

In general, an arrangement of this nature will only be approved for a maximum period of one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to genuinely evidence that only one potential supplier still exists.

For any sole source arrangements with an anticipated contract term of more than one year, a report must be obtained from an independent source justifying such an arrangement.

8. Emergency Purchases

An emergency purchase is defined as the supply of goods, services or works associated with:

(a) a local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; or

(b) a local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s6.8 of the Act and r11(2)(a) of the Regulations; or

(c) a State of Emergency declared under the Emergency Management Act 2005 and therefore r11(2)(aa), r11(2)(ja) and r11(3) of the Regulations apply to vary the application of this Policy.

Time constraints are not a justification for an emergency purchase. Every effort must be made to anticipate purchases in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes and tenders, whichever may apply.

Emergency purchases outside of the Shire's annual budgeted amount must be approved by the Shire President in line with the requirements of the Act and reported to Council at the next Ordinary Council Meeting.

Emergency purchases to be made from existing annual budget allocations must be approved in advance by a Shire officer with appropriate delegated authority.

9. Expressions of Interest

The Shire may consider conducting an Expression of Interest (EOI) process as a prerequisite to a public tender process where the required supply evidences one or more of the following criteria:

- (a) the Shire is unable to sufficiently scope or specify the full requirement;
- (b) there is significant variability into how the requirement may be met;
- (c) there is potential for suppliers to offer unique solutions and/or multiple options for how the requirement may be obtained, specified, created or delivered;
- (d) it is subject to a creative element; or
- (e) there are a significant number of potential tenderers, for which an EOI process would allow for shortlisting based on non-price assessment.

All EOI processes are to be conducted in line with the Regulations and Shire procedures and guidelines, and shall be based upon qualitative and other non-price information only.

10. Sustainable Procurement

The Shire is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancements, environmental protection and local economic benefits).

The Shire will apply Sustainable Procurement criteria as part of the value for money assessment to ensure that wherever possible, suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.

