

Statutory Policy

Burke Shire Council

Procurement Policy



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1. PURPOSE

The purpose of this Policy is to regulate and guide all Council procurement and contracting activities from external parties.

All Council procurement must comply with the Local Government Act 2009 and the Local Government Regulation 2012, in particular:

- a) The Sound Contracting Principles as per Section 104 Local Government Act 2009; and
- b) Section 198 of the Local Government regulation that stipulates that Council must adopt a Procurement policy; and
- c) The default contracting procedures as per Sections 223 to 238 Local Government Regulation 2012.

As demonstrated by this Policy, Council is determined to support local businesses and industries wherever practicable so as to encourage the viability of local businesses within the Burke Shire Council area.

Note that Council's Procurement Procedure details the processes for procurement compliant with this Policy.

2. SCOPE

This Policy applies when Council officers contract procurement activities on behalf of Council.

This Policy is designed to ensure that Council procurement activities take into consideration the following:

- a) Relevant legislative requirements including, but not restricted to, the Local Government Act 2009 and the Local Government Regulation 2012.
- b) The required level of transparency, accountability, commercial benefit, community considerations, environmental consideration and value for money.
- c) Maintenance of public confidence in Council.
- d) Effective management of risk; and
- e) Assisting Council in achieving its goals.

3. DEFINITIONS

In this Procurement Policy, the following terms shall have the corresponding meaning:

Act	means the <i>Local Government Act 2009 (QLD)</i> .
Approved Contractor List	persons or companies –refer Section 231 of the Regulation.
Authorised Delegate of Council	means a Council officer with the appropriate delegation and permission to make the particular decision.
CEO	Chief Executive Officer of Burke Shire Council

Conflict of Interest	When private interests interfere, or appear to interfere, with the performance of official duties.
Environmental Protection	Sustainable development by promoting purchasing practices that conserve resources, utilise energy efficiently, minimise waste, protect human health and maintain environmental quality and safety.
Expression of Interest (EOI)	Is a written request to third party providers to express an interest in providing goods and/or services.
Large – Sized Contractual Arrangement	MA contractual arrangement with a supplier (contractor, consultant) that is expected to be worth inclusive of GST, \$220,000 or more per contract or agreement.
Local Business	Is a business which: (a) is beneficially owned by persons who are residents or ratepayers in the local government area of the Burke Shire Council; or (b) has its principal place of business within the local government area of the Burke Shire Council; or (c) otherwise has a place of business within the local government area of Burke Shire Council which employs persons who are residents or ratepayers of the local government area.
Medium–Sized Contractual Arrangement	A contractual arrangement with a supplier (contractor, consultant) that is expected to be worth, inclusive of GST, \$16,500 or more but less than \$220,000 per contract or agreement.
North West Queensland Region	The area encompassing the nine local government areas of Burke (S), Carpentaria (S), Cloncurry (S), Doomadgee (S), Flinders (S), McKinlay (S), Mornington (S), Mount Isa (C) and Richmond (S).
Preferred Supplier Arrangement	Is a supplier arrangement as per section 233 of the Local Government Regulations 2012.
Panel of Providers	A group of providers with whom an Agreement is in place.
Procurement	The process and procedures that result in a commercial transaction with a provider.
Register of Prequalified Suppliers (RoPS)	Has the same meaning as set out at Section 232 of the Regulation.
Request for Quotation (RFQ)	A written request for a price to be supplied for the delivery of goods and services.
Request for Tender (RFT)	A request to the open market for the provision of goods and services.
Regulation	The Local Government Regulation 2012 (Qld).

Sound Contracting Principles	Principles set out at Section 104(3) of the Act (refer section 4 below).
Statement of Interest	A document that should identify an Officer's interests in the transaction which should clearly identify any interest that may present a Conflict of Interest.
Value for Money	The most advantageous outcome for Council incorporating both financial and non-financial attributes.

4. PURCHASING PRINCIPLES

Section 104 of the *Local Government Act 2009* lists the principles that Burke Shire Council shall adhere to in making procurement decisions.

