



Finance Technical Guideline

TG035 Specification by Performance and Example

1 Purpose

This technical guideline supplements *TG001 NATSPEC Specification* and provides supporting guidance on meeting the Department of Finance's (Finance) requirements when specifying either By Performance (Generically) or By Example, for government building projects.

Irrespective of construction value, all consultants and sub-consultants on Finance projects must comply with the "*Western Australian Procurement Rules*" and "*Guide Notes to Assist in the Preparation of the Specification Preliminaries and the Specification Generally for Works Contracts Tendered by the Department of Finance in the Name of the Minister for Works*" (referred in this document as the *Guide Notes to Assist in The Preparation of the Specification..*) with respect to specification by example of any materials, products or components of the Works. Consultants must also follow the *Western Australian Buy Local Policy 2020*, and the *Architectural Services Brief for Non-Residential Buildings*.

2 Proprietary Products

As outlined in the *Guide Notes to Assist in The Preparation of the Specification..*, proprietary products should only be named where it is not possible to provide a performance-based specification. If a proprietary product is named, it should be Western Australian where possible and give Tenderers the opportunity to offer a similar equivalent product.

If a proprietary product is named, the consultant must add the phrase '**or a similar product equivalent in function, quality, etc to the approval of the Superintendent's Representative**' in each and every instance, immediately after the specification of the product, in such a fashion that the phrase is read as an integral part of the element specification. This is applicable to all disciplines on every occasion, despite any general clause in the Preliminaries or General Sections of the Specification which might state that '*approval*' means approval of the Superintendent's Representative.

On tables or schedules of equipment, fixtures or finishes etc., a single statement acknowledging consideration of '**or a similar product equivalent in function, quality, etc to the approval of the Superintendent's Representative**' will be accepted, if that statement is integrally linked or clearly identifiable as applicable to those products listed within that table.

Highlighting the sensitivity around this policy, Clause 3.13.2 “Sanctions” of the *Guide Notes to Assist in The Preparation of the Specification..* states that “...at the discretion of the Department of Finance, penalties may be applied should the consultant fail to meet these obligations”.

3 Specification by Example

In support of the WA Recovery Plan and Buy Local Policy 2020, all consultants need to focus their attention on the Government’s strong intentions to support Western Australian businesses, wherever possible. Therefore, the use of appropriate, immediately local materials should be used wherever possible, unless doing so would unreasonably compromise the durability, amenity or functionality of the building(s).

If the project is regional, there is enhanced sensitivity in the matter of buying local and every opportunity needs to be taken to provide local businesses the opportunity to supply products and labour on Finance projects, hence the primary importance of generic specification. Local materials include, in order of precedence, items manufactured or supplied near the project; elsewhere in WA; in Australia or New Zealand.

To increase visibility and provide evidence of the reasonable application of this policy, Lead Consultants for all projects must provide the following:

- Schematic Design Stage: A preliminary finishes schedule
- Design Development Stage: A schedule of finishes/materials for all disciplines
- Contract Documentation Stage (and prior to Tender): For all projects valued above \$1.5 million, *The Schedule of items and products: Specified by Example*, consolidating all disciplines and providing reasonable justification for the specification of products intended to be specified by example (see Bulletin to Architects from the Principal Architect dated 10 August 2020). Please note this Schedule will not form part of the tender documents but must be provided prior to or at the time of tender documentation release.

3.1 Schedule of Items and Products: Specified by Example

The *Schedule of items and products: Specified by Example* is required to list all those items and products specified by example and provide reasonable justification for why the specific brand or supplier has been named, including evidence of interrogation into the product’s local content availability.

When completing the *Schedule of items and products: Specified by Example*, consideration should be made for the following criteria:

- a) Can the product be specified generically? If it can, then the product does not need to be listed on the table.
- b) If it cannot be specified generically, was justifiable criteria applied in the selection of that product, as the tendered example? Namely:

- i. Was the product nominated 'By Example', as to do otherwise would unreasonably compromise the durability, amenity or functionality of the building?
 - ii. Is a suitable equivalent of the required product able to be sourced immediately locally, and if not, is it able to be sourced at first within Western Australia, followed by Australia and New Zealand?
 - iii. Aesthetic preference is typically not an acceptable justification.
- c) If reasonable justification can be provided for the nomination of a product 'By Example', then this must be recorded in an appropriate format to provide evidence of the reasonable application of the Buy Local Policy.

