

<b>Policy number</b>	Policy 301
<b>Policy title</b>	Purchasing
<b>Strategic outcomes supported</b>	<p><del>CL6 – Finances are managed appropriately, sustainably and transparently for the benefit of the community.</del></p> <p><del>CL8 – Visionary civic leadership with sound and accountable governance that reflects objective decision-making.</del></p> <p><del>CL10 – Legislative responsibilities are resourced and managed appropriately, diligently and equitably.</del></p> <p><u>CL1 – Effectively manage resources and performance.</u></p> <p><u>CL3 – Accountability and good governance.</u></p> <p><u>EC1 – Facilitating a strong local economy.</u></p> <p><u>EN1 – Protecting and enhancing the natural environment.</u></p>

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### Policy objective:

The objective of this policy is to establish guidelines to ensure the most cost effective and efficient methods are used in the procurement of goods, works and services.

This policy reinforces the principle that the maintenance of comprehensive and well documented records is crucial to ensuring that value for money has been obtained and that the procurement process has been conducted with probity and transparency.

### Policy scope:

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

### Policy definitions:

**Aboriginal Business** means ~~an Aboriginal or Torres Strait Islander business with a majority ownership by an Aboriginal or Torres Strait Islander person and is currently registered on the Aboriginal Business Directory WA or Supply Nation issued by the Small Business Development Corporation~~.

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

**WA State CUA** means the WA State Common Use Agreements

**WALGA PSA** means the West Australian Local Government Association Preferred Supplier Arrangement

**Local Business** means a business located within the boundaries of the Town of Victoria Park

### Policy statement:

1. This policy is the purchasing policy of the local government under regulation 11A of the *Local Government (Functions and General) Regulations 1996*.



2. The Council of the Town of Victoria Park is committed to ensuring the procurement of goods and services are managed appropriately, sustainably, and transparently for the benefit of the community.
3. 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.
4. Throughout the procurement process, the Town will:
  - a. Ensure transparency, probity and good governance to rate payers and relevant stakeholders on procurement activities.
  - b. Ensure consistency and control over procurement activities.
  - c. Encourage competitive procurement of goods, works and services and maximise community value.
  - d. Ensure that funds are spent effectively and economically to gain value for money by ~~taking into account~~ considering price and non-price factors such as after sales service, warranty, safety, environmental, repair costs, spare parts, etc.
  - e. As much as practicable support local business.

Principals for procurement

Ethical Principles

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 officials 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 or potential) during the procurement process must be declared and managed.
No anti-competitive practices	Town officials must not engage in practices that are anti-competitive or engage in any form of collusive practice
No improper advantage	Town officials 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 officials must encourage business relationships based on open and effective communication, respect and trust.
Gifts and Hospitality	No Councilor or member of Town staff 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.

Responsible financial management

5. 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, and 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.

Value for money

6. Procurement activities are to be carried out ~~on the basis of~~based on obtaining the best value for money. This means minimising the total cost of ownership over the lifetime of the good or service consistent with acceptable quality, reliability, safety and delivery considerations. Contracts will be formed with a view to maximising the economies available through the quotation/tender process and ensuring that the process provides real competition.
7. Council is committed to ensuring funds are spent effectively and economically by ~~taking into account~~whilst considering all price and non-price factors.

Procurement thresholds

8. The methods of conducting procurement processes are intended to be transparent and appropriate while ensuring value for money and the best use of the Town's resources.
9. The Town ~~will~~to supply the same information to all suppliers. If an important change to the procurement requirements is made, then all suppliers are to be alerted at, or around, the same time. Probity and ~~C~~confidentiality is to be maintained throughout any quotation or tender process.
10. The values below prescribe the procurement thresholds, along with the associated ~~guidelines,~~ that are to ~~be~~ observed (all ~~values~~ are exclusive of Goods and Services Tax) and are set out in the below table:

Up to \$5,000	<p>The Town will use its general knowledge of the market to ascertain whether the purchase represents value for money in accordance with the relevant management practice.</p> <p><u>Where practical, the Town will approach a Local Supplier, Aboriginal Business or Australian Disability Enterprise as a priority whilst going to the open market.</u></p> <p>The Town <del>will</del>should seek more than one quotation if they are not satisfied that the first choice of supplier would represent value for money.</p>
From -\$5,000 up to \$50,000	<p><u>Where practical, the Town will invite as a minimum one Local Supplier, Aboriginal Business or Australian Disability Enterprise to submit a quotation along with the open market. Only two written quotes as a minimum will be required subject to one being obtained that falls under one of the above businesses.</u></p> <p><del>Should none be identified or received, then t</del>The Town is to obtain at least three written <del>quotations</del> from suppliers in accordance with the relevant management practice.</p> <p>The Town is to clearly define and specify the goods, services or works being procured with the intent being to enable suppliers to respond and to appropriately price their quote.</p>
From- \$50,000 up to \$250,000	<p><u>Where practical, the Town will invite as a minimum one Local Supplier, Aboriginal Business or Australian</u></p>

	<p><u>Disability Enterprise to submit a quotation along with the open market. Only two written quotes as a minimum will be required subject to one being obtained that falls under one of the above businesses.</u></p> <p><u>Should none be identified or received then</u> the Town is to obtain at least three written quotations from suppliers in accordance with the relevant management practice.</p> <p>This process may include obtaining quotes from <u>WALGA PSA preferred supplier panels or state common use agreements WA State CUA</u> in accordance with the management practice.</p> <p>The <u>Town's</u> procurement evaluation and decision <u>is to will</u> be based on <u>an approved the</u> pre-determined evaluation <u>criteria and is to shall</u> be undertaken by an evaluation panel of not less than three relevantly qualified persons in accordance with <u>this policy and</u> the relevant management practice.</p>
Above \$250,000	<p>A Request for Tender process is to be conducted where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender-exempt arrangement, as prescribed.</p> <p>The Request for Tender process is to be conducted in accordance with part 4 of the <i>Local Government (Functions and General) Regulations 1996</i>.</p> <p>The <u>Town's</u> procurement <u>evaluation, and</u> decision <u>is to will</u> be based on <u>an approved</u> pre-determined evaluation <u>criteria which shall be undertaken by an evaluation panel of no less than three qualified persons to that</u> assess all <u>the compliance and qualitative criteria to determine the final</u> value for money considerations, as defined in this policy and relevant management practices.</p>

