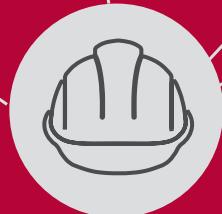




# Doing business

with Bundaberg Regional Council

A guide for suppliers and contractors



Building Australia's  
best regional community



Bundaberg Regional Council acknowledges the Traditional Country of the Taribelang Bunda, Gooreng Gooreng, Gurang, and Bailai Peoples and recognises that this Country has always been and continues to be of cultural, spiritual, social and economic significance to Aboriginal and Torres Strait Islander People. We recognise the thousands of generations of continuous culture that have shaped this Country and the people on it. We pay respects to Elders, past and present.

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# 1. Introduction to Bundaberg

## Purpose of this booklet

This guide is intended as an information resource to assist suppliers and contractors who wish to supply goods and/or services to Bundaberg Regional Council. It gives some basic information that is intended to:

- Help you understand how Council purchases goods and services;
- Help you understand how Council tenders for goods and services;
- Explain how you can apply for inclusion on a register of pre-qualified suppliers; and
- Help you understand the legislative requirements under which councils must operate.

The guide also contains details of the rules Council has to follow when purchasing any product or service. These rules exist as an assurance to potential suppliers that we are being open, fair and transparent.

## Our region

The Bundaberg Region incorporates the Coastline and Bundaberg hinterland and is one of Queensland's most modern and progressive centres. The region is the southern gateway to the Great Barrier Reef and is the hub of the agriculturally rich northern Wide Bay Burnett Region.

The City of Bundaberg is the dominant commercial and industrial hub of the region and works in partnership with surrounding towns and rural areas to support strong growth and the diverse needs of a dynamic community. The estimated population of the Bundaberg region was 100,118 persons in 2021, which represented an increase of 6.2% from the level recorded in 2016.

The region's economy is based around its traditional stronghold sectors of agriculture, healthcare and manufacturing. Tourism and professional service industries are increasing in prominence, leading to a more diversified and sustainable regional economic base that is capable of capitalising on opportunities and enduring external shocks.

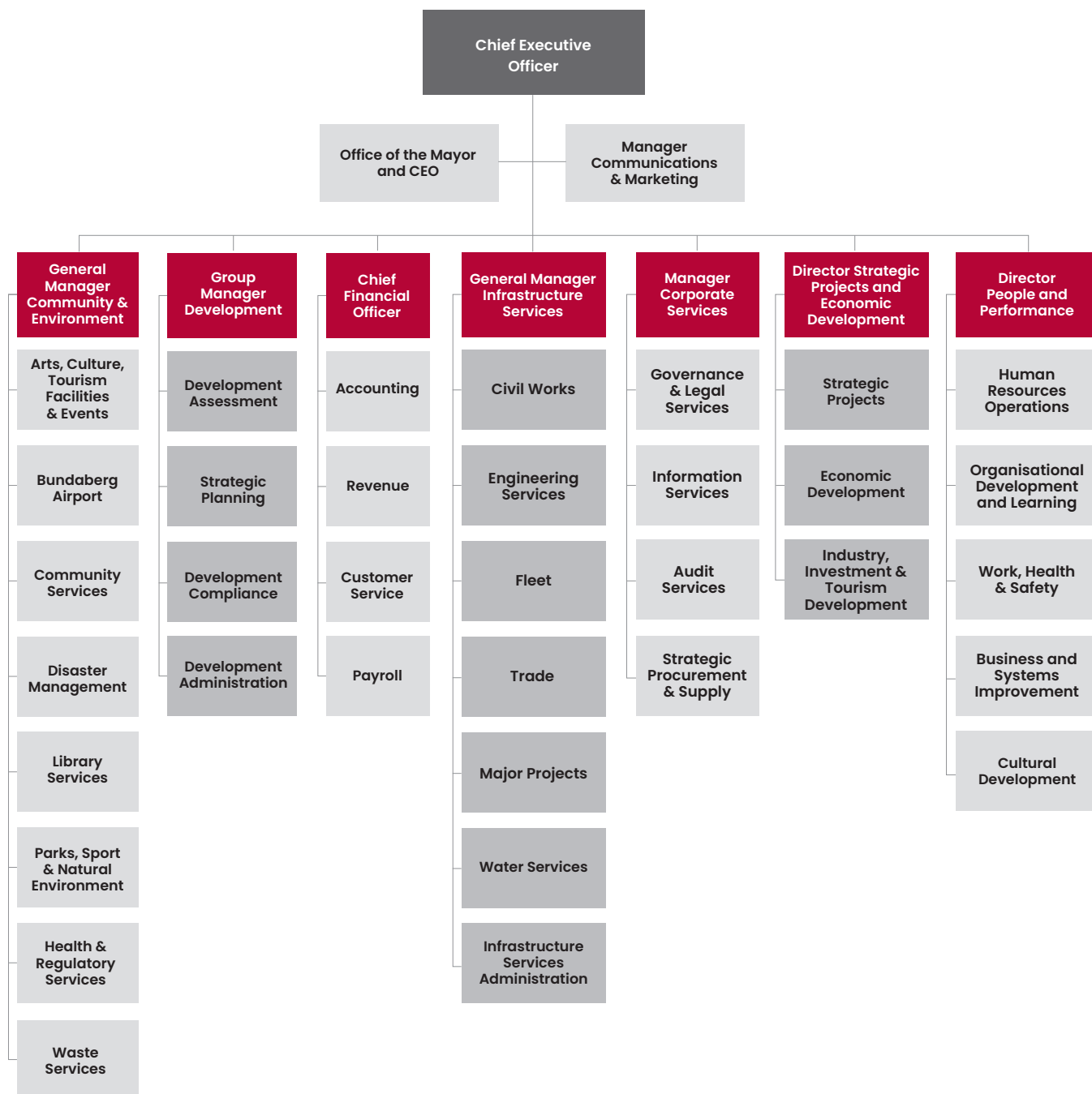
The estimated Gross Regional Product (GRP) for the Bundaberg Region was \$4.51 billion as of 2021.

