

5. AUTHORISATION OF EXPENDITURE FROM MUNICIPAL AND TRUST FUND

DELEGATED BY:	Local Government
POWER TO DELEGATE:	Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	Sections 6.7 and 6.9 Local Government Act 1995 Authority to authorise expenditure from the municipal fund and trust fund.
CONDITIONS:	<ul style="list-style-type: none">• All <u>Municipal</u> purchases must be within budget allocation or through Council resolution;• Purchase of plant must be approved through the Plant Replacement Advisory Group;• Purchase authority is only permissible to accounts where responsibility lies with the appropriate Manager/Coordinator; and• <u>All goods and services to be acquired through a tendering or expression of interest process will require the CEO or Director's approval in the first instance.</u>• <u>All Trust payments to meet condition for refund under term of agreement.</u>
REFERENCES:	Purchasing Authority Limits form Section 6.8 Local Government Act 1995
POWER TO SUB-DELEGATE:	Yes - s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Those positions detailed in the Purchasing Authority Limits form.
CONDITIONS OF SUB-DELEGATION:	Expenditure authorised must be within the limit detailed in the Purchasing Authority Limits form.

RECORD OF USE:

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents such as purchase orders. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the ***Local Government (Administration) Regulations 1996*** are met.

DATE ADOPTED:

20/10/2003

LAST REVIEWED:

20/06/2016

13. ~~AWARDING~~ ACCEPTING AND REJECTING TENDERS AND APPLICATIONS TO JOIN A PANEL OF PRE-QUALIFIED SUPPLIERS

DELEGATED BY:	Local Government
POWER TO DELEGATE:	<p>Section 5.42 Local Government Act 1995 – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.</p> <p>Section 5.43(b) Local Government Act 1995 – a local government cannot delegate to the CEO the power to accept a tender which exceeds an amount determined by the local government for the purpose of s.5.43(b).</p>
DELEGATED TO:	Chief Executive Officer
POWER/AUTHORITY DELEGATED:	<p>Section 3.57 Local Government Act 1995</p> <p>Regulations 181 to 24 Local Government (Functions & General) Regulations 1996</p> <ol style="list-style-type: none">1. Authority to reject and accept tenders. <u>Regulation 24AH Local Government (Functions & General) Regulations 1996</u>2. <u>Authority to reject and accept applications to join a panel of pre-qualified suppliers.</u>
CONDITIONS:	<p>A tender may only be accepted<u>This delegation only applies</u> where the consideration involved does not exceed \$300,000-00 (excluding GST) and there is an <u>appropriate provision is made</u> in the budget.</p>
REFERENCES:	N/A
POWER TO SUB-DELEGATE:	Yes – s.5.44 Local Government Act 1995 – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the Local Government Act 1995 .
SUB-DELEGATED TO:	Not sub-delegated.
RECORD OF USE:	Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents such as relevant tender documentation. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the Local Government (Administration) Regulations 1996 are met.

DATE ADOPTED: 20/10/2003

LAST REVIEWED: 20/06/2016

14. **INVITING TENDERS, EXPRESSIONS OF INTEREST AND APPLICATIONS TO JOIN A PANEL OF PRE-QUALIFIED SUPPLIERS AND DETERMINING TENDER EVALUATION CRITERIA**

DELEGATED BY: Local Government

POWER TO DELEGATE: ***Section 5.42 Local Government Act 1995*** – a local government may delegate to the CEO the exercise of any of its powers or any of its duties as specified in s.5.42.

DELEGATED TO: Chief Executive Officer

POWER/AUTHORITY DELEGATED: ***Section 3.57 Local Government Act 1995***
Regulations ~~1411 to 24~~ Local Government (Functions & General) Regulations 1996

1. Authority to invite tenders in accordance with section 3.57 ~~where:~~

- ~~• there is a “discrete and identifiable” budget allocation provided by Council as part of their budget adoption or review; and~~
- ~~• the value of the tender is not to exceed \$1million (excluding GST).~~

2. Authority to determine tender evaluation criteria, the form of contract and the Contract Superintendent in accordance with ~~r~~Regulation 14 where:

- ~~• the value of the tender is not to exceed \$1million (excluding GST); and~~
- ~~• the criteria is to be in accordance with section 3.12 of the CG-12 Purchasing Policy.the Tender Evaluation Criteria Policy.~~

Regulation 21 Local Government (Functions & General) Regulations 1996

3. Authority to invite Expressions of Interests.

4. Authority to determine appropriate expression of interest evaluation criteria.

Regulations 24AB to 24AD Local Government (Functions & General) Regulations 1996

5. Authority to establish a panel of pre-qualified suppliers in accordance with regulations 24AB and 24AC where:

- there is a written policy that meets the requirements of regulation 24AC(2); and
- there is, or will be, a continuing need for the goods or services to be supplied by pre-qualified suppliers.

6. Authority to determine evaluation criteria in accordance with regulation 24AD where:

- the criteria is to be in accordance with section 3.12 of the CG-12 Purchasing Policy.

CONDITIONS:

N/A This delegation only applies where the consideration involved does not exceed \$1,000,000 (excluding GST) and there is an appropriate provision made in the budget.

REFERENCES:

~~Tender~~ Evaluation Criteria Policy.

POWER TO SUB-DELEGATE:

Yes – **s.5.44 Local Government Act 1995** – a CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under the **Local Government Act 1995**.

SUB-DELEGATED TO:

Not sub-delegated.

RECORD OF USE:

Details of decisions made are to be recorded in writing and retained in the Council record keeping system, along with any evidentiary documents such as relevant tender documentation. Such records/documents must contain sufficient information to ensure that the requirements of Regulation 19 of the **Local Government (Administration) Regulations 1996** are met.

DATE ADOPTED:

20/05/2013

LAST REVIEWED:

20/06/2016