Council officers do not need to give equal consideration to each sound contracting principle (pursuant to Section 104(8) of the Act) but each Sound Contracting Principles must be considered and applied before Council procures any goods or services.

4.1 Sound Contracting Principles

4.1.1 Open and Effective Competition

Open and effective competition is achieved by: -

- (a) Procurement procedures and processes being visible to Council suppliers, and the public (i.e., rate payers and the local community).
- (b) Delegates accepting their accountability to the Chief Executive Officer and Council.
- (c) Suppliers having real opportunity to do business with Council.
- (d) Invitations to suppliers being arranged so that there is competition among suppliers to provide value for money offerings.
- (e) Delegations, authorisations and associated financial thresholds being appropriate for the level of judgement expected of individual officers; and
- (f) Fair and equitable assessment of all tenders.

4.1.2 Value for Money

Council must aim to achieve the best value for money. The concept of value for money is not restricted to price alone. The value for money assessment must include consideration of:

- (a) Contribution to the advancement of Council's priorities listed in the Corporate Plan 2019/2024.
- (b) Delivery methodology, fitness for purpose, quality, services and support.
- (c) Whole-of-life costs including costs of acquiring, using, maintaining, disposal.
- (d) Internal administration costs and technical compliance.
- (d) Risk exposure or mitigation; and
- (f) The value of any associated environmental benefits and/or any environmental cost.

The objective of obtaining value for money is that the goods, equipment or services being procured represent the best return and performance for the money spent from a “total cost of ownership” or “whole-of-life cost” perspective”.

The result of using such an evaluation methodology to assess value for money may not necessarily favour the lowest price.

4.1.3 Encouragement of the Development of Competitive Local Business and Industry

Encouragement of the development of competitive local business and industry is achieved by: -

- (a) Actively seeking out potential local supplies and suppliers.
- (b) Encouraging Head/Principal Contractors to give local suppliers every opportunity, as partners or subcontractors, to participate in major projects.
- (c) Ensuring that the principles of open and effective competition are applied and equal treatment is given to local offers, when being compared with other offers, on the basis of fair and equitable behaviour.
- (d) Ensuring that payments are in accordance with the agreed terms of contract.
- (e) Awarding a maximum of 10% under the evaluation criteria weighting given to locally-sourced goods and service providers when evaluating quotations and tenders, including: -
 - i. more readily available spare parts and servicing support,
 - ii. more reliable compliance with warranty provisions,
 - iii. shorter lead times,
 - iv. more convenient communications for contract administration,
 - v. benefit to, in particular North West Queensland, Queensland and Australia from the transactions occurring (including transport, distribution, finance, etc.); and
 - vi. the creation of local employment.

To assess quotations and tenders, Council will develop appropriate evaluation criteria for individual procurement transactions.

4.1.4 Environmental Protection

The objectives of Environmental Protection are consistent with the Council’s commitment to sustainable development, by promoting purchasing practices that conserve resources, efficient, energy, minimise waste, protect human health and maintain environmental quality and safety.

The objectives are: -

- (a) Maximise the purchase of environmentally sensitive goods and services.
- (b) Provide leadership to business, industry and the community in promoting the use of environmentally sensitive goods and services.
- (c) Protection of the Environment is achieved by the following actions:
 - (i) giving preference to environmentally sensitive goods, including those made from or containing recycled materials, where price, performance, quality, suitability and other evaluation criteria are comparable,
 - (ii) where appropriate, ensuring that specifications require suppliers to conform to necessary standards, codes or legislation for the identifications of hazardous materials and that suppliers carry out proper certification and registration procedures,

- (iii) enforcing bans and/or phase-out timetables on the use of products prohibited under Queensland and applicable Commonwealth laws, including those laws ratifying international treaties and other agreements,
- (iv) continually reviewing the market place for environmentally sensitive products and processes,
- (v) using lifecycle costing for all purchases (including constructing projects), rather than initial purchase cost. This would, among other things, favour high durability goods and thereby minimise waste; and
- (vi) avoiding, wherever possible, the purchase of known hazardous and environmentally damaging products, especially where alternatives are available with reasonable bounds of price, performance and suitability.

