

Policy number	Policy 301
Policy title	Procurement
Strategic outcomes supported	EC1 – Facilitating a strong local economy EN1 – Protecting and enhancing the natural environment EN2 – Facilitating the reduction of waste. CL1 – Effectively managing resources and performance CL2 – Communication and engagement with community CL3 – Accountability and good governance

1. Policy objective:

1.1 The objective of this policy is to:

- (a) Provide a policy and guidance to all Town of Victoria Park (Town) workers to allow consistency and robust control over the Town's procurement activities.
- (b) Comply with the *Local Government Act 1995, Local Government (Functions and General) Regulations 1996*, other relevant legislation, codes of practice, standards, and other Town policies and procedures.
- (c) Ensure records and evidence are kept of the purchasing procurement activities in accordance with the *State Records Act 2000* and the Town's Risk Management Framework.
- (d) Use consistent, transparent, and accountable purchasing procurement processes and decision-making, including competitive quotation processes, assessment of best value for money and sustainable procurement principles for all purchasing procurement activities, including tender exempt arrangements.

2. Policy scope:

2.1 This policy applies to all employees, contractors, consultants, and entities that procure goods, services, or works for, or on behalf of, the Town of Victoria Park.

3. Policy definitions:

Aboriginal Business: means a business:

- (i) with a majority ownership by a person of Aboriginal or Torres Strait Island descent; and
- (ii) is currently registered on the Aboriginal Business Directory WA issued by the Small Business Development Corporation; and/or
- (iii) registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation).

Australian Disability Enterprise: means an Australian Disability Enterprise registered as such on the Australian Business Register.

Emergency Purchases: means the supply of goods or services associated with:

~~(i) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR~~

~~(ii)(i) A local Eemergency and the expenditure is required (either within existing budget allocation or with no or without relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or~~

make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and Local Government (Functions and General) Regulations r.11(2)(a); OR

~~(iii)~~(ii) A State of Emergency is declared under the *Emergency Management Act 2005* and therefore, the Local Government (Functions and General) Regulations r.11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Local Businesses: means a business that is located within the boundaries of the Town or its adjoining LGAsLocal governments Areas (LGAs). Furthermore, an eligible local business must:

- (i) have a physical business premises (in the form of an office, depot, shop, outlet, headquarters, or other premises, including home offices, -where goods or services (including professional services) are being supplied from), located with the Town or adjoining LGAs. This does not exclude suppliers whose registered business is located outside the town or adjoining LGAs, but undertake the business from premises located in the Town or adjoining LGAs;
- (ii) have permanent staff that are based at the business premises located within the Town or adjoining LGAs;
- (iii) manage or deliver the majority of the outcomes which will be carried out from the business premises located in the Town or adjoining LGAs; and
- (iv) provide to the Town sufficient evidence which demonstrates compliance with the above criteria.

Local Emergency: means an "Emergency" as defined in Section 3 of the *Emergency Management Act 2005* that is located within the boundaries of the Town or its adjoining local governments.

Officer: means Town of Victoria Park employee.

State of Emergency Declaration: has the meaning given in Section 3 of the *Emergency Management Act 2005*.

Sustainable Product Stewardship: means that producers will take on the financial or physical responsibility for their products once they reach the end of their life cycle by designing products to reduce waste and make it easier to recover materials or recycle them when they are no longer in use.

Town: is the Town of Victoria Park.

WALGA: means Western Australian Local Government Association.

WALGA PSP: means the Western Australian Local Government Association Preferred Supplier Program.

WA State CUA: means the Government of Western Australia Common Use Arrangement.

4. Policy statement:

4.1 The Town is committed to efficient, effective, economical and sustainable procedures in all procurement activities. This policy:

- (a) Provides the Town with a purchasing procurement policy as required by regulation 11A of the *Local Government (Functions and General) Regulations 1996*.
- (b) Ensures that the procurement of goods, services, or works are managed appropriately, sustainably and transparently for the benefit of the community.
- (c) Ensures that the use of alternative procurement methods, such as corporate credit cards, transaction cards

and supplier panels are supported where benefits through improved administrative practices and more efficient cash management can be demonstrated.