With regard to industry sectors, the largest contribution was made by the Agriculture, Forestry and Fisheries, with approximately \$570.6 million, or 15.7% of the total economic value added to the Bundaberg Region. Other significant contributors to GRP were the Manufacturing, Construction and Retail Trade sectors.

Council's organisational structure is on the following page.



## Organisational Structure – departments and branches



## 2. Legal rules that affect Council's purchasing

Section 222 of the *Local Government Regulations 2012* requires Council to develop and adopt a contract manual.

The contract manual must apply the sound contracting principles and be consistent with the strategic direction of Council's Corporate Plan. It must also outline a guideline about how it will deal with the disposal of Council's non-current assets.

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**

### The Sound Contracting Principles explained

It is important to understand the five sound contracting principles to appreciate the complex regulatory environment within which Council must operate.

#### Value for money

The objective of the value for money principle is to ensure that all procurement and contracting activities represent the best outcome to Council, for money spent from a 'total cost of ownership' or 'whole-of-life cost' perspective.' Value for money should not be limited to price alone. In assessing value for money, Council must consider:

- The contribution to Council's priorities and vision; including buying local, innovative procurement initiatives, community and social benefits, healthy natural environment and sustainability considerations consistent with and supporting the strategic direction of the Bundaberg Region Community Plan 2031 and Corporate Plan 2018-23;

- Factors such as fitness for purpose, quality, service and support over the life of the product or period of the procurement activity, innovation, relevant experience and performance, availability and suitability of staff, plant and equipment, risk, legal and reputation exposure, and business continuity; and
- Whole-of-life cost which may include costs incurred at the time of acquiring, costs expended when using, administration, maintaining and disposing of the goods, services, works or assets.

Further information about **value for money** may be found at: **Queensland Government Procurement Policy 2021**



## Open and effective competition

The principle of open and effective competition mandates the use of transparent, open and unbiased procurement and contracting processes so that prospective suppliers are given fair and reasonable consideration and have an equal opportunity to do business with Council. The aim is to maximise the prospect of obtaining the most advantageous outcome and ensure that those wanting to supply Council, are given reasonable opportunity to do so.

## The development of competitive local business and industry

The aim of this principle is to proactively support business in the Bundaberg region in recognition of the economic and social benefits this brings.

Council recognises the inherent benefits in contracting with local suppliers. As a result, Council has developed Buy Local procurement guidelines to clearly articulate how Council will positively, effectively and sustainably engage with local suppliers in its procurement and contracting activities.

## Environmental protection

Protection of the environment is paramount to Council and underpins the long-term vision for the Bundaberg region to be vibrant, progressive, connected and sustainable. The aim of the principle is to provide an environmental protection commitment that minimises environmental impact, through procurement and contracting activities.



## Ethical behaviour and fair dealing

Ethical behaviour encompasses the concepts of honesty, integrity, probity, diligence, fairness, trust and respect. Ethical behaviour also includes avoiding conflicts of interest and not making improper use of an individual's position.

Ethical behaviour and fair dealing supports openness and accountability in procurement and contracting activities, resulting in suppliers, Council and the public having confidence in Council's dealings in the marketplace.

