



Government of South Australia

Department of the Premier and Cabinet Circular

PC038 – Unsolicited Proposals

August 2017

DPC CIRCULAR – UNSOLICITED PROPOSALS

Scope

This Circular advises on the application of the *Guidelines for the Assessment Unsolicited Proposals* (Guidelines). The Guidelines are applicable to all Government agencies and all public authorities under the *Public Finance and Audit Act 1997*.

The Guidelines and this Circular do not affect the application of other Circulars and Treasurer's Instructions. Further, the Guidelines do not override statutory powers or legislated processes, such as for Crown Lands under the *Crown Lands Management Act 2009*.

Objective

This Circular outlines the assessment process for unsolicited proposals across government and should be read in conjunction with the Guidelines.

Process

Unsolicited proposals refer to proposals submitted by a private entity without formally being requested by Government.

All unsolicited proposal submissions will be centrally coordinated through the Department of Treasury and Finance. The Unsolicited Proposals Committee (the Committee) will oversee the assessment.

The Committee will engage agencies for support in assessing proposals as necessary to assist decision making.

Cabinet will be informed of the progress of submissions and will give final approval for any proposals moving to either Step 2 (Exclusive Negotiations and Business Case) or Step 3 (Contract Negotiation).

Proposals that are not recommended to progress by the Committee or by Cabinet may form the basis of a competitive bidding process or be referred to a relevant agency for further consideration through standard procurement processes.

To ensure the integrity of the process, Ministers, advisors and agency staff not formally engaged in the unsolicited proposals process should not meet or communicate with lobbyists or proponents regarding an unsolicited proposal once submitted.

Application of the *Guidelines for the Assessment Unsolicited Proposals to Agencies*

Agencies are required to:

- Read and understand the Guidelines, particularly the minimum financial thresholds for consideration of an unsolicited proposal by the Committee.
- Direct potential proponents to the Guidelines on the treasury.sa.gov.au website and request that proponents contact the Department of Treasury and Finance at DTFunsolicitedproposals@sa.gov.au to submit an unsolicited proposal where appropriate.
- Provide ongoing support to the Committee during the assessment process, including liaising with stakeholders as required.
- Work with the Department of Treasury and Finance to prepare documents for Cabinet consideration.
- At the conclusion of the Contract Negotiation and acceptance by Cabinet, take appropriate actions to ensure that the government's obligations under the terms of the agreement are met. This may include collaboration with other agencies where necessary.
- Use existing approved agency processes for all standard procurement proposals and unsolicited proposals that do not meet the minimum financial thresholds outlined in the Guidelines.

Review

This policy should be reviewed every three years but may be reviewed at any time as required.

Contact

For further details in relation to this Circular, or any information pertaining to unsolicited proposals or the Guidelines please contact:

Department of Treasury and Finance

Phone: 8429 0586

Email: DTFunsolicitedproposals@sa.gov.au