

LOCAL INDUSTRY DEVELOPMENT PLAN – SAMPLE TEMPLATE

Considerations

This document provides a template to prepare a Local Jobs First Local Industry Development Plan (LIDP). Bidders must consult with the Industry Capability Network (Victoria) Ltd (ICN) for acknowledgement of their Local Industry Development Plan.

During preparation of this document, bidders must consult with the Industry Capability Network (Victoria). Please allow sufficient time for the assistance process. ICN can be contacted on (03) 9864 6700 or at info@icnvc.org.au. Please refer to the Local Jobs First Supplier Guidelines document for more details.

Please note, for your LIDP to receive an ICN Acknowledgement Letter, all fields of this document and all cells in the tables must be completed. If you have no information to provide, please note N/A or 0, as applicable.

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Glossary of Terms

The below is a summary of the Local Jobs First terms. You must ensure that you have read, understand and comply your full obligations as provided in the [Local Jobs First Policy and Supplier Guidelines](#).

Acronyms

ICN Industry Capability Network (Victoria) Ltd

LIDP Local Industry Development Plan

LJF Local Jobs First Policy

MPSG Major Project Skills Guarantee

Definitions of Terms

Acknowledgment Letter– Refers to the letter received by bidders after ICN has assessed the LIDP submission for completeness and Policy compliance. This is achieved when the bidder's LIDP is submitted prior to the procuring Department and/or Agency's due date, and the employment, implementation plan and Local Content Commitment table sections being adequately completed.

Apprentice - Apprenticeships are undertaken under a National Training Contract between an employer and an apprentice that combines structured training with paid employment. Apprenticeships are generally at Certificate III level and above and extend across a range of trades. Apprenticeships typically have a nominal duration of three to four years and are competency based. Only work contributed by an apprentice registered with the Victorian Registration and Qualification Authority (VRQA) may be counted as contributing towards outcomes committed in a Local Industry Development Plan as they relate to the Victorian Industry Participation Policy and the Major Projects Skills Guarantee.

Australia and New Zealand Government Procurement Agreement (ANZGPA) –The Local Jobs First Policy recognises the Australia New Zealand Government Procurement Agreement (ANZGPA) entered into by Australian State and Federal Governments and New Zealand in 1991. The objective of ANZGPA is to maximise opportunities for competitive ANZ suppliers to supply into government procurement and to reduce costs of doing business for both government and industry and applies to all Australian and New Zealand local industry participation policies.

Cadet – Cadetships combine formal tertiary training with practical work experience. Cadets are individuals enrolled in a recognised Australian tertiary level organisation and who receive structured learning opportunities as part of their engagement to a Local Jobs First project (e.g. cadets in architecture, quantity surveying, and engineering). Cadetships vary in length depending on the vocation but are generally 18 months to 2 years in length. A cadetship does not fall under a National Training Contract.

Contestable goods and services – Goods and services in a procurement process are considered to be contestable when there are competitive international and local suppliers. Competitive means the suppliers are able to offer comparable goods or services that meet the specifications provided in the EOI or tender documentation. Contestable items can be goods or services at any stage of a project, including maintenance.

Contract Manager – The contract manager refers to the person within the relevant Agency responsible for managing the procurement activities and the VIPP process for a particular contract.

Deemed hours formula – Refers to the method prescribed by the MPSG for determining a project's total estimated labour hours, based on contract value. It is the basis from which the minimum MPSG requirement is determined for each applicable project.

Employment – Refers to the number of actual new or retained (i.e. existing) annualised employee equivalent opportunities (jobs) to be created in Australia and New Zealand as a result of the contract.

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Note: AEE replaces Full Time Equivalence (FTE), and is calculated by dividing the total number of ordinary working hours that an employee worked and was paid over the reporting period (including paid leave) by the total number of full-time working hours paid per annum (this is generally 38 hours per week for 52 weeks = 1976).

Local – The term local means all suppliers producing Victorian, Australian or New Zealand goods or services or when they have added value to imported items.

