



Department of
Jobs, Tourism, Science
and Innovation



Western Australian Industry Participation Strategy 2020

November 2020



Table of Contents

- Message from the Premier 2
- 1. Overview 3
- 2. Coverage 3
- 3. Key Components of WAIPS..... 4
 - 3.1 Procurement Related Principles and Policies 4
 - 3.2 Participation Plans 4
 - 3.3 Reporting..... 5
 - 3.4 Strategic Projects..... 6
 - 3.5 Exemptions 6
 - 3.6 Regional Procurement 7
 - 3.7 Regional Sourcing Strategy..... 7
 - 3.8 Grants 8
 - 3.9 Value for Money 8
 - 3.10 Agency Panel Contracts and Common Use Arrangements 8
 - 3.11 Imported Content Impost 9
 - 3.12 Early Tender Advice and Look Ahead Lists 9
- 4. Implementing WAIPS across the Procurement Cycle 9
 - 4.1 Tender Planning..... 9
 - 4.2 Tender Drafting 10
 - 4.3 Tender Advertisement..... 10
 - 4.4 Tender Assessment 10
 - 4.5 Tender Award..... 10
 - 4.6 Contract management..... 10
- 5. Compliance and Audit 11
- 6. Local Government..... 11
- 7. Review and Revision of WAIPS and the WA Jobs Act..... 11
- 8. Assistance 11
- 9. Governance 12
- 10. Trade Agreements and Section 92 of the Australian Constitution..... 12
- 11. Feedback 12
- 12. Contact Information..... 12
- 13. Terms Used..... 14



Message from the Premier

I have always maintained that creating jobs for Western Australians is my number one priority.

Shortly after coming into government in March 2017, I introduced the *Western Australian Jobs Act 2017* (WA Jobs Act) into State Parliament.

The legislation was enacted in December 2017 and is already achieving positive results.

The WA Jobs Act sets out the Government's expectation that opportunities for Western Australian businesses and workers are maximised when it comes to supplying to government.

To ensure WA gets a bigger share of the \$27 billion the State Government spends on goods, services and works each year, we established the Western Australian Industry Participation Strategy (WAIPS), which puts into effect the WA Jobs Act.

WAIPS became fully operational in October 2018 and represented a new way forward for State Government procurement, to ensure it delivers more benefits to local businesses and workers. .

The WAIPS raises the awareness of local industry capability and, through providing greater opportunity for local businesses to supply to government, creates jobs, apprenticeships and traineeships for Western Australians.

The State Government is committed to improving WAIPS through ongoing consultation with stakeholders and we recognise policy and process must evolve to adapt to a changing procurement environment. Through these ongoing communications, some key enhancements that have been added to WAIPS 2020 include:

1. Process requirements for Agency Panel Contracts and Common Use Arrangements.
2. Agency Look Ahead Lists.
3. Training for Regional Small to Medium Enterprises (SMEs) on doing business with State Government.
4. Local industry participation in state grants.
5. Regional Strategic Projects.

The impact of the COVID-19 pandemic has made the relationship between State Government procurement and local businesses even more important, as we continue on the path to economic recovery.

I am proud to lead a Government that is continuing its efforts to secure more work for Western Australians. I welcome your ongoing support in our commitment to the objectives of WAIPS and delivery of positive outcomes for local industry.

Mark McGowan
PREMIER OF WESTERN AUSTRALIA

November 2020

1. Overview

The Western Australian Industry Participation Strategy (WAIPS) represents a new approach to State Government purchasing for both agencies and industry. The WAIPS gives effect to the objectives contained within the *Western Australian Jobs Act 2017* (WA Jobs Act), an Act that aims to maximise opportunities for local businesses to supply to the State Government market. The Minister for State Development, Jobs and Trade (Minister for Jobs) is responsible for developing and implementing the WAIPS. The objectives of the WAIPS are:

- Promoting the diversification and growth of the Western Australian economy by targeting supply opportunities for local industry.
- Providing suppliers of goods or services with increased access to, and raised awareness of, local industry capability.
- Encouraging Government and local industry to adopt, where appropriate, world's best practice in promoting innovation through the development of new products and processes.
- Promoting increased apprenticeship, training and job opportunities in Western Australia.
- Promoting increased opportunities for local industry to develop import replacement capacity by giving local industry, in particular small and medium sized enterprises (SMEs), a full, fair and reasonable opportunity to compete against foreign suppliers of goods or services.

