



**Government  
of South Australia**

State Procurement  
Board

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**State Procurement Board Assurance Program**  
**Document 1: Mandated Requirements in Board Policies and Guidelines**

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Principal Contact	State Procurement Board
Telephone	8226 5001



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## 1. Introduction

This document lists all mandated requirements contained in the State Procurement Board (Board) policies and guidelines. Public authorities are required to comply with ALL these requirements and to be able to demonstrate that they have complied in their procurement activities. Each mandated requirement has a unique reference number and has been grouped into the following three components:

- Simple Procurement (\$33,000 to \$550,000)
- Major Procurement (>\$550,000)
- General Requirements

The list of relevant Policies and Guidelines and the number of mandated requirements are:

Ref Code	Policy Document	Version	Number of Mandated requirements
SP	Simple Procurement Policy (<\$550,000)	V 6.2 January 2018	15
	<b>Simple Procurement - total</b>		<b>15</b>
AP	Acquisition Planning Policy	V 10.3 March 2018	18
PC	Panel Contracts Guideline	V 5.1 September 2017	4
IO	International Obligations Policy (>\$614,000)	V 4.3 March 2018	2
SU	Sustainable Procurement Guideline	V 2.2 April 2017	1
MC	Market Approaches and Contracts Guideline	V 2.3 March 2018	3
SS	Supplier Selection Policy	V 3.1 September 2017	17
CM	Contract Management Policy	V 6.0 July 2017	6
	<b>Major Procurement &gt; \$550,000 - total</b>		<b>51</b>
CR	Contract Register Policy	V 2.2 March 2018	4
EP	Probity and Ethical Procurement Guideline	V 1.3 September 2016	3
ES	Emergency Situation Procurement Policy	V 3.1 September 2016	1
PG	Procurement Authority and Governance Policy	V 2.0 July 2018	2
SC	Supplier Complaints Policy	V 3.1 September 2016	4
DP	Disposal Guideline	V 3.3 December 2017	2
PD	PC Circular 027 – Disclosure of Government Contracts	December 2005	4
	<b>General Requirements - total</b>		<b>20</b>
	State Procurement Board requirements		73
	Industry Participation Policy requirements		9
	Other Government Policies (PC Circular 027)		4
	<b>Grand Total</b>		<b>86</b>

This list will be updated as Board policies or guidelines are changed.

To assist the Lead Reviewer in executing their Assurance Reviews (refer to the *State Procurement Board Assurance Program Guideline*), Appendix A provides guidance on a recommended test approach. It is expected that a Lead Reviewer will always apply appropriate professional judgement and adapt their approach to the particular circumstances of the public authority being reviewed.

## 2. Simple Procurement (\$33,000 to \$550,000)

The following mandated requirements are identified in the Simple Procurement Policy.

### Simple Procurement Policy

#### General Requirements

SP1	Approvals: Where the procurement value exceeds the procurement authority of the public authority, the Simple Acquisition Plan <b>must</b> be submitted to the Board for approval, except when using Across-Government or Lead Agency contracts. (Page 9)
SP2	Public authorities <b>must</b> have in place controls to ensure the number of limited supplier procurements are minimised. This may include additional approval or review requirements, for example, through the central procurement unit, or the use of a restricted number of delegates. (Page 13)
SP3	Managing Conflicts of Interest: Any actual, potential or perceived conflict of interest that has the potential to unfairly affect or influence the proper outcome of a decision or process, <b>must</b> be identified and managed in accordance with the Code of Ethics for the South Australian Public Sector. (Page 9)
SP4	Debriefing Unsuccessful Suppliers: Unsuccessful suppliers <b>must</b> be offered the opportunity to receive feedback on their quote. (Page 10)
SP5	Limiting the Number of Suppliers: The justification for limiting the number of suppliers <b>must</b> be outlined in the relevant Simple Acquisition Plan or Simple Procurement Report and approved by the appropriate delegate who needs to ensure that limiting the number of suppliers is not due to avoiding competition and that the integrity of the procurement process is maintained. (Page 13)

#### Process Requirements: \$33,001 - \$550,000

SP6	Risk Management: Project risks <b>must</b> be documented and a risk assessment undertaken to determine the default liability cap. (Pages 6 and 11)
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#### Process Requirements: \$33,001 - \$220,000

SP7	A Simple Acquisition Plan template and subsequent Simple Purchase Recommendation template or Simple Procurement Report template <b>must</b> be used and approved by the appropriate delegate. (Page 11)
SP8	A minimum of three written quotes <b>must</b> be sought, with at least one quote from a South Australian supplier (or a supplier based in the region in the case of regional procurement) where possible. (Pages 10-11)
SP9	Public authorities <b>must</b> request that suppliers complete a metropolitan or regional Economic Contribution Test (ECT). The ECT is used to differentiate bids that represent good value and that meet the needs of Government. (Pages 11-12)

## Process Requirements: \$220,001 - \$550,000

SP10	A minimum of five written quotes <b>must</b> be sought, with at least one quote from a South Australian supplier (or a supplier based in the region in the case of regional procurement) where possible. (Pages 10-11)
SP11	A Simple Acquisition Plan template and subsequent Simple Purchase Recommendation template <b>must</b> be used and approved by the appropriate delegate. A Simple Procurement Report template cannot be used in lieu of the separate documents. (Page 9 and 11)
SP12	Public authorities <b>must</b> request that suppliers complete a metropolitan or regional Economic Contribution Test (ECT). The ECT is used to differentiate bids that represent good value and that meet the needs of Government. (Pages 11-12)

## Not for Profit Procurement Specific Requirements

SP13	Not-for-profit procurements longer than two years <b>must</b> establish contractual agreements of three years plus three years plus three years (3+3+3) where appropriate on a case-by-case basis. (Page 7)
SP14	Where there is funding certainty, a minimum of six months' notice <b>must</b> be provided to not-for-profit organisations regarding whether long term contracts are to be renewed. (Page 10)
SP15	Limiting the number of suppliers in the not-for-profit sector: In some instances, to ensure service continuity, public authorities may need to retain an existing supplier without openly approaching the market. In these situations, public authorities <b>must</b> assess and document in writing that the supplier is: <ul style="list-style-type: none"><li>• meeting a continual need</li><li>• meeting the agreed service specifications, quality standards and contractual requirements</li><li>• operating efficiently and effectively</li><li>• actively engaged in continuously improving services to provide the best possible service to the community. (Pages 12-13)</li></ul>

### 3. Major Procurement (>\$550,000)

The following mandated requirements are identified in the Board's policy framework.

#### Acquisition Planning Policy

##### General Requirements

AP1	Public authorities <b>must</b> allocate appropriate resources for the procurement process (facilities, information technology, personnel, contractors etc.) to ensure that procurement objectives are achieved and risks managed. It is important that procurement practitioners from the public authority's central procurement area are consulted for the procurement process. (Page 6)
AP2	Acquisition Plans <b>must</b> be prepared for procurements valued above \$550,000 by addressing the requirements in the Acquisition Planning template. (Page 9) Public authorities <b>must</b> adopt the acquisition planning template (including headings and detailed requirements) but can add extra details under the relevant heading, as long as these do not contradict other Board policies and guidelines or other aspects of the template. (Page 9)
AP3	For procurements considered high in risk and/or valued greater than \$4.4 million, a Procurement Risk Management Plan <b>must</b> be prepared and attached to the Acquisition Plan. (Page 9)
AP4	Public authorities are required to undertake a risk assessment for all procurements to determine the appropriate risk treatment to be applied. Low to medium risk procurements that use the Standard Goods and Services Contract are to include a default liability limit selected at between one and five times the total value of the contract, as determined by the risk of the procurement (Global Liability Cap). (Page 12)
AP5	For all procurements greater than \$4.4 million, public authorities <b>must</b> use the Supply Positioning and Supplier Preferencing market analysis models outlined in the <i>Market Analysis Guideline</i> to assist with the development of an appropriate acquisition strategy. (Page 9)
AP6	Acquisition plans <b>must</b> be approved by the public authority principal officer (or delegate) prior to approaching the market. (Page 15)
AP7	Where the procurement value exceeds the procurement authority of the public authority, Acquisition Plans <b>must</b> be submitted to the Board for approval, except when using Across-Government or Lead Agency contracts as discussed in the Panel Contract Guideline. (Page 15)
AP8	As a general rule, funding approval <b>must</b> be obtained before procurement approval is sought and obtained. However, in cases where funding approval cannot be obtained prior to the acquisition planning stage, approval of the Acquisition Plan by the delegate or Board will be conditional on obtaining the required funding approval before the market approach is undertaken. This applies to both one stage and two stage market approaches. (Page 15)
AP9	Single supplier sourcing strategies <b>must</b> only be made in extenuating circumstances in accordance with the 'Reasons for Limiting the Number of Suppliers'. It is important that the single supplier sourcing strategy is not chosen to avoid competition and that the integrity of the procurement process is maintained. (Page 15)

	Acquisition plans that involve a single supplier market approach, within the limits of the public authority's procurement authority, <b>must</b> be approved by the principal officer. Where the procurement value exceeds this limit, it <b>must</b> be endorsed by the principal officer before being sent to the Board for consideration. In both situations, this endorsement by the principal officer cannot be delegated. (Page 16)
AP10	The acquisition plan approver is responsible for approving the purchase recommendation; however, this authority may be delegated at the time of approving the acquisition plan. The acquisition plan <b>must</b> clearly identify who will approve the purchase recommendation. (Page 16)

### Industry Participation Policy Requirements

AP11	For procurements over \$220,000 and under \$4 million (\$1 million in Regional SA), public authorities <b>must</b> ensure that a metropolitan or regional ECT is completed and that a minimum weighting of 15% is applied as a component of the overall evaluation criteria. (Page 11)
AP12	For procurements equal to or greater than \$4 million (\$1 million in Regional SA) but less than \$50 million, public authorities <b>must</b> ensure that a metropolitan or regional Standard IPP Plan is completed and that a minimum weighting of 15% is applied as a component of the overall evaluation criteria. (Page 11)
AP13	For procurements of \$50 million and over, public authorities <b>must</b> ensure that a Tailored IPP Plan is completed and that a minimum weighting of 15% is applied as a component of the overall evaluation criteria. (Page 11)
AP14	For panel contracts less than \$4 million (\$1 million in Regional SA) public authorities <b>must</b> ensure that an ECT is completed for competitive secondary procurement processes above \$33,000 unless otherwise exempted by the Department of Industry and Skills (DIS). (Page 11)  For panel contracts equal to or greater than \$4 million (\$1 million in Regional SA), DIS will assist public authorities to determine the most appropriate industry participation requirement. Where a panel is established and there is no tailored IPP Plan, the ECT and IPP plans will apply to the individual purchases made off the panel when above the relevant value. (Page 11)

### Insurance

AP15	Where professional services are being contracted, the Consultant <b>must</b> effect and maintain Professional Indemnity insurance during the Agreement at the minimum level of cover required in the ordinary course of the Consultant's business and such cover <b>must</b> continue for three years after the expiry of the Agreement. (Page 13)
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### Not for Profit Procurement Specific Requirements

AP16	Public authorities <b>must</b> establish contractual agreements of three years plus three years plus three years (3 + 3 + 3) for all NFP procurements longer than two years where appropriate (i.e. where risk is low and there are no linked funding arrangements with the Commonwealth Government). (Page 8)
AP17	Where there is funding certainty, a minimum of six months' notice <b>must</b> be provided to not-for-profit organisations regarding whether long term contracts are to be renewed. (Page 10)

AP18	<p>In some instances, to ensure service continuity, public authorities may need to retain an existing supplier without openly approaching the market. In these situations, public authorities <b>must</b> assess and document in writing that the supplier is:</p> <ul style="list-style-type: none"><li>• meeting a continuing need</li><li>• meeting the agreed service specifications, quality standards and contractual requirements</li><li>• operating efficiently and effectively</li><li>• actively engaged in continuously improving services to provide the best possible service to the community. (Page 14)</li></ul>
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## Panel Contracts Guideline

