

## Policy, Framework and Guidelines Reference Guide

The tables contained within this section are provided for reference only. These have been sourced and assumed to be correct as at January 2018 and are not a definitive listing. This is not to be considered as advice and is intended to provide an overview of the policies, frameworks and guides currently available which may be relevant to your procurement processes. All government policies and guidelines are subject to change.

The final section in this guide refers to State Purchase Contracts (SPCs). As discussed within policy 5 on collective purchasing, as outer budget agencies, health and related services, including non-mandated entities can access SPCs. The Probity Services category of the Professional Advisory Services Panel (an SPC) is available for health services to access.

Guide, Policy or Framework	State	Description	Professional And Other Services	Capital Works	ICT	Medical Equipment, Consumables And Other Goods
HPV Health Purchasing Policies	VIC	HPV's Health Purchasing Policies provide a framework for health services that supports a strategic approach to procurement and introduces principles to assist health services in ensuring probity in their procurement practices.	Y	N	Y	Y
VGPB Procurement Policies, Guides and Tools	VIC	The Victorian Government Purchasing Board's (VGPB) five policies cover the end-to-end procurement activity from identifying needs, planning, and market research through to contract management. Each policy is supported by good practice guides, tools and templates to ensure consistency across government.	S	S	S	S
Ministerial Directions 1 and 2	VIC	Ministerial Direction No 1 (December 2016) prescribes the tendering methods to be used by Victorian government departments and public bodies for building and construction works and related services, based on the estimated value of the tender.  Ministerial Direction No 2 (December 2016) prescribes the principles that must be adhered to in the form and content of construction contracts used by Victorian government departments and public bodies for public construction projects.	Y(*)	Y	N	N
Partnerships Victoria	VIC	Victorian PPP projects must be delivered in accordance with the Partnerships Victoria Requirements and associated guidance and templates.  The Partnerships Victoria framework requires compliance with the National Public Private Partnerships (PPP) Policy and Guidelines and the Partnerships Victoria Requirements and associated guidance and templates.	Y(*)	Y(*)	N	N

Y = Policy or guide applies; Y(\*) = Policy or guide may apply pending assessment; S = Supplementary material available from source; N = Policy or guide does not apply

Guide, Policy or Framework	State	Description	Professional And Other Services	Capital Works	ICT	Medical Equipment, Consumables And Other Goods
National Public Private Partnership Policy	AUS	<p>The National PPP Policy and Guidelines have been developed to provide a consistent framework that enables public and private sectors to work together to improve service delivery through private sector provision of public infrastructure and related services.</p> <p>Policy and guideline documents have been prepared and endorsed by Infrastructure Australia and the State, Territory and Commonwealth governments as an agreed framework for the delivery of PPP projects. All Australian, State and Territory Government agencies now apply the National PPP Policy and Guidelines to all public private partnership projects released to the market.</p>	Y(*)	Y(*)	N	N
National Alliancing Contracting Policy	AUS	<p>The Victorian Government policy, which applies to all departments and agencies planning and progressing alliance contracting, has now been published as the National Alliance Contracting: Policy Principles on the Commonwealth website National Alliance Contracting: Policy Principles (September 2015).</p> <p>They set out the Victorian Government's minimum requirements for alliance contracting and other collaborative contracting models.</p> <p>The National Alliance Contracting Policy and Guidelines have been developed to promote knowledge, best practice, and give rise to cost savings by creating a consistent national alliance contracting standard, whilst ensuring the existing benefits of alliancing around the nation are maintained.</p> <p>The Commonwealth website also provides the guide to alliance contracting and a number of topic specific guidance documents. These provide benchmark practices that will ensure departments and agencies satisfy the principles set out in the policy.</p>	Y(*)	Y(*)	N	N
Victorian Industry Participation Policy (Local Jobs First)	VIC	<p>Through its Local Jobs First - Victorian Industry Participation Policy (VIPP), the Victorian Government is committed to improving opportunities for local suppliers to create more new jobs and grow the economy.</p> <p>VIPP ensures that small and medium size enterprises (SMEs) are given a full and fair opportunity to compete for government contracts, such as hospitals, schools and road projects, while still achieving value for money.</p> <ul style="list-style-type: none"> <li>• \$3 million and above in metropolitan Melbourne or state-wide</li> <li>• \$1 million and above in regional Victoria</li> </ul>	Y(*)	Y(*)	Y(*)	Y(*)

