CIRCULAR HEAD COUNCIL

PROCUREMENT FRAMEWORK

(incorporating Code for Tenders and Contracts)



EQUITY • CONNECTION • EXCELLENCE

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CIRCULAR HEAD COUNCIL
PROCUREMENT FRAMEWORK

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CIRCULAR HEAD COUNCIL PROCUREMENT FRAMEWORK

COUNCIL'S MISSION



COUNCIL'S VISION

To provide leadership excellence focused on strategic objectives through local and regional engagement to deliver value for money and services to meet community needs.

CIRCULAR HEAD COUNCIL
PROCUREMENT FRAMEWORK

OUR VALUES

We embrace EQUITY



We foster an inclusive culture that values diversity to create a sense of belonging for all

We acknowledge the diverse needs and perspectives of others to ensure that everyone is treated with respect and kindness

We seek opportunities to enhance our understanding of equity issues and continually improve practices

We actively seek feedback, assess our initiatives, and adapt our strategies to better meet the evolving needs of our community.

We foster CONNECTION



We foster positive relationships, among team members and with our community, to create a sense of togetherness and shared purpose

We strengthen the bonds with our community and recognise that unity is our greatest asset

We encourage open and transparent communication to build trust and strengthen connections

We embrace the power of collaboration and encourage diverse perspectives and ideas.

We deliver EXCELLENCE



We take pride in the standard of our work, to consistently deliver quality results to the community

We understand that to deliver excellence we need to balance our work commitments with self-care and our family needs

We actively participate in continuous learning opportunities and willingly share knowledge and ideas

We adapt to change and contribute by offering innovative ideas and view obstacles as opportunities.

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CIRCULAR HEAD COUNCIL PROCUREMENT FRAMEWORK

INTRODUCTION

The Procurement Framework (the Framework) provides guidance and structure on best practice tendering and procurement methods, in line with the *Local Government Act 1993* (the Act), and the *Local Government (General) Regulations 2025*. The document incorporates the *Code for Tenders and Contracts* required section 333B of the Act.

PURPOSE

This Framework aims to:

- ensure compliance with relevant legislation
- enhance value for money through fair, competitive and non-discriminatory procurement
- promote the use of resources in an efficient, effective and ethical manner
- encourage probity, accountability and transparency in decision making
- provide reasonable opportunity for competitive local businesses to supply to Council
- minimise the cost to suppliers of participating in the tendering process
- allow Council to appropriately manage risk
- promote Council's economic, social and environmental plans and policies

SCOPE

The Framework incorporates the principles, processes and procedures that will be applied to the purchase of all goods, services and works by Council. The Framework is a high-level overview of procurement process, and some further procedural detail may be held in lower-level documents (such as procedures and work instructions).

The scope of this framework commences from when Council identifies the need for procurement. It continues through to the successful delivery of goods or completion of works or services.

The Framework will apply to Council, Council employees and agents, and any suppliers wishing to compete for Council business or provide goods, services, or works to Council (including contractors, subcontractors, consultants and suppliers).

Wherever reasonably possible, suppliers engaged by Council will apply the Framework when seeking tenders or quotations from subcontractors and suppliers.

LEGISLATIVE, REGULATORY AND COUNCIL REQUIREMENTS

All Council procurement activity is subject to:

- Legislative and regulatory provisions
- Circular Head Council Procurement Policy
- Other Council policies which interact with procurement
- Provision of Services Registration
- Managerial policies (previously known as General Manager's Directives)

In accordance with Sections 333A and 333B of the *Local Government Act 1993* (Tas), Council must comply with this Framework when acquiring goods and services.

Detail contained in the Framework is consistent with the requirements of the *Local Government (General) Regulations 2025*, Regulations 24 – 30 inclusive.

PROCUREMENT PRINCIPLES

This Framework has been developed to have a transparent set of strategies that Circular Head Council will follow to satisfy the four purchasing principles as detailed in Regulation 29(a) of the *Local Government (General) Regulations 2025*.

Below is a brief definition of each principle and what it means in practice to Council.

OPEN AND EFFECTIVE COMMUNICATION

Council will ensure that the purchasing process is impartial, open and encourages competitive offers.

In practice this means that Council will:

- use transparent and open purchasing processes so that suppliers and the public can have confidence in outcomes
- ensure suppliers have access to relevant council procurement documents
- adequately test the market through seeking quotations or via tender as appropriate
- provide clear specifications
- treat all suppliers consistently and equitably
- ensure a prompt and courteous response to all reasonable requests for advice and information from suppliers

VALUE FOR MONEY

The Council will ensure that it is buying at the most competitive price available, but value for money does not mean buying at the lowest price.

In practice this means that Council will consider:

- the contribution the good or service makes to achieving Council's vision 2050 or policies
- the value of the acquisition and potential benefits against the costs of that purchase
- an assessment of risks associated with the purchase including the preferred procurement method
- how well goods or services meet needs
- maintenance and running costs over the lifetime of the product
- disposal value
- time constraints
- the impact of the procurement decision on the local economy, such as through industry development and employment creation
- the impact of the procurement decision on the local economy, such as through industry development and employment creation
- the impact of the procurement decision on the environment, such as through minimising waste and reducing demand for goods and services which have a direct impact on the environment (such as printing, utilities and travel)
- the impact of the procurement decision on the society (social value generated) such as through the eliminator of discrimination and the promotion of equal opportunity, training, and other identified social objectives

ENHANCEMENT OF THE CAPABILITIES OF LOCAL BUSINESS AND INDUSTRY

The Council will ensure that where local capacity exists it will seek to engage the local market and encourage participation in tender and quotation processes.

In practice this means that Council will:

- actively seek quotes from local businesses that can provide quality goods and/or services
    - for purchases $10,000 - $49,999 at least one of the two quotations will be sought locally (subject to capacity)
    - for purchases $50,000 - $249,999 at least one of the three written quotations will be sought locally (subject to capacity)
    - actively promote Council tender process to local businesses

- where local capability exists, ensure that discretionary elements of specifications do not prevent local businesses from competing
- not give preferential treatment to local suppliers where it cannot be reasonably justified
- any preference given to local businesses for purchases of $50,000 and above will be listed in the assessment criteria in accordance with the application and outlined in the Open Tenders, Multiple Staged Tender and Standing Tenders sections of this Framework.

ETHICAL BEHAVIOUR AND FAIR DEALING

The council will promote procurement practice that is legal, ethical, fair, and unbiased.

In practice this means that Council will:

- comply with legal requirements
- conduct all business in the best interests of the Council
- treat all suppliers equally
- avoid biased specifications
- ensure that all procurement is undertaken in accordance with Council policies
- be as effective and efficient as possible when sourcing, ordering and paying for goods and services
- expect individuals involved in the procurement processes to declare and act upon any conflicts of interest that may be seen to influence impartiality
- ensure that any supplier is not provided with information or clarification that is not provided equally to all suppliers
- maintain confidentiality at all times in dealing with supplier
- ensure that conditions of contract are not excessively onerous
- decline gifts or benefits offered by those involved in the procurement process, particularly from suppliers

In practice this means that Council expects suppliers to:

- ensure that they are well acquainted with Council requirements identified in this Framework
- are familiar with particulars relating to a specific tender and quotation processes including the relevant specifications
- not submit a tender or quotation unless they have the financial, technical, physical and management resources or other capabilities to fulfil Council's requirements
- not seek to influence a procurement process by improper means or collude with other suppliers
- declare and act upon any conflicts of interest that may be seen to influence impartiality

- comply with all the applicable legislative, regulatory and statutory requirements, including Acts of the Commonwealth and State, regulations, by-laws, and proclamations made or issued under such Acts and lawful requirements or directions of public and other authorities
- not offer gifts or benefits to a Council Officer for the discharge of official business

PROBITY

To achieve probity, Council will consider the following six probity principles throughout all stages of procurement and contracting processes to ensure achieving the best value for money.

