



1. ASSETS

Policy 1.4

TENDERING

Version 6

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OBJECTIVE:

To provide a framework that ensures Council Tenders are called in accordance with provisions of Section 55 of the *Local Government Act 1993 (the Act)* and Part 7 of the *Local Government (General) Regulation 2005 (the Regulation)*.

POLICY:

GENERAL

1. Tenders shall be called for the procurement of all goods / services an apparent value of greater than \$150,000 (excluding GST) per annum, unless purchased through an Organisation prescribed for the purposes of Section 55 (3) (a) of *the Act*.
2. Unless specifically altered by the General Manager, the “appropriate person” who shall be responsible for the management of tender documents in accordance with *the Act* and *the Regulation* is the senior officer in the Records section of the Council, or in their absence, their immediate supervisor or the General Manager
3. All tenders will be conducted with reference to the Office of Local Government’s *Tendering Guidelines for NSW Local Government* and Lithgow City Council’s Tendering Standard Working Procedure. Council may determine to charge a fee for the provision of tender documents
4. Council will endeavour to provide the same information to all interested parties wherever possible
5. The General Manager shall delegate staff to be responsible for opening, processing and assessing tenders
6. The General Manager will appoint a Manager or another member of staff to take leadership of the tender assessment group
7. A set of criteria shall be developed for the assessment of tenders.

ADVERTISING:

1. All Tenders and Expressions of Interest shall be advertised in the *Sydney Morning Herald* as well as Council’s contracted local newspaper. Advertisements shall be placed in the Council Column
2. More than one local newspaper may be utilised in addition if required to advertise tenders and expressions of interest at the tender team leader’s discretion

METHODS OF TENDERING:

1. Tenders can be sought by one of two methods, Open Tendering or Selective Tendering.
2. The Open Tender method involves inviting all interested parties to Tender for the project
3. The Selective Tender method requires Council to call for Expressions of Interest (EOI), screen the responses received and then call for tenders from the preferred respondents
4. All tenders shall be advertised for a period of 21 days from the date of the later publication. A shortened or extended period can be sought in accordance with Clause 171 and 172 of *the Regulation* and must be approved by Council's General Manager

COUNCIL RESOLUTION/DELEGATION TO THE GENERAL MANAGER

1. Council Resolution is to be sought at the following stages:
 - In an Open Tender process, to award tenders above the delegation of the General Manager, or reject the tenders following a tender evaluation
 - In a Selective Tender process, to invite selected tenderers following the EOI process and then to award tenders above the delegation of the General Manager, or reject the tenders following a tender evaluation
2. The General Manager has the delegated authority to accept Council tenders with a Contract value of up to \$1,000,000 where all other tender requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005 are met and the tendered amount is within the approved budget

GENERAL

1. Tenders are to be submitted in accordance with Clause 173 of the Regulation. Council's preferred method of receiving tender submissions is by electronic means
2. Receiving tenders by electronic means must be performed via Council's Tenderlink e-tendering portal. Electronic submissions of tenders by standard email will not be accepted
3. Tenders are to be opened in accordance with Clause 175 of *the Regulation*
4. Tenders may only be varied or amended in accordance with Clause 176 of *the Regulation*
5. Tenders received after the closing time and date as advertised will not be considered
6. Council may accept or reject tenders in accordance with Clause 178 of *the Regulation*.
7. Where a Council resolution is required, the resolution is to include that authorisation is to be given to the General Manager to execute the resulting contract and any associated documentation under his delegation.

8. The General Manager has the delegated authority to execute the resulting contract and any associated documentation under the delegation refer to in Section 2 above (Council Resolution / Delegation to the General Manager).
9. All tenderers will be advised in writing of the Council resolution/s or final determination of the General Manager approved under delegated authority.

CONTRACTS:

1. Contracts are to be drafted in accordance with Council’s Purchasing Standard Working Procedure.

LOBBYING OF COUNCILLORS AND COUNCIL STAFF:

1. Contacting Councillors or Council staff other than the designated contact person directly will automatically disqualify an interested party from all Tender or EOI processes.

Maintained by Department:	Operations	Approved by:	Council		
Reference:	Policy Register	Council Policy No:	1.4	Effective Date:	2008
Min No:	P08-19 (V1) O08-110 (V2) P08-136 (V3) (V4) - 13-432 V5 – 18-101	Version No:	5	Reviewed Date:	Nov 2009 August 2011 July 2013 April 2018
Attachments:					