Local Content – The term local content covers all suppliers producing Australian or New Zealand (ANZ) goods or services or when they have added value to imported items. Under Section 3(1) of the *Local Jobs First Act 2003*, local content means goods that are produced by local industry, or services that are supplied by local industry or construction activities carried out by local industry.

Local Industry – Under Section 3(1) of the *Local Jobs First Act 2003*, local industry means industry and other businesses based in Australia or New Zealand.

Local Industry Development Plan (LIDP) – A Local Industry Development Plan is a document prepared by the supplier as part of the EOI, RFP and/or tender submission for a Local Jobs First project. The LIDP details the supplier's commitment to address the LJF requirements and details the expected local content and job outcomes. An LIDP must have an ICN acknowledgement letter from the ICN to be compliant.

Local Jobs First Commissioner – The Local Jobs First Commissioner means the Local Jobs First Commissioner appointed under Section 12 of the *Local Jobs First Act 2003*.

Local Jobs First Policy – The Local Jobs First Policy is comprised of the Victorian Industry Participation Policy and the Major Projects Skills Guarantee.

Major Projects Skills Guarantee – The Major Projects Skills Guarantee is a policy that provides job opportunities for apprentices, trainees and cadets on high value construction projects.

Non-contestable items – Items that are considered as only being available through the international market or local suppliers only. That is, it is considered that there is no current competition between international and local suppliers to deliver the particular good or service.

Office of Industry Participation and Jobs – An office in DJPR that provides advice to the Minister, agencies, and the ICN on the application of the LJF. The Office of Industry Participation and Jobs supports the Minister to deliver the LJF policy (including setting guidelines, templates and undertaking related policy work), coordinates the setting of local content requirements, manages the ICN contracted services to support the delivery of the policy, prepares regular reports to the Minister on progress, including the whole-of-government LJF Annual Report under the Act.

SME – Small-to-Medium Enterprises.

Standard employee – Refers to all employees not classified as apprentices, cadets or trainees.

Trainee - Traineeships are undertaken under a National Training Contract between an employer and a trainee that combines structured training with paid employment. Traineeships are undertaken at Certificate II level and above including Diploma and Advance Diploma. Traineeships can be in areas including business services, information technology or community services. Traineeships typically have a nominal duration of one to two years and are competency based. Only work contributed by a trainee registered with the Victorian Registration and Qualification Authority (VRQA) may be counted against the minimum 10 per cent requirement.

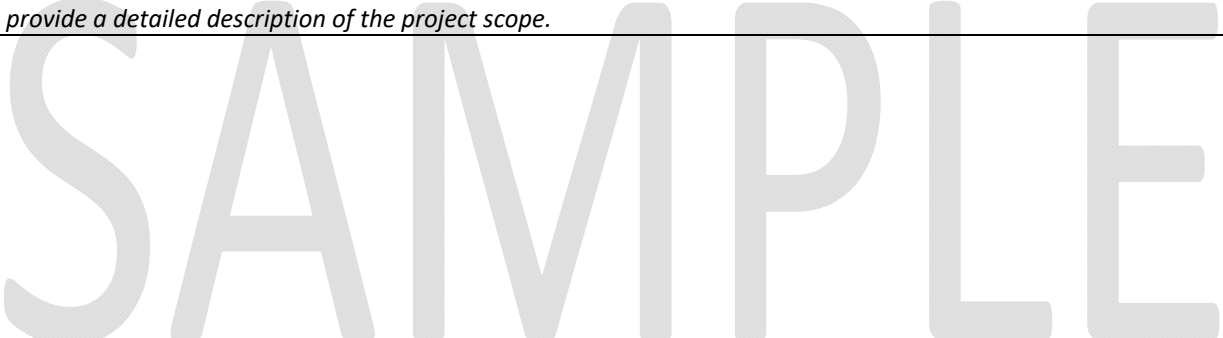
Rural and regional Victoria – has the same meaning as in the *Regional Development Victoria Act 2002*.

