



Inquiry into Annual and Financial Reports 2020-2021
ANSWER TO QUESTION ON NOTICE

Asked by MR HANSON

Ref: Annual Report, Education Directorate, Government Contracting

In relation to:

Government Contracting (AR p228)

1. Government contract information is no longer supplied in the Annual Report as an Appendix.

Please provide a rationale as to how the removal of a contracts summary table from the Education Annual Report does not decrease the transparency of Education Directorate contract handling.

2. Examples of lack of transparency - Ref: tenders.act.gov.au:

- a. Contract SFC.2021.018, worth \$114,419.80 (incl GST). Although a quotation for the work is referred to in "Contract price and payment", why is there no quotation supplied at Attachment A for the school cleaning room upgrades for three schools: Melrose High, Monash Primary and Theodore Primary?
- b. Contract Variation with a supplier from \$51,000 to \$946,000 for the same period (Contract SF.2021.005). "Single select"; "only one suitable supplier".

A contract variation of this magnitude is a big jump.

Why is the contract "single select"; "only one suitable supplier"?

MS BERRY MLA: The answer to the Member's question is as follows:—

1. In accordance with the *Government Procurement Act 2001*, the Education Directorate is required to notify all contracts resulting from procurement activities that have a total estimated value of \$25,000 or more. These contracts are accessible on the ACT Government's [Tenders ACT](#) website, with links to individual contracts providing specific details of all Education Directorate contract arrangements.
- 2(a) The contract template used for Contract SFC.2021.018 includes an option to attach a specific quotation from the selected provider, however it is only used in procurements where doing so does not compromise a provider's commercial advantage. In this situation, the total contract value of \$114,419.80 (incl GST) was included, however the reference to Attachment A was inadvertently not removed.

- 2(b) In accordance with the *Government Procurement Regulation 2007* made under the *Government Procurement Act 2001*, a delegate may approve a single select procurement in specific situations, including where the delegate considers there are no other suitable providers available to deliver the goods or services required. In this instance, Professor Timperley was considered the only provider capable of delivering the required services to the Education Directorate.

As set out in the Letter of Variation provided on the Contract Register, the increase to Contract SF.2021.005 was \$38,500, making the total contract value of \$89,500. The amount of \$946,000 was incorrectly noted on the summary table of the contract register and has now been updated.

Approved for circulation to the Standing Committee on Education and Community Inclusion

Signature:

Date: 11/05/22

By the Minister for Education and Youth Affairs, Ms Yvette Berry