

Austroads



National Prequalification Scheme for Temporary Traffic Management

Draft for Industry Feedback

National Prequalification Scheme for Temporary Traffic Management

Prepared by

Safe System Solutions Pty Ltd

Project Manager

Richard Delplace

Publisher

Austrroads Ltd.
Level 9, 287 Elizabeth Street
Sydney NSW 2000 Australia
Phone: +61 2 8265 3300
austroads@austrroads.com.au
www.austrroads.com.au



Abstract

This draft report documents the National Prequalification Scheme for Temporary Traffic Management (NPSTTM) which aims to create a harmonised framework for the engagement of design and implementation services for temporary traffic management within the jurisdiction of Participating Agencies.

This report has been developed to enable industry to provide feedback on the proposed scheme.

Feedback is to be provided on the [form provided](#) by Friday 28th August 2020.

Keywords

Temporary traffic management, road worksites, event management, industry consultation

Austrroads Project No. BN2019

Publication date August 2020

Pages 23

© Austrroads 2020

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without the prior written permission of Austrroads.

About Austrroads

Austrroads is the peak organisation of Australasian road transport and traffic agencies.

Austrroads' purpose is to support our member organisations to deliver an improved Australasian road transport network. To succeed in this task, we undertake leading-edge road and transport research which underpins our input to policy development and published guidance on the design, construction and management of the road network and its associated infrastructure.

Austrroads provides a collective approach that delivers value for money, encourages shared knowledge and drives consistency for road users.

Austrroads is governed by a Board consisting of senior executive representatives from each of its eleven member organisations:

- Transport for NSW
- Department of Transport Victoria
- Department of Transport and Main Roads Queensland
- Main Roads Western Australia
- Department of Planning, Transport and Infrastructure South Australia
- Department of State Growth Tasmania
- Department of Infrastructure, Planning and Logistics Northern Territory
- Transport Canberra and City Services Directorate, Australian Capital Territory
- Commonwealth Department of Infrastructure, Transport, Regional Development and Communication
- Australian Local Government Association
- New Zealand Transport Agency.

This report has been prepared for Austrroads as part of its work to promote improved Australian and New Zealand transport outcomes by providing expert technical input on road and road transport issues.

Individual road agencies will determine their response to this report following consideration of their legislative or administrative arrangements, available funding, as well as local circumstances and priorities.

Austrroads believes this publication to be correct at the time of printing and does not accept responsibility for any consequences arising from the use of information herein. Readers should rely on their own skill and judgement to apply information to particular issues.

Contents

1. Introduction	1
1.1 Background	1
1.2 Scope	1
1.3 Applications	2
1.4 Mutual Recognition.....	2
2. Prequalification Roles and Categories	4
2.1 Overview	4
2.2 Temporary Traffic Management Roles.....	4
2.3 Road Categories	4
3. Prequalification Requirements	5
3.1 General.....	5
3.2 Who can Apply for Full Prequalification?	5
3.3 Conditional Prequalification.....	5
3.4 Exclusions	6
3.5 Roles and Responsibilities	6
3.5.1 Austroads	6
3.5.2 Participating Agencies	6
3.5.3 Temporary Traffic Management Organisations.....	7
4. Assessment Criteria	8
4.1 Criteria 1: Organisational Details and Business Information.....	8
4.2 Criteria 2: Resources and Technical Capability	8
5. Assessment Process	11
5.1 Assessment of Applications	11
5.2 Notification.....	11
5.3 Upgrading to Full Prequalification Status	11
5.4 Cost of Assessment	12
5.5 List of Prequalification Organisations.....	12
6. Maintenance of Prequalification Status.....	13
6.1 General.....	13
6.2 Provision of Updated Information	13
6.3 Prequalification Status.....	14
6.4 Show Cause Notice.....	14
6.5 Suspension.....	15
6.6 Downgrading	15
6.7 Cancellation.....	15
6.8 Reviews	16
6.9 Appeals	16

7. Tendering as a Prequalified Contractor	17
7.1 General.....	17
7.2 Prequalification Checks Prior to Awarding of a Contract	17
8. Terms and Conditions of Prequalification	18
8.1 General.....	18
8.2 No Guarantee of Work	18
8.3 Application Requirements	18
8.4 Confidentiality	18
8.5 Change of Circumstances	19
8.6 Applicant's Undertaking.....	19
9. Definitions and Interpretation.....	20
Appendix A Prequalification Process Flowchart	21
Appendix B Information Websites	22
Appendix C Insurance & Management Systems Prequalification Criteria	23

1. Introduction

1.1 Background

Austroads has developed the National Prequalification Scheme for Temporary Traffic Management (NPSTTM) to create a harmonised framework for the engagement of design and implementation services for temporary traffic management within the jurisdiction of Participating Agencies.

The key features of the NPSTTM include:

- consistent eligibility requirements and prequalification categories;
- provision of mutual recognition pathway to allow an organisation prequalified in one jurisdiction to have its prequalification recognised by other jurisdictions;
- a publicly available list of prequalified traffic management companies;
- consistent contractor performance reporting and sharing of this information across Participating Agencies; and
- the promotion of best practice in the temporary traffic management industry.

