

**REGULATION 17.1.R6
MADE UNDER STATUTE 17.1
17.1.R6 - PROCEDURES AND DELEGATIONS IN RELATION TO CONTRACTUAL
OBLIGATIONS INCLUDING FINANCIAL MATTERS**

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SECTION A: GENERAL

Introduction - Scope and coverage of Delegations

The authority levels in these delegations extend to all contractual dealings undertaken on behalf of the University.

Some examples are-

purchase orders, maintenance agreements, payment against invoices, credit card purchases, refunds, other agreements, casual salary payments, software licences, overtime returns, other licences, independent contractors, standard consultancy agreements, disposal of equipment and furniture.

It is important to remember that what constitutes a contract in any given situation can be a complex legal issue. It is not always clear whether a legally binding relationship may be created (for example, heads of agreement and memoranda of understanding), and any failure to comply with the prescribed requirements concerning contractual dealings undertaken on behalf of the University exposes the University to financial and reputational risk. Advice from Legal Services or the vice-principal and general counsel must be obtained in cases of doubt, and in any event as required by this Regulation in matters not involving approved standard agreements.

Transfers within the University, such as those requiring internal orders and petty cash reimbursements are also governed by these delegations.

Purchasing and tendering procedures for building and related works are dealt with in Section B.

Authority levels for any unincorporated entities to the extent of the University's participation or membership, as applicable, including co-operative research centres, auxiliary operations and centres of excellence, are covered by these delegations. However, overall responsibility for the affairs of each such entity remains with the respective board of management. Proposed authority levels for these entities exceeding those outlined in Section A require further approval by Finance Committee.

The authority levels set out in Section A are advisory only for any incorporated entity, including controlled entities and subsidiary companies, unless it is otherwise operating within the University accounting system. It is the responsibility of the board of management of all such entities to implement appropriate authority and delegation procedures.

It is the responsibility of each operating unit covered by this Regulation to ensure these delegations are adhered to when originating orders or payments which commit University funds.

A1. Authority Levels

The authority levels set out in Section A1 apply to both the negotiation and execution of contracts by the designated officer on behalf of the University, subject to compliance with relevant Tender Board requirements. In those situations where the terms of the contract do not contain a monetary level for the purposes of Section A1, any negotiation or execution of a contract by an officer on behalf of the University, not being an officer referred to in paragraph (1) of Section A1 (and as qualified therein where applicable), may only take place on terms approved in writing by the senior vice-principal or the vice-principal and chief financial officer, subject always to the prior review and approval by Legal Services of any contract which is not in a standard form otherwise approved for use by Legal Services.

The senior vice-principal and vice-principal and chief financial officer also have authority to designate in writing, within the applicable authority levels set out in Section A1, other officers who may be authorised generally or in specific cases to execute standard form agreements approved for use by Legal Services. In particular, they may designate that any such standard form agreements, which are not otherwise amended except as required in schedules, do not need to be submitted for execution to the vice-principal and chief financial officer (unless he otherwise determines in writing) where the value of the contract is less than \$100,000 or not otherwise applicable and in standard form terms. However, any such contracts must still be executed on behalf of the University by officers approved in writing by the senior vice-principal or the vice-principal and chief financial officer, and a copy of the relevant agreement when executed must be recorded under the University Themis agreements system for contracts management and record purposes.

For the avoidance of doubt, the foregoing does not alter the requirement for Legal Services to advise on any contract which is not in (or apart from schedules based on) a standard form approved for use by Legal Services, before any officer purports to enter into such a contract on behalf of the University.

Where different authority levels or officers are specified in paragraph 13(a) for authorisation to commit to research related contracts, those provisions prevail to the extent of any inconsistency with any other part of this Section A1.

(1) Without Limit

The following officers may enter into contracts and/or authorise expenditure on behalf of the University as follows:

Without Limit	
Position	Limited to
Vice-chancellor	Unlimited university wide subject to Tender Board requirements
Deputy vice-chancellors (including any deputy vice-chancellor appointed as provost)	Unlimited university wide subject to Tender Board requirements
Senior vice-principal	Unlimited university wide subject to Tender Board requirements
Chief financial officer	Unlimited university wide subject to Tender Board requirements
Vice-principal (information)	Acquisition of library materials only
General Manager, Melbourne Theatre Company	Contracts to “buy in” other theatre companies’ productions which have been approved as part of the MTC subscription season.
Director, Veterinary Clinic & Hospital	Reimbursement to the University suspense account and payments to the Australian Taxation Office
Manager, Benefits and Systems Human Resources or supervisors	Unlimited authority for standard drawings for items such as group tax, superannuation
Manager, Budget and Planning Financial Operations or supervisors	Unlimited authority for standard drawings for investments