PC1	<p>The rules for selecting suppliers from the panel contract and for replacing or removing suppliers <b>must</b> be clearly documented in the acquisition plan. All panel contracts <b>must</b> provide a right to remove panel members or goods/services as circumstances arise (e.g. insolvency, failure to meet performance requirements). (Pages 6-7)</p>
PC2	<p>A panel contract <b>must</b> clearly specify the parties to the contract and whether these parties are required to utilise the panel on a mandatory or optional basis. This may be for example, the whole of government (including statutory authorities), all public authorities subject to the Act, specific public authorities, or a panel contract established by a public authority for its exclusive use. Coverage could also include non-government organisations subject to approval by the authorising authority. The intentions of the panel contract need to be clear and unambiguous. (Page 9)</p>
PC3	<p>The decision to mandate the use of a panel contract <b>must</b> be made by the appropriate authority. This may be Cabinet, the Board or the principle officer of the public authority. (Page 9)</p>
PC4	<p>Procurements undertaken through a secondary procurement process (as outlined in the panel contract) <b>must</b> be approved through the public authority's normal approval processes. Where the value of the procurement exceeds the public authority's procurement authority, the principal officer can approve the procurement without reference to the Board (unless not allowed for in the panel contract). (Page 10)</p>

## International Obligations Policy (>\$657,000)

IO1	<p>Procurement Thresholds: The Government Procurement chapter requirements apply to covered procurements where the value of the procurement (including GST) exceeds a monetary threshold. The thresholds for all of Australia's bilateral free trade agreements are for procurement of goods and services: A\$657,000. The current threshold values are as at 1 January 2018. (Pages 5-6)</p> <p>Prospective suppliers in the United States, Chile, Korea, Japan and Singapore <b>must</b> be able to access tender advertisements and opportunities. The tender notices <b>must</b> be published in electronic or paper media that are widely disseminated and remain readily accessible to the public for the entire period for responding to the tender. In order to meet this requirement, all procurement</p>
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	activities are to be advertised on the Tenders SA website <a href="http://www.tenders.sa.gov.au">www.tenders.sa.gov.au</a> (at a minimum) to allow international suppliers access to tender opportunities. (Page 6)
IO2	<p>Tender Call Periods: Under the AUSFTA, ACIFTA, KAFTA and JAEPA, the default minimum period between the advertising of a tender and the closing date is 30 calendar days. Under the SAFTA, the default minimum period between the advertising of a tender and the closing date is 40 calendar days.</p> <p>For all FTAs, this period can be reduced to 25 days, where:</p> <ul style="list-style-type: none"> <li>• the tender is advertised on SA Tenders and Contracts;</li> <li>• the tender documentation is made available electronically from the date of advertisement of the tender; and</li> <li>• tender responses can be submitted electronically.</li> </ul> <p>Consistent across all GP Chapters, the time period for tendering may be reduced to not less than 10 days, where specific limited conditions exist (refer to the Government Procurement Chapter of each FTA). (Page 7)</p>

## Sustainable Procurement Guideline

SU1	Public authorities <b>must</b> undertake a sustainability impact assessment for all procurements valued at or above \$4.4 million and significant procurements below \$4.4 million (as determined by the public authority) during the acquisition planning phase. (Pages 4-5)
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## Market Approaches and Contracts Guideline

MC1	<p>Part A, B, C and D of the standard market approach and contract documentation <b>must</b> be adopted for all procurements valued at greater than \$550,000.</p> <p>Part A – Procurement Process Guidelines (ITS) and Part A EOI Process Guidelines (EOI) detail the instructions to potential suppliers and the rules that govern the way that invitations will be conducted and <b>must</b> be used for all procurements, except where fit-for-purpose invitation or contract terms and conditions are appropriate. (Pages 7-8)</p>
MC2	Public authorities <b>must</b> use the Standard Goods and Services Agreement for all low to medium risk, non-complex (i.e. standard) goods and services government procurements, including procurements of consultancy services and for panel contracts. (Pages 9-10)
MC3	The <i>Standard Goods and Services Agreement</i> terms and conditions are not to be amended unless there is a compelling reason. Legal advice <b>must</b> be sought from the Crown Solicitors Office prior to changing the terms and conditions. (Page 10)

## Supplier Selection Policy

### Process Requirements – Developing the Evaluation Plan

SS1	Public authorities <b>must</b> ensure that an evaluation plan is developed and approved prior to the opening of offers. (Page 5)
SS2	Public authorities <b>must</b> ensure that an appropriate probity and risk management framework is developed to safeguard the integrity of the selection process. (Page 7)

SS3	Public authorities <b>must</b> ensure that the evaluation criteria are released to the market and that mandatory criteria are outlined clearly in the market approach documentation.
SS4	<p>Public authorities <b>must</b> ensure that the South Australian Industry Participation Policy (IPP) requirements are applied.</p> <p>All procurements will consider opportunities for small businesses and start-up businesses operating in South Australia with a view to involving these businesses in the opportunity through provision of a quote or tender.</p> <p><u>Procurements up to \$4 million (\$1 million in Regional SA) require ECT completion and a minimum weighting of 15% applied as a component of the overall evaluation criteria.</u></p> <p><u>Procurements equal to or greater than \$4 million (\$1 million in Regional SA) but less than \$50 million</u> require a Standard Metropolitan or Regional IPP Plan completion and a minimum weighting of 15% applied as a component of the overall evaluation criteria.</p> <p><u>Procurements of \$50 million and over</u> require tailored IPP Plan completion and a minimum weighting of 15% applied as a component of the overall evaluation criteria.</p>
SS5	<p>South Australian Industry Participation Policy – Panel Contracts IPP applies to panel contracts.</p> <p><u>Panel contracts less than \$4 million (\$1 million in Regional SA)</u></p> <ul style="list-style-type: none"> <li>• Either a Tailored ECT or IPP Plan is required, or the IPP thresholds apply to secondary procurements from the panel. Contact DIS, to determine the most appropriate industry participation requirement on a case by case basis.</li> <li>• If Tailored ECT/IPP Plan is completed, a minimum weighting of 15% is applied as a component of the overall evaluation criteria.</li> </ul> <p><u>Panel contracts equal to or greater than \$4 million (\$1 million in Regional SA)</u></p> <ul style="list-style-type: none"> <li>• Either a Tailored IPP Plan is required, or the IPP thresholds and weightings apply to secondary procurements from the panel. Contact DIS to determine the most appropriate industry participation requirement on a case by case basis.</li> <li>• If Tailored IPP Plan is completed, a minimum weighting of 15% is applied as a component of the overall evaluation criteria.</li> </ul> <p><u>For panel contracts with a limited number of suppliers and expected value above \$50 million over the life of the panel</u></p> <ul style="list-style-type: none"> <li>• Either a Tailored IPP Plan is required, or the IPP thresholds and weightings apply to secondary procurements from the panel. Contact DIS to determine the most appropriate industry participation requirement on a case by case basis.</li> <li>• If Tailored IPP Plan is completed, a minimum weighting of 15% is applied as a component of the overall evaluation criteria.</li> </ul>

### Process Requirements – Distribution and Receipt of Offers

SS6	Public authorities <b>must</b> be respectful of the time and cost to suppliers to prepare and submit offers and not withdraw or terminate any procurement process after seeking offers, except under very rare and unpredictable circumstances. (Pages 9-10)
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SS7	The process of receiving, receipting, opening and registering offers <b>must</b> be secure and ensure confidentiality, whether offers are physically or electronically received. (Page 10)
SS8	Suppliers <b>must</b> be kept informed of the status of their offer throughout the evaluation process, especially if there are delays. (Page 10)
SS9	Late Offers: Public authorities <b>must</b> ensure that: <ul style="list-style-type: none"> <li>• prior to approving the admissibility of a late offer, that the reasons for accepting the late offer are satisfactory and that accepting a late offer will not compromise the integrity of the procurement process</li> <li>• appropriate management controls are in place regarding the handling of late offers</li> <li>• offers received after the designated closing time are identified as late and managed separately to offers received prior to the closing time</li> <li>• late offers are not accepted for consideration unless approved by the principal officer (or delegate). (Page 11)</li> </ul>

### Process Requirements – Selecting Preferred Supplier /s

SS10	Public authorities <b>must</b> ensure that evaluation approaches are fit for purpose and resources are allocated to the process to facilitate timely, efficient and effective decision making, consistent with the specified requirements and the procurement objectives. (Page 11)
SS11	Negotiation proceedings <b>must</b> be documented to provide a clear audit trail, with the results of any negotiation updating the selection process and scoring model (where relevant) to confirm the preferred supplier. The Board's Negotiation Plan template can be used. (Page 13)
SS12	Deviations from approved acquisition plans <b>must</b> be approved by the appropriate approving authority, except where the deviation is assessed as low level (refer level of deviation matrix).  Where an acquisition plan can only be approved by the Board due to its value, the public authority is to assess whether the deviation is significant enough to require consideration by the Board. If the deviation raises the acquisition plan value above the procurement authority of the public authority, the deviation <b>must</b> be approved by the Board. (Page 14)
SS13	The purchase recommendation <b>must</b> be approved prior to awarding the contract by the designated delegate in the approved acquisition plan, and documented to a level of detail commensurate with the requirement. (Page 15)
SS14	The purchase recommendation (or evaluation report) <b>must</b> be signed by all members of the evaluation team demonstrating that it is a true reflection of the selection process. (Page 17)
SS15	The supplier selection process <b>must</b> utilise life cycle costing, where appropriate, to ensure the best value goods and services are procured. (Page 20)

### Process Requirements – Debriefing

SS16	Suppliers <b>must</b> be offered a supplier debriefing at the conclusion of a procurement process, to receive feedback on their offer. (Page 17)
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## Process Requirements – Post Sourcing Review

SS17	Public authorities <b>must</b> undertake a 'post sourcing review' for procurements valued at or above \$4.4 million and for significant contracts below \$4.4 million (as determined by the public authority). (Page 17)
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## Contract Management Policy

CM1	The principal officer <b>must</b> ensure that the public authority has a contract management framework in place. (Page 5)
CM2	All contract variations <b>must</b> be approved in writing in accordance with the contract and be approved by the appropriate delegate. (Page 15)

## Process Requirements – For contracts valued at or above \$4.4 million and significant contracts below \$4.4 million (as determined by the public authority)

CM3	An adequately resourced and skilled contract manager <b>must</b> be appointed. The contract manager <b>must</b> have completed the Board's contract management training program (or similar) and undergo refresher training every three years. (Page 7)
CM4	An approved contract management plan <b>must</b> be developed, implemented and monitored (except for contracts that are of a one-off nature and have minimal management tasks). (Page 8)
CM5	An annual contract review report <b>must</b> be completed for all contracts valued at or above \$4.4 million and significant contracts below \$4.4 million (as determined by the public authority) for the consideration of the contract governance committee (where established) or senior managers. (Page 12)
CM6	A post-contract review report <b>must</b> be prepared for the appropriate senior manager (or where relevant, the governance committee). (Page 15)

## 4. General Requirements

The following mandated requirements apply to procurements regardless of value. Some apply only to particular conditions as flagged, for example only to public authorities with certain procurement authorities or 'eligible' or 'significant' contracts.