11. Waiver of quotation - Where obtaining quotes are impractical due to significant financial or other adverse impact to the Town, the Chief Executive Officer (CEO) or their delegate, at their discretion, may waive the requirements to obtain quotes. The request to waive the quotation requirement must be in writing. If approved by the CEO or delegate, this quotation waiver shall must be saved within the appropriate records management system.
12. Sole source of supply (monopoly) - For procurement of goods, services and works above the minimum threshold and below the tender threshold, where it can be demonstrated that there is only one source of supply, procurement shall may be permitted without undertaking a quotation process, subject to the approval by the CEO or delegate, in accordance with the relevant management practice.

Approval of expenditure

13. 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.
14. 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.

~~Sustainable and ethical procurement~~ Local economic benefit

- ~~15. Council recognises it has an implicit role in furthering sustainable development, through its procurement of goods, and services and works. In addition, Council recognises the potential impact this spend has on the environment and where applicable will integrate sustainability, environmental and social issues into the procurement process. Accordingly procurement should consider in addition to value for money, the sustainability, ethical, environmental impact and social value of a procurement decision. The Town promotes economic development by the encouragement of Local Suppliers, Aboriginal Business and Disability Enterprises to where practical, supply goods and services to the Town. As much as practical the Town will:
 
  - ~~a. Create buying practices and procedures that encourage the inclusion and consideration of these areas.~~
  - ~~b. Consider the flow on effects to other local businesses and the community.~~
  - ~~c. Ensure the qualitative criteria evaluation includes consideration of local economic benefit.~~~~

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~~Sustainable procurement~~

- ~~16. Where possible procurement processes should give consideration to supporting potential suppliers that are Aboriginal Businesses and/or Australian Disability Enterprises. The Town is committed to sustainable procurement by providing a preference to suppliers through the qualitative assessment, that can demonstrate their commitment to:
 
  - ~~a. Engage with socially acceptable suppliers such as Aboriginal Businesses and Australian Disability Enterprises.~~
  - ~~b. Having employment programs for Aboriginal persons and persons with a disability.~~
  - ~~c. Environmental practices that have been incorporated in their operations.~~
  - ~~d. A process of generating less waste and encouraging recycling.~~~~

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Establishment of a panels of pre-qualified suppliers

17. Where there is a continuing need for particular goods and/or services, the CEO may establish a panel of pre-qualified suppliers for the continuing supply. If established, the panel is to align with the requirements of Part 4, Division 3 of the *Local Government (Functions and General) Regulations 1996*.
18. To procure Goods and / or Services from a pre-qualified supplier, the CEO will firstly identify which goods and or services are likely to be a continuing supply and if the CEO considers it to be "operationally beneficial", will call a State-wide invitation for suppliers to seek to join that panel for the identified supply.
19. Matters the CEO is to take into account consider when determining "operational beneficial" include but are not limited to:
  - a. The regular and continuing need for the supply
  - b. The number of suppliers likely to be able to provide the supply
  - c. The complexity of the supply
  - d. Value for money in the supply being provided from a pre-qualified supplier vs open market request.

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20. Any State-wide invitation to join a panel will include written criteria for deciding which application should be accepted.
21. 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 recommend to Council, how the panel and will be structured and can 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~~~~cannot~~ supply or does not want to supply the goods and / or service, in the timeframe or to the quality that the Town requires, the CEO can then go down the list to the next highest ranked supplier until a supplier that can provide the supply to the Town's requirements, can supply.
  - 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 in the supply.
  - c. 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 to endeavour to distribute the goods or services required between each panel member evenly, subject to the operational requirements of the Town at the time those goods and/or services are required. Care is to be taken to ensure that no one contactor is overloaded at any ~~particular time~~ by keeping accurate records of the timelines of each job.
22. Where a panel of pre-qualified suppliers is established, the time limit on the panel is to be no longer than 5 years.

### Related documents

[Local Government \(Functions and General\) Regulations 1996](#)

Policy 312 Transaction Card

Practice 301.1 Purchasing

<b>Responsible officers</b>	Manager <del>Corporate Services</del> Finance Financial Controller Senior Accounting Officer Senior Procurement Officer <del>Contracts and Procurement Officer</del>
<b>Policy manager</b>	Chief Financial Officer
<b>Approval authority</b>	Council
<b>Next evaluation date</b>	

### Revision history

Version	Action	Date	Authority	Resolution number	Report number
1	Adopted	12/08/1997	Council	-	-
2	Amended	20/03/2007	Council	-	Item 3.5
3	Amended	24/11/2009	Council	-	Item 3.8
3	Reviewed	09/07/2013	Council	-	Item 10.1
3	Reviewed	11/08/2015	Council	-	Item 10.1
4	Amended	09/08/2016	Council	-	Item 15.1
5	Reviewed and amended	20/08/2019	Council	148/2019	Item 10.1
6	Amended	17/12/2019	Council	282/2019	Item 14.3
7	Amended	19/05/2020	Council	393/2020	Item 11.1
8	Reviewed and amended	20/04/2021	Council	78/2021	Item 15.4
9	Reviewed and amended	21/06/2022	Council	136/2022	Item 15.5