Y = Policy or guide applies; Y(\*) = Policy or guide may apply pending assessment; S = Supplementary material available from source; N = Policy or guide does not apply

Guide, Policy or Framework	State	Description	Professional And Other Services	Capital Works	ICT	Medical Equipment, Consumables And Other Goods
Supplier Code of Conduct	VIC	<p>The Victorian State Government (the State) is committed to ethical, sustainable and socially responsible procurement. In ensuring that our suppliers maintain the same values as the Government, the State has established a Supplier Code of Conduct (the Code).</p> <p>The Code outlines the minimum ethical standards in behaviour that suppliers will aspire to meet when conducting business with, or on behalf of, the State in the areas of:</p> <ul style="list-style-type: none"> <li>A. integrity, ethics and conduct;</li> <li>B. conflict of interest, gifts, benefits and hospitality;</li> <li>C. corporate governance;</li> <li>D. labour and human rights;</li> <li>E. health and safety; and</li> <li>F. environmental management.</li> </ul>	Y	Y	Y	Y
Victorian Public Sector Commission (VPSC)	VIC	<p><u>Governance</u></p> <p>The Victorian Public Sector Commission (VPSC) promotes high standards of governance, accountability and performance for Victorian public entities. The VPSC's role is to:</p> <ul style="list-style-type: none"> <li>• provide advice and support on issues relevant to governance</li> <li>• conduct research and disseminate best practice in governance</li> <li>• provide assistance to departments to support entities.</li> </ul> <p>Good governance supported with a solid structure is integral to the performance of public entities.</p> <p><u>Conflicts of Interest</u></p> <p>The management of risk associated with conflict of interest is fundamental to ensuring high levels of integrity and public trust in the Victorian public sector.</p> <p>The VPSC has developed tools and guidance to assist organisations and directors to manage conflict of interest risks for both organisations and directors.</p>	Y	Y	Y	Y

Y = Policy or guide applies; Y(\*) = Policy or guide may apply pending assessment; S = Supplementary material available from source; N = Policy or guide does not apply

# Procurement of Goods and Services

HEALTH PURCHASING POLICIES		
No.	Policy Name	Policy Description
HPP1	Procurement Governance	Aims to ensure accountability, compliance and probity guidelines are met from the start. Good governance ensures there are clear lines of responsibility and accountability for procurement decision and the integrity of the procurement process.
HPP2	Procurement Strategic Analysis	Better use of resources via identification of the level of complexity and risk involved in the procurement. This identification and assessment of risks (including probity risks) and ensuring appropriate controls and mitigations are in place supports the overall probity of the process
HPP3	Market Approach	Encourages scalability via early engagement with the market and an approach matched to procurement complexity and risk. Importantly the policy speaks to ensuring all potential suppliers are treated fairly, have same access to information, confidentiality and security is maintained and conduct is without bias which are all essential elements of ensuring probity of the process
HPP4	Contract Management and Asset Disposal	Aims to assist with driving better value from contracts. Probity does not end with the signing of the contract and good practices need to be followed throughout the life of the contract. Asset disposal is designed to ensure that any residual value of a good or asset is returned back to the purchaser upon disposal.
HPP5	Collective Purchasing	Encourages deeper spend analysis to identify further aggregate purchasing opportunities and driving better value via procurement decisions. All procurement processes followed in order to establish collective purchasing arrangements are underpinned by probity

Policies available from <https://www.hpv.org.au/resources/health-purchasing-policies/>

VICTORIAN GOVERNMENT PURCHASING BOARD (VGPB) PROCUREMENT POLICY AND TOOL OVERVIEW		
Policies	Guides	Tools and templates
Governance Policy	<ul style="list-style-type: none"> <li>Guide to probity</li> <li>Governance: developing a procurement strategy</li> <li>Governance: developing a procurement activity plan</li> <li>Guide to identifying procurement categories</li> <li>Guide to preparing a supplier engagement plan</li> <li>Guide to complaints management</li> <li>Contract management planning strategy</li> <li>Guide to category management (pending)</li> <li>Guide to building innovation into the procurement process</li> <li>Guide to managing an unsolicited proposal</li> <li>Guide to environmental impact</li> <li>Guide to value for money</li> <li>Guide to improving access to government for SMEs</li> <li>Guide to pre-qualified supplier arrangements</li> </ul>	<ul style="list-style-type: none"> <li>Assessment tool</li> <li>Attestation Statement</li> <li>Performance management tool</li> <li>Planning - contract management strategy tool</li> <li>Category strategy plan (pending)</li> <li>Category management plan (pending)</li> </ul>