### Contract Register Policy

CR1	<p>The principal officer of the public authority <b>must</b> maintain a contract register or have systems in place to record the contract information set out in this policy. The register or systems used by public authorities <b>must</b> allow the information to be easily accessed and retrieved.</p> <p>The following contracts <b>must</b> be recorded:</p> <ul style="list-style-type: none"> <li>• goods and services contracts valued above \$33,000 and above (GST inclusive), including secondary contracts under established panel contracts</li> <li>• construction contracts valued above \$33,000 (GST inclusive) and up to \$165,000 (GST inclusive). (Page 2)</li> </ul>
CR2	<p>The following information <b>must</b> be recorded (as a minimum) for all contracts:</p> <ul style="list-style-type: none"> <li>• Business unit (if relevant, based on the organisational structure and size of the public authority)</li> <li>• Unique contract identifier (i.e. public authorities unique alpha-numeric identifier for that contract)</li> <li>• Contract title (i.e. description of requirements)</li> <li>• Public authority contract manager and contact details (email and phone)</li> <li>• Supplier</li> <li>• Supplier address</li> <li>• Supplier's contact person and contact details (email and phone)</li> <li>• Contract execution date</li> <li>• Contract commencement date</li> <li>• Contract expiry/completion date</li> <li>• Contract term including extension options</li> <li>• Total estimated value of the contract including all options and GST</li> <li>• Type of market approach used (Invitation to Supply, Selective Invitation to Supply, , Request for Quotation, Direct Negotiation, Multi-stage process, Other)</li> <li>• Goods/services category</li> <li>• Consultancy (yes/no)</li> <li>• Number of suppliers approached (number or if open market approach)</li> <li>• Lead Agency (yes/no)</li> <li>• Location of supplier (metropolitan, regional, other Australian states or New Zealand, overseas excluding New Zealand). (Page 3)</li> </ul>
CR3	<p>Public authorities <b>must</b> record the reason if an Economic Contribution Test of IPP Plan (South Australian Industry Participation Policy) was not completed. (Page 4)</p>
CR4	<p>For public authorities required to submit annual reporting information under the Board's <i>Board Procurement Reporting Policy</i>, the following additional information</p>

	<p><b>must</b> be recorded to facilitate annual data collection for <i>contracts valued greater than \$220,000 (GST inclusive)</i>:</p> <ul style="list-style-type: none"><li>• Risk level (low, medium or high);</li><li>• Acquisition Plan Approval received date (i.e. the date the acquisition plan was approved, or approval obtained by the delegated authority)</li><li>• Date the invitation was issued to the market (or date suppliers were contacted for quotation)</li><li>• Date the invitation closed (or quotations were received)</li><li>• Purchase Recommendation approval date (i.e. the date the purchase recommendation was approved by the delegated authority)</li><li>• Contract award date (i.e. the date the supplier was formally notified that they would be awarded the contract)</li><li>• Contract execution date (the date the purchase order was issued or the contract was formally signed by all parties).</li></ul> <p>Public authorities may have existing systems and processes in place to record this information.</p>
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## Probity and Ethical Procurement Guideline

EP1	Employees <b>must</b> strive to avoid actual, or perceptions of, conflict of interest, or of undue influence. (Page 5)
EP2	Any actual, potential or perceived conflict of interest <b>must</b> be identified and managed at the beginning of the procurement process. All participants in the procurement evaluation process (for example, public authority employees, project consultants, probity advisers) <b>must</b> complete a conflict of interest declaration and confidentiality agreement which is to be kept by the chair of the assessment panel. (Page 7)
EP3	It is not improper per se, for a person to have a conflict of interest, however if they are involved in any aspect of the procurement process, they <b>must</b> declare any actual or potential conflict of interest in the written declaration. (Page 7)

## Emergency Situation Procurement Policy

ES1	<p>This policy only applies to procurements undertaken by those public authorities who have emergency responsibilities and who are responding to an emergency, in accordance with the provisions of the State Emergency Management Plan, or formal arrangements outlined in other state or commonwealth emergency service related legislation (e.g. the Fire and Emergency Services Act 2005, and the National Counter-Terrorism Plan). For those public authorities who have emergency responsibilities and who are responding to an emergency, the principal officer <b>must</b> ensure that:</p> <ul style="list-style-type: none"><li>• an appropriate emergency management procurement strategy is developed and documented which clearly addresses key operational considerations for procurement under emergencies</li><li>• staff awareness and capability related to emergency procurement is developed and enhanced</li><li>• appropriate management processes are in place to ensure adequate documentation is maintained for procurements related to emergencies</li></ul> <p>(Page 2)</p>
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## Procurement Authority and Governance Policy (Tier 1 public authorities)

PG1	In order to ensure effective governance, the principal officer of Tier 1 public authorities <b>must</b> establish a Procurement Governance Committee (PGC) in line with the membership, roles and functions outlined in this policy. (Page 3)
PG2	Membership of the PGC of Tier 1 public authorities <b>must</b> comprise: <ul style="list-style-type: none"> <li>• representation of executive and senior level officers that can contribute appropriate management and subject expertise such as risk, financial management, strategic planning, project management, and information systems</li> <li>• at least one external commercial advisory representative with relevant experience</li> <li>• the Industry Participation Advocate or delegate. (Page 5)</li> </ul>

## Supplier Complaints Policy

SC1	The principal officer <b>must</b> ensure effective systems, practices and processes are in place to manage supplier complaints within their public authority in accordance with this policy. (Page 2)
SC2	The public authority <b>must</b> document the process for handling supplier complaints, including appropriate escalation procedures within the authority, and ensure this information is publicly available to suppliers. (Page 3)
SC3	Each public authority <b>must</b> ensure all formal complaints are investigated by an appropriate, independent officer who is not directly involved in the subject matter of the complaint. (Page 3)
SC4	Where applicable, appropriate records of complaints <b>must</b> be maintained by public authorities via a database and/or a physical file containing all relevant documentation. (Page 3)

## Disposal Guideline

DP1	The disposal of goods <b>must</b> achieve value for money. Public authorities should select a disposal method that will obtain the best possible return for any surplus goods. In addition to price, the disposal process chosen <b>must</b> include consideration of the government's social, economic and environmental policy objectives. The disposal method chosen <b>must</b> promote fair and effective competition and <b>must</b> be conducted in an ethical manner.
DP2	Public authorities <b>must</b> ensure that hazardous goods are disposed of in a manner that safeguards against environmental risks and addresses any health and safety issues. For further advice public authorities should contact the Environment Protection Authority. (Page 6)



## Premier and Cabinet Circular 027 Disclosure of Government Contracts

PD1	<p>Chief Executives <b>must</b> ensure the disclosure of Eligible and Significant Contracts executed on or after 28 December 2005 as required by this Circular.</p> <p>“Eligible Contracts”: Contracts between:</p> <ul style="list-style-type: none"><li>• public authorities and the private sector, involving the expenditure of public funds of \$500,000 or more and less than \$4,000,000; and</li><li>• public authorities and a Consultant, involving the expenditure of public funds of less than \$25,000.</li></ul> <p>“Significant Contracts”: Contracts between:</p> <ul style="list-style-type: none"><li>• public authorities and a Consultant, involving the expenditure of public funds of \$25,000 or more;</li><li>• public authorities and the private sector, involving the expenditure of public funds of \$4,000,000 or more; and</li><li>• public authorities and the private sector, involving asset sales of \$1,000,000 or more.</li></ul> <p>Chief Executives <b>must</b> ensure the disclosure of information in relation to Significant Contracts and Eligible Contracts, subject to exemption provisions. (Pages 2-4)</p>
PD2	<p>Disclosure <b>must</b> occur within 60 days of the Eligible or Significant Contract being executed. The information should remain on the website for the term of the contract or twelve months, whichever is longer. (page 5)</p>
PD3	<p>Copies of executive contracts will be made available for inspection on receipt of a written request to the Chief Executive of the public authority in which the executive is employed. In the case of contracts with Chief Executives, the written request <b>must</b> be made to the Commissioner for Public Employment and the contract provided will include the Total Remuneration Package Value (TRPV) and the schedule in which the TRPV appears, though this information will not be included in the case of other executive contracts. In all cases, the address of the executive will be excluded for privacy reasons. (Page 5)</p>
PD4	<p>In considering exemptions, a Chief Executive <b>must</b> make any assessments from the initial starting point that a contract should be released in full. (Page 6)</p> <p>Where the Chief Executive decides not to disclose information as referred above, the reason why the disclosure is not made <b>must</b> be published on the South Australian Government’s Tenders and Contracts website. (Page 6)</p>

## Appendix A: Guidance for the Lead Reviewer

The following tables list the recommended testing approach and the documents required for each test. The approach to be followed in conducting an Assurance Review, including the sampling strategy is documented in the *Board Assurance Program Guideline*. Samples selected for testing should always be done with reference to this document.

The nature of tests carried out by the Lead Reviewer may include such procedures as inquiry, inspection and observation. Examples of descriptions of these procedures, which may assist the Lead Reviewer in performing their test procedures, are set out below:

### 1. Inquiry:

Conducted enquiries seeking relevant information or representation from procurement personnel intended to obtain, among other things, knowledge, additional information and affirmation regarding the performance of the procurement activities.

### 2. Inspection:

Reviewed documents and records held by the public authority that evidence the performance of the procurement activities.

### 3. Observation:

Observation of the application or existence of the performance of specific procurement activities as represented.

## 1 Simple Procurement (\$33,000 to \$550,000)

A sample of simple procurement contracts are to be selected from the public authority's contract register in accordance with the sampling methodology defined in the *Board Assurance Program Guideline*.

Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
<b>Simple Procurement Guideline</b>			
SP1	Approvals: Where the procurement value exceeds the procurement authority of the public authority, the Simple Acquisition Plan <b>must</b> be submitted to the Board for approval, except when using Across-Government or Lead Agency contracts. (Page 9)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; procurement authority of the public authority. For each sample, confirm by inspection that the Acquisition Plan has been sent to the Board for consideration, unless the procurement occurred under an Across-Government or Lead Agency contract.</li> </ul>	<ul style="list-style-type: none"> <li>Acquisition Plan</li> <li>Board Submission</li> </ul>
SP2	Public authorities <b>must</b> have in place controls to ensure the number of limited supplier procurements are minimised. This may include additional approval or review requirements, for example, through the central procurement unit, or the use of a restricted number of delegates. (Page 13)	<ul style="list-style-type: none"> <li>For each contract selected, obtain evidence of appropriate approval delegate where the limited supplier procurement occurred and review controls to ensure the number of limited suppliers procurements are minimised.</li> </ul>	<ul style="list-style-type: none"> <li>Approval for limited supplier procurement occurred</li> <li>Other controls depending on what has been implemented by organisation</li> </ul>
SP3	Managing Conflicts of Interest: Any actual, potential or perceived conflict of interest that has the potential to unfairly affect or influence the proper outcome of a decision or process, <b>must</b> be identified and managed in accordance with the Code of Ethics for the South Australian Public Sector. (Page 9)	<ul style="list-style-type: none"> <li>For each contract selected, obtain evidence of where conflicts of interest have been declared and how these conflicts have been managed.</li> </ul>	<ul style="list-style-type: none"> <li>Conflict of Interest check and declaration</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
SP4	Debriefing Unsuccessful Suppliers: Unsuccessful suppliers <b>must</b> be offered the opportunity to receive feedback on their quote. (Page 10)	<ul style="list-style-type: none"> <li>For each contract selected, obtain copy of the unsuccessful supplier notification and debrief evidence.</li> </ul>	<ul style="list-style-type: none"> <li>Letters to unsuccessful suppliers</li> <li>Unsuccessful suppliers debrief evidence</li> </ul>
SP5	Limiting the Number of Suppliers: The justification for limiting the number of suppliers <b>must</b> be outlined in the relevant Simple Acquisition Plan or Simple Procurement Report and approved by the appropriate delegate who needs to ensure that limiting the number of suppliers is not due to avoiding competition and that the integrity of the procurement process is maintained. (Page 13)	<ul style="list-style-type: none"> <li>For each of the contracts selected, obtain the Simple Acquisition Plan or the Simple Procurement Report (depending on which document is used by the public authority and the value of the procurement).</li> <li>Confirm through inspection that:               <ul style="list-style-type: none"> <li>the inability to obtain three (\$33,000 to \$220,000) or five written quotes (over \$220,000) for the procurement has been addressed in the Simple Acquisition Plan or Simple Procurement Report</li> <li>the Simple Acquisition Plan or Simple Procurement Report (\$33,000 to \$220,000) has been approved by an authorised delegate</li> <li>the Simple Acquisition Plan (over \$220,000) has been approved by an authorised delegate</li> </ul> </li> <li>There is evidence of approaching the market (&gt;\$220,000) only after the Simple Acquisition Plan has been approved.</li> </ul>	<ul style="list-style-type: none"> <li>Simple Acquisition Plan and</li> <li>Simple Purchase Recommendation</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Simple Procurement Report</li> <li>Record of Approach to Market</li> </ul>
SP6	<b>Requirements: \$33,001 - \$550,000</b> Risk Management: Project risks <b>must</b> be documented and a risk assessment undertaken	<ul style="list-style-type: none"> <li>For each of the contracts selected, obtain the Simple Acquisition Plan or the Simple Procurement Report (depending on which document is used by the public authority) and</li> </ul>	<ul style="list-style-type: none"> <li>Simple Acquisition Plan</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Simple Procurement Report</li> </ul>

Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
	to determine the default liability cap. (Pages 6 and 11)	confirm that a risk assessment has been completed to determine the default liability cap for the contract.	
SP7	<p><b>Requirements: \$33,001 - \$220,000</b></p> <p>A Simple Acquisition Plan template and subsequent Simple Purchase Recommendation template or Simple Procurement Report template <b>must</b> be used and approved by the appropriate delegate. (Page 11)</p>	<ul style="list-style-type: none"> <li>For each of the contracts selected, obtain the Simple Acquisition Plan and Simple Purchase Recommendation or the Simple Procurement Report (depending on which documents are used by the public authority) to confirm that these have been completed.</li> </ul>	<ul style="list-style-type: none"> <li>Simple Acquisition Plan and</li> <li>Simple Purchase Recommendation</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Simple Procurement Report</li> </ul>
SP8	<p><b>Requirements: \$33,001 - \$220,000</b></p> <p>A minimum of three written quotes <b>must</b> be sought, with at least one quote from a South Australian supplier (or a supplier based in the region in the case of regional procurement) where possible. (Pages 10-11)</p>	<ul style="list-style-type: none"> <li>For each of the contracts selected, obtain the written quotations and confirm that the quotations meet the requirements.</li> <li>For each of the contracts selected, confirm through inspection that a written quote was sought by the public authority from a South Australian supplier.</li> <li>Alternatively, confirm through inspection that the lack of a South Australian supplier was addressed in the procurement documentation.</li> </ul>	<ul style="list-style-type: none"> <li>Written quotations</li> </ul>
SP9	<p><b>Requirements: \$33,001 - \$220,000</b></p> <p>A metropolitan or regional Economic Contribution Test (ECT) <b>must</b> be completed. No weighting is given to the ECT, but is used to differentiate bids that represent good value and that meet the needs of Government. (Pages 11-12)</p>	<ul style="list-style-type: none"> <li>Inspect the ECT outcome in the Simple Purchase Recommendation or Simple Procurement Report (depending on which document is used by the public authority and the value of the procurement) for each quote received.</li> </ul>	<ul style="list-style-type: none"> <li>Simple Acquisition Plan and</li> <li>Simple Purchase Recommendation</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Simple Procurement Report</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
SP10	<b>Requirements: \$220,001 - \$550,000</b> A minimum of five written quotes <b>must</b> be sought, with at least one quote from a South Australian supplier (or a supplier based in the region in the case of regional procurement) where possible. (Pages 10-11)	<ul style="list-style-type: none"><li>For each of the contracts selected, obtain the written quotations and confirm that the quotations meet the requirements.</li><li>For each of the contracts selected, confirm through inspection that a written quote was sought by the public authority from a South Australian supplier.</li><li>Alternatively, confirm through inspection that the lack of a South Australian supplier was addressed in the procurement documentation.</li></ul>	<ul style="list-style-type: none"><li>Written quotations</li></ul>
SP11	<b>Requirements: \$220,001 - \$550,000</b> A Simple Acquisition Plan template and subsequent Simple Purchase Recommendation template <b>must</b> be used and approved by the appropriate delegate. A Simple Procurement Report template cannot be used in lieu of the separate documents. (Page 11)	<ul style="list-style-type: none"><li>For each of the contracts selected, obtain the Simple Acquisition Plan and subsequent Simple Purchase Recommendation and confirm they have been approved.</li></ul>	<ul style="list-style-type: none"><li>Simple Acquisition Plan AND</li><li>Simple Purchase Recommendation</li></ul>
SP12	<b>Requirements: \$220,001 - \$550,000</b> A metropolitan or regional Economic Contribution Test (ECT) <b>must</b> be completed with a weighted evaluation methodology adopted, with a minimum weighting for the ECT of 15 percent applied as a component of the overall evaluation criteria. (Pages 11-12)	<ul style="list-style-type: none"><li>Inspect the ECT outcome in the Simple Purchase Recommendation for each quote received and check that 15% weighting was applied.</li></ul>	<ul style="list-style-type: none"><li>Simple Acquisition Plan and</li><li>Simple Purchase Recommendation OR</li><li>Simple Procurement Report</li></ul>
SP13	<b>Not for Profit Requirements</b> Not-for-profit procurements longer than two years <b>must</b> establish contractual agreements	<ul style="list-style-type: none"><li>For each NFP contract selected, obtain the copy of the contractual agreements that outline the contract term.</li></ul>	<ul style="list-style-type: none"><li>Contracts with NFP suppliers</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
	of three years plus three years plus three years (3+3+3) where appropriate on a case-by-case basis. (Page 7)		
SP14	<b>Not for Profit Requirements</b> Where there is funding certainty, a minimum of six months' notice <b>must</b> be provided to not-for-profit organisations regarding whether long term contracts are to be renewed. (Page 10)	<ul style="list-style-type: none"><li>For each NFP contract selected, obtain copy of the notice provided to not-for-profit organisations regarding whether long term contracts are to be renewed.</li></ul>	<ul style="list-style-type: none"><li>Notice of renewing long term contracts</li></ul>
SP15	<b>Not for Profit Requirements</b> Limiting the number of suppliers in the not-for-profit sector: In some instances, to ensure service continuity, public authorities may need to retain an existing supplier without openly approaching the market. In these situations, public authorities <b>must</b> assess and document in writing that the supplier is: <ul style="list-style-type: none"><li>meeting a continual need</li><li>meeting the agreed service specifications, quality standards and contractual requirements</li><li>operating efficiently and effectively</li><li>actively engaged in continuously improving services to provide the best possible service to the community. (Pages 12-13)</li></ul>	<ul style="list-style-type: none"><li>For each NFP contract selected, obtain copy of the public authorities' assessment due to service continuity to retain an existing supplier without open market approach.</li></ul>	<ul style="list-style-type: none"><li>Simple Acquisition Plan</li></ul> OR <ul style="list-style-type: none"><li>Simple Procurement Report</li><li>Public authorities assessment</li></ul>

## 2 Major Procurement (>\$550,000)

The samples of major procurement contracts are to be selected in accordance with the sampling methodology defined in the *Board Assurance Program Guideline*.

### Acquisition Planning Policy

Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
<b>Acquisition Planning</b>			
AP1	Public authorities <b>must</b> allocate appropriate resources for the procurement process (facilities, information technology, personnel, contractors etc.) to ensure that procurement objectives are achieved and risks managed. It is important that procurement practitioners from the public authority's central procurement area are consulted for the procurement process. (Page 6)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts and confirm by inspection of procurement files that a Procurement Risk Management Plan was prepared and attached to the Acquisition Plan.</li> <li>Obtain evidence to demonstrate that the procurement practitioners from the public authority's central procurement area are consulted for the procurement process.</li> </ul>	<ul style="list-style-type: none"> <li>Procurement Risk Management Plan</li> <li>Acquisition Plan</li> </ul>
AP2	Acquisition Plans <b>must</b> be prepared for procurements valued above \$550,000 by addressing the requirements set out in the Acquisition Planning template. (Page 9)  Public authorities <b>must</b> adopt the acquisition planning template (including headings and detailed requirements) but can add extra details under the relevant heading, as long as these do not contradict other Board policies and guidelines or other aspects of the template. (Page 9)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection of procurement files that the Board's Acquisition Planning Template has been used appropriately.</li> </ul>	<ul style="list-style-type: none"> <li>Acquisition Plan</li> </ul>
AP3	For procurements considered high in risk and/or valued greater than \$4.4 million, a	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$4.4 million and confirm by inspection of procurement</li> </ul>	<ul style="list-style-type: none"> <li>Procurement Risk Management Plan</li> </ul>

Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	Procurement Risk Management Plan <b>must</b> be prepared and attached to the Acquisition Plan. (Page 9)	files that a Procurement Risk Management Plan was prepared and attached to the Acquisition Plan.	<ul style="list-style-type: none"> <li>Acquisition Plan</li> </ul>
AP4	Public authorities are required to undertake a risk assessment for all procurements to determine the appropriate risk treatment to be applied. Low to medium risk procurements that use the Standard Goods and Services Contract are to include a default liability limit selected at between one and five times the total value of the contract, as determined by the risk of the procurement (Global Liability Cap). (Page 12)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$550,000. Confirm by inspection of procurement files that a risk assessment has been documented and used to determine the default liability cap for the contract.</li> </ul>	<ul style="list-style-type: none"> <li>Acquisition Plan</li> </ul>
AP5	For all procurements greater than \$4.4 million, public authorities <b>must</b> use the Supply Positioning and Supplier Preferencing market analysis models outlined in the <i>Market Analysis Guideline</i> to assist with the development of an appropriate acquisition strategy. (Page 9)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$4.4m and confirm by inspection of procurement files that the Acquisition Plan includes the use of the Supply Positioning and Supplier Preferencing market analysis models.</li> </ul>	<ul style="list-style-type: none"> <li>Acquisition Plan</li> </ul>
AP6	Acquisition plans <b>must</b> be approved by the public authority principal officer (or delegate) prior to approaching the market. (Page 15)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection of procurement files that the Acquisition Plan has been approved by the public authority's principal officer (or a valid delegate in accordance with a documented delegation of authority).</li> <li>Confirm that the approval of the acquisition plan predates the approach to the market.</li> </ul>	<ul style="list-style-type: none"> <li>Acquisition Plan</li> <li>List of Procurement Authority delegations</li> <li>Market Approach Documentation – Invitation to Supply, Expression of Interest</li> </ul>
AP7	Where the procurement value exceeds the procurement authority of the public authority, Acquisition Plans <b>must</b> be submitted to the	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; procurement authority of the public authority. For each sample, confirm by inspection that the</li> </ul>	<ul style="list-style-type: none"> <li>Acquisition Plan</li> <li>Board Submission</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	Board for approval, except when using Across-Government or Lead Agency contracts as discussed in the Panel Contract Guideline. (Page 15)	Acquisition Plan has been sent to the Board for consideration and approval, unless the procurement occurred under an Across-Government or Lead Agency contract.	
AP8	As a general rule, funding approval <b>must</b> be obtained before procurement approval is sought and obtained. However, in cases where funding approval cannot be obtained prior to the acquisition planning stage, approval of the Acquisition Plan by the delegate or Board will be conditional on obtaining the required funding approval before the market approach is undertaken. This applies to both one stage and two stage market approaches. (Page 15)	<ul style="list-style-type: none"> <li>• Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection that the:               <ul style="list-style-type: none"> <li>○ approval for funding is documented in the Acquisition plan or</li> <li>○ acquisition plan reflects that approval of the plan was conditional on the funding being approved and</li> <li>○ funding was approved before the market was approached.</li> </ul> </li> <li>• Inspect source documents for funding approval.</li> </ul>	<ul style="list-style-type: none"> <li>• Acquisition Plan</li> <li>• Funding Approval Documentation (Memo etc)</li> <li>• Business Case</li> </ul>
AP9	<p>Single supplier sourcing strategies <b>must</b> only be made in extenuating circumstances in accordance with the 'Reasons for Limiting the Number of Suppliers'. It is important that the single supplier sourcing strategy is not chosen to avoid competition and that the integrity of the procurement process is maintained. (Page 15)</p> <p>Acquisition plans that involve a single supplier market approach, within the limits of the public authority's procurement authority, <b>must</b> be approved by the principal officer. Where the procurement value exceeds this limit, it <b>must</b> be endorsed by the principal officer before being sent to the Board for consideration. In both situations, this endorsement by the</p>	<ul style="list-style-type: none"> <li>• Ascertain by inquiry if the public authority has executed any single source procurement contracts in the period under review.</li> <li>• If single source procurement contracts have been executed in the period under review, then select from the sample for testing.</li> <li>• For each sample inspect the Acquisition Plan to confirm that the reasons for the single sourcing strategy has been documented in sufficient detail to allow the lead reviewer to confirm whether the reasons for limiting the number of suppliers have been met</li> <li>• For each sample, inspect the Acquisition Plan to confirm that it has been approved by the principal officer.</li> </ul>	<ul style="list-style-type: none"> <li>• Acquisition Plan</li> <li>• Purchase Recommendation</li> <li>• Board Submission</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	principal officer cannot be delegated. (Page 16)	<ul style="list-style-type: none"> <li>• For each sample, if the procurement value exceeds the public authority's procurement authority, confirm that it has been sent to the Board for consideration.</li> </ul>	
AP10	The acquisition plan approver is responsible for approving the purchase recommendation; however, this authority may be delegated at the time of approving the acquisition plan. The acquisition plan <b>must</b> clearly identify who will approve the purchase recommendation. (Page 16)	<ul style="list-style-type: none"> <li>• Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection that:               <ul style="list-style-type: none"> <li>○ the person who approved the Acquisition plan also approved the Purchase Recommendation;</li> </ul> </li> <li>OR</li> <li>• If the signatories are different, the delegation is documented in the Acquisition Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Acquisition Plan</li> <li>• Purchase Recommendation</li> </ul>
AP11	Industry Participation Policy Requirements For procurements over \$220,000 and under \$4 million (\$1 million in Regional SA), public authorities <b>must</b> ensure that a metropolitan or regional ECT is completed and that a minimum weighting of 15% is applied as a component of the overall evaluation criteria. (Page 11)	<ul style="list-style-type: none"> <li>• Select a sample of procurement contracts &gt; \$550,000 and &lt; \$4 million (\$1 million in Regional SA). The sample of procurement contracts selected should include regional contracts if applicable.</li> <li>• For each contract selected, verify by inspection of the Evaluation Plan that:               <ul style="list-style-type: none"> <li>○ an ECT has been prepared</li> <li>○ it has been included in the evaluation criteria at a minimum of a 15% weighting.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• ECT for each contract</li> <li>• Evaluation Plan</li> </ul>
AP12	Industry Participation Policy Requirements For procurements equal to or greater than \$4 million (\$1 million in Regional SA) but less than \$50 million, public authorities <b>must</b> ensure that a metropolitan or regional Standard IPP	<ul style="list-style-type: none"> <li>• Select a sample of procurement contracts &gt; \$4 million (\$1 million in Regional SA) but &lt; \$50 million. The sample of procurement contracts selected should include regional contracts if applicable. For each contract selected, verify by</li> </ul>	<ul style="list-style-type: none"> <li>• Standard South Australian Industry Participation Plan</li> <li>• Evaluation Plan</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	Plan is completed and that a minimum weighting of 15% is applied as a component of the overall evaluation criteria. (Page 11)	inspection that: <ul style="list-style-type: none"><li>○ a Standard South Australian Industry Participation Plan has been prepared.</li><li>○ it has been included in the evaluation criteria at a minimum of a 15% weighting.</li></ul>	
AP13	Industry Participation Policy Requirements For procurements of \$50 million and over, public authorities <b>must</b> ensure that a Tailored IPP Plan is completed and that a minimum weighting of 15% is applied as a component of the overall evaluation criteria. (Page 11)	<ul style="list-style-type: none"><li>• Select a sample of procurement contracts &gt; \$50 million. For each contract selected, verify by inspection that:<ul style="list-style-type: none"><li>○ A Tailored South Australian Industry Participation Plan has been prepared.</li></ul></li><li>• It has been included in the evaluation criteria at a minimum of a 15% weighting.</li></ul>	<ul style="list-style-type: none"><li>• Tailored South Australian Industry Participation Plan</li><li>• Evaluation Plan</li></ul>
AP14	Industry Participation Policy Requirements For panel contracts less than \$4 million (\$1 million in Regional SA) public authorities <b>must</b> ensure that an ECT is completed for competitive secondary procurement processes above \$33,000 unless otherwise exempted by the Department of Industry and Skills (DIS). (Page 11)  For panel contracts equal to or greater than \$4 million (\$1 million in Regional SA) DIS will assist public authorities to determine the most appropriate industry participation requirement. Where a panel is established and there is no tailored IPP Plan, the ECT and IPP plans will apply to the individual purchases made off the	<ul style="list-style-type: none"><li>• Select a sample of panel procurement contracts.</li><li>• Ensure that IPP requirements have been applied subject to Acquisition Plan including:<ul style="list-style-type: none"><li>○ ECT</li><li>○ Declaration of Intent</li><li>○ Standard IPP Plan</li><li>○ Tailored IPP Plan ECT</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Acquisition Plan</li><li>• Request Documentation</li><li>• Evaluation Plan</li><li>• Purchase Recommendation</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	panel when above the relevant value. (Page 11)		
AP15	<p>Insurance</p> <p>Where professional services are being contracted, the Consultant <b>must</b> effect and maintain Professional Indemnity insurance during the Agreement at the minimum level of cover required in the ordinary course of the Consultant's business and such cover <b>must</b> continue for three years after the expiry of the Agreement. (Page 13)</p>	<ul style="list-style-type: none"><li>Select a sample of professional services procurement contracts. For each contract selected, verify by inspection that the consultant has the Professional Indemnity insurance during the Agreement at the minimum level of cover required in the ordinary course of the Consultant's business and such cover must continue for three years after the expiry of the agreement</li></ul>	<ul style="list-style-type: none"><li>Consultant Professional Indemnity Insurance</li></ul>
AP16	<p>Not for Profit Procurement Requirements</p> <p>Public authorities <b>must</b> establish contractual agreements of three years plus three years plus three years (3 + 3 + 3) for all NFP procurements longer than two years where appropriate (i.e. where risk is low and there are no linked funding arrangements with the Commonwealth Government). (Page 8)</p>	<ul style="list-style-type: none"><li>For each contract selected, obtain the copy of the contractual agreements that outline the procurements durations</li></ul>	<ul style="list-style-type: none"><li>Contractual agreements</li></ul>
AP17	<p>Not for Profit Procurement Requirements</p> <p>Where there is funding certainty, a minimum of six months' notice <b>must</b> be provided to not-for-profit organisations regarding whether long term contracts are to be renewed. (Page 10)</p>	<ul style="list-style-type: none"><li>For each contract selected, obtain copy of the notice provided to not-for-profit organisations regarding whether long term contracts are to be renewed.</li></ul>	<ul style="list-style-type: none"><li>Notice of renewing long term contracts</li></ul>
AP18	<p>Not for Profit Procurement Requirements</p> <p>In some instances, to ensure service continuity, public authorities may need to retain an existing supplier without openly</p>	<ul style="list-style-type: none"><li>For each contract selected, obtain copy of the public authorities' assessment due to service continuity to retain an existing supplier without open market approach.</li></ul>	<ul style="list-style-type: none"><li>Simple Acquisition Plan</li><li>OR</li><li>Simple Procurement Report</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	<p>approaching the market. In these situations, public authorities <b>must</b> assess and document in writing that the supplier is:</p> <ul style="list-style-type: none"><li>meeting a continuing need</li><li>meeting the agreed service specifications, quality standards and contractual requirements</li><li>operating efficiently and effectively</li><li>actively engaged in continuously improving services to provide the best possible service to the community. (Page 14)</li></ul>		<ul style="list-style-type: none"><li>Public authorities assessment</li></ul>
<b>Panel Contracts</b>			
PC1	<p>The rules for selecting suppliers from the panel contract and for replacing or removing suppliers <b>must</b> be clearly documented in the acquisition plan.</p> <p>All panel contracts <b>must</b> provide a right to remove panel members or goods/services as circumstances arise (e.g. insolvency, failure to meet performance requirements). (Pages 6-7)</p>	<ul style="list-style-type: none"><li>Ascertain by inquiry if the public authority has established a panel contract in the period under review.</li><li>If panel contracts have been established in the period under review, then select from the sample for testing.</li><li>Inspect the Acquisition Plan for each contract sampled to confirm that rules for selecting suppliers from the panel contract and for replacing or removing suppliers are clearly documented.</li><li>Inspect the Acquisition Plan and/or Panel Contract for each contract sampled to confirm that it includes the right to remove panel members or goods/services under defined conditions.</li></ul>	<ul style="list-style-type: none"><li>Acquisition Plan</li><li>Panel Contract</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
PC2	A panel contract <b>must</b> clearly specify the parties to the contract and whether these parties are required to utilise the panel on a mandatory or optional basis. This may be for example, the whole of government (including statutory authorities), all public authorities subject to the Act, specific public authorities, or a panel contract established by a public authority for its exclusive use. Coverage could also include non-government organisations subject to approval by the authorising authority. The intentions of the panel contract need to be clear and unambiguous. (Page 9)	<ul style="list-style-type: none"><li>Inspect the Acquisition Plan and/or Panel Contract for each contract sampled to confirm that it specifies the parties to the contract.</li><li>Inspect the Acquisition Plan and/or Panel Contract for each contract sampled to confirm that it stipulates whether these parties are required to utilise the panel on a mandatory or optional basis. If the panel is mandated, ensure the appropriate authority is documented.</li></ul>	<ul style="list-style-type: none"><li>Acquisition Plan</li><li>Panel Contract</li></ul>
PC3	The decision to mandate the use of a panel contract <b>must</b> be made by the appropriate authority. This may be Cabinet, the Board or the principle officer of the public authority. (Page 9)	<ul style="list-style-type: none"><li>Ascertain by inquiry if the public authority has undertaken any mandatory panel contract procurement processes in the period under review.</li><li>If there is, ensure the approval by the appropriate authority is in place to mandate the use of a panel contract.</li></ul>	<ul style="list-style-type: none"><li>Approval by the appropriate authority for the mandatory use of a panel contract</li></ul>
PC4	Procurements undertaken through a secondary procurement process (as outlined in the panel contract) <b>must</b> be approved through the public authority's normal approval processes. Where the value of the procurement exceeds the public authority's procurement authority, the principal officer can approve the procurement without reference to the Board (unless not allowed for in the panel contract). (Page 10)	<ul style="list-style-type: none"><li>Ascertain by inquiry if the public authority has undertaken any secondary procurement processes in the period under review.</li><li>If secondary procurement contracts have been established in the period under review, then ensure that a representative sample is included in the overall sample used to test compliance with approval of procurement.</li><li>Ascertain by inquiry and inspection of the contract registers whether the value of any</li></ul>	<ul style="list-style-type: none"><li>Secondary Procurement Contract</li><li>Acquisition Plan</li><li>Panel Contract</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
		<p>secondary contracts exceeds the public authority's procurement authority. If so:</p> <ul style="list-style-type: none"><li>○ inspect the contract to ascertain if the procurement was approved by the principal officer</li><li>○ inspect the relevant panel contract to confirm that that this is not prohibited by the panel contract.</li></ul>	
<b>International Obligations Policy</b>			
IO1	<p><u>Procurement Thresholds</u>: The Government Procurement chapter requirements apply to covered procurements where the value of the procurement (including GST) exceeds a monetary threshold. The thresholds for all of Australia's bilateral free trade agreements are for procurement of goods and services: A\$657,000.</p> <p>The current threshold values are as at 1 January 2018. (Pages 5-6)</p> <p><u>Advertising</u> Prospective suppliers in the United States, Chile, Korea, Japan and Singapore <b>must</b> be able to access tender advertisements and opportunities. The tender notices <b>must</b> be published in electronic or paper media that are widely disseminated and remain readily accessible to the public for the entire period for responding to the tender. In order to meet this requirement, all procurement activities are to be advertised on the Tenders SA website <a href="http://www.tenders.sa.gov.au">www.tenders.sa.gov.au</a> (at a minimum) to</p>	<ul style="list-style-type: none"><li>• Select a sample of procurement contracts &gt; A\$657,000 and confirm by inspection of procurement files or by observation of the Tenders SA website that the procurement was published.</li><li>• If the procurement is not published, ensure that the specific conditions that exempt the requirement to publish the tender are documented in the Acquisition Plan.</li></ul>	<ul style="list-style-type: none"><li>• Acquisition Plan</li><li>• Procurement files for each contract</li><li>• Tenders SA website</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	allow international suppliers access to tender opportunities. (Page 6)		
IO2	<p><u>Tender Call Periods</u>: Under the AUSFTA, ACIFTA, KAFTA and JAEPA, the default minimum period between the advertising of a tender and the closing date is 30 calendar days. Under the SAFTA, the default minimum period between the advertising of a tender and the closing date is 40 calendar days.</p> <p>For all FTAs, this period can be reduced to 25 days, where:</p> <ul style="list-style-type: none"> <li>• the tender is advertised on SA Tenders and Contracts;</li> <li>• the tender documentation is made available electronically from the date of advertisement of the tender; and</li> <li>• tender responses can be submitted electronically.</li> </ul> <p>Consistent across all GP Chapters, the time period for tendering may be reduced to not less than 10 days, where specific limited conditions exist (refer to the Government Procurement Chapter of each FTA). (Page 7)</p>	<ul style="list-style-type: none"> <li>• Select a sample of procurement contracts &gt; A\$657,000 and confirm by inspection of procurement files or by observation of the Tenders SA website that the required time period between the advertising of a tender and the closing date was achieved.</li> <li>• If the publication of the tender is less than 30 calendar days, ensure that the specific conditions that exempt the requirement to publish the tender for under 30 days are in line with FTA requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Procurement file for each contract</li> <li>• Tenders SA website</li> </ul>
<b>Sustainable Procurement Guideline</b>			
SU1	Public authorities <b>must</b> undertake a sustainability impact assessment for all procurements valued at or above \$4.4 million and significant procurements below \$4.4 million (as determined by the public authority)	<ul style="list-style-type: none"> <li>• Select a sample of procurement contracts &gt; \$4.4m and confirm by inspection of procurement files that the Acquisition Plan includes a sustainability impact assessment in the acquisition plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Acquisition Plan</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	during the acquisition planning phase. (Pages 4-5)		
<b>Market Approaches and Contracts Guideline</b>			
MC1	Part A, B, C and D of the standard market approach and contract documentation <b>must</b> be adopted for all procurements valued at greater than \$550,000. (Pages 7-8)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection of procurement files that the Part A, B, C and D of the standard market approach and contract documentation have been adopted.</li> </ul>	<ul style="list-style-type: none"> <li>Procurement files</li> <li>Market Approach and Contract Documentation</li> </ul>
MC2	Public authorities <b>must</b> use the Standard Goods and Services Agreement for all low to medium risk, non-complex (i.e. standard) goods and services government procurements, including procurements of consultancy services and for panel contracts. (Pages 9-10)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts and confirm by inspection of procurement files that the public authority has used the Standard Goods and Services Agreement for all low to medium risk, non-complex (i.e. standard) goods and services government procurements, including procurements of consultancy services.</li> </ul>	<ul style="list-style-type: none"> <li>Procurement contractual agreement</li> </ul>
MC3	The <i>Standard Goods and Services Agreement</i> terms and conditions are not to be amended unless there is a compelling reason. Legal advice <b>must</b> be sought from the Crown Solicitors Office prior to changing the terms and conditions. (Page 10)	<ul style="list-style-type: none"> <li>Select a sample of the <i>Standard Goods and Services Agreement</i> and confirm by inspection that the terms and conditions have not been amended.</li> <li>If the terms and conditions have been amended, evidence of the Legal advice must be in place</li> </ul>	<ul style="list-style-type: none"> <li>Procurement contractual agreement</li> </ul>
<b>Supplier Selection</b>			
SS1	Public authorities <b>must</b> ensure that an evaluation plan is developed and approved prior to the opening of offers. (Page 5)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection that an evaluation plan is documented and approved by an authorised delegate.</li> </ul>	<ul style="list-style-type: none"> <li>Evaluation Plan</li> <li>Procurement file</li> </ul>
SS2	Public authorities <b>must</b> ensure that an	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt;</li> </ul>	<ul style="list-style-type: none"> <li>Acquisition Plan</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	appropriate probity and risk management framework is developed to safeguard the integrity of the selection process. (Page 7)	\$550,000 and review the Acquisition Plan and Evaluation Plan to ensure an appropriate probity and risk management framework has been developed.	<ul style="list-style-type: none"><li>• Evaluation Plan</li><li>• Probity Plan</li><li>• Procurement Risk Management Plan.</li></ul>
SS3	Public authorities <b>must</b> ensure that the evaluation criteria are released to the market and that mandatory criteria are outlined clearly in the market approach documentation.	<ul style="list-style-type: none"><li>• Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection that:<ul style="list-style-type: none"><li>○ the mandatory evaluation criteria are documented in the market approach documentation</li><li>○ the evaluation criteria are released to the market</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Evaluation Plan</li><li>• Procurement file</li><li>• Market Approach Documentation – Invitation to Supply, Expression of Interest</li></ul>
SS4	<p>Public authorities <b>must</b> ensure that the South Australian Industry Participation Policy (IPP) requirements are applied.</p> <p>All procurements will consider opportunities for small businesses and start-up businesses operating in South Australia with a view to involving these businesses in the opportunity through provision of a quote or tender.</p> <p>Procurements up to \$4 million (\$1 million in Regional SA) require ECT completion and a minimum weighting of 15% applied as a component of the overall evaluation criteria.</p> <p>Procurements equal to or greater than \$4 million (\$1 million in Regional SA) but less than \$50 million require a Standard Metropolitan or Regional IPP Plan completion and a minimum weighting of 15% applied as a component of the overall evaluation criteria.</p> <p>Procurements of \$50 million and over require</p>	<ul style="list-style-type: none"><li>• Select a sample of procurement contracts. For each contract selected, verify by inspection that:<ul style="list-style-type: none"><li>○ A Tailored South Australian Industry Participation Plan has been prepared.</li></ul></li><li>• It has been included in the evaluation criteria at a minimum of a 15% weighting.</li></ul>	<ul style="list-style-type: none"><li>• Tailored South Australian Industry Participation Plan</li><li>• Evaluation Plan</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	tailored IPP Plan completion and a minimum weighting of 15% applied as a component of the overall evaluation criteria.		
SS5	<p>South Australian Industry Participation Policy – Panel Contracts</p> <p>Panel contracts less than \$4 million (\$1 million in Regional SA) require either a Tailored ECT or IPP Plan, or the IPP thresholds apply to secondary procurements from the panel. Contact DIS to determine the most appropriate industry participation requirement on a case by case basis. If Tailored ECT/IPP Plan is completed, a minimum weighting of 15% is also applied as a component of the overall evaluation criteria.</p> <p>Panel contracts equal to or greater than \$4 million (\$1 million in Regional SA) require either a Tailored IPP Plan, or the IPP thresholds and weightings apply to secondary procurements from the panel. Contact DIS to determine the most appropriate industry participation requirement on a case by case basis. If Tailored IPP Plan is completed, a minimum weighting of 15% is applied as a component of the overall evaluation criteria.</p> <p>For panel contracts with a limited number of suppliers and expected value above \$50 million over the life of the panel, either a Tailored IPP Plan is required, or the IPP thresholds and weightings apply to secondary procurements from the panel. Contact DIS to determine the most appropriate industry participation</p>	<ul style="list-style-type: none"><li>• Select a sample of panel procurement contracts.</li><li>• Ensure that IPP requirements have been applied subject to Acquisition Plan including:<ul style="list-style-type: none"><li>○ ECT</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Acquisition Plan</li><li>• Request Documentation</li><li>• Evaluation Plan</li><li>• Purchase Recommendation</li></ul>