Council will promote ethical behaviour and fair dealing by:

- Ensuring the procurement process is open, transparent and accountable;
- Following systems and procedures that ensure a consistent approach to procurement;
- Ensuring compliance with Council's Employee Code of Conduct Policy;
- Developing and implementing probity plans for significant procurement activities;
- Ensuring confidentiality in procurement dealings;
- Identifying and acting upon real, potential or perceived conflicts of interest;
- Ensuring consistent and impartial treatment of all contractors whether prospective or existing;
- Maintaining high standards of accountability; and
- Promoting professional standards of procurement practice.

Staff are at all times to be aware of and comply with Council's Employee Code of Conduct Policy.

The applicable legislation listed below is available from Queensland Legislation website, [legislation.qld.gov.au](http://legislation.qld.gov.au)

- Local Government Act 2009
- Local Government Regulation 2012



### 3. Council's Methods for Purchasing Goods and Services

#### Request for Quotations

Council operates a decentralised purchasing system for requests for quotations. Requests for quotations may come from any of our departments. Quotations are sought when there is no existing contract and is based on the threshold limits outlined on page 11 of this document. If a quote is accepted, Council will produce a purchase order accompanied by standard terms and conditions.

#### Pre-Qualified Suppliers Panels

A Register of Pre-Qualified Suppliers for goods and/or services is currently established for Bundaberg Regional Council. Suppliers will need to submit via a tender process and meet specific criteria to be successful in being accepted onto the relevant panel.

#### What is a Pre-Qualified Supplier?

A pre-qualified supplier is a supplier who has been assessed by Council as having the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements. The assessment process is fulfilled by initially inviting tenders to establish pre-qualified suppliers.

A Register of Pre-Qualified Suppliers is a list of such suppliers.

#### Request for Tender

Council uses VendorPanel for all sourcing and tendering processes. VendorPanel is an e-tendering solution used to streamline the tendering process. Register your business with VendorPanel ([info.vendorpanel.com/workwithbundabergregionalcouncil/](http://info.vendorpanel.com/workwithbundabergregionalcouncil/)) to receive invitations, to download tender documents, seek clarification using the forum and lodge electronic quotation and tender responses.

#### Stocked items in Council stores

Council maintains set levels of stock in their Council warehouses, where employees are able to source items from. Items held in stock are generally used in high volume and purchased centrally by Council's Strategic Procurement & Supply team through established supply arrangements.

#### ***How do I get on a register of Pre-Qualified Suppliers?***

*A Register of Pre-Qualified Suppliers for goods and/or services will be publicly advertised as a Council notice on Bundaberg Now ([bundabergnow.com/council-notice/](http://bundabergnow.com/council-notice/)). The software system Council uses for these panels is VendorPanel. Suppliers must register first with VendorPanel to receive notification. Suppliers will need to submit a tender prior to the tender closing time and date. Suppliers who have successfully met all the criteria of the tender and provide a sufficiently competitive bid will be sent a letter of acceptance and added to the register once they have properly entered into a contract with Council. All registers of pre-qualified suppliers are established as Standing Offer Arrangements. A range of pre-qualified supplier panels are currently established. If you would like more information on these please see Council's website Bundaberg Regional Council Pre-Qualified Panel Arrangements or phone Council's Strategic Procurement & Supply team on 1300 883 699.*



## 4. Buy Local

### Head of power

*Local Government Act 2009, section 104*

*Local Government Regulation 2012, Chapter 6 – Contracting*

### Intent

The purpose of this policy is to provide a local content framework that provides an enhanced opportunity for businesses in the Bundaberg Regional Council local government area when quoting and/or tendering to supply Council.

### Scope

This policy applies to all employees.

### Definitions

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

**FTE** means full-time equivalent and is a unit that indicates the hours worked of an employee.

**Local government area** means the Bundaberg Regional Council area as gazetted by the Queensland Government and referenced at [qgso.qld.gov.au/issues/10941/qld-lga-asgs-2021-bundaberg.pdf](http://qgso.qld.gov.au/issues/10941/qld-lga-asgs-2021-bundaberg.pdf).

**Local services** means services employed and or hired within the local government area and may include but are not limited to hire of labour, subcontractors, maintenance, repair, overhaul, transport carriers, holding yards, distribution warehouses and/or plant/equipment hire.

**Local supplies** means supplies grown, made and or manufactured within in the local government area and may include but are not limited to goods, materials (natural, raw, semi-finished or finished), products, assembly, fabrication, etc.

**Main business location** means the supplier's current "Main Business Location" as recorded on the ABN Lookup reference site

([abr.business.gov.au/](http://abr.business.gov.au/)) immediately prior to a contract being awarded for which their offer has been submitted.

**Procurement Board** means a leadership group chaired by Council's Manager Strategic Procurement and Supply to oversee Council's procurement and contracting activities.

