Procurement and Outsourcing

Keely Muston, Contracts and Procurement Lawyer

This is not an ADB material. The views expressed in this document are the views of the author/s and/or their organizations and do not necessarily reflect the views or policies of the Asian Development Bank, or its Board of Governors, or the governments they represent. ADB does not guarantee the accuracy and/or completeness of the material's contents, and accepts no responsibility for any direct or indirect consequence of their use or reliance, whether wholly or partially. Please feel free to contact the authors directly should you have queries.



Points of discussion

- Delegation of authority
- Procurement principles
- Procurement policies and procedures
- Strategic sourcing options
- Different methods of procurement
- Types of goods and services procured
- Major contracts outsourced
- How CWW educates staff about procurement



Background

- City West Water procures a wide range of goods and services.
- Its capex budget for the year ended June 2013 was \$182 million.
- Some of the goods and services are necessary for the everyday running of the organisation, others are project specific one-offs.



Controls around procurement and outsourcing

- CWW has a delegations policy that governs which employees of CWW are authorised to enter into agreements for and on behalf of CWW.
- To ensure the proper administration of public funds, there are also a number of policies and procedures relating to procurement in place.
- Regular audits are conducted.



Delegation of Authority

- Only persons appointed by the Board of Directors under Power of Attorney can sign documents for and on behalf of CWW.
- The CWW Delegations Manual lists all of the people with financial delegation and authority.
- The MD, GMs and various 'Responsible Officers' have the necessary authority.
- Different financial thresholds apply to each category of 'Responsible Officers'



Financial limits of delegation

Procurement	Cost	Delegated Authority Financial spend/signing	Special Note
Budgeted operating & capital expenditure included in the Company's Corporate Plan, except for specific types identified in Schedule 9 General Financial Delegations in POL-1	>\$2,500,000	Board of Directors	MD can authorise and sign contracts where expenditure is contemplated by an approved business case
	\$250k - \$2.5m	MD	
	<\$250k	GM's	
	<\$50k	Level 1 Mgr	
	<\$10k	Level 2 Mgr	
	<\$1k	Level 3 Mgr	
Consultancies City West Water	Any	u	Must be approved by MD before Consultant is engaged.

Procurement Principles

- Value for money
- Probity open, fair, transparent
- Manage risk
- Sustainability



Procurement policies and procedures

- There are a number of policies and procedures in place to ensure that the organisation conducts procurement activities in accordance with the CWW Procurement Policy.
- To assist the business, we have developed checklists which set out the step by step process for procurement and also act as a record of the procuring officer's compliance with the procurement policy.



Strategic sourcing options

- Establish and procure goods and services from Preferred Supplier Panels
- Buy off standing offer agreements (i.e. in place for a particular term or dollar value)
- Go to market using a quotation, proposal, tender or expression of interest process.



Methods of procurement

- ∧ \$0 \$25,000 required to obtain one written quote
- ∧ >\$25,000 required to obtain three written quotes
- ∧ >\$200,000 required to go out to public tender



Exceptions

- Multi stage procurements (usually used for large, complex projects) may need to go through an EOI process before inviting shortlisted tenderers to tender
- In some cases there is little advantage to going to public tender. In this case it is appropriate to go to closed tender.



Types of goods and services procured

- There is no limit to the types of goods or services that CWW outsources
- Ne use many different kinds of consultants and temporary labour, depending on the organisation's needs
- All of the maintenance and construction of CWW's network is outsourced



Maintenance Contract

- CWW's biggest operational contract relates to the planned and responsive maintenance of its network
- This is profit and risk sharing alliance arrangement and has been in place for some time
- CWW has a very close relationship with its Maintenance Contractor



Business Transformation Project

- CWW is currently in the midst of a business transformation project
- This requires the provision of a wide range of expert IT services
- A It would be impracticable to undertake such a project internally
- Outsourcing this project offers significant benefits to CWW



Employee buy-in

- CWW does not have a designated procurement department
- With the exception of the call centre, nearly everyone working here will at some point be involved in a procurement activity
- A It is therefore important to conduct regular training sessions and have all procurement policies and checklists easily accessible by all



Procurement 'champions'

- No We have set up a group of Contract Administrators to assist with compliance across CWW
- In each department there are a couple of people that can answer questions about procurement, practically and in relation to our finance system
- Regular meetings are held to discuss procurement issues
- These meetings can result in changes to policy and procedures



Questions?



Thank You