- open competitive processes
- fairness, consistency and transparency of process
- identification and resolution of conflicts of interest
- accountability in relation to decision making
- monitoring and evaluating performance
- Internal procurement training

COMMITMENT TO ENVIRONMENTAL SUSTAINABILITY AND PROTECTION

Council is committed to environmental sustainability and protection. Consideration of the environmental costs or impacts of procurement decisions will be specified in any assessment criteria where this applies.

PROCUREMENT PROCESS OVERVIEW

PROCUREMENT PROCESS

The following procurement overview provides a brief outline of the way in which Council procures routine goods and services:

- plan the purchase (including the selection of the most appropriate purchasing method)
- prepare the relevant documentation (e.g. quotation, tender or expression of interest, registering for provision of services)
- invite and receive offers
- evaluate offers
- advise the successful bidder and offer to debrief unsuccessful bidders
- manage any contract which may be implemented because of the procurement

PLANNING THE PURCHASE

During the planning phase of a purchase where written quotations or tenders are to be requested the following steps may be taken by the Council:

- any relevant approval to undertake a purchase is obtained
- an estimate of the cost of the goods or service is undertaken and available Council funding of the purchase is confirmed and an appropriate method of purchasing chosen
- market research and consultation are undertaken (i.e., what products are available and how many suppliers)
- the specification is defined and mandatory requirements identified. The specification will usually be developed in consultation with the relevant Council stakeholders (useful resources include previous or similar specifications)
- For high value and high-risk purchases and tenders
- the establishment of an Evaluation Committee (for high risk and tenders)
- the establishment of evaluation criteria and evaluation methodology (undertaken by the Evaluation Committee)
- the development of a risk assessment and management plan
- the commencement of a contract management plan
- if necessary, the engagement of a probity advisor as appointed by the General Manager (or delegated officer)

PROCUREMENT METHODS - OVERVIEW

While open and fair competition may often be best achieved by undertaking a tender process where all interested parties have an opportunity to bid, there are times when this practice will not deliver the most advantageous outcome for the Council. In such instances, other market approaches may be more appropriate.

The Council will, having regard to the procurement principles and any other factors considered relevant by the Council, in its absolute discretion, determine the appropriate method that will be employed to procure goods and services at any time.

There are four procurement thresholds that require different levels of involvement in planning and executing the purchase. The following table details the thresholds and summarises what purchasing method the Council utilises based on the total dollar value of the purchase (excluding GST).

Whatever procurement method is used, the same information on the goods or service being sought must be provided to all parties who are providing Council with a quotation or tender.

Council treats quotations received confidentiality, to ensure probity and to protect the individuals involved from claims of unfair practices.

Procurement Value	Minimum Requirement
$0 - $9,999	**Direct Purchase** • Purchasing from a single source – for very low value, low risk goods and services where the suppliers have a successful history with Council • Written or verbal quotations are not mandatory • Use of the Provision of Services Register where applicable
$10,000 - $49,999	**Purchase – Written Quotations** • Two quotations from suitable suppliers able to provide the goods or services have been sought, of which Council will seek at least one from a local business if available (details to be documented on/with the Purchase Order) • Records must be kept of quotations received and quotations approved. If written quotations cannot be obtained, council must keep detailed written records of the oral quotation obtained including details of the commercial terms of the quotation • The Provision of Services Register should be used where applicable
$50,000 -$249,999	**Purchase – Written Quotations** • Three written quotations to be obtained from suitable providers. Request for quotation to be in writing and detail the criteria through which quotations are evaluated
Over $250,000	**Public Tender** • Development of tender documents in accordance with the application of the Open Tenders, Multiple Staged Tender and Standing Tenders sections, and advertising for tender in accordance with the Minimum Advertising Requirements Section of this framework.

Table 1 - Summary of Procurement Thresholds Note: All values are GST Exclusive

The Exemptions section of this framework details circumstances where Council may depart from these requirements.

Items in a lower threshold value may use the procurement method in a higher threshold value.

Whenever Council determines that a Public Tender process will be used for a procurement valued below $250,000 excluding GST, the tender must be conducted in accordance with this Framework.

PURCHASE ORDERS

Purchase orders are an important internal control to confirm that goods, services or works have been properly approved before a commitment is made on behalf of Council.

A purchase order must be raised and approved before goods, services or works are ordered, unless an approved exception applies.

Purchase orders must include sufficient detail to clearly identify:

- the supplier
- the goods, services or works being purchased
- the approved value of the purchase (if the amount is unknown an estimation may be accepted)
- the relevant quotation, tender, contract or exemption reference, where applicable
- the applicable account or project code
- the officer approving the purchase in accordance with Council's delegations

Officers must not split purchases or raise multiple purchase orders for the purpose of avoiding procurement thresholds or approval requirements.

Where the final cost of a purchase is expected to exceed the approved purchase order amount, the purchase order must be amended and approved before additional expenditure is incurred.

Invoices should not be paid unless they can be matched to an approved purchase order, evidence of receipt of the goods, services or works, and any supporting procurement documentation required under this Framework.

Purchase orders raised after commitment should only be used in exceptional circumstances and must include a documented reason for why the purchase order was not raised prior to the purchase being made.

Council may monitor purchase order compliance through periodic reporting, including nil-value purchase orders, purchase orders raised after commitment, unmatched invoices, and purchases made without an approved purchase order.

DIRECT PURCHASING

Direct Purchasing is for purchases up to $9,999 (GST exclusive).

Direct Purchasing is where Council purchases from a single source, without first obtaining competitive bids.

This method will be used only for very low value, low risk goods and services where the Suppliers already has a successful history with the Council.

Direct Purchasing will include items purchased via petty cash where a voucher is completed, and a copy of the receipt is attached. The petty cash limit is $100 unless specifically authorised prior, or with extenuating circumstances. The petty cash process should be avoided where possible.

All other purchases require the use of Purchase Orders or Corporate Credit Card.

$10,000 - $49,999 PURCHASE – WRITTEN QUOTATIONS

For purchases valued $10,000 - $49,999 (GST exclusive) Council will seek at least two written quotations from suitable suppliers, able to provide the goods or services, of which one will be from a local business, if available. Where less than 2 suitable suppliers are reasonably available, records outlining this circumstance will be kept. The Provision of Services Register should be used where applicable.

This method may be used for low value, low risk goods and services.

Records must be kept of all quotations received and approved in accordance with the applicable threshold, including details of the commercial terms that apply. If written quotations cannot be obtained, council must keep detailed written records of the oral quotation obtained including details of the commercial terms of the quotation.

The information should be attached to the purchase order request. Enough detail must be recorded to indicate why the successful quote was accepted.

$50,000 - $249,999 PURCHASE – WRITTEN QUOTATIONS

For purchases valued $50,000 - $249,999 (GST exclusive), Council will seek at least three (3) written quotations (email acceptable), and where available at least one of these is to be from a local business. The Provision of Services Register should be used where applicable.

A record must be kept of all quotations obtained in this threshold including details of the commercial terms that apply. The information should be attached to the purchase order request. Enough detail must be recorded to indicate why the successful quote was accepted.

Where less than three (3) suitable suppliers are reasonably available, records outlining this circumstance will be kept. The information should be attached to the purchase order request.