- (d) Ensures that the Town considers the environmental impact of the procurement process throughout the life cycle of the goods, services, and works.
- (e) Ensures that throughout the procurement process, the Town will:
 - (i) maintain transparency, probity, and good governance to rate payers and relevant stakeholders on procurement activities;
 - (ii) maintain consistency and control over procurement activities;
 - (iii) encourage competitive procurement of goods, services or works and maximise community value;
 - (iv) use Town funds effectively and economically to gain value for money by considering both qualitative and quantitative factors; and
 - (v) as much as practicable support local business.
- (f) includes monetary values stated exclusive of GST.

5. Principles for procurement

5.1 The principle of responsible financial management is to be applied to all procurement activities. Town funds are to be used efficiently and effectively to procure goods, services, or works and every attempt must be made to contain the cost of the procurement process without compromising any of the procurement principles set out in this policy.

Procurement Requirements

Legislation	All procurement activities must comply with legal obligations including the requirements of the <i>Local Government Act 1995</i> , <i>Local Government (Functions and General) Regulations 1996</i> , <i>Local Government (Financial Management) Regulations 1996</i> , as well as the <i>Competition and Consumer Act 2010</i> .
Honesty and fairness	Town officers must conduct all procurement with honesty, fairness and probity and must not disclose any confidential information.
Accountability and transparency	All procurement activities are undertaken through a process that is open, clear, and documented.
Declaration of conflicts of interest	Any conflicts of interest (actual, potential, or perceived) during the procurement process must be declared and managed.
No anti-competitive practices	Town officers must not engage in practices that are anti-competitive or engage in any form of collusive practice.
No improper advantage	Town officers must not engage in practices that aim to give any supplier an advantage over other suppliers.
Intention to proceed	The procurement process must be undertaken with an intention to proceed with the purchase including having funding available for the purchase.
Cooperation	Town officers must encourage business relationships based on open and effective communication, respect, and trust.
Gifts and Hospitality	No Councillor or Town officer shall, either directly or indirectly solicit or accept gifts or presents from any member of the public involved with any matter that is connected with the duties of the officer, or in which the Council is interested.

6. Value for money

- 6.1 Value for money is a key principle in procurement, ensuring the best possible outcomes for the Town. Value for money is the consideration of not only the lowest purchase price but also the maximum efficiency and effectiveness of the purchase. To achieve this at the individual purchase level, assessments must consider both cost and non-cost factors, relevant objectives, and make a value judgment about the best outcome. An assessment of the best value for money outcome for any procurement should consider:
- (a) All relevant whole of life costs and benefits, whole of life costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as, but not limited to, consumables, deployment, maintenance, and disposal.
 - (b) The supplier's financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history).
 - (c) A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.
 - (d) Consider the environmental sustainability of the proposed goods, services, and works (such as energy efficiency, environmental impact, and the use of re-usable, recycled, and recyclable products).
 - (e) The technical merits of the goods, services, and works being offered in terms of compliance with the specifications, contractual terms and conditions, plus any relevant methods of assuring quality.

7. Sustainable Procurement

- 7.1 The Town is committed to sustainable procurement and where possible shall endeavour to design quotations and tenders to advantage goods, services, and works that minimise negative environmental, social, and local economic impacts. Consideration shall be given to the inclusion of sustainable evaluation criteria in the evaluations process for goods, services, and works requiring a formal request for quotation or tender process.
- 7.2 Practically, sustainable procurement means the Town will endeavor to identify contractors who engage in sustainable product stewardship and procure products and services that:
- (a) Demonstrate environmental best practice in energy efficiency/ and or consumption, which can be demonstrated through recognised sustainability rating systems and eco-labelling.
 - (b) Demonstrate environmental best practice in water efficiency.
 - (c) Can be refurbished, reused, recycled, or reclaimed shall be given priority and those that are designed for ease of recycling, remanufacture, or otherwise to minimise waste.
 - (d) Ensure recycled products are procured competitively from licensed waste processing facilities.
 - (e) Demonstrate policies and practices that have been implemented by the business as part of its operations.
 - (f) Demonstrate waste prevention, recycling, market development, and use of recycled/recyclable materials.
 - (g) Demonstrate capabilities to either take on the financial or physical responsibility for their products once they reach the end of their life cycle or how the design of the products to reduce waste and make it easier to recover materials, obtain spare parts or recycle the products when they are no longer in use.
- 7.3 The Town adoption of a sustainable procurement criterion that considers environmental, social and local economic impacts will be selected at the time that a formal request for quotation or tender document is prepared, with consideration to the type of contract and industry involved. The Town will adopt an approach to procurement that supports sound environmental considerations in its purchasing procurement activities. For example, a sustainable procurement criterion will be included and applies an appropriate qualitative weighting, typically between 5 and 20 per cent, which will be used in the evaluation process of quotations or tenders.

