adversarial approach to dispute resolution.”

The NSW Government *Procurement System for Construction* contractor and consultant performance management procedures are based on the principles of procedural fairness.

It is critical to the application of the contractor and consultant performance management procedures that project directors, project managers and agency representatives involved in the administration of contracts for NSW Government agencies have a sound understanding of procedural fairness and adopt a co-operative approach when undertaking any aspect of performance management.

2.4 The Performance Management System

This integrated approach to performance management encompasses the following key components:

Prequalification and Best Practice Accreditation Scheme

- Prequalification of contractors and consultants to be eligible for selection to tender for construction related works.
- Best Practice Accreditation for construction contractors to encourage continuous improvement.

The Department of Services Technology & Administration prequalifies contractors for various categories of works valued more than \$0.5M. The Department also prequalifies various categories of technical consultants including project directors

and project managers. Panels of contractors are prequalified based on their technical capability, financial capacity, relevant experience and performance.

Best Practice Accreditation further recognises construction contractors (prequalified for contracts valued more than \$2.5M) based on additional performance attributes. The prequalified construction contractors who additionally achieve Best Practice accreditation qualify for a greater number of business opportunities under the Department's systems. This in turn assures superior and sustained performance outcomes for Government.

Tendering and selection of Tenderers

Prequalified panels expedite tenderer selection based on a range of criteria including:

- performance; and
- tenderer review.

Selection of tenderers for a given tender is based on a comprehensive multi-criteria decision making process. A selection committee, comprising Agency and Department of Services Technology & Administration officers, ranks and selects from the prequalified contractors and consultants according to a number of established criteria.

The ranking process makes use of performance scores based on relevant Contractor or Consultant Performance Reports in combination with Stakeholder Performance Reports.

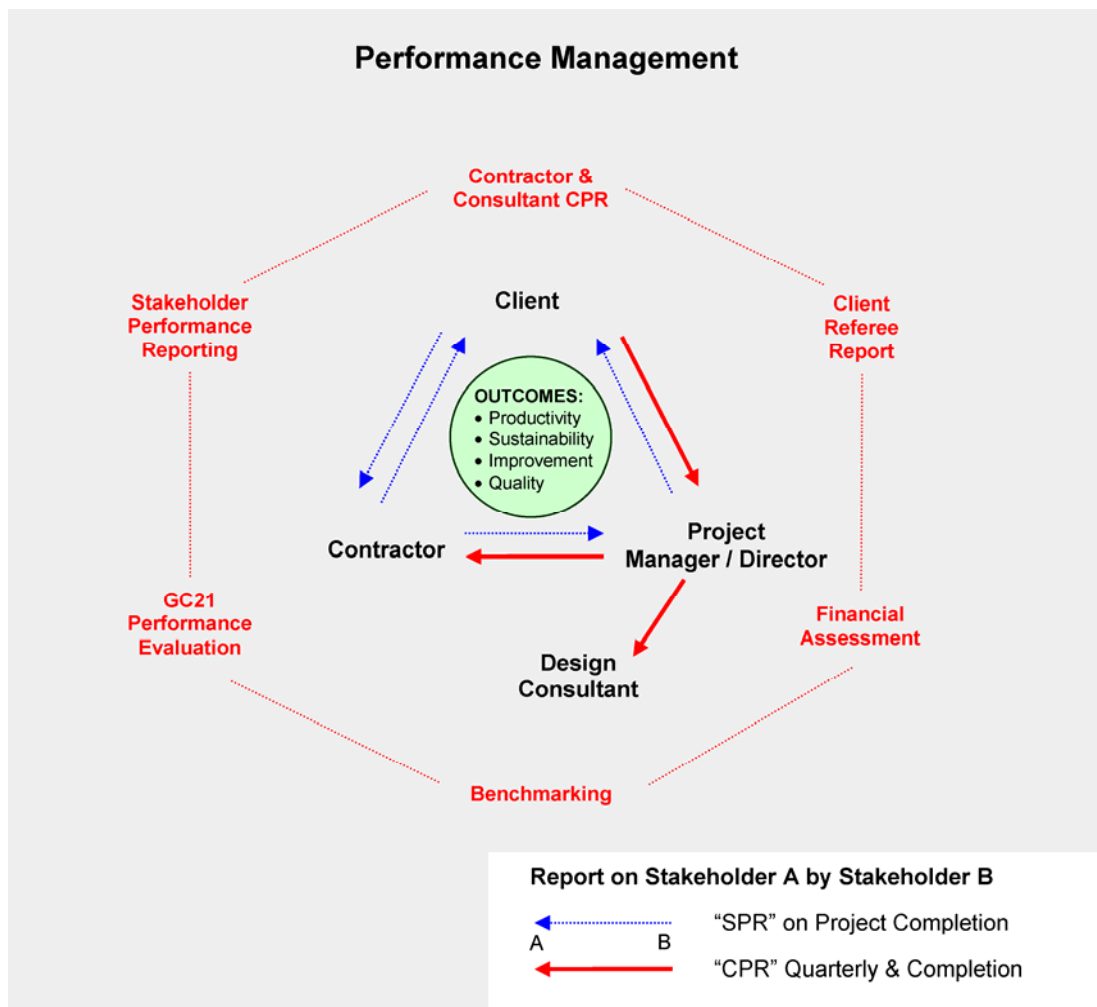
2.5 Performance Management

Within the NSW Government *Procurement System for Construction* the Performance Management System includes a range of procurement life cycle reporting processes such as:

- Contractor and Consultant Performance Reporting (CPR)
- The Stakeholder Performance Review and Reporting system (SPR)
- Client Referee Reports
- GC21 Performance Evaluation Forms
- Benchmarking

The above system elements are further supplemented through information provided by:

- Project Audits
- OHS Management System Audits
- GC21 Start Up Workshops
- GC21 Close Out Workshops



Contractor and Consultant Performance Reporting System

The Contractor and Consultant Performance Reporting system includes:

- contract specific performance measurement.
- non-project organisational performance measurement and feedback.
- proactive performance management, featuring rewards and sanctions.