The following extract offers an example of how acceptable justification may be provided within the standard table: *Schedule of items and products: Specified by Example*:



Schedule of items and products specified by example: Example Project School Refurbishment, Site: Lower Pinkeland, WA

	Item specified by example	WA Supplier and location	Manufacturer (WA) and region	Manufacturer / Supplier and country (outside WA)	Justification	Other comments
1	Concrete 1: Concrete "Special terrazzo A"	The Concrete Person: 82 Local Rd, Pinkeland, WA	The Concrete Person: Pinkeland, WA	-	Terrazzo finish to match Stage 1, which uses local aggregate and tinted mineral composition	
2	Fabric 1: Extra fluff "Soft fluff"	Fluff Zone Fabrics: 63 Perth Lane, Perth, WA	Extra Fluff: 99 Fluff Lane, WA	-	External blinds, Flame Zone. No immediately local (Pinkeland) supplier or manufacturer for this fabric type. Reverted to WA local supplier and manufacturer	
3	Floor Tiles: Clinker's Anti slip, Fully vitrified porcelain, 9mm body	The Tilest, 602 Building St, Osborne Park, WA	-	France, EU	We have found only one company that manufactures tiles in Australia (and none in WA), and they are not equivalent in durability, amenity or functionality, to suit the requirements of building type	Unglazed fully vitrified porcelain tiles are extremely durable. Best suited to high impact zones, very resistant to staining & scratching
4	Face brick A, corner tower	-	-	Victoria, Australia	Heritage consideration. Unable to find an equivalent product in price, durability, amenity or functionality supplied or manufactured in WA. We have reverted to Australian Made	
5	Partitions: Looland Fixtures, Soaker panel	Looland 333 Green St, Rockingham, WA	-	New Zealand	Local distributor, New Zealand Made	To match used on Stage 1
6	CCTV camera	Cromerls Fixtures, 1018 Welshpool Rd, Welshpool, WA	-	Malaysia, China and Europe	Client agency brief stipulation. Australian Design & Distributor, high quality, cost effective and fit for purpose. We are unaware of any WA based manufacturers	

Copies of schedules from Specification trade sections for items such as door furniture, light fittings, sanitary fittings etc, may be appended to this schedule but must be accompanied by the same information about suppliers and manufacturers and their locations, together with justifications.

Lead Consultant..... Date.....



Table Notes:

- This schedule is to be considered a supporting document, to demonstrate the designed adherence to Policy requirements. Therefore, as this schedule is not to be included in the tender documents, the phrase “*or a similar product equivalent in function, quality, etc to the approval of the Superintendent’s Representative*” need not be applied.
- Justification:
 - What durability, amenity or functional qualities have justified the selection of the product?
 - In the first instance consideration should be made for suitable, immediately local suppliers and manufacturers.
 - Aesthetic preference is typically not an acceptable justification. Matching a previous project stage selection may, in certain cases, be considered justifiable.
- All names and product references are fictional. Any reference to an actual product, supplier or brand are unintentional, and should not be read as an endorsement for any brand or product.



4 Guiding Criteria

The below criteria provide guidance on how to achieve Finance's specification requirements using NATSPEC. In instances where specification templates other than NATSPEC are used, the same principles must be applied in the creation of those documents.

This guidance does not preclude the application of other required, relevant, and applicable legislated standards, project briefing, State Policy or other applicable requirements. Should any conflicts be identified, please liaise with your Finance Project Manager for guidance.

- Where the NATSPEC template is employed for the creation of the Specification document, only unbranded worksections should be used.
- In the event any branded specification section (NATSPEC worksection or otherwise) is deemed necessary, justification is to be supplied, and the specification section must be generically titled (removing all corporate ownership and branding including headers, logos, copyright, contact details and the like), and must include the appropriate wording allowing substitution alongside each and every brand or product reference.
- Where the NATSPEC template prompts a material selection, the line 'Product' is to be completed as:
 - When Specifying by Performance: "not applicable"
 - When Specifying by Example: the product, followed immediately and in every instance by the phrase "***or a similar product equivalent in function, quality, etc to the approval of the Superintendent's Representative***"
- Finishes and other such Schedules included within the contract documents must likewise follow these principles by:
 - When Specifying by Performance: Removing the reference to proprietary and/or brand names and Supplier or manufacturer logos, contact details etc.
 - When Specifying by Example: including the phrase "***or a similar product equivalent in function, quality, etc to the approval of the Superintendent's Representative***" once at the top of the table or schedule, including an appropriate linkage to each reference.
- The nomination of design preferences, such as 'colour', 'profile', 'finish', or similar can be achieved using the branded colour or profile along with the phrase "***to match***" immediately before the branded reference.
- When a product has been specified and described, whether it be by Example or by Performance, please ensure the specification does not inadvertently exclude other equivalent and suitable products or manufacturers. This has proven to be an issue

in some instances, where specifiers have sought the assistance of a supplier in writing their specification.

