

<b>Treasurer's Instruction No</b>	<b>1107</b>
Title	<b>Goods and Services procurement valued at \$250 000 and over (excluding GST)</b>
Effective date	<b>13 November 2017</b>
Objective and Background	<b>Provides instruction on the procurement process agencies must follow for goods and/or services valued at \$250 000 and over (excluding GST).</b>
Version Number	<b>16</b>

*Black letter (or bold) items within these Instructions are mandatory and other plain font items are instructional or for the purpose of providing guidance only.*

- (1) **Tenders must be called for all purchases of goods and services, leases or rentals of equipment valued at \$250 000 or over (excluding GST), unless approval for direct/limited submission sourcing is granted in accordance with Instruction 1114. Where local capability exists, at least two tenders must be sought from Tasmanian businesses.**

A Tasmanian business is defined in Instruction 1111.

Process checklists that will assist agencies in meeting the mandatory requirements of this Instruction are located on the [Purchasing website - Buying for Government \(Checklists\)](#).

- (2) **Agencies must ensure that persons submitting tenders are dealt with fairly and equitably during the procurement process.**
- (3) **The Request documentation must contain all the information necessary to enable potential suppliers to prepare appropriate submissions in response.**
- Specific requirements in relation to documentation are contained in Instruction 1109.
- (4) **Agencies must provide suppliers with at least one electronic option for the lodging of their submission.**

The method used is a matter for the agency to determine ensuring all requirements in relation to handling and confidentiality can be met. Electronic options may include, for example, the use of the Tenders website electronic lodgement functionality or a secure email or facsimile facility. Where email or facsimile is used:

- the facility should be secure;
- access to the submissions should be controllable to prevent compromising security of responses/confidentiality; and
- access should be auditable and/or documented.

When the Tenders website has been used to advertise a procurement process, the Tenders website electronic lodgement functionality would generally be the preferable electronic option and is recommended, however this is a matter for the agency based on the procurement itself.

- (5) Each procurement is to be allocated a specific closing time, date and place of lodgement, which is to be clearly stated in all documents and advertisements.
- (6) Tenders must be publicly advertised on the Tenders website at [www.tenders.tas.gov.au](http://www.tenders.tas.gov.au), unless determined in accordance with Instructions 1114 or 1127 that it would be more appropriate to seek offers from selected tenderers. Agencies, at their discretion, on a case by case basis, may also choose to place advertisements for tenders in the tenders section of local, interstate and overseas newspapers and/or journals.
- (7) Fair and impartial procedures must be in place in relation to receiving and opening all submissions.
- (8) Submissions must be fairly and equitably evaluated in a manner that is consistent with the Government's procurement principles (refer to Instruction 1101). The final decision must be able to withstand public scrutiny.
- (9) All suppliers making a submission must be advised of the outcome of the procurement process and provided with details of the successful offer including the name of the supplier and the price accepted.

Where the provisions of a free trade agreement apply (refer to Instruction 1102), on request, the agency must promptly provide the supplier with a written explanation of the reasons that its tender application was not selected.

- (10) Unsuccessful suppliers must, on request, be debriefed.

Any debrief should examine areas of non-compliance with a view to developing the supplier's ability to successfully quote for future requirements.

## **CONFIDENTIALITY IN THE PROCUREMENT PROCESS AND IN RELATION TO CONTRACTS**

Agencies should refer to Instructions 1124 and 1401.

## **PROCUREMENTS IMPACTED BY FREE TRADE AGREEMENTS**

- (11) Any goods and services procurements that are impacted by a free trade agreement (refer to Instruction 1102) must, in addition to the requirements above, comply with the requirements set out in the *Free Trade Agreements Guideline*.

The requirements of the *Free Trade Agreements Guideline* relate to matters such as the length of time a tender is advertised, the information to be provided to tenderers etc. The Guideline can be located on the [Purchasing website - Buying for Government \(Publications\)](#).