4.1.5 Ethical Behaviour and Fair Dealings

Ethical Behaviour and Fair Dealing are achieved by officers:

- (a) Performing their duty impartially, un-influenced by the receipt or prospects of threats reprimands or rewards.
- (b) Not accepting or seeking gifts or other favours.
- (c) Not entertaining approaches from suppliers that might be interpreted as attempts to influence the evaluation process.
- (d) Ensuring that their private interests do not conflict with their public duties.
- (e) Maintaining high standards of accountability.
- (f) Developing systems and procedures that ensure a consistent approach to procurement; and
- (g) Promoting professional procurement practices.

5. FINANCIAL DELEGATIONS – AUTHORITY TO INCUR EXPENDITURE

All purchasing requirements will be in accordance with the Financial Delegations Register including, but not limited to:

- Purchase Card use
- Raising of purchase order/s
- Approval of quotation/s
- Variances to quotation or tender/s
- Payment of invoice/s
- Procurement authorisation level; and
- Financial limit

Council authorises the CEO to incur certain expenditure on behalf of Council by way of a delegation made by Council resolution under section 257 of the Local Government Act 2009 (the Act). The delegated authority, including its limits and conditions, is listed in the Register of Delegations from Council to CEO. As a general principle, Council delegates authority to the CEO to incur expenditure

that is below the tender threshold of \$220,000 (GST incl.) – refer to Part 3 Division 2 of the Local Government Regulation 2012; Entering into particular contracts.

The Chief Executive Officer authorises officers to incur certain expenditure on behalf of Council by way of a delegation made by the CEO under section 259 of the Local Government Act 2009. The delegated authority, including its limits and conditions, is listed in the Register of Delegations from CEO to officers.

The CEO will apply the following principles in determining the limit of delegations to officers:

- (a) The relevant financial knowledge and experience of the officer (does the officer have the training, skills and knowledge to exercise the delegation with the competence and prudence required to limit risk to the organisation?),
- (b) Organisational need (is the officer required to make purchases to carry out the duties of their role efficiently?),
- (c) Unless specifically stated otherwise, delegations from the CEO to officers will be generally within the suggested range specified for the following classes of staff:

Table 1: Delegated Financial Authorities

Classification	Range (GST inclusive) (note this is NOT a delegated authority)
Directors	Up to \$120,000
Managers / Senior Officers	Up to \$55,000
Supervisors/ Coordinators	Up to \$22,000
Other officers	Up to \$2,200

5.1 Financial delegations and GST (Goods and Services Tax)

All delegations are GST inclusive.

5.2 Exercise of financial delegation

All procurement is represented in a contractual arrangement of one form or another and is governed by contract law. The following conditions must be met for any officer to exercise a financial delegation to incur expenditure on behalf of Council:

- (a) Any officer incurring expenditure may only do so in accordance with any constraints imposed by the Council or the Chief Executive Officer in respect to a financial delegation, as defined in Council's Delegations Register.
- (b) The officer must hold a financial delegation sufficient to cover the total purchase cost inclusive of GST.
- (c) The officer must have received induction and training in this policy and any associated procedure before exercising a delegation.
- (d) All procurement must be carried out in accordance with the provisions of the local government legislation and the policies and procedures of Council that are in force at the time.

- (e) Any officer incurring expenditure must do so in accordance with section 238 of the Local Government Regulation 2012. This includes the requirements that the expenditure has been provided for in the approved annual budget, or that the contractual action has been taken because of genuine emergency or hardship.
- (f) The officer must be satisfied that sufficient funds remain in the budget item to cover the expenditure. Any amount beyond the budgeted amount requires CEO approval (Council's Budget Policy must also be complied with);
- (g) The officer must have regard to the Sound Contracting Principles.
- (h) Officers shall only place purchase orders after an officer with the appropriate delegation, or the Council, has authorised the purchase.
- (i) It is the responsibility of financial delegates to make sure that orders and/or transactions they approve have not been 'split' into a number of smaller orders to avoid the need for written quotes/tenders or to circumvent delegation limit.