After the award of the contract the Department's supplier performance reporting process enables ongoing monitoring of suppliers' performance. Ongoing review of the suppliers' performance provides opportunities to ensure delivery of superior contracting outcomes.

The system components are designed to deliver superior client outcomes by reducing risks of engaging with contractors and consultants whose performance record is unsatisfactory.

Reporting takes place at key stages in the lifecycle of a contract or engagement (for details, refer to sections 2 and 3 of this Procurement Practice Guide).

Note that in this context Consultants consist of Project Managers, Design Consultants and other relevant consultants.

Stakeholder Performance Review and Reporting

3 key stakeholders comprising the client, contractor and project manager review each other's performance upon completion of the project (for details, refer to sections 2 and 4 of this Procurement Practice Guide).

The Stakeholder Performance Review and reporting process systematically captures and monitors the satisfaction of major stakeholders with project and relationship outcomes following the completion and operation / occupancy of building projects.

The Stakeholder Performance Review and Reporting system provides key stakeholders with the opportunity to report on the stakeholders' performance. The reports may be prepared upon completion of contracts valued at \$1.0M or more. This facilitates the development of a more complete understanding of project procurement by identifying opportunities for improving future project relationships and management practices.

Stakeholder Performance reports contribute to the overall performance score of Contractors and Project Managers when combined with relevant Contractor Performance Reports and Project Manager Performance Reports respectively. (Refer to the guidenotes within the individual Performance Report templates for details on scoring calculation methodology). Stakeholder Performance Reports influence the performance ranking of firms which governs the positioning of firms on the list of capable organisations reviewed by Client Agencies when deciding on the allocation of opportunities to tender on future work. Ranking is subject to ongoing change as new performance reports are received and as older reports are discarded from consideration. Reports which are within two (2) years of the specified reporting period are considered for ranking purposes.

Client Referee Reports

Reports are requested from external clients by a contractor or consultant to support their application for prequalification or Best Practice Accreditation. For details, refer to:

- Consultant Prequalification Scheme 2008-2011, or
- 2008-2010 Contractor Prequalification and Best Practice Accreditation Scheme

GC21 Performance Evaluation Forms

The evaluations are carried out by each major stakeholder on a project, typically on a monthly basis during the life of a project. The project team then decides on agreed ratings. Ratings trends are mapped during the life of the project. For details, refer to the NSW Government *GC21 Edition 1 General Conditions of Contract*.

Benchmarking

A range of comparisons of contractor and consultant performance are conducted including of contractor performance with competitors (an internal review process of the Department of Services Technology & Administration).

3 Performance reporting systems

3.1 Role of performance reporting in the Procurement System

The successful implementation by the Department of Services Technology & Administration of the following NSW Government *Procurement System for Construction* elements depend significantly on the preparation of timely and accurate Performance Reports:

- contractor and consultant prequalification (including evaluation of expressions of interest);
- Best Practice accreditation;
- tenderer selection;

- tender evaluation; and
- contractor and consultant performance management.

3.2 Objectives of performance reporting

The objectives of performance reporting are to:

- encourage contractors and consultants to implement a business culture of continuous improvement to benefit themselves and their clients;
- provide the Department of Services Technology & Administration with performance data from past and current contracts to identify the best performing contractors and consultants;
- ensure that the best performing prequalified contractors and consultants are offered more tendering opportunities than other contractors;
- share information with other NSW Government agencies on contractor and consultant performance on current and past contracts; and
- facilitate the development of a more complete understanding of project procurement by identifying opportunities for improving future project stakeholder relationships and management practices.

3.3 Benefits of performance reporting

Benefits to contractors and consultants:

- contractors and consultants may secure more business opportunities by achieving favourable performance results. Past and current performance is:
 - a major consideration whenever tenderer panels are chosen; and
 - taken into account when tenders are evaluated;
- concerns about performance are raised at the earliest opportunity, when there is the greatest scope for improvement;
- participation in regular performance monitoring and formal performance reporting encourages a cooperative relationship through proactive and constructive discussion at the project level;
- performance reporting helps contractors and consultants demonstrate their commitment to continuous improvement;
- performance reporting will particularly benefit those contractors and consultants already committed to continuous improvement and client satisfaction as it assists them to identify those aspects of their performance requiring improvement;
- maintaining records of performance will assist contractors and consultants to monitor their own performance trends over the longer term, to set targets for corporate performance improvement and to identify and correct adverse trends at the earliest opportunity;
- performance ratings could be used when marketing services to clients (However, please note that Department of Services Technology & Administration staff and agents are not entitled to give commercial endorsements for contractors or consultants); and
- Performance Reports provide the basis for contractors to periodically discuss their performance and business relationships with the Department of Services Technology & Administration at a senior management level.

Benefits to the NSW Government Agencies and the Department of Services Technology & Administration:

- Performance Reports substantially assist Government Agencies and the Department of Services Technology & Administration in identifying the best performing contractors and consultants;

- subject to availability of work, the Department of Services Technology & Administration is best able to support NSW Government Agencies under the NSW Government *Procurement System for Construction* by being able to offer better performing contractors and consultants for works and services;
- Performance Reports are used to support the NSW Government's approach to encourage continuous improvement in performance by contractors and consultants; and
- Performance reports are available as reference documents for Agencies and the Department of Services Technology & Administration when:
 - tenderer panels are selected;
 - expressions of interest are evaluated;
 - tenders are evaluated;
 - due to unsatisfactory performance a decision needs to be made on the Prequalification status of a contractor or consultant, or Best Practice Accreditation status of a contractor; or
 - when, due to a contractor or consultant's unsatisfactory performance, default or insolvency, Review List action may be required to be taken by the Department of Services Technology & Administration.

3.4 Types of reports

During a Construction Contract or Consultant Engagement

Contractor and Consultant Performance Reports (CPR's) are required to be prepared during contracts and consultant engagements. These include the following:

- *Contractor Performance Report* on the contractor's performance, prepared by the Project Manager;
- *Consultant Performance Report* on the performance of technical consultants, prepared by the Project Manager; and
- *Project Manager Performance Report* on the performance of the Project Manager, prepared by the Client/Agency Representative responsible for the project; and
- *Project Director Performance Report* on the performance of the Project Director, prepared by the Client/Agency Representative responsible for the project.

