

# Procurement Conduct Plan

Local Government Victoria

Template





# When to develop a Procurement Conduct Plan?

A procurement conduct plan is best used for any procurement of medium+ complexity and size.

## Project description

---

Briefly outline the procurement.

**EXAMPLE**

What is being procured? What is the requirement of procurement?

## Background

---

Give a short overview on the background of this project.

**EXAMPLE**

Does a current contract exist? When does the current contract expire, etc?

## Project timeline

---

List the steps and timings involved in the procurement process.

**EXAMPLE**

STEP	WHO	TARGET DATE
Research and project development		

Draft tender documents		
Finalise RFT/RFQ/EOI documents		
Release RFT/RFQ/EOI documents to market		
Market briefing		
Closing date for RFT/RFQ/EOI responses		
Evaluation of bids		
Approval of decisions and recommendations		
Contract execution		
Evaluate project success		

## The tender team(s)

---

The project will involve a steering committee and an evaluation team

### EXAMPLE

#### Tender steering committee members

ROLE	NAME	TITLE	ORGANISATION

#### Evaluation team members (if different to steering committee – if not, delete)

ROLE	NAME	TITLE	ORGANISATION


## Key responsibilities

---

### EXAMPLE

#### RESPONSIBILITIES OF TENDER STEERING COMMITTEE

<input type="checkbox"/>	There will be a Tender Steering Group for this project.
<input type="checkbox"/>	Provide overall direction and management to Tender Evaluation Team.
<input type="checkbox"/>	Market engagement
<input type="checkbox"/>	Evaluation and negotiation stages of the tender process
<input type="checkbox"/>	Endorse tender timelines and approve any timeline variations.
<input type="checkbox"/>	Approve initial RFT/ROI.
<input type="checkbox"/>	Approve any variations to the original EOI/RFT documentation.
<input type="checkbox"/>	Provide signoff at the following stages in the process:
	Endorsement of Procurement Plan and Roles and Responsibilities Documents
	Tender documentation
	Tender advertisement
<input type="checkbox"/>	Receive the probity reports with tender evaluation reports
<input type="checkbox"/>	Receive other reports that may be necessary for time to time

#### RESPONSIBILITIES OF EVALUATION TEAM

<input type="checkbox"/>	Evaluate tender responses according to the tender evaluation criteria
<input type="checkbox"/>	Test and verify the claims made by tenderers in relation to the tender evaluation criteria
<input type="checkbox"/>	Evaluation and negotiation stages of the tender process
<input type="checkbox"/>	Prepare recommendations for consideration of individual councils

## Key conduct requirements

---

### EXAMPLE

#### Effective competition

<input type="checkbox"/>	Effective competition will be achieved by (see below):
	- Advertising the opportunity in a number of newspapers and through online procurement portals.
	- Advertise to existing contractors of procurement opportunity.

#### The procurement process

<input type="checkbox"/>	Public request for tender (RFT)
<input type="checkbox"/>	Public request for quote (RFQ)
<input type="checkbox"/>	Expression of Interest (EOI)

#### Consistency and transparency of process

<input type="checkbox"/>	Evaluation criteria will be determined before advertising.		
<input type="checkbox"/>	Evaluation criteria will be weighted before advertising.		
<input type="checkbox"/>	Evaluation criteria will be included in the RFT/RFQ/EOI documentation.		
<input type="checkbox"/>	Importance given to different criteria (if relevant) will be included in the tender documentation.		
<input type="checkbox"/>	There will be a	<input type="checkbox"/> non-mandatory <input type="checkbox"/> mandatory	<input type="checkbox"/> pre-tender briefing

Costs for potential suppliers to Tender/Express Interest are expected to be:					
<input type="checkbox"/>	High	<input type="checkbox"/>	Medium	<input type="checkbox"/>	Low
Strategies to minimise costs for potential suppliers to tender include:					

All tender queries or requests for further information will be managed by			
<b>Name</b>		<b>Position/ Organisation</b>	

## Security and confidentiality

---

### EXAMPLE

Tenders will be received at

<input type="checkbox"/>	An approved council tender box	<b>Location</b>	
<input type="checkbox"/>	Online procurement portal:		

Format for receipt of tenders

<input type="checkbox"/>	Paper submission to standard tender box		
<input type="checkbox"/>	Electronic document (CD etc.) to standard tender box		
<input type="checkbox"/>	Electronic submission to electronic tender box		
<input type="checkbox"/>	A secure office will be used.	<b>Location</b>	
Tender office security will be the responsibility of:			
	<b>Name</b>	<b>Role</b>	

## Use of probity practitioners

---

### EXAMPLE

<input type="checkbox"/>	A probity Auditor will not be used.		
<input type="checkbox"/>	A probity Auditor will be used.	<b>Name</b>	
		<b>Firm</b>	
		<b>Phone</b>	

## Project debrief

---

### EXAMPLE

<input type="checkbox"/>	A project debrief will be provided to:	
<b>Name</b>	<b>Position</b>	


## Probity tasks and steps

---

### EXAMPLE

Conflict of Interest (COI) statements / Confidentiality Agreements will be provided by:	
<b>Name/s</b>	<b>i.e Tender Evaluation Team</b>

The person nominated above will provide their COI statements to:			
<b>Name</b>		<b>Role</b>	

<input type="checkbox"/>	No actual, potential or perceived conflict of interest (COI) matters have been identified.
<input type="checkbox"/>	Some COI matters have been identified and will be managed as detailed below:

## Confidentiality procedures

---

### EXAMPLE

<input type="checkbox"/>	Standard confidentiality procedures will be varied in the following way:
--------------------------	--

	<ul style="list-style-type: none"> <li>• Hard copy bids received at <b>XXXXX</b> will be scanned and emailed - with the originals held securely by <b>XXX</b></li> <li>• Soft copies of bids will be sent to all members of the Tender Evaluation Team by email including a read receipt.</li> <li>• Reference will be placed on all electronic documents reminding recipients of confidentiality and security requirements.</li> <li>• Soft copies can be stored in the individual council electronic document management system.</li> <li>• Copies of all relevant documents to be distributed to all members of the Tender Evaluation Team.</li> </ul>
<input type="checkbox"/>	Particular confidentiality requirements may apply to this tender:
	<ul style="list-style-type: none"> <li>• It is the responsibility of each member of the tender evaluation team to familiarise themselves and operate in accordance with the probity requirements associated with the tender and evaluation process, including this document and: <ul style="list-style-type: none"> <li>○ Strategic Procurement Plan</li> <li>○ Protocol for handling Enquiries</li> </ul> </li> <li>• Each member of the Tender Evaluation team is responsible for confidentiality of all documents received as part of tender evaluation process.</li> <li>• Each member of the Tender Evaluation team is responsible for security of all documents received as part of tender evaluation process.</li> </ul>

## Briefing of all relevant staff

---

### EXAMPLE:

The Tender Evaluation Team will receive a probity briefing on:	<b>Date</b>	
The team briefing will be provided by:		
<b>Name</b>		<b>Role</b>

## Advertising arrangements

---

### EXAMPLE:

Tender advertising will include:

<input type="checkbox"/>	Council Website/s
--------------------------	-------------------



<input type="checkbox"/>	Online procurement portal
<input type="checkbox"/>	Newspapers – <b>List</b>

## Notification of tenderers not short listed

---

### EXAMPLE:

Non-short listed tenderers will be notified by:			
<b>Name</b>		<b>Role</b>	

## Short-listed tenderers – probity and track record check

---

### EXAMPLE:

<input type="checkbox"/>	Corporate information checks will be obtained.		
<input type="checkbox"/>	Specialist financial advice will be obtained.		
<input type="checkbox"/>	Referee checks will be sought.		
The following person will obtain information listed above:			
<b>Name</b>		<b>Role</b>	

## Supplier selection report and recommendation

---

### EXAMPLE:

A report consistent with selection criteria and providing reasons for recommendation of preferred tenderer, will be prepared and submitted to:	
<b>Name/s</b>	

## Notification of (un)successful tenderers

---

### EXAMPLE:

After final approval, remaining unsuccessful tenderers will be notified by:	
<b>Name</b>	
After final approval, successful tenderer will be notified by:	
<b>Name</b>	

## Documentation

---

### EXAMPLE:

<b>The following key documents will be retained.</b>			
<input type="checkbox"/>	Tender history	<input type="checkbox"/>	Strategic planning documents
<input type="checkbox"/>	Notice of meetings	<input type="checkbox"/>	RFT/RFQ/EOI documentation
<input type="checkbox"/>	Lists of users contacted	<input type="checkbox"/>	Procurement conduct plan
<input type="checkbox"/>	List of tenders received	<input type="checkbox"/>	Tender briefing meeting minutes
<input type="checkbox"/>	Evaluation summary	<input type="checkbox"/>	Notification to shortlisted tenderers
<input type="checkbox"/>	Notifications to 'non-successful' tenderers	<input type="checkbox"/>	Approval documents, including individual council reports
<input type="checkbox"/>	Record of post-tender negotiations	<input type="checkbox"/>	Notification to preferred supplier
<input type="checkbox"/>	Implementation plans	<input type="checkbox"/>	Agreement/contract
<input type="checkbox"/>	Conflict of interest declarations	<input type="checkbox"/>	Service level agreements

## Procurement conduct plan approvals

---

### EXAMPLE:

**ANY VARIATIONS IN THE PLAN MUST BE APPROVED BY:**

NAME:

THIS PLAN IS APPROVED BY:			
SIGNATURE		ROLE	
NAME		DATE	

and...

THIS PLAN IS APPROVED BY:			
SIGNATURE		ROLE	
NAME		DATE	

Title of table or diagram

Table Heading	Table Heading	Table Heading
Table text	Table text	Table text
Table text	Table text	Table text

Title of table or diagram

Table Heading	Table Heading	Table Heading
Table text	66	109
Table text	78	149
Table text	344	234
Table text	654	456

A contract for debt recovery services would be taken to be a contract for services, as distinct from legal services. Certainly the portion of the service related to the process aspect of debt recovery would constitute a contract for services.

The prescribed exemption for legal services does not prevent a council forming a panel of legal advisors by first placing a public notice. The process of engaging legal services must still meet the tests of being value for money and transparent.

## Heading 2

The legislation allows for contracts which have been prescribed (in a regulation) to be exempted from complying with section 186(1) of the Act. At this time only contracts for legal

services have been exempted.

A contract for debt recovery services would be taken to be a contract for services, as distinct from legal services. Certainly the portion of the service related to the process aspect of debt recovery would constitute a contract for services.

The prescribed exemption for legal services does not prevent a council forming a panel of legal advisors by first placing a public notice. The process of engaging legal services must still meet the tests of being value for money and transparent.

The Minister for Local Government will give consideration from time to time to prescribing other types of goods or services under this provision.

#### ILLUSTRATION



The Minister for Local Government will give consideration from time to time to prescribing other types of goods or services under this provision.