***Text Legend*** *Delete this legend before finalising the document*

*Red text is an instruction and should be deleted after reading*

*Blue text should be edited or deleted as required. Change Blue text to Black if keeping*

*Black text should generally be considered as fixed text, however, can be edited to better suit the State Agency's requirements where necessary*

Procurement Plan

***[Goods and Services procurement templates - procurement plan]***

Title:

[Insert the Title]

**State Agency:**

[Insert State Agency Name Here]

or use Contract Authority for CUAs only

Contract Authority:

[Select this option if the Contract Authority is the Chief Executive Officer of the Department of Finance (Director General)]The Chief Executive Officer of the Department of Finance (Director General) exercising powers conferred by the *Procurement Act 2020* (WA)

[or select this option if the Contract Authority is the Procurement Executive Body]The Procurement Executive Body, a body corporate established by section 18 of the *Procurement Act 2020* (WA)

**Approved by:**

 **….../……/202**

[Insert name of State Agency’s Authorised Officer]

[Insert Title]

[If for a Procurement that is $5 million or more and the Plan has not been exempted from submission to the STRC, insert the following:]

State Tender Review Committee Endorsed

Date: / /202

Table of Contents

[1. Summary of Proposed Procurement 6](#_Toc118806126)

[1.1 Background 6](#_Toc118806127)

[1.2 Scope 6](#_Toc118806128)

[1.3 Contract Commencement Date 6](#_Toc118806129)

[1.4 Number of Contractors 6](#_Toc118806130)

[1.5 Contract Term 7](#_Toc118806131)

[1.6 Funding 7](#_Toc118806132)

[1.7 Total Estimated Value 7](#_Toc118806133)

[1.8 Contract Authority or Customer or Contract Authority and Customer [Edit to suit option used below] 8](#_Toc118806134)

[1.9 Request and General Conditions 8](#_Toc118806135)

[1.10 Approval to Proceed 8](#_Toc118806136)

[1.11 Office of Digital Government Engagement 9](#_Toc118806137)

[2. Current Contract Arrangements 10](#_Toc118806138)

[2.1 Supply Arrangements 10](#_Toc118806139)

[2.2 Contract Commencement and Expiration 10](#_Toc118806140)

[2.3 Current Contractors 10](#_Toc118806141)

[2.4 Contract / Common Use Arrangement Expenditure 10](#_Toc118806142)

[2.5 Strengths and Weaknesses of Current Contract/Arrangement 10](#_Toc118806143)

[2.5.1 Strategies to Address Weaknesses 10](#_Toc118806144)

[2.6 Previous Contract Issues 11](#_Toc118806145)

[2.7 Previous Procurement Process Issues 11](#_Toc118806146)

[3. Proposed Procurement Timetable 12](#_Toc118806147)

[3.1 Key Proposed Dates 12](#_Toc118806148)

[4. Risk Analysis 13](#_Toc118806149)

[5. Western Australian Social Procurement Framework 14](#_Toc118806150)

[5.1 Community Objectives and Outcomes 14](#_Toc118806151)

[5.1.1 Opportunities for the Western Australian Aboriginal community 14](#_Toc118806152)

[5.1.2 Opportunities for Western Australian regions, regional Western Australians, local industry and SME suppliers to win government business 15](#_Toc118806153)

[5.1.3 Opportunities for Western Australians with a disability 18](#_Toc118806154)

[5.1.4 Opportunities for gender equality 19](#_Toc118806155)

[5.1.5 Opportunities for multicultural Western Australians 20](#_Toc118806156)

[5.1.6 Sustainable Western Australia 20](#_Toc118806157)

[6. Procurement Research 21](#_Toc118806158)

[6.1 Alternative Procurement Options 21](#_Toc118806159)

[6.1.1 Procurement Strategies Considered 21](#_Toc118806160)

[6.2 Number of Respondents 21](#_Toc118806161)

[6.3 Stakeholder Research 21](#_Toc118806162)

[6.3.1 Industry 21](#_Toc118806163)

[6.3.2 Customers 21](#_Toc118806164)

[6.3.3 Other 22](#_Toc118806165)

[6.4 Proposed Procurement Systems Approach 22](#_Toc118806166)

[6.5 Specification Type 22](#_Toc118806167)

[6.6 Quality Requirements 22](#_Toc118806168)

[6.7 Price Research 22](#_Toc118806169)

[6.8 Gateway 23](#_Toc118806170)

[7. Procurement Methodology and Strategy 24](#_Toc118806171)

[7.1 Procurement Method 24](#_Toc118806172)

[7.2 Procurement Objective – Achieve Value for Money 24](#_Toc118806173)

[7.3 Evaluation Process and Requirements 24](#_Toc118806174)

[7.3.1 Evaluation Process 24](#_Toc118806175)

[7.3.2 Pre-Qualification Requirements 24](#_Toc118806176)

[7.3.3 Compliance and Disclosure Requirements 25](#_Toc118806177)

[7.3.4 Qualitative Requirements 25](#_Toc118806178)

[7.4 Insurance Requirements 25](#_Toc118806179)

[7.5 Evaluation Rating Scale 26](#_Toc118806180)

[7.6 Price 28](#_Toc118806181)

[7.6.1 Pricing Model 28](#_Toc118806182)

[7.6.2 Price Variations 29](#_Toc118806183)

[7.7 Buying Rules 29](#_Toc118806184)

[7.8 Request Briefing Session 29](#_Toc118806185)

[7.9 Evaluation Committee 29](#_Toc118806186)

[7.9.1 Evaluation Panel Members 29](#_Toc118806187)

[7.9.2 Declaration of Interest and Confidentiality 30](#_Toc118806188)

[7.9.3 Probity Advisor or Probity Auditor 30](#_Toc118806189)

[8. Contract Management 31](#_Toc118806190)

[8.1 Governance 31](#_Toc118806191)

[8.2 Contract Management Plan 32](#_Toc118806192)

[8.3 Contract Manager 33](#_Toc118806193)

[8.3.1 Contract Manager 33](#_Toc118806194)

[8.3.2 Contract Management Team[Delete if no contract management team] 33](#_Toc118806195)

[8.3.3 Contract Handover 33](#_Toc118806196)

[8.4 Performance Requirements 33](#_Toc118806197)

[8.5 Transition 34](#_Toc118806198)

[8.6 Contract Review 34](#_Toc118806199)

[8.7 Risk Management 35](#_Toc118806200)

[8.8 Western Australian Industry Participation Strategy (WAIPS) Management and Reporting 35](#_Toc118806201)

[8.9 Aboriginal Participation Requirements and Reporting 35](#_Toc118806202)

[8.10 Customer/Client Reference Group 35](#_Toc118806203)

[8.11 Promotion and Marketing 35](#_Toc118806204)

[8.12 Buyers Guide 36](#_Toc118806205)

[8.13 Applications From New Suppliers 36](#_Toc118806206)

[8.14 Adding/Removing Goods 36](#_Toc118806207)

[Appendix A – Risk Register 37](#_Toc118806208)

# Summary of Proposed Procurement

## Background

State why the Procurement is required and expected outcomes.

If a Business Case was prepared in support of the Procurement and pertinent issues were raised, make reference to those issues under this heading – cross-reference to other sections within the Plan if relevant.

## Scope

Provide summary/overview of the Procurement requirements including any special user requirements.

The development should consider whether it is necessary to include information about the service users, particularly for procurements of services that involve the public. This may include outlining the groups that will be targeted or impacted by the Procurement including the identification of Aboriginal, ethnic, social minority and LGBTIQA+ communities. Any language services requirements (i.e. interpreting or translation services) should also be identified. Also consider whether it may be appropriate to include an inclusivity requirement in the Procurement to identify the State Agency’s expectations.