The primary economic focus of the WAIPS is SMEs, which make up around 97% of all businesses in Western Australia.

The State Government's aim is to promote a positive relationship between purchasing and contracting decisions and economic and social benefits such as job creation and retention, training and apprenticeships outcomes. This will be achieved through State agencies providing local industry with maximum access to opportunities, together with transparency and accountability in the tendering and contract award process. The requirement for participation plans as part of a prospective supplier's offer to supply is also an important element in achieving these goals.

Participation plans have become part of the evaluation, award and contracting process. Plans outline the commitment of prospective suppliers to local involvement.

The requirements under WAIPS are applicable to WAIPS supplies tendered since 1 October 2018.

Assistance to both State Government agencies and businesses in understanding WAIPS requirements and implementing WAIPS into their procurement cycle, is available through the Department of Jobs, Tourism, Science and Innovation's (JTSI) Industry Link Advisory Service (ILAS) and the Department of Primary Industries and Regional Development's regionally based Local Content Advisers (LCAs). (Refer to Section 12 Contact Information for further details).

2. Coverage

The WA Jobs Act places enhanced industry participation responsibilities on State Government Departments, Agencies, Statutory Authorities and Government Trading Entities. For the purposes of WAIPS, the term "agency" is used to encompass all these entities.

WAIPS is produced as a requirement of the WA Jobs Act and is applicable to a range of procurements (goods, services, housing and works and community services) above designated values (Refer to Table. 1 *Thresholds for WAIPS Supplies*). These are known as "WAIPS supplies". Total annual spend on these items is estimated at \$27 billion.

WAIPS does not apply to:

- universities
- Local Government procurement
- proprietary software packages.

3. Key Components of WAIPS

3.1 Procurement Related Principles and Policies

WAIPS has been developed based on the principles and objectives of the WA Jobs Act. Therefore, all activities undertaken under the WAIPS must take into account and be consistent with the:

- State Supply Commission (SSC) policies:
 - o value for money as the primary consideration when making procurement decisions.
 - o probity and accountability in procurement processes and decisions.
 - o open and effective competition.
 - o procurement planning, evaluation reports and contract management.
- Western Australian Buy Local Policy 2020 (WABLP).

WAIPS and WABLP work together to achieve Government objectives across the entire range of procurement transactional values. However, it is important to note how these policies interact.

Both policies have the same intent and a common objective but are applied at differing value ranges.

1. The WABLP is applied to – all State Government procurements regardless of their value.
2. WAIPS is applied to – State Government procurements that meet the value thresholds outlined in Table 1. Thresholds for WAIPS Supplies in Section 3.2 Participation Plans.

For procurements under the WAIPS value thresholds, WABLP must be applied. For procurements above the WAIPS thresholds, both WABLP and WAIPS must be applied together.

The WABLP and SSC policies can be downloaded from the WA Industry Link portal and the WA.gov.au website respectively.

[WABLP](#)

[SSC Policies](#)

3.2 Participation Plans

Dependent on the value of a WAIPS supply, prospective suppliers will be required to complete either a core (less detailed) or full (more detailed) participation plan. A participation plan is a written statement that a prospective supplier uses to outline their commitments to employing Western Australians and involving local businesses in a supply opportunity. A key aspect is the concept of full, fair and reasonable opportunity.

Thresholds for participation plans are as follows. These values are for the total life of the contract including GST.

Form of Procurement (WAIPS Supply)	Core Participation Plan	Full Participation Plan
Goods and services – Metropolitan and Regional contracts	\$1 million - \$5 million (Metro) \$500,000 - \$5 million (Regional)	Above \$5 million
Housing and works - Regional contracts	\$500,000 - \$5 million	Above \$5 million
Housing and works - Metropolitan contracts	\$3 million - \$10 million	Above \$10 million

Table 1. Thresholds for WAIPS Supplies

Plans are weighted at either 10% or 20% of the qualitative evaluation for both the core and full participation plans, based on the issuing agency’s judgement. This judgement can also be exercised by the agency in terms of elevating the requirement from a core participation plan to a full participation plan. The procuring agency should ensure that instructions are clearly defined in the tender documentation so that no confusion arises.