Value for money – Value for money is a balanced judgement of a range of financial and non-financial factors, taking into account the mix of quality, cost and resources; fitness for purpose; total cost of ownership and risk.

Work Package – Work package is used to define and group a project's discrete work elements in a way that helps organise and define the total work scope of the project.

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Organisation and Project Details

1. Company Details	
Company/Organisation name	Click here to enter text.
Primary contact person	Click here to enter text.
Contact phone	Click here to enter text.
Contact email	Click here to enter text.
Secondary contact person	Click here to enter text.
Secondary contact phone	Click here to enter text.
2. Tender Details	
Tender name	Click here to enter text.
Tender reference number	
Tender due date	[date]
Government agency	Click here to enter text.
Contract manager	Click here to enter text.
Project Description	
<i>Please provide a detailed description of the project scope.</i>	
	

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Local Jobs First Commitments

3. Local Content Commitment

Local Jobs First Criteria	Notes	Commitment
ANZ Value-Added Activity Local content (or ANZ value added activity) = the total cost of a product or service less the imported content.	The bidder shall demonstrate its ability to deliver: (for Strategic Projects only) <ol style="list-style-type: none"> % minimum local content % of estimated labour hours (MPSG applicable projects only). Please outline deemed hours formula in Part 8. 	In the field below, outline your ANZ Value-Added Activity commitment: <ol style="list-style-type: none"> % minimum local content % of estimated labour hours (MPSG applicable projects only). Please outline deemed hours formula in Part 8.

Note: Consideration should be given to the use of items by competitive local suppliers as this will assist in meeting the minimum local content requirements. A list of contestable and non-contestable items is provided in Attachment A, all of which must be addressed in the local content commitment tables in Attachment B.

4. Employment Commitment

Calculate the number of retained and/or new jobs to be created in **Australia and/or New Zealand** during the life of this project.

Note: AEE is used in place of Full Time Equivalence (FTE).

Annualised Employee Equivalent (AEE) = Total paid hours during the contract term (reporting period) divided by total full-time working hours paid per annum (38 hours per week for 52 weeks = 1976).

*Note: The table includes a breakdown of apprentices, trainees and standard jobs created or retained workhours, however the **Total Workhours** is calculated on the **Total** cells only.*

If this is an MPSG applicable project, please complete Part 8 and Attachment D Estimated Occupational profile.

Employment type	Created	Retained
Victorian Apprentices	0.00	0.00
Victorian Trainees	0.00	0.00
Victorian Cadets	0.00	0.00
Victorian Standard Employees	0.00	0.00
<i>Total Victorian AEE</i>	<i>0.00</i>	<i>0.00</i>
Rest of ANZ Apprentices	0.00	0.00
Rest of ANZ Trainees	0.00	0.00
Rest of ANZ Cadets	0.00	0.00
Rest of ANZ Standard Employees	0.00	0.00

Note: Double click on the above table to complete. Alternatively, right click on the table, select worksheet object and open. The table opens in Microsoft Excel. Please complete the non-coloured cells in Calculations only. Save all your changes in Excel, return to the Employment tab and close Excel to resume in Word. To print the tables, please open them in Excel and print from there.

At submission to the Government Agency, please ensure the table displays the Employment tab.

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Implementation Plan

The following sections outline how your bid will incorporate local products, services and capabilities to meet the commitments in this LIDP. Please outline your processes, policies and procedures for identifying, assessing, selecting and monitoring local products, services and capabilities to meet the commitments stated in this LIDP.

5. Identifying and selecting local products and capabilities to meet contract requirements

5.1 Consultation Process

Many of the technologies and materials for this project may be available locally. Where applicable, bidders should propose procedures to work with various stakeholders to minimise the need to source from overseas and promote the concept of local industry participation. This could include consulting with:

- Subcontractors
- Industry associations
- ICN
- Government organisations and agencies
- ANZ industry and other groups
- Employment associations
- TAFEs
- Department of Jobs, Precincts and Regions - Industry Portfolio.

