

Role Description

Commercial Manager



Cluster	Transport & Infrastructure
Agency	NSW TrainLink
Division/Branch/Unit	Transformation /NIF
Location	Sydney or Regional NSW
Role Grade or Band	Transport Service Senior Manager (TSSM)
Senior Executive Work Level Standards	Professional / Technical / Specialist
Kind of Employment	Fixed Term Full Time
Role Number	51004560
ANZSCO Code	132211
PCAT Code	1117292
Job Code	4017454
Health Assessment Category - Safety	Non Rail Safety Worker
Vision	N/A – Cat 4 Only
Hearing	N/A – Cat 4 Only
Date of Approval	August 2018
Agency Website	https://www.transport.nsw.gov.au/nswtrains

Agency overview

NSW TrainLink is a multi-modal passenger transport service provider, providing rail and coach services across NSW and connecting NSW to Victoria, Queensland and the Australian Capital Territory. As an agency of the Transport Cluster, NSW TrainLink provides rail and coach services to deliver integrated and flexible transport solutions and improved transport outcomes for the community and to stimulate the economy of regional NSW. Our aim is to help make regional NSW a great place to live, work and visit.

Each year NSW TrainLink customers take over 42 million journeys across our train and coach networks, travelling on 713 regional train and coach services, and 3050 intercity services a week.

Primary purpose of the role

The primary purpose of the role is to ensure the commercial management and protection of the NSW TrainLink New Intercity Fleet (NIF) operation and projects via its contractual management arrangements and dispute resolution strategies. The role provides management, leadership, professional and technical guidance through all phases of the NIF program and seamless transition and establishment of the Intercity commercial future state, and ensures that works are delivered to the required standards in accordance with risk management practices, and are to the satisfaction of stakeholder and deed requirements.

Key accountabilities

- Model good leadership to inspire direction and delivery, develop people, and drive customer focused change strategies, programs and initiatives
- Develop and manage program plans to ensure the effective implementation and deployment of a project contract and commercial management framework and dispute resolution requirements that comply with government guidelines, policies and align with industry best practice
- Design, develop, establish and manage internal capability, frameworks, systems, processes, performance reporting, organisational and team structures and governance for Contract and Vendor Management at is relates to the NIF and NSW TrainLink's intercity operation
- Lead the provision of program-level advice on commercial matters, contract negotiations, contract risk allocation, probity, cost benchmarking and reporting to support the achievement of best practice compliant contracts
- Develop key performance indicators to promote the agreement of contracts which meet project needs, comply with governance requirements and provide value for money
- Manage the monitoring of process and performance outcomes for contract management and the implementation, maintenance and enhancement of the Contractor Performance Reporting System, and associated contract administration manuals, to facilitate reporting and evaluation and to provide a sound basis for contract processes, decision making, the effective management of risks and successful project delivery
- Lead the development of delivery strategies and contract risk profiles to ensure the implementation of effective program commercial risk management, including identification of risk, and the review and improvement of systems designed to minimise or eliminate fraud and corruption
- Lead submissions of change requests and budget variations providing relevant workings of financial impact, justifications & documentation to obtain the required approvals from within the NIF Governance framework.
- Execute safety responsibilities, authorities and accountabilities consistent with NSW TrainLink's safety management system requirements as defined in SMS document number SMS-02-SP-5062 and safety plans

Key challenges

- Keeping abreast of matters affecting the NIF from both internal and external sources in a period of increased organisation change and service delivery
- Providing accurate commercial advice on high complexity, high value contracts
- Reviewing current commercial arrangements, and aligning with leading practice and NSW government agency practice and guidelines and obtaining approval for recommended improvements
- Design commercial management processes and capabilities suitable to support Business As Usual (BAU) processes

Key relationships

Who	Why
Internal	
NIF Program Leadership and team - TfNSW	<ul style="list-style-type: none">• Escalate issues, keep informed, advise and receive instructions

Who	Why
	<ul style="list-style-type: none"> • Provide regular updates on project activities and metrics, issues and priorities • Participate in meetings to represent work group perspective and share information. • Contribute to planning and decision making • Model & Report funding & resourcing requirements in collaboration with leadership (too specific – already covered by above points)
Procurement	<ul style="list-style-type: none"> • Work collaboratively and exchange information to achieve • Participate in meetings to represent work group perspective, share information, and support the development and delivery of the NIF • Participate in discussions and decisions regarding implementation of innovation and best practice around resourcing
Senior Leaders and wider NSW TL business groups and Directorates	<ul style="list-style-type: none"> • Identify significant development and change management issues and requirements • Work as a strategic business partner in building a high performance, diverse and engaged workforce
NIF Program Team	<ul style="list-style-type: none"> • Identify and plan for emerging needs in relation to overall program • Build collaborative working relationships • Contribute to project deliverables as Subject Matter Expert (SME) on commercial matters
External	
Transport for NSW	<ul style="list-style-type: none"> • Working cooperatively and collaboratively with relevant areas across the transport cluster and external stakeholders to ensure commercial objectives are met • Participate in discussions regarding the management and progress of NSW TrainLink in respect to the project • Discussion and resolution of any risks or issues arising in the management of resources
External agencies & contractors and service providers	<ul style="list-style-type: none"> • Liaise as required

Role dimensions

Decision Making

The Commercial Manager operates with a high level of autonomy within the requirements of the agreed work plan and establishes their strategic operational priorities in consultation with the Senior Program Manager NIF.

The position holder is expected to deliver assigned projects on time and within budget and is fully accountable for the quality, integrity and accuracy of expert advice provided.

Reporting line

The Commercial Manager reports directly to the Associate Director Programs - NIF.

Direct Reports

The role has no direct reports.