WAIPS 2019 introduced a streamlined, single participation plan template that meets both core and full participation plan requirements. This template is available on the WA Industry Link portal, under [‘Participation Plans’](#).

WAIPS 2020 now includes a requirement as outlined on the front page of the participation plan template that the Government may utilise project specific employment information, either committed or reported for the business of government. ‘Commercial in Confidence’ considerations remain relevant.

3.3 Reporting

Agencies are required to ensure WAIPS contracts contain an obligation for the successful supplier to report on the outcomes from the implementation of the participation plan.

Reporting covers the actual outcomes realised compared to those proposed in a participation plan. These reports are a key indicator of the success of WAIPS and are presented annually, in aggregate, by the Minister for Jobs to Parliament.

WAIPS 2019 introduced a streamlined, single participation plan reporting template for all contract (i.e. core and full participation plan) requirements. This template is available on the WA Industry Link portal, under [‘Reporting’](#).

WAIPS 2020 now includes a requirement as outlined on the front page of the participation plan reporting template that the Government may utilise project specific employment information, either committed or reported for the business of government. ‘Commercial in Confidence’ considerations remain relevant.

Annual reporting is required throughout the duration of the contract on each anniversary of the contract award date, or as negotiated with the responsible Government agency.

A final report will also be required. For contracts less than 12 months in duration, only one report at practical completion is required.

Reporting requirements are a contractual obligation. These reports may be subject to an independent audit.

'Commercial in Confidence' aspects of reports will be considered by agencies and the Minister for Jobs in relation to public disclosure of information.

Another aspect of reporting is the gathering of information on supply chain capability gaps. This is achieved through the ILAS and LCAs making direct contact with agencies and suppliers, as well as analysis of the data contained within the participation plans and the participation plan reports.

3.4 Strategic Projects

Projects with a contract value of \$25 million or more that the Minister for Jobs considers of significance to the Western Australian economy may be declared a strategic project. A participation plan with additional local commitments will be required for a strategic project.

An upward variation of the qualitative criterion weighting may be prescribed by the Minister for Jobs for strategic projects.

Within the overall concept of strategic projects, WAIPS 2020 introduces a subset of this category relating to regional contracts. A **regional strategic project** may be declared by the Minister for Jobs on the basis of value, duration, location, diversification or other economic and community benefits. For such projects, variations on a case by case basis can occur in relation to the regional price preferences and the qualitative criteria with particular reference to external benefits.

As with strategic projects generally, an increase in the weighting assigned to the participation plan can be utilised for a regional strategic project. These projects may also include a focus on pre-tender briefings, linkage to Local Capability Fund assistance, mandatory use by prospective contractors of subcontractor expression of interest web portals, specified sourcing targets, and innovative application of the regional price preference levels and prescribed distances.

3.5 Exemptions

The WA Jobs Act allows for an exemption from the requirement to seek a participation plan and associated obligations when procuring a WAIPS supply. Exemptions may be granted by the Minister for Jobs or his delegate, the Director General of JTSI, in two ways:

1. on a case by case basis; or
2. as a standing exemption in relation to a prescribed class or circumstance of a WAIPS supply.

Agencies should factor into their procurement planning schedule enough time to allow for JTSI to process their exemption application. The standard process timeframe is up to 15 working days. Exemptions must be approved before a tender is released and no retrospective applications will be granted.

Where the requirement for a participation plan has been exempted, reporting on workforce, apprentice/trainee and sourcing outcomes at annual intervals and at contract conclusion will still be required.

WAIPS does not apply to items procured during an emergency.

Agencies should ensure that they access the Exemption Process Guide from the WA Industry Link portal prior to submitting an application.

3.6 Regional Procurement

For the purposes of WAIPS, the regions of Western Australia are those defined under the *Regional Development Commissions Act 1993*.

Agency procurements for regional requirements, irrespective of location of purchase, should be conducted to give consideration to regional economic impact. This includes ensuring that regional industry is given full, fair and reasonable opportunity to participate in contracting and supply arrangements. For contracts to be called or delivered in regional Western Australia, there are a number of additional WAIPS initiatives and actions intended to increase regional outcomes.