REQUEST FOR QUOTATION (RFQ)

This is a more formal quotation process, and likely to involve additional details and criteria for assessment.

Council will provide a RFQ to at least three (3) suitable suppliers able to provide the goods and or services required. Where available, at least one of these providers is to be a local business. Where less than three (3) suitable suppliers are reasonably available, records outlining this circumstance will be kept.

A RFQ may be in letter form. Council's quotation documents will include all terms and conditions of quotation, together with a clear description of the goods or services (specifications) required, and the details of any applicable Council policies. The complexity of the documentation will depend upon the nature and value of the purchase.
Generally, the RFQ documentation will consist of:

- ***Conditions of Quotation*** – the conditions set out the terms under which Circular Head Council will receive and evaluate offers. The conditions will usually include:

    - the evaluation criteria and a brief outline of the evaluation methodology to be used
    - the closing date, time and place of lodgement
    - the Council's contact details
    - pricing requirements (e.g. the price should exclude GST)
    - relevant Council policies and principles
    - the entitlement of unsuccessful bidders to be debriefed
    - information about the Council's complaints process

- ***Specification*** – The specification clearly, accurately and completely describes the essential requirements of the goods or service being purchased. It is the basis of all offers and is the foundation for the contract. The specifications will usually include the:

    - functional requirements
    - performance requirements
    - technical requirements

Council must keep detailed written records of the quotations obtained, including details of the commercial terms of the quotation. Enough detail must be recorded to indicate why the successful quote was accepted.

LGAT PROCUREMENT

LGAT Procurement helps Tasmanian councils undertake best practice procurement and deliver value for money for their communities by leveraging the combined purchasing power of councils around the country whilst buying locally. LGAT Procurement makes available a large range of contemporary goods and services panels for councils use.

Councils are not obligated to buy through LGAT's established panels, but there are significant benefits for them and suppliers if they do, such as saving time and money, reducing risk, reducing duplication, buying local and streamlining procurement processes.

NATIONAL PROCUREMENT NETWORK

An extension of the localised contracts for goods and services that LGAT Procurement offers is the National Procurement Network (NPN), of which LGAT is a member. The NPN connects procurement services offered by Local Government Associations in States and Territories to provide national programs where it is beneficial to combine the purchasing power of councils Australia wide.

The NPN comprises the following member organisations and their business units:

- Local Government Association of Tasmania
- Local Buy Pty Ltd – a wholly owned company of the Local Government Association of Queensland
- MAV Procurement – the business arm of the Municipal Association of Victoria
- Local Government Procurement Pty Ltd – a wholly owned company of the Local Government Association of New South Wales
- Western Australian Local Government Association
- Local Government Association of Northern Territory
- Local Government Procurement South Australia

Where this applies, Council may use an existing contract or panel arrangement where the arrangement has been established through a procurement process that satisfies the requirements of the *Local Government Act 1993* and *the Local Government (General) Regulations 2025*, or where an applicable Regulation 28 exemption applies.

Where this applies, Council may purchase through the relevant contract or panel arrangement for purchases of any value, including purchases above the prescribed tender threshold, without undertaking a separate public tender process.

TENDER – PROCESSES FOR ACQUISITION OF GOODS AND OR SERVICES

The Act and Regulations require that Council invite Tenders for any Contract it intends to enter into for the supply or provision of goods or services valued at or above a prescribed amount. The prescribed amount is $250,000 (GST exclusive).

There are, however, a number of conditions where council is exempt from inviting tenders – see Regulation 28 – Non – Application of the Public Tender process.

Council may also determine that tenders should be called in certain circumstances as appropriate, where the estimated value of the purchase is less than the prescribed amount (for example, if the procurement is high risk, complex, likely to involve public scrutiny or if the procurement is in a market that council is not familiar with).

The tender process is detailed further in the Open Tenders section onwards.

EVALUATING OFFERS

Circular Head Council when evaluating quotations, will do so with the objective of identifying the offer that best meets Council's requirements and provides the best value for money. When evaluating quotations Council will take into consideration the following aspects of a bid:

- value for money, considering estimated life, disposal value and maintenance requirements and costs
- price
- compliance with quotation specifications
- quality, delivery and service
- the full benefits of sourcing locally
- the consequences, including possible risks, of entering a contract where there is one supplier, or a limited number of suppliers, that can provide and maintain the product over its lifetime
- any relevant Council policies

OPEN TENDERS

An open tender process is an invitation to tender by public advertisement. There are generally no restrictions regarding who can submit a tender, however, suppliers are required to submit all required information and will be evaluated against stated selection criteria.

General Manager – responsibilities

Consistent with Regulation 25, council will ensure that when open tenders are used as a method of procurement; the General Manager will invite tenders.

The General Manager will advertise the tender locally via the daily newspaper circulating in the municipal area and on council's website – making the tender available to all qualified and interested bidders. Where possible, the tender should also be circulated via an approved electronic platform (e.g. Tenderlink) to maximise reach and streamline the process for both the council and interested parties.

The public notice will identify:

- clearly the nature of the goods and/or services the council requires
- any identification details allocated to the contract
- the period within which the tender must be lodged (must be at least 14 days after the date on which the notice is published)
- where the tender must be lodged (e.g. in physical tender box or online via an electronic platform)
- details of a person from whom more detailed information relating to the tender may be obtained

The General Manager will ensure that prospective tenderers are provided with details regarding:

- the specifications of the goods and/or services required
- the duration of the contract, including any extensions that are specified in the contract
- any mandatory tender specifications and contract conditions
- objective criteria for evaluating the contract
- the method of evaluating tenders against the evaluation criteria and
- a reference to the council's Code for Tenders and Contracts

Supplier – responsibilities

A person submitting a response in relation to a council public tender must do so in writing, including through approved electronic means.

The Supplier must specify the goods and/or services tendered for, provide details of the goods and/or services being offered, and must lodge the tender within the period specified in the public notice.

Purchasing Documentation

Council's *Request for Tender (RFT)* is a document inviting offers from businesses to provide specific goods or services. Councils *Request for Tender* documentation usually consists of four main parts.

These four parts are:

Conditions of Tender:

The Conditions of Tender set out the terms under which Council will receive and evaluate tenders. In preparing tender documentation Council will undertake the following procedures and processes:

- prepare clear and concise tender documentation that include all the terms and conditions of the planned purchase with a clear description of the goods or services required, pricing requirements (e.g. the price should exclude GST), and details of any applicable Council policies
- prepare tenders that include details of the intended duration of the contract, including any extensions that are applicable to the contract
- prepare tenders that include details of the evaluation criteria (which are based on the specifications), any weightings to be used in the assessment of bids and the evaluation methodology
- under no circumstances will Council modify the evaluation criteria or methodology after the request for tender has been released without advising all potential tenderers
- prepare specifications that do not restrict competition, reflect bias to any brand, or act as a barrier to the consideration of any alternatives
- provide advice and details of any briefing sessions to be held in relation to the purchase
- provide details on the availability of de-briefing sessions for unsuccessful bidders
- provide details on Council's complaints process and include the contact details of the complaints officer

- prepare documentation that clearly specifies the Council's contact details (including Contact Officer), closing time, date and place of lodgement
- prepare documentation that clearly states how and in what circumstances the purchasing documentation can be altered including the length of time given to bidders to prepare their submissions (which is to be at least 14 days from the date on which the tender notice is published)
- provide advice on the treatment of late submissions
- provide an indication if alternative bids will be considered
- where applicable, documentation such as tenders will be cleared by Council's legal advisors and the General Manager before being issued

Specification:

The specification clearly, accurately and completely describes the essential requirements of the goods or service being purchased. It is the basis of all offers and is the foundation for the contract. The specification will usually include:

- functional requirements
- performance requirements
- technical requirements.