## VICTORIAN GOVERNMENT PURCHASING BOARD (VGPB) PROCUREMENT POLICY AND TOOL OVERVIEW

Policies	Guides	Tools and templates
Complexity and Capability Policy	<ul style="list-style-type: none"> <li>Guide to procurement complexity</li> <li>Guide to procurement capability</li> </ul>	<ul style="list-style-type: none"> <li>Initial Complexity Assessment Tool and Template</li> <li>Detailed Complexity Assessment Tool and Template</li> <li>Capability Assessment tool and template</li> <li>VGPB/VPSC capability framework</li> </ul>
Market Analysis and Review Policy	<ul style="list-style-type: none"> <li>Guide to market analysis and review</li> <li>Guide to creating a business case</li> <li>Guide to aggregated purchasing demand</li> <li>Guide to understanding the supply chain</li> </ul>	
Market Approach Policy	<ul style="list-style-type: none"> <li>Guide to market approach</li> <li>Guide to evaluation, negotiation and selection</li> <li>Guide to specification writing</li> <li>Guide to engaging a probity practitioner</li> <li>Guide to insurance provisions</li> <li>Guide to developing an offer template</li> <li>Guide to supplier feedback</li> </ul>	<ul style="list-style-type: none"> <li>Expression of Interest (EOI)</li> <li>EOI – Part C – Invitees response</li> <li>Invitation to supply (ITS)</li> <li>ITS – Part D – Offer low complexity</li> <li>ITS – Part D – Offer more complex</li> <li>General conditions for the supply of goods</li> <li>General conditions for the provision of services</li> <li>Supply of goods – SEPC</li> <li>Supply of goods – One off</li> <li>Provision of services – SEPC</li> <li>Provision of services – One off</li> <li>Clause Bank – Good practice clauses</li> <li>FAQs Market approach templates</li> </ul>
Contract Management and Disclosure Policy	<ul style="list-style-type: none"> <li>Guide to contract planning and management</li> <li>Guide to managing contract price reviews</li> </ul>	<ul style="list-style-type: none"> <li>Risk segmentation tool 1A</li> <li>Defining proximity to core Appendix 1B</li> <li>Contract management plan short form Appendix 2</li> <li>Contract management long form Appendix 3</li> <li>Contract management checklist Appendix 4</li> <li>RACI template Appendix 5</li> <li>KPI and supplier performance scorecard Appendix 6</li> <li>Supplier customer satisfaction survey Appendix 7</li> <li>Contracts issues log Appendix 8</li> </ul>

Sourced from VGPB on 16 January 2018 <http://www.procurement.vic.gov.au/Buyers/Policies-Guides-and-Tools>

# Construction

## CONSTRUCTION POLICIES, FRAMEWORKS AND REQUIREMENTS

Directions, Policy or Guidance	Key Documents	Other Tools and Templates
Ministerial Direction No 1 – Tendering Provisions for Public Construction	Ministerial Direction No. 1 - Tendering Provisions for Public Construction Government Gazette Notice Guide to Ministerial Direction No 1 - effective 1 March 2017	Practice Note - Guidance on what is public construction (DOCX 242kb) Toolkit for the Management of Solid Waste from Civil and Construction and Demolition Sites Health and Safety in Construction Procurement Public construction reporting template - monthly updates
Ministerial Direction No 2 – Contractual Provisions for Public Construction	Ministerial Direction No. 2 - Contractual Provisions for Public Construction Government Gazette Notice Guide to Ministerial Direction No. 2	Public construction reporting template - Single project Practitioners Toolkit – Standard form contracts

Sourced from Victorian Department of Treasury and Finance on 16 January 2018 <http://www.procurement.vic.gov.au/Buyers/Policies-Guides-and-Tools>

Partnerships Victoria Requirements	Partnerships Victoria Requirements	Partnerships Victoria Requirements Financial analysis inputs – guidance Contract management – guidance [available soon] Expression of interest – template Request for proposal – template Project deed and commercial principles – template [available soon] Public interest test – template Project summary – template Guidance Note Partnerships Victoria financing options
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Sourced from Victorian Department of Treasury and Finance on 16 January 2018 <http://www.dtf.vic.gov.au/Infrastructure-Delivery/Public-private-partnerships/Policy-guidelines-and-templates>