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5.2 Alerting Local Industry

Bidders should detail methods to alert local industry of upcoming tenders and contract requirements. This could include:

- Issuing work packages on ICN Gateway
- Advertising in the local newspapers' tender section
- Contacting local suppliers and subcontractors directly at tender time to attract interest from local industry
- Utilising industry databases/websites to alert local industry Hosting industry forums in metropolitan and regional Victoria.

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5.3 Liaising with International Suppliers

Bidders should detail methods to liaise with international suppliers to increase opportunities for local industry, including manufacturing under overseas licensing arrangements and technology transfer. This may include identifying work packages and items with the potential for import replacement by local products and services. Where no local supply options can be identified, the bidder should consult with ICN to ensure local options have not been overlooked.

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6. Assessing and Comparing Local Products and Capabilities with Overseas

6.1 Benchmarking

Where applicable, bidders should develop benchmarks (based on “whole-of-life” cost parameters and appropriate quality and performance indicators) for the evaluation of proposals and alternatives. This may include the application of the principles of Local Jobs First in their procurement process and setting a benchmark of a nominal percentage point (for local value-added activities) for evaluating proposals and alternatives. This could be expressed in the form of a Local Jobs First declaration, which should be agreed upon between the proposed subcontractor and the bidder before implementation. Bidders may seek assistance from ICN to improve the set benchmark set.

6.2 Assessing the Local Value-added Content

Bidders should develop procedures for assessing the local value-added content in a product or service. This could include a checklist to assess local content in a product or service, to ensure that the company, as well as the goods and services they are supplying are local.

6.3 Comparing Local Products and Services against Overseas Equivalents

Bidders should develop procedures for ensuring that local products and services are evaluated against imported goods and services. For example, the bidders may choose to instruct, in their Conditions of Tender guidelines, subcontractors that tender submissions should consider local products and services alongside imported alternatives and/or identifying work packages for import replacement so that they can make a value-for-money judgement as appropriate.

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7. Product or Service Selection Policy or Procedure

Describe the procedures or policies for the selection of products and services that provide the opportunity for local industry participation over the life of the contract. Bidders should apply the principles of the Local Jobs First to their selection process.

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8. Major Project Skills Guarantee

Bidders for MPSG applicable projects must use the deemed hours formula outlined below with reference to the Supplier Guidelines – Appendix 2. In the field below, you must provide the total labour hours and MPSG target for apprentices, trainees and cadets.

$$Total\ Contract\ Sum - (10\%\ GST + Profit\ Margin + Specialist\ Equipment) = Adjusted\ Contract\ Price$$

$$\frac{Adjusted\ Contract\ Price \times Deemed\ Labour\ Ratio}{Deemed\ Hourly\ Rate} = Total\ Labour\ Hours$$

$$Total\ Labour\ Hours \times 10\% = MPSG\ target\ for\ apprentices,\ trainees\ and\ cadets$$

Bidders are not required to provide the workings of the formula but must keep records that can be requested by the Procuring agency, Department of Jobs, Precincts and Regions or the Local Jobs First Commissioner.

Comments:

Total labour hours	
MPSG target for apprentice trainees and cadets.	

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9. Local Jobs First Monitoring and reporting

Bidders should detail how they will monitor and report on outcomes for local industry involvement and job outcomes. The response should include answers to all of the following items:

- The number of jobs created and retained (AEE for the whole project, including sub-contractors, apprentices and trainees)
- The number of apprentices and trainees and cadets created and retained (labour hours);
- Local Jobs First commitments secured against contract levels;
- Frequency of monitoring and reporting and associated mechanisms
- Procedures for corrective action should inappropriate or ineffective action be determined;
- For the Major Projects Skills Guarantee the strategy and/or plan that will be adopted in order to achieve the minimum requirement (if applicable);
- Frequency and level of internal assessment of the effectiveness of the implementation of the Plan;
- Frequency of external assessment of sub-contractor and supplier commitment to local industry participation;
- For the VIPP, level of use of ICN and other organisations to assist in the identification of competitive local sources of supply; and
- Use of Attachment D: Local Jobs First Monitoring Table.