Any agreement requiring execution by the vice-principal and chief financial officer (other than an agreement reflecting a standard form approved for use by Legal Services, or where the vice-principal and chief financial officer considers it is not necessary in the circumstances), when submitted for execution, should be accompanied by a recommendation from Legal Services or the vice-principal and general counsel, or a comparable recommendation from an external law firm acting for the University on the particular matter, to the effect that the agreement is otherwise in order for execution from a legal perspective. A similar procedure may be followed by other authorised officers at their discretion, but without affecting the general requirement as set out in this Regulation to obtain legal advice before entering into contracts.

(2) Up to \$200,000

The following officers may enter into contracts and/or authorise expenditure on behalf of the University as follows:

Up to \$200,000	
Position	Limited to
Deputy principal and director, financial operations	University wide subject to Tender Board requirements
Deputy director, financial operations	University wide subject to Tender Board requirements
Manager, budgets and planning	University wide subject to Tender Board requirements
Where the above positions do not have a nominated deputy with a delegation per this Regulation, formal written notification is required to be given to the financial operations department when the staff member occupying the position is not available (eg annual leave, overseas travel) and another staff member is required to act temporarily in the role.	

(3) Up to \$60,000

The following positions have approval to enter into contracts and/or authorise expenditure on behalf of the University to a limit of \$60,000 in respect of their own areas of responsibility, including petty cash reimbursements (up to the limit of the float), internal orders and internal transfers

ACADEMIC		PROFESSIONAL	
Position	Approval	Position	Approval
Deans of faculties		Vice-principals	
Heads of academic departments and schools		Deputy principals and heads of administrative departments	
Nominated deputy of each of the above		Branch heads within each administrative department (being an officer reporting directly to the head of an administrative department)	
		Nominated deputy of each of the above three positions/ classifications	
		Section heads within administrative departments	Requires specific authority by the vice-principal and chief financial officer or senior vice-principal

ACADEMIC		PROFESSIONAL	
Position	Approval	Position	Approval
Professors (Level E)	Requires approval by head of department	Faculty general managers	Requires approval by the dean. Deans may nominate their faculty general manager to sign on their behalf. This effected under separate memorandum.
Directors of Centres	Requires approval by the dean of the faculty with which the Centre is aligned	Department or school business manager (at or above HEW8)	Requires approval by head of department or school
<p>The vice-principal and chief financial officer or senior vice-principal may approve an alternative arrangement where the staffing profile of the department is such that a delegate as set out above is not available to act as an authorised signatory. Only one such officer can be nominated for each department. Authority is limited to approval of purchase orders, invoices, casual salary payments, overtime returns, internal orders, disposal and loan of equipment and petty cash reimbursements. Authority does not extend to licences, agreements, contracts, etc. Written application must be made to Manager, Accounting Operations setting out the justification for appointment of an alternative officer.</p>			

(4) Up to \$5,000

The following positions may have approval to sign to a limit of \$5,000 in respect of their own areas of responsibility for commitment of expenditure, petty cash reimbursements (up to the limit of the float), expenditure and internal orders. This does not extend to licences, agreements, contracts, disposals or loans, etc.

ACADEMIC		PROFESSIONAL	
Position	Approval	Position	Approval
		Professional staff at or above HEW6 or salary equivalent	Requires approval by head of department
<p>The vice-principal and chief financial officer may approve an alternative arrangement where the staffing profile of the department is such that a delegate as set out above is not available to act as an authorised signatory. Authority is limited to purchase orders, invoices, internal orders, and petty cash reimbursements. Written application must be made to Manager, Accounting Operations setting out the justification for appointment of an alternative officer.</p>			

(5) Auxiliary Operations, Controlled Entities, etc

Subject to this Regulation, and in particular the Introduction to this Section A dealing with such operations, the following officers may hold a financial delegation where approved by the respective board of management. The limits imposed by this Regulation will apply where separate limits have not been determined by a board of management, and where necessary, approved by Finance Committee. In any event, all remaining principles and procedures in the Regulation apply, or are by way of advisory guidance for incorporated entities which do not operate through the University accounting system.