5.3 Contract and Project Delivery

- (a) For any specific contract, variations can be approved by a Council Officer as delegated by the CEO for that contract within the cumulative financial delegation limit.
- (b) If during the delivery of a project, or supply item, the total project cost or supply item exceeds budget, every variation beyond the total project budgeted amount is to be approved by the CEO, unless specific delegation is given by CEO to a Council Officer. (Council's Budget Policy must also be complied with.)
- (c) New projects are defined as projects not within the current Financial Year's budget with the default being that they all require CEO approval before proceeding. (Council's Budget Policy must also be complied with).
- (d) In emergency situations, which do not allow for the procurement process to be followed, items or services can be procured within financial delegated authority limits, with written advice to the Director and/or CEO as soon as practicable (SMS or email).

5.4 Segregation of Duties

Best endeavours will be made to ensure that specific duties, responsibilities and exercising of delegated authorities are segregated. To that end it is preferred that a minimum of two council officers are signatories to the process.

It is recognised that due to Council's very small workforce, from time to time the above segregation of duties may not be possible. This will be the exception with an explanatory note on file with the risks mitigated.

5.5 Purchase Orders

- (a) Purchases shall be made in accordance with Council's Purchase Order Procedure; and
- (b) Officers shall only place purchase orders after an officer with the appropriate delegation, or the Council, has authorised the purchase.

5.6 Acting Officer Duties

When officers are appointed to higher duties, the default is that the relevant delegation authority relating the higher duty's role is assumed by the person acting in the role.

5.7 Other Purchasing Considerations

- (a) Purchases from local suppliers less than \$100 may be made with petty cash, with a corporate credit card or via the purchase requisition/order system. These purchases can be made without obtaining quotes
- (b) Purchasing Officers need to ensure that sufficient information has been gathered to inform purchasing decisions and procurement processes are followed to minimise risk; and
- (c) Relevant Quality Assurance and Workplace Health requirements are to be considered in the purchase of all goods and services
- (d) Goods and services are to be formally receipted in accordance with the Procurement Procedure

5.8 Petty Cash Purchases

- (a) Purchases from local business with petty cash must not exceed \$100 including GST;
- (b) Purchases with petty cash must be supported with receipts for the transactions;

6. PURCHASING THRESHOLDS AND REQUIREMENTS

Division 2 of the Local Government Regulation 2012 governs how Council must enter into Medium or Large Sized Contract Arrangements as defined in section 224:

Council has set further requirements that apply to all Council purchases as follows:

Table 2: Purchasing Thresholds

Requisition Value (Including GST)	Method of Purchase	Written quotes to be obtained (minimum)
Less than \$1,100	Petty cash (for purchases under \$100), with a corporate credit card or via the purchase requisition/order system.	0
\$1,100 to Less than \$5,500	With a corporate credit card or via the purchase requisition/order system.	1

Requisition Value (Including GST)	Method of Purchase	Written quotes to be obtained (minimum)
\$5,500 to less than \$16,500	<p>These can be made with a corporate credit card (subject to corporate credit card limits and where purchases are irregular and where it is more cost effective and efficient to do so) or via the Purchase Requisition/Order system.</p> <p>Purchasing under this Section should be made in the first instance by:</p> <ul style="list-style-type: none"> • Accessing a Preferred Supplier Arrangement (if permitted under the Regulation); or • Accessing a pre-qualified supplier; or • Accessing store inventory; or • By way of another exception under the Regulation e.g., LocalBuy, LGA arrangement, North West Queensland Region of Councils. 	2
\$16,500 to less than \$220,000	<p>Medium Sized Contractual Arrangements: Section 228 of the Local Government Regulation 2012 requires that Council invites 3 written quotations before entering into a contract)</p> <p>Exceptions can be made; refer to Section 6.3 Exemptions to Quotation and Tender Requirements</p> <p>Purchasing under this Section should be made in accordance with the Method of Purchase for requisition value \$5,500 to less than \$16,500.</p>	3
Purchases \$220,000 or more	<p>Large Sized Contractual Arrangements for Purchases \$220,000 or more (Incl. GST).</p> <p>Section 228 of the Local Government Regulation 2012 requires that Council invites tenders before entering into a contract. Section 228 allows Council to either invite written tenders through a RFT or an EOI.</p> <p>Exceptions can be made; refer to Section 6.3 Exemptions to Quotation and Tender Requirements</p>	Open Tender