The ICN can assist in the monitoring of compliance with Local Jobs First commitments as part of overall performance management.

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10. Statement of compliance

By signing this statement of compliance, you commit to:

- Take all reasonable steps to comply with LJF principles
- Agree to be monitored by the Department or Agency, the Department of Jobs, Precincts and Regions (DJPR), Local Jobs First Commissioner for compliance with LJF commitments as part of overall performance management
- Agree to complete the Statutory Declaration (Attachment F) at practical completion of the project, confirming Local Jobs First outcomes achieved
- Agree to allow DJPR, Local Jobs First Commissioner and ICN to review the Local Jobs First outcomes at the completion of the contract
- Acknowledge that the Local Industry Development Plan shall be centrally recorded by the Victorian Government
- Agree to the Terms and Conditions as set out in Attachment G of this document.

To confirm that you agree to the Statement of Compliance as listed above, please sign below.

Note: If submitting a Local Industry Development Plan online via the Victorian Local Jobs First Management Centre – VMC (www.icn.vic.org.au/vmc) acceptance of the Terms and Conditions must be acknowledged and agreed to prior to submission, therefore no signature is required within the Local Industry Development Plan.

Signed on behalf of	
Signature:	
Name:	
Position Title:	
Date:	[date]

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Attachment A Contestable Products and Services

This list provided by ICN is based on the general scope of works for the project. All items must be addressed and where not applicable, indicated as such. As the list of items is not exhaustive, bidders must identify additional input items, addressing their complete bill of materials.

Contestable items

Non-contestable items

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Attachment B Local Content Commitments

This table captures all input items used in your solution, including those identified by ICN in Attachment A. It will inform ICN’s assessment on the local content commitments for contestable and non-contestable inputs for the project.

Double click on the table below to populate the Local Content Commitments table. Alternatively, right click on the table, select worksheet object and open. This will open an Excel spreadsheet with prepopulated formulas that will be embedded in this document. Add as many line items as required and update the equations with each additional line.

Did you consult ICN in completing this table? Indicate Yes or No

If yes, was it for the whole table? Indicate Yes or No

Work package	Item	Potential / selected manufacturer	Potential / selected supplier	ANZ local value activity(%)		Contract Content (% contract value) ^(B)	ANZ value-added activity (%) ^(C = A*B)	# of SMEs in supply chain ^(D)	Total # of suppliers in supply chain ^(E)
				Import	Local ^(A)				
					100%		0.00%		
					100%		0.00%		
					100%		0.00%		
					100%		0.00%		
					100%		0.00%		
Total local content						0%	0%	0.00	0.00

Note: Double click on the above table to complete. Alternatively, right click on the table, select worksheet object and open. The table opens in Microsoft Excel. Please complete the non-coloured cells only. Save all your changes in Excel and close Excel to resume in Word. Please check all formulas and equations before submitting your LIDP. Also, add comments or additional information against each input item, where required. To print the tables, please open them in Excel and print from there.

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Attachment C Major Project Skills Guarantee – Estimated Occupational Profile

Please specify what types of apprentices, trainees or cadets are expected to be employed on the project.

Occupation type	New	Existing/Retained	Estimated Total			
Apprentices						
a. e.g. Plumber			0			
b.			0			
c.			0			
d.			0			

Note: Double click on the above table to complete. Alternatively, right click on the table, select worksheet object and open. The table opens in Microsoft Excel. Please complete the non-coloured cells only. Save all your changes in Excel and close Excel to resume in Word. Please check all formulas and equations before submitting your LIDP. To print the tables, please open them in Excel and print from there.

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Attachment D Monitoring and Reporting

A key component of the LJF is ongoing monitoring and reporting on local content achieved throughout project delivery. The Local Content Commitments Monitoring Table, (at a minimum), or ICN Analytics are used to demonstrate the LIDP commitments achieved through the project's lifecycle. The monitoring table and a signed Statutory Declaration must be completed by or at practical completion of the project and/or delivery of the goods or services to demonstrate that Local Jobs First outcomes have been achieved through the project. Additional comments may need to be provided to reasonably explain any discrepancies between the expected outcomes from the agreed LIDP to those reported in the monitoring table. The Agency contract manager will request this table and provide it to ICN and the DJPR Office of Industry Participation and Jobs for verification.