Conditions of Contract:

The Conditions of Contract contain the contractual terms defining the obligations and rights of the parties concerned. Generally, contracts are used for all purchases over $250,000, or where there are material risks involved.

Tender Form:

The Tender Form must be completed, signed and returned by the tenderer. It includes a declaration by the tenderer that: the tenderer agrees to the Conditions of Tender; the information provided in the tender is accurate and correct; and the person signing the form is duly authorised to do so.

INVITING TENDERS

Council will advertise tenders in accordance with the Minimum Advertising Requirements section below.

Council may send tender documentation directly to identified businesses, however, Council will not provide any documentation to any potential tenderer until the tender has been advertised (so as not to give one tenderer an advantage over another)
Council will endeavour to get a minimum of three bids.

All potential suppliers are provided with identical information upon which to base tenders and are given equal opportunity to meet the requirements

At a minimum Council's tenders will be open for 14 days. Enough time will be provided to allow bidders to prepare an adequate response, and the 14 days may increase dependant on complexity, or if it is likely that interested businesses may need to form partnerships/consortiums with other businesses to fulfil the requirements of the tender.

ADMINISTERING TENDER DOCUMENT

When issuing tender documents to a business, the details of that business will be recorded. The details recorded include name of business, address, contact person, e-mail, and telephone.

The Council may conduct a Tender Briefing.

If for any reason, there is a need to alter the tender documentation once it has been issued, an addendum will be sent to all businesses that have been issued with that documentation.

If it is necessary to extend the closing date of the tender the following will be done:

- all businesses that have been issued with tender documentation will be advised in writing of the change in closing date
- the new closing date will be advertised in all newspapers and websites where the original advertisement was placed

COMMUNICATION WITH POTENTIAL SUPPLIERS AND BIDDERS – CONTACT OFFICER

In accordance with the Purchasing Principles Circular Head Council will do the following in respect of communication with all potential suppliers and bidders:

- nominate one contact person for each purchasing activity and clearly specify their name, contact details (including phone number and mailing address) so that tenderers know who to contact for more information (one only for probity reasons)
- the Contact Officer will be the sole point of communication with potential suppliers and bidders and will document any questions asked of them by a potential supplier or bidder and any response given
- where possible, the Contact Officer will request that questions from potential suppliers and bidders be put in writing (email will suffice). Any response from the Contact Officer will also be provided in writing
- where possible the Contact Officer will limit the provision of information to the clarification of procedural issues

- any additional information provided to one prospective tenderer is also provided to everyone else who has requested or received tender documentation

RECEIVING TENDERS

The way in which a tender may be lodged will be described in the tender documentation. Circular Head Council will provide a locked tender box at the designated tender lodgement location. Council's tender box will not be opened until the time set for the closing of tenders has elapsed.

Council may use website portals for the management of tenders, including receipt of tender submissions electronically and issue of addenda and other communications.

Council treats information provided by suppliers as confidential and will not provide this information to unauthorised persons.

In receiving tenders, Circular Head Council may reject non-compliant offers (in accordance with the terms of Council tender documents) which:

- are lodged after the closing time without a valid reason
- are not signed where required
- are incomplete – for example, questions have not been answered, pages are missing, or required documentation has not been attached (for example, insurance certificates)
- do not comply with mandatory conditions of tender
- fail to meet mandatory specifications

When opening Tenders Circular Head Council will ensure that:

- in the case of physical tender submissions, these will be opened in the presence of a minimum of two officers; and two of these officers are to initial all documentation containing pricing detail within each tender or expression of interest received and initial the Tender Register Book
- Electronic submissions will be managed through the relevant electronic tender portal which incorporates equivalent safeguards
- Tender details are clearly identified and recorded in the Tender Register- the following details are to be recorded:
    - name of person submitting the tender or expression of interest
    - amount of the tender or expression of interest
    - amount of deposit (if required)

All amounts that have been provided as security for the tender or expression of interest are to be receipted. The receipt is to be attached to the relevant tender or expression of interest.

Council will acknowledge receipt of Tenders in writing prior to evaluation however the tenderer is to be advised that such acknowledgement does not constitute acceptance of the tender or that the tender is complete or in compliance with the request for tender.

EVALUATING TENDERS

Circular Head Council will evaluate tenders in accordance with the evaluation criteria and methodology specified in the evaluation plan, which was developed prior to offers being invited. Under no circumstances will Council modify the evaluation criteria or methodology after the Request for Tender has been released unless all potential tenderers are advised of the change in writing.

Evaluation of Tenders is to be undertaken by an Evaluation Committee established by Council. An Evaluation Committee is to consist of a minimum of three (3) members including the relevant Contract Manager. The General Manager may engage persons who have expertise in the area of purchase to provide an assessment of the tender and further advice and assistance to an Evaluation Committee.

In evaluating tenders, the Evaluation Committee is to undertake the following steps:

Evaluate compliance – Screen all offers to ensure that they are complete and comply with all mandatory evaluation criteria. Offers which do not meet all mandatory criteria and are non-compliant may be excluded from further evaluation.

Clarify offers – It may be necessary to seek clarification from a tenderer if an offer is unclear. Clarification does not mean that tenderers can revise their original offer. Any clarification sought should be documented.
Evaluate qualitative / non-cost criteria – this stage involves a detailed analysis of each offer against the non-cost or qualitative evaluation criteria and weightings specified in the evaluation plan (the supplier must demonstrate that they meet the evaluation criteria, not just assert it).

Shortlist offers – This step is only used for complex purchases in order to eliminate offers that are clearly not competitive. However, during this process, eliminated offers are not yet totally rejected, and may be re-visited later in the evaluation process.

Requests for Tenderers to make a formal presentation – If appropriate, and tenderers have been forewarned in the Conditions of Tender, tenderers may be requested to make a formal presentation to the evaluation committee, clarifying their tender and providing the

opportunity for the committee to ask questions. Under these circumstances, the tenderer will be directed to not introduce new or revised information. All information, questions and answers will be formally recorded by the Council.

Calculate value for money and compare offers – The aim of Council's comparative evaluation process is to determine which offer best meets all the requirements of the specification and offers the best value for money. The major factors which Circular Head Council take into consideration when evaluating value for money are:

- the quality of the proposed good or service, that is, how well it meets the specified requirements
- whole of life costs
- risk, that is, the capacity of the tenderer to deliver the goods or services, as specified, on-time and on-budget

Select preferred tenderer – when selecting the offer that represents the best value for money for Council and where two or more firms are ranked equally following the value for money assessment Circular Head Council will often undertake a due diligence investigation to ensure that the tenderer has the capacity and stability to fulfil all of the requirements of the contract.

Write the evaluation report – on completion of the evaluation process Circular Head Council will document the selection of a successful tenderer in an Evaluation Report to be submitted to the General Manager. Council's evaluation reports include:

- a comprehensive record of the evaluation method, the rationale used to select the preferred supplier, and whether it is recommended that negotiations should be undertaken, and on what basis
- reasons for overlooking lower priced tenders

DETERMINATION – ACCEPTANCE OF TENDERERS

The General Manager is delegated the power and function for the expenditure of funds relating to the purchase of goods and services over $100,000 excluding GST including the acceptance of quotes as provided within Council's budget estimates.

