



Direct Award Process

A Direct Award process is where the contract is awarded without using a competitive process to a pre-identified supplier. It **must be documented and justified based on the specific circumstances**.

Approval for commencing the Direct Award process must be obtained **by the PPC (250K+) or EPC (\$100K+)** dependent on threshold after endorsement **by the Chief Officer**. Less than \$100K requires the approval of the Chief Officer.

Over \$10K must be publicly reported.

Exceptions to competitive process:

- a) the goods, services or works are valued at less than ten thousand dollars;
- b) the goods or services are not competitive products and are only available from a single supplier;
- c) the goods or services are required to –
 - i. match an existing brand of equipment for compatibility (including where the goods are replacement parts); or
 - ii. comply with established entity specifications and standards, and are available from only one supplier;
- d) the goods or services are required to meet physical design or quality specifications and are available from only one supplier;
- e) the goods or services are of a confidential or privileged nature and the disclosure through a competitive process is likely to compromise defence, security, public safety, or is likely to cause economic disruption or is otherwise contrary to the public interest;
- f) construction materials are to be purchased and it can be demonstrated that transportation costs or technical considerations impose geographical limitations on the available supply base, specifically in the case of sand, stone, gravel, asphalt, compound and premixed concrete or similar materials for use in the construction or repair of roads;
- g) no compliant bids have been received in response to a competitive process made in accordance with the Law and these Regulations;
- h) it can be demonstrated that only one supplier is able to meet the requirements of a procurement project;
- i) the goods or services that are being procured are from charitable and philanthropic institutions, or are produced by the labour of persons who are inmates in the prisons or persons with disabilities;
- j) the goods or services are being procured from an entity that operates an entertainment, sporting, convention or similar event in order that the procuring entity may comply with a commercial agreement containing provisions that may be in conflict with the Law and these Regulations;



- k) retaining the services of legal counsel in exceptional circumstances for the purpose of providing legal advice, opinion or representing an entity involved in litigation, arbitration, mediation or any other legal proceedings;
- l) the services or financial products being procured are related to investing money or securities;
- m) the prototypes being procured are related to research, experiment, study or original development (not including subsequent purchases); or
- n) the purchase of goods is made possible through exceptionally advantageous circumstances as a result of the supplier's bankruptcy or receivership.