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Attachment E Local Content Commitments Monitoring Table

Complete this table, at contract close, to demonstrate that the LIDP outcomes are being achieved throughout the project. Additional comments may need to be provided to reasonably explain any discrepancies between the expected outcomes from the agreed LIDP to the outcomes reported in the monitoring table.

To view, double click on the table below. Alternatively, right click on the table, select worksheet object and open. This will open an Excel spreadsheet with prepopulated formulas. Please note there are two tabs to complete.

Workpackage	Item Description	Manufacturer	Supplier	LIDP Commitments							Secured VIPP Outcomes					
				ANZ value-add activity (%)		Contract content (%) ^(B)	ANZ value-added activity (%) ^(C = A*B)	# SMEs in supply chain ^(D)	Total # suppliers in supply chain ^(E)	% SMEs in supply chain ^(F = D/E)	ANZ value-add activity (%)		Contract Content (%) ^(B)	ANZ value-added activity (%) ^(C = A*B)	# SMEs in supply chain ^(D)	Total # Suppliers in supply chain ^(E)
				Import	Local ^(A)						Import	Local ^(A)				
							0%			0%						
							0%			0%						
							0%			0%						

Note: Double click on the above table to complete. The table opens in Microsoft Excel. Please complete the non-coloured cells only. Save all your changes in Excel and close Excel to resume in Word. Please check all formulas and equations before submitting your LIDP. To print the tables, please open them in Excel and print from there.

Employment type	LIDP commitment		Achieved / secured		Progress / Comments
	Created	Retained	Created	Retained	
Apprentices					
Trainees					
Cadets					
Standard Employees					

Note: Double click on the above table to complete. Alternatively, right click on the table, select worksheet object and open. The table opens in Microsoft Excel. Please complete the non-coloured cells only. Save all your changes in Excel and close Excel to resume in Word. Please check all formulas and equations before submitting your LIDP. To print the tables, please open them in Excel and print from there.

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Attachment F Statutory Declaration

State of Victoria

Statutory Declaration

I, _____
[full name]

of _____
[address]

[occupation]

do solemnly and sincerely declare that: -

_____ achieved the Local Jobs First objectives and outcomes relating to local content, employment, skills and technology transfer, and apprentices/trainees/cadets reflected in the Local Jobs First Monitoring Table for

_____ as submitted to
[name and tender number of procurement activity]

_____ on ____ / ____ / ____
[agency] [date]

I acknowledge that this declaration is true and correct, and I make it with the understanding that a person who makes a false declaration is liable to the penalties of perjury.

Declared at _____

.....
this ____ day of _____ 20____ Signature of person making this declaration

[to be signed in front of an authorised witness]

Before me,
.....

Signature of authorised witness

The authorised witness must print or stamp his or her name, address and title under section 107A of the *Evidence (Miscellaneous Provisions) Act 1958* (as of 1 January 2010), (previously *Evidence Act 1958*), (e.g. Justice of the Peace, Pharmacist, Police Officer, Court Registrar, Bank Manager, Medical Practitioner, Dentist)

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Attachment G Terms and Conditions

In submitting to ICN information relating to your Local Jobs First Policy (LJF or the Policy) Local Industry Development Plan (LIDP), you agree to the following:

Purpose for which information submitted

Before submitting information to ICN relating to your LIDP, you have familiarised yourself with the terms and conditions on which you have submitted your tender to the relevant Government agency. This includes the provisions that relate to the LJF and ICN's role under the Policy.

Accordingly, you are fully aware of the role performed by ICN for the relevant Government agency under the LJF in relation to both your tender and other bidders.

You understand and agree that the purpose for which you have submitted the information in your LIDP to ICN is to enable it to deal with the information in accordance with its role under the LJF.