Prequalification consists of a continuous process of:

- an initial assessment of an organisation's capabilities and performance at the time of lodgement of an Application against prequalification prerequisites to determine suitability;
- where needed, obtaining further information to support the organisation's application.
- the granting of short conditional periods of prequalification as may be required until all prerequisites are met.
- the granting of prequalification for periods of up to two years, when renewal may be applied for.
- ongoing monitoring and re-assessment of an organisation's performance against the prerequisites as may be warranted
- review of the technical capabilities after any significant changes within the prequalified organisation.

A summary of the prequalification process, in the form of a flow chart, is shown in *Appendix A*.

Information about the NPSTTM may be obtained from Austroads website: www.austroads.com.au/agttm.
[Author's Note: This is not available yet]

1.2 Scope

Prequalification in temporary traffic management is a mandatory requirement for all works managed by the Participating Agencies listed in Table 1. Other road infrastructure managers may also adopt the scheme as part of individual contracts or as their general practice.

The ongoing management of the NPSTTM is the responsibility of the Austroads Temporary Traffic Management Technical Reference Group (TTMTRG), which comprises a representative from each Participating Agency and other organisations. The current members of the TTMTRG are listed in Table 2.

Table 1: Prospective Participating Agencies in the NPSTTM

Jurisdiction	Agency(s)
Australian Capital Territory	Roads ACT
Northern Territories	Department of Infrastructure, Planning and Logistics
Queensland	Department of Transport and Main Roads
South Australia	Department of Planning, Transport and Infrastructure
Tasmania	Department of State Growth
Victoria	Department of Transport
Western Australia	Main Roads WA

Table 2: List of members of the TTMTRG

Jurisdiction	Agency
Australian Capital Territory	Roads ACT
New Zealand	New Zealand Transport Agency
Northern Territories	Department of Infrastructure, Planning and Logistics
New South Wales	Transport for NSW
Queensland	Department of Transport and Main Roads
South Australia	Department of Planning, Transport and Infrastructure
Tasmania	Department of State Growth
Victoria	Department of Transport
Western Australia	Main Roads WA
Local Government Representative	City of Yarra
Local Government Representative	Toowoomba City Council
Local Government Representative	Institute of Public Works Engineering Australia (NSW)

1.3 Applications

If an organisation wishes to become prequalified with any of the Participating Agencies and it does not have existing prequalification with another Participating Agency, the organisation must apply by using the Application Form available from the Participating Agency website and submitting it in accordance with the instructions on the form. See *Appendix B* for information regarding where to obtain the Application Form. [Author's Note: This form is currently being developed]

Unless agreed otherwise with the Participating Agency, Applications must be submitted to the Participating Agency in the jurisdiction where the Applicant's head office is based.

In the Application Form, the Applicant must provide the Assessing Agency with information regarding any previous applications to any of the other Participating Agencies, and include the relevant details.

The Participating Agency that carries out the assessment of the Application is the Assessing Agency.

1.4 Mutual Recognition

If an organisation is already prequalified with any of the Participating Agencies, the organisation may seek mutual recognition of that prequalification with another Participating Agency by the submission of a mutual recognition Application Form. See *Appendix B* for information regarding where to obtain the mutual recognition Application Form. [Author's Note: This form is currently being developed]

Mutual recognition of prequalification granted by other Participating Agencies is not automatic and must be initiated by the prequalified organisation.

Mutual recognition only applies to companies with “Full” prequalification. Organisations with a “Conditional” prequalification (refer Clause 3.3) are generally ineligible for mutual recognition. However, at its sole discretion, a Participating Agency may elect to recognise the “Conditional” prequalification status of an organisation from another agency.

DRAFT

2. Prequalification Roles and Categories

2.1 Overview

Applications for temporary traffic management prequalification may be submitted at any time and must address the requirements set out in Section 4. Prequalification requirements apply to six different categories based on a combination of:

- Temporary traffic management role; and
- Road category to which temporary traffic management will apply.

To become prequalified for a particular role and a particular road category, the Applicant must satisfy the Assessing Agency that it has the management systems, key personnel with relevant technical experience, good performance on previous applicable projects, readily available resources, and financial capacity to successfully complete a contract in that role and on that particular category of road.

2.2 Temporary Traffic Management Roles

There are two temporary traffic management roles. An organisation may apply for either or both of the following roles:

Implementation (IMP), with responsibility for

- Setting out, implementing and monitoring Traffic Management Plans (TMP) and Traffic Guidance Schemes (TGS);
- Controlling traffic, by use of authorised traffic controllers.

Design (DGN), with responsibility for

- Designing, drafting, reviewing and/or making modifications to Traffic Management Plans (TMP) and/or Traffic Guidance Schemes (TGS), including site audits/inspections and the worksite hazard assessment.

For definitions of TMP and TGS, see the Austroads Guide to Temporary Traffic Management (AGTM) Part 1.

2.3 Road Categories

There are three road categories for temporary traffic management as defined in the AGTTM Part 8. An organisation may apply for prequalification in one road category or multiple road categories.

- **Category 1 Roads** – typically most urban streets and lower volume rural roads
- **Category 2 Roads** – typically high volume roads
- **Category 3 Roads** – typically high volume, high speed roads such as expressways/freeways

See the AGTTM Part 8 for more information regarding road categories.