Upon Completion of Construction Works

The Stakeholder Performance Review (SPR) reporting procedures supplement contractor performance management procedures for projects involving construction contracts valued at \$1M or more.

Following contractual Completion on a GC21 contract (or Practical Completion under other forms of contract), in addition to the CPR's the key contract stakeholders comprising the client, contractor and project manager may prepare the following performance reports to provide additional performance feedback to the Department of Services Technology & Administration and the key contract stakeholders:

- *Stakeholder Performance Report on the Project Manager by the Contractor;*
- *Stakeholder Performance Report on the Contractor by the Client Representative*
- *Stakeholder Performance Report on the Client by the Project Manager;* and
- *Stakeholder Performance Report on the Client by the Contractor.*

4 Contractor & Consultant Performance Reporting (CPR) System

4.1 Contractor & consultant performance reporting behaviour

Contractor and consultant performance reporting should be based on the following:

- the mutual objective of the parties to a contract to achieve continuous performance improvement;
- open, proactive and objective performance monitoring and periodic formal reporting by the representatives of both parties to a contract or consultant engagement;
- performance reporting becoming the responsibility of both parties;
- proactive approach to initiating and encouraging dialogue by either party to discuss performance and performance reporting matters including making arrangements for formal performance reporting consultation meetings.
- performance being on the agenda at regular formal contract meetings (eg weekly site meetings);
- performance issues being promptly addressed by the parties concerned;
- “no surprises” - performance issues being discussed openly with the contractor or consultant to ensure that concerns (such as dissatisfaction with performance) do not come as a surprise when subsequently documented in the next Contractor or Consultant Performance Report;
- the utilisation of performance reporting as a tool to facilitate the identification and resolution of project concerns,
- objective statements or documents consistent with and supporting the performance rating provide the foundation for the ratings recorded in a performance report; and
- assessment of the performance of the contracting organisation takes account of individual behaviour when necessary to highlight performance problems for resolution;

4.2 Contractor & consultant performance reporting process

The Reporting Officer, a representative of the Principal (usually the project manager), prepares the Contractor or Consultant Performance Reports. Reports should be prepared during regular face-to-face meetings with the representative of the contractor or consultant.

When the report is prepared, the Reporting Officer:

- provides a copy of the Performance Report (completed and signed) to the Contractor or Consultant Representative; and
- forwards the original Performance Report (completed and signed) to the Manager, Supplier Management Systems, Policy Support Services Group, Department of Services Technology & Administration (for entry of the report information into the Department’s Contractor and Consultant Management System (CCMS)).

The Reporting Officer may enclose the Performance Report with the following sample letter when issuing the Performance Report to the Contractor or Consultant:

- *Sample letter A* - Notice to contractor or consultant inviting comment on Performance Report.

If the contractor or consultant disagrees with the performance report, the representatives of the parties should attempt to resolve the disagreement in the first instance. Following an unsuccessful attempt to resolve a disagreement, the

disagreement is to be resolved by the contractor or consultant referring the report, with written reasons for the disagreement, to the Executive Officer. The Executive Officer is required to:

- meet with the contractor or consultant and the Reporting Officer to consider the report and reasons;
- decide on the disagreement;
- if necessary, amend the report; and
- forward a copy of any amended Performance Report (completed and signed) to the Contractor or Consultant Representative; and
- forward any amended Performance Report (completed and signed) to the Manager, Supplier Management Systems, Policy Support Services Group, Department of Services Technology & Administration (for entry of the amended report information into the Department's Contractor and Consultant Management System (CCMS) database).

The Executive Officer may enclose the response to the Performance Report with one of the following sample letters when responding to the contractor or consultant:

- *Sample Letter B* - Notice to contractor or consultant when limited aspects of performance have been reported as unsatisfactory; or
- *Sample Letter C* - Notice to contractor or consultant when several and/or critical aspects of performance have been reported as unsatisfactory.

At the commencement of the contract or engagement, the Principal's representative is required to notify the contractor or consultant of the name of the Executive Officer. The Executive Officer should be suitably experienced and qualified in a discipline appropriate to the nature of the work being carried out under the contract or engagement. The Executive Officer is a senior officer of the consultant or Agency representative engaged as the Principal's Project Director or Project Manager responsible for the administration of the contract or engagement.

The following table identifies the persons involved in the preparation of Performance Reports, and resolution of disagreements about reported performance, for the respective General Conditions of Contract used under the NSW Government Procurement System for Construction:

Persons involved in the preparation of Performance Reports

General Conditions/ Conditions of Agreement	Reporting Officer	Executive Officer	Contractor or Consultant Representative
Mini Minor Works	Principal's Authorised Representative	The Principal's Project Manager or senior delegate	Contractor's Authorised Representative
Minor Works	Principal's Representative	The Principal's Project Manager or senior delegate (eg Principal's Agent)	Contractor's Representative
GC21	Principal's Authorised Person	The Principal's Project Manager or senior delegate (eg Principal's senior executive)	Contractor's Authorised Person
Consultancy Services	Principal's Representative	The Principal's Project Manager or senior delegate	Consultant's Representative
Project Management Services	Principal's Representative	A senior officer of the Government Agency responsible for the project	Project Manager's Representative

Note: Attention is drawn to the important differences between preparing a Contractor or Consultant Performance Report and reporting on the outcomes of a GC21 Construction Contract Evaluation and Monitoring meeting. These differences are detailed in the Procurement Practice Guide *GC21 Meetings and Workshops*.

4.3 When to prepare contractor & consultant performance reports

Contractor performance reporting frequency

Under the NSW Government *Procurement System for Construction*, Contractor Performance Reports are prepared for all **contracts valued at \$0.5M or more**:

- to be delivered to the Department by the first week in February, May, August and November (with reports covering the preceding 3 month period);
- at Completion for Minor Works and GC21 contracts;
- at the end of the Defects Liability Period (Minor Works contracts);
- whenever a critical aspect of performance is unsatisfactory, for example if:
 - a management system (OH&S, environmental or quality) audit reports unsatisfactory performance; or
 - the contractor fails, within the time specified, to make good defects discovered after Completion on GC21 contracts; or
- at termination of a contract (if occurring).