On receipt of the Evaluation Report the General Manager may determine the preferred tenderer and accept the lowest or any tender up to an amount of $250,000 excluding GST for works, services, materials, goods, plant, vehicles and equipment. This is on the condition that the tender complies with all Statutory requirements and this Framework and is within the cost of the project or item contained within the budget estimates approved by Council or unless otherwise authorised to do so by Council.

Nothing in this Framework or delegations granted to the General Manager precludes the General Manager from referring any quotation or tender to the Council for determination and acceptance.

For tenders not approved under delegation or tenders or quotations referred to the Council the General Manager is to present a report to the Council providing a recommendation and including as attachments to that Report a copy of the Evaluation Report, Tender Documentation and any other document deemed relevant by the General Manager.

NOTIFICATION OF SUCCESSFUL AND UNSUCCESSFUL BIDDERS

Once the preferred bidder is selected and all relevant Council approvals to proceed with the purchase have been granted, Circular Head Council shall write and (in most cases) telephone the preferred provider to notify them that they have been successful.

After the preferred bidder has been notified, Circular Head Council will notify all unsuccessful bidders in writing of their non-selection.

All unsuccessful bidders may request a debriefing session.

DEBRIEFING UNSUCCESSFUL BIDDERS

The purpose of the debriefing session is to help unsuccessful tenderers submit more competitive bids in future by identifying ways in which the tenderer's offer could be improved.

Circular Head Council will provide a debriefing interview to any unsuccessful bidder who requests one. At this interview the unsuccessful bidder will be briefed as follows:

- how their offer performed with respect to the evaluation criteria
- strengths as well as weaknesses of their offer

During this interview, the following will **not** happen:

- comparisons between the unsuccessful tenderer's offer and the winning, or any other
- the debriefing interview being used to justify the selection of the successful tenderer

The Council's debriefing team will include at least one member from the Tender Evaluation Committee.

Circular Head Council will document the proceedings at each debriefing interview including:

- who attended (from the Council and from the business concerned)
- the information provided to the unsuccessful tenderer
- any issues arising
- the details of any information that was requested, but not disclosed due to commercial-in-confidence considerations
- any likely future complaints, and recommendations for further action

Where a multiple-stage purchasing process is used (for example where Expressions of Interest are used to short-list tenderers) suppliers not short-listed may be offered a debriefing interview, at the discretion of the Council, in a similar way to unsuccessful tenderers.

CONTRACT MANAGEMENT

A contract defines the rights and obligations of both parties once the tender is awarded.

A contract is established when an offer is made and accepted. A contract comprises all relevant information provided to and by the business which has made the successful offer. This includes:

- the conditions of tender
- the specifications, including any plans and other attachments
- the successful offer
- the conditions of contract

A draft copy of the conditions of contract will usually be included in Council's original request for tender package.

For complex or high value purchases it may be necessary for Council to enter into negotiations prior to finalising the contract in consultation with Council's legal advisors.

The purpose of these negotiations is to:

- must be permitted by the tender conditions where appropriate
- must not materially change the original requirements
- must not give the preferred tenderer an unfair advantage
- must not amount to allowing the tenderer to submit a materially different bid
- must be documented

The outcomes of these negotiations will be reflected in the final contract and once completed and agreed, the formal contract is then to be signed by both parties.

MULTIPLE-STAGED TENDER

There are occasions – although usually limited because the process can be resource intensive, where Council may use a multiple-stage tender process. Reference is made to this process in Regulation 27. This usually involves council issuing a request for expressions of interest as stage 1 and a request for tenders as stage 2.

This tender method will be used by Council to:

- gain knowledge about the market
- obtain industry input – (where it is unclear what goods and services are available)
- to shortlist appropriate suppliers before seeking offers

A multiple-stage purchasing process may be more costly and time-consuming for both suppliers and for Council, and as such Council will usually only use them where:

- the best way to meet the requirement is unclear
- it is considered appropriate to pre-qualify businesses and restrict the issue of formal tenders (to reduce the cost of tendering)
- there are benefits which cannot be obtained by researching the market through conventional means
- maximum flexibility is required throughout the procurement process

The multiple-stage processes that Council may use are as follows:

- **Expression of interest** – an expression of interest (sometimes called a registration of interest) is generally used to shortlist potential suppliers before seeking detailed offers. Suppliers are short listed on their technical, managerial and financial capacity, reducing the cost of tendering by restricting the issue of formal tenders to those suppliers with demonstrated capacity
- **Request for proposal** – may be used by Council when a project or requirement has been defined, but where an innovative or flexible solution is sought
- **Request for Tender** - may be used by Council when a project requirement has been defined to solicit offers from businesses capable of providing a specified work, good or service
- **Request for information** – may be used at the planning stage of a project to assist with defining the project. Council will not issue a request for information to identify or select suppliers

- **Closed tender process** – may be used if the initial specification is well defined and an expression of interest or request for proposal has already been used to shortlist suppliers. Suppliers will be informed in advance that only those short-listed will be requested to tender

Circular Head Council is mindful of the following aspects when conducting a multiple stage tender process:

- the same mandatory requirements regarding advertising and seeking at least one bid from a local business, that apply to a public tender process
- that a short-listed party cannot be engaged without going through a more detailed second (tender) stage process unless approved by an absolute majority of Council
- when using a Request for Information, issues relating to intellectual property and copyright must be clarified prior to using the information provided to prepare the Request for Tender

MULTI STAGED TENDER PROCESS

As a first stage in the process, Council will invite expressions of interest from prospective tenderers and use the list of suppliers who lodge an application as the basis for inviting potential suppliers to submit tenders.

The General Manager will advertise the expression of interest locally via the daily newspaper circulating in the municipal area and via council's website.

The public notice will identify:

- clearly the nature of the goods and/or services the council requires
- contract identification details
- the period within which the expression of interest must be lodged
- where the expression of interest must be lodged – physically or electronically
- details of a person from whom more detailed information relating to the expression of interest may be obtained

The General Manager will ensure that prospective tenderers are provided with details regarding:

- the specifications of the goods and/or services required
- objective criteria for evaluating the expression of interest
- the method of evaluating expressions of interest against the criteria
- details of any further stages in the tender process
- a reference to the council's Code for Tenders and Contracts

At the final stage of a multiple-stage tender process, the General Manager will invite all suppliers who have met the criteria determined by the council to tender for the supply of goods and/or services.

If only one supplier meets the criteria determined by council, the council may contract with that supplier after:

- a tender from that Supplier
- a decision by the absolute majority of the council to do so

The General Manager is to ensure the consistency of the criteria used at each stage of the multiple-stage tender process.

Supplier – responsibilities

A person submitting a response in relation to a council expression of interest must do so in writing, including through approved electronic means.

The supplier must specify the goods and or services the expression of interest relates to, provide details of the goods and or services being offered and must lodge the expression of interest within the period specified in the public notice.

STANDING TENDERS

ONGOING SUPPLY ARRANGEMENT

Council may make use of panels or standing contract arrangements established through a compliant public tender process, including arrangements established by LGAT or other eligible procurement bodies, where the arrangement is legally available to Council.

If an appropriate standing contract is not already available, council may implement its own standing contract arrangements.

A council, through an open public tender process, may establish a standing contract under which a single tenderer or multiple tenderers may be contracted (i.e. unlike a typical MUR, a contract between the supplier and council in the form of a Head Agreement is signed) for a specified period to provide identified goods or services during that timeframe without the need for a further tender process. Reference is made to this process in the Regulations at Regulation 24.

Suppliers to be included on a standing contract panel will be selected following an evaluation process.