3. Prequalification Requirements

3.1 General

Organisations are eligible to apply for “Full” prequalification. Where the Applicant is unable to demonstrate compliance with every prequalification requirement, a Participating Agency may, at its discretion, grant ‘Conditional’ prequalification. Where Conditional prequalification is granted, it will be for a period of not more than 6 months.

3.2 Who can Apply for Full Prequalification?

Organisations

Traffic management organisations that possess relevant temporary traffic management experience are eligible to apply for prequalification.

Civil engineering construction companies involved in the construction and/or maintenance of roads and bridges that possess relevant temporary traffic management experience are eligible to apply for prequalification.

Local Government Authorities, Road Infrastructure Managers and Utility Companies are also eligible to apply for prequalification.

Other business structures such as a sole-trader, partnership or trust may be able to apply for prequalification but will need to provide additional information as required by the Assessing Agency. A sole trader may only be eligible to apply for prequalification in the temporary traffic management Design (DGN) role.

Newly formed companies

Newly formed companies will not be able to provide details of any significant past experience or financial capacity. As such, the suitability for prequalification of newly formed companies will be assessed by the Assessing Agency on a case-by-case basis, taking the entity’s status into account, and any resultant prequalification may be conditional on satisfactory performance over a specified period or number of projects.

Change of ownership or change of organisation name

Prequalified companies undergoing a change of ownership or change of organisation name must within 20 business days notify the Participating Agencies with whom the organisation has prequalification status. Failure to do so may result in removal of prequalification status. Notification should include an explanation of the reason for the change and the implications of that change on the company’s temporary traffic management capacity and capability. The affected Agencies will assess the change and at their discretion may require the organisation to reapply for prequalification. See Section 6 for further information.

3.3 Conditional Prequalification

Where an Applicant does not meet every specified eligibility criteria, but the Assessing Agency considers that there will be benefits to the Assessing Agency and the industry by allowing that organisation to be prequalified, the Applicant may be granted “Conditional” Prequalification. Where Conditional prequalification is granted, it will be for a period of not more than 6 months.

An example of Conditional Prequalification includes:

- Where a newly formed company, which has suitably experienced personnel and satisfies the requirements for systems and other resources, is unable to satisfy all of the past experience criteria, but the Assessing Agency considers that the organisation is competent to undertake the work.

The granting of Conditional Prequalification is at the absolute discretion of the Assessing Agency and other Participating Agencies are under no obligation to recognise Conditional Prequalification. If another Participating Agency elects to recognise Conditional Prequalification, it may be on the same conditions imposed by the Assessing Agency, or similar conditions that meet the other Participating Agency's specific requirements.

Providing the conditionally prequalified contractor continues to comply with the nominated conditions of their prequalification, they will be eligible to tender for contracts in the roles and road categories for which they are conditionally prequalified.

Once the organisation is considered to have satisfied the Conditional Prequalification requirements, it may apply for the prequalification status to be upgraded to "Full". See Clause 5.3 for further information.

3.4 Exclusions

Prequalification does not extend to related or subsidiary companies or entities of a prequalified contractor. Any such organisation or entity must apply for prequalification in its own right.

Where two or more related organisations apply for prequalification, resources are deemed to be allocated to a single organisation and cannot be considered in the assessment of the other organisations.

3.5 Roles and Responsibilities

3.5.1 Austroads

Austroads will be responsible for the following key tasks:

- Maintain and update the NPSTTM
- Maintain a national register of organisations prequalified for temporary traffic management services under the National Prequalification Scheme
- Chair of the Austroads Temporary Traffic Management Technical Reference Group (TTMTRG)
- Support the Appeals Process through the TTMRG
- Point of contact for feedback regarding the AGTTM and NPSTTM.

3.5.2 Participating Agencies

Participation Agencies will be responsible for the following key tasks:

- Administer the NPS in their jurisdiction
- Assess applications for prequalification and mutual recognition
- Maintain and update the register of prequalified organisations for their jurisdiction

- Monitor, audit and performance manage prequalified organisations
- Share information across jurisdictions to promote best practice and consistent standards
- Manage the prequalification status, or change of status, of prequalified organisations operating in their jurisdiction
- Participate as members of the TTMTRG.

3.5.3 Temporary Traffic Management Organisations

Organisations wanting to obtain, and maintain, prequalified status need to be responsible for the following key tasks:

- Identify the most appropriate Participating Agency with whom to lodge an Application, and Participating Agencies with which to seek mutual recognition (if required)
- Determine which traffic management role (Design and/or Implement) and which road categories (Cat 1,2,3) for which prequalification is sought.
- Provide evidence that prequalification requirements and criteria are met when making applications
- Provide annual updates of key information (as specified by Participating Agencies)
- Ensure continuous compliance with requirements, or notify the relevant Participating Agencies of any substantive change of circumstance relevant to prequalification requirements.

4. Assessment Criteria

Applications will be assessed against two main criteria. Refer to *Appendix C* for full details of the minimum requirement for each criteria.

4.1 Criteria 1: Organisational Details and Business Information

The Applicant must provide organisation details in the Application Form including but not limited to the following information:

- Organisation name, address and contact details
- Organisation director secretary or other senior managers
- Number of years the organisation has been in operation
- Public liability insurance
- Professional indemnity insurance
- Work Cover insurance
- Obligations as an Employer
- Industrial relations
- Organisation current and previous works experience
- Client referees
- Organisation financial information
- Organisation management system including 3rd party certification of Quality Assurance and Occupational Health and Safety. (details in Table B 1)

The Applicant must be able to demonstrate suitable temporary traffic management experience, within the last 24 months, for the relevant traffic management role and road category, through involvement in past and/or current projects, including a minimum of three third party referees. The referees may be clients, civil contractors, Local Government or State Government authorities.