For **contracts valued less than \$0.5M**, Contractor Performance Reports are required whenever a critical aspect of performance is unsatisfactory.

Consultant and Project Manager performance reporting frequency

Under the NSW Government *Procurement System for Construction*, Consultant Performance Reports and Project Manager Performance Reports are required to be prepared for all **engagements valued at \$30,000 or more**:

- to be delivered to the Department by the first week in February, May, August and November (with reports covering the preceding 3 month period);
- at the completion of the engagement;
- whenever a critical aspect of performance is unsatisfactory;
- during the course of construction or implementation stages, if it becomes apparent that the standard of documentation or services delivered by the consultant are found to be unsatisfactory; and
- at termination of the engagement (if occurring).

For **engagements valued at less than \$30,000**, the Reporting Officer must complete and submit a performance report if the performance of the consultant, project director or project manager is unsatisfactory.

Irrespective of the contract or engagement value, a Performance Report must be prepared whenever a critical aspect of performance has been identified as unsatisfactory.

Contractor and Consultant Performance Reports must include:

- detailed reasons for reporting the Performance Evaluation Criteria rated as unsatisfactory; and
- when appropriate, copies of documents supporting the unsatisfactory rating (eg audit report, Workcover notice, photographs).

4.4 Content of Performance Reports

The standard Performance Report form, is comprised of five parts:

- Contractor, Consultant or Project Manager Performance Report;
- Industry data (not used for monitoring performance)
- Executive Officer's Comments (if evaluation differs significantly in any aspect from the Reporting Officer's Evaluation);
- Performance Reporting System guidance; and
- Performance Evaluation Criteria.

It is recommended that Reporting Officers:

- always refer to the Performance Evaluation Criteria- Detailed Considerations and the Contractor or Consultant Performance Reporting System guidance whenever preparing a Contractor or Consultant Performance Report;
- apply the principles set out in this Procurement Practice Guide to performance reporting on construction contractors and all categories of consultants (i.e. this document);
- provide the contractor or consultant with a copy of the fully completed and signed performance report as well as the portions of the report describing the Performance Reporting System guidelines, Performance Evaluation Criteria and Steps for completing a Performance Report. This is to assist the contractor or consultant to better understand the views held as to their Performance; and
- submit the completed Performance Report to the address indicated on the form.

5 Stakeholder Performance Review & Reporting (SPR) System

5.1 System scope

The Stakeholder Performance Reviews are a part of the Performance Management System linking and integrating all performance management processes into an “end of construction cycle” performance monitoring and management system. The reviews may also be initiated during the life of the project by a key stakeholder.

Contractors, consultants and project managers prequalified under any of the Department of Services Technology & Administration prequalification schemes are key participants in this integrated process.

The review process applies to the nominated stakeholders involved with construction contracts delivered through the NSW Government *Procurement System for Construction* when the contract price is valued at \$1.0M or more.

Stakeholder Performance Reports represent a component of the Performance Management System operated by the Department of Services Technology & Administration under the NSW Government *Procurement System for Construction*.

5.2 SPR - A distinct reporting system

The SPR is not to be confused with or replaced by the Performance Measurement Systems of other organisations and is not to be confused with the GC21 Performance Evaluation Form (which is a team based system of “self-measurement” and “self-improvement”). Refer to Procurement Practice Guide *GC21 Meetings and Workshops* for clarification.

5.3 Objectives

The objectives of the Stakeholder Performance Review and Reporting system are:

- to obtain a measure of the performance of each key stakeholder on a project from the perspective of the other key stakeholders. Stakeholders include the

contractor, project manager, client and consultants. In some instances, additional stakeholders may be invited to participate;

- to obtain a broad, balanced and equitable review of the entire project, including project relationship issues; and
- enable performance trend monitoring and feedback to be provided to Stakeholders for problem solving and continuous improvement.
- to contribute to the measurement of the overall performance of prequalified firms for the purposes of prequalification review and tenderer selection under the Department of Services Technology and Administrations Selective Tendering processes.

5.4 SPR system

The SPR system includes the following elements:

- A criteria and rating system that are standardised, well defined, applicable across stakeholders, quick and easy to understand, and relevant and accessible over the passage of time. The criteria enable comparison between different stakeholders and permits comparative historical review and future trend assessment.
- Generally three (3) stakeholders comprising the Client, Contractor, Project manager may participate in the SPR process.
- The system may extend to other stakeholders if considered desirable by either the stakeholders and/or the Department of Services Technology & Administration.
- The stakeholders conduct their reviews following the completion of a project and following a period of normal business operation utilising the completed project usually within three (3) months of completion.
- The system attributes include robustness, fairness and transparency in business processes.

5.5 SPR process

The Stakeholder Performance Review process may be carried out following contract completion. The reviews may also be initiated during the life of the project by a key stakeholder.

This process makes use of the four standard performance reports that are prepared through the course of contracts:

- *Contractor Performance Report;*
- *Consultant Performance Report;* and
- *Project Manager Performance Report;* and
- *Project Director Performance Report;*

and four, generally “one-off” Stakeholder Performance Reports including:

- *Stakeholder Performance Report on the Project Manager by the Contractor;*
- *Stakeholder Performance Report on the Contractor by the Client Representative*
- *Stakeholder Performance Report on the Client by the Project Manager;* and
- *Stakeholder Performance Report on the Client by the Contractor.*

Report	Frequency
1. Consultant Performance Report	Quarterly and upon Completion
2. Contractor Performance Report	
3. Project Manager Performance Report	
4. Project Director Performance Report	
5. Stakeholder Performance Report on the Project Manager by the Contractor	Within 3 months of Completion of the construction contract
6. Stakeholder Performance Report on the Contractor by the Client Representative	
7. Stakeholder Performance Report on the Client by the Project Manager	
8. Stakeholder Performance Report on the Client by the Contractor	Additional optional reporting may be initiated during the project.