Further, where it has been determined one or more of the Western Australian Social Procurement Framework Community Objectives and Outcomes can be delivered through this Procurement, particularly where identified under section 5.1 Community Objectives and Outcomes (e.g. gender equality, Sustainable WA) of this document, then these should be considered in the development of the scope.

Refer to the [Western Australian Social Procurement Framework](https://www.wa.gov.au/government/publications/western-australian-social-procurement-framework) for information about the Community Objectives and Outcomes and the [Western Australian Social Procurement Framework Practice Guide](https://www.wa.gov.au/government/publications/western-australian-social-procurement-framework) for information about identifying and incorporating the Community Objectives and Outcomes into a procurement.

The requirements of [Procurement Rule D2 Request Specifications](https://www.wa.gov.au/government/multi-step-guides/western-australian-procurement-rules/section-d-request-development-and-contract-formation) should also be considered when developing the scope.

## Contract Commencement Date

The proposed contract commencement date is [insert date].

## Number of Contractors

A single contractor will be appointed.

Or

A single contractor will be appointed for each discrete part of the Procurement. There will be [number] discrete parts to the Procurement.

*[Where a project is structured to be performed in discrete parts and is tendered in one tender and a separate individual contractor, potentially, will be appointed for each discrete part, then this is not a panel of contractors. Include details in relation to the number of discrete parts of the project]*

Or

A panel of contractors will be appointed.

*[If a panel of contractors is to be appointed, briefly detail the expected number to be appointed taking into consideration and identifying the number or type of items/categories to be on the arrangement, potential usage/number of orders, coverage of items/categories required and/or delivery areas]*

## Contract Term

*[Please consider the contract term carefully. There are many factors to consider when determining a contract term. Consideration of these factors could influence the deliberation for a longer than five year contract term.*

*Some of the factors to be considered include:*

* *upfront investment by suppliers;*
* *life cycle of product being delivered;*
* *the market and whether volatile;*
* *advances in technology and environmental sustainability expectations and or capabilities;*
* *future State Agency needs and*
* *efficacy of previous contract term.*

*Under Procurement Rule C2.3, an Authorised Officer of a State Agency can approve a contract term longer than five years where it can be demonstrated that significant benefits will be delivered to the State, or there are sound technical, commercial or operational reasons for doing so.]*

The proposed contract term is [insert number of years] years.

There are [insert number of years] year extension options available at the absolute discretion of the [name of State Agency].

Provide an explanation of the factors considered, and what influence those factors had on determining the proposed contract term. The explanation is required for all proposed contract terms.

## Funding

Not applicable to CUAs

The availability of appropriate funding has been confirmed by (name and title of senior officer e.g. Director or equivalent).

## Total Estimated Value

The Total Estimated Value, including all extension options and GST, is $xx. This equates to $xx per annum.

Provide an explanation of the basis for the value e.g. based on existing contract expenditure; market research; budget availability; projected agency demand; any pricing or usage trends.

## Contract Authority or Customer or Contract Authority and Customer [Edit to suit option used below]

[use for CUAs only]The Contract Authority will be the Chief Executive Officer of the Department of Finance (Director General) exercising powers conferred by the *Procurement Act 2020* (WA).[or if specifying the Procurement Executive Body as the Contract Authority]The Contract Authority will be the Procurement Executive Body, a body corporate established by section 18 of the *Procurement Act 2020* (WA).

[or select from the following options if not a CUA. For non-CUA procurements, the appropriate description of the legal entity for a government department is “The State of Western Australia acting through [insert name of department]”. The appropriate description of the legal entity for a statutory authority or other body corporate is the body corporate name as specified in the relevant enabling legislation]

[use for State Agency specific requests] The Customer will be the [insert entity name].

or

[use for State Agency specific Panel Arrangement] The Contract Authority and Customer will be the [insert entity name].

or

[use for Multi-user Cooperative Procurement Arrangement] The Contract Authority will be [insert entity name] and the Customer/s will be the following State Agencies and/or Authorised Bodies:

[list entity names of the participating State Agencies and Authorised Bodies]

or

[use for Distributor Model Cooperative Procurement Arrangement] The Contract Authority will be [insert entity name]. The Contract Authority will distribute to the following State Agencies and/or Authorised Bodies:

[list entity names of the participating State Agencies and Authorised Bodies]

or

[use for Group Buying Cooperative Procurement Arrangement] The [insert entity name of the lead State Agency] will lead the procurement process. The Contract Authorities/Customers of the resultant contracts will be the following State Agencies and/or Authorised Bodies:

* [list entity names of the participating State Agencies and Authorised Bodies]

or

[use for Procurement Arrangements Established by Another] The [insert entity name of Authorised Body] will lead the procurement process and/or is the Contract Authority of [insert contract reference]. The arrangement will be accessible to the following State Agencies and/or Authorised Bodies:

* [list entity names of the participating State Agencies and Authorised Bodies]

## Request and General Conditions

The Request Conditions and General Conditions of Contract [August 2023] will apply to this requirement. [To check the month and year reference of the current Request Conditions and General Conditions of Contract go to the Goods and Services Templates page on [WA.gov.au](https://www.wa.gov.au/government/document-collections/goods-and-services-templates).]

## Approval to Proceed

Approval to proceed with the Procurement has been provided by (name and title of senior officer e.g. Director or equivalent).

[For cooperative procurement arrangements, list the names and titles of the senior officers who have agreed to the approval to proceed]

## Office of Digital Government Engagement

[For ICT Procurements Only]

*The State Agency is to document the discussions and/or involvement with the Office of Digital Government (DGov) in this section, or clearly outline the decision and reasons for not involving DGov.*

*The Office of Digital Government can provide assistance to State Agencies to ensure their ICT procurements align with the Digital WA Strategy 2021 – 2025 (the Strategy). Agencies are welcome to consult with DGov during the planning and writing of the business case to ensure strategic alignment to the Strategy. Agencies can contact DGov by emailing* *GovNext-DPC@dpc.wa.gov.au*

*For low risk procurements and/or procurements of repeated requirements, the State Agency may make the decision not to involve DGov.*

*Please note there is no requirement for the Procurement Plan to be reviewed by DGov.*

The Office of Digital Government has been consulted about this Procurement and their advice is [detail the advice or attached to the Procurement Plan].

*or*

The Office of Digital Government has not been consulted about this Procurement because [it is low risk (outline why it is low risk) or it is for a repeat requirement (detail the previous requirement/s and the involvement of DGov, if any) or detail any other reason/s the State Agency has for not involving DGov].

# Current Contract Arrangements

## Supply Arrangements

The current/previous contract/arrangement for the provision of the [insert Good / Service title] was by means of an Open Advertisement.

Give a brief summary of the performance of the contract. If no previous contract existed, explain how the Goods/Services have been historically purchased.

## Contract Commencement and Expiration

The current contract commenced on [insert date]. The final expiry date is/was [insert date].

Insert further detail in relation to whether the contract was terminated prior to the expiration date or whether there were extensions beyond term and if so, the extended term and value.

## Current Contractors

The current contract provider(s) is/are [Insert contractor names].

## Contract / Common Use Arrangement Expenditure

A total of $xxxx has been paid under the contract/Common Use Arrangement (CUA).

Insert further detail about the current spend – whether it is increasing or decreasing; how the actual spend is tracking against the awarded value; and any other trends with respect to the contract price.

## Strengths and Weaknesses of Current Contract/Arrangement

The **strengths** of the current contract/arrangement are [insert strengths e.g. established good supplier relationship, excellent performance delivery, great customer service, local content benefits, e.g. local business supplier, job creation].

