



Department of
**Jobs, Tourism, Science
and Innovation**

Western Australian Industry Participation Strategy (WAIPS)

Operations Guide



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1. Overview

The State Government spends approximately \$32 billion annually on a range of goods, services, and works. This expenditure can generate positive external outcomes for the State, including job creation, workforce development, and improvements and diversification of supply chains. Through the Western Australian Jobs Act (WA Jobs Act) and the Western Australian Industry Participation Strategy (WAIPS), there is a focus on these broader impacts on the Western Australian economy. Additionally, emphasis is given to the involvement of WA based small and medium sized enterprises (SMEs).

WAIPS 2024 was developed based on the successes of WAIPS 2020. The strategy consolidates and continues the primary aspects of WAIPS 2020 while developing into a more flexible document, with an additional focus on state government procurement relating to innovation, health and medical, digital technology and climate change.

This Operations Guide serves as a reference document to [WAIPS 2024](#) and should be read in conjunction with the WAIPS, which outlines the policy strategy.

Related Documents

The WAIPS Operations Guide is part of a group of documents for the strategy and includes the following hyperlinked documents.

- [Western Australian Jobs Act 2017](#)
- [Western Australian Jobs Regulations 2018](#)
- [Western Australian Industry Participation Strategy 2020](#)
- [Western Australian Industry Participation Strategy 2024](#)
- [How to complete a WAIPS Participation Plan](#)
- [Agency Guidelines for Assessment of a Participation Plan](#)
- [WAIPS Participation Plan Exemption Process Guide](#)

Further information is also available at [WA Industry Link](#).

2. Agency and Supplier Obligations under the Act

Agencies are required to meet the requirements of the WA Jobs Act and WAIPS. Therefore, for any WAIPS supply (determined by thresholds) by an Agency, the requirements outlined in WAIPS 2024 and this Operations Guide apply.

3. Coverage

The scope of WAIPS is based on the WA Jobs Act and WAIPS 2024, and applies to:

- **Agencies** as detailed in Schedule 1 of the [WA Jobs Act](#), including government trading entities, departments, sub-departments and statutory authorities.
- The WA Jobs Act covers **public/private partnerships**.
- **Procurements above the defined threshold values** are referred to as WAIPS supply. The thresholds are detailed in [Section 4.2](#).

WAIPS does not apply to:

- Universities and local governments.
- Purchases of proprietary software packages that are uncustomised and purchased without modification.
- Commercial leases and commercial transactions between state government agencies.
- Selected community services procurements (further advice is available from the relevant area of the Department of Finance).
- Inter-agency transactions including the supply of retail electricity services.

4. Key Requirements of WAIPS

WAIPS includes a number of measures designed to maximise opportunities for Western Australian SMEs through government procurement. For further details, also refer to the [WAIPS 2024](#) document. The following sections are particularly relevant for agencies.

4.1. WAIPS Portal

The WAIPS Portal was launched in July 2024 and streamlines the WAIPS requirements for agencies and suppliers. It manages and supports the following functions:

- Completion of participation plans
- Completion and submission of participation plan reporting
- Exemptions from participation plan requirements
- Completion and submission of exemption reporting

Further information for the [WAIPS Portal](#) is also available.

4.2. Participation Plans

Procurement

During the tender planning phase of the procurement cycle, a tender that meets the value thresholds outlined in the table below is classified as a WAIPS supply.

Form of Procurement (WAIPS Supply)	Threshold
Goods and Services – Regional contracts	\$500,000 and above
Goods and Services – Metropolitan contracts	\$1 million and above
Works – Regional contracts	\$500,000 and above
Works – Metropolitan contracts	\$3 million and above

When an Agency is procuring a WAIPS supply, the agency is required to include a clause and a link to the relevant participation plan template (generated from the WAIPS Portal) in the tender request documentation. This ensures that the correct participation plan is completed and submitted by prospective suppliers as part of their offer.

The requirements for the participation plan vary depending on the value of the WAIPS supply, as detailed in the table below:

Types of Procurement	Location in WA	Core Participation Plan	Full Participation Plan
Goods and Services	Metropolitan area	\$1 million - \$5 million	Above \$5 million
Goods and Services	Regional areas	\$500,000 - \$5 million	Above \$5 million
Housing and Works (new builds, refurbishments, alterations, maintenance contracts)	Metropolitan area	\$3 million - \$10 million	Above \$10 million
Housing and Works (new builds, refurbishments, alterations, maintenance contracts)	Regional areas	\$500,000 - \$5 million	Above \$5 million

Type of Participation Plan

The information requested depends on the type of participation plan.