5.6 SPR Report Elements

The Stakeholder Performance Report forms are comprised of two parts:

- Stakeholder Performance Report; and
- Performance Reporting System Guidelines

Stakeholder Performance Reports should be prepared in the following manner:

- Each stakeholder, reflects upon and considers the performance of another stakeholder, prior to the preparation of individual reports.
- The Stakeholder that is to prepare the report arranges to meet face-to-face with the other stakeholder who is the subject of the report to discuss performance and to prepare the report.
- Stakeholders preparing a report may attach to the report additional clarification or supporting information, where available. This may include copies of correspondence, newspaper clippings, newsletter extracts, photos, articles etc.
- The completed and signed Stakeholder Performance Report, including all attachments, should be promptly forwarded to:
 - the Stakeholder who is the subject of the report.
 - the Department of Services Technology & Administration (refer to the relevant forms for address details).

5.7 Consultation during SPR process

Preparation of Stakeholder Performance Reports should be a matter for discussion at the first site meeting and at regular intervals thereafter. The purpose and function of the SPR process report should be discussed and clearly differentiated from the periodic CPR reports and the GC21 Team Performance Evaluation.

As with the Contractor or Consultant Performance Reports, a stakeholder completing an SPR report is to consult during preparation with a stakeholder that is the subject of the report. This is to include face to face consultation. A copy of the SPR report is to be provided to both the Department of Services Technology & Administration as well as the subject of the report.

5.8 SPR preparation

Stakeholders preparing SPR reports are to provide honest and fair commentary that is constructive and balanced. This includes clearly stating performance issues,

concerns and problems experienced as well as acknowledging significant positive outcomes. Stakeholders are to carefully consider the guidance given in these guidelines when preparing SPR reports.

Preparation and submission of these SPR reports is encouraged from:

- Project Managers Prequalified under the Consultant Prequalification Scheme.
- Contractors prequalified under the Contractor Prequalification and Best Practice Accreditation Scheme.

5.9 SPR information utilisation

Upon completion of analysis of the SPR reports for a project, a summary of stakeholder performance outcomes may be communicated by the Policy Support Services Unit of the Department of Services Technology & Administration and to key project stakeholders.

SPR outcome reports will provide insight for stakeholders into areas of success and opportunities for improvement. Stakeholders should review the summary reports and seek to address any issues raised so as to promote improved project and relationship outcomes on current and future projects.

5.10 SPR management

The performance of contractors and consultants will be monitored and managed by the Policy Support Services Unit of the Department of Services Technology & Administration in accordance with the systems, processes and procedures described in Sections 3, 7 and 8 of the Performance Management Systems Guidelines.

For other stakeholders when, as a result of a stakeholder performance outcome review, the Policy Support Services Unit of the Department of Services Technology & Administration identifies a significant performance trend of concern on a project or across multiple projects:

- the stakeholder involved will be contacted by the Department and will be provided with the performance outcome review;
- clarification of the issues involved will be sought from the stakeholder; and
- a response invited from the stakeholder regarding any corrective action that has been taken or is planned to be taken to overcome the issue reported.

Where further resolution is required the Department may arrange to meet with the stakeholders individually. Meetings with project stakeholders may be extended to include a broader forum of stakeholders where a systemic problem is identified for resolution.

5.11 Confidentiality

The information provided in Stakeholder Performance Reports is treated as confidential and will not be disclosed outside of NSW Government Agencies except in the following circumstances:

- With the agreement of the Agency responsible for the project, to resolve project, systems and relationship management issues, a summary of key issues and concerns of an SPR report may be discussed with other project stakeholders. The report itself will not be made available to other stakeholders.
- Discussions with the subject of the report.
- When required by Law.

6 Data management

6.1 Access to CCMS reports and data

The Contractor and Consultant Management System (CCMS) managed and operated by Policy Support Services Group, Department of Services Technology & Administration, contains confidential information regarding the performance of contractors and consultants.

Access to Contractor and Consultant Performance Reports and associated CCMS performance analysis reports is restricted to:

- Department of Services Technology & Administration Authorised CCMS Officers from Policy Support Services Group and the Department's Regional Offices;
- NSW Government Agency staff responsible for projects; and
- Department of Services Technology & Administration prequalified private sector project managers and project directors when engaged under the NSW Government *Procurement System for Construction* by a NSW Government agency to procure a construction related project for the agency.

A read-only section of the Contractor and Consultant Performance Reporting System allows Department of Services Technology & Administration staff and authorised agents from offices administering contracts to review the performance of contractors and consultants. Data is regularly downloaded when received by Department of Services Technology & Administration, Policy Support Services Group.

Department of Services Technology & Administration Authorised CCMS Officers, NSW Government Agency staff and private sector project directors and project managers, when engaged on projects by NSW Government agencies, must:

- not release information to any external organisation;
- not disclose the password to any other person;
- only check the performance of contractors and consultants relevant to their duties;
- not generate reports not relevant to their duties;
- ensure the secure storage of any reports generated in hard copy form; and
- ensure the destruction of hard copy reports which have been generated in error or which are no longer required.

All users must respect the confidentiality of the data maintained within CCMS.

WARNING

Unauthorised access to or misuse of data may lead to disciplinary proceedings and/or civil action.

Prior to responding to requests from external organisations for contractor or consultant performance information, Authorised CCMS Officers and private sector project directors and project managers, while engaged to procure construction projects for NSW Government agencies, must check and follow the procedures detailed in Section 8.

6.2 CCMS Restriction codes

If, following the implementation of the Department of Services Technology & Administration contractor and consultant performance management system procedures, a restriction is placed on a contractor or consultant's future business opportunities for work arranged by the Department of Services Technology & Administration and/or under the NSW Government *Procurement System for Construction*, the type of restriction will be recorded under the following CCMS Reference Codes:

- A Administrator Appointed;
- B Unsatisfactory Business Relationship;
- C Referred by NSW Construction Consultative Committee (CCC);
- E Licence Externally Appointed;
- F Unsatisfactory Financial Situation;
- I Under Investigation by investigatory or Law Enforcement Agency;
- L Liquidator Appointed;
- P Unsatisfactory Performance;
- R Receiver Manager Appointed;
- S Suspension under Contractor Prequalification & Best Practice Accreditation Schemes; and
- X Non compliance with the NSW Government *Code of Practice for Procurement*.