8. Socially Sustainable Suppliers

8.1 The Town will support the purchasingprocurement of goods, services, and works from socially sustainable suppliers such as Australian Disability Enterprise, Aboriginal and Local Businesses.

Australian Disability Enterprises

8.2 *Local Government (Functions and General) Regulations 1996* regulation 11(2)(i) provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise (ADE).

8.3 The Town will support purchasingprocurement from Australian Disability EnterprisesADEs. Where practical, the Town will provide opportunities to Australian Disability EnterprisesADEs to provide goods, services or works to the Town. All requests should consider ways to encourage Australian Disability EnterprisesADEs to respond.

8.38.4 When procuring from ADEs, officers must ensure that all employees or contractors of the ADE are paid no less than the Australian National Minimum Wage.

8.48.5 For example, a socially sustainable procurement criterion will be included, and appropriate qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises in instances where they are not directly contracted. An Australian Disability Enterprise may be contracted directly without the need to comply with the requirements pertaining to the threshold levels outlined in point 10 of this document.

Aboriginal Businesses

8.58.6 *Local Government (Functions and General) Regulations 1996* regulation 11(2)(h) provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Director WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Officer Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less.

8.68.7 The Town will support purchasingprocurement from Aboriginal Businesses. Where practical, the Town will provide opportunities to Aboriginal Businesses to provide goods, services, or works to the Town. All requests should consider ways to encourage Aboriginal Businesses to respond.

8.78.8 For example, a socially sustainable procurement criterion will be included, and appropriate qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to Aboriginal Businesses in instances where they are not directly contracted. An Aboriginal Business may be contracted directly without the need to comply with the requirements pertaining to the threshold levels outlined in point 10 of this document.

Local Businesses

8.88.9 The Town will support purchasingprocurement from local businesses. Where practical, the Town will provide opportunities for local businesses to provide goods, services or work to the Town. All requests should consider ways to encourage local businesses to respond.

8.98.10 _____ The evaluation panel may consider a graduated score which recognises businesses that are primarily located within the Town boundary, and a lower graduated score for businesses located within the adjoining LGAs. The Town will also consider adopting key performance indicators for successful suppliers that encourage the placement of the local workforce i.e. employees that reside within the Town's boundary. This could take the form of promotional activities for recruitment that target local residents or schools. However, recruitment activities must not discriminate in favour of employees that reside within the Town's boundary.

9. Procurement

Anti-avoidance

9.1 In accordance with *Local Government (Functions and General) Regulations 1996* regulation 12(1), procurement

activities for the same good or service should be aggregated into a single procurement activity to achieve best value for money and efficiencies for the Town. Multiple procurement activities, for the same good or service, must not be conducted, with the dominant purpose (unintentional or otherwise) of separating the procurement over two or more purchase orders or contracts, so that the effect is to avoid a procurement threshold outlined in the following section.

Procurement order of priority

9.2 When approaching the market to obtain quotations, where applicable, the Town will consider and apply, the following Procurement Order of Priority:

<p>Priority 1:</p>	<p>Existing Pre-Qualified Supplier Panel Current contracts, including a Panel of Pre-Qualified Suppliers or contracted suppliers, must be used where the Town’s supply requirements can be met through the existing contract.</p>
<p>Priority 2:</p>	<p>Local Suppliers Where the total purchase value does not exceed the tender threshold, and a relevant local supplier that is permanently located within the Town can provide the required goods or services.</p>
<p>Priority 3:</p>	<p>Tender Exempt Arrangement Use a relevant WALGA PSP or WA State CUA regardless of whether or not the total <u>purchasing procurement</u> value will exceed the tender threshold.</p>
<p>Priority 4:</p>	<p>Other Tender Exempt Arrangement Investigate and seek quotations from relevant WA Disability Enterprises and Aboriginal Businesses that are capable of providing the required goods or services regardless of whether or not the total <u>purchasing procurement</u> value will exceed the tender threshold.</p>
<p>Priority 5:</p>	<p>Other Suppliers Where there are no relevant existing contract or tender exempt arrangements available, <u>purchasing procurement</u> activities from any other supplier are to be in accordance with relevant <u>purchasing procurement</u> value thresholds.</p>

