DELEGATION OF AUTHORITY

INVITING, REJECTING AND ACCEPTING EXPRESSIONS OF INTERESTS AND TENDERS

Function to be performed:	Authority to: 1. Publicly invite tenders or seek Expressions of Interest for purchase of goods and services. 2. Consider Expressions of Interest which have not been rejected and determine those capable of satisfactorily supplying the goods and services. 3. Determine the requirement to invite a tender though not required to do so. 4. Determine in writing, the selection criteria for deciding which tender should be accepted. 5. Accept, or decline to accept any tender. 6. Determine minor variations before entering into a contract.
Delegator:	Council of the City of Mandurah
Delegate:	Chief Executive Officer
Sub-delegation to:	Deputy Chief Executive Officer Director Sustainable Communities Director Works and Services Director Corporate Services Manager Governance Services
Express Power to Delegate/Sub-Delegate:	*Local Government Act 1995:* s.5.42 Delegation of some powers and duties to CEO s.5.44 CEO may delegate powers and duties to employees
Express Power or Duty Delegated:	*Local Government Act 1995:* s.3.57 Tenders for providing goods and services Part 4 of the *Local Government (Functions and General) Regulations 1996:* Regulation 11 When tenders have to be publicly invited Regulation 13 Requirements when local government invites tenders though not required to do so Regulation 14 Publicly inviting tenders, requirements for Regulation 18 Rejecting and accepting tenders Regulation 20 Variation of requirements before entry into contract Regulation 21 Limiting who can tender, procedure for

	Regulation 23 Rejecting and accepting expressions of interest to be an acceptable tenderer
Conditions and Exceptions:	Refer to Table A
Duration of delegation:	Until next annual review
Origin of Delegation:	Minute G.33/1/08, 29 January 2008
Delegation last reviewed:	Minute G.20/3/20, 24 March 2020
Sub-delegation last amended	28 July 2019

TABLE A

Function to be performed	Express Power/Duty Delegated	Conditions	Sub-delegation
Publicly invite tenders and seek Expressions of Interest for purchase for purchase of goods and services	Regulation 11(1), 11(2), 21	A determination to call a tender must only occur where the procurement is included in Council's annual budget and/or in the case where the procurement commits to future years, the expenditure must be included in the Long Term Financial Plan or separately approved by Council.	Director Corporate Services Manager Governance Services
Consider Expressions of Interest which have not been rejected and determine those capable of satisfactorily supplying the goods and services.	Regulation 23(3)	No separate condition applies.	Nil. Remains with the CEO
Determine the requirement to invite a tender though not required to do so	Regulation 13	No separate condition applies.	Director Corporate Services Manager Governance Services
Determine in writing, the selection criteria for deciding which tender should be accepted	Regulation 14 (2a)	No separate condition applies.	Deputy CEO Director Sustainable Communities Director Works and Services Director Corporate Services
Accept, or decline to accept any tender	Regulation 18(4) , 18 (5)	The CEO is delegated to accept or decline to accept any tenders where the consideration is, or is expected to be $3,000,000 (GST exclusive) or up to 1 October 2020. The CEO is delegated to accept or decline to accept any tenders where the consideration under the contract is, or is expected to be $500,000 (GST exclusive) or less from 2 October 2020.	Nil. Remains with the CEO
Determine minor variations before entering into a contract.	Regulation 20(1)	Minor variations before entering into a contract be carried out in accordance with Council's Procurement Policy.	Director Corporate Services Manager Governance Services

The below requirements apply to all of the functions to be performed under this Delegation:
- *Local Government Act 1995;*
- *Local Government (Functions and General) Regulations 1996; and*
- City of Mandurah's Procurement Policy and relevant Procedures.