The following positions may have approval to sign to a limit of \$60,000 in respect of their own areas of responsibility for commitment of expenditure, petty cash reimbursements (up to the limit of the float), expenditure, internal orders and internal transfers

Auxiliary Operations, Controlled Entities, etc	
Position	Approval
Directors of Co-operative Research Centres	
Directors of Auxiliary Operations	
Directors of Controlled Entities	
Directors of Subsidiary Companies	
Directors of Centre of Excellence	
Deputy directors of the above when nominated by the director	Requires approval by the director

(6) Contracts relating to International Students

All contracts with parties outside Australia and relating to the recruitment of international students may be approved only by an officer at the level of dean, vice-principal or above, subject also to review by Legal Services where the contract is not an approved standard agreement, and subject also to the authority of the senior vice-principal or the vice-principal and chief financial officer to designate other officers to sign approved standard form agreements as provided at the commencement of Section A1.

(7) Delegations of Authority

For an individual's authority to take effect, the staff members occupying a position outlined in Sections A1(1) to 1(5) need to provide specimen signatures to the Financial Operations Department in the format designated by financial operations as evidence of the delegation. This delegation is required to be approved by the relevant head of department or, in the case of heads of department, the dean.

In academic departments, the dean may delegate in writing to the faculty general manager, the authority to approve delegations of authority on behalf of the dean. In the event that the faculty general manager signs to approve a delegation, the dean retains responsibility for the delegation and any transaction approved by staff with delegated authority.

A branch head (as described in Section A1(3)(a), but excluding a personal assistant) is deemed to be a head of department for the purposes of delegating authority.

The authority to approve delegations cannot be further delegated by faculty general managers or department heads.

(8) Means of Authorising Expenditure

The authorisation of expenditure may take the form of a hand-written signature or electronic authorisation via University computer systems, whichever is the more appropriate.

(9) Corporate Credit Card

Within their own area of responsibility, an officer nominated in Sections A1(1) or A1(2), or vice-principals, deputy principals, heads of administrative departments, deans of faculties, heads of academic departments and schools, branch heads within each administrative department (and the nominated deputy of each of the above), all as set out in Section A1(3), may delegate authority to a member of academic staff, or a member of professional staff at or above the level of HEW 4, to hold a University of Melbourne corporate credit card. Cards are only issued with the approval of the head of department or by a faculty general manager for staff reporting to them. Credit card usage is subject to the terms and conditions stipulated by the University of Melbourne and the credit card provider. Management discretion must be exercised to ensure transaction and card limits are appropriate to the level of responsibility of the cardholder and the envisaged use of the card. Transaction and credit limits are determined by the manager, accounting operations in conjunction with the officer nominated in Sections A1(1) or A1(2), or the specified officer above referred to in Section A1(3). Per transaction limits are subject to, and may not exceed, delegations in Sections A1(3) and A1(4). Cards issued to professional staff at HEW level 4 and HEW level 5 and academic level A have maximum credit limits of \$6,000 per month with a transaction limit of \$2,000.

The University of Melbourne, through the manager, accounting operations, may instruct the card provider to cancel the card at any time without prior notice or giving any reason.

(10) Contracts of Employment

Contracts of appointment, staff reclassification, incremental increases, payments of loadings, allowances, overtime, casual payments, etc. are covered under the delegations contained in Chapter 2 of the Personnel Policy and Procedures Manual.

(11) Individuals Operating as Independent Contractors

Contracts governing the appointment of individuals operating as independent contractors are covered by the delegations set out in Chapter 4.16 of the Personnel Policy and Procedures Manual.

(12) Creation of Project Accounts

Creation of Project Accounts in the University of Melbourne's financial accounting system may only be authorised by those officers nominated in Sections A1(1) or A1(2), or vice-principals, deputy principals, heads of administrative departments, deans of faculties, heads of academic departments and schools, branch heads within each administrative department (and the nominated deputy of each of the above), all as set out in section A1(3).

(13) Authorisation to Commit to Contracts

(a) Research related contracts

(i) Deputy Vice-Chancellor (Research)

Without limit University-wide and subject to Tender Board requirements, the deputy vice-chancellor (research) has authority to sign as the University's duly authorised officer any research grant application, research grant offer acceptance, financial research agreement or non-financial research related agreement within the scope of the research and research training portfolio (including but not limited to a materials transfer agreement, confidentiality agreement or collaborative research agreement).