Where an Applicant is only able to provide evidence of experience in limited conditions/situations then the Assessing Agency may, at its absolute discretion, place conditions on the Applicant's prequalification to limit it to conducting only similar type works. This would constitute Conditional prequalification.

4.2 Criteria 2: Resources and Technical Capability

The organisation must provide technical experience, personnel and capability details in the Application Form including but not limited to:

- Number of staff
- Name and qualification of each staff
- Employment status of each staff (full time, part time or casual)
- Experience in traffic management of each staff
- Role of each staff
- Plant and equipment available to undertake the work

Information provided in applications should be directly relevant to the traffic management functions that the applicant wishes to perform.

The Applicant must demonstrate that the organisation has the resources and technical capability to undertake temporary traffic management works in the nominated prequalification roles and road categories as follows.

Implementation (IMP)

To be eligible for prequalification in Implementation, an organisation must demonstrate that:

- it employs personnel appropriately qualified and experienced in the implementation of TMP, TGS and Traffic Control;
- it has, at its management/supervisory level, personnel with appropriate knowledge of, and/or experience in, temporary traffic management;
- it has demonstrated previous relevant industry experience and satisfactory performance in the implementation of TMP, TGS and the provision of traffic control at worksites in compliance with local legislation, Codes of Practice, Standards and Guidelines;
- it has sufficient personnel, signs and relevant plant to implement a TMP and/or TGS on the required road category.

Design (DGN)

To be eligible for prequalification in Design, an organisation must demonstrate that:

- it employs personnel appropriately qualified and experienced in the preparation of TMP;
- it has, at its management/supervisory level, personnel with appropriate knowledge of, and/or experience in, temporary traffic management;
- it has demonstrated previous relevant industry experience and satisfactory performance in preparing, approving, reviewing and/or making modifications to TMP, TGS that comply with local legislation, Codes of Practice, Standards and Guidelines;

Category 1 roads

To be eligible for prequalification in category 1 roads, an organisation must demonstrate that:

- it meets the criteria appropriate to, and is able to demonstrate satisfactory performance working on, category 1 roads;

or, where the organisation does not have sufficient evidence of experience working on category 1 roads, it may apply for conditional prequalification if it is able to demonstrate that:

- it meets all of the other prequalification criteria and has suitably qualified staff.

Category 2 roads

To be eligible for prequalification in category 2 roads, an organisation must demonstrate that:

- it meets the criteria appropriate to, and is able to demonstrate satisfactory performance working on, category 2 roads;

or, where the organisation does not have sufficient evidence of experience working on category 2 roads, it may apply for conditional prequalification if it is able to demonstrate that:

- it meets all of the other prequalification criteria and has suitably qualified staff.

Category 3 roads

To be eligible for prequalification in category 3 roads, an organisation must demonstrate that:

- it meets the criteria appropriate to, and is able to demonstrate satisfactory performance working on, category 3 roads;

or, where the organisation does not have sufficient evidence of experience working on category 3 roads, it may apply for conditional prequalification if it is able to demonstrate that:

- it meets all of the other prequalification criteria, has suitably qualified staff, and is able to provide evidence of satisfactory performance working on category 1 or category 2 roads;
- for IMP role, the organisation has access to, and staff who are suitably qualified to use truck mounted attenuators.

DRAFT

5. Assessment Process

5.1 Assessment of Applications

The Participating Agency with whom the organisation wishes to obtain prequalification will be the Assessing Agency. The Assessing Agency will assess the Application for prequalification to determine the Applicant's capability to deliver temporary traffic management services in the nominated role and road category. A mixture of internal and external assessors may be used.

Assessment of Applications will be based on the following:

- information contained in the completed Application and attached supporting documentation;
- referee reports;
- documented evidence regarding the Applicant's previous performance;
- information that was submitted in a previous prequalification Application (where appropriate);
- information obtained by other Participating Agencies or government agencies regarding the Applicant's previous performance; and
- any other valid information relevant to the Application, notwithstanding that the information has not been submitted by the Applicant.

By submitting an Application for prequalification, companies are deemed to authorise the Assessing Agency to seek verification of the information supplied.

5.2 Notification

Applicants will be notified in writing regarding which, if any, prequalification criteria they have achieved within 30 business days of lodgement of their Application (providing all relevant information was included), unless significant issues arise during consideration of an Application in which case further information may be sought. Such notifications will include, where warranted, any specific limitations or conditions applicable to the allocated prequalification category.

A determination by the Assessing Agency of any Application for prequalification is at its absolute discretion. The Assessing Agency, and all other Participating Agencies, will not be liable for any costs or damages incurred in the exercise of such discretion.

Applicants that are not satisfied with the outcome of the assessment may lodge a request for a review or appeal, as detailed in Section 6.8 and 6.9 of this document.

5.3 Upgrading to Full Prequalification Status

An organisation with conditional prequalification may apply for an upgrade of its prequalification status after having successfully completed several projects at the current level. To upgrade, a new Application Form must be lodged with the original Assessing Agency.