6.1 Requests for Tender - Contracts over \$220,000 (incl GST).

Written tenders (RFT) will remain open for at least 21 days after the day the advertisement is published. Burke Shire Council also requires the tender to be advertised on its website for the same 21-day period. Details of contracts awarded for \$220,000 or more in value are also to be published on Council's website. Records of tenders received must be kept on file and entered into Council's electronic database.

6.2 Expressions of Interest Invitations

Prior to issuing an Expression of Interest (EOI) with a value of \$220,000 and over (Incl. GST), a Council resolution must be obtained. EOI may only be utilised to facilitate a closed tender process when Council believes that it would be in the public interest to invite EOI's before seeking written tenders, this decision must be formally resolved by Council. EOI's may be called under the \$220,000 threshold without a Council resolution; however, the EOI process must still comply with the normal procurement threshold guidelines.

6.3 Exemptions to Quotation and Tender Requirements

Council may enter into a contract without inviting tenders or quotations under either of the following circumstances:

- (a) In the event of a mechanical breakdown or an emergency affecting essential service delivery or health and safety of employees and/or the general community and due to the urgency of the goods and/or services required. The CEO is to be notified as soon as practicable.
- (b) Utilisation of Approved Contractor Lists, Registers of Pre-Qualified Suppliers & Preferred Supplier Arrangements:
 - (i) when the contract is made with a supplier on a Panel of Suitable Providers compiled pursuant to the LGA, or
 - (ii) if the contract is entered into; -
 - with a contractor from an Approved Contractor List (ACL) (Goods and services purchased against ACL must comply with the Chapter 6 - Part 3, Division 3, section 231 of the Local Government Regulation 2012)
 - with a supplier on a Register of Pre-Qualified Suppliers (RoPS) (Purchases from a supplier on a RoPS must comply with Part 3, Division 3, section 232 of the Local Government Regulation 2012)
 - with a supplier with whom a Preferred Supplier Arrangement (PSA) exists (Goods and services purchased against PSA must comply with Part 3, Division 3, section 233 of the Local Government Regulation 2012)
 - under an LGA arrangement such as the LGAQ's 'Local Buy' (Goods and services purchased under an LGA arrangement must comply with Part 3, Division 3, section 234 of the Local Government Regulation 2012)
- (c) A contractor performance review shall be undertaken by Council for Approved Contractor Lists, Registers of Pre-Qualified Suppliers and Preferred Supplier Arrangements at least once during the term of the contract.

1. Other Exemptions

Refer to Chapter 6, Part 3, Division 3, section 235 of the Local Government Regulation 2012 for requirements related to:

- Reasonable availability of 1 supplier
- Specialised or confidential nature of services required
- Purchase of goods by way of auction
- Purchase of second-hand goods; and

- Contracts made with government agencies

Councils purchasing thresholds and requirements as detailed in Table 2 Purchasing Thresholds above is the default position and the above listed exceptions are very much “exception to the rule”.

In relation to the Register of Pre-Qualified Suppliers (RoPS), the intent is to conduct a review annually and re-advertise for submissions at least 3 months prior to the end of the existing arrangement. Should this process be delayed, the most recent RoPS will apply and carry forward until such time as a review and re-advertisement is undertaken. New suppliers may be added to the existing RoPS at any time by providing a compliant submission in line with the original tender documentation.

6.4 Sole Suppliers

Council has the right to seek a quotation and enter into a contract or agreement for goods or services with a sole supplier provided it delivers best Value for Money in accordance with Clause 4.1.2 of this Policy, and complies with s235 (a) and (b) of the Act. All sole supplier arrangements of \$16,500 (incl GST) and above, as individual purchases or cumulatively for a single supplier, must be authorised by the CEO.