- The contract documents must not include any instances of supplier or manufacturer logos or contact details. This is irrespective of whether the product or material has been specified generically, or by example.

4.1 Example A: Profiled Roof Sheeting

4.1.1 Specification by Performance

In this hypothetical example below, the roof sheeting nominated for roofs 1, 2 and 3 were industry standard and readily able to be supplied by multiple manufacturers. Specification template: NATSPEC worksection 0423 *Roofing - Profiled Sheet Metal* was selected from the current suite of NATSPEC Building Professional.

Example: Drawing Annotation

“Metal deck roof sheeting – refer Specification”

Example: NATSPEC Profiled sheet metal roofing schedule

Property	A	B	C
Location	Roof Area 1	Roof Area 2	Roof Area 3
Product	Not Applicable	Not Applicable	Not Applicable
Profile	To match Metaldeckomatic: Prettyorb 10	To match Metaldeckomatic: Prettyorb 15	To match Metaldeckomatic: Littleorb 2
Material	Prefinished/coated steel sheeting to meet the requirements of AS2728	Hot-dip type AM coated sheet steel to meet the requirements of AS1397 with a coating weight of 125gm ²	Prefinished/coated steel sheeting to meet the requirements of AS2728
Base metal thickness (BMT) (mm)	Minimum 0.48 BMT	Minimum 0.48 BMT	Minimum 0.48 BMT
Finish	Not applicable	Not applicable	Not applicable
Colour	To match Metaldeckomatic: Hot Pinky	Natural (self-finish)	To match Metaldeckomatic: Softly
Fasteners	Concealed clipped	Concealed clipped	Concealed clipped
Insulation spacer type	As nominated	As nominated	As nominated

All names and product references in the table are fictional. Any reference to an actual product, supplier or brand are unintentional, and should not be read as an endorsement for any brand or product.

4.1.2 Specification by Example

In this hypothetical example below, the roof sheeting nominated for Roof 4 was unable to be specified generically, due to the specific staging requirements of the project and the custom profile of the previous stage sheeting. This resulted in the need to extend the roof sheeting used on the previous stage. Specification template: NATSPEC worksection 0423 *Roofing - Profiled Sheet Metal* was selected from the current suite of NATSPEC Building Professional.

Example: Drawing Annotation

“Metal deck roof sheeting type D – refer Specification”

Example: Specification Line Item

“Metaldeckomatic - Extra Special, Type D, custom profile, or a similar product equivalent in function, quality, etc to the approval of the Superintendent’s Representative, shall be used on Roof Area 4, to match and extend the existing custom system used on Stage 1.”

Example: NATSPEC Profiled sheet metal roofing schedule

** or a similar product equivalent in function, quality, etc to the approval of the Superintendent’s Representative*

Property	D: (custom)		
Location	Roof Area 4 – Stage 1 Extension		
Product	Metaldeckomatic *		
Profile	Prettyorb 6, custom LB		
Material	‘Extra Special’		
Base metal thickness (BMT) (mm)	Minimum 0.48 BMT		
Finish	Not applicable		
Colour	Hot Pinky		
Fasteners	Concealed clipped		
Insulation spacer type	As nominated		

All names and product references in the examples above are fictional. Any reference to an actual product, supplier or brand are unintentional, and should not be read as an endorsement for any brand or product.

5 References

TG001 NATSPEC Specification, Department of Finance [TG001 NATSPEC Specification \(www.wa.gov.au\)](http://www.wa.gov.au)

Guide Notes to Assist in The Preparation of the Specification Preliminaries and the Specification Generally for Works Contracts Tendered by the Department of Finance in the Name of the Minister for Works, Department of Finance

Western Australian Procurement Rules, Department of Finance [Western Australian Procurement Rules \(www.wa.gov.au\)](http://www.wa.gov.au)

Buy Local Policy 2020 [Buy Local Policy 2020 \(www.wa.gov.au\)](http://www.wa.gov.au)

6 Document control

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7 Document approval

This guideline was endorsed and approved for use on 23/12/2021 by:

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