Authority to perform role

You expressly consent, authorise and permit ICN to do everything reasonably required of it by the relevant Government agency to perform its role under the Policy throughout all stages of the tender process.

You also expressly consent, authorise and permit ICN to do everything reasonably required of it by the relevant Government agency to perform its role under the LJF to report on its outcomes whenever required during the performance of any tender contract or upon completion.

Amongst other things, you understand and agree that while dealing with the information you provide in relation to your LIDP, ICN will compare information provided by all tender respondents in relation to their respective LIDP, assess their relevant merits and report to the relevant Government agency.

You undertake and agree to co-operate with ICN in the performance of its role under the Policy.

Accuracy of information submitted

You acknowledge and agree that regardless of any assistance you may be given by ICN in relation to the preparation of your LIDP, the LIDP you submit for consideration is your document and you are responsible for its content.

You agree and represent that the information submitted by you to ICN in relation to your LIDP has been carefully prepared by you or on your behalf and is complete, current and accurate and is not misleading or deceptive.

You undertake and agree on a continuing basis to make ICN aware of any errors or misrepresentations of fact and of any other matters that it would be important for it to know in consequence of relying upon that information for the purposes of performing its role under the Policy. You also agree to inform ICN of any changes in matters of fact that may have occurred since any information or material was first provided by you.

You agree that upon request from the relevant Government agency, you will provide it or Local Jobs Commissioner with your written confirmation of the truth, accuracy and completeness of all information provided and representations made by you in your LIDP particularly (but without limitation) information which is not capable of independent confirmation and verification from independent sources.

Reliance on accuracy of information

You understand and acknowledge that the relevant Government agency and ICN will be relying upon your representations as to the completeness, currency and accuracy of all information that you submit in relation to your LIDP and that ICN cannot be responsible for nor liable in any way for the consequences of you submitting incomplete or inaccurate information or information that is not current.

Confidentiality of information

In so far as information that you provide in your LIDP is confidential information, ICN undertakes and agrees to keep that information and the LIDP confidential as between ICN, the Government agency responsible for administering the Local Jobs First Policy and the Government agency issuing the tender request.

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Submission of information electronically

You are aware there are inherent risks with the transmission of information via the internet. ICN will endeavour to keep secure information that it receives from you that is submitted by you via the Internet, however, you will be assuming all risks associated with the use of ICN's website and any associated databases including the risks of your computer, software or data being damaged by any virus which might be transmitted, downloaded or activated by ICN website and/or the relevant database its contents and your access to it.

Submission of information physically

You are aware there are inherent risks with the transmission of information via the internet. ICN will endeavour to keep secure information that it receives from you that is submitted by you via the Internet, however, you will be assuming all risks associated with the use of ICN's website and any associated databases including the risks of your computer, software or data being damaged by any virus which might be transmitted, downloaded or activated by ICN website and/or the relevant database its contents and your access to it.

Indemnities

You agree to indemnify the relevant Government agency and ICN on a continuing basis and so as to survive the consideration and acceptance of any tender and the term of any agreement including any contract arising from the acceptance of a tender by any Government agency against any action, claim, demand, liability, loss or expense, costs or damage, including legal costs on a solicitor client basis, arising out of the reliance by ICN upon any information, material or documentation provided by you in relation to your LIDP which is incomplete, inaccurate, false or misleading or omits any material particulars or arising from a failure to supply relevant information, documentation or material.

Release

You acknowledge and agree that the Government agency responsible for the Local Jobs First Policy and ICN will not be liable to you in any way or for any reason whatever by reason of a Government agency to whom you submit a tender incorporating your LIDP not awarding you a contract in response to your tender submission and you release the Government agency responsible for the Policy and ICN from any action, claim, demand, liability, loss or expense, costs or damage, including legal costs on a solicitor client basis, arising out of a Government agency not awarding you a contract in response to your tender submission. You further acknowledge and agree that this release may be pleaded as an absolute bar to any proceedings you seek to commence against the Government agency responsible for the Policy and ICN in any capacity whatever.