Contract terms and conditions are agreed in the establishment of the panel, so there is no need for a further tender process to engage panel members to provide specific goods or services as set out in the standing contract. Purchases can be made even if above the current prescribed limit ($250,000). Council may legitimately purchase directly from a supplier included on a standing contract panel which has been established through a public tender process.

ONGOING SUPPLY ARRANGEMENT – MULTIPLE USE REGISTER (MUR OR PROVISION OF SERVICES REGISTER)

A multiple use register, commonly referred to as an MUR, is a list intended for use in more than one procurement process of pre-qualified providers who have satisfied the conditions for participation or inclusion on the register. Reference is made to the multiple use register process in the Regulations at Regulation 26.

Council may establish a multiple use register of suppliers who meet criteria established by the council in respect to the supply of categories of goods or services.
Inclusion on a multiple use register provides certainty for potential suppliers that they have been recognised as meeting conditions for participation.

Council will invite tenders for a contract for the supply of goods and/or services from all Suppliers included on a multiple use register for a particular category of goods and/or services.

General Manager – responsibilities

As per Regulation 26, council will establish and maintain procedures for the use of multiple use registers for contracts valued at under the current prescribed amount ($250,000), excluding GST.

Essential procedural requirements include that the council will invite applications from suppliers for inclusion on a multiple use register by

Advertising in accordance with Minimum Advertising Requirements section below. Where possible, the tender should also be circulated via an approved electronic platform (e.g. Tenderlink) to maximise reach and streamline the process for both the council and interested parties.

The public notice will identify:

- the nature of the goods and/or services the council requires
- any identification details associated to the register
- where the application is to be lodged

- Particulars identifying a person from whom more detailed information relating to the register may be obtained

The General Manager will ensure that applicants are provided with information regarding:

- details of the categories of the goods and/or services required
- the criteria for evaluating the applications
- the method of evaluating applications against the criteria
- a reference to the council's Code for Tenders and Contracts

Council may accept an application for inclusion on the multiple use register or reject an application.

If council rejects the application, the General Manager will advise the applicant of the reasons for rejection.

The general manager is to invite tenders for a contract for the supply of goods or services from all suppliers included on a multiple-use register for a particular category of goods or services.

If council accepts the application the General Manager will advise the applicant of the category their application will be included in on the multiple use register.

The multiple use register will be reviewed by council at least every two (2) years.

Council will allow a supplier to apply for inclusion on the multiple use register at any time unless the supplier has made an application in the previous 12 months and the application has not been accepted.

Standing Tender	Multiple-use register
• Outcome of a procurement process	• Part of a procurement process
• Can purchase directly from a panellist	• Basis for select tendering
• Panellists selected following evaluation	• Conditions for participation stated
• Size is set at conclusion of process	• Cannot limit size
• Indicative or set price	• No pricing
• Operates for a finite period	• Can operate indefinitely
• Re-opens at conclusion of period	• Open continuously or annually

MINIMUM ADVERTISING REQUIREMENTS–TENDERS, STANDING CONTRACTS, AND MULTIPLE STAGE TENDERS, MULTI USE REGISTERS

All Tenders, Standing Contracts, Multiple Stage Tenders and Multi Use Registers are to be advertised at least once in a local newspaper circulating in the municipal area by publishing a notice requesting any interested supplier to submit a tender or an expression of interest to supply the required goods or services.

Where appropriate, the notice will also be included in Council's community newsletter. An email notification will also be sent to suppliers listed on the Provision of Services Register, where the tender or expression of interest relates to goods or services relevant to that register.

The notice is to specify:

- the nature of the goods or services the council require
- any identification details allocated to the contract
- how and where the tender/expression of interest is to be lodged
- from whom more detailed information relating to the tender may be obtained
- the period within which the tender/expression of interest is to be lodged (tenders must provide at least 14 days after the date on which the notice is published)

As determined by the General Manager the same notice maybe published in other publications where it is considered advantageous to do so.

Tender details will be made available electronically via Council's website www.circularhead.tas.gov.au (any electronic or online tendering process undertaken by Council will be in accordance with the requirements of the *Electronic Transactions Act 2000).*

CALCULATING THE VALUE OF A PURCHASE

PRICE

The dollar value of the purchase may be calculated as one of the following:

- **single one-off purchase** – the total amount, or estimated amount, of the purchase (excluding GST)
- **multiple purchases** – the gross value, or the estimated gross value, of the purchases (excluding GST)

- **ongoing purchases over a period of time** – the annual gross value, or the estimated annual gross value, of the purchases (excluding GST)

Importantly, council will calculate the value of a purchase to include any potential variations and options.

As per Regulation 24, Council will not split a single procurement activity into 2 or more separate contracts for the primary purpose of avoiding the requirement to publicly invite tenders.

NON-PRICE CONSIDERATIONS

Council will ensure that it is buying at the most competitive price available but quantifying the value of a purchase does not simply mean buying at the lowest price. Specific issues that will be considered by Council that relate to non-price related matters are identified in the Procurement Principles section but may include consideration of quality and delivery timeframes.

LOCAL BUSINESS

Council recognises the need to support the local economy. To encourage this Council will actively seek involvement from local suppliers where possible by:

- encouraging local participation
- designing quotations and tenders that attract local businesses
- including evaluation criteria that considers the contribution of a supplier to the local economy by a scoring system that where all other factors are equal will give preference to the local business

Weighting Criteria for tenders and written request for quotation for works over $50,000 provide 5% of total criteria will be scored as followed:

Business Category	Weighting (%)
Local Business (Circular Head)	5%
Australian Business (Employing Locals)	4%
Tasmania Business	3%
Australian Business	1%
International Business	0%

GOODS AND SERVICES TAX (GST)

All procurement thresholds are GST exclusive.

Tenders and quotations must be sought on a GST exclusive basis.

CONTRACT RENEWAL AND EXTENSION OF CONTRACTS ENTERED INTO

CONTRACT RENEWAL

In most cases, where the goods or services being delivered under the contract are required on an ongoing basis, Council will undertake a new procurement process (tender/quotation) prior to the completion of the existing contract.

CONTRACT EXTENSION

Consistent with Regulation 24, council may extend a contract entered into as specified in the contract or if the contract does not specify extensions.

Contracts will only be extended:

- as specified in the contract, or
- if the contract does not specify extensions, by absolute majority

Council will not extend contracts if:

- since the previous tender, the market has changed substantially or
- the nature of the goods/services required has substantially changed

EXEMPTIONS

EXEMPTIONS – DIRECT PURCHASES AND WRITTEN QUOTATIONS (UNDER $249,999)

Whilst every effort should be made to obtain quotations as detailed in this Framework (refer to Procurement Methods Overview section), at times it may not be possible to meet the requirements. Circumstances include but are not limited to:

- contractor or supplier availability
- contractor reluctance to provide a quotation
- impracticalities of obtaining a quotation due to breakdown or emergency situation
- escalating nature of maintenance repair
- continuity of supplier engagement across a number of sites
- continuity of supplier over a specified period

Providing reasonable efforts are made to obtain quotations, and such actions are recorded with the purchasing documentation; limited purchasing which does not meet the Procurement Framework will be permitted.

The Provision of Services Register (The Multiple Use Register) should be used where applicable.

EXEMPTIONS – TENDERS

The Regulations (Regulation 28 – Non-application of the public tender process) identify circumstances where Council is not required to issue a public tender process.