The **weaknesses** of the current contract/arrangement are [insert weaknesses e.g. insufficient policy compliance, high transaction costs, poor contract management/administration lack of supplier feedback, no local supplier].

### Strategies to Address Weaknesses

The weaknesses identified are addressed as outlined in the following table: [insert weaknesses as identified above and how the weakness is being address through the procurement strategy or proposed contractual arrangement. Add/delete rows as required.]

|  |  |
| --- | --- |
| **Weakness** | **Strategy to Address** |
| [Insert weakness] | [Insert details] |
| [Insert weakness] | [Insert details] |
| [Insert weakness] | [Insert details] |
| [Insert weakness] | [Insert details] |

## Previous Contract Issues

Option 1 – No significant problems have arisen during the term of the contract.

Or

Option 2 – The key issues that arose from this contract and their impact were as follows: (include information about how these issues were addressed)

1. Implementation;
2. Price; and
3. Performance reviews.

## Previous Procurement Process Issues

**Option 1**

There were no significant issues with the previous procurement process to form the current contract.

**Or**

**Option 2**

The key issues that arose during the previous procurement process and their impact were as follows: (include information about how these issues have been addressed for this procurement process)

1. [Insert details i.e. lack of or minimal bids received, excessively long procurement process];

# Proposed Procurement Timetable

## Key Proposed Dates

The key dates for the proposed Procurement are as follows:

Edit as applicable

|  |  |
| --- | --- |
| **Stage** | **Target Date** |
| Early Tender Advice notification |  |
| Procurement Plan submitted to STRC |  |
| STRC endorsement of Procurement Plan |  |
| Procurement Plan approval by Authorised Officer |  |
| Request documentation completed |  |
| Draft Request advertised for industry comment  |  |
| Pre-Tender Industry Forum  |  |
| Approval of Request document |  |
| Request advertised |  |
| Request briefing |  |
| Request closes |  |
| Request evaluation and recommendation |  |
| Evaluation Report submitted to STRC |  |
| STRC endorsement of Evaluation Report |  |
| Evaluation Report approval by Authorised Officer |  |
| Contract negotiations |  |
| Contract commencement date |  |
| Contract Management Plan approval by Authorised Officer |  |

# Risk Analysis

*[Select the most appropriate option below]*

*[Option 1]*The proposed new contract(s) should not put the Government/State Agencies/supplier at any undue risk [Include next sentence if applicable]. Furthermore, the proposed contract is not new to government and contracted Procurement of this Service/Good is currently being successfully used by [insert State Agency].

[Or *Option 2]*A number of risks were identified in the proposed Procurement.

**See Appendix A for identified risks, along with their ratings and management strategies.**

*[Note: risks must be attached, regardless of risk rating]*

# Western Australian Social Procurement Framework

The [Western Australian Social Procurement Framework](https://www.wa.gov.au/government/publications/western-australian-social-procurement-framework) (the Framework) brings together all relevant Western Australian Government social procurement policies and priorities into one place. The Framework uses the term ‘social procurement’ to encompass all social, economic and environmental benefits enabled through government procurement that lead to the achievement of community outcomes.

The Framework identifies the WA Government’s community objectives and outcomes. For information on identifying opportunities for a Procurement to contribute to community objectives and outcomes and for guidance on implementing these outcomes into a Procurement, refer to the [Western Australian Social Procurement Framework Practice Guide](https://www.wa.gov.au/government/publications/western-australian-social-procurement-framework).

## Community Objectives and Outcomes

### Opportunities for the Western Australian Aboriginal community

Agencies are encouraged to maximise opportunities for Aboriginal participation, particularly where research demonstrates greater benefits could or should be achieved. The Plan should identify and address opportunities for Aboriginal businesses and/or employment of Aboriginal people including skills, training and economic development. Include details of research and any initiatives that will be incorporated.

Sources of research information may include:

* previous, similar or current contracts
* discussions with the Industry Link Advisory Service (Department of Jobs, Tourism, Science and Innovation) and/or with Local Content Advisors (Regional Development Commissions, Department of Primary Industries and Regional Development)
* discussions with relevant industry associations, including Aboriginal chambers of commerce
* the [Aboriginal Business Directory WA](https://abdwa.icn.org.au/) and [Supply Nation](https://supplynation.org.au/)
* the [Aboriginal Procurement Policy](https://www.wa.gov.au/government/publications/aboriginal-procurement-policy) and associated resources
* the [Aboriginal Empowerment Strategy](https://www.wa.gov.au/government/publications/aboriginal-empowerment-strategy-western-australia-2021-2029) and associated resources
* [Closing the Gap - WA's Implementation Plan](https://www.wa.gov.au/government/publications/closing-the-gap-was-implementation-plan).

To support this community objective, the following initiatives will be incorporated: (for example)

1. Identifying registered Aboriginal businesses that can provide the contract requirement and engaging with them to respond to the Request.
2. Purchasing directly from the registered Aboriginal business [name the Aboriginal business] as per [Procurement Rule C4.2](https://www.wa.gov.au/government/multi-step-guides/western-australian-procurement-rules/section-c-procurement-planning).
3. Including Aboriginal participation requirements as per the Aboriginal Procurement Policy. The Aboriginal Procurement Policy sets minimum requirements only, Agencies are encouraged to consider applying similar requirements to procurements that do not meet the criteria outlined in the Policy. Research should be undertaken to examine the capability and capacity of the Aboriginal business sector and Aboriginal workforce to ensure that targets are feasible and meaningful.
4. An Early tender advice notice [has been / will be] released to notify industry of the Aboriginal participation requirements to maximise their ability to prepare a response.
5. A Qualitative criterion addressing Aboriginal participation, Aboriginal engagement and actions towards reconciliation and advancement of First Nations people and/or demonstration of cultural competence.
6. An Aboriginal business and employment tendering preference will be applied.

### Opportunities for Western Australian regions, regional Western Australians, local industry and SME suppliers to win government business

The Plan should identify and address whether there are opportunities for WA regions and regional Western Australians and whether there are opportunities for local industry (local industry, is as defined in the *WA Jobs Act 2017*. It means suppliers of goods produced, or services provided, in Western Australia, another State, a Territory or New Zealand) and small and medium enterprises (SME) suppliers in the Procurement. The policies and priorities that are in place to focus on these community objectives and outcomes are the [Western Australian Buy Local Policy 2022](https://www.wa.gov.au/government/publications/western-australian-buy-local-policy-2022), and the [Western Australian Industry Participation Strategy (WAIPS)](https://www.wa.gov.au/organisation/department-of-jobs-tourism-science-and-innovation/western-australian-industry-participation-strategy). The level and type of information provided depends on the nature of the Procurement.

Advice on the application of either of the policies can be obtained from the Industry Link Advisory Service, c/- the Industry Participation Team at the Department of Jobs, Tourism, Science and Innovation, telephone (08) 6277 2999, email: industrylink@jtsi.wa.gov.au.

If a State agency is seeking an exemption from the application of the [WA Buy Local Policy 2022](https://www.wa.gov.au/government/publications/western-australian-buy-local-policy-2022) as a whole or aspects such as the regional price preferences, they should refer to the Exemptions section of the policy.

If an exemption is being sought to not include the Participation Plan qualitative requirement in the Request, refer to the [Exemptions](https://www.wa.gov.au/organisation/department-of-jobs-tourism-science-and-innovation/waips-requirements-agencies#exemptions) section at the [WAIPS requirements for agencies](https://www.wa.gov.au/organisation/department-of-jobs-tourism-science-and-innovation/waips-requirements-agencies) on wa.gov.au.

