



**Andrew Barr MLA**

Chief Minister

Treasurer

Minister for Climate Action

Minister for Economic Development

Minister for Tourism

Member for Kurrajong

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**RESPONSE TO QUESTION ON NOTICE**  
**Questions on Notice Paper No 35**  
**22 September 2023**  
**Question No. 1438**

**MS CASTLEY:** To ask Treasurer:

1) For all

- a) sole-sourced,
- b) open tender,
- c) quotation and
- d) select tender,

awarded by Major Projects Canberra (MPC) for each year since its creation:

- (i) how many contracts over \$200,000 have been awarded,
- (ii) how many successful suppliers have 20 employees or less,
- (iii) how many successful suppliers did not offer the lowest price for the contract ,
- (iv) how many have not had a Secure Local Job Code (SLJC) certificate and
- (v) how many have had a SLJC certificate.

(2) Is there an opportunity for businesses to seek clarification if they are unsuccessful in tendering for a contract with MPC; if so,

- a) can the Treasurer provide details,
- b) how many businesses have sought this opportunity and
- c) are there any other mechanisms after this opportunity for businesses to seek information; if so, how many businesses have sought these mechanisms.

**MR BARR MLA** - The answer to the Member's question is as follows:

Based on analysis of the Notifiable Contracts Register:

1i) The following table identifies the number of contracts over \$200,000 which have been awarded by MPC since its creation on 1 July 2019:

Open tender	40
Select tender	1
Sole source	15
<b>Total</b>	<b>56</b>

1ii) The following table identifies the number of contracts which have been awarded by MPC since its creation on 1 July 2019 which are identified in the Notifiable Contracts Register as being awarded to 'Small To Medium Enterprises':

Open tender	45
Quotation	10
Select tender	3
Sole source	4
<b>Total</b>	<b>62</b>

1iii) Section 22A of the *Government Procurement Act 2001* (the Act) requires Territory entities to pursue value for money in undertaking any procurement activity. Value for money under the Act means the best available procurement outcome. Territory entities must consider a range of factors when pursuing value for money, including open and effective competition, probity and ethical behaviour, management or risk, and optimising whole of life costs. Price (whole of life costs) in one factor in the overall value for money. The Territory does not maintain data on the number of contracts awarded to entities that have not submitted the lowest bid, and for these reasons, neither does MPC.

1iv) The following table identifies the number of contracts which have been awarded by MPC since its creation on 1 July 2019 which are identified in the Notifiable Contracts Register as not having a Secure Local Jobs Code (SLJC) Certificate:

Open tender	103
Quotation	23
Select tender	4
Sole source	19
<b>Total</b>	<b>149</b>

Note: The contracts referred in the table above are not eligible nor require a SLJC certificate under the SLJC.

v) The following table identifies the number of contracts which have been awarded by MPC since its creation on 1 July 2019 which are identified in the Notifiable Contracts Register as having a SLJC Certificate:

Open tender	23
Quotation	1
Sole source	4
<b>Total</b>	<b>28</b>

2a) Businesses who are unsuccessful in tendering for a contract with MPC will be offered a debrief, refer MPC's Standard Conditions of Tender Construction available from the MPC website.

Business may choose to seek a debrief. When requested, MPC schedules the debrief with the business.

MPC conducts debriefs in accordance with the Procurement ACT Factsheet Supplier Debriefs, available from the Procurement ACT website.

2b) MPC does not maintain data on how many businesses seek debriefs as it is at the discretion of a Business as to whether a debrief occurs.

2c) Businesses who have complaints regarding a Territory procurement can utilise the Supplier Complaints Management Procedure available on Procurement ACT's website.

**Approved for circulation to the Member and incorporation into Hansard.**



**Andrew Barr MLA**

**Treasurer**

**Date: 25.10.23**

This response required 1 hour and 20 minutes to complete, at an approximate cost of \$270.33