Core Participation Plan	Full Participation Plan
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<p>The prospective supplier will be required to estimate workforce numbers, demonstrate how they will generate local economic benefits, and demonstrate how they will provide full, fair and reasonable opportunities to local industry.</p> <p>Additionally, the prospective supplier provides details of any intended subcontractor packages above \$20,000.</p>	<p>The prospective supplier will be required to estimate workforce numbers, demonstrate how they will generate local economic benefits, and demonstrate how they will provide full, fair and reasonable opportunities to local industry.</p> <p>Additionally, the prospective supplier provide details of any intended subcontractor packages above \$100,000.</p>
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The WAIPS Portal facilitates agencies determine the appropriate participation plan type by generating the relevant template based on the value and location of the tender.

Evaluation

The Agency evaluates the participation plan as part of the overall tender evaluation.

Weighted Qualitative Criteria and the Participation Plan

The participation plan should be weighed at either 10% or 20% of the qualitative evaluation criteria within a tender for a WAIPS supply. The weighting is at the Agency's discretion and should align with the objectives and principles the WA Jobs Act (sections 7 & 8).

As part of the determination of weighting, the Agency considers the estimated value of the contract, contract location, and the anticipated degree of realisable benefits as defined by Section 7 of the WA Jobs Act.

Other considerations may include the potential for technology transfer/upgrade, the relationship of the contract to innovation, and the capacity of the contract to generate further investment and business activity. The Agency may also consider whether the contract will contribute to highlighting the state's potential in terms of trade and investment to the international business community.

If the Agency decides to evaluate based solely on compliance criteria (e.g. price-based decisions), prospective suppliers should still be required to submit a Core Participation Plan as part of their offer.

Assessing a Participation Plan

Assessment of participation plans is undertaken by the Agency, and further information is available in the [Agency Guidelines for Assessment of a Participation Plan](#).

The Participation Plan is divided into:

- Section A (quantitative); and
- Section B (qualitative).

The quantitative data in Section A is not scored, but its completeness is important for reporting purposes. If a supplier doesn't fully complete Section A or Section B of the Participation Plan, the Agency may, at its discretion, reject or refuse to evaluate the offer.

LIP is only involved in the evaluation of participation plans for strategic projects when invited by the procuring Agency. For more information on what constitutes a strategic project, see [Strategic Projects](#).

Communicating the Participation Plan

The Agency is required to ensure that the successful bidder's participation plan is submitted to JTSI from within the WAIPS Portal as soon as possible after the contract award. Instructions for submitting the successful bidder's participation plan to LIP via the WAIPS portal can be found here: [WAIPS Portal: Submit a successful bidder's participation plan](#)

Contract Requirements

The Agency should refer to the [Tender and Contract Model Clauses](#) developed by JTSI for guidance. These clauses detail important wording for WAIPS participation plans and participation plan reporting obligations.

4.3. Participation Plan Reporting

The reporting of outcomes from government procurement is critical to the objectives of WAIPS. Therefore Agencies are required to ensure that WAIPS supply contracts include an obligation for the successful supplier to report on the implementation of the Participation Plan commitments at the end of the project.

Participation plan reporting is completed by the supplier through the WAIPS Portal. Reminder emails are sent to the supplier with a link to the report, which is also available in the WAIPS Portal under the Participation Plan Reporting Tab. The report covers the actual outcomes of the estimates detailed in the participation plan submitted at the time of tender. The report is required to be submitted within 2 months of practical completion of the contract and are to be submitted to the Agency via the WAIPS portal.

Further information is available on the WA Industry Link website under [WA Industry Link Information for businesses](#).

4.4. Strategic Projects

Strategic projects are characterised by a value of at least \$25 million and a judgement by the Minister for Jobs that the project will be of significant value to the WA economy. Strategic project tenders will require a participation plan with additional local commitments, and LIP can provide further support in the evaluation of participation plans for strategic projects.

WAIPS includes a subset for regional strategic projects that may have a value of less than \$25 million. The Minister for Jobs may declare a **regional strategic project** based on factors such as value, duration, location, diversification or other economic and community benefits. The process for a regional strategic project follows the same procedure as for a strategic project.

4.5. Exemptions

Refer to [WAIPS 2024](#), section 4.5 Exemptions, and the [WAIPS Participation Plan Exemption Process Guide](#) for further details.