Purchasing/Procurement value thresholds

9.3 The following purchasing/procurement value thresholds apply where the total value (excluding GST) of the full contract period for the procurement of goods and/or services (including any option(s) to extend) is, or is expected to be:

<p>Up to \$5,000</p>	<p>The Town seeks direct source purchase with at least one visual, verbal or written quotation.</p> <p>Goods and services of a low risk and occasional and not repetitive in nature.</p>
<p>From \$5,000 up to \$50,000</p>	<p>The Town must seek at least three written quotations and obtain a minimum of one quotation from a supplier in accordance with the relevant management practice.</p> <p>The Town must clearly define the specifications for the goods, services, or works being procured with the intent being to enable suppliers to respond and to appropriately price their quote.</p>
<p>From \$50,000 up to \$100,000</p>	<p>The Town must seek at least three written quotations and obtain a minimum of two quotations from a supplier in accordance with the relevant management practice.</p> <p>The Town must clearly define the specifications for the goods, services, or works being procured with the intent being to enable suppliers to respond and to appropriately price their quote.</p>
<p>From \$100,000 up to \$250,000</p>	<p>The Town must obtain-see at least three written quotations from relevant suppliers by invitation via a formal Request for Quotation process (including detailed written specifications for the goods, services, or works required, and pre-determined evaluation criteria) <u>in accordance with the relevant management practice</u>.</p> <p>All quotations above \$100,000 must be sought in conjunction with the Town's Procurement Team.</p>
<p>Above \$250,000</p>	<p>The Town must conduct a formal public Request for Tender process (including detailed written specifications for the goods, services or works required, and pre-determined evaluation criteria) in accordance with the <i>Local Government Act 1995, Local Government (Functions and General) Regulations 1996</i>, and other relevant Town policy, procedure, or management practice.</p> <p>OR</p> <p>Obtain-See at least three written quotations from Tender Exempt Suppliers via a Formal Request for Quotation process.</p> <p>All tenders and tender exemptions must be sought in conjunction with the</p>

	Town's Procurement Team.
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Waiver of Quotations

9.4 In accordance with this policy, multiple quotations are required for purchases of \$5,001 and above. In exceptional circumstances, a request for exemption from obtaining multiple quotations for purchasing procurement up to \$250,000 may be obtained from the CEO.

9.5 For the purpose of this clause, exceptional circumstances may be defined as:

- (a) Emergency Purchases; or
- (b) Sole Supplier Arrangement; or
- (c) Unexpected equipment failure or sudden deterioration where delays in replacement would impact the Town's service delivery; or
- (d) Where there is a significant financial or other adverse impact to;
 - (i) The business continuity of an essential service; or
 - (ii) The safety and security of Town Officers, Contractors, volunteers or the public; or
 - (iii) The integrity and security of the information held by the Town.

9.6 Further to the above, the Town may waive the requirement to call for multiple quotations for the following goods and services:

- (a) subscriptions
- (b) association and professional memberships
- (c) conferences, seminars and training programs
- (d) Government Gazette advertising (regulatory requirement – Local Government Act Section 3.12)
- (e) government rates
- (f) non-contestable utility services (e.g. Synergy, Water Corp)
- (g) banking fees and costs
- (h) insurance premiums with LGISWA
- (i) proprietary consumables, parts and maintenance for existing equipment where there is no substitute or warranty is voided if a substitute is used
- (j) proprietary software license renewals (including support and maintenance), where the software continues to meet the needs and budget of the Town, and there would be a migration and implementation cost to change software.

9.7 All waiver of quotation arrangements must be in accordance with the relevant management practice, and all documentation, approved or declined, must adhere to the record management practice outlined within this policy.