These initiatives and actions involve the LCAs operating throughout regional Western Australia, encouragement of delegated authorities pursuing increased regional agency site spend; modifications to buying rules for Common Use Arrangements and panel contracts; and stricter application of regional price preferences giving greater scrutiny to bid validity and capture of outcomes.

The range of issues arising from regional procurement will be addressed on an agency by agency basis utilising the Implementation Agreement that is required under the WABLP.

3.7 Regional Sourcing Strategy

The Regional Sourcing Strategy (RSS) represents a new approach to enhancing supply opportunities for regional businesses. The initiatives described in 3.6 Regional Procurement, collectively represent aspects of the RSS. The RSS has been developed in recognition that the past reliance on price preferences alone was inadequate to realise the Government's priorities. The RSS will give emphasis to regular and formal communications between regional stakeholders and Government and will be characterised by an evolving set of initiatives or measures stemming from ongoing monitoring and consultation.

Some of the anticipated activities being implemented include:

- i. Working with Government Trading Entities on their approaches to utilising regional capacity.
- ii. Working with the Western Australian Local Government Association (WALGA) to support Local Government authorities on developing appropriate tendering and contract award processes.
- iii. Examining the levels of regional delegation and the impact that agency panel contracts have on regional SMEs.
- iv. Focusing on site specific regional works projects for increasing local sourcing opportunities.
- v. Examining the potential for regional SMEs to become competitive lead bidders.
- vi. Identifying capability gaps affecting regional businesses and potential remedial actions.
- vii. Investigating options of support for unsuccessful regional bidders that may increase the effectiveness of future bids.
- viii. Developing a process for regional procurement related complaints across all agencies.
- ix. Exploring avenues to improve the participation of regional businesses in government grants.
- x. Training for both agencies and suppliers in the application of the regional price preferences and other aspects of tendering and evaluation.
- xi. Considering further measures to ensure only valid interstate bids impact the assessment of regional price preferences.
- xii. Consulting with Government with a view to amending the ANZGPA to allow the State Government to use its spend to support economic and social objectives.
- xiii. Improving how agencies collect information on regional procurement outcomes.
- xiv. Other initiatives raised by agencies or regional stakeholders that support regional business participation in government procurement.

3.8 Grants

The objectives of WAIPS 2020 apply to State agency grants that are for the purposes of the construction or refurbishment of capital infrastructure or facilities exceeding \$5 million (including GST).

The State Government requires that such funds should be expended by the recipient based on the principle of full, fair and reasonable opportunity for local suppliers and that at the conclusion of a grant funded project, reporting of employment, skilling and sourcing outcomes is provided to JTSI using the WAIPS Grants reporting template available on the WA Industry Link portal.

Capital infrastructure or facilities could include buildings, community amenities, recreational structures and works such as minor roadworks and telecommunications upgrades. This is not exhaustive and agencies should consult JTSI to seek clarification on coverage.

Agencies should inform JTSI when such grants are formalised and provide reporting information within two months after the completion of the project.

Appropriate clauses for inclusion in Financial Assistance Agreements are also available on the WA Industry Link Portal.

3.9 Value for Money

The WA Jobs Act establishes value for money as a primary consideration when making procurement decisions. Value for money includes both financial and non-financial costs and benefits and must be considered in achieving outcomes for the State.

The application of the value for money approach should support local sourcing when whole of life costs and risk management are considered.

3.10 Agency Panel Contracts and Common Use Arrangements

WAIPS applies to agency panel contracts and whole of government common use arrangements (CUAs) that were tendered from 1 October 2018 onwards.

These forms of contracting are subject to WAIPS if the total estimated value of the contract for the duration of the panel arrangement meets or exceeds the WAIPS thresholds (Refer to Table 1. Thresholds for WAIPS Supplies in Section 3.2 Participation Plans).

Agency panel contracts and CUAs represent a significant form of expenditure that warrants the implementation of a set of best practice parameters. These parameters include:

- i. Establishment through an open tender process.
- ii. A clear definition of contract duration (generally not to exceed five years including extensions) within the tender.
- iii. Description in the tender on the process for panel refreshment including supplier additions and removals.
- iv. Use of buying rules (as outlined in the tender) from the panel.
- v. As appropriate, a statement in the tender on the approach to regional participation including application of the regional price preferences and provision for regional purchases outside of the panel.
- vi. Agency contact details for the panel contract should be publicly available.