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	requirement on a case by case basis. If Tailored IPP Plan is completed, a minimum weighting of 15% is applied as a component of the overall evaluation criteria.		
SS6	Public authorities <b>must</b> be respectful of the time and cost to suppliers to prepare and submit offers and not withdraw or terminate any procurement process after seeking offers, except under very rare and unpredictable circumstances. (Pages 9-10)	<ul style="list-style-type: none"> <li>Select a sample of tenders and confirm whether any tenders were cancelled after seeking offers and seek evidence of approval if the tender has been withdrawn or terminated.</li> </ul>	<ul style="list-style-type: none"> <li>Tenders Register (withdrawn offers and evidence of approval)</li> </ul>
SS7	The process of receiving, receipting, opening and registering offers <b>must</b> be secure and ensure confidentiality, whether offers are physically or electronically received. (Page 10)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts and confirm by inspection of the tenders receiving, receipting, opening and registering offer process.</li> </ul>	<ul style="list-style-type: none"> <li>Tenders Register</li> </ul>
SS8	Suppliers <b>must</b> be kept informed of the status of their offer throughout the evaluation process, especially if there are delays. (Page 10)	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts and confirm by inspection that suppliers were informed of the status of their offer throughout the evaluation process.</li> </ul>	<ul style="list-style-type: none"> <li>Supplier communication</li> </ul>
SS9	<p>Late Offers: Public authorities <b>must</b> ensure that:</p> <ul style="list-style-type: none"> <li>prior to approving the admissibility of a late offer, that the reasons for accepting the late offer are satisfactory and that accepting a late offer will not compromise the integrity of the procurement process</li> <li>appropriate management controls are in place regarding the handling of late offers</li> <li>offers received after the designated closing time are identified as late and managed separately to offers received prior to the</li> </ul>	<ul style="list-style-type: none"> <li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection of the tender register whether any tenders were received after the designated closing time.</li> <li>If so, confirm that: <ul style="list-style-type: none"> <li>they were identified as late offers</li> <li>the criteria for managing a late offers were incorporated into the approved Acquisition / Evaluation Plan / market approach documentation</li> <li>any late offers accepted were managed in</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Tender Register</li> <li>Purchase Recommendation</li> <li>Evaluation Plan</li> <li>Market Approach Documentation – Invitation to Supply, Expression of Interest</li> <li>Procurement file</li> <li>Public Authority late offer policy</li> </ul>

Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	<p>closing time</p> <ul style="list-style-type: none"> <li>late offers are not accepted for consideration unless approved by the principal officer (or delegate). (Page 11)</li> </ul>	<p>accordance with these criteria or the public authority's late tenders policy.</p>	
SS10	<p>Public authorities <b>must</b> ensure that evaluation approaches are fit for purpose and resources are allocated to the process to facilitate timely, efficient and effective decision making, consistent with the specified requirements and the procurement objectives. (Page 11)</p>	<ul style="list-style-type: none"> <li>Confirm by inspection that the evaluation approaches are fit for purpose and resources are allocated to the process to facilitate timely, efficient and effective decision making, consistent with the specified requirements and procurement objectives.</li> </ul>	<ul style="list-style-type: none"> <li>Evaluation Plan</li> <li>Procurement file</li> </ul>
SS11	<p>Negotiation proceedings <b>must</b> be documented to provide a clear audit trail, with the results of any negotiation updating the selection process and scoring model (where relevant) to confirm the preferred supplier. The Board's Negotiation Plan template can be used. (Page 13)</p>	<ul style="list-style-type: none"> <li>Confirm by inspection that negotiation proceedings (where applicable) are: <ul style="list-style-type: none"> <li>documented in a Negotiation Plan</li> <li>documented in the Purchase Recommendation</li> <li>occur after approval for negotiations to occur has been authorised</li> <li>the outcomes are reflected in the evaluation process.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Negotiation Plan</li> <li>Purchase Recommendation</li> </ul>
SS12	<p>Deviations from approved acquisition plans <b>must</b> be approved by the appropriate approving authority, except where the deviation is assessed as low level (refer level of deviation matrix).</p> <p>Where an acquisition plan can only be approved by the Board due to its value, the public authority is to assess whether the deviation is significant enough to require consideration by the Board. If the deviation raises the acquisition plan value above the procurement authority of the public authority,</p>	<ul style="list-style-type: none"> <li>Obtain a list of all procurement contracts that exceed the procurement authority of the public authority. Confirm through inquiry if any of the contracts required a "deviation" ("deviations" are those material departures from the original strategy approved in the Acquisition Plan that occur prior to contract execution).</li> <li>Select a sample of contracts that required a "deviation" from the original Acquisition Plan and confirm through inspection that the revised Acquisition plan was submitted to the Board and</li> </ul>	<ul style="list-style-type: none"> <li>Updated Acquisition Plan</li> <li>Board Submission and approval</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	the deviation <b>must</b> be approved by the Board. (Page 14)	approved. <ul style="list-style-type: none"><li>If the Acquisition Plan had already been approved by the Board and was not resubmitted, then confirm through inspection of the revised Acquisition Plan that it documents the reason(s) why the plan was not resubmitted to the Board.</li></ul>	
SS13	The purchase recommendation <b>must</b> be approved prior to awarding the contract by the designated delegate in the approved acquisition plan, and documented to a level of detail commensurate with the requirement. (Page 15)	<ul style="list-style-type: none"><li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection that the Purchase Recommendation has:<ul style="list-style-type: none"><li>been approved by the authorised delegate indicated in the approved Acquisition Plan; and</li><li>contains the required level of detail.</li></ul></li></ul>	<ul style="list-style-type: none"><li>Acquisition Plan</li><li>Purchase Recommendation</li></ul>
SS14	The purchase recommendation (or evaluation report) <b>must</b> be signed by all members of the evaluation team demonstrating that it is a true reflection of the selection process. (Page 17)	<ul style="list-style-type: none"><li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection that the Purchase Recommendation or Evaluation Report has been signed by all members of the evaluation.</li></ul>	<ul style="list-style-type: none"><li>Purchase Recommendation</li><li>Evaluation Report</li></ul>
SS15	The supplier selection process <b>must</b> utilise life cycle costing (LCC), where appropriate, to ensure the best value goods and services are procured. (Page 20)	<ul style="list-style-type: none"><li>Select a sample of procurement contracts &gt; \$550,000 and confirm by inspection that the Acquisition Plan and/or Evaluation Plan used a LCC methodology or the reason for not using this methodology was documented.</li></ul>	<ul style="list-style-type: none"><li>Acquisition Plan</li><li>Evaluation Plan</li></ul>
SS16	Suppliers <b>must</b> be offered a supplier debriefing at the conclusion of a procurement process, to receive feedback on their offer. (Page 17)	<ul style="list-style-type: none"><li>For each contract selected, obtain copy of the unsuccessful supplier notification and debrief evidence.</li></ul>	<ul style="list-style-type: none"><li>Unsuccessful suppliers debrief evidence</li><li>Letters to unsuccessful suppliers</li></ul>
SS17	Public authorities <b>must</b> undertake a 'post sourcing review' for procurements valued at or	<ul style="list-style-type: none"><li>For each contract with procurement valued at or above \$4.4 million and for significant contracts</li></ul>	<ul style="list-style-type: none"><li>Post Sourcing Review document</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
	above \$4.4 million and for significant contracts below \$4.4 million (as determined by the public authority). (Page 17)	below \$4.4 million (as determined by the public authority) selected, obtain copy of the 'post sourcing review'.	
<b>Contract Management (&gt;\$550,000)</b>			
CM1	The principal officer <b>must</b> ensure that the public authority has a contract management framework in place. (Page 5)	<ul style="list-style-type: none"><li>Confirm by observation and inspection that the public authority has a documented contract management framework (policy) that has been approved and published.</li></ul>	<ul style="list-style-type: none"><li>Contract Management Framework</li></ul>
CM2	All contract variations <b>must</b> be approved in writing in accordance with the contract and be approved by the appropriate delegate. (Page 15)	<ul style="list-style-type: none"><li>Confirm by inquiry whether any contract variations have occurred in the period under review.</li><li>If so, select a sample of variations and confirm that they have been approved in accordance with the contract and the Board's guidance on managing contract variations.</li></ul>	<ul style="list-style-type: none"><li>Contract</li><li>Contract Variation Memo</li></ul>
CM3	<p>For contracts valued at or above \$4.4 million and significant contracts below \$4.4 million (as determined by the public authority)</p> <p>An adequately resourced and skilled contract manager <b>must</b> be appointed.</p> <p>The contract manager <b>must</b> have completed the Board's contract management training program (or similar) and undergo refresher training every three years. (Page 7)</p>	<ul style="list-style-type: none"><li>Select a sample of procurement contracts &gt; \$4.4m and confirm that a contract manager has been formally appointed.</li><li>Confirm by inquiry whether the public authority has defined any contract below \$4.4 million as "significant". If so, select a sample of these contracts and confirm that a contract manager has been formally appointed.</li><li>For all contract managers identified in testing, confirm by inspection of the public authority's training records that each manager has completed the Board's contract management training program (or equivalent) within the last three years or has undergone refresher training within the last three years.</li></ul>	<ul style="list-style-type: none"><li>Notification of the appointment of a contract manager</li><li>Contract Management Plan</li><li>Training Records</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for Each Test
CM4	<p>For contracts valued at or above \$4.4 million and significant contracts below \$4.4 million (as determined by the public authority)</p> <p>An approved contract management plan <b>must</b> be developed, implemented and monitored (except for contracts that are of a one-off nature and have minimal management tasks). (Page 8)</p>	<ul style="list-style-type: none"><li>For all contracts sampled, confirm by inspection that:<ul style="list-style-type: none"><li>An approved contract management plan exists</li><li>There is evidence that it is being monitored.</li></ul></li><li>For all contracts sampled that do not have a contract management plan, confirm by inquiry and inspection of procurement records that the public authority has determined that a plan is not necessary as the contract meets the criteria for exemption.</li></ul>	<ul style="list-style-type: none"><li>Contract Management Plan</li></ul>
CM5	<p>For contracts valued at or above \$4.4 million and significant contracts below \$4.4 million (as determined by the public authority)</p> <p>An annual contract review report <b>must</b> be completed for all contracts valued at or above \$4.4 million and significant contracts below \$4.4 million (as determined by the public authority) for the consideration of the contract governance committee (where established) or senior managers. (Page 12)</p>	<ul style="list-style-type: none"><li>For all contracts sampled, confirm by inspection that an annual contract review report was completed for the year immediately prior to the assurance review.</li></ul>	<ul style="list-style-type: none"><li>Annual Contract Review Report</li></ul>
CM6	<p>For contracts valued at or above \$4.4 million and significant contracts below \$4.4 million (as determined by the public authority)</p> <p>A post-contract review report <b>must</b> be prepared for the appropriate senior manager (or where relevant, the governance committee). (Page 15)</p>	<ul style="list-style-type: none"><li>For all contracts sampled, confirm by inquiry whether any have concluded in the period under review.</li><li>If so, confirm by inspection that a post-contract review report has been prepared.</li></ul>	<ul style="list-style-type: none"><li>Post-Contract Review Report</li></ul>

### 3 General Requirements

The following general requirements apply to public authority procurement operations.

Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
<b>Contract Register</b>			
CR1	<p>The principal officer of the public authority <b>must</b> maintain a contract register or have systems in place to record the contract information set out in this policy.</p> <p>The following contracts <b>must</b> be recorded:</p> <ul style="list-style-type: none"> <li>goods and services contracts valued at \$22,000 and above (GST inclusive), including secondary contracts under established panel contracts;</li> <li>construction contracts valued at \$22,000 (GST inclusive) and up to \$165,000 (GST inclusive).</li> </ul>	<ul style="list-style-type: none"> <li>Obtain and inspect the contract register for the public authority for the period under review.</li> <li>Through inquiry of public authority personnel, test the completeness of the contract register and investigate any anomalies noted.</li> </ul>	<ul style="list-style-type: none"> <li>Contract Register / Procurement System</li> <li>Public Authority's contract register policy or procedure</li> </ul>
CR2	<p>The following information <b>must</b> be recorded (as a minimum) for all contracts:</p> <ul style="list-style-type: none"> <li>Business unit (if relevant, based on the organisational structure and size of the public authority)</li> <li>Unique contract identifier (i.e. public authorities unique alpha-numeric identifier for that contract)</li> <li>Contract title (i.e. description of requirements)</li> <li>Public authority contract manager and contact details (email and phone)</li> <li>Supplier</li> </ul>	<ul style="list-style-type: none"> <li>Select a sample of contracts from the contract register and, for each of the contracts selected, inspect the register / procurement system to ensure the required information is recorded and up to date.</li> </ul> <p>OR</p> <p>Where possible, inspect the full contract register to ensure all relevant fields are recorded.</p>	<ul style="list-style-type: none"> <li>Contract Register / Procurement System</li> </ul>



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	<ul style="list-style-type: none"> <li>• Supplier address</li> <li>• Supplier’s contact person and contact details (email and phone)</li> <li>• Contract execution date</li> <li>• Contract commencement date</li> <li>• Contract expiry/completion date</li> <li>• Contract term including extension options</li> <li>• Total estimated value of the contract including all options and GST</li> <li>• Type of market approach used (Invitation to Supply, Selective Invitation to Supply, , Request for Quotation, Direct Negotiation, Multi-stage process, Other)</li> <li>• Goods/services category</li> <li>• Consultancy (yes/no)</li> <li>• Number of suppliers approached (number or if open market approach)</li> <li>• Lead Agency (yes/no)</li> <li>• Location of supplier (metropolitan, regional, other Australian states or New Zealand, overseas excluding New Zealand). (Page 3)</li> </ul>		
CR3	Public authorities <b>must</b> record the reason if an Economic Contribution Test of IPP Plan (South Australian Industry Participation Policy) was not completed. (Page 4)	<ul style="list-style-type: none"> <li>• Select a sample of contract with where Economic Contribution Test of IPP Plan (South Australian Industry Participation Policy) was not completed and the reason.</li> </ul>	<ul style="list-style-type: none"> <li>• Documentation to support the reason why the Economic Contribution Test of IPP Plan (South Australian Industry Participation Policy) was not completed</li> </ul>
CR4	<p>For public authorities required to submit annual reporting information under the Board’s <i>Board Procurement Reporting Policy</i>, the following additional information <b>must</b> be recorded to facilitate annual data collection for <i>contracts valued greater than \$220,000 (GST inclusive)</i>:</p> <ul style="list-style-type: none"> <li>• Risk level (low, medium or high);</li> </ul>	<ul style="list-style-type: none"> <li>• Select a sample of contracts from the contract register and, for each of the contracts selected, inspect the register / procurement system to ensure the required information is recorded and up to date.</li> </ul> <p>OR</p>	<ul style="list-style-type: none"> <li>• Contract Register / Procurement System</li> </ul>



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	<ul style="list-style-type: none"> <li>Acquisition Plan Approval received date (i.e. the date the acquisition plan was approved, or approval obtained by the delegated authority)</li> <li>Date the invitation was issued to the market (or date suppliers were contacted for quotation)</li> <li>Date the invitation closed (or quotations were received)</li> <li>Purchase Recommendation approval date (i.e. the date the purchase recommendation was approved by the delegated authority)</li> <li>Contract award date (i.e. the date the supplier was formally notified that they would be awarded the contract)</li> <li>Contract execution date (the date the purchase order was issued or the contract was formally signed by all parties)</li> <li>Public authorities may have existing systems and processes in place to record this information.</li> </ul>	Where possible, inspect the full contract register to ensure all relevant fields are recorded.	
<b>Probity and Ethical Procurement Guideline</b>			
EP1	Employees <b>must</b> strive to avoid actual, or perceptions of, conflict of interest, or of undue influence. (Page 5)	<ul style="list-style-type: none"> <li>Confirm by observation and inspection that the public authority's employees are familiar with the Government's Code of Ethics for the South Australian Public Sector and the Board's Probity and Ethical Procurement Guideline documents and these documents are easily accessible to employees (for example by publishing them on the public</li> </ul>	<ul style="list-style-type: none"> <li>Government's Code of Ethics for the South Australian Public Sector</li> <li>Public Authority's Probity and Ethical Procurement policy or procedure</li> <li>Conflict of Interest Register/Form</li> <li>Confidentiality Agreement</li> </ul>