**Sound contracting principles** means as defined in the Local Government Act 2009.

### Policy statement

1. Council is committed to generating positive economic and social outcomes for the community as well as ensuring best value in its procurement activities. This policy has the key objective of enhancing the participation of competitive local businesses in bidding for Council's business.
2. The policy embeds local content principles within Council procurement procedures and practices which:
  - i. Benefit the promotion of value for money with probity and accountability;
  - ii. Advances Council's economic, social and environmental policies; and
  - iii. Increases transparency in procurement local content evaluation.
3. The policy does not mandate that Council must use local suppliers; rather it is about providing a mechanism for Council to be able to transparently consider a range of potential suppliers, when making procurement decisions.
4. The Buy Local Policy is focused on achieving a value for money outcome.
5. The policy requires a 30% local content preferential weighting to be applied to the evaluation criteria for all procurement activities (i.e. goods, services, construction, information, communication, technology, etc.).





This weighting is to be based on categorisations of main business location, local services content, and local supplies content.

To demonstrate the local benefits or effect on the region directly attributable to any contract awarded, in addition to a supplier having their main business location in, and conducting business within the local government area, the purpose of the local services content, and local supplies content categorisations is to determine whether the supplier is providing or is contributing towards:

- Utilisation of Bundaberg regional goods, materials, or services, including locally made products, materials, and/or assembly and fabrication in the region;
- Use of local transport carriers, holding yards or distribution warehouses;
- Use of local supplier/contractors, sub-contractors/supplier and/or labour hire; and
- Local employment, apprenticeships, or other community or local business 'multiplier' benefits or effect on the region.

Buy Local Sub-Categorisations	Local content preferential weighting
5.1 Main Business Location	10%
5.2 Local Services Content	10%
5.3 Local Supplies Content	10%
<b>Buy Local Total Assessment</b>	<b>30%</b>

#### 5.1 Main Business Location

Score	Category	Description
10%	A	1. Is a developing or established business in the Bundaberg Regional Council local government area directly employing local full-time employees (FTEs) (includes sole traders); or 2. An incorporated registered charitable organisation and/or an incorporated bona fide community organisation operating a business directly employing local FTEs; or 3. An indigenous business in the local government area directly employing local FTEs.
8%	B	Has a branch office within the local government area directly employing a minimum of 10 FTEs (not contractors).
6%	C	Has a branch office within the local government area, established for a minimum of 6 months, directly employing less than 10 FTEs (not contractors).
4%	D	Has a business in the adjacent local government areas (Gladstone, North Burnett, Fraser Coast).
2%	E	Is a Queensland business.
1%	F	Is an interstate business.
0%	G	Is an overseas business



**A Category “A” business, is a business that:**

- Has its head office in the Bundaberg Regional Council Local Government Area and conducts business within the local government area (includes sole traders) prior to a contract being awarded for which their offer has been submitted; or
- May also conduct business outside of the local government area; or
- Is incorporated registered charitable organisation and/or an incorporated bona fide community organisation operating a business directly employing local FTEs; or
- Is an indigenous business in the Council area directly employing local FTEs.

**A Category “B” or “C” business, is a business that has a branch office in the Bundaberg LGA. It must:**

- Be a branch office of the business submitting the offer, not of a subsidiary or parent company; and
- Constitute a physical address, not a Post Office box or other mailing address.

Remaining proximities (adjacent local government, Queensland, interstate and overseas locations) are determined by the location of the business’s head office.

**5.2 Local Services Content**

To determine the cost of local services content, suppliers are to provide and detail as part of any offer to Council, a dissection of the cost of local services content included in their total financial offer.

The level of detail is to be limited to head/lead supplier (1st Tier) and then first level of subcontractors and suppliers (2nd Tier). Local services content below these levels will not be included in the calculations for policy assessment purposes.

The calculated percentage of the cost of local services employed and or hired within the local government area will be attributed a preferential weighting toward the supplier’s overall buy local benefit scoring for evaluation purposes.

Weighting to be attributed	Cost of Local Services employed and/or hired within the local government area percentage of total financial offer*
10%	>80 – 100%
8%	>60% – 80%
6%	>40% – 60%
4%	>20% – 40%
2%	1% – 20%
0%	< 1%

*\* Percentage calculations are to be round to nearest whole numbers for purposes of categorisation assessment.*



### 5.3 Local Supplies Content

To determine the cost of local supplies content, suppliers are to provide and detail as part of any offer to Council, a dissection of the cost of local supplies content included in their total financial offer.

The level of detail is to be limited to head/lead supplier (1st Tier) and then first level of subcontractors and suppliers (2nd Tier). Local supplies content below these levels will not be included in the calculations for policy assessment purposes.

