Procurement List Action Plan Checklist

|  | **Requirement or proposed change** |  | **Planned action** |
| --- | --- | --- | --- |
|  | The Procurement List includes goods or services covered by the EPP Direction.  *Schedule 2 of the EPP Direction lists goods and services which are exempt.* | Yes /No |  |
|  | Thresholds for the application of the Procurement List are calculated consistent with the requirements for estimating the value of procurements in clause 7 of the EPP Direction.  *Clause 7 of the EPP Direction sets out how to estimate the value of a procurement.* | Yes /No |  |
|  | Relevant agencies have been consulted on the development of a Procurement List.  *Schedule 1 of the EPP Direction lists agencies covered by the Direction.* | Yes /No |  |
|  | The period that the Procurement List can be used has been defined.  *A Procurement List can be for an indefinite period or for a fixed period. See subclause 25(3)(e).* | Yes /No |  |
|  | The method for renewing or terminating a fixed term list has been defined.  *See subclause 25(3)(e).* | Yes /No |  |
|  | The method for terminating an indefinite term list has been defined.  *See subclause 25(3)(f).* | Yes /No |  |
|  | **Scope of goods and services** | | |
|  | The Procurement List has a clear statement of the goods or services available for procurement through suppliers on the list.  *See subclause 25(3)(a).* | Yes /No |  |
|  | Categories in the proposed Procurement List provide a clear statement of the included goods or services. | Yes /No |  |
|  | Categories in the proposed Procurement List are designed to provide an efficient procurement solution and assist agencies to readily identify suppliers who can fulfil their requirements. | Yes /No |  |
|  | Any potential overlap with another scheme or Procurement List has been identified and a solution agreed. | Yes /No |  |
|  | **Conditions for participation** | | |
|  | Conditions for participation in the Procurement List have been defined. | Yes /No |  |
|  | Conditions for participation are limited to conditions which ensure that a supplier has the   * legal capacity * financial capacity * commercial ability * technical ability   to fulfil the requirements for procurements covered by the list.  *See subclause 16(3).* | Yes /No |  |
|  | Conditions for participation for each category within the list are appropriate and relevant for procurement in that category. | Yes / No |  |
|  | Conditions for participation require previous experience only where this is essential to the requirements for the procurement.  *See subclause 16(4).* | Yes / No |  |
|  | Conditions for participation do not require previous experience in Australia.  *See subclause 16(4).* | Yes / No |  |
|  | Conditions for participation do not require previous contracts with a government agency in Australia.  *See subclause 16(4).* | Yes / No |  |
|  | Conditions for participation do not discriminate against a supplier based on their location, the origin of their goods and services or their foreign affiliation or ownership.  *See subclause 8.* | Yes / No |  |
|  | **Verifying supplier applications** | | |
|  | Methods to verify that a supplier satisfies each condition for participation have been defined.  *See subclause 25(3)(d).*  Verification methods can include requirements to undertake a certification or validation procedure. See subclause 16(2). | Yes / No |  |
|  | Evaluation of a supplier’s financial capacity and their commercial and technical abilities is on the basis of the supplier’s business activities, wherever they have occurred.  *See subclause 16(5)(a).* | Yes / No |  |
|  | Assessment of a supplier is based solely on the conditions for participation as specified for the Procurement List or the relevant category within the list.  *See subclause 16(5)(b).* | Yes / No |  |
|  | A supplier is included in the Procurement List if the agency administering the list is satisfied that the supplier meets the specified conditions for participation.  *See subclause 25(5).*  *The verification method specified for the condition for participation should be used when making this determination. See clause 25(3)(d).* | Yes / No |  |
|  | Agencies using the Procurement List have access to appropriate information about the current status of a supplier’s compliance with the conditions for participation for the Procurement List.  *An agency awarding a contract must determine that the supplier satisfies the conditions for participation before awarding the contract. See subclause 22(c).* | Yes / No |  |
|  | **Excluding suppliers from procurements** | | |
|  | Rules for excluding or suspending a supplier from the Procurement List have been defined and are consistent with:   * exclusion reasons authorised by clause 12 of the EPP Direction * NSW Government Supplier Code of Practice (approved by the PLG in January 2020). | Yes / No |  |
|  | **Criteria for selecting suppliers for a procurement** | | |
|  | Rules for selecting suppliers who are invited to make submissions for a procurement have been defined for the Procurement List and where relevant for specific categories.  *See subclause 25(3)(j).*  *Options are that (1) all suppliers on the list or in the relevant category are to be invited to make submissions and (2) a limited number of suppliers are selected to make submissions using published selection criteria.* | Yes / No |  |
|  | The justification for authorising an agency to select a limited number of suppliers has been defined (where option is implemented).  *See subclause 25(3)(j).* | Yes / No |  |
|  | Where relevant, criteria for selecting a limited number of suppliers who are invited to make a submission for a procurement have been specified for the list or for the relevant category.  *See subclause 25(3)(j).* | Yes / No |  |
|  | Criteria for selecting a limited number of suppliers for a procurement do not discriminate against a supplier based on their location, the origin of their goods and services or their foreign affiliation or ownership.  *See clause 8.* | Yes / No |  |
|  | Where relevant, information about a supplier related to the supplier selection criteria has been defined, including appropriate sources of this information such as supplier profiles. | Yes / No |  |
|  | **Supplier complaints** | | |
|  | Policy and processes for supplier complaints have been defined and documented consistent with the NSW Procurement Board *Complaint Management Guidelines* and requirements under Part 11 of the PW&P Act. | Yes / No |  |
|  | **Notice of Procurement List on eTendering** | | |
|  | A notice inviting suppliers to apply for inclusion on the Procurement List has been published on eTendering.  *See subclause 25(2).* | Yes / No |  |
|  | The notice for the Procurement List published on eTendering includes all the information required in subclause 25(3) of the EPP Direction.  *Subclause 25(3) lists the information that must be included in a notice establishing a Procurement List published on eTendering. This information can potentially be included as a section in a broader document providing information about an associated pre-qualification scheme.* | Yes / No |  |