Should multiple panellist/s be invited to quote for an individual contract above the WAIPS threshold, a participation plan must be requested.

Should an exemption be sought for this form of procurement, a condition of exemption is that panellists must report on the outcomes of supply provided under these arrangements.

3.11 Imported Content Impost

The Imported Content Impost is not mandatory. When procuring goods, services, housing and works, agencies can elect to apply an Imported Content Impost. This is a 20% price impost that applies to the portion of a bid that comprises goods, services or items that the prospective supplier is proposing to *directly* import into Australia from another country (excluding New Zealand) as part of the contract delivery. Imported Content does not include items that the prospective supplier will purchase from ANZ-based suppliers that have or may have been imported.

If the agency chooses to apply the Imported Content Impost it must be clearly outlined in the tender request document.

3.12 Early Tender Advice and Look Ahead Lists

Consultation has shown that a significant requirement exists for advanced notice of agency tenders and projects. Consequently, agencies should adopt a consistent regime of providing this information to prospective suppliers for appropriate forms of procurement.

In determining application, the following qualitative aspects can include: value, location, duration, complexity and innovation. Specific examples to be followed include:

- Listing forecast purchases/contracts on an agency's public website.
- Publication of early tender advice with a minimum of one month's notice, prior to issue.
- Conducting pre-tender briefings in an open and equitable fashion i.e. accessible to all.
- Participation in JTSI's Regional Communication Forums which are conducted annually.
- Detailing progress of major long-term projects through the various project phases of subcontractual activity, such as the METRONET Railcar Procurement and Bunbury Outer Ring Road Projects.

Details should include prequalification information as appropriate and an agency contact.

4. Implementing WAIPS across the Procurement Cycle

To assist Government agencies and prospective suppliers to understand requirements under the WAIPS within the procurement cycle, an overview of the steps entailed are shown below:

4.1 Tender Planning

- Agency procurement plan developed and approved by the agency's delegated authority (for contracts above \$5 million).
- Agency utilises early tender advice or look ahead list on website, as appropriate (refer to Section 3.12 Early Tender Advice and Look Ahead Lists).
- Agency determines whether the offer to supply meets the core or full participation plan requirement, or that it may meet the requirements for it to be classified as a strategic project. ILAS to be advised of the latter proposal by the agency.
- Agency considers whether an exemption to the requirement for a participation plan is warranted and if so, submits a WAIPS Exemption Application to ILAS.

4.2 Tender Drafting

- Agency drafts tender request on appropriate template.
- Agency ensures principles of openness, equity, transparency and value-for-money are incorporated.
- Agency includes request clauses for WAIPS requirements indicating whether a CORE or FULL participation plan response is required, with either 10% or 20% weighting or strategic project clause, as appropriate.
- Agency uses Australian standards, as appropriate, in specifications.
- Agency advises prospective suppliers that ILAS and/or LCAs can assist in identifying local SMEs for inclusion in offer to supply.
- Agency incorporates as contract management requirements, where appropriate, that covers the relationships between the agency and head contractor, and head contractor and subcontractor.

4.3 Tender Advertisement

- Agency advertises tender following full, fair and reasonable principles.
- Specific enquiries from prospective suppliers require agency response.
- Agency undertakes supplier briefings as appropriate, in conjunction with the ILAS and LCAs if required.

4.4 Tender Assessment

- Agency assesses offers to supply for conformance.
- Agency assesses offers to supply against qualitative criteria.
- Agency seeks ILAS input on participation plan as required.
- **Agency applies regional price preferences as appropriate.** Refer to [WABLP](#)
- Agency employs value for money methodology to measure price against qualitative criteria.
- Price scrutinised for sustainability.
- Any clarification sought and preferred respondent identified.
- Agency evaluation report prepared.
- Due diligence on contract conducted as necessary by agency.
- Negotiations conducted if necessary.

4.5 Tender Award

- Agency delegated authority signs off on decision.
- Contract finalised including participation plan commitments and reporting requirements.
- Copy of winning bidder's participation plan provided to ILAS by agency.
- Post-tender briefings to unsuccessful bidders provided by agency on request.