#### Planning the Procurement

##### Local Industry and SME Capacity

Research is to be undertaken to examine the level of capability of local industry and SME suppliers to meet the Procurement requirements. The research is to consider the WAIPS requirements including consultation with ILAS/Local Content Advisors, contract scope/structure if delivery points across multiple geographical regions, buying rules if a CUA or panel contract with state-wide delivery points to provide opportunities for regional industry participation and how regional skills and economic development can be maximised.

From the examples below, adapt, delete and/or add more dot points as appropriate to reflect the findings of the research. Also amend to reflect if referring to the contract as a whole or has been broken into parts/categories to allow better access or where there are discrete parts/categories based on the types of Goods and/or Services in or across geographic region/s.

Local industry and SME suppliers have the capacity to meet the contract size and scope requirements, based on: [Edit/amend as required - based on whether it is for the whole contract or has been broken into parts/categories to allow better access for local industry and SME suppliers]

* previous, similar or current contracts – did local businesses respond;
* discussions with the Industry Link Advisory Service (Department of Jobs, Tourism, Science and Innovation) and/or with Local Content Advisors (Regional Development Commissions, Department of Primary Industries and Regional Development);
* discussions with relevant industry associations including the Industry Capability Network Western Australia;
* a number of potential local business respondents;
* research undertaken by the State Agency and/or Finance;
* generic nature of the specification/scope of works;
* flexibility for respondents to respond to all or some of the required Goods/Services; and
* a potential for local industry development including regional skills, training and economic development.

##### Local Content

Research is to be undertaken to examine the level of local content. Local content should be examined at a number of levels; regional, Western Australia, Australia and New Zealand.

The research should consider the WAIPS requirements including consultation with ILAS/Local Content Advisors, contract scope/structure if delivery points across multiple geographical regions, buying rules if a CUA or panel contract with state-wide delivery points to provide opportunities for regional industry participation and how regional skills and economic development can be maximised.

From the examples below, adapt, delete and/or add more dot points as appropriate to reflect the findings of the research. Also amend to reflect if referring to the contract as a whole or has been broken into parts/categories to allow better access or where there are discrete parts/categories based on the types of Goods and/or Services in or across geographic region/s.

The anticipated level of local content for meeting this contract is as follows: [Edit/amend as required - based on whether it is for the whole contract or has been broken into parts/categories to allow better access for local industry and SME suppliers]

* The majority of the Goods, materials and Services are anticipated to be sourced locally;
* A Western Australian supplier is likely to source the Goods from elsewhere, but is likely to undertake repairs and maintenance locally;
* A Western Australian supplier is likely to source all required Services from within Western Australia;
* A local supplier may (insert manufacture the goods, provide the repair and/or maintenance services etc) in Western Australia; and
* (Insert other example).

This estimation is based on:

* the level of local content for previous, similar or current contracts; and
* (insert results of other research).

##### Early Tender Advice

An early tender advice notice [shall be]/[has been] placed on Tenders WA for this proposed Procurement.

##### Participation Plan

Unless otherwise exempted by the Minister for Jobs or their delegate, the Contract Authority/Customer must include a Participation Plan weighted qualitative requirement in the Request. The decision to weight the Participation Plan qualitative requirement at 10% or 20%, rests with the procuring agency, and should consider factors like, but not limited to, contract value, duration, location, market competition and realisable benefits. The Procurement Plan must address why a 10% or 20% weighting has been selected.

A Core Participation Plan is to be chosen where the estimated total contract value is:

* $1 million to $5 million for metropolitan contract delivery points; or
* $500,000 to $5 million for regional contract delivery points.

A Full Participation Plan is to be chosen where the estimated total contract value is above $5 million for both metropolitan and regional contract delivery points.

The Minister for Jobs may identify certain projects or Procurements as having strategic importance to Western Australian economy and declare these to be a ‘Strategic Project’. If this is the case, include here any additional local commitments and any upward variation to the qualitative requirement weighting as prescribed by the Minister for Jobs.

The Participation Plan qualitative and reporting requirements will be included in the Request. Respondents will be required to complete a [Core or Full] Participation Plan and submit it with their Offer.

The weighting for the Participation Plan qualitative requirement will be [10% or 20%]. This weighting is considered appropriate because (insert details to support the applicable weighting).

Or

An exemption from the Participation Plan qualitative requirement was granted by the Minister for Jobs on the [insert date]. Notwithstanding the exemption, the applicable reporting requirements for the Western Australian Industry Participation Strategy (WAIPS) will be required.

Include the following where the exempted procurement is a CUA/Agency Panel Arrangement, otherwise delete.

The exempted procurement is a [CUA or Agency Panel Arrangement] and the [State Agency] [has or has not] committed to including a Participation Plan qualitative requirement in individual purchases that meet a WAIPS threshold and, where a buying rule specifies the purchase must undergo a competitive process.

Include the following where a commitment has been made to include a Participation Plan qualitative requirement, otherwise delete.

The requirement for a Participation Plan qualitative requirement will be identified in the Buyers Guide and included in the [CUA or Panel Arrangement] Order Form.

##### Mandatory State-wide [CUA or Agency Panel Arrangement][Delete if not required]

This procurement will establish a [CUA or Agency Panel Arrangement] that is mandatory outside of the Perth metropolitan area.

In accordance with Procurement Rule C2.5(1), the Accountable Authority approved the establishment of the state-wide [CUA or Agency Panel Arrangement] on [insert date].

#### Evaluation

##### Imported Content Impost

The imported content requirement will not be included in the Request for this Procurement.

Or

The imported content requirement will be included in the Request for this Procurement and the impost applied as applicable.

##### Regional Price Preferences

Regional business preferences will not be applied as there are no regional contract delivery points for this Procurement.

Or

This Procurement will have regional contract delivery points and regional price preferences will be applied as applicable.

If a State agency is using any of the Accountable Authority Discretions, see section 4.7 of the [Western Australian Buy Local Policy 2022](https://www.wa.gov.au/government/publications/western-australian-buy-local-policy-2022), to modify the application of the regional price preferences, or an exemption has been provided by the Minister for State Development, Jobs and Trade, provide the details here.

Add and edit the following if the Procurement is to establish a standing offer (includes CUAs). See section 4.6 of the [Western Australian Buy Local Policy 2022](https://www.wa.gov.au/government/publications/western-australian-buy-local-policy-2022).

The Procurement is to establish a [CUA or Panel Arrangement] and the regional price preferences will be applied at the formation of the [CUA or Panel Arrangement] or when quotes are called from panel members.

Include the following if price preferences are to be applied when seeking quotations under the CUA or Panel Arrangement.

The Buyers Guide and the [CUA or Panel Arrangement] Order Form will include instructions and text to facilitate the application of regional price preferences when customers seek quotations from panel members.

##### Value for Money

Benefits from purchasing from local businesses and the level of local content, will be recognised in assessments of value for money and assessing responses against State local industry development objectives.

### Opportunities for Western Australians with a disability

The Plan should identify and address whether there are opportunities for Australian Disability Enterprises and employment of people with a disability. Include details of research and any initiatives that will be incorporated. Refer to [‘A Western Australia for Everyone: State Disability Strategy 2020-2030 Action Plan](https://www.wa.gov.au/government/document-collections/state-disability-strategy-2020-2030)’ for further detail.

To support this community objective, the following initiatives will be incorporated: (for example)

1. Identifying registered Australian Disability Enterprises that can provide the contract requirement and engaging with them to respond to the Request
2. Purchasing directly from the registered Australian Disability Enterprise [name the Australian Disability Enterprise] as per [Procurement Rule C4.2](https://www.wa.gov.au/government/multi-step-guides/western-australian-procurement-rules/section-c-procurement-planning).