To be eligible for an upgrade, a Contractor must be able to demonstrate that it has addressed the concerns and requirements that were specified as part of the Conditional approval, has complied with all conditions imposed, and is able to meet the criteria required for full prequalification.

5.4 Cost of Assessment

The Assessing Agency may charge for the cost of assessing the original Application, or Application for upgrade. Participating Agencies may charge for the cost of assessing Applications for mutual recognition. Applicants should check with the Assessing/Participating Agency before making an Application in order to determine whether there is a charge and how charges are applied. If a charge is applied, it will cover the costs of:

- carrying out the assessment
- auditing and compliance checks
- information and records management
- maintaining a register of prequalified companies

The Assessing Agency may also charge the Applicant for additional costs incurred if:

- the information submitted with an Application is deficient or misleading;
- the Applicant then submits further information which reasonably should have been included in the original Application; and
- the Assessing Agency incurs additional costs as a consequence of late submission of information;

5.5 List of Prequalification Organisations

The names of all organisations that are prequalified under the NPSTTM will be published on the Austroads website as part of a prequalification database.

The published information will include

- Organisation name
- Organisation main office address, telephone number and email address
- Prequalification status relevant to the traffic management role and road category
- prequalification status by jurisdiction and location of services

The published list of prequalified companies organisations can be accessed via Austroads website: www.austroads.com.au/npsttm. [Author's Note: This is not available yet]

6. Maintenance of Prequalification Status

6.1 General

Subject to satisfactory performance, an organisation's prequalification will remain valid for a maximum period of two (2) years.

The ongoing management of the NPSTTM is the responsibility of the Austroads Temporary Traffic Management Technical Reference Group (TTMTRG), which comprises a representative from each Participating Agency and other organisations. The current members of the TTMTRG are listed in Table 2.

6.2 Provision of Updated Information

In order for a prequalified organisation to maintain its prequalification status, the organisation must inform the Participating Agencies with whom it has prequalification status, when any of the below circumstances have changed:

- Change of organisation name
- Change of organisation ownership
- Organisation bankrupt or voluntary administration
- Organisation is unable to perform the tasks required under the prequalification level
- Organisation is no longer able to meet assessment criteria relevant to its current prequalification status.

A prequalified organisation must provide to the Assessing Agency an annual update of:

- List of key personnel responsible for the traffic management function
- Quality and OHS management systems certification or audit report (see *Appendix C*)
- Public Liability Insurance
- Professional Indemnity Insurance
- Profit and Loss Statement and Balance Sheet

Participating Agencies will monitor and assess the ongoing performance of each prequalified organisation. Each organisation's prequalification status will depend on the contractor maintaining a good level of performance in its delivery of contracts.

Participating Agencies may require a prequalified contractor to complete a temporary traffic management Performance Report upon completion of a contract.

The Performance Reports will be used to promote the process of continuous improvement, to assist in Applications for upgrades in prequalification status, to support the contractor's ongoing prequalification status and to ensure a common understanding of expectations for both parties regarding the contracted works.

6.3 Prequalification Status

Subject to satisfactory performance, an organisation's prequalification will remain valid for a maximum period of two (2) years.

Where a matter of concern is identified, the Participating Agency may:

- undertake a review of the contractor;
- meet with the senior management of the contractor;
- issue a warning to the contractor regarding the matter; or
- if the matter is serious (e.g. being placed in voluntary administration), immediately issue a "Show Cause" notice pursuant to Clause 6.4.

Where a contractor is operating across multiple jurisdictions under the mutual recognition framework and a sanction would apply across those jurisdictions, any review may be undertaken by a sub-committee of the TTMTRG.

Any of the following may result in a review of a contractor's prequalification status or the issue of a warning letter:

- where conditional prequalification has been granted subject to a review being carried out following completion of the first contract under the conditional arrangement;
- where a Participating Agency reasonably considers a contractor's performance to be unsatisfactory;
- where a conditional prequalification has been granted subject to compliance with specified conditions or achievement of a satisfactory initial performance review
- following changes to a contractor's organisational structure, or technical, financial or management capacity which, in the opinion of the Participating Agency, may have an adverse effect on the contractor's performance;
- where restrictions on a licence/registration to practise are imposed, or third party certification of a management system is withdrawn or has expired; or
- for failure to comply with the terms and conditions of prequalification.

6.4 Show Cause Notice

A Participating Agency may suspend, downgrade or cancel a contractor's prequalification status at its discretion. If any such action is proposed, the contractor will be issued with a formal "Show Cause" Notice and given the opportunity to respond to the issues raised in the notice.

The Show Cause Notice will:

- state that it is a notice under the NPSTTM terms and conditions;
- specify the alleged breach;
- require the contractor to show cause in writing why the Participating Agency should not exercise the right to cancel, suspend or downgrade the contractor's prequalification status; and
- specify the time and date by which the contractor must show cause.

The Participating Agency may make further enquiries to verify the contractor's responses.

If by the time specified in a Show Cause Notice the contractor fails to respond or to show reasonable cause why the Participating Agency should not adjust the prequalification status, the Participating Agency may cancel, suspend or downgrade the prequalification status without further notice to the contractor. In exercising its rights under Section 6 of this document, the Participating will not act capriciously or act with bias.