The procurement Agency determines whether a potential good, service or works qualifies as a WAIPS supply during the Tender Planning phase (refer to Section 4.1 Tender Planning in WAIPS 2024). It is at this phase that the Agency also considers whether an exemption to the requirement for a participation plan is warranted.

There are specific available categories for exemptions which are listed in the [WAIPS Exemption Process Guide](#) with an explanation for each category.

Once an exemption application is received by LIP, it is reviewed. Any queries are generally addressed within the first few days of receipt. The application is then sent to senior management for approval, and subsequently to the relevant Deputy Director General of JTSI, who acts as the delegated authority for the Minister for Jobs (also delegated by the Director General JTSI).

Once the application has been processed, the Agency will be emailed the outcome. Agencies must allow **15 working days** for this process and factor this timeframe into the estimated tender release date. It is standard practice for exemptions to be granted on the condition that an exemption report covering employment, skilling and content is provided at the conclusion of the contract.

Exemptions are not granted retrospectively. If an exemption is not granted, a WAIPS Participation Plan should be included as a requirement in the tender documentation. If an Agency awards a WAIPS supply contract without either a participation plan or an exemption approval, the Agency must notify JTSI and include in the contract documentation a requirement for the successful tenderer to complete exemption reporting at the practical

completion of the contract. Agencies that consistently fail to follow proper processes will be noted in the Industry Link Annual Report, which is tabled in Parliament.

Standing Exemptions

Standing exemptions are a type of exemption that applies to repetitive and frequent procurement arrangements and are provided on the same basis in terms of exemption categories. This type of exemption reduces administration processes, as agencies no longer need to apply repeatedly for the same type of procurement.

To request a standing exemption, the Agency completes a Standing Exemption Application Letter. Further information is available at [Request a Standing Exemption](#).

While standing exemptions reduce the requirements to apply for an exemption, exemption reporting is still required for each exempted procurement.

Exemption Reporting

The exemption reporting is critical to the objectives of WAIPS, and agencies are required to provide information to JTSI at the conclusion of each project. While an exemption removes the requirement for a participation plan as part of the WAIPS supply, reporting is still required for employment, training and local sourcing.

Exemption reporting is required in all circumstances, except where a breach of confidentiality may occur. This includes situations where local sourcing, jobs or apprenticeships are minimal.

For standing offers (common use arrangements (CUA) and agency panel arrangements), reporting is required. A report must be submitted by each supplier on the panel at the end of the term of the standing offer. All suppliers must submit a report, regardless of the amount of the individual contract for aggregation by the agency managing the contract. Therefore, the thresholds are not relevant once the contract is operational, and, for example, information from a supplier who received a \$50,000 contract under the standing offer is still required to be reported.

If exemption approval has been granted for a WAIPS supply, the following exemption reporting process must be followed:

- The Agency will receive an email from the WAIPS Portal notifying them of the exemption request approval. This email will include a registration link, which the agency must forward to the successful supplier to enable them to register for reporting against the relevant contract.
- The Agency includes a WAIPS exemption reporting clause in the contract with the supplier, requiring a report to be completed via the WAIPS Portal at the conclusion of the contract.

- Based on the exemption application, the WAIPS portal will automatically send the supplier an email with a link to complete a final report at the end of the project.
- The supplier completes the exemption report via the WAIPS Portal within 2 months of the practical completion of the project.
- The Agency will receive an email notification once the supplier has completed the exemption report and can view the submitted report via WAIPS Portal.

IMPORTANT NOTE: In cases where the anticipated contract value may be just short of a threshold, and there is a reasonable possibility that bids may exceed the WAIPS thresholds, it is advisable for the Agency to include the requirement for reporting as determined by bid outcomes.

If the procurement value was initially below the relevant threshold but exceeds this designated value at the time of contract award, the agency must: 1) notify JTSI of the failure to request an exemption or to include the requirement for a participation plan in the tender request by emailing industrylink@jtsi.wa.gov.au or by using the 'Apply for an exemption' button within the WAIPS portal ;and 2) insert the following clause into the Offer and Acceptance letter.

WA Industry Participation Exemption Reporting

The (insert supplier contact) from (insert supplier) is to register for the WAIPS Portal, via <https://waips.industrylink.wa.gov.au/> Once registered, the portal will send the supplier an exemption report reminder at contract completion, eliminating the need for the (procuring agency) to forward. Additional instructions for your supplier can be found here: [How to set up an account \(www.wa.gov.au\)](http://www.wa.gov.au). Further information on Reporting and Compliance is at WA Industry Link: Western Australian Industry Participation Strategy

4.6. Regional Procurement

WA Buy Local Policy 2022

The Western Australian Buy Local Policy 2022 (WABLP) was released in April 2022 and can be found on the [WA Industry Link website](#). The policy includes Regional Price Preferences (RPPs), which are integral to both WAIPS and non-WAIPS supply items in the regions. Agencies are strongly encouraged to become familiar with this policy and its application as part of their responsibilities under the WA Jobs Act.