### Opportunities for gender equality

The Plan should identify and address whether there are opportunities to improve gender equality. Include details of research and any initiatives that will be incorporated. Refer to [Stronger Together - WA’s Plan for Gender Equality](https://www.wa.gov.au/government/publications/stronger-together-was-plan-gender-equality) and the Australian Government’s [Workplace Gender Equality Agency](https://www.wgea.gov.au/) for further detail.

To support this community objective, the following initiatives will be incorporated: (for example)

1. Inclusion of specifications for gender equality requirements and/or reporting

#### Gender Equality in Procurement – WA Public Sector Pilot

Applicable only to agencies participating in the Gender Equality in Procurement - WA Public Sector Pilot.

A list of the participating agencies, information on the pilot and the business benefits of gender equality are available [here.](http://www.communities.wa.gov.au/genderequalityinprocurement)

The Western Australian Government’s trial of gender equality reporting in procurement is part of the Stronger Together: Western Australia’s Plan for Gender Equality (Stronger Together). Stronger Together was launched in March 2020 and is led by the Department of Communities. Stronger Together demonstrates the Western Australian Government’s commitment to advancing gender equality in Western Australia.

The [State Agency name] is part of the gender equality in procurement pilot, led by the Department of Communities and supported by the Department of Finance. The purpose of the pilot is to assess the degree to which gender equality principles are implemented by suppliers on government contracts.

This procurement will be part of the pilot.

### Opportunities for multicultural Western Australians

The Plan should identify and address whether there are opportunities for businesses established by Australians from culturally and linguistically diverse backgrounds. Include details of research and any initiatives that will be incorporated. Refer to the [Western Australian Multicultural Policy Framework](https://www.omi.wa.gov.au/resources-and-statistics/publications/publication/wa-multicultural-policy-framework) for further detail

To support this community objective, the following initiatives will be incorporated: (for example)

1. Identifying businesses established by Australians from culturally and linguistically diverse backgrounds that can provide the contract requirement and engaging with them to respond to the Request.

### Sustainable Western Australia

The Plan should identify and address whether there are opportunities for the Procurement to achieve sustainability outcomes. The sustainability issues considered may include:

* Use of recycled or recovered materials;
* Product reusability and/or recyclability;
* Durability;
* Energy efficiency and consumption;
* Water efficiency;
* Waste prevention;
* End of life disposal method;
* Environmental health issues; and
* Undertaking research with other jurisdictions who have requested a good or service from the market previously, as to specific sustainability specifications or considerations referenced in their procurement.

To support sustainability, the following initiatives will be incorporated: (for example)

1. The qualitative requirements will provide a positive advantage to Goods, Services and/or processes that minimise environmental impact e.g. Qualitative requirements will give preference to recycled or recovered materials
2. The specification will give consideration to environmental and sustainability related standards, codes or legislation where appropriate
3. Information will be sought from suppliers on the environmental impact of Goods, Services and process tendered (e.g. sustainable certification/accreditation, practices, recycled content, durability and reuse options, hazardous material content, energy efficiency, waste prevention, water efficiency).

For further information regarding sustainability impact issues, refer to the [Western Australian Social Procurement Framework and associated Practice Guide](https://www.wa.gov.au/government/publications/western-australian-social-procurement-framework) and the [Environmental Procurement Guide](https://www.wa.gov.au/government/publications/environmental-procurement-guide-0).

# Procurement Research

## Alternative Procurement Options

### Procurement Strategies Considered

Provide details of the procurement strategies considered (e.g. Single Stage or Two Stage, Open Tender, pre-qualification, cooperative procurement arrangements, leasing, public/private partnerships, source from internal resources, source from other public sector agencies, not source, or whether a CUA exists or is under development but is not suitable for this requirement), benefits analysis for each option, and which option is preferred.

State why the preferred option was chosen e.g. best method to achieve a value for money outcome, achieves the best community objectives and outcomes under the WA Social Procurement Framework, used in past successfully for similar Services/Goods. This should be a business case type analysis and may be several pages long. It should include details of all contract structure and non-contract options for the Goods/Services provision.

## Number of Respondents

It is anticipated that [insert number] responses will be received, based on [insert reason e.g. previous experience in contracting for this product/service, industry size etc].

The majority of respondents are likely to represent big/medium/small firms from Western Australia/the Eastern states/overseas.

## Stakeholder Research

All relevant stakeholders have been consulted in relation to this proposed Procurement.

A summary of the stakeholder research and feedback is as follows:

### Industry

* Research undertaken
* Current relationships/delivery mechanisms
* Experience / capacity to deliver Community Outcomes
* Impact of the CUA or contract on industry, particularly in regional areas.

### Customers

* Identify the potential customers (i.e. end users of the contract requirement. This may be State Agencies, members of the public etc)
* Identify community outcomes or objectives that are relevant to the customers
* Summarise potential usage of different State Agencies if a CUA or if an agency specific contract, details of other agencies who use the good or service and their experiences
* Outline current buying arrangements and any impact on these arrangements the new CUA or contract may have.

### Other

* If a CUA the impact of the CUA on stakeholder groups, particularly in regional areas.
* CUAs or contracts in other Australian states or the private sector for similar requirements.

## Proposed Procurement Systems Approach

[CUA only]

In consultation with the Business and Data Analysis team within Service and Invest – Inform and Improve, outline the method(s) by which customers will procure from the CUA.

This includes examining alternatives for online purchasing and online data/catalogues and their integration with existing systems and buyer/industry processes. (Note that buying rules should not be presented here – they are presented at Section 7.7).

The procurement systems approach chosen for this CUA is (insert preferred approach) because it meets the buyer’s needs in these ways:

* List reasons

## Specification Type

Consider [Procurement Rule D2.2 Performance and Functional Requirements](https://www.wa.gov.au/government/multi-step-guides/western-australian-procurement-rules/section-d-request-development-and-contract-formation) when determining the specification type for the Procurement.

The type of specification utilised will be functional or outcomes based / performance based / technical, descriptive or design based as the requirements [insert reason for choice e.g. must be highly detailed and complex/require outcome based performance/can/cannot be accurately described in sufficient detail].

## Quality Requirements

The quality requirement for this contract will be [x].

Other standards and/or competencies to be adhered to include [insert other standards e.g. customer service, servicing/maintenance, training].

If there exists a Quality Assurance Standard for this particular good or service then include the following

The Quality Assurance [x] is the standard in this particular industry and therefore, will have no impact upon small business.

## Price Research

Outline the different pricing mechanisms available and their suitability and suggest the most appropriate alternative.

## Gateway

The General Procurement Direction: 2021/05 Improving the Outcomes of Major Projects Through Gateway Reviews requires State Agencies to complete Gateway reviews at appropriate stages for:

* Infrastructure projects valued at $100 million (inclusive of GST) and above;
* ICT projects valued at $10 million (inclusive of GST) and above; and
* Other projects identified by the Department of Treasury.

State Agencies can request a review for a project that does not meet any of the criteria outlined above, but are considered high risk.

For further information on Gateway reviews and the process visit the [Gateway page on wa.gov.au](https://www.wa.gov.au/service/government-financial-management/procurement/gateway-review-process-and-gateway-reviewer-training) or contact the Finance Gateway Unit at Gateway@finance.wa.gov.au.

Select one of the options below after considering the requirement of the Premier’s Circular.

This Procurement does not meet the criteria for a mandatory Gateway review.

Or

This Procurement meets the criteria for a mandatory Gateway review and the (State Agency name) has, in consultation with Finance, determined the appropriate gates for the review.

Or

This Procurement meets the criteria for a mandatory Gateway review but the (State Agency name) applied for and has been granted an exemption from a Gateway review by Finance.