4.6 Contract management

- Contract management plan prepared by agency.
- Regular participation plan reports provided to procuring agency on implementation of supplier participation plan commitments.
- Reports provided by agency to the Minister for Jobs, through ILAS.

5. Compliance and Audit

Adherence to WAIPS will be monitored by ILAS. Audits may be carried out at the request of the Minister for Jobs by an independent auditor to confirm that an agency implemented the WAIPS appropriately and that the successful supplier has met its local participation obligations.

The services of two to three suitably qualified auditing companies is being procured from Department of Finance's Audit and Financial Services Common Use Arrangement.

6. Local Government

Local Government Authorities (LGAs) are not subject to WAIPS. However, it has been identified by some LGAs that WAIPS has proven to be an effective tool in encouraging greater collaboration between the market and local businesses.

Therefore, JTSI will offer its support in aligning Local Government with WAIPS, as and when requested, both with the individual LGA and with WALGA.

7. Review and Revision of WAIPS and the WA Jobs Act

The State Government is committed to ensuring WAIPS is straightforward to understand and implement. WAIPS will be updated when required in accordance with Section 5(3) of the WA Jobs Act. Implementation Working Groups for agencies have been established and are contributing to this process.

A review of the operation and effectiveness of the WA Jobs Act must be carried out by the Minister for Jobs before the fifth anniversary of its commencement.

8. Assistance

ILAS and/or LCAs are able to provide assistance in the following areas:

- Guidance and support to prospective suppliers in addressing participation plan and reporting requirements.
- Enhance the understanding of local SMEs on how to sell to Government either directly or as sub-contractors.
- Advise agencies on meeting WAIPS obligations and on assessment of participation plans.
- Model tender and contract clauses.
- Introduction and maintenance of the WA Industry Link Portal providing information on WAIPS, forthcoming supply opportunities and a range of issues around supplying to the government market.
- Promoting various assistance programs aimed at enhancing the capability of SMEs as suppliers to the government market.

Additionally, a range of documents associated with the implementation of WAIPS can be accessed through the WA Industry Link portal.

9. Governance

The Minister for State Development, Jobs and Trade (Minister for Jobs) is the responsible Minister for the WA Jobs Act and WAIPS. The lead agency is the Department of Jobs, Tourism, Science and Innovation.

10. Trade Agreements and Section 92 of the Australian Constitution

The State Government has obligations under the relevant Government Procurement chapters within a number of bilateral Trade Agreements, the Australia and New Zealand Government Procurement Agreement (ANZGPA) and the Constitution. The WAIPS meets these obligations in its implementation.

Advice on Section 92 conformity has been received from the Solicitor General. The WAIPS approach to Trade Agreements mirrors that of other states and territories in **exercising the exception based on support (both direct and indirect) for SMEs**. SMEs represent approximately 97% of businesses in Western Australia.

The State Government is currently reviewing its participation in the ANZGPA. Greater flexibility is being pursued in relation to the use of procurement to support economic, social and environmental outcomes.

11. Feedback

The State Government is committed to ongoing consultation on WAIPS and welcomes feedback. Please provide this to ILAS using the contact information in Section 12 below.

12. Contact Information

Industry Link Advisory Service (ILAS)

Email: industrylink@jtsi.wa.gov.au

Telephone: (08) 6277 2999

Postal Address: Level 11, 1 William Street, Perth, WA 6000

Local Content Advisers – refer to the [WA Industry Link](#) portal or the list below:

Gascoyne

Email: local.content@gdc.wa.goc.au

Telephone: (08) 9941 7000

Web: <https://www.gdc.wa.gov.au/local-content-program/>

Goldfields-Esperance

Email: localcontent@gedc.wa.gov.au

Telephone: (08) 9080 5008

Web: <http://www.gedc.wa.gov.au/our-focus/local-content>

Great Southern

Email: Charlotte.McIntyre@gsdc.wa.gov.au

Telephone: (08) 9842 4888

Web: <http://www.gsdc.wa.gov.au/our-activities/local-content/>

Kimberley

Email: localcontent@kdc.wa.gov.au

Telephone: (08) 9194 3004

Web: <http://kdc.wa.gov.au/local-content-officer/>

Mid West

Email: local.content@mwdc.wa.gov.au

Telephone: (08) 9956 8589

Web: <http://www.mwdc.wa.gov.au/resources/news/better-opportunities-for-local-businesses.aspx>