6.3 Release of Contractor & Consultant Performance Reporting information to outside organisations

The Department of Services Technology & Administration's standard tendering conditions warn contractors and consultants that performance information may be released to external organisations such as other NSW Government departments and agencies and to local government authorities when local government authorities are a Department of Services Technology & Administration construction project client.

As a part of the tender probity process, Department of Services Technology & Administration and Agency staff, and private sector project managers and project directors involved in tenderer selection, tender evaluation or contractor performance management must sign the *Code of Conduct for a Tender Process*, prior to gaining access to contractor performance information relevant to the contracts they are engaged on.

The following Section, Legal Aspects of Performance Reporting, includes guidance on appropriately managing and limiting access to performance information.

To protect Department of Services Technology & Administration officers and agents, as far as possible from complaints and legal action by contractors, consultants and others regarding performance reports, it is the Department's policy to only assess, comment on and/or take action regarding performance by using any Performance Report in accordance with the Department's performance management system procedures.

WARNINGS

1. Department of Services Technology & Administration officers and agents are not permitted to provide outside organisations with verbal or written personal endorsements or comments regarding the performance of contractors or consultants on current or past contracts arranged by the Department and/or under the NSW Government *Procurement System for Construction*.
2. Except as detailed in this Procurement Practice Guide and any relevant Condition of Tendering, Department of Services Technology & Administration officers and agents are not permitted to provide outside organisations with Contractor or Consultant Performance Reports or any related information.

Contractors and consultants are entitled to a copy of documents and reports on their performance held by the Department of Services Technology & Administration. If a contractor or consultant requests information on past or current performance, the request should be forwarded to the *NSW Procurement Client Support Centre*

The Department of Services Technology & Administration maintains all construction related contractor and consultant performance records.

All requests from external organisations for information regarding a contractor's or consultant's past or current performance must be referred to the *NSW Procurement Client Support Centre*.

7 Legal aspects of performance reporting

In the course of their duties, Department of Services Technology & Administration project staff, Agency staff and private sector project managers and project directors involved in the administration of NSW Government agency contracts will be required to report on the performance of contractors, consultants and other stakeholders. The following sections outline the legal position of those persons in regard to action taken by a contractor, consultant or other entity over statements made in Performance Reports:

What Action can a contractor or consultant take against the Writer of a Report?

A firm may take action against the writer of the report, or any part of the report, if the statements in that report generally "impugn" or call into question the firm in the method of conducting its affairs, for example, by accusing it of fraud or mismanagement. The firm could sue for defamation.

What is Defamation?

A defamatory statement is a statement which is likely to lead ordinary reasonable people to think less of the person about whom, or the firm about which, it is made.

Defamation involves the seeing of the report by someone other than the firm that is the subject of the report.

Since a firm can have no social reputation the implications must attack its commercial reputation.

Protection of the Writer of a Report

A person is not liable for a defamatory publication if "qualified privilege" applies (i.e. if it is made by a person in the discharge of a public or private duty).

If the statement is fairly warranted and honestly made such communications are protected.

The "qualified privilege" protection will not apply if:

- the maker of the statement knew it was false;
- the statement was actuated by spite or ill will;
- extraneous material was used in the statement; or
- the statement was published to an excessive range of people.

Make sure that the report goes to the right person.

The report should be marked "confidential" and care should be taken to see that it does reach the person within the Department of Services Technology & Administration who has asked for the report.

For Department of Services Technology & Administration staff, under Section 3 of the *Employees Liability Act 1991* (NSW), the Department, as the employer, is liable to indemnify its employees against liabilities, losses and expenses incurred by its employees as a result of performing the employer's instructions, and to reimburse its employees for expenses incurred in performing his or her employment duties.

Provided the writer of a report was acting lawfully (without serious misconduct) and within the scope of his or her authority, Department of Services Technology & Administration officers are entitled to an indemnity from the Department in respect of any claim that may be commenced against him or her personally. The officer will be required to appear in court but the Department will assist with the defence of the action and will meet any liabilities, losses and expenses incurred.

Note: When engaged by NSW Government agencies under the NSW Government *Procurement System for Construction*, Department of Services Technology & Administration prequalified private sector project managers and project directors must act with a professional standard of care within the specific terms of their engagement and comply with the Department of Services Technology & Administration Code of Conduct for the Tender Process.

Defences and Justifications against Defamation

A defamatory statement must be “published” (i.e. be communicated to someone other than the “subject” of the statement) for it to be actionable. For the purposes of Performance Reports “publication” arises when a report is prepared and forwarded to its recipient. For other general purposes, defamatory matter is “published” when the maker directs it to be copied by an employee of the maker, when a memorandum is circulated within a company, when a staff bulletin is distributed within a government department or when a defendant dictates a letter.

It is irrelevant that the defendant did not intend to injure the plaintiff’s reputation, or that they failed to take reasonable care in what was published. All that is relevant is the way in which the ordinary reasonable person would understand the words that were used by the defendant.

Any statement should be phrased in such a way that it can be understood to be one of opinion and not of fact. It must, in other words, fairly appear to the reasonable reader to be a deduction, inference, conclusion, criticism, judgment, remark or observation, as distinct from a direct statement concerning a matter of public interest. It matters not how a defendant intended his words to be taken. The test is the way in which a recipient would understand them.

Provided that a defendant has succeeded in showing that his or her words are to be regarded as an opinion, he or she must further show that the facts on which those opinions are based are true. An opinion that a defendant states must be one that is honestly held by that defendant. A defendant does not have to show that his or her opinion is one that would be held by any fair minded and reasonable person, but merely that he or she, with all his or her possible biases and prejudices, honestly took the view that he or she expressed.