The calculated percentage of the cost of local supplies grown, made and or manufactured within the local government area will be attributed a preferential weighting toward the Supplier's overall Buy Local benefit scoring for evaluation purposes.

Weighted to be attributed	Cost of Local Supplies grown, made and or manufactured within the local government area percentage of total financial Offer
10%	>80 – 100%
8%	>60% – 80%
6%	>40% – 60%
4%	>20% – 40%
2%	1% – 20%
0%	< 1 %

*\* Percentage calculations are to be round to nearest whole numbers for purposes of categorisation assessment.*

- Council employees may exercise reasonable discretion to consider sound contracting principles when evaluating tender results.
- Professional services procurement activities will be considered for exclusion from the scope of this Policy (subject to the review and approval by the Procurement Board of a Premarket Plan submission) where the scope of the procurement is predominantly the application of specialised knowledge and other intangibles.
- For contracts under \$200,000 (exclusive of GST), Council reserves the right to invite only local businesses in the local government area to quote or tender.

### Associated documents

- Procurement and Contract Manual
- Procurement Policy
- Employee Code of Conduct

### Documents controls

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

### Policy owner

Manager Strategic Procurement and Supply.



## 5. Procure, purchase and pay

### Procurement requirements

Council is committed to the development of competitive supply markets, and under Council's Procurement and Contract Manual, the following minimum number and form of quotations are required in purchasing of goods and services.

- a. For purchases worth between \$0 and \$2,000 (exclusive GST), one verbal quote or estimate is to be invited from a supplier who is considered able to meet the requirements;
- b. For purchases worth greater than \$2,000 and up to \$5,000 (exclusive GST) at least one written quote is to be invited from suppliers who are considered able to meet the requirements.
- c. For purchases worth greater than \$5,000 and up to \$15,000 (exclusive GST), at least two written quotes are to be invited from suppliers who are considered able to meet the requirements.
- d. For purchases worth greater than \$15,000 and up to \$200,000 (exclusive GST), at least three written quotes are to be from suppliers who are considered able to meet the requirements.
- e. For purchases greater than \$200,000 (exclusive GST), Council will invite tenders or proposals for the carrying out of work or the provision of goods and services

Please see further clarification on the tables detailed below.

Estimated Expenditure	Standard Purchasing Thresholds	BRC Preferred Supplier	BRC Prequalified Panel Arrangement WITH PRICING	BRC Prequalified Panel Arrangement WITHOUT PRICING	Local Buy / Government Agency Arrangement WITH PRICING	Local Buy / Government Agency Arrangement WITHOUT PRICING
	Minimum Procurement Requirement					
\$0 to <\$5,000	△	Ⓟ	Ⓟ	△	Ⓟ	△
≥\$5,000 to <\$15,000	②	Ⓟ	Ⓟ	②	Ⓟ	②
≥\$15,000 to <\$200,000	③	Ⓟ	③	③	Ⓟ	③
≥\$200,000	📄	Ⓟ	③*	③*	Ⓟ	③*


\*Requires Procurement Board Approval

NB: Where there is only one supplier under an Arrangement where >1 Quote is required.

- Council employees are encouraged to seek at least two further quotations outside of the arrangement to ensure market due diligence is achieved; otherwise,
- Approval of the Procurement Board must be sort for only one quote to be reasonably required.
- In the circumstances where Council employees believe there exists an opportunity to improve on the contracted price (i.e. recent market change, significant volume to be purchased, etc.), they can and should be encouraged to invite at least three quotes, as the manual is only a "minimum procurement requirement" threshold.





Key	Procurement Requirement	Procurement Board Approval	Record Platform
△	Minimum 1 x verbal quotation or estimate invited	No	NIL
Ⓟ	Price as per Arrangement	No	Attach to Authority Online Requisition
①	Minimum 1 x written quotation invited	No	Attach to Authority Online Requisition
②	Minimum 2 x written quotations invited	No	Attach to Authority Online Requisition
③	Minimum 3 x written quotations invited	No <\$200,000 Yes >\$200,000	Attach to Authority Online Requisition
	Public tender	Yes	eProcurement platform

## Purchasing requirements

Purchase orders are to be placed for all purchases of goods and services other than those carried out by petty cash transactions, authorised Corporate Purchase Card (CPC) or in circumstances where it is not commercially practical to raise a purchase order.

### a) Purchase orders will typically provide the following information:

- Council address and contact details;
- Purchase order number;
- Date;
- Supplier name and address;
- Contract number along with the description of the goods or service required;
- Quantities of the goods or services;
- Price;
- Required delivery date;
- Delivery address;

- Any special instructions; and
- The name(s) of the Council employee who is authorising the purchasing of the goods or services.