If a Participating Agency suspends, downgrades or cancels a contractor's prequalification, the change in status is automatically applicable to any other Participating Agency that has recognised the contractor's prequalification, unless that Participating Agency determines otherwise.

The contractor may elect to appeal the imposition of the sanction in accordance with the process outlined in Sections 6.8 and 6.9 of this document.

6.5 Suspension

A contractor's prequalification may be suspended where there is a temporary or short term issue affecting their ability to satisfy the prequalification criteria specified in this document. Any such suspension will be in place until the temporary problem is remedied and the contractor is again able to satisfy all of the criteria corresponding to the level of prequalification granted.

Where a contractor operates under mutual recognition arrangements, suspension may take the form of a withdrawal of recognition of the contractor's prequalification status by Participating Agencies for a specified period of time. Other Participating Agencies which recognise the prequalified contractor will be notified of the suspension and its cause.

6.6 Downgrading

If, in the reasonable opinion of the Participating Agency, the contractor no longer satisfies the requirements for a particular category of prequalification, their prequalification may be downgraded from "Full" to "Conditional". In addition, the Participating Agency may make an adjustment to the remaining term of prequalification to bring forward the date for a full reassessment. Examples of breaches that may give rise to downgrading of a contractor's prequalification status include:

- repeated minor contractual or prequalification system non-compliances where, in the opinion of the Participating Agency, there is an unacceptable risk in allowing the contractor to remain prequalified at their current prequalification level; or
- an adverse change in the organisation's management systems or technical capability (including availability of key personnel), but the contractor can demonstrate that requirements for a lower level of prequalification are met.

6.7 Cancellation

Examples of breaches that may give rise to cancellation of a contractor's prequalification status include:

- unsatisfactory performance on one or more contracts between the contractor and one or more Participating Agencies;
- the prequalified contractor has been placed into voluntary administration or involved in a compromise or other arrangements with creditors;
- an adverse change in the organisation's management systems or technical capability (including availability of key personnel) such that the contractor no longer fully meets the requirements for prequalification at any level;

- where a contractor has been granted conditional prequalification subject to it meeting certain requirements and it fails to meet those requirements within the stipulated timeframes; or
- where the contractor is experiencing financial problems, as verified by the Participating Agency.

6.8 Reviews

If a contractor is not satisfied with any decision made by a Participating Agency, the contractor may request a review of the decision by the original assessors, providing sufficient additional information is submitted to warrant a review. Any request for a review must be lodged with the Assessing Agency within 20 business days of the date of the letter advising of the prequalification decision.

6.9 Appeals

If an organisation is not satisfied with the outcome of a review, the organisation may lodge an appeal with the Participating Agency or with the TTMTRG within 20 business days of the date of the letter advising of the prequalification decision.

Unless agreed otherwise by the Applicant and the Participating Agency, the appeal will be heard by a specially convened appeals panel which:

- comprises of at least three members; of which 2 members will be from the TTMTRG or be assessors from other participating agencies;
- excludes the original assessors; and
- includes one independent industry representative, chosen by the appellant from a pool of three put forward by the Participating Agency or the TTMTRG.

(**Note:** the appellant must make the selection of an industry representative within the time period specified by the Participating Agency or TTMTRG.)

The Appeals Panel will convene (which may be by teleconference or video link) within 20 business days of receiving:

- agreement by the Applicant to the independent industry representative; and
- the provision of all information supporting the appeal.

The Appeals Panel:

- will review the original decision, including the information provided by the Applicant and the assessment by the agency
- may consider or request new or additional information;
- will act impartially; and
- will provide written reasons for its decision within 20 business days of the hearing.

The Appeals Panel decision will be final and binding on both the Participating Agency(s) and the appellant.

7. Tendering as a Prequalified Contractor

7.1 General

Participating Agencies will include reference to the NPSTTM in their standard tendering requirements for organisations wishing to bid to be appropriately prequalified.

Refer to the individual Participating Agency for other tendering requirements.

7.2 Prequalification Checks Prior to Awarding of a Contract

The Participating Agency may undertake a check of the preferred tenderer's prequalification status prior to the award of a contract, including any technical and/or financial matters.

DRAFT

8. Terms and Conditions of Prequalification

8.1 General

Prequalification in temporary traffic management is a mandatory requirement for all works managed by Participating Agencies. Other road infrastructure managers may also require prequalification for temporary traffic management on their road network.

Contractors wishing to tender for Participating Agency contracts which involve temporary traffic management must be prequalified at the time of closing of tenders.

Eligibility requirements are described in this document, along with the terms and conditions of prequalification and the process that will be undertaken by the Participating Agency to assess and review prequalification Applications.

Companies seeking prequalification (the “Applicants”) and prequalified companies are required to comply with the terms and conditions and associated procedures described in this Section 8.

8.2 No Guarantee of Work

Prequalification is not to be construed as a guarantee of work. Prequalification only determines a contractor’s eligibility to undertake temporary traffic management on works managed by Participating Agencies, subject to meeting any local legislative/regulatory requirements.

8.3 Application Requirements

To become prequalified, an Applicant must select one or more prequalification categories that it believes to be commensurate with its capabilities and submit an Application Form with supporting information that addresses all specified criteria.