National PPP Policy and Guidelines	National PPP Policy Framework National PPP Guidelines Overview	Volume 1 Procurement Options Analysis Volume 2 Practitioners Guide Volume 3 Commercial Principles for Social Infrastructure Volume 4 Public Sector Comparator Guidance Volume 5 Discount Rate Methodology Volume 6 Jurisdictional Requirements Volume 7 Commercial Principles for Economic Infrastructure Roadmap for Applying the Commercial Principles
National Alliance Contracting Policy and Guidelines	Policy Principles Guide to Alliance Contracting	Guidance Note 1: Language in Alliance Contracting Guidance Note 2: Insurance in Alliance Contracting Guidance Note 3: Key Risk Areas and Trade Offs Guidance Note 4: Reporting VFM Outcomes

## CONSTRUCTION POLICIES, FRAMEWORKS AND REQUIREMENTS

Directions, Policy or Guidance	Key Documents	Other Tools and Templates
		<p>Guidance Note 5: Developing the TOC in Alliance Contracting</p> <p>Guidance Note 6: Early Contractor Involvement and Other Methods</p> <p>Template 1: Project Alliance Agreement</p> <p>Template 2: Alliance Development Agreement</p> <p>Template 3: Expression of Interest</p> <p>Template 4: Request for Proposal</p> <p>Jurisdictional Requirements</p> <p>Document Change Protocols</p> <p>Appendix A—Developing Governance Plan</p>

Sourced from the Commonwealth The Department of Infrastructure, Regional Development and Cities on 16 January 2018  
<https://infrastructure.gov.au/infrastructure/ngpd/index.aspx>

Department of Treasury and Finance Market-led Proposals	Market-led Proposals Guideline	Government's priority areas for market-led proposals
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Sourced from the Department of Treasury and Finance on 13 February 2018 <http://www.dtf.vic.gov.au/Infrastructure-Delivery/Market-led-proposals>

## All Processes

### POLICIES AND REQUIREMENTS

Policy or Guidance	Key Documents	Other Tools and Templates
Victorian Industry Participation Policy (VIPP)	VIPP Agency Guidelines	<p>VIPP management centre for agencies presentation</p> <p>VIPP supplier guidelines</p> <p>VIPP management centre for suppliers presentation</p> <p>ICN's VIPP Management Centre</p> <p>VIPP model clauses</p> <p>VIPP monitoring table</p> <p>Financial reporting directions and guidance (FRD 25C)</p> <p>State Government definition of regional Victoria</p>

Sourced from Department of Economic Development, Jobs, Transport and Resources on 16 January 2018  
<https://economicdevelopment.vic.gov.au/victorian-industry-participation-policy>

Supplier Code of Conduct	Supplier Code of Conduct (the Code)	Checklist – Supplier Code of Conduct Government Buyer
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## POLICIES AND REQUIREMENTS

		<p>ITS Commitment Letter</p> <p>Supplier Code of Conduct frequently asked questions for government buyers</p> <p>Supplier Code of Conduct frequently asked questions for suppliers</p> <p>Supplier Code of Conduct fact sheet for buyers</p> <p>Supplier Code of Conduct fact sheet for suppliers</p>
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Sourced from VGPB website on 16 January 2018 as published by the Department of Treasury and Finance  
<http://www.procurement.vic.gov.au>