Sole Supplier Arrangement

- 9.8 After intensive market research, for procurement of goods, services or works available from only one source of supplier is only permitted without undertaking a procurement process (public Tender, RFQ or Tender exempt processes) in circumstances where the CEO is satisfied that there is genuinely only one source of supply that falls within the CEO's delegated authority.
- 9.9 An arrangement of this nature will only be approved for a period not exceeding three (3) years. For any continuing purchasing procurement requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.
- 9.10 All Sole Supplier arrangements must be in accordance with the relevant management practice, and all documentation, approved or declined, must adhere to the record management practice outlined within this policy.

Tender exemptions

- 9.11 The Town is exempt from publicly inviting tenders when procurement meets any of the requirements outlined under regulation 11(2) of the Local Government (Functions and General) Regulations 1996 (WA). Accordingly, tenders do not have to be publicly invited for contracts over \$250,000 in the following instances:
- The purchase is obtained from pre-qualified supplier panel under the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA);
 - The purchase is from a Regional Local Government or another Local Government;
 - The purchase is from a person registered on the WA Aboriginal Business Directory, as published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Officer Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less;
 - The purchase is acquired from an Australian Disability Enterprise and represents value for money;
 - The purchase is from a pre-qualified supplier under a Panel established by the Town; or
 - Any other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 (WA).
- 9.12 All tender exemption arrangements must be in accordance with the relevant regulation, delegated authority, management practices, and all documentation, approved or declined, must adhere to the record management practice outlined within this policy.

Probity advisor

- 9.13 To ensure a transparent and fair assessment of the procurement process and to achieve best value for money, an independent person may be appointed to act as a Probity Advisor. Circumstances by which a Probity Advisor may be engaged include:
- A procurement with an expected total value of \$2,000,000 or over.
 - A procurement that is complex or unusual in nature.
 - A procurement consideration that is politically sensitive or subject to a high degree of public scrutiny.
- 9.14 The decision to appoint a Probity Advisor will be at the discretion of the Chief Executive Officer.

Approval of expenditure

- 9.15 Subject to conditions imposed under delegations, policy and relevant management practices, management discretion may be used to incur expenditure for all approved budget items except those identified in the budget as requiring a report, or a further report, to Council.

9.16 The CEO may as appropriate, through a management practice establish bands for the approval of expenditure and procurement decisions to be undertaken by Officers or particular groups of Officers.

10. Panels of pre-qualified suppliers

10.1 In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- (a) The Town determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- (b) There are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money'.
- (c) The purchasing/procurement activity under the intended Panel is assessed as being of a low to medium risk;
- (d) The Panel will streamline and will improve procurement processes

Application

10.2 If the Town determines it beneficial for a Panel to be created, it must do so in accordance with Part 4, Division 3 of the Local Government (Functions and General) Regulations 1996.

Establishment of a Panel of pre-qualified suppliers

10.3 The CEO is to provide a list of recommended pre-qualified suppliers to Council for approval before appointment to the panel. The CEO is to also recommend to Council how the panel will be structured in one of two ways:

- (a) A ranking system where the top ranked supplier is listed as No.1. The CEO can then always seek written quotes from No.1. If No.1 can't supply or does not wish to supply a quotation, the CEO can then proceed to the next highest ranked supplier until a supplier is able to quote for the Town's requirements.
- (b) An equally ranked system where the CEO seeks written quotations from each supplier and a value for money determination is made in relation to which supplier will be successful.

10.4 Where considered by the CEO to be operationally beneficial the CEO is able to purchase from any prequalified supplier appointed to the panel. The CEO will endeavour to distribute the goods, services or works required between each panel member evenly, subject to the operational requirements of the Town at the time. Care is to be taken to ensure that no one supplier is over-committed at any one time.

10.5 Where a panel of pre-qualified suppliers is established, the duration of the panel contract is to be no longer than 5 years.

Purchasing/Procuring from the panel

10.6 The Town will request quotations from pre-qualified suppliers and ensure each pre-qualified supplier will be invited to quote for the supply of goods and services by:

- (a) Maintaining a comprehensive panel register.
- (b) Inviting each pre-qualified supplier to quote for the supply of goods and services.