Or

This Procurement does not meet the criteria for a mandatory Gateway review but the (State Agency name) considers this Procurement as high risk and has, in consultation with Finance, determined an appropriate review process.

# Procurement Methodology and Strategy

## Procurement Method

The proposed procurement method will be [Detail as per the preferred option identified at 6.1.1 Procurement Strategies Considered].

## Procurement Objective – Achieve Value for Money

The objective of this Procurement is to focus on and achieve, best value for money – that being the best outcome for the State as a whole considering:

1. government’s social, economic and environmental priorities,
2. costs, and
3. other relevant non-cost factors,

in addition to the requirement for the State Agency.

To achieve this objective, the information provided by respondents in relation to the following:

1. Pre-Qualification Requirements (if specified);
2. Compliance and Disclosure;
3. Qualitative Requirements; and
4. Price schedule requirements.

as outlined in Section 7 will be utilised to help determine best value for money.

## Evaluation Process and Requirements

### Evaluation Process

A recommendation will be made based on an assessment of:

1. Pre-Qualification Requirements (if specified);
2. Compliance and Disclosure;
3. Qualitative Requirements; and
4. Price schedule requirements.

[and, if applicable]

Insert other evaluation process details e.g. if the evaluation process includes interviews, presentations or shortlisting.

### Pre-Qualification Requirements

There are no pre-qualification requirements.

Or [Delete the one that is not required]

The proposed pre-qualification requirement/s are as follows:

(insert requirement)

(insert requirement)

Failure to comply with any of the above-mentioned pre-qualification requirements will eliminate the Respondent from further consideration.

### Compliance and Disclosure Requirements

The proposed compliance and disclosure requirements are as follows:

1. Compliance with the Head Agreement;
2. Compliance with the Customer Contract;
3. Compliance with the General Conditions/Schedules;
4. Compliance with the Aboriginal Procurement Policy - Aboriginal Participation Requirements; and
5. Disclosures:
* Participants (including subcontractors)
* Criminal Convictions
* Conflict of Interest
* Small Business, Australian Disability Enterprise (ADE), Aboriginal business and/or Aboriginal Community Controlled Organisation (ACCO)
* Credit Card/Purchasing Card Payment
* Software Licence Agreements
* Competitive Neutrality
* Professional Standards Scheme; and
* Gender Equality in Procurement – WA Public Sector Pilot [applicable only to agencies participating in the Gender Equality in Procurement - WA Public Sector Pilot].

The Contract Authority or Customer reserves the right to reject any Offer that does not properly address any of the Compliance and Disclosure Requirements.

### Qualitative Requirements

The proposed qualitative requirements are as follows: [Include sub-elements for the requirements. When developing consider the objectives of your procurement. This may include objectives like inclusivity and any of the Western Australian Social Procurement Framework Community Objectives and Outcomes detailed in section 5.1 (e.g. Aboriginal participation, Local industry capacity, Sustainable WA)]

1. (Insert qualitative requirements) - (insert weighting)%;
2. (Insert qualitative requirements) - (insert weighting)%; and
3. Participation Plan - ([10%] or [20%])%. [Weighting to be as stated at Section 5.1.2.1 d) Participation Plan]

## Insurance Requirements

The proposed insurance requirements are as follows:

1. [**Option 1** – Select this option if the contract deliverables are **services only**. **Public Liability** insurance covers bodily injury and property damage arising out of acts or omissions by the Contractor.]Public Liability Insurance for an amount of not less than [$20 million] for any one occurrence and unlimited in the number of occurrences happening in the period of insurance;
2. [**Option 2** – Select this option if the contract deliverables are **goods only** or **goods and services**. This item should not be used for services only, unless the services include goods manufactured, erected, installed, constructed, repaired, serviced, sold or supplied, e.g. trade services, ICT services etc. **Public Liability** insurance covers acts or omissions which cause loss or damage bodily injury and property damage arising out of acts or omissions by the Contractor. **Products Liability** covers bodily injury and property damage arising out of loss or damage caused by the supply of faulty goods or products.]Public and Products Liability Insurance for an amount of not less than [$20 million] for any one occurrence, unlimited in the number of occurrences happening in the period of insurance for public liability and limited in the annual aggregate to [$20 million] for products liability;
3. Professional Indemnity Insurance for a sum insured of not less than [between $1 million - $5 million (dependent on level of risk)] for any one claim and in the annual aggregate, with a provision of one automatic reinstatement of the full sum insured in any one period of insurance;
4. Workers’ Compensation Insurance for an amount of not less than $50 million for any one occurrence; and
5. Motor Vehicle Third Party Liability Insurance for an amount of not less than [$25 million / $30 million] for any one occurrence or accident and Compulsory Third Party insurance. [The $25 million / $30 million coverage stated below is considered suitable for general vehicle transport. As part their risk assessment, agencies should consider factors including, the type of vehicles that will be used (supplier fleet vehicles or employee personal vehicles) and the way in which the vehicles will be used during the term of the Contract. A higher level of cover may be appropriate for contracts involving factors that increase risks, such as transport of dangerous goods.]
6. [Insert **Cyber Liability Insurance** wording if required.

If cyber liability exposure is identified by a risk assessment, contact the Insurance Commission of WA (contracts@icwa.wa.gov.au) to discuss and as applicable, obtain the **current** cyber liability insurance clause to be inserted here.

**Do not use a cyber liability insurance clause from a previous procurement, without consulting ICWA. A clause from a previous procurement may not be suitable in current circumstances**.

The inclusion of cyber liability insurance should be considered for procurements when, as part of a detailed risk assessment, a cyber liability exposure is identified.

The risks covered by Cyber Liability Insurance include the Respondent’s legal liability following a “cyber attack” for claims arising from:

* the public disclosure of personal or corporate information
* liability, loss of, damage or destruction to any property (including data) whilst in the care, custody or control of the Respondent
* a breach of confidentiality or privacy
* any act by an unauthorised person or entity resulting in loss of, damage or destruction to the computer system (including hardware, software and data) owned or used by the Respondent.

## Evaluation Rating Scale

A rating scale of 0-9 will be used for evaluating each submission. Panel members will be required to score each Respondent’s response to the qualitative requirements. The rating scale and a description for the range of scores is shown in the table below. Where the ‘Participation Plan’ is a separate qualitative requirement, panel members will use the rating scale shown in the second table to score that qualitative requirement. *[Delete this sentence and the second table if the Minister for Jobs or their delegate has granted an exemption from the requirement to include the Participation Plan qualitative requirement]*

|  |  |
| --- | --- |
| **Score** | **Description** |
| **0** | The response **does not** address the qualitative requirement**or**The evaluation panel is **not confident** that the Respondent:* Understands the Request requirements covered by this qualitative requirement; and / or
* Will be able to satisfactorily meet the Request requirements covered by this qualitative requirement.
 |
| **3** | The evaluation panel has **some reservations** whether the Respondent:* Understands the Request requirements covered by this qualitative requirement; and / or
* Will be able to satisfactorily complete the Request requirements covered by this qualitative requirement.