Budget/Expenditure

The budget/expenditure allocation for the role will be confirmed

Essential Requirements






- Tertiary qualification in a relevant field
- Demonstrated experience in driving commercial outcomes on complex, multi-contract high value infrastructure projects (experience in rail desirable)
- Demonstrated executive level leadership in commercial management, including in the development and control of commercial/financial practices and risks

Capabilities for the role

The NSW Public Sector Capability Framework applies to all NSW public sector employees. The Capability Framework is available at www.psc.nsw.gov.au/capabilityframework

Capability summary

Below is the full list of capabilities and the level required for this role. The capabilities in bold are the focus capabilities for this role. Refer to the next section for further information about the focus capabilities.

NSW Public Sector Capability Framework		
Capability Group	Capability Name	Level
 Personal Attributes	Display Resilience and Courage	Advanced
	Act with Integrity	Advanced
	Manage Self	Advanced
	Value Diversity	Intermediate
 Relationships	Communicate Effectively	Advanced
	Commit to Customer Service	Adept
	Work Collaboratively	Advanced
	Influence and Negotiate	Highly Advanced
 Results	Deliver Results	Advanced
	Plan and Prioritise	Adept
	Think and Solve Problems	Advanced
	Demonstrate Accountability	Advanced
 Business Enablers	Finance	Adept
	Technology	Adept
	Procurement and Contract Management	Advanced
	Project Management	Adept
 People Management	Manage and Develop People	Adept
	Inspire Direction and Purpose	Adept
	Optimise Business Outcomes	Intermediate
	Manage Reform and Change	Adept

Focus capabilities

The focus capabilities for the role are the capabilities in which occupants must demonstrate immediate competence. The behavioural indicators provide examples of the types of behaviours that would be expected at that level and should be reviewed in conjunction with the role's key accountabilities.

NSW Public Sector Capability Framework

Group and Capability	Level	Behavioural Indicators
Personal Attributes Act with Integrity	Advanced	<ul style="list-style-type: none"> • Model the highest standards of ethical behaviour and reinforce them in others • Represent the organisation in an honest, ethical and professional way and set an example for others to follow • Ensure that others have a working understanding of the legislation and policy framework within which they operate • Promote a culture of integrity and professionalism within the organisation and in dealings external to government • Monitor ethical practices, standards and systems and reinforce their use • Act on reported breaches of rules, policies and guidelines
Relationships Commit to Customer Service	Adept	<ul style="list-style-type: none"> • Take responsibility for delivering high quality customer-focused services • Understand customer perspectives and ensure responsiveness to their needs • Identify customer service needs and implement solutions • Find opportunities to co-operate with internal and external parties to improve outcomes for customers • Maintain relationships with key customers in area of expertise • Connect and collaborate with relevant stakeholders within the community
Relationships Work Collaboratively	Advanced	<ul style="list-style-type: none"> • Build a culture of respect and understanding across the organisation • Recognise outcomes which resulted from effective collaboration between teams • Build co-operation and overcome barriers to information sharing and communication and collaboration across the organisation and cross government • Facilitate opportunities to engage and collaborate with external stakeholders to develop joint solutions
Relationships Influence and Negotiate	Highly Advanced	<ul style="list-style-type: none"> • Engage in a range of approaches to generate solutions, seeking expert inputs and advice to inform negotiating strategy • Use sound arguments, strong evidence, and expert opinion to influence outcomes • Determine and communicate the organisation's position and bargaining strategy • Represent the organisation in critical negotiations, including those that are cross-jurisdictional, achieving effective solutions in challenging relationships, ambiguous and conflicting positions • Pre-empt and avoid conflict across organisations and with senior internal and external stakeholders • Identify contentious issues, direct discussion and debate, and steer parties towards an effective resolution

Results Deliver Results	Advanced	<ul style="list-style-type: none"> • Drive a culture of achievement and acknowledge input of others • Investigate and create opportunities to enhance the achievement of organisational objectives • Make sure others understand that on-time and on-budget results are required and how overall success is defined • Control output of business unit to ensure government outcomes are achieved within budget • Progress organisational priorities and ensure effective acquisition and use of resources • Seek and apply the expertise of key individuals to achieve organisational outcomes
Results Demonstrate Accountability	Advanced	<ul style="list-style-type: none"> • Design and develop systems to establish and measure accountabilities • Ensure accountabilities are exercised in line with government and business goals • Exercise due diligence to ensure work health and safety risks are addressed • Oversee quality assurance practices • Model the highest standards of financial probity, demonstrating respect for public monies and other resources • Monitor and maintain business unit knowledge of and compliance with legislative and regulatory frameworks • Incorporate sound risk management principles and strategies into business planning
Business Enablers Procurement and Contract Management	Advanced	<ul style="list-style-type: none"> • Ensure that government and organisational policy in relation to procurement and contract management is implemented • Monitor procurement and contract management risks and ensure that this informs contract development, management and procurement decisions • Take responsibility for procurement and contract management activities and decisions by applying the guidelines and procedures • Promote the principles of risk management as applied to procurement projects, to identify and mitigate risk • Implement effective governance arrangements to monitor provider, supplier and contractor performance against contracted deliverables and outcomes • Represent the organisation in the resolution of complex/sensitive disputes with providers, suppliers and contractors
People Management Manage and Develop People	Adept	<ul style="list-style-type: none"> • Define and clearly communicate roles and responsibilities to achieve team/unit outcome • Negotiate clear performance standards and monitor progress • Develop team/unit plans that take into account team capability, strengths and opportunities for development • Provide regular constructive feedback to build on strengths and achieve results

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- Address and resolve team and individual performance issues, including unsatisfactory performance in a timely and effective way
 - Monitor and report on performance of team in line with established performance development frameworks
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