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		authorities intranet).	
EP2	Any actual, potential or perceived conflict of interest <b>must</b> be identified and managed at the beginning of the procurement process. All participants in the procurement evaluation process (for example, public authority employees, project consultants, probity advisers) <b>must</b> complete a conflict of interest declaration and confidentiality agreement which is to be kept by the chair of the assessment panel. (Page 7)	<ul style="list-style-type: none"> <li>Select a sample of contracts from the contract register valued &gt; \$220k and confirm through inquiry and observation that a conflict of interest form has been signed on an individual form or in the evaluation plan.</li> <li>Also confirm that the date of the each declaration predates the evaluation process.</li> </ul>	<ul style="list-style-type: none"> <li>Evaluation Plan</li> <li>Conflict of Interest Register/Form</li> <li>Confidentiality Agreement</li> </ul>
EP3	It is not improper per se, for a person to have a conflict of interest, however if they are involved in any aspect of the procurement process, they <b>must</b> declare any actual or potential conflict of interest in the written declaration. (Page 7)	<ul style="list-style-type: none"> <li>Select a sample of contracts from the contract register valued &gt; \$220k and confirm through inquiry and observation that a conflict of interest form has been signed on an individual form or in the evaluation plan.</li> <li>Also confirm that the date of the each declaration predates the evaluation process.</li> </ul>	<ul style="list-style-type: none"> <li>Evaluation Plan</li> <li>Conflict of Interest Register/Form</li> <li>Confidentiality Agreement</li> </ul>
<b>Emergency Situation Procurement Policy</b>			
ES1	This policy only applies to procurements undertaken by those public authorities who have emergency responsibilities and who are responding to an emergency, in accordance with the provisions of the State Emergency Management Plan, or formal arrangements outlined in other state or commonwealth emergency service related legislation (e.g. the Fire and Emergency Services Act 2005, and the National Counter-Terrorism Plan).	<ul style="list-style-type: none"> <li>For a sample of contracts, obtain the following: <ul style="list-style-type: none"> <li>copy of appropriate emergency management procurement strategy</li> <li>Emergency procurement</li> <li>Documentation to support the emergency procurement.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Emergency management procurement strategy</li> <li>Documentation to support the emergency procurement</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
	<p>For those public authorities who have emergency responsibilities and who are responding to an emergency, the principal officer (as defined in the State Procurement Act 2004), <b>must</b> ensure that:</p> <ul style="list-style-type: none"> <li>• an appropriate emergency management procurement strategy is developed and documented which clearly addresses key operational considerations for procurement under emergencies</li> <li>• staff awareness and capability related to emergency procurement is developed and enhanced</li> <li>• appropriate management processes are in place to ensure adequate documentation is maintained for procurements related to emergencies. (Page 2)</li> </ul>		
<p><b>Procurement Authority and Governance Policy (Tier 1 public authorities)</b></p>			
PG1	<p>In order to ensure effective governance, the principal officer of Tier 1 public authorities <b>must</b> establish a Procurement Governance Committee (PGC) in line with the membership, roles and functions outlined in this policy. (Page 3)</p>	<ul style="list-style-type: none"> <li>• Confirm by observation and inspection that the Procurement Governance Committee (PGC) was set up in line with the membership, roles and functions outlined in this policy.</li> </ul>	<ul style="list-style-type: none"> <li>• Procurement Governance Committee (PGC) roles and responsibilities/terms of reference</li> </ul>
PG2	<p>Membership of the PGC of Tier 1 public authorities <b>must</b> comprise:</p> <ul style="list-style-type: none"> <li>• representation of executive and senior level officers that can contribute appropriate management and subject expertise such as risk, financial management, strategic</li> </ul>	<ul style="list-style-type: none"> <li>• Confirm by observation and inspection the Procurement Governance Committee membership reflect the policy.</li> </ul>	<ul style="list-style-type: none"> <li>• Procurement Governance Committee (PGC) roles and responsibilities/terms of reference</li> </ul>



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	<p>planning, project management, and information systems</p> <ul style="list-style-type: none"> <li>at least one external commercial advisory representative with relevant experience</li> <li>the Industry Participation Advocate or delegate. (Page 5)</li> </ul>		
<b>Supplier Complaints Policy</b>			
SC1	The principal officer <b>must</b> ensure effective systems, practices and processes are in place to manage supplier complaints within their public authority in accordance with this policy.	<ul style="list-style-type: none"> <li>Confirm by observation and inspection that the public authority has a documented policy / procedure for recording and managing supplier complaints.</li> </ul>	<ul style="list-style-type: none"> <li>Public Authority Supplier Complaints Policy / Procedure</li> </ul>
SC2	The public authority <b>must</b> document the process for handling supplier complaints, including appropriate escalation procedures within the authority, and ensure this information is publicly available to suppliers.	<ul style="list-style-type: none"> <li>Confirm by observation and inspection that the public authority has a documented policy / procedure for recording and managing supplier complaints.</li> </ul>	<ul style="list-style-type: none"> <li>Public Authority Supplier Complaints Policy / Procedure</li> </ul>
SC3	Each public authority <b>must</b> ensure all formal complaints are investigated by an appropriate, independent officer who is not directly involved in the subject matter of the complaint.	<ul style="list-style-type: none"> <li>Confirm by observation and inspection that the public authority has a documented policy / procedure stating that an independent officer investigates the complaint.</li> <li>Review any investigated supplier complaints and determine independence of investigator.</li> </ul>	<ul style="list-style-type: none"> <li>Public Authority Supplier Complaints Policy / Procedure</li> <li>Supplier Complaints investigations / reports</li> </ul>
SC4	Where applicable, appropriate records of complaints <b>must</b> be maintained by public authorities via a database and/or a physical file containing all relevant documentation.	<ul style="list-style-type: none"> <li>Confirm by observation and inspection that the public authority has recorded any supplier complaints.</li> </ul>	<ul style="list-style-type: none"> <li>Public Authority Supplier Complaints Register</li> </ul>
<b>Disposal Guideline</b>			



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DP1	The disposal of goods <b>must</b> achieve value for money. Public authorities should select a disposal method that will obtain the best possible return for any surplus goods. In addition to price, the disposal process chosen <b>must</b> include consideration of the government's social, economic and environmental policy objectives. The disposal method chosen <b>must</b> promote fair and effective competition and <b>must</b> be conducted in an ethical manner.	<ul style="list-style-type: none"><li>• Confirm by observation and inspection that the public authority has a documented policy / procedure for recording and managing disposals of goods.</li><li>• Obtain a list of asset disposals from the public authority's finance department for the period under review. Select a sample of disposals and confirm through inquiry and inspection that the public authority can demonstrate compliance with their policy / procedure.</li></ul>	<ul style="list-style-type: none"><li>• Disposal of Goods Policy / Procedure</li><li>• List of disposals</li></ul>
DP2	Public authorities <b>must</b> ensure that hazardous goods are disposed of in a manner that safeguards against environmental risks and addresses any health and safety issues. For further advice public authorities should contact the Environment Protection Authority.	<ul style="list-style-type: none"><li>• Confirm through observation and inquiry what types of hazardous goods are handled by the public authority.</li><li>• If the public authority handles hazardous goods, confirm by observation and inspection that the public authority has a documented policy / procedure for disposing of hazardous goods.</li><li>• Inquire if the public authority maintains records of hazardous goods disposal.</li><li>• If so, obtain a list of hazardous goods disposals for the period under review. Select a sample of disposals and confirm through inquiry and inspection that the public authority can demonstrate compliance with their policy / procedure.</li></ul>	<ul style="list-style-type: none"><li>• Disposal of Hazardous Goods Policy / Procedure</li><li>• List of hazardous goods disposals</li></ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
<b>Disclosure of Government Contracts</b>			
PD1	<p>Chief Executives <b>must</b> ensure the disclosure of eligible or significant contracts executed on or after December 2005 as required by this Circular.</p> <p>Eligible contracts: Contracts between:</p> <ul style="list-style-type: none"> <li>public authorities and the private sector, involving the expenditure of public funds of \$500,000 or more and less than \$4,000,000</li> <li>public authorities and a consultant involving the expenditure of public funds of less than \$25,000</li> </ul> <p>Significant contracts: Contracts between:</p> <ul style="list-style-type: none"> <li>public authorities and the private sector, involving the expenditure of public funds of \$4,000,000 or more</li> <li>public authorities and a consultant involving the expenditure of public funds of \$25,000 or more.</li> </ul>	<ul style="list-style-type: none"> <li>Through inquiry and inspection, identify all eligible and significant contracts from the contract register of the public authority for the period under review.</li> <li>Select a sample of these contracts and, for each of the contracts selected, inspect the relevant procurement files or observe on the SA Tenders and Contracts website that all eligible and significant contracts were disclosed on the SA Tenders and Contracts website.</li> </ul>	<ul style="list-style-type: none"> <li>Contract</li> <li>Disclosure of eligible and significant contracts on the SA Tenders and Contracts website</li> </ul>
PD2	<p>Disclosure <b>must</b> occur within 60 days of the Eligible or Significant Contract being executed. The information should remain on the website for the term of the contract or twelve months, whichever is longer.</p>	<ul style="list-style-type: none"> <li>Refer PC1.</li> <li>For each of the Eligible or Significant contracts selected, ensure the conditions for timing of disclosure within 60 days of the Contract being executed have been met.</li> </ul>	<ul style="list-style-type: none"> <li>Contract</li> <li>Disclosure of eligible and significant contracts on the SA Tenders and Contracts website</li> </ul>
PD3	<p>Copies of executive contracts will be made available for inspection on receipt of a written request to the Chief Executive of the public authority in which the executive is employed. In the case of contracts with Chief Executives, the</p>	<ul style="list-style-type: none"> <li>Obtain copy of the written request made to the Commissioner for Public Employment and the contract provided will include the Total Remuneration Package Value (TRPV) and the schedule in which the TRPV</li> </ul>	<ul style="list-style-type: none"> <li>Written request</li> </ul>



Ref No	Mandated Compliance Requirement	Test Approach	Documents Required for each Test
	written request <b>must</b> be made to the Commissioner for Public Employment and the contract provided will include the Total Remuneration Package Value (TRPV) and the schedule in which the TRPV appears, though this information will not be included in the case of other executive contracts. In all cases, the address of the executive will be excluded for privacy reasons. (Page 5)	appears, though this information will not be included in the case of other executive contracts. In all cases, the address of the executive will be excluded for privacy reasons.	
PD4	<p>In considering exemptions, a Chief Executive <b>must</b> make any assessments from the initial starting point that a contract should be released in full. (Page 6)</p> <p>Where the Chief Executive decides not to disclose information as referred above, the reason why the disclosure is not made <b>must</b> be published on the South Australian Government's Tenders and Contracts website. (Page 6)</p>	<ul style="list-style-type: none"><li>• Obtain copy of the Chief Executive assessment from the initial starting point that a contract should be released in full.</li><li>• Select a sample of these contracts and, for each of the contracts selected, inspect the relevant procurement files or observe on the SA Tenders and Contracts website that all reason for non-disclosure were disclosed on the SA Tenders and Contracts website.</li></ul>	<ul style="list-style-type: none"><li>• Chief Executive assessment</li><li>• Disclosure of reason for non-disclosure contracts on the SA Tenders and Contracts website</li></ul>