



Policy Title	Procurement Policy
Related Documentation	General Procurement Procedure Council or Other Government Contract Procedure Procurement Less Than \$1,000 Procedure Procurement Between \$1,001 - \$25,000 Procedure Procurement Between \$25,001 - \$100,000 Procedure Public Quotation (Procurement Expenditure \$100,001 - \$249,999 Procedure Public Tender (Procurement Expenditure > \$250,000) Procedure
Relevant Legislation/ Corporate Plan	Local Government Act 1993 Local Government (General) Regulation 2021 Work Health and Safety Act 2011 Work Health and Safety Regulations 2011 Local Government Code of Accounting Practice and Financial Reporting Modern Slavery Act 2018
Responsible Officer	Procurement and Contracts Lead

**UNCONTROLLED WHEN PRINTED**

**Policy details may change prior to review date due to legislative changes, therefore this document is uncontrolled when printed.**

**Objectives**

To ensure that procurement activities are conducted in accordance with relevant legislation and Council's various Procurement Procedures.

**Policy Statement**

This Policy refers to Council's procurement activities for goods, services and consultancies including, but not limited to, the following procedures:

- Purchase Card purchases
- Purchase Order purchases
- Quotation processes
- Tender processes.

This policy does not cover the purchase of land or contracts for employment.

This policy should be read in conjunction with Council's various Procurement Procedures which provides Council Officers with the procedures involved in the procurement process to enable compliance with this Policy, legislation and Australian Standards. This Policy will ensure compliance

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<b>Directorate:</b> City Governance <b>Section:</b> Procurement & Contracts <b>Record No:</b> CDO-23/696	<b>Adopted Date:</b> 18/03/2008 <b>Revised Date:</b> 12/09/2023 <b>Minute Number:</b> 224 <b>Review Date:</b> 30/06/2027	<b>Page:</b> 1 of 4
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with the relevant Work Health and Safety legislation, regulations and guidelines required by Council's Work Health and Safety management system.

This Policy will enable Council to achieve the best value for money in procurement activities whilst ensuring the highest level of probity.

### Scope

Council staff involved in any aspect of procurement must adhere to this policy.

### Definitions

**Contract:** an agreement for the supply of goods or the performance of services or consultancy services.

**Expression of Interest (EOI):** an application from a person or organisation interested in supplying goods or services to or for Council or in showing their capacity to do so.

**Financial Delegation:** the level of funds that a Council officer has the authority to expend.

**Local Business:** is a business

- that has a premises physically located or principal place of business (not a PO Box) within the Campbelltown Local Government Area (LGA); or
- is a mobile business that has an ABN registered to an address located within the Campbelltown LGA, and operates within the Campbelltown LGA.

**Quotation:** written or oral response to a request to a selected or public group of providers for the provision of specific goods or services to a specification prepared by Council.

**Tender:** a formal written offer in response to a request to tender to provide goods, services or facilities at an agreed amount or rate and to Council's specification. Tender management is governed by the provisions of the Local Government Act 1993 (The Act) and Local Government (General) Regulation 2021 (The Regulation) as well as by this policy.

**Value for Money** does not necessarily mean lowest price but is determined by a number of factors including initial cost, costs associated with disposal or removal of the product at the end of its useful life, quality, reliability, whole of life running costs and/or timeliness and where possible having consideration to local economic growth.

### Legislative Context

Section 24 of the *Local Government Act 1993* states:

"A council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law."

In order to carry out its functions, section 23 confers on a Council the power "to do all such things as are supplemental or incidental to, or consequential on, the exercise of its functions."

The effect of these provisions is that Council has the power to enter into contracts. This power is constrained by this policy, good practice and probity legislation, by Section 55 of the Act and by the *Local Government (General) Regulation 2021*.

This Policy is subject to and must be read alongside the Act and the Regulation which requires Council to tender in certain circumstances and to use particular tender procedures. If tenders are called when there is no legislative requirement to do so, it is Council's policy that the same process be used as for situations where tenders must be called. Where quotations are used, the provisions of the Regulation do not apply.

### **Principles**

Purchasing procedures are defined in Council's various Procurement Procedures. All procurement must be carried out in accordance with the Procurement Procedures.

### **Work Health and Safety**

Council will determine work health and safety requirements prior to the purchase of any goods, services or consultancy, and communicate those specifications to the supplier.

Work Health and Safety requirements will be identified, evaluated and incorporated into all purchasing specifications.

### **Sustainable Procurement**

Council Officers will endeavour to purchase goods and services with the most beneficial environmental outcomes whilst maintaining value for money.

### **Local Consideration**

Council is committed to creating a city that thrives. Council is supporting local businesses and encouraging local economic growth by giving consideration to local businesses whilst maintaining value for money.

A local business is defined as a business with a premises or principal place of business located in the Campbelltown Local Government Area (LGA), not a PO Box. Procurement procedures will include a mandatory scoring criterion for Local Consideration.

### **Social Procurement**

Council will encourage the purchase of goods or services from organisations that demonstrate a commitment to social justice and sustainability, enabling procurement to promote and achieve positive social outcomes. When drafting specifications for procurement of goods or services and when making procurement decisions, Council officers will take into consideration socially sustainable practices, where possible, whilst maintaining value for money.

### **Aboriginal and Torres Strait Islander Procurement**

Council is committed to ensuring there is opportunity for Aboriginal and Torres Strait Islander employment and Aboriginal and Torres Strait Islander owned businesses supplying our organisation with goods and services. Council will give consideration to Aboriginal and Torres Strait Islander business and non-Aboriginal and Torres Strait Islander owned businesses employing Aboriginal and Torres Strait people, where possible, whilst maintaining value for money.

**Modern Slavery**

Council is committed to ensuring goods and services procured by Council are not a product of modern slavery by implementing measures in the procurement process and contract that promote transparency and accountability throughout the supply chain and monitoring mechanisms to identify and address any potential violations.

**Responsibility and Delegation**

Council Officers' financial delegations for procurement activities are defined in Council's various Procurement Procedures. It is the responsibility of all staff that are involved in procurement activities to ensure that the process is performed in a transparent and accountable way.

**END OF POLICY STATEMENT**