If **Minor** concern: rate higher (4). If **Major** concern: rate lower (1 or 2). |
| **5** | The evaluation panel is **reasonably confident** that the Respondent* Understands the Request requirements covered by this qualitative requirement; and / or
* Will be able to satisfactorily complete the Request requirements covered by this qualitative requirement to a **reasonable** standard.
 |
| **6** | The evaluation panel is **confident** that the Respondent* Understands the Request requirements covered by this qualitative requirement; and / or
* Will be able to satisfactorily complete the Request requirements covered by this qualitative requirement to a **reasonable** standard.
 |
| **7** | The evaluation panel is **confident** that the Respondent:* Understands the Request requirements covered by this qualitative requirement; and / or
* Will be able to satisfactorily complete the Request requirements covered by this qualitative requirement to a **good** standard.
 |
| **8** | The evaluation panel is **confident** that the Respondent:* Understands the Request requirements covered by this qualitative requirement; and / or
* Will be able to satisfactorily complete the Request requirements covered by this qualitative requirement to a **high** standard.
 |
| **9** | The evaluation panel is **confident** that the Respondent:* Understands the Request requirements covered by this qualitative requirement; and / or
* Will be able to satisfactorily complete the Request requirements covered by this qualitative requirement to a **very high** standard.
 |

[If Participation Plan is a separate qualitative requirement include the rating scale table as shown below – if not, delete it.]

The rating scale to be used to evaluate the Participation Plan qualitative requirement is shown below:

|  |  |
| --- | --- |
| **Score** | **Description** |
| **0** | The response **does not** contain sufficient information to make any assessment. |
| **1** | The evaluation panel is **not confident** that the potential supplier understands the requirements of the WAIPS. **Or**The response **does not** contain sufficient information to demonstrate how the potential supplier will achieve WAIPS requirements. |
| **3** | The response offers **minimal** benefits in relation to the WAIPS.**Or**The evaluation panel has **some reservations** as to whether the potential supplier will be able to satisfactorily meet WAIPS requirements. |
| **5** | The response offers a **reasonable or average** level of benefits in relation to the WAIPS.OrThe evaluation panel is **reasonably confident** that the potential supplier will be able to satisfactorily meet WAIPS requirements to a reasonable standard. |
| **7** | The response offers a **high or above average** level of benefits in relation to the WAIPS.**And**The evaluation panel is **confident** that the potential supplier will be able to satisfactorily meet the WAIPS requirements to a high standard. |
| **9** | The response offers a **very high** level of benefits in relation to the WAIPS.**And**The evaluation panel is **completely confident** that the potential supplier will be able to satisfactorily meet the WAIPS requirements to a very high standard. |

## Price

### Pricing Model

Respondents will be required to complete a price schedule requesting prices for each of the following components of the Procurement [e.g. for a Goods contract, supply, deliver, installation and commissioning]. Prices will be submitted on a lump sum/hourly rate/cost per item price structure.

To ensure that a fair comparison of prices can be made, estimated/actual hours, quantities will be provided in the Request document.

In comparing respondent’s prices, a whole of life cycle cost approach will be taken.

If lease vs outright purchase is an option include the following information:

Respondents will provide prices based on outright purchase and operational lease basis.

If outright purchase and lease options exist:

* + 1. Competitive prices for equipment and finance will be obtained when leasing;
		2. A comprehensive analysis of the outright purchase versus lease prices will be undertaken by financial experts as part of the evaluation process; and
		3. Financial and legal advice will be sought when entering into the lease agreement.

### Price Variations

The Contractor’s prices will be fixed/variable. [If variable explain the permitted price variations and the method in which suppliers must apply for price variations]

## Buying Rules

[Panel Arrangements and CUA Only]

Explain the buying rules.

## Request Briefing Session

A mandatory/non-mandatory request briefing will be held during the request advertisement period. The purpose of the briefing session will be to outline and clarify the basis and details of the proposed contractual framework.

## Evaluation Committee

### Evaluation Panel Members

The evaluation panel should include a range of skills and experience relevant to the nature of the purchase and include a panel member with an appropriate amount of procurement expertise. Ideally the Contract Authority’s / Customer’s Representative (contract manager) should participate as a member of the evaluation panel.

For each panel member, a role is to be identified. Some examples of roles include but are not limited to

* as voting members: chairperson, technical and/or specialist expert, procurement representative, independent member, business area expert/representative, contract manager, and
* as non-voting members: facilitator, technical and/or specialist advisor, observer, scribe.

Consideration should also be given to limiting the number of non**-**voting members on an evaluation panel.

NB: Non-public servants that are engaged to provide technical and/or specialist expertise and/or advice to the evaluation panel, their role should be designated as a ‘technical and/or specialist advisor’ and not have voting rights. Refer to the Evaluation of Offers guideline on [wa.gov.au](https://www.wa.gov.au/government/multi-step-guides/procurement-guidelines/request-development-and-contract-formation-guidelines/evaluation-of-offers-guideline).

An evaluation panel made up of the following people will evaluate responses.

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Job Title** | **Agency / Organisation** | **Role** |
| **Voting Members** |
|  |  |  | Chairperson |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
| **Non-Voting Members** |
|  |  |  | Facilitator |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

### Declaration of Interest and Confidentiality

All persons associated with the procurement process have completed a Declaration of Interest and Confidentiality form. There were no interests declared. *Or* The following interests were declared:

* [insert details].

These interests were addressed by:

* [insert details of the manner in which these interests were managed].

Any new person who becomes associated with the procurement process will be required to complete a declaration and, as applicable, declarations will be required to be made or reaffirmed, in writing, prior to the commencement of the evaluation process.

### Probity Advisor or Probity Auditor

If a probity advisor or auditor has/is to be engaged for this process, include details here, otherwise delete.

A probity advisor has been engaged for this procurement process. The probity advisor is [insert the name of the advisor and company].

Or

A probity auditor [has been or will be] engaged for this procurement process. Detail who the auditor/company is, if known, and detail whether the audit will be done at the completion of the process or at key stages. If at key stages identify the stages.

# Contract Management

## Governance

[Use for CUAs. Select Option 1 if the Contract Authority is the Finance Director General as Department CEO or Option 2 if using the Procurement Executive Body as Contract Authority.]

Option 1 –The Chief Executive Officer of the Department of Finance (Director General) or Option 2 –The Procurement Executive Body, as the Contract Authority, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the standing offers established pursuant to the request process.

Where State Agencies and other Authorised Bodies buy off the standing offers they will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the contract/s formed.

[use for Agency specific contract]

The (insert State Agency name), as the Customer, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the contract/s established pursuant to the request process.

[use for Agency specific Panel Arrangement]

The (insert State Agency name), as the Contract Authority and Customer, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the Panel Arrangement and the contracts established pursuant to the request process.

[use for Multi User Cooperative Procurement Arrangement]

The (insert State Agency name), as the Contract Authority, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the Standing Offer.

The Customers will be the State Agencies and/or Authorised Bodies identified in the Request document or subsequent variations. When Customers buy off the Standing Offer they will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the contract/s formed.

[Include any additional details that may be relevant to the governance of the cooperative procurement arrangement]

[use for Distributor Model Cooperative Procurement Arrangement]

If the Procurement is for a once off purchase (i.e. not a Standing Offer), use the following text:

The (insert State Agency name), as the Customer, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the contract/s established pursuant to the request process.

The State Agencies and/or Authorised Bodies that receive the Goods/Services through this arrangement are responsible for notifying the Customer should any issues with the Goods/Services occur.

[Include any additional details that may be relevant to the governance of the cooperative procurement arrangement, such as the management of the distribution of Goods/Services to other State agencies or Authorised Bodies.]

If the Procurement is for a Standing Offer, use the following text:

The (insert State Agency name), as the Contract Authority and Customer, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the Standing Offer and the contracts established pursuant to the request process.

The State Agencies and/or Authorised Bodies that receive the Goods/Services through this arrangement are responsible for notifying the Contract Authority should any issues with the Goods/Services occur.

[Include any additional details that may be relevant to the governance of the cooperative procurement arrangement, such as the management of the distribution of Goods/Services to other State agencies or Authorised Bodies.]

