

POWER / DUTY ASSIGNED TO	Local Government
POWER TO DELEGATE	<i>Local Government Act 1995</i> s.5.42 Delegation of some powers or duties to CEO s.5.43 Limitations on delegations to CEO
DELEGATED TO	Chief Executive Officer
POWER / DUTY DELEGATED	<i>Local Government Act 1995</i> s.3.18, s.3.57 <i>Local Government (Functions and General) Regulations 1996</i> Regulations 11 , 13, 14, 18, 20, 21A
FUNCTION	<p>s.3.18 The power to perform executive functions Power to enter into a contract for the purchase of goods and services</p> <p>s.3.57 Tenders for providing goods or services</p> <p>Regulation 11(1) The power to determine when tenders have to be publicly invited</p> <p>Regulation 11(2) The power to determine that a relevant exemption applies</p> <p>Regulation 13 Requirements when local government invites tenders when not required to do so</p> <p>Regulation 14(2a) The power to determine in writing, before tenders are called, the criteria for acceptance of tenders</p> <p>Regulation 14(4)(a) The power to determine the information that is to be disclosed</p> <p>Regulation 14(5) The power to vary tender information after public notice and provide notice of variation to information</p> <p>Regulation 18(4) The power to evaluate tenders, by written evaluation, and decide which is the most advantageous</p> <p>Regulation 18(4a) The power to seek clarification from tenderers in relation to information contained in their tender submission</p> <p>Regulation 18(5) The power to decline any tender</p> <p>Regulation 18(6), (7) The power to accept another tender where within 6 months of either accepting a tender, a contract has not been entered into or the successful tenderer agrees to terminate the contract.</p> <p>Regulation 20 The power to vary the requirements before entry into contract</p> <p>Regulation 21A The power to vary a contract for the supply of goods or services</p>

CONDITIONS	<p><u>This delegation is limited to the power to enter into a contract for the purchase of goods and services.</u></p> <p>This delegation is subject to:</p> <ul style="list-style-type: none"> (a) Complying with the requirements of the City of Busselton’s Purchasing Policy as it relates to tendering; (b) Following any applicable staff management practices and operational procedures; and (c) Not accepting any tender or entering into any contract having a value exceeding 500,000<u>500,000</u>
POLICY	Council Policy: Purchasing
REFERENCE DOCUMENTS	Tender Register
SUB DELEGATION	

RECORD KEEPING	ECM – GOVN015 ‘Instruments of Council Delegation to CEO’	
VERIFICATION	Initial Council Resolution C1103/179	Recent Council Resolution C2101/010
RECENT ALTERATIONS	September 2021	
PREVIOUS DELEGATION REFERENCE	LG3J – Inviting Tenders and Rejecting and Accepting Tenders	