The exemption circumstances are:

- an emergency if, in the opinion of the general manager, there is insufficient time to invite tenders for the goods or services required in that emergency
- a contract for goods or services supplied or provided by, or obtained through, an agency of a State or of the Commonwealth
- a contract for goods or services supplied or provided by another council, a single authority, a joint authority or the Local Government Association of Tasmania
- a contract for goods or services obtained as a result of a tender process by:
- another council
- a single authority
- a joint authority
- the Local Government Association of Tasmania or,
- any other local government association in this State or a Territory or any organisation, or entity, established by any other local government association in this State or in another State or a Territory.
- A contract for goods or services in respect of which a council is exempted under another Act from the requirement to invite a tender
- a contract for goods or services that is entered into at public auction
- a contract for insurance entered into through a broker
- a contract arising when a council is directed to acquire goods or services due to a claim made under a contract of insurance
- a contract for goods or services if the council resolves by absolute majority and states the reasons for the decision, that a satisfactory result would not be achieved by inviting tenders because of
- extenuating circumstances or
- the remoteness of the locality or
- the unavailability of competitive or reliable tenderers

Note: this may be applied for one or more of the following reasons:

- *where it can be established that there is only one supplier of a particular product or service and there is no appropriate substitute available, or where alternative options are not viable or do not provide value for money*
- *where the original product or service has been selected through an open tender process and the request for exemption relates to the proposed purchase of an upgrade or addition to the existing system, and there are limited supply options*
- *the product is being trialled to assist in the evaluation of its performance prior to a large-scale purchase for which open tenders will be called*
- *to assist in the development of a new product in conjunction with a private sector business*
- *where the cost to Council and to suppliers would outweigh the value for money benefits of calling public tenders*
- *projects of genuine urgency and not covered by (a) above (e.g. in the case of a natural disaster or similar emergency circumstances) or*
- *other exceptional circumstances, where conclusive justification of the request is provided*

- a contract of employment with a person as an employee of the council

The General Manager is required, under the *Local Government (General) Regulations 2025* Regulation 29(j), is to establish and maintain procedures for reporting to the council in relation to the purchase of goods or services in circumstances where a public tender or quotation process is not used.

As per Regulation 30(2) council will report in its Annual Report, the details of all instances where non application of the public tender process has been applied because of application of regulation 28 (a) and (i).

Detail that will be reported at a minimum as required under the Regulations is:

- a brief description of the reason for not inviting public tenders
- a description of the goods or services acquired
- the value of the goods or services acquired

COMMON USE CONTRACTS

Where the Department of Treasury and Finance has established whole-of-Government contracts for the supply of goods or services to agencies and other authorised organisations, Council may choose to utilise the following whole of Government contracts:

Contract	Title
C106	Cartage – Interstate
C150	Computer Hardware and related Services
P450	Petroleum Products
TGVC	Vehicles
V675	Vehicles Hire and Drive
DRS	External Debt Recovery Panel Contract

Information on these contracts is available from the Department of Treasury and Finance's website at https://www.purchasing.tas.gov.au/contracts/common-use-contracts-of-the-tasmanian-government/common-use-contracts-accessible-to-selected-organisations

ENGAGING A THIRD PARTY TO MANAGE A PROCUREMENT PROCESS

Council may engage third parties to manage the procurement process for individual projects.

The use of a third party as an agent or consultant to advise on, arrange or manage a procurement process does not exempt Council from complying with Council Procurement Framework, policy and procedures.

Should Council engage a third party to manage a procurement process, it will be ensured that material is included in the contractual arrangements with the third party that requires the third party to comply with Council Procurement Framework and procurement policy and procedures.

DISPOSALS

Disposals are to be conducted so that the best return to Council is achieved. Disposal of land must be in accordance with Section 177 of the *Local Government Act 1993.*

Council will only dispose of items that cannot be reused or recycled and with no commercial use or appreciable market value by discarding them at approved refuse sites or by destruction.

DISPOSALS LESS THAN $10,000

Council will dispose of items with an estimated disposal value of less than $10,000 at the discretion of the General Manager.

DISPOSALS GREATER THAN $10,000

Council shall dispose of items with an estimated disposal value greater than $10,000 by way of expression of interest, request for quote, tender, public auction, or trade-in.

Council may choose to advertise the item for disposal in specialist newspapers or journals, or in the appropriate classified section of the local newspaper, if these are more likely to attract appropriate interest.

REPORTING PROCEDURES

Council is obliged to report at a minimum on a series of procurement matters. As per Regulation 30 (1), Council will report in its Annual Report details of any contract for the supply or provision of goods and or services valued at or exceeding $250,000 (excluding GST), that is entered into, or extended under Regulation 24 (5) (b) in the financial year to which the annual report relates.

Detail that will be reported at a minimum as required under the Regulation is:

- a description of the contract
- the period of the contract
- the periods of any options for extending the contract
- the value of any tender awarded or, if a tender was not required, the value of the contract (excluding GST)
- the business name of the successful contractor
- the business address of the successful contractor

Council may also, at its absolute discretion, report detail of instances of procurement below the prescribed amount identified in the Regulations.

CONTRACT EXTENSION

As per Regulation 30 (1), Council will report in its Annual Report, the details of any extension of a contract, where Council agreed to extend a contract by an absolute majority and the pre-existing contract did not specify extensions.

Council will include the following information:

- a description of the contract
- the period of the contract
- the periods of any options for extending the contract

- the value of any tender awarded or, if a tender was not required, the value of the contract (excluding GST)
- the business name of the successful contractor
- the business address of the successful contractor

EMERGENCY PROVISION

As per Regulation 30 (2) Council will report in its Annual Report, the details of all instances where regulation 28 (a) and (i) have been applied with the following detail:

- a brief description of the reason for not inviting public tenders
- a description of the goods and or services acquired
- the value of the goods and or services acquired
- the name of the supplier

OTHER CIRCUMSTANCES

As per Regulation 30(3) Council will report in its Annual Report, in relation to any contract for the supply or provision of goods or services valued at or exceeding $100,000 (excluding GST) but less than $250,000 that is entered into, or extended, in the financial year to which the annual report relates:

- a description of the contract
- the period of the contract
- the periods of any options for extending the contract
- the value of the contract (excluding GST)
- the business name of the successful contractor
- the business address of the successful contractor

CONFIDENTIALITY

Council treats information provided by suppliers as confidential and will not provide this information to unauthorised persons.

COMPLAINTS PROCESS

Tasmanian Councils are provided with broad competency powers under the *Local Government Act 1993* to carry out the role of providing services to their communities.

The *Local Government Act 1993* also includes accountability measures under which Councils can be held responsible to their communities for their actions and decisions.

The resolution of complaints against Council is a responsibility of Council. Information regarding formal complaint resolution process is available in Council's Customer Service Charter.

In the first instance, complainants are encouraged to seek resolution through the Manager in charge of the relevant purchasing/tender process. If relevant, complainants are encouraged to seek a debriefing, if they have not already done so.

If a complainant is not satisfied with the response of Council's manager in charge of the relevant purchasing/tender process, the complainant is able to write to the General Manager providing copies of all correspondence and other relevant material. The General Manager will take whatever action is considered necessary to resolve the complaint. In certain circumstances, Council may employ a Probity Auditor to investigate the complaint.

Circular Head Council will maintain the following for any complaint made against Council in relation to a procurement activity in the form of a File Note:

- the date the complaint was made
- the complainant's details (including business name, contact details)
- a brief description of the complaint
- action in progress (including dates actions are taken)
- the outcome (including whether the complaint was resolved or whether it was referred to another body for further review)
- the response time

WORK HEALTH AND SAFETY

In addition to Tasmanian Work Health and Safety Legislation, suppliers engaged to work for Council are subject to applicable Council Policies and Procedures including the Work Health and Safety Policy and Fitness for Work Policy.