Through the inclusion of aspects of the WA Buy Local Policy in WAIPS, these aspects are a mandatory requirement for all government agencies, including Government Trading Entities.

Note that, the purpose of the RPPs is to support regional bids when in competition with bids from the metropolitan area. In cases where bids are received from interstate, the RPPs cannot be applied.

If the situation occurs where interstate bids have not been shortlisted, the RPPs can be re-introduced for evaluation purposes. Additionally, increased emphasis will be given to investigating and eliminating bids deemed to circumvent the proper application of the RPPs. (e.g. shop front bids).

4.7. Grants

The introduction of state Agency grants into WAIPS applies to funding arrangements for the construction or refurbishment of capital infrastructure or facilities exceeding \$5 million (including GST).

When the provision of such a grant is finalised, the Agency should inform JTSI (industrylink@jtsi.wa.gov.au) of the following details:

1. Name of the grant
2. Details of the grant recipient
3. Duration of the grant
4. Total value of grant funds provided (inc. GST) for the total duration of the grant
5. Summary of the purpose of the grant
6. Anticipated completion/finalisation date of the grant
7. Confirmation of the grant's outcomes reporting obligation under WAIPS.

Agencies are required to ensure that a clause is included within their contracts that requires the supplier to report on employment and training outcomes to be completed and submitted to the Agency at the conclusion of the contract. A WAIPS Grant Report is also required within 2 months after completion of the project. The [report](#) is completed by the grantee, forwarded to the Agency, and then provided to LIP via email at industrylink@jtsi.wa.gov.au.

4.8. Value for Money

The value for money is a primary consideration for Agency procurement. A value for money evaluation should therefore consider financial and non-financial costs and benefits. The application of the value for money approach should support sourcing decisions which reflect whole of life costs, risk management and economic and social outcomes.

4.9. Agency Panel Contracts and Common Use Arrangements

Standing Offers in the form of Agency panel contracts and common use arrangements (CUAs) can offer price-savings and other efficiencies, such as ease of ordering and risk mitigation. These forms of procurement can have mandatory applications and long contract periods (including extensions), which limit the refreshment of the panel and restrict access for new suppliers.

[WAIPS 2024](#) details best practice parameters for this form of contracting, and agencies are encouraged to review these guidelines and consider implementing and monitoring them in their procurement practices.

4.10.Import Content Impost

The Imported Content Impost is non-mandatory and may be applied at the Agency's discretion, depending on the analysis of potential impact. It must be clearly outlined in the tender request document, with further detail provided in [WAIPS 2024](#).

5. Key Focus of WAIPS

WAIPS 2024 has 4 key focus areas, which are further detailed in the [WAIPS 2024](#) document. At the time of WAIPS 2024's launch, the investigation and consultation for these key policy focus areas commenced. These areas are: innovation through procurement, health and medical services, digital technology and environmental/climate change. The implementation of these focus areas will be documented through addendums to the WAIPS 2024 document, and operational changes will be clarified in this Operations Guide.

The State Government is committed to ensuring WAIPS and accompanying documents are straightforward for Agencies to apply. The WAIPS will be updated when required, and the revised policy will be appropriately communicated. Input will be sought from both Agencies and suppliers to ensure that WAIPS stays relevant and is achieving the Government's priorities.

6. Related Procurement Requirements and Policies

6.1. Procurement Act

Agencies should be aware that when implementing the WA Jobs Act and WAIPS, there is congruity with the Procurement Act and Procurement Rules. Specifically, the following Western Australian Procurement Rules are relevant:

- [Achieve Value for Money](#)
- [Act Ethically – With Integrity and Accountability](#)
- [Procurement Planning](#)
- [Request Development and Contract Formation](#)
- [Contract Management](#)
- [Agency Obligations](#)

The procurement rules and associated guidelines represent best practice policy and processes for agencies in managing the issues encompassed in the procurement cycle. Consequently, all agencies should, as part of their WAIPS requirements, adopt these measures where relevant.

The Procurement Act and Procurement Rules are important in emphasising agency need for a complaint/dispute resolution process including provision of a post tender briefing to unsuccessful bidders. However also note the implications of section 24 of the Act.