Peel

Email: local.content@peel.wa.gov.au

Telephone: (08) 9535 4140

Web: <https://www.peel.wa.gov.au/im-looking-for/local-content-advisor/>

Pilbara

Email: local.content@pdc.wa.gov.au

Telephone: 1800 843 745

Web: <http://www.pdc.wa.gov.au/our-focus/pilbara-blueprint/localcontent>

South West

Email: local.content@swdc.wa.gov.au

Telephone: (08) 9792 2023

Web: <http://www.swdc.wa.gov.au/investment/local-content-program.aspx>

Wheatbelt

Email: local.content@wheatbelt.wa.gov.au

Telephone: (08) 9622 7222

Web: <https://www.wheatbelt.wa.gov.au/our-projects/local-content-officer/>

13. Terms Used

Agency: - an agency as defined in the *Western Australian Jobs Act 2017*.

Agency Panel: - a form of procurement where an agency establishes standing offers for the supply of goods, services or works from one of more suppliers. Panels operate for a defined period with a set of pre-determined buying rules. There is generally no set overall value (only an estimate) or guarantee of work for suppliers. Panels are established by agencies as an efficient and cost effective alternative to a series of smaller, single procurements. They enable agencies to focus procurement expertise rather than disperse responsibilities across various sites.

ANZGPA: - the Australia and New Zealand Government Procurement Agreement is a commitment to a single competitive procurement market between Australia and New Zealand. The agreement allows for suppliers to tender for government contracts in either country, regardless of their physical location.

Contract: - a legal agreement established through a procurement process for the provision of a good, service or work against designated specifications for an agreed upon sum.

Full, fair and reasonable opportunity

Full: Australian and New Zealand industry is afforded the same opportunity as other global supply chain partners to participate in all aspects of a project.

(e.g. design, engineering, project management, professional services, IT and architecture).

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

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

Grant: - grants exceeding \$5 million (including GST) and sourced from State agencies as defined in section 3 of the *Western Australian Jobs Act 2017* that are for or in connection with:

- a) a public work as defined in the Public Works Act 1902 section 2; or
- b) construction or improvements to private works including capital infrastructure.

Government Trading Entities (GTEs): - as defined in the *Western Australian Jobs Act 2017*.

ILAS (Industry Link Advisory Service): - a team within JTSI that has been established to provide a range of services to help local businesses and State Government agencies to understand the requirements of WAIPS.

JTSI (Department of Jobs, Tourism, Science and Innovation): - the lead agency for the WA Jobs Act and WAIPS.

Local Content Advisers (LCAs): - provide advisory services to businesses in regional Western Australia.

Local industry: - suppliers of goods produced, or services provided, in Western Australia, another state or territory or New Zealand.

Local Sourcing: - proportion of contract value sourced from within Western Australia, or for regional contracts, within the prescribed distance specified.

Metro / Metropolitan: - all areas which are located outside of 'Regional'. Refer to definition of 'Regional' below.

Prospective Supplier: - in relation to a WAIPS supply, means a person or body that makes an offer to supply in the course of the procurement process for the WAIPS supply.

Regional: - as prescribed in the [Regional Development Commissions Act 1993](#), Schedule 1 – Regions defined by reference to districts.

Regional Price Preference: - a reduction that is applied to a prospective supplier's tender price, for evaluation purposes only.

Request: - any form in which a supplier is requested to provide information on supply. This includes a Request for Tender, a Request for Quotation, a Request for Proposal or an Expression of Interest.

Small and Medium Sized Enterprises (SMEs): - a business with less than 200 full time equivalent employees.

Tender: - refers to an offer to supply goods, services, housing or works. May also be referred to as a 'bid', request for quotation (RFQ) or request for proposal (RFP).

WA Industry Link: - a portal that provides information in relation to the implementation of WA Jobs Act, WAIPS and the WA Buy Local Policy 2020 www.industrylink.wa.gov.au.

WAIPS Supply/Supplies: - applicable to a range of procurements (goods, services, housing and works and community services) above designated values (Refer to Section 3.2, Table. 1 Thresholds for WAIPS Supplies).