### b) Delivery Requirements

Council requests that all goods supplied to Council are labelled clearly with the correct delivery address and preferably the Council employee who has ordered the goods. A delivery docket or copy of the invoice should be provided with the goods and should include the following information:

- Purchase order number;
- Supplier name, address and contact details;
- Delivery address;
- Council employee/s names;
- Contract number; and
- Description and quantity of goods and/or services.



## Payment methods

There are several ways in which Council pays for goods, services and works. These include using:

- Corporate Purchase Cards – generally but not limited to items of low value but high usage, one-off purchases, overseas purchases, travel and accommodation.
- Invoices – the preferred method for payment of orders.

### Getting your invoices paid

All invoices and accounts for payment are to be emailed direct to:

**[ap@bundaberg.qld.gov.au](mailto:ap@bundaberg.qld.gov.au)**.

### The Role of Accounts Payable

- Pay invoices in accordance with Council's terms of trade.
- Invoices must have a valid purchase order number. If not valid, it may be returned to the supplier.

**Tip:** Quoting a valid purchase order, contract number and Council employee's name will allow the timely processing of the supplier invoices.

Council's payment terms are 25 business days from receipt of invoice and it is preferable that a monthly statement be provided to ensure accurate reconciliation of outstanding Invoices. Variations to standard payment terms under exceptional circumstances may be considered upon request.

**Tip:** Suppliers should not accept any requests for goods or services without a valid Purchase Order or payment via CPC. Goods provided without proof of contract are at the risk of the supplier.

### Invoicing requirements

Please ensure the following is included:

- Suppliers Identity (preferably correct Legal Entity Name and Trading Name);
- Australian Business Number (ABN);
- A description of the goods and services with the quantity and individual line item price;
- Total Goods and Services Tax (GST);
- The total amount due;
- Date of issue;
- Council's related purchase order number;
- Name of Council employee; and
- Contract number if engaged under one, please state this on the invoice.

### You can contact Council's Procurement and Accounts Payable staff as follows:

Email **Accounts Payable** at **[ap@bundaberg.qld.gov.au](mailto:ap@bundaberg.qld.gov.au)**,  
email **Purchasing** at **[purchasing@bundaberg.qld.gov.au](mailto:purchasing@bundaberg.qld.gov.au)**  
or call Council's Customer Service on 1300 883 699.

NB: Council's Purchasing Terms and Conditions apply to all purchases made via the issuance of a Council Purchase Order. These Terms and Conditions are published on Council's website.

Please view Council's Corporate Documents. Refer to MD-7-457 to read Council's Purchasing Terms and Conditions.

Otherwise, any purchases made in accordance with one of Council's formal agreements (Contract) will be made in accordance with the associated and relevant Conditions of that specific agreement (Contract).



## 6. eProcurement

In order to improve efficiency and lower costs Council will seek to continuously improve its processes and systems. As part of this goal, the use of eProcurement systems will be increasingly used over the coming years.

### VendorPanel

#### Who is VendorPanel?

VendorPanel is a secure procurement platform used by organisations to identify and engage with suppliers as well as run efficient and compliant sourcing processes.

#### How do I get on the VendorPanel Supplier list?

Visit [info.vendorpanel.com/workwithbundabergregionalcouncil/](http://info.vendorpanel.com/workwithbundabergregionalcouncil/), follow and complete the required information.

#### Why VendorPanel?

VendorPanel is an e-tendering solution which streamlines the tendering process between business and local government in Queensland. The features of this e-tendering service for your business are:

- Free access to local government tenders;
- Fast downloading of Council tender documents;
- Easy uploading of responses to Council tenders; and
- Receive new tender email notifications by creating one or more advanced searches.

#### Regional Contracts

In some cases Council may be a party to contracts with other Councils. In these instances suppliers may be asked to quote on work across the nominated Councils.

### Seven easy steps to respond to a tender

- 1 Open [vendorpanel.com.au](http://vendorpanel.com.au)
- 2 Locate the tender that you would like to respond to and click Preview to view more details. Click Access when you are ready to view documents and respond
- 3 If this tender was released across multiple categories, select the one that best aligns with your business
- 4 Enter your first and last name and your email address. If you've registered with VendorPanel before use the same email to get access to the tender using the same account. Click Request Access
- 5 You will receive an email containing a link to complete your registration. Once you have completed your registration, you will be able to access documents, ask questions and respond via VendorPanel.
- 6 There are in-built video tutorials that you can access that step you through how to respond.
- 7 Once you have submitted your response you will receive a confirmation email from VendorPanel that your response has been sent to the buyer.