In submitting its Application, the Applicant gives permission to the Assessing Agency to carry out such investigations as are considered necessary to evaluate the Application and to determine whether it meets the relevant prequalification criteria. These investigations include an organisation search, bank reference checks and referee checks on key personnel.

In undertaking its assessment, the Assessing Agency may take into account other information in its possession, or information provided by other Participating Agencies or government agencies. In considering Applications from subsidiary organisations, the Assessing Agency reserves the right to examine the resources of the parent organisation or entity, or other related entities, if considered warranted.

8.4 Confidentiality

The Assessing Agency may refer an Applicant’s documentation to its external assessors for assessment. External assessors are required to maintain confidentiality of all information received. However, in lodging an Application, Applicants agree to provide the necessary agency to enable searches and enquiries to be carried out for the assessment.

Information submitted in an Application for prequalification will be treated as commercial-in-confidence and will not be disclosed to any party outside the Assessing Agency and its assessors unless the Assessing Agency is legally required to do so, for the purposes of obtaining legal or financial advice, or in relation to appeals regarding prequalification decisions.

Once prequalified, a contractor's details, including details of its performance on specific contracts, may be shared with other Participating Agencies and government agencies for the purpose of monitoring performance and to determine continued eligibility for prequalification.

A list of prequalified organisations will be made publicly available by Austroads on its website.

8.5 Change of Circumstances

Prequalified organisations have an obligation to advise Participating Agencies, with whom it has prequalification status, of any change in circumstances that may be material to their prequalification status, including any convictions or breaches of legislation or statutory regulations within 20 business days of such a change, conviction or breach occurring.

Further information is provided in Section 6 of this document.

8.6 Applicant's Undertaking

Acceptance of terms and conditions

In applying for prequalification or upgrading, the Applicant is deemed to have accepted the terms and conditions of prequalification, which the Applicant acknowledges and accepts may be varied from time to time.

Accuracy of Application information

The Applicant must ensure that all particulars in the Application are true and correct in every detail.

Use of prequalification status for advertising and promotion

The Applicant agrees not to use any information relating to its prequalification status or contract performance in its advertising or promotional material or publish such information in any form without the express written consent of the Participating Agency(s) with whom it has prequalification status. The Applicant further agrees that it accepts full responsibility for any consequences arising from the use of such information.

