

HEAD OF POWER

- *Local Government Act 2009*, section 104
- *Local Government Regulation 2012*, section 198

INTENT

The purpose of this policy is to outline the principles Council will apply in the financial year for purchasing goods and services and the disposal of assets.

SCOPE

This policy applies to all employees, Councillors and Councillor Advisor (Mayor's Chief of Staff) who undertake a procurement activity on behalf of Council.

DEFINITIONS

Employee means a local government employee as defined pursuant to the *Local Government Act 2009*.

POLICY STATEMENT

1. Default Contracting Position

Council has determined to adopt the sound contracting principles from the *Local Government Act 2009*¹ and the default contracting procedures outlined in the *Local Government Regulation 2012*, Chapter 6.

2. Procurement and Contract Manual

Council has a Procurement and Contract Manual which sets out Council's corporate approach to the procurement process, ensuring the adherence to the procurement principles as set out in the legislation.

Council employees are to be fully informed of the requirements under the relevant legislation and to ensure they adopt a standard approach to procurement and contracting activities. All Council employees must comply with the requirements of the Procurement and Contract Manual.

3. Sound Contracting Principles

Consideration is given to the sound contracting principles when entering into an arrangement for goods and services (including construction services) and the disposal of non-current assets.

¹ Section 104(3)

The sound contracting principles are:

- a. Value for money;
- b. Open and effective competition;
- c. The development of competitive local business and industry;
- d. Environmental protection; and
- e. Ethical behaviour and fair dealing.

Regard is had to each principle, although each principle may not receive equal consideration. Council will also have regard to other adopted principles.

3.1 Other Adopted Principles

Council is committed to generating positive economic and social outcomes for the community and recognises the inherent benefits of contracting with local suppliers. Council has adopted a Buy Local Policy which provides a local content framework for evaluation of businesses in the Bundaberg Regional Council Local Government Area, when quoting and/or tendering to supply Council.

4. Centre Led Procurement Model

Council operates a centre led procurement model which is led by Council's Strategic Procurement and Supply Branch, structured on a procurement portfolio approach. Procurement activities are driven by the business with Strategic Procurement and Supply employees undertaking contracting activities on a range of goods and services that enable day to day business activity.

4.1 Procurement of construction and major projects

Council undertakes procurement of construction and major projects contracts through Infrastructure Services.

5. Value for Money Methodology and Selection

Council utilises a value for money methodology when assessing quotations, tenders and proposals. Selection is based on the most advantageous outcome for Council. Council is not obliged to accept the lowest tender, proposal or quotation and may decide not to accept any offers it receives.

6. Governance

Council operates an organisational governance framework through its Procurement Board. All notifications for failure to meet requirements under the Procurement and Contract Manual and all market approaches via public tender above \$200,000 must be submitted to the Procurement Board for approval.

7. Complaints Process

A process (Complaints Management Policy) is in place for handling complaints including Council's procurement and disposal activities. Complaints can be addressed to the Chief Executive Officer by post or email to complaints@bundaberg.qld.gov.au.

Further information is available at bundaberg.qld.gov.au/complaints-disclosures.

ASSOCIATED DOCUMENTS

- Buy Local Policy
- Complaints Management Policy
- Employee Code of Conduct
- Procurement and Contract Manual

DOCUMENTS CONTROLS

Council will review this policy annually or in response to changes in law or best practice.

POLICY OWNER

Manager Strategic Procurement and Supply, Strategic Procurement and Supply.