Technical help or enquiries relating to VendorPanel should be directed to the following:

- Email support at [support@vendorpanel.com.au](mailto:support@vendorpanel.com.au), or
- Call to speak to the support team on (03) 9095 6181



## 7. Tendering factsheet

### What is a Tender?

A **Request for Tender (RFT)** is a formal, open and structured process utilised to invite submissions from suppliers for the supply of goods, services or contracted works. Council is required by law to invite tenders for all acquisitions **in excess of \$200,000** (GST exclusive).

### How and when are purchasing and tendering opportunities advertised?

Council tenders must be **advertised for 21 days** as required by the Regulation. Council generally advertises tenders in the following ways:

- Bundaberg Now on Friday and depending on the nature of the goods/service, Council may also choose to advertise the tender in the weekend edition of the Courier Mail;
- Council website, and,
- Tenders may also appear on other websites (such as VendorPanel).

Council's Request for Tender (RFT) documents are generally made up of a number of parts:

1. **Invitation to Offer** – is a preliminary communication to invite offers for a transaction. It provides guidelines detailing how to submit tenders and other general conditions.
2. **Conditions of Contract** – the applicable contract terms and conditions that Council envisage to be applied for the duration of the contract.
3. **Specification/Scope of Works** – there are various types of specifications that are used to define the requirements and standards for a product or a service. The specific type of specification used will depend on the nature of the product or service and the needs of either Council or the end User. Specifications may include requirements in relation to design, performance, function, materials, process, testing, safety, environment, etc.);

4. **Submission Documents** – tenderer submission details including Tenderer Details Form, Pricing Schedule (priced criteria), Corporate and Project Information Schedules (non-priced criteria), Departures, Work Health & Safety checklists and other schedules as required.

### Current Tenders

To find information on Council's current tenders and public quotations visit Council's website at [bundaberg.qld.gov.au](http://bundaberg.qld.gov.au) and/or [bundabergnow.com/council-notice](http://bundabergnow.com/council-notice).

Notwithstanding the requirements under the *Local Government Act* for Council to invite tenders or quotes, there are also instances under the *Local Government Regulation* where Council is exempt from the tender or quote process as detailed below.

There are several default contracting exceptions under the Regulation where Council can enter into a contract without going to tender or seeking competitive offers.

These include but are not limited to:

- If a quote or tender consideration plan is prepared and adopted; or
- From a register of pre-qualified suppliers; or
- A contract with a preferred supplier; or
- Utilising a Federal/State/Local Government Arrangement (LGA).





### What is a Preferred Supplier Arrangement?

A Preferred Supplier Arrangement exists where the need for goods and services is frequent and in large volume, where better value for money is possible by aggregation of demand and that the goods and services required, are readily available within the marketplace.

How do I become eligible for preferred supplier arrangement?

*A Preferred Supplier arrangement results from assessment of tenders by Council. Tenders will be publicly advertised as a Council notice on Bundaberg Now ([bundabergnow.com/council-notices/](http://bundabergnow.com/council-notices/)) and will describe the terms of the arrangement. Suppliers that have met the criteria of a tender process, are sufficiently competitive and have been awarded a contract will be registered as a preferred supplier. To be maintained as a Council Supplier, Preferred suppliers, like other contracted Suppliers, must hold current records of all insurances, licenses, safety documentation and continue to meet our requirements.*

### Local Government Association of Queensland Arrangement (LGAQ)

Council may enter into a contract for goods and services if procuring under a LGAQ Arrangement (Local Buy arrangement).

Council employees must seek quotations in line with the Procurement Quotation/Tendering Thresholds table.

### What is a Standing Offer Agreement?

A Standing Offer Arrangement is an agreement which allows Council to purchase goods and/or services at a predetermined price for a specified period of time, on an "as and when" requirement basis. This means that no obligation is made by Council to purchase specific quantities. Supplier details and schedule of rates are made available to all Council employees.

## Performing Market Assessments

### Request for Information (RFI)

A RFI is used when a Council employee does not have sufficient information or understanding to write a detailed Request for Tender (RFT). It is in essence, a market research and planning tool to help identify the scope for a second, more formal request. When using an RFI, there is no commitment to buying and a decision may be made not to proceed at all.

### Expression of Interest (EOI)

An EOI, is similar to an RFI and is used in the same way. It is a form of request to organisations, seeking an indication of interest from potential suppliers who can provide particular goods or services. An EOI is often used as a screening process in the early stages of procurement in order to generate a shortlist for a formal RFT.