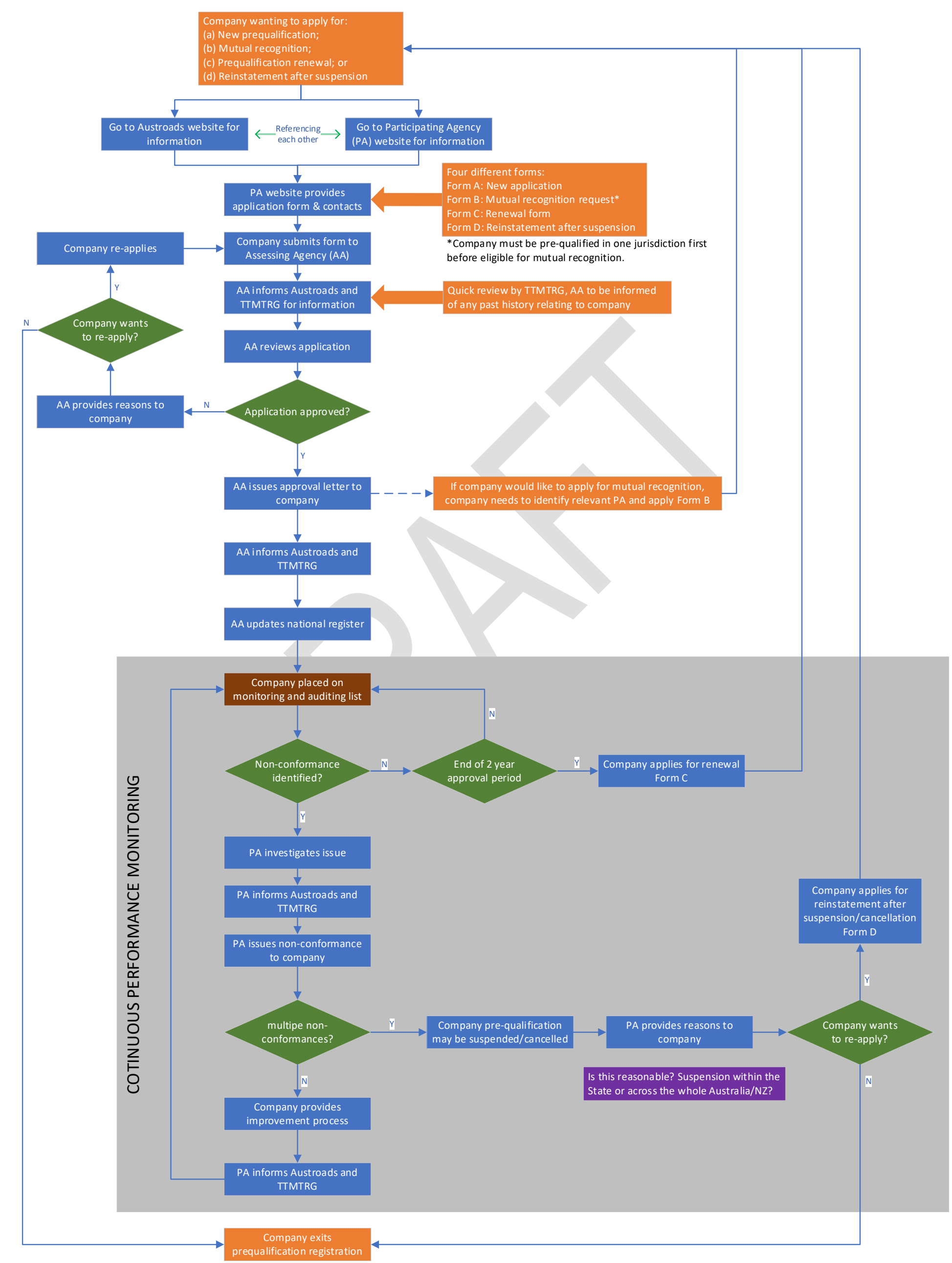
9. Definitions and Interpretation

- **AGTTM** means the Austroads Guide to Temporary Traffic Management
- **Applicant** means the legal entity lodging the Application.
- **Application** means the completed submission ('Application Form'), lodged by the Applicant to be prequalified in one or more traffic management roles and road categories.
- **Assessing Agency** means the Participating Agency that carries out the assessment of the Application
- **Jurisdiction** means State, Territory, Local Government entity or New Zealand.
- **NPSTTM** is the National Prequalification Scheme for Temporary Traffic Management
- **Participating Agency** is a jurisdiction participating in the National Prequalification Scheme for Temporary Traffic Management
- **Tender** includes quotation, proposal or registration/expression of interest.
- **TTMTRG** means the Austroads Temporary Traffic Management Technical Reference Group
- **"Includes"** or **"including"** shall not be interpreted as a word of limitation.
- The word **"or"** is not exclusive.

Disclaimer

- The National Prequalification Scheme for Temporary Traffic Management has been specifically established to meet the requirements of Participating Agencies, and Participating Agencies rely on an Applicant's own documentation in undertaking any assessments.
- Other persons and organisations seeking to deal with a prequalified contractor must rely on their own independent enquiries and judgment. The Participating Agencies and its officers, employees and agents do not represent that any prequalified contractor is technically, financially or otherwise sound.
- This document outlines the minimum requirements of the National Prequalification Scheme for Temporary Traffic Management. The Participating Agencies reserves the right to expand upon and tailor these requirements or any of the processes outlined in this document as appropriate to better reflect their local requirements. Where possible, the local contracting industry will be consulted before any significant changes are introduced.
- To the extent permitted by law, the Participating Agencies and its officers, employees and agents are not liable for any costs, loss, damage or injury (howsoever caused) incurred by any person as a result of the exercise of the discretion to grant prequalification, downgrade, suspend or cancel an organisation's prequalification.

Appendix A Prequalification Process Flowchart



Appendix B Information Websites

Information regarding the National Prequalification Scheme for Temporary Traffic Management, including access to this document:

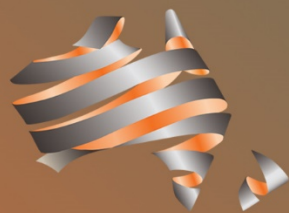
[Author's Note: To be provided at a later date]

DRAFT

Appendix C Insurance & Management Systems Prequalification Criteria

Table C 1: Selected Criteria for Prequalification

Criteria	Requirements						
	ACT	NT	Qld	SA	Tas	Vic	WA
Public Liability Insurance	\$10 million	\$10 million	\$10 million	\$10 million	\$10 million	\$20 million	\$10 million
Professional Indemnity Insurance	\$5 million for Traffic Management (DGN) only	\$5 million for Traffic Management (DGN) only	\$5 million for Traffic Management (DGN) only	\$5 million for Traffic Management (DGN) only	\$5 million for Traffic Management (DGN) only	\$10 million for Traffic Management (DGN) only	\$5 million for Traffic Management (DGN) only
	Not Applicable to Traffic Management Implementation (IMP)						
Quality Management System	- Third Party Certified to AS/NZS ISO9001 by JAS-ANZ accredited conformity assessment body; or - Independent audit and certification that organisation QMS meets key requirements of ISO9001 (as set out in the checklist provided with the Prequalification Application Form) where the Applicant: - is a Local Government Authority - is an organisation with 10 or less employees - is applying to undertake the Design role only (and not an implementation role) - In the latter case the Applicant should contact the Assessing Agency to confirm key (and any other additional) requirements						
Work Health and Safety	- Third Party Certified to AS/NZS ISO4801 or 450011 by JAS-ANZ accredited conformity assessment body; or - Independent audit and certification that organisation QMS meets key requirements of ISO9001 (as set out in the checklist provided with the Prequalification Application Form) where the Applicant: - is a Local Government Authority - is an organisation with 10 or less employees - is applying to undertake the Design role only (and not an implementation role) - In the latter case the Applicant should contact the Assessing Agency to confirm key (and any other additional) requirements						
WorkCover and Industrial Relations	- Organisations must be able to provide evidence of registration for the purposes of providing WorkCover and Insurance - Organisations are expected to meet their industrial relations obligations and submit evidence of acceptable industrial relations management practices and behaviour. Evidence requirements are set out in the Prequalification Application Form.						



Austroads

austroads.com.au

Level 9, 287 Elizabeth Street, Sydney, 2000

+61 2 8265 3300