

Treasurer's Instruction No	1218
Title	Procurement Reviews and Committees: building and construction/roads and bridges
Effective date	30 December 2018
Objective and Background	Provides instruction and guidance on the establishment and operation of agency Procurement Review Committees and the industry consultation review process in relation to building and construction/roads and bridges projects.
Version Number	11

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) **This Instruction applies to the procurement of building and construction and roads and bridges and is to be read in conjunction with other Instructions relating to such procurements which are contained in the 1200 series of the Treasurer's Instructions.**

Further information on building and construction procurement, including a definition of "building and construction" and "roads and bridges" and information on the types of services that fall under these categories is located on the [Purchasing website - Buying for Government](http://www.purchasing.tas.gov.au) (www.purchasing.tas.gov.au).

For information in relation to procurement of goods and non-construction related services, refer to the 1100 series of the Treasurer's Instructions.

- (2) **All government agencies, and entities required to comply with the Treasurer's Instructions, must establish a Procurement Review Committee.**

The membership of the Committee is a matter for the Head of Agency. However, it is recommended that a Procurement Review Committee consist of at least the following:

- Chairperson: nominated by the Head of Agency;
- Members: at least two members, who should be persons experienced in government procurement processes and not part of the evaluation team; and
- Secretary to the Committee (ex officio).

Further information on Review Committees can be located on the [Purchasing website - Buying for Government \(Procurement Review Committees\)](http://www.purchasing.tas.gov.au).

- (3) **An Agency's Review Committee must review all agency evaluations for all procurements with a value of \$100 000 or more (excluding GST):**
- (a) **prior to any advice being provided to suppliers on the outcome of the procurement process and/or before negotiations are entered into with the preferred supplier and/or the contract is awarded;**

(b) to ensure a fair and equitable process has been followed.

The Committee must consider the following –

- (c) compliance with procurement requirements set out in the Treasurer's Instructions;
- (d) compliance with procurement guidelines contained in the Procurement Practice Manuals and other guidance material;
- (e) conformity with all documents including site reports, geotechnical reports and addenda;
- (f) value for money that the offer represents including whether the appropriate weighting has been given to the cost component;
- (g) conformity with prequalification requirements contained in Instruction I215;
- (h) whether a fair and equitable process has been followed;
- (i) where applicable, whether the requirements contained in the publication, *International Procurement Obligations* have been adhered to; and
- (j) any other matter the Committee considers appropriate.

For the purposes of this clause, procurement includes all open tenders, selective tenders and all quotation processes where the value of the procurement reaches that threshold.

- (4) For procurements with an estimated value over the amounts listed below:
- all consultancy procurements - over \$5 million (excluding GST);
 - all other building and construction procurements - over \$10 million (excluding GST); and
 - all other roads and bridges procurements - over \$15 million (excluding GST);

agencies must, unless otherwise exempted in accordance with clause (5) below:

- (a) prepare a pre-procurement industry consultation report; and
- (b) have the report reviewed and approved by the Head of Agency prior to commencing the procurement process.

The report is to summarise the consultation undertaken with industry and local business representatives in the planning stages of the intended procurement.

For the purposes of this clause:

“procurement” includes direct selections as well as all open tenders, selective tenders, and quotation processes where the value of the procurement reaches the threshold referred to above; and

“commencing the procurement process” means issuing a request for quotation/proposal directly to potential suppliers or advertising a request for tender on the Tenders website.

Pro forma documentation can be located on the [Purchasing website - Buying for Government \(Pre-procurement industry consultation\)](#).

- (5) **A class exemption from the requirement to prepare and submit a pre-procurement industry consultation report may be approved by the Secretary of the Department of Treasury and Finance.**

Exemptions will only be approved on a class basis (ie not an individual procurement basis) where the Secretary is satisfied that no local market exists or where the provision of such a report serves no useful purpose in relation to improving access for local suppliers. It is expected that such circumstances will rarely arise. Approved classes of exemptions, and the date from which they are exempted, are listed on the [Purchasing website - Buying for Government \(Pre-procurement industry consultation\)](#).

Withdrawn 1 July 2019