Contractors engaged to work for Council must provide evidence of relevant insurances, qualifications, accreditations and inductions in accordance with Council's procedures. Any specific requirements will be outlined in documentation specific to the engagement to work with Council.

DELEGATION

The Delegations Register holds details of delegations, including financial delegations, for the General Manager, Directors and Council Officers.

REVIEW OF THE FRAMEWORK

Consistent with the requirements identified in Section 333B of the Act, Council will formally review this Framework at least every 4 years.

The Framework may be modified on an as needs basis from time to time by Council to reflect changed operational requirements.

BREACH OF THE FRAMEWORK AND CODE FOR TENDERS AND CONTRACTS

Council will take all reasonable steps to comply with this Framework.

Council will not be liable in any way to a Suppliers or any person for a breach of this Framework.

If any employee of the Council, or a body controlled by the Council breaches this Framework, Council may take disciplinary action, if in its absolute discretion it considers it desirable to do so.

If a Supplier commits a breach of this Framework, Council may, in its absolute discretion, take action against that Supplier.

ACCOUNTABILITY

Consistent with Section 333B of the Act, as a measure of accountability and transparency, Council will:

- make a copy of this Framework and any amendments, available for public inspection at the Council's offices during ordinary office hours
- make copies of this Framework available for purchase at reasonable charge
- publish a copy of the Framework on the Council's internet site

RELATED DOCUMENTS AND RESPONSIBILITIES

The responsibility for ensuring this Framework is adhered to rests with all staff involved in the procurement of goods and services, particularly management.

RELATED LEGISLATION

Local Government Act 1993
Local Government (General) Regulations 2025
Work Health and Safety Act 2012
Work Health and Safety Regulations 2022

Electronic Transactions Act 2000

DEFINITIONS

TERM	DEFINITION
Building Construction	The Construction and refurbishment of buildings and residential properties, and associated maintenance (services and residential) and professional services (e.g. Architects).
Code	Refers to this Code for Tenders and Contracts, which has been developed in accordance with the requirements of the *Local Government Act 1993* and the *Local Government (General) Regulations 2025* and subsequent amendments.
Consultant	A person or organisation, external to a council, engaged under a contract on a temporary basis to provide recommendations or high-level specialist or professional advice to assist decision-making by council. The consultant will be expected to exercise his or her own skills and judgement independently of the council. It is the advisory nature of the work that distinguishes a consultant from a contractor.
Contractor	A person or organisation, external to the council, engaged under a contract for service (other than as an employee) to provide specified services to a council.
Contract	A contract is an obligation, such as an accepted offer, between competent parties upon a legal consideration, to do, or abstain from doing, some act.
Conditions of Contract	The terms and conditions that a Service Provider will be required to substantially agree to if their Tender or Quotation is accepted.
e-Procurement portal	An e-procurement portal is an online platform that streamlines and automates the purchasing process for businesses and organisations.
Evaluation Panel	A panel established to evaluate submitted quotations and tenders.
Expression of Interest (EOI)	An Expression of Interest may be used as a means of exploring the market or to pre-qualify businesses to reduce the cost of tendering by restricting the issue of formal tenders.

TERM	DEFINITION
Informal	A simplified procurement process for lower-value purchases where quotations may be sought by practical means, by email, or through an online platform, with appropriate records retained.
Industry Capability Network Tasmania (ICNTAS)	Promotes Tasmanian industry through import replacement and opportunities for participation in major projects, government procurement and commercial developments. For more information go to *www.icntas.org.au*.
Local Business and Industry	All businesses operating in the State and more specifically, the municipal area, which have a permanent office or presence in Tasmania and employ Tasmanian workers.
Local Government Association of Tasmania (LGAT)	The peak body for Tasmania's 29 councils for over 110 years, existing to support, promote, advocate for, and represent the local government sector, working collaboratively with members to support councils and the communities they serve and represent.
LGAT Procurement	The Local Government Association of Tasmania's (LGAT) Procurement arm, which helps Tasmanian councils undertake best practice procurement and deliver value for money for their communities by leveraging the combined purchasing power of councils around the country whilst buying locally.
Multiple-Use Register (MUR)	A register of suppliers who meet criteria established by Council in respect of the supply of particular categories of goods and services.
Multiple-stage purchasing	A process which allows for a preliminary assessment of the market to be made in terms of the capabilities of potential suppliers and the goods and services that are available to satisfy the requirement, before a final purchasing stage is undertaken.
National Procurement Network (NPN)	The National Procurement Network (NPN), which LGAT is a member of, connects procurement services offered by Local Government Associations in other states and territories to provide national programs where it is beneficial to combine the purchasing power of councils Australia-wide.
Panel	A panel of providers established as a result of an open tender, each of whom signs a Contract (on terms substantially similar to the Standing Contract) with the council.
Procurement	The entire process by which all resources are obtained by an entity, including planning, design, standards determination, specification writing, selection of suppliers, financing, contract administration, disposals and other related functions.

TERM	DEFINITION
Procurement Principles	The procurement principles prescribed under Regulation 28(a) of the Regulations.
Probity	Probity is a risk management approach to ensuring procedural integrity.
Probity Advisor	A Probity Adviser provides advice on probity issues before and during the process of tendering and contracting to ensure the process is fair and in accordance with the Council's guidelines.
Public Tender	A tender where any business that can meet the requirements of the Request for Tender has the opportunity to bid.
Purchasing	The acquisition of goods or services.
Quotation	An offer from a prospective Service Provider in response to an Invitation issued by the council to a selected number of prospective suppliers.
Request for Quotation (RFQ)	Either a verbal or written request for offers from businesses capable of providing a specified work, good or service.
Request for Tender (RFT)	A document soliciting offers from businesses capable of providing a specified work, good or service. Requests for Tender are usually advertised.
Specifications	The documents prepared for the purpose of describing the extent and the manner of the performance of the councils requirements, including preliminary and general requirements, directions, schedules, programs and drawings, and other documents included with or referenced in an RFT/RFQ.
Standing Contract	A tender from which a single tenderer or multiple tenderers may be contracted for a specified period to provide specified goods or services during that period without the need for a further tender process.

TERM	DEFINITION
Tender	A proposal, bid or offer that is submitted in response to a Request for Tender from the Council.
Tenderbox	The point of lodgement for tenders to ensure that the documentation is kept secure until the tender period closes. Generally, a tender box: is a box or cabinet with an opening which allows large envelopes to be lodged, but which does not permit access to the contents and should be secure in a fixed position and will be locked. Key will be kept in a secure position by Council in accordance with Councils Key Register.
Tenderer	Contractor, Supplier or other bidder who is submitting a tender.
Tenderlink	Online e-procurement portal, commonly used by council to facilitate the tender process.
The Act	*Local Government Act 1993*
The Regulations	*Local Government (General) Regulations 2025*
Value for Money	Achieving the desired outcomes at the best possible price, noting that value for money considers a range of factors and doesn't necessarily mean lowest price.
Vendor Panel	An online e-procurement system that allows Councils to prepare, issue, receive and evaluate RFQs from LGAT Procurement's suite of preferred provider panels.
Verbal Quotation	A verbal Request for Quotation. A verbal response may be adequate for low value purchases.
Written Quotation	A written Request for Quotation to undertake specific works or supply goods and services.

Procurement Flowchart

Aligned to the Circular Head Council Procurement Framework