[use for Group Buy Cooperative Procurement Arrangement]

If the group buy is for a once off purchase (i.e. not a standing offer) use the following text:

Each State Agency and/or Authorised Body that establishes a contract pursuant to the request process, as the Customer, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the contract/s established pursuant to the request process.

If the group buy is for a Standing Offer use the following text:

Each State Agency and/or Authorised Body that establishes a contract pursuant to the request process, as the Contract Authority and Customer, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the Standing Offer and the contracts established pursuant to the request process.

[use for Contractual Arrangement Established by Another]

[Adjust text as required]The (Authorised Body name), as the Contract Authority, will retain the rights and responsibilities for risk management, performance management, dispute resolution, extensions, variations, reviews and termination issues relating to the arrangement.

When State Agencies and/or Authorised Bodies buy off the arrangement they will [detail rights and responsibilities according to the arrangement].

[Include any additional details that may be relevant to the governance of the cooperative procurement arrangement]

## Contract Management Plan

(State Agency name) will develop a contract management plan in accordance with the requirements of Procurement Rule E1.

Or

An exemption will be/has been sought from developing a contract management plan as per the requirements of Procurement Rule E1.

## Contract Manager

### Contract Manager

The proposed contract manager for the contract will be:*[If the contract is to be managed by a team, the person identified here should be the person leading the team and who has the responsibility for the management of the contract and the team]*

Name:

Position Title:

### Contract Management Team[Delete if no contract management team]

The contract will be managed by a team and the team leader is identified above. The contract management team will also be comprise of the following members:

|  |  |  |
| --- | --- | --- |
| Name | Position | Role and Responsibilities |
|  |  |  |
|  |  |  |
|  |  |  |

### Contract Handover

The contract manager [or, edit as required]The contract management team member, [insert name], will be involved in the procurement process and as such, will collect and collate all the appropriate information and documentation to ensure the contract can be managed efficiently and effectively.

A contract handover will not be required.

or

The contract manager or a contract management team member*[delete team member part if no team]* will not be involved in the procurement process.

A contract handover will be required to collect and collate all the appropriate information and documentation to ensure the contract can be managed efficiently and effectively.

This will occur as follows:

* + [Detail how the contract handover will occur to ensure the contract manager and/or team will have all the appropriate information and documentation to ensure the contract can be managed efficiently and effectively]

## Performance Requirements

[Supplier Performance Management requirements should be considered.]

The proposed contract management performance requirements for the contract are:

1. Key Performance Indicators

The criteria that will be used to measure the performance of the contractor are as follows:

Detail KPI’s to be included to monitor performance and to ensure outcomes are achieved.

If KPI’s are not being specified provide details about how contractor performance will be measured.

1. Reporting

The contractor/s will be required to provide (State Agency name) with the following reports:

List proposed reporting requirements e.g. the type and frequency of reports required.

* Include details regarding Participation Plan or Participation Plan Exemption (CUA/Panel Arrangement or WAIPS Contracts) reporting as required under the WAIPS – see sections 5.1.2.1 d) and 8.8.
* Include details where relevant of any proposed reporting requirements related to the WA Buy Local Policy 2022. Where a contract has a regional contract delivery point and regional price preferences may impact on contract award, detail the proposed reporting requirements that will be used to monitor contractor compliance with any regional content commitments. If a State Agency has an implementation agreement with JTSI, their Buy Local reporting requirements should be identified in the agreement.
* Include details regarding Aboriginal participation reporting via Tenders WA as required under the Aboriginal Procurement Policy. At a minimum, Suppliers will be required to report annually on the Employment of Aboriginal Persons Outcomes requirement and at the expiry of the Contract Term for the Aboriginal Business / ACCO Subcontracting Outcomes requirement. Determine whether additional reporting is required and ensure it is identified in the Request. See sections 5.1.1 and 8.9.
* Include details of any reporting requirements for identified Western Australian Social Procurement Framework Community Objectives and Outcomes.
* Expand on CUA reporting requirements if relevant.
1. Meetings

The proposed meeting requirements to be included are as follows:

List proposed meeting requirements e.g. type and frequency of meetings required.

## **Transition**

Detail any contract start up issues and/or any transition in and out issues. Provide details of the proposed strategy for managing these issues.

## Contract Review

Formal reviews of the contract will be undertaken by the contract manager prior to contract extension and expiry to ensure outcomes are being achieved and value for money claims are validated.

## Risk Management

Identified risks (refer Appendix A – Risk Register) and any new risks that arise during the contract will be actively reviewed and managed, and where required, after contract expiration (e.g. extended professional indemnity insurance requirements).

## Western Australian Industry Participation Strategy (WAIPS) Management and Reporting

Procedures, as applicable, will be put in place to:

1. actively monitor and manage the ongoing requirements, commitments and obligations, as detailed in the Participation Plan submitted by the contractor, to maximise industry participation and development; and
2. obtain Participation Plan or Participation Plan Exemption reports from the contractor/s, as outlined at 8.4 b) above, for the provision of data to the Minister for Jobs.

## Aboriginal Participation Requirements and Reporting

[Include if Aboriginal Participation Reporting is required. Refer to the [Aboriginal Procurement Policy Agency Practice Guide](https://www.wa.gov.au/government/publications/aboriginal-procurement-policy-agency-practice-guide) for further guidance.]Procedures, as applicable, will be put in place to:

1. actively monitor the ongoing requirements, commitments and obligations, as detailed in the Offer submitted by the contractor, to meet the Aboriginal participation requirements;
2. ensure the contract manager details in Tenders WA are kept up to date so that the Tenders WA notifications are sent to the current contract manager; and
3. actively monitor the entry of the participation reports into Tenders WA by the contractor, as required and outlined at 8.4 b) above.

## [Customer/Client] Reference Group

[CUA only]

The contract manager may establish forums to regularly discuss contract issues and ensure that high levels of supplier performance and customer satisfaction are maintained. This may be achieved through establishing a Customer/Client Reference Group (CRG) consisting of representatives from Finance and key stakeholder public authorities.

Where applicable the contract manager will ensure that the reference group is kept aware of the status of this contract by effective control of due processes such as performance, disputes strategy and change management.

## Promotion and Marketing

[CUA only]

Promotion and marketing is critical to the implementation and continued success of this contract. Finance will employ several strategies in order to promote the contract. These may include:

* Launch of the contract with appropriate media communications;
* Briefings to State Agencies, both following contract award and subsequent needs, to inform buyers about the contract and provide tips for ‘smarter buying’;
* Development of brochures for State Agency distribution;
* Maintenance of regular communications with key contact personnel to provide advice about contract changes; and
* Development of a Buyer’s Guide to support the contract.

In addition, whole of government publications that have a wide audience base will be evaluated as tools for raising awareness about the new contract.

## Buyers Guide

[Panel Arrangements and CUA only]

A Buyers Guide will define the buying rules and processes buyers are required to follow to procure under the Panel Arrangement/CUA. A summary of the contact details for each supplier will be included in the Buyers Guide for this Panel Arrangement/CUA.

## Applications From New Suppliers

[Panel Arrangements and CUA only]

Describe the approach that will be taken when non-contracted suppliers apply to join the Panel or CUA.

## Adding/Removing Goods

[Panel Arrangements and CUA only]Describe the approach that will be taken when Goods are to be added and/or removed from the Panel Arrangement or CUA.

# Appendix A – Risk Register

*[Insert a risk register here.*

*There is no single risk register or table that must be used in this section. The Risk Register provided in the Department of Finance ‘Risk Workbook’ template can be used, or any other risk register, table or other means of documenting risk.*

*As a minimum, this appendix should describe the risks identified, along with their ratings and treatment strategies. ]*

*The Appendix title can be edited as appropriate.]*