

Policy

Tendering

1 Background

Council is required to formally tender for goods and services where the anticipated expenditure for the life of the contract is anticipated to be greater than \$150,000 (incl GST).

2 Policy Statement

- 2.1 Council is committed to implementing best practice tendering procedures and complying with legislative requirements.
- 2.2 The tendering of all goods and services will be conducted in an honest, competitive, fair and transparent manner that delivers the best value for money for Council and the community.
- 2.3 All tenders are formally evaluated.

3 Principles

The following principles will apply to all Council tenders:

- 3.1 Parties must conduct the tendering process with honesty and fairness at all levels.
- 3.2 Parties must conform to all legal obligations.
- 3.3 Parties must not seek or submit tenders without a firm intention to proceed.
- 3.4 Parties must not engage in any practice, including improper inducements, which give one party an improper advantage over another.
- 3.5 Conditions of tendering must be the same for each tenderer on any particular tender.
- 3.6 All requirements must be clearly specified in the tender documents and criteria for evaluation must be clearly indicated.
- 3.7 Evaluation of tenders must be based on the conditions of tendering and selection criteria only, as defined in the tender documents.
- 3.8 All tenders over \$250,000 will be subject to an independent financial assessment.
- 3.9 Parties must not disclose confidential or proprietary information. Further, members of the Tender Assessment Committee are to sign and return declarations of confidentiality, which are to be filed appropriately.

- 3.10 Any party with a conflict of interest must declare that interest as soon as that party knows of the conflict.
- 3.11 All dealings between client and tenderer are to be transparent and able to withstand public scrutiny.
- 3.12 Tenderers must be prepared to attest to their probity, and not engage in any form of collusive practice.

4 Scope

The policy applies to all employees of Council.

5 References and related documents

- 5.1 Local Government Act 1993
- 5.2 Local Government (General) Regulation 2005
- 5.3 DLG Tendering Guidelines October 2009
(http://www.dlg.nsw.gov.au/dlg/dlghome/dlg_DocumentsIndex.asp?sectionid=1&documenttype=12&mi=6&ml=12)
- 5.4 GTCC Code of Conduct
- 5.5 GTCC Tendering Procedures.

6 Definitions

- 6.1 **Tendering** means to make a formal written offer to carry out work, supply goods or a service.
- 6.2 **Tenderer** means a person who responds to a formal written offer to carry out work, supply goods or a service.
- 6.3 **Tender Assessment Committee** is comprised of a minimum of 4 Council officials one of whom is appointed probity adviser.
- 6.4 **Value for money** means the optimum combination of whole life cost and quality (or fitness for purpose) meeting Council requirements.

7 Review Date

This policy will be reviewed every two years to ensure continuing compliance with all relevant legislation and related regulations.

8 Responsible Officer

Senior Leader Property and Procurement