7. PREFERENCE FOR LOCAL SUPPLIERS

Council encourages the development of competitive local business and industry within the Burke Shire Council, and within the North West Queensland region. This is done through allocation of a maximum 10% local preference in overall evaluation to all purchases.

Where price, performance, quality, suitability and other evaluation criteria are comparable, the following areas may be considered in evaluating offers:

- creation of local employment opportunities
- more readily available servicing support
- more convenient communications for contract management
- economic growth within the local area
- benefit to Council of any associated local commercial transaction
- When considering quotations from local suppliers, the following will be noted
- reasons for not accepting the lowest quote from the lowest conforming local supplier; and
- the local preference weighting amount that is applied, where local preference has been applied to award the purchase to a local supplier will be noted

8. ELECTRONIC TENDERING

Burke Shire Council uses the VendorPanel e-tendering portal where quotation and tender documents can be obtained after registration on the site. Contract enquiries should be directed to Council via the VendorPanel portal. Requests for additional information may also be made via the VendorPanel e-tendering portal.

Completed submissions should be lodged in the VendorPanel e-tendering portal at the time and date nominated in the Quotation and Tender Schedule. Respondents will receive a Successful Submission Receipt timed and dated upon completion.

In the case where Council chooses not to use the VendorPanel e-tendering portal, Council may utilise a secure email account. Such tenders are submitted to Council via tenders@burke.qld.gov.au.

All tenders shall be held for the duration in accordance with the relevant legislation.

9. TENDER EVALUATION

Submissions for Tenders, Expressions of Interest and Requests for Quotation may need to meet certain threshold requirements to be eligible for evaluation. If submissions do not meet these threshold criteria, they will be considered as non-conforming and may be disqualified from consideration.

The Sound Contracting Principles provide the foundational assessment criteria upon which all submissions are to be assessed.

The assessment criteria will be derived from the Sound Contracting Principles and will be applied consistently throughout the evaluation process.

The nature of the project to be procured will determine the selection of the assessment criteria and the relative weighting accorded to each of the assessment criteria used in the evaluation process (in accordance with s104(8) of the Act).

9.1 Default criteria and weightings

Default criteria and weightings will be as follows:

- (a) Price will be a minimum of 40% weighting with each project to be evaluated on its specific requirements, with any departure from the default to be approved by CEO.
- (b) Local content will be a minimum of 10% weighting; and
- (c) Other non-price criteria, for example experience, skill, availability & timing, will be applied dependent on specific project requirements to provide a total a score of 100%.

The assessment criteria will be disclosed in RFT, EOI and RFQ documentation.

The purchasing process in addition to the purchasing decision must be fully documented, including the reason for disqualifying any bids.

Post-offer feedback must be provided to unsuccessful suppliers upon request.

The extent of the feedback provided will not necessarily be limited to, but should include the following information:

- The name of the successful tenderer; and
- The total price accepted

Details of post offer counselling sessions to suppliers should be fully documented in Council's records management system. Council may decide not to accept any tenders it receives, however if it does decide to accept a tender, it must be value for money to Council having regard to the Sound Contracting Principles.

Council is not bound to accept the lowest price tender and may choose at its discretion to negotiate with any tenderer the final price once a preferred tenderer has been selected.

9.2 Release of information

Council must not release any information, including names of tenderers to other tenderers, prior to the opening of a tender.

9.3 Publishing details of contracts worth \$220,000 (Incl. GST) or more

Council will publish details of contractual arrangements worth \$220,000 (Incl. GST) or more in accordance with section 237 of the Local Government Regulation 2012. This requires, at a minimum, the publication of details of the person / entity with whom Council has entered into the contract, the value of the contract, and the purpose of the contract.