10.7 When engaging a supplier from a pre-qualified panel, the following must be undertaken:

- (a) Detailed written specifications for the goods, services, or works required, and pre-determined evaluation criteria must be prepared.
- (b) Authorisation received from relevant authorised officer to the respected limit to invite panel members to respond.
- (c) Follow the relevant process outlined in the town procedures.

10.8 Each quotation process, including the invitation to quote, communication with panel members, quotation received, evaluation of quotes and notification of award (via purchase order) communication must all be

captured in the Town's record management system. A record is to be maintained for each quotation process made under each Panel that captures all communication between the Town and Panel members.

11. **PurchasingProcurement Policy Non-Compliance**

11.1 All of the Town's **purchasingprocurement** activities are subject to financial and performance audits, internally and externally. These audits review compliance with legislative requirements and compliance with the Town's policies and management practices.

11.2 If non-compliance with legislation, this policy, or the Code of Conduct, is identified it must be reported to the Chief Executive Officer and/or the Chief Financial Officer.

11.3 A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking **purchasingprocurement** activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

11.4 Where a breach is substantiated, it may be treated as:

- (a) An opportunity for additional training to be provided.
- (b) A disciplinary matter, which may or may not be subject to reporting requirements under the Public Sector Management Act 1994.
- (c) Where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the Corruption, Crime and Misconduct Act 2003.

12. **Contract Management**

12.1 All contracts will be proactively managed by the officer responsible in accordance with the relevant management practice during the contract lifecycle to ensure the Town receives value for money and to enforce performance against the contract.

12.2 The Town's Procurement team are responsible for the administration and maintenance of the Town's contract management system and register. All goods and services contracts valued at \$50,000 (ex GST) and above will be maintained in the register.

12.3 The Town prefers procurement to be conducted under its own terms and conditions to mitigate risks. However, procurement under a supplier's terms can present significant adverse risks for the Town. In cases where it is not reasonable or practicable to proceed with the Town's terms, acceptance of a supplier's terms should be considered and referred to by the responsible officer in conjunction with the Procurement Team for evaluating whether the risks associated with accepting the supplier's terms are sufficiently low to be acceptable and whether further advice should be obtained.

12.4 Upon expiry of the original contract, and after any options for renewal or extensions included in the original contract have been exercised, the Town is required to review the **purchasingprocurement** requirements and commence a new competitive **purchasingprocurement** process in accordance with this Policy.

Contract variations

12.5 In accordance with Local Government (Functions and General) Regulations 21A, a contract must not be varied unless:

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract, or

- (b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included within the original contract.

13. Record Management

13.1 All records associated with procurement ~~and purchasing~~ activities must be retained in compliance with the State Record Act 2000 (WA), the Town’s Record Keeping Policy, and associated procurement procedures.

13.2 For a formal tender/quotation process this includes:

- (a) All tender/quotation documentation
- (b) Internal documentation
- (c) Evaluation documentation
- (d) All correspondence including enquiry and response documentation
- (e) Notification and award documentation

13.3 For a direct procurement process this includes:

- (a) Quotation documentation, including correspondence and file notes
- (b) Internal documentation
- (c) Order forms and requisitions

14. Related documents

Legislations:

- [Local Government Act 1995 \(WA\)](#)
- [Local Government \(Functions and General\) Regulations 1996 \(WA\)](#)
- ~~[State Government Act 2000 \(WA\)](#)~~
- [Local Government Act 1995 – Section 9.49A\(4\) - Execution of documents](#)
- [Public Sector Management Act 1994](#)
- [Corruption, Crime and Misconduct Act 2003](#)
- [State Records Act 2000 \(WA\)](#)

Organisational:

- [Policy 312 ~~Transaction-Credit Card~~](#)
- [Policy 332 Record Keeping Policy](#)
- [Management Practice 301.1 Purchasing](#)
- [Codes of Conduct](#)

Responsible officers	Manager Strategic Accounting Manager Finance Procurement Officer Contracts and Procurement Officer
Policy manager	Chief Financial Officer

Approval authority	Council
Next evaluation date	June 2025

Revision history

Version	Action	Date	Authority	Resolution number	Report number
1					