6.2. Western Australia Buy Local Policy

There is similar congruity between Buy Local, the WA Jobs Act and WAIPS. Agencies should understand this relationship and its implications across the procurement cycle.

The [WA Buy Local Policy 2022](#) aims to maximise the participation of WA based businesses in supplying to agencies. A primary focus of the policy is small to medium sized enterprises and their relationship to regional procurement, particularly through regional price preferences. As such, WAIPS must be interpreted as including the application of the relevant key features of Buy Local, including price preferencing.

6.3. Annual Reporting of WAIPS Outcomes

The WA Jobs Act requires reporting by the relevant Minister for Jobs on the implementation of the Act and WAIPS on an annual financial year basis. The annual report is prepared by JTSI, submitted to Parliament before 30 November each year, and includes aggregated data from participation plans, participation plan reports and exemption reports.

At request by the Minister for Jobs, an Agency must provide any information required for the purposes of preparing the annual Parliamentary report on the implementation of the WA Jobs Act and WAIPS. Refer to Section 20(1) of the WA Jobs Act.

7. Implementing WAIPS Across the Procurement Cycle

Refer to [WAIPS 2024](#), Section 7, Implementing WAIPS across the Procurement Cycle.

Under the WA Jobs Act, the objectives and policies cited in the Act, as expressed in WAIPS, cover the procurement cycle as a whole

As part of implementing WAIPS across the procurement cycle, unsuccessful tender bidders should be provided with an opportunity for information and feedback on how they can improve for further offers through discussion or briefings.

8. Compliance and Audit

Compliance of WAIPS 2024 is monitored through various means, including the ability of the Minister for Jobs to initiate independent audits.

9. Assistance

LIP and/or LCAs will provide assistance on:

- Using the WAIPS Portal
- How to comply with and apply WAIPS.
- Guidance on the exemption process.
- Participation Plan assessment assistance for Strategic Projects when requested by the procuring Agency.
- WAIPS amendments process.
- Promoting WAIPS and supporting agencies on its implementation.

10. Trade Agreements and Section 92 of the Australian Constitution

The State Government has obligations under the relevant Government Procurement chapters of various bilateral Trade Agreements, and WAIPS is designed to meet these obligations. The Trade Agreement provisions contain an exception for government policies directed at supporting SMEs. Therefore, the Trade Agreement provisions do not apply in this instance. An SME is defined as a business that has fewer than 200 full time equivalent employees.

Additionally, Western Australia is a signatory to the Australia and New Zealand Government Procurement Agreement (ANZGPA), which restricts the use of state-based preferences. The WA Government also has obligations under Section 92 of the Australian Constitution concerning the free flow of interstate trade. The WAIPS meets these obligations in its implementation.

11. Feedback

The State Government encourages feedback and is engaging in consultation to support the operation and implementation of this strategy. To provide feedback, refer to the contact details in Section 12.

12. Contact Information

JTSI, Local Industry Participation

Email: industrylink@jtsi.wa.gov.au

Phone: (08) 6277 2999

Web: <https://www.wa.gov.au/organisation/departments/departments-of-jobs-tourism-science-and-innovation/wa-industry-link-waips-portal-information-businesses>

Address:

Department of Jobs, Tourism, Science and Innovation
Level 11, 1 William Street
PERTH WA 6000

Further assistance on WAIPS is available through JTSI's Local Industry Participation (LIP) and the Department of Primary Industries and Regional Development's Local Content Advisers (LCAs) for regional queries. The contact details for LCAs are available at <https://www.wa.gov.au/organisation/departments/departments-of-primary-industries-and-regional-development/local-content-advisor-network>.

13. Terms Used

Agency: An Agency as defined in the *Western Australian Jobs Act 2017*.

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 and IT 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 industry and are structured to provide Australian and New Zealand industries the opportunity to participate in projects.

Local industry: Suppliers of goods produced, or services provided, in Western Australia, another State or Territory or New Zealand.

Metropolitan: All areas which are located outside of 'Regional'. Refer to definition of 'Regional' below.

Procurement Agency: In relation to a WAIPS supply, this refers to the agency responsible for conducting the procurement process for the WAIPS supply.

Prospective Supplier: In relation to a WAIPS supply, this refers to 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 - \[02-f0-00\].pdf](#) , Schedule 1 – Regions defined by reference to districts.

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

Small and medium sized enterprise (SME): A business with fewer than 200 full time equivalent employees.

Supplier: A person or body that supplies goods or services to or for an Agency or the State.

Supply: A supply of goods or services to or for an Agency or the State.