## Other Codes, Policies, Guidance and Legislation to Consider

Publisher	Key Documents or Guidance	Source
Medical Technology Association of Australia	Code of Practice	<a href="https://www.mtaa.org.au/code-of-practice">https://www.mtaa.org.au/code-of-practice</a>
Department of Health and Human Services	Health service boards and governance	<a href="https://www2.health.vic.gov.au/hospitals-and-health-services/boards-and-governance">https://www2.health.vic.gov.au/hospitals-and-health-services/boards-and-governance</a>
Victorian Public Sector Commission	<p>Code of Conduct for Victorian public sector employees</p> <p>Gifts, benefit and hospitality policy framework and resource suite</p> <p>Governance for Victorian public entities</p> <p>Conflicts of interest in the Victorian public sector</p> <p>Victorian Government Professional Lobbyist Code of Conduct*</p> <p>*VPSC administers the Victorian Government Professional Lobbyist Code of Conduct established by the Victorian Government</p>	<p><a href="https://vpsc.vic.gov.au/resources/code-of-conduct-for-employees/">https://vpsc.vic.gov.au/resources/code-of-conduct-for-employees/</a></p> <p><a href="https://vpsc.vic.gov.au/resources/gifts-benefits-and-hospitality-resource-suite/">https://vpsc.vic.gov.au/resources/gifts-benefits-and-hospitality-resource-suite/</a></p> <p><a href="https://vpsc.vic.gov.au/governance/">https://vpsc.vic.gov.au/governance/</a></p> <p><a href="https://vpsc.vic.gov.au/ethics-behaviours-culture/conflict-of-interest/">https://vpsc.vic.gov.au/ethics-behaviours-culture/conflict-of-interest/</a></p> <p><a href="https://www.lobbyistsregister.vic.gov.au/lobbyistsregister/documents/Vic_Gov_Professional_Lobbyist_Code_of_Conduct_Nov_2013.pdf">https://www.lobbyistsregister.vic.gov.au/lobbyistsregister/documents/Vic_Gov_Professional_Lobbyist_Code_of_Conduct_Nov_2013.pdf</a></p>
Australian Competition and Consumer Commission	Competition and Consumer Act 2010 (previously the Trade Practices Act 1974) – Part IV: - anti-competitive practices	<a href="https://www.accc.gov.au/about-us/australian-competition-consumer-commission/legislation">https://www.accc.gov.au/about-us/australian-competition-consumer-commission/legislation</a>
Health Purchasing Victoria	Guide to Competition Law and Collective Procurement	<a href="https://www.hpv.org.au/assets/14-October-2015/2016-09-05-Guide-to-Competition-Law-Collective-Procurement.pdf">https://www.hpv.org.au/assets/14-October-2015/2016-09-05-Guide-to-Competition-Law-Collective-Procurement.pdf</a>
Office of the Australian	Freedom of Information Act 1982	<a href="https://www.legislation.gov.au/Series/C2004A02562">https://www.legislation.gov.au/Series/C2004A02562</a>



Information Commissioner	Guide to the Freedom of Information Act 1982	<a href="https://www.oaic.gov.au/freedom-of-information/foi-resources/foi-guide/">https://www.oaic.gov.au/freedom-of-information/foi-resources/foi-guide/</a>
Department of Treasury and Finance State Purchase Contracts	<p>Cash and Banking Services</p> <p>Citrix Systems Asia Pacific</p> <p>Document Mail Exchange (DX) Service</p> <p>End User Computing Equipment Panel</p> <p>Energy Performance Contracting</p> <p>eProcurement Platform</p> <p>eServices</p> <p>Fleet Disposals</p> <p>Fuel and associated products</p> <p>IBM Software Enterprise Agreement</p> <p>Intra-Government Secured Network (iGSN)</p> <p>IT Infrastructure Register</p> <p>Legal Services Panel</p> <p>Marketing Services Register</p> <p>Master Agency Media Services (MAMS)</p> <p>Microsoft Enterprise Agreement</p> <p>Microsoft Licensing Solution Provider</p> <p>Motor Vehicles</p> <p>Multifunction Devices and Printers</p> <p>Natural gas</p> <p>Oracle Systems</p> <p>Postal Services</p> <p>Print Management Services</p> <p>Professional Advisory Services</p> <p>Retail Supply of Electricity less than 40 MWh p.a.</p> <p>Retail Supply of Electricity more than 40MWh p.a.</p> <p>Rosetta</p> <p>Salesforce</p> <p>Security Services</p> <p>Staffing Services</p> <p>Stationery and Workplace Consumables</p> <p>Telecommunications (TPAMS2025) Services</p> <p>Travel Management Services</p> <p>Victorian Office Telephony Services</p> <p>VMware Enterprise Licensing Agreement</p>	<p><a href="http://www.procurement.vic.gov.au/State-Purchase-Contracts">http://www.procurement.vic.gov.au/State-Purchase-Contracts</a></p> <p>State purchase contracts (SPCs) are standing offer agreements for Victorian government common use goods and services, which are established when value for money can best be achieved through aggregating demand.</p> <p>The Department of Treasury and Finance (DTF) through its Strategic Sourcing Group is responsible as lead entity for the establishment and category management of Whole of Victorian Government mandated SPCs relating to Goods and Services, excluding the information, communications and technology (ICT) categories.</p> <p>SPCs may be utilised by eligible outer budget entities such as statutory authorities. In some cases they may also be utilised by local councils, organisations that are partly funded by government, and charitable or not for profit organisations.</p>