

Tool: Template and checklist for enhancing integrity in non-competitive tender methods

Purpose

- To assist procuring authorities and procurement practitioners to increase value for money and transparency, and to mitigate risks in public procurement that may arise when using non-competitive tender methods.
- To assist procurement practitioners to document, justify and file decisions that use non-competitive procurement procedures as the basis for approval by authorising officials.
- The template may be used as input into internal and external ex-post reviews, and for training purposes.

Public Procurement
Principle: **Integrity, Access,
Risk Management**

Procurement Stage:
Pre-tendering

Audience: **Policy Maker,
Procuring Entity**

Description

A checklist to enhance integrity in non-competitive tender methods can guide procurement practitioners to take due diligence to avoid bias, fraud and corruption. The checklist may also be used to guide procurement practitioners in completing the necessary record keeping associated with non-competitive tender methods (see Template and Checklist for Enhancing Integrity in Non-competitive Tender Method tool). The use of non-competitive tender methods may also be supported with clear guidelines or criteria (see Criteria for Selecting Appropriate Tender Methods tool). Guidelines for accelerated public procurement procedures may also supplement this and clearly outline the types of situations that permit the use of non-competitive procurement procedures (see Guidelines for Accelerated Public Procurement Procedures tool).

The generic checklist below has been structured using a question and answer format (see Box 1). These are intended to prompt procurement practitioners to consider whether they have, for example, introduced some element of price competition (*e.g.* multiple quotes) or comparison of current prices against previous procurement or market analysis. The checklist also allows to assess whether risks related to the procurement and conflict of interest have been identified. An additional objective is to check whether documentation and filing of information related to the procurement transaction have been undertaken as well as verify that notification of the procurement has been made publicly available.

Box 1: Generic checklist to enhance integrity in non-competitive tender methods**Price competition & comparability**

- Have multiple quotes or some form of price competition for procurement been sought?
- Have price comparisons or reconciliation been made with previous procurement?
- Where highly specified goods or services are required, have existing and proven suppliers been considered?

Risk identification

- Have potential risks associated with the procurement been identified and considered (*e.g.* insurance, warranties, deliverables, etc.)?
- Have adequate efforts been made to identify and address potential conflict of interest?
- Is the scope and term of contracts entered into under non-competitive been limited to the minimum required to appropriated and effectively respond?

Documentation & reporting

- Have conversations, communications and instructions associated with the procurement been documented and filed?
- Have contracts in excess of [specified price] been published in the relevant government gazette/online procurement portal?
- Have contracts in excess of [specified price] been noted as non-competitive procedures in the procuring authorities' reports?

Establishing a template to document and file information related to non-competitive tender methods allows procurement officers to justify and document why the procuring authority has chosen a non-competitive method thereby ensuring consistency across procuring authorities and support internal and external ex-post evaluation.

The use of non-competitive procurement procedures may also be supported with clear guidelines or criteria (see criteria for selecting the appropriate procurement procedures), checklist to enhance integrity in the use of non-competitive procurement procedures, or guidelines for accelerated public procurement procedures.

Box 2: Template for non-competitive tender method report

Contract authority:

Date:

Good / service / works being procured:

Total value (including taxes):

Supplier contact details:

Describe why adherence to competitive tender methods will hinder your ability to effectively and appropriately respond to the immediate need:

Outline, or attach a summary of, the tender procedures followed:

Describe, or attach a description of, the procurement protocols have been considered and/or addressed:
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Authorising officials (if necessary):