It is a complete defence to a claim for defamation if the defendant can prove both that, in all but the most minor respects, the statement was accurate and that the publication of the statement complained of related to a matter of public interest.

Does the Report Writer have to be an “Expert” in all Topics Reported on?

It is clearly beneficial that a person stating an honest opinion based on proven facts should be an expert. It is not, however, essential that the writer of a report need be an expert in all matters reported upon. It is essential that any words used may fairly be regarded as a statement of opinion and not one of fact and that such an opinion is based on facts that are proved to be true. A statement of opinion in this context means an opinion “honestly held” by the writer.

Reporting on Performance

The following guidelines are intended to ensure that a performance report does not give rise to a claim for defamation:

- Never report on a contractor, consultant or others where you are affected by malice.
- Any report must represent your honest opinion.
- Always report in the form “In my opinion.....”. (To assist persons preparing Contractor or Consultant or Stakeholder Performance Reports, the report has the words “In my opinion” at the start of the spaces for the comments.) Then, provided that the statement does represent your opinion, it must be true. An untrue statement can be defamatory, so it is vital to make sure that the truth of the statement can be proven. You can prove that you believed that, for example, the contractor was inefficient and lacking in management skills, but it is very difficult to prove that the contractor was in fact inefficient and lacking in management skills.
- Therefore, never say in a report that “the Contractor was ‘X’ “. Always say that: “in your opinion, the Contractor was ‘X’ “. It will be difficult, if not impossible, for the contractor to prove that the statement was not your opinion.
- Do not use superlatives. For example, do not say “In my opinion the Contractor was completely inefficient”. That opinion may be challenged. No doubt there were some areas, no matter how small, where you did not have the opportunity to observe whether or not the Contractor was inefficient. “Very inefficient” is a safer expression.

8 The Performance - Prequalification relationship

8.1 Contractor & consultant prequalification schemes

The NSW Government *Procurement System for Construction* supports the following contractor and consultant prequalification and accreditation schemes:

- Contractor Prequalification and Best Practice Accreditation Scheme for Construction Related Works for contracts valued greater than \$0.5M (Prequalified Contractors); Greater than \$2.5M (Best Practice Accredited Contractors);
- Regionally based Contractor Prequalification Schemes for Minor Works or Trade Works (for contracts valued up to \$500,000);
- Consultant Prequalification Scheme (includes technical consultants and Project Directors and Project Managers); and

8.2 Performance management provisions

The respective prequalification and accreditation schemes uniformly provide the following steps for managing ongoing compliance of prequalified and accredited contractors and consultants with the performance requirements specified under each scheme:

- monitoring of performance on tendering, financial capability, NSW Government *Code of Practice for Procurement* compliance, contract performance and project outputs and outcomes;
- surveillance and audit of the implementation of a contractor’s or consultant’s management systems, where relevant, including for quality, occupational health and safety, the environment, industrial relations and other management systems;
- providing increased tender opportunities to contractors and consultants in return for demonstrated good consistent performance;
- applying sanctions such as temporarily suspending a prequalified or accredited contractor or consultant from receiving the benefits of prequalification or accreditation as a consequence of non-compliance with the respective scheme performance requirements;

- removing the prequalification or accreditation status when, following due consideration of the circumstances, the Department of Services Technology & Administration Panel of Assessors determines that a contractor or consultant has not complied with the scheme requirements;
- providing the opportunity for a contractor or consultant, whose prequalification or accreditation status has been downgraded or removed, to request a review of the decision; and
- applying the Department of Services Technology & Administration Review List (refer to Section 8) procedures when applicable.

8.3 Performance management procedures

The table in *Performance management actions* summarises the aspects of some actions to be taken with contractors and consultants under the respective prequalification and accreditation schemes.

Complete details of the Scheme conditions and management procedures are available in the respective Scheme documents.

9 Contractor & consultant performance management - Review List

9.1 Introduction

The NSW Government *Procurement System for Construction* procedures for reviewing contractor and consultant performance are implemented in accordance with the principles of procedural fairness to ensure that:

- timely and effective action is taken in response to reports of unsatisfactory performance or the development of an unsatisfactory business relationship with a contractor or consultant;
- contractors and consultants are given the opportunity to comment on reported performance and the Department of Services Technology & Administration's concerns regarding the performance, financial capacity or business relationship with the Department or Agency using the NSW Government *Procurement System for Construction*, prior to any action the Department may choose to take to restrict the contractor or consultant's future business opportunities under the NSW Government *Procurement System for Construction*; and
- contractors and consultants that are subject to a restriction on future business opportunities under the NSW Government *Procurement System for Construction* are informed of the reasons for the restriction and have the opportunity to request a review by the Department of Services Technology & Administration.

The procedure for the review of performance depends on the completion of Performance Reports and may be initiated whenever the contractor or consultant's performance is considered to be generally unsatisfactory and one or more of the Performance Evaluation Criteria are rated as unsatisfactory in a Contractor or Consultant Performance Report.

The Department of Services Technology & Administration is responsible for the monitoring of contractor and consultant performance, benchmarking, trends analysis and strategic performance management including the application of sanctions when necessary.

In this role the Department reviews the performance of a contractor or consultant on:

- the contract for which the Performance Report was prepared indicating critical aspects of performance as unsatisfactory;

- all other current and recently completed contracts arranged under the Department of Services Technology & Administration's procurement systems;
- tenders arranged by the Department of Services Technology & Administration in recent years; and
- if relevant, on current and recently completed contracts being undertaken by the contractor or consultant for other NSW Government agencies accredited by NSW Treasury for the construction project planning and/or delivery phase.

Additionally, when unsatisfactory performance is reported, the Department of Services Technology & Administration will check and assess whether the contractor's performance reflects adversely on the contractor's status with the Department as a prequalified contractor or consultant and/or Best Practice Scheme accredited contractor.

