Summary of State Supply Commission policy amendments March 2020

Identifies the relevant changes made to each policy.

**Common Use Arrangements (CUA) policy**

The CUA policy has been amended to redefine the definition of a Buyer’s Guide to reflect that there may be a document or online content that prescribes the buying rules for a CUA and that the document or online content will now be accessible on wa.gov.au.

This reflects the Department of Finance’s recent transition of its website information to wa.gov.au including the Contracts WA website that previously hosted CUAs. As part of this transition Buyers Guides have been converted to online content rather than being within a document.

**Open and Effective Competition policy**

The Open and Effective Competition policy has been amended to reflect the recent changes to the Government’s Market-led Proposal (MLP) policy. Recent revisions to the MLP policy mean that the MLP policy is no longer premised on exclusive negotiations and introduces a competitive process via the First Mover Advantage procurement pathway. The MLP policy can be accessed [here](https://www.wa.gov.au/government/publications/market-led-proposals-policy).

Consequently revision to the SSC’s Open and Effective Competition policy were necessary to support the fairness and equity of the competitive procurement process via the First Mover Advantage procurement pathway and ensure appropriate probity and rigour when the agency is conducting this process.

The Open and Effective Competition policy has been amended so agencies are only released from the majority of its requirements when a decision is made to exclusively negotiate pursuant to the MLP policy and not when the First Mover Advantage procurement pathway is enacted.

In addition, the footnote containing the URL for the Free Trade Agreement (FTA) Guidelines and covered procurement thresholds under the FTA’s has also been updated to reflect the Department of Finance’s website transition to wa.gov.au.

**Procurement Planning, Evaluation Reports and Contract Management policy**

This policy has been amended to reflect that an evaluation report is not required if an agency is procuring pursuant to the Market-led Proposal (MLP) policy and a decision has been made to exclusively negotiate with a supplier.

The effect of this amendment is that an agency must develop an evaluation report, even when undertaking a First Mover Advantage procurement process pursuant to the MLP policy, if the procurement is valued at $5 million (GST inclusive) or greater. There is no requirement to submit the evaluation report to the State Tender Review Committee given MLP governance.

**Sustainable Procurement policy amendments**

The Sustainable Procurement policy has been amended to ensure alignment with the [Waste Avoidance and Resource Recovery Strategy 2030](https://www.wasteauthority.wa.gov.au/images/resources/files/2019/10/Strategic_Direction_-_Waste_Avoidance_and_Resource_Recovery_Strategy_2030_Action_Plan.pdf) and the most recent standard published by the International Organisation for Standardisation ISO 20400:2017 Sustainable Procurement.

The policy is amended to include:

* greater context on government’s role in developing and implementing policies and practices that will contribute to sustainability outcomes through procurement;
* additional content which clearly outlines the objectives and requirements of the Sustainable Procurement policy;
* greater detail of strategies to enable incorporation of sustainability principles in procurements;
* a reference to the updated Sustainable Procurement Guidelines.

**Glossary of Terms**

The Glossary of Terms has been updated as follows:

* the URL contained in the “Covered procurement” definition has been amended;
* the definition of Buyers Guide has been updated to reflect to reflect that there may be a document or online content that prescribes the buying rules for a CUA and that the document or online content will now be accessible on wa.gov.au.

All State Supply Commission policies and Glossary of Terms can be found [here](https://www.wa.gov.au/government/document-collections/state-supply-commission-policies).