



## **OPEN AND EFFECTIVE COMPETITION**

Applying open and effective competition provides suppliers with fair and equitable access to government supply opportunities, while maintaining the transparency and integrity of government procurement.

### **Procurement Methods**

The following table sets out the minimum requirements that a public authority must use to procure goods and services, unless using a common use arrangement or a specific exemption is approved.

<b>Monetary Threshold<sup>1</sup></b>	<b>Minimum Requirements</b>
Up to \$50,000	Public authorities may determine the most appropriate procurement method including direct sourcing, or verbal or written quotations based on assessment of the nature of the market, complexity and risk, and process efficiency. Appropriate documentation of decisions must be retained.
\$50,000 up to \$250,000	Request quotations in writing. Offers must be received in writing.
\$250,000 and above	Open tender through a public advertisement.

The table above sets out the minimum requirements only. A public authority should also consider the nature of the market, complexity and risk, process efficiency or any other relevant factors when selecting the procurement method.

### **Exemptions from Minimum Requirements**

A public authority is not required to comply with the minimum requirements in the table above if:

- the Accountable Authority or delegate considers that circumstances exist which support the minimum requirements not applying; or
- an emergency situation arises; and
- justification for the decision is documented.

Circumstances where the minimum requirements may not apply include, but are not limited to, the following:

t



where direct negotiations or the preferred service provider provisions of the Delivering Community Services in Partnership Policy (DCSP Policy) are applied.

Where the total estimated value of the proposed procurement exceeds the covered procurement<sup>2</sup> threshold under any of the Free Trade Agreements (FTAs) held by the Australian Government, the grounds for exemption from the open tender process, outlined above, may not be applicable. This is due to the requirements of selective and limited tendering processes included in the government procurement chapters of the FTAs.

A partially exempt public authority must obtain advice, in accordance with its partial exemption, from the Department of Finance prior to proceeding with an exemption from the minimum requirements, particularly where the estimated value exceeds the covered procurement threshold under any of the FTAs held by the Australian Government.

### **Purchasing from an Australian Disability Enterprise or an Aboriginal business**

Where there is an opportunity to procure from:

a business that primarily exists to provide the services of persons with a disability and that business is a registered Australian Disability Enterprise<sup>3</sup>;





## **SUPPLY POLICY**

---

A public authority is not required to comply with this requirement if the Accountable Authority considers the release of those contract details presents a significant operational risk, such as the potential to compromise security.

### **Application to Procurements Pursuant to the Market-led Proposals Policy**

*Justifications for Exclusive Negotiations Characteristics are Met*

When procuring pursuant to the Market-Led Proposals policy<sup>11</sup> and Justification for