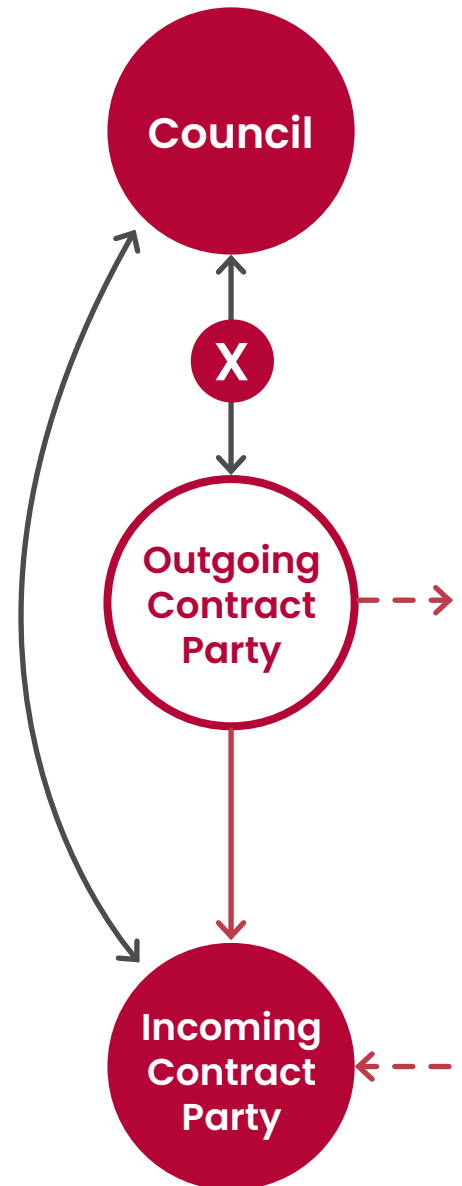
## 8. Deed of Novation

A deed of novation is an agreement which transfers one party's rights and obligations under a contract or agreement to a new third party. The terms of the agreement remain the same.

Should a change in business name, ownership or ABN alter during the term of an agreement with Bundaberg Regional Council all parties concerned may be required to complete a Deed of Novation.

If the parties agree to novate the arrangement or part thereof, then on and from the date on and from the date stated (Novation date):

- a) **The Agreement is novated** and takes effect as an agreement between Bundaberg Regional Council and the Incoming Contract Party;
- b) **The Incoming Contract Party** obtains all the rights and benefits and assumes all the obligations and liabilities of **the Outgoing Contract Party** under or arising out of the Agreement whether arising before or after the Novation Date;
- c) Bundaberg Regional Council shall perform its obligations under the **Agreement in favour of the Incoming Contract Party**; and
- d) **The Incoming Contract Party** shall perform the obligations of **the Outgoing Contract Party** under the Agreement in favour of Bundaberg Regional Council, as if the Incoming Contract Party had always been a party to the Agreement in place of the Outgoing Contract Party.



NB: Parties are not obliged to novate their rights and obligations under an agreement. Council reserves the right to not accept a request to novate an agreement. Council is not obliged to provide a reason for such a decision.



## 9. Workplace Health and Safety

The *Work Health and Safety Act (Qld) 2011* places a statutory obligation on Council to provide, so far as is reasonably practicable, a safe workplace for all workers and others who may be impacted or affected by the work we do. This is widely known and accepted. What perhaps is not as well-known is this same legislation defines employees, contractors, subcontractors, apprentices and trainees, work experience people and volunteers as workers.

Therefore, to meet our obligations in this regard, we must ensure we are satisfied the safety systems and work processes of all these 'workers' are adequate and do not expose workers or others to unacceptable risks. Council is required to ensure, so far as they are reasonably able, that anyone we are engaging to do or provide work, goods or a service for us:

- does in fact have the required expertise to ensure the work can be carried out safely.
- has in place the systems, processes and procedures to ensure the work can be carried out safely.
- is carrying out the work in a manner which does not create a health and safety risk for Council's own workers or others at the workplace.

### Contractors are required to:

- Provide evidence, to Council's satisfaction, of safety standards should they wish to be included in panel arrangements or be awarded contracts.
- Conduct their own risk assessments before starting work and put in place relevant controls on day to day operations where possible.
- Comply with reasonable direction given by Council in relation to WH&S.
- Take all practicable steps to ensure the health and safety of its employees and all other people who may be affected by their work systems and practices.
- Provide information and supervision to their employees in relation to hazardous or highrisk work processes or materials.
- Promptly report any workplace accident, injury, illness, property or environmental damage which occurs during the carrying out of the work.
- Report any lost time incidents immediately to the BRC Supervisor.
- Provide confirmation they have understood general induction information by returning a signed copy of the **Contractor Control Form Bundaberg Regional Council reference FM-7-116**.

For more information on the National Heavy Vehicle Regulations please click [here](#)





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