

## 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, Councillor Advisor, contractors, and vendors who engage in procurement activities on behalf of Council.

## DEFINITIONS

**Contracting Activities** mean activities related to the creation, negotiation, execution, and management of contracts for the procurement of goods, services, or construction projects, including but not limited to contract drafting, supplier selection, and performance monitoring.

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

**Procurement Activity** mean any action or process involved in the acquisition of goods, services, or construction projects by Council, including but not limited to planning, sourcing, solicitation, evaluation, negotiation, debriefing and contract management.

**Value for Money Methodology** mean a systematic approach used by Council to assess and compare quotations, tenders, and proposals based on the optimal balance of quality, cost, and other relevant factors to achieve the best outcome for Council. This methodology may involve considerations such as whole-of-life costs, risk management, and sustainability.

## POLICY STATEMENT

### 1. Default Contracting Position

Council has determined to adopt the sound contracting principles from the *Local Government Act 2009*<sup>1</sup> 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

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<sup>1</sup> Section 104(3)

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 an arrangement for goods and services (including construction services) and the disposal of non-current assets.

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.

These principles may be prioritised differently for each procurement activity and Council may consider other adopted principles, as outlined below.

#### **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.

### **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 executive delegations. All notifications for non-adherence to the Procurement and Contract Manual and all market approaches via public tender above \$200,000 must be submitted to the delegated officers 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](mailto:complaints@bundaberg.qld.gov.au).

Further information is available at [bundaberg.qld.gov.au/complaints-disclosures](http://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.