



UPDATE

Changes to Payment Terms

Building and Construction security of payment Act 1999 UPDATE

The following requirements were introduced to The Act in April 2014:

1. The Amending Legislation now imposes maximum payment periods, as follows:
 - a. by a principal (the council) to a head contractor, 15 business days from the date of the making of a payment claim;
 - b. to a subcontractor, 30 business days from the date of the making of a payment claim.

Please note that previously, parties to a construction contract could agree when payment would be made.

2. Head contractors are now required to provide a 'supporting statement' (in the form prescribed in Schedule 1 of the Regulation. This includes a declaration that all subcontractors have been paid all amounts that have become due and payable in relation to the construction work concerned. Penalties of up to \$22,000 and/or 3 months imprisonment may be imposed where a Head Contractor has knowingly provided false or misleading information.

These changes only apply to contracts relating to construction work, or supply construction related goods and services. Such as Traffic Control, Linemarking and bitumen emulsion.

You will find a more comprehensive list of construction work examples in Section 5 of *The Act Definition of "construction work"*.

<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+46+1999+cd+0+N>

Regional Procurement has amended clause 20 in the Deed of Agreement and Clause 40 in the General Conditions of Contract for all new supply and service contracts.

Further details on the requirements of The Act and related Regulations are available from the following web sites:

The Act: <http://www.legislation.nsw.gov.au/maintop/view/inforce/act+46+1999+cd+0+N>

Regulations: <http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+139+2008+cd+0+N>

E Tendering Portal

Are you registered on the Regional Procurement e-tendering portal?

Set up email alert notifications, view all Regional Procurement advertised tenders and its free.

To Register visit <https://www.tenderlink.com/regionalprocurement/>

Message Message Message Message Message Message Message Message Message Message FROM THE MANAGER

Compliance to the Government Information Public Access Act (GIPA). Regional Procurement has embarked on a process to improve our website compliance in relation to GIPA. When you click on the 'Current Contracts' tab you will be provided with a selection of the regional areas where our contracts are currently in place.

In addition to general information relating to contract details such as description, start and end dates including possible extension periods you will now see that we have included a 'Contract Summary' column. All new contracts will display a 'download' hyperlink that will allow any member of the public to download a copy of the contract summary form for that particular contract. I am confident that this enhancement will provide even greater transparency and compliance to the way Regional Procurement provides access to the general public for this type of information.

Change to staffing. Due to an internal transfer we wish Mikalla Fraser who was in the role of Support Services Officer, a fond farewell. Mikalla is moving to the Administration Division of Hunter Councils with her duties to be absorbed by Sabrina Smithson and Sarah Hurley. Whilst we are on the subject of staffing I also wish to congratulate our Support Services Coordinator – Sarah Hurley (nee Oliver) on her recent wedding. Sarah's email address will now be sarahh@regpro.com.au with all other contact details remaining unchanged.

Provision of Tenderer Debriefs. Regional Procurement is proud to be a leader in the area of providing full and open feedback on our tender processes. Our Tenderer Debrief document provides our valued tenderers with specific feedback on the tender evaluation process, methodology and the evaluation criteria and weightings used to determine the successful tenderer. This document offers a clear and transparent view of the evaluation process. Tenderer Debriefs are provided to all tenderers (successful and unsuccessful) at the conclusion of the tender process. Please contact the Manager – Regional Procurement for further information.

Generally, I am pleased to say that Regional Procurement continues to provide services to our industry partners that are tangible and relevant in today's market place. My team and I look forward to being of continued service to our industry partners and value their ongoing support.



Peter Salafia
Manager
Regional Procurement Initiative®

Ph: (02) 4978 4044
E: peters@regpro.com.au
W: www.regionalprocurement.com.au



Always double check that the Tenderers Declaration is signed and witnesses and also each page of the submission needs to be signed off.

If the submission isn't signed the tender could be deemed non- conforming.

Sounds obvious, but easy to forget!



Hunter (HUN)

Account Executive: Mark Kentish

Member Councils : Newcastle City, Newcastle Airport, Lake Macquarie City, Port Stephens, Maitland City, Cessnock City, Singleton, Dungog Shire, Muswellbrook Shire and Upper Hunter Shire, Wyong Shire Council and Mid-Western Regional Council.

T211415HUN - Traffic Control Services
T221415HUN - Line Marking
T291415HUN - Road Base Material
T321415UHSC - Upper Hunter Commercial Cleaning

Mid North Coast (MNC)

Account Executive: Peter Salafia

Member Councils : Great Lakes, Midcoast Water, Bellingen Shire, Gloucester Shire, Greater Taree City, Kempsey Shire, Nambucca Shire and Coffs Harbour City Councils.

T071415MNC - Traffic and Safety Signage
T151415MNC - Ready Mix Concrete

Richmond Tweed Clarence Council Co - operation (RTC)

Account Executive: Peter Salafia

Member Councils : Byron Shire, Clarence Valley and Richmond Valley Councils

T161415RTC - Traffic and Safety Signage

NAMOI

Account Executive: Craig Wade

Member Councils : Tamworth Regional Council and Liverpool Plains

T171415NAMOI - Concrete Pipes
T181415NAMOI - Hygienic Services

Orana Roc (OROC)

Account Executive: Craig Wade

Member Councils : Warrumbungle Shire, Dubbo City, Cobar Shire Council, Gilgandra Shire, Coonamble Shire, Walgett Shire, Warren Shire, Narromine Shire, Bogan Shire, Brewarrina Shire, and Bourke Shire Councils.

T051516OROC - Bitumen Spray Seal
T191415OROC- Tyres
T201415OROC - Road Stabilising

www.regionalprocurement.com.au

[Click here to request more information on upcoming tenders.](#)



"Sunbaking" - Peggy

[Send us](#) your cute pet pic for next periods newsletter!



Do you have questions?
What about helpful feedback?

Please contact us

Phone: 02 4978 4010

or

Email: admin@regpro.com.au



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Our mailing address is:

Regional Procurement
59 Bonville Avenue, Thornton, New South Wales,
Australia
Thornton, NSW 2322
Australia

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