9.2 Contractor and Consultant Review List

The Department of Services Technology & Administration maintains a Contractor and Consultant Review List (Review List) to record the names of contractors and consultants that require special consideration and/or further investigation before being considered eligible for any of the following:

- short listing as a tenderer following the calling of expressions of interest for a contract;
- prequalification as potential tenderer for a program of works;
- inclusion as a selective tenderer on a tender panel;
- invitation to tender as a single or one of a number of invited tenderers for a contract; and
- recommended as a tenderer in contention for contract award.

Contractors and consultants included on the Review List should not be short listed, prequalified, selected, invited or recommended as a tenderer or for a contract or engagement without prior consultation with the Manager, Supplier Management Systems, Policy Support Services, Department of Services Technology & Administration.

9.3 Placement of a contractor or consultant on the Review List

The table in *Performance management actions* summarises the aspects of contractor and consultant corporate status, business relationship and performance that may lead to the application of the Department of Services Technology & Administration contractor and consultant performance management Review List procedures.

The table refers to the following sample letters:

- *Sample Letter D* - Contractor's or consultant's performance may warrant the application of a sanction;
- *Sample Letter E* - Contractor's or consultant's business relationship with the Department may warrant the application of a sanction;
- *Sample Letter F* - Decision by Panel of Assessors to apply a sanction to restrict future tendering opportunities to a contractor or consultant; and
- *Sample Letter G* - Informing Liquidator / Receiver Manager/ Administrator of the placement of the contractor or consultant on the Review List.

As a general guide, contractors or consultants in the following situations are not likely to be included on the Review List because of the remoteness of their relationship to the Department of Services Technology & Administration:

- never tendered for a Department of Services Technology & Administration arranged contract;

- failed to gain prequalification with the Department of Services Technology & Administration;
- failed to become short listed as a tenderer with the Department of Services Technology & Administration following a call for expressions for interest for a particular contract; or
- related via a common parent company to a subsidiary company included on the Review List.

9.4 Management of the Review List

The names of contractors and consultants which have not met the Department's requirements for corporate status, business relationship, financial capacity or performance will be included on the Review List. Refer to the table in *Performance management actions*.

Generally, the decision to place a contractor or consultant on the Review List or remove a contractor or consultant from the Review List is made by a Department of Services Technology & Administration, Panel of Assessors. However, when a contractor or consultant is placed under external administration, the Manager, Supplier Management Systems, Policy Support Services may, at his discretion, decide to place such a contractor or consultant on the Review List without reference to a Panel of Assessors.

Every six months the Department of Services Technology & Administration systematically checks all entries on the Review List to determine whether contractors and consultants included on the Review List should remain or be placed under another more appropriate CCMS Reference Code.

Contractors and consultants that have remained on the Review List for more than two (2) years will be reminded by the Department by letter of:

- their continued inclusion on the Review List; and
- the action to be taken by the contractor for removal from the Review List.

Following receipt of a contractor or consultant's response, if any, to a reminder letter, the Department of Services Technology & Administration will prepare a recommendation to the Panel of Assessors to determine whether the contractor or consultant should continue to be included on the Review List.

The table in *Performance management actions* summarises the actions to be taken when it is necessary to:

- remove the name of a contractor included on the Review List; or
- amend the CCMS Reference Code for a contractor included on the Review List.

Whenever the Review List is amended it is re-issued electronically on a confidential basis to Department of Services Technology & Administration senior managers and executives directly involved in the procurement of construction and facilities maintenance contracts.

10 Department of Services Technology & Administration Panel of Assessors

The Department of Services Technology & Administration is a centre of expertise for the procurement of construction, goods & services and ICT for the New South Wales Government. The Department is responsible for developing, maintaining and improving the approved NSW Government *Procurement System for Construction* and for providing related support services in the use of the system to NSW Government agencies to support planning and delivery phases of construction procurement. As part of the NSW Government *Procurement System for Construction*, the Department provides and administers the Panel of Assessors.

Functions

The Panel of Assessors has three main functions:

1. It assesses applications to the Department of Services Technology & Administration from contractors and consultants for Prequalification and/or Best Practice Accreditation. The Panel determines the acceptability of the contractor or consultant for each category of work and financial range applied for, and accepts the application (with or without limitation) or rejects it.
2. The Panel reviews adverse Contractor and Consultant Performance Reports and decides on further action. This may include written and oral assessments (eg consideration of a written response from the contractor followed by an interview with the contractor) and may result in a decision by the Panel of Assessors that the Department of Services Technology & Administration shall apply a sanction.
3. It may also refer to and seek advice from specialists for technical, financial or quality assessments of applicants, prequalified contractors or consultants or other suppliers under performance review.

Composition

A quorum consists of the Chairperson and two members:

Chairperson: the Manager, Procurement Systems, Policy Support Services or nominated representative.

Secretary: an officer of Supplier Management Systems Section, Policy Support Services.

Members:

- a senior officer from any Department of Services Technology & Administration Group with experience and/or qualifications in the type of construction or service being procured; and
- another senior officer from either the Department of Services Technology & Administration or the NSW Government Agency responsible for the procurement of the related construction project or service being procured.

The Panel of Assessors meets as demand requires.

11 Improvement & Feedback

This Procurement Practice Guide and its processes are under continual review to ensure ongoing effectiveness in achieving the desired outcomes. Feedback is requested Project Stakeholders and key interest groups.

(Insert a tick ✓ or a symbol for each row)

To what degree do the Performance Management System Guidelines document demonstrate	Very Low	Low	Slightly Low	Slightly High	High	Very High
1. Clarity The clarity of the content, language and structure of guidelines including the use of Plain English						
2. Completeness The ability of guidelines to convey understanding without the need for enquires or support						
3. Ease of use The ease of use of the guidelines for meeting performance responsibilities						
4. Fairness Extent to which the processes described provide for the fair treatment of key project stakeholders						
5. Appropriateness to organisation's direction How well does the scope, scale and structure of the guidelines match the organisation's direction						
6. Flexibility How flexible are the guidelines in catering for the organisation's changing development needs						
7. Continuous Improvement To what extent do the guidelines support the organisation's continuous improvement direction						

8. Positive aspects of the guidelines
9. Areas suggested for improvement
10. General Comments

11. Name of Organisation			
12. Completed by		13. Date	

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