

TREASURER'S INSTRUCTION
FINANCIAL MANAGEMENT ACT 2016

PROCUREMENT FRAMEWORK - COVID-19 EMERGENCY PROCUREMENT MEASURES

EFFECTIVE DATE

19 March 2020

SCOPE

This Treasurer's Instruction applies to all Agencies listed in Column I of Schedule I, Part I in the *Financial Management Act 2016*.

APPLICATION

At all times.

OBJECTIVE

To provide information on alternative procurement and contracting processes for procurement impacted by Novel Coronavirus (COVID-19) or by measures taken in response to or as a result of COVID-19, noting that the Government considers that these are emergency measures and that the goods, services or works could not be obtained in time using an open or selective tendering process.

INSTRUCTION

- I.1 Notwithstanding the requirements contained in the Treasurer's Instructions in relation to procurement (contained in Treasurer's Instructions PF-1 to PF-5; TI PP-1 to PP-6 and TI C-1), an Accountable Authority is permitted to approve modified procurement and contracting processes for:
 - I.1.1 urgent procurement of goods, services or works related to the implementation of Government measures, in connection with COVID-19, that are necessary to protect:
 - a. human, animal or plant life or health;
 - b. public order or safety; or
 - c. essential security.
 - I.1.2 to procure goods, services or works, or to extend or amend existing contracts, due to reasons of extreme urgency brought about in connection with COVID-19; and

- I.1.3 to procure goods, services or works, in connection with programs delivered to stimulate the economy or to support businesses and persons impacted by COVID-19.
- I.2 When undertaking a procurement under this Instruction, an Accountable Authority must:
 - I.2.1 ensure value for money in the circumstances;
 - I.2.2 maintain ethical standards;
 - I.2.3 ensure conflicts of interests, or any perception of a conflict of interest, is appropriately managed; and
 - I.2.4 maximise opportunities for local businesses where practicable.
- I.3 The Accountable Authority must:
 - I.3.1 not authorise the procurement of goods or services that exceed the needs of the COVID-19 emergency; and
 - I.3.2 use reasonable efforts to ensure that contracts do not contain automatic renewal provisions.
- I.4 In this Instruction, modified procurement and contracting processes includes direct and limited sourcing.
- I.5 Appropriate documentation regarding the procurement must be maintained, including details of awarded contracts and must be reported on the Tenders website within a reasonable period.

ADDITIONAL GUIDANCE

Further information in support of this Treasurer's Instruction can be found in the Procurement Framework Better Practice Guideline - COVID-19 Emergency Procurement Measures.