10. CONFLICT OF INTEREST

All Council Officers involved with a procurement activity shall register any conflict of interest (whether the Conflict be 'actual', 'perceived' or 'potential') with their Department Director prior to taking part in the procurement activity. Directors should register any conflict of interest with the CEO and the Mayor; the CEO should register any conflict of interest with the Mayor and with internal audit. The Statement of Interests should be in writing and should clearly explain the Officer's interests in the transaction. The Officer to whom the Conflict of Interest has been reported then has to determine, and document, the most appropriate course of action. Typically, the most appropriate course of action will be one (or more) of the following escalating actions, with registering of the interest generally being sufficient for low-risk situations:

- Restrict the Officer's involvement in any decision making
- Remove the Officer from the transaction
- The Officer relinquishes the interest that is the subject of the conflict
- Recruit an independent third party to oversee the process
- The Officer resigns from Council

11. PURCHASING FROM RELATED PARTIES

Council has adopted a Related Party Transactions Policy that requires Councillors and members of the Executive Management Team, key management personnel, Managers, the Contracts and Procurement Coordinator and others deemed necessary by the Chief Executive Officer to formally report any activity between Council and themselves and/or their close family members. From time to time, other officers who are involved in buying goods/services on behalf of Council will deal with family members and/or other related parties who provide these goods/services. In such cases, even though the purchase may be totally appropriate, there is a perceived conflict of interest. In these situations, it is recommended that the purchasing officer does one of two things, either:

- Ask their supervisor to approve the purchase order; or
- Advise their supervisor, in writing, that they intend to purchase from a family member/related party. The supervisor then needs to document whether they consider that the purchase complies with the underlying principles of the Procurement Policy.

12. GIFTS AND BENEFITS

Periodically suppliers may consider it appropriate to provide gifts and benefits to Council Officers. Gifts and benefits can only be accepted in accordance with the Council Code of Conduct.

13. WORKPLACE HEALTH AND SAFETY

The financial delegate must ensure that any supplier engaged to conduct Council business is aware of their Workplace Health and Safety responsibilities. These responsibilities include, but are not limited to, ensuring that any plant, equipment or substance that they use/provide in relation to their Council related activity is without risk to the health and safety of persons who:

- (i) operate or handle the plant equipment or substance for a purpose for which it was designed or manufactured
- (ii) store the plant equipment or substance at a workplace
- (iii) carry out any reasonably foreseeable activity at a workplace in relation to:
 - the assembly or use of the plant or equipment for a purpose for which it was designed or manufactured or the proper storage, decommissioning, dismantling or disposal of the plant;
 - the use of the substance for a purpose for which it was designed or manufactured or the proper handling, storage or disposal of the substance; or
 - are at or in the vicinity of a workplace and who are exposed to the plant, substance or equipment at the workplace or whose health or safety may be affected by a use or activity mentioned in paragraph (a), (b), (c) above

14. KEY RESPONSIBILITIES

Position	Responsibility
Mayor	lead councillors in their understanding of, and compliance with, this policy.
Councillors	understand and comply, where relevant, with this policy.
CEO	lead staff (either directly or through delegated authority) in their understanding of, and compliance with, this policy.
Directors	assist the CEO with the above and communicate, implement, maintain and comply with this policy.
Managers / Senior Officers, Supervisors and Coordinators	to implement and comply with this policy.
All Council staff	holding the positions listed in Burke Shire Council Delegation of Authority – Financial Procurement, are entitled to approve requisitions/purchase orders, and then only in accordance with their respective financial delegation limits.

15. DOCUMENTS

Legislation/Regulations	BSC Policies	Procedures
Section 104 of the Local Government Act 2009 (Qld)	FIN-POL -002 Credit Card Usage Policy ADM-POL-012 Entertainment Hospitality Expenditure Policy	FIN-PRO-001 Purchasing Procedure

16. LEGISLATION

Section 104 of the Local Government Act 2009 (Qld) requires a local government to ensure its financial sustainability by establishing a system of financial management that has regard to Sound Contracting Principles. The Sound Contracting Principles are:

- Value for money
- Open and effective competition
- Development of competitive local business and industry
- Environmental protection
- Ethical behaviour and fair dealing

Section 198 of the Local Government Regulation 2012 (Qld) requires Council to prepare, adopt and annually review a policy about procurement. The policy must detail the principles, including Sound Contracting Principles that the local government will apply in the financial year for purchasing goods and services.