

## Buy Local Policy (Regional Price Preference)

### Objective

1. To seek to maximise the use of competitive local businesses in goods, services and works purchased or contracted on behalf of the City of Albany.

### Scope

2. The Policy is to apply to quotations of \$30,000 value or greater (Major Quotations), and all Tenders invited by the City of Albany, for the supply of goods and services and construction (building) services, unless Council resolves that this policy not apply to a particular tender. Major Quotations and Tenders are dealt with jointly by the Responsible Officer for that Quotation/Tender (various departments across the organisation) and Procurement Officer (Corporate & Commercial Services).

### Policy Statement

3. A price preference will apply to quotations of \$30,000 value or greater, and all tenders invited by the City of Albany, for the supply of goods and services and construction (building) services, unless Council resolves that this policy not apply to a particular quotation or tender.
4. The following levels of preference will be applied under this policy:
  - a. Goods or Services up to a maximum price reduction of \$50,000: 10% to businesses located within the municipal areas of Albany, Denmark, Plantagenet, Jerramungup and Gnowangerup (Prescribed Area).
  - b. Construction (building) services up to a maximum price reduction of \$50,000: 5% to businesses located within the Prescribed Area.
  - c. Goods or Services, including construction (building) services, up to a maximum price reduction of \$500,000, if Council is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by Council: 10% to businesses located within the Prescribed Area.
5. The levels of preference outlined in (4) above, will be applied as either a regional business preference or as a regional content preference.
6. Although the buy local policy applies for purchases of \$30,000 or greater, the principles of this policy can apply to all purchases across the City of Albany and should be applied wherever possible

### Regional Business Preference

7. This preference enables businesses/contractors within the Prescribed Area to claim a price preference for their whole bid, regardless of the origin of the labour or materials, as all labour and materials are deemed to be regional content.
8. To qualify as a local business/contractor, a supplier must meet the following conditions:
  - a. A permanent office in the Prescribed Area for at least six (6) months prior to bids being sought.
  - b. Permanent staff based in the Prescribed Area.
  - c. That bidding and management/delivery of the majority of the quotation/contract outcomes will be carried out from their business location in the Prescribed Area.

9. The price of the bids from the local businesses/contractors will be reduced (for evaluation purposes only), by the amounts set out in section (4) of this policy.

### Regional Content Preference

10. This preference provides an incentive for businesses/contractors outside the Prescribed Area to purchase goods, services and construction from within the Prescribed Area. The preference applies to the value of the goods, materials or services purchased and used in the Albany region, and are referred to as “Regional Content”. The preference percentages are as set out in section (4) of this policy.
11. Travel and accommodation costs associated with sending staff and/or sub-contractors from outside the Prescribed Area to work on a regional contract, are not considered regional content and are not eligible for the “Regional Content Preference”.

### Claiming a Preference

12. Businesses wishing to claim any of the above price preferences, must complete a preference questionnaire/response form that is distributed with each quotation of \$30,000 value or greater, and is also included in tender documentation. Eligible businesses within the Prescribed Area must clearly state their full business location and postal address.
13. Businesses outside the Prescribed Area, who claim that they will use regional businesses (Regional Content) in the delivery of the contract outcomes, may be required, as part of the contract conditions, to demonstrate that they have actually used them.
14. It should be noted that price is only one factor to be considered when the City of Albany assesses quotations and tender submissions. Value for money principles will be used to achieve the best possible outcome for every dollar spent by the City of Albany. This is achieved by assessing against weighted evaluation criteria rather than simply selecting the lowest purchase price.

### Examples of the Application of the Policy

15. **Example 1:** Consider a scenario where the following three tenders, to supply goods or services, are received by a local government that has chosen a 10% rate of preference.
  - Tender 1 is from a regional tenderer, as defined by the Council in its policy.
  - Tender 2 is from a metropolitan based firm and uses goods and services sourced from the metropolitan area.
  - Tender 3 is from a metropolitan based firm which uses \$50,000 worth of goods and services sourced from the region defined in the local government’s regional price preference policy.

Tenders Received	Price of Tender	Price Reduction at 10% rate of preference	Adjusted price used for evaluation purposes
Tender 1	\$100,000	\$10,000 (10% of \$100,000)	\$90,000 (i.e. \$100,000 less \$10,000)
Tender 2	\$95,000	No preference applicable	\$95,000
Tender 3	\$97,500	\$5,000 (10% of \$50,000)	\$92,500 (i.e. \$97,500 less \$5,000)

In terms of price, the tender from the regional tenderer (Tender 1) is the most advantageous once the preference has been applied.

16. **Example 2:** This example highlights how the maximum price reduction affects the assessment of tenders. The following is a scenario where tenders are called to supply construction (building) services by a local government that has chosen a 5% rate of preference.

- Tender 1 is from a regional tenderer.
- Tender 2 is from a metropolitan based firm that sources materials from the metropolitan area.

Tenders Received	Price of Tender	Price Reduction at 5% rate of preference	Adjusted price used for evaluation purposes
Tender 1	\$1,200,000	Less 5% of \$1,200,000 = \$60,000. However the maximum price reduction is limited to \$50,000	\$1,150,000 (i.e. \$1,200,00 less \$50,000)
Tender 2	\$1,145,000	No preference applicable	\$1,145,000

In terms of price alone, Tender 2 is the most advantageous in this case.

It is important to emphasise that price is only one of the criteria used to determine a successful tenderer. However, when the tenders are assessed against all the evaluation criteria, the adjusted price is the one to be used for evaluation purposes (the price following the application of any preference).

### Legislative and Strategic Context

17. In February 2000, the Local Government (Functions and General) Regulations 1996 were amended to allow non-metropolitan local governments to offer a price preference to regional suppliers when deciding which Quotation/Tender to accept. A price preference can only be applied if a local government authority has adopted a regional price preference policy.

### Review Position and Date

18. This policy is to be reviewed by the document owner every two (2) years.

### Associated Documents

19. Related documents that have a bearing on this policy and that may be useful reference material for users of this policy, include:

- Local Government Act 1995
- Local Government (Functions and General) Regulations 1996
- Tender Procedure
- Quotation Procedure
- Evaluation Procedure (Tenders and Quotes)
- Purchasing Policy (Tenders and Quotes)

## Document Approval

<b>Document Development Officer:</b>		<b>Document Owner: (Member of Executive Management Team)</b>	
Manager Finance   Senior Procurement Officer		Executive Director Corporate & Commercial Services	
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5.0	Manager Governance & Risk	Reviewed by Council OCM 23/05/2017 Resolution CCCS028.	13/06/2017
6.0	Executive Director Corporate Services	Workshop held with Elected Members. No amendments made.	20/10/2020
6.1	Manager Finance	Reformatted. Reviewed by Senior Procurement Officer, Manager Finance, EDCCS. Approved by EMT.	26/07/2021
7.0	Manager Finance/Senior Procurement Officer	Minor change to review date and the addition of Item 6. Reviewed by Senior Procurement Officer, Manager Finance, EDCCS. Adopted by Council OCM 27/09/2022 Resolution CCS469.	27/09/2022