

---

## Tender Evaluation Policy

**Policy Number:** POL17/76 • **Adopted:** 25/08/2009 • **Effective:** 7/10/2009 • **Reaffirmed:** 23/04/2013 • **Amended:** 26/09/2019 • **Minute Number:** MIN09.1151, MIN13.392 • **File:** 5701E • **Produced By:** Assets and Works Group • **Review Date:** 26/09/2022

### 1. PURPOSE

The purpose of this policy is to provide a Tender evaluation process that ensures Council receives the best value for money for each Tender by selecting the most advantageous Tender in a consistent and transparent manner that meets legislative requirements and maintains a high level of probity and governance.

### 2. STATEMENT & DEFINITIONS

- a) This Policy covers all Tenders prepared and evaluated by staff and appointed external persons/bodies for Shoalhaven City Council.
- b) This Policy shall be read in conjunction with Council's Tender Evaluation Guidelines.
- c) Definitions:
  - Tender means a Tender required under Clause 55 of the Local Government Act (1993) or other Tender as determined by Council
  - Project Manager is the person responsible for the delivery of the project or service that is the subject of the Tender.

### 3. REFERENCES & ASSOCIATED DOCUMENTS

- Local Government Act 1993.
- Local Government (General) Regulation 2005.
- Shoalhaven City Council Tender Evaluation Guidelines CS/032.
- NSW Department of Local Government Tendering Guidelines for NSW Local Government 2010/2009.
- Code of Conduct.
- Statement of Business Ethics.
- Procurement Policy
- Procurement Procedures
- Local Preference Policy
- Acceptance of Tenders Policy

#### **4. PROVISION**

- a) A Tender/EOI/Quotation Registration Form is to be completed by the relevant Council officer with appropriate purchase order authorisation for the estimated value of the tender including any contingency.
- b) The relevant Section Manager shall ensure a suitable experienced Project Manager is appointed for each Tender to be called.
- c) The Project Manager shall prepare a Tender Evaluation Plan (based on an approved template, which includes evaluation criteria and weightings) before calling Tenders for the project or service.
- d) Authorisation of the Tender Evaluation Plan (and thus the Tender Panel) by the relevant Section Manager, will constitute authorisation for the calling of tenders to proceed.
- e) Evaluation criteria shall be included in the Tender Documents for prospective tenderers to see. Weightings to be included at the discretion of the Project Manager.
- f) Tenders shall be evaluated by the Panel against the evaluation criteria established in the Tender Evaluation Plan.
- g) A Tender Evaluation Report shall be prepared by the Project Manager and the completed Tender Evaluation Report shall remain confidential.
- h) The Tender Evaluation Report shall be attached to the appropriate report for approval, as per Councils delegation to either the:
  - a. Council
  - b. Strategy & Assets Committee under delegated authority to determine and accept all tenders with a value of \$1M (including GST) or more, except those tenders required by law to be determined by full Council
  - c. CEO under delegated authority to determine and accept any tenders with a value less than \$1M (including GST) except those tenders required by law to be determined by full Council; and
  - d. CEO under delegated authority to determine and accept any tenders initiated by the Illawarra (Pilot) Joint Organisation (IPJO) on behalf of all or a majority of member councils.
- i) Council staff or Councillors will not disclose any information regarding the specific details of a tender evaluation process, including a recommendation of the Tender Evaluation Report before the outcome of the Tender has been determined by a resolution of Council or by the Chief Executive Officer under delegation.

#### **5. IMPLEMENTATION**

This Policy shall have application for all Groups managing Tenders and for all Tenders.

#### **6. REVIEW**

This policy will be reviewed not less than three (3) years from the date of issue by Group Directors of Assets & Works, Shoalhaven Water and Finance, Corporate & Community Services, or their respective representatives.

## **7. APPLICATION OF ESD PRINCIPLES**

The Policy provides that the principles of ESD are considered in the Tender Evaluation Process.