(ii) Vice-Principal (Research)

The vice-principal (research) has authority to sign as the University's duly authorised officer any research grant application, research grant offer acceptance up to \$1m in funding, financial research agreements up to \$1m in funding and all non-financial research related agreements within the scope of the research and research training portfolio (including but not limited to a materials transfer agreement, confidentiality agreement or collaborative research agreement).

(iii) Research Grants Group

In circumstances where the vice-principal (research) is not available, and irrespective of whether or not the deputy vice-chancellor (research) is available, any one of the managers of the Research Grants Group, Melbourne Research Office, may sign any research grant application.¹

(iv) Other University Officers

In circumstances where neither the deputy vice-chancellor (research) nor the vice-principal (research) is available¹ to execute a research related contract described under sub-paragraphs (i) or (ii), any research grant offer

¹ For the purposes of these sub-paragraphs, the relevant officers are not available when they are not present on campus or otherwise contactable for the purposes of reviewing and signing the relevant document within a reasonable period required for its execution.

acceptance, financial research agreement or non-financial research related agreement (including but not limited to a materials transfer agreement, confidentiality agreement or collaborative research agreement) may be signed by any one of the vice-chancellor, a deputy vice-chancellor, the senior vice-principal, or the vice-principal and chief financial officer.

(v) Heads of Department and Deans

Heads of department and deans may sign designated University approved standard research related contracts² - where the contract has not been amended other than by the insertion of information contemplated under the relevant standard contract - as follows

- The University of Melbourne standard contract research agreement (where the funding to the University is up to \$300,000 in total)
- The University of Melbourne standard consultancy agreement (where the funding to the University is up to \$100,000 in total)
- The University of Melbourne standard materials transfer agreement (transfer out only)
- The University of Melbourne standard confidentiality agreement (mutual and one-way).

In addition, heads and deans may sign non-standard confidentiality agreements (those provided by third parties) when certain conditions are met.³

(vi) General

All research related contracts other than those listed in sub-paragraph (v) must be referred by heads or deans, or any other applicable member of the University staff, to the Melbourne Research Office for review (in consultation, as appropriate, with Legal Services). Legal Services maintains a register of University approved standard research related contracts, as well as other contracts.

All contracts are subject to the authority level limits outlined in Section A1 of this Regulation, except that the delegation to heads of department and deans is extended to \$300,000 if a standard short form agreement for contract research is completed, and to \$100,000 if a standard short form of agreement for a consultancy is completed (as provided in paragraph (a)(v) above).

(b) Other contracts

Heads of departments and deans, and all other University staff, are to obtain advice from Legal Services on any contract (not being a research related contract coming within paragraph (a)), which is not in a standard form approved for use by Legal Services. This requirement does not apply to employment contracts managed through Section A1(10).

All variations to approved standard form contracts must also be referred to Legal Services, except for completion of schedules or other information to be inserted in clauses as provided in the relevant standard form.

The University's competitive neutrality pricing policy must also be observed when entering into contracts with external bodies.

² University approved standard research related contracts are those approved jointly by the vice-principal (research) and the director of Legal Services .

³ The conditions are those approved jointly by the vice-principal (research) and the director of legal services.

A2. Acquisition of Goods and Services

Any commitment or expenditure of University funds is subject to the authority levels in Section A1, with the exception of payments that have Tender Board approval, and where a purchase order has been issued centrally. Payments up to the value of that order may be authorised by the head of department concerned.

(1) General Rules

- (a) Where other signatories have been nominated in accordance with Section A1(3), the head of department remains responsible for the expenditure.
- (b) Commitment and/or expenditure of University funds may only be authorised when funds are available.
- (c) At least two staff members must be involved in all transactions.
- (d) Any commitment, goods received or payment authorisation must be signed for, not merely initialled.
- (e) Ordering authorities are subject to the calling of quotations [see Section A2(5)].
- (f) When a trade-in is allowed, the value of the purchase for the purposes of complying with these procedures is deemed to be the gross value, i.e. before the value of any trade-in is applied.
- (g) Orders relating to building works may only be placed through or by Property and Campus Services.
- (h) Purchases of computer hardware and software, including software licences, are subject to evaluation by the Information Technology Acquisitions Advisory Group (ITAAG) [see Section A2(7)].
- (i) Leasing or long-term hire of equipment by a delegate is not permissible in the absence of Tender Board approved as provided in Section A2(6). 'Long-term' is considered to be for a period of 12 months or more. Repeated periods of less than 12 months are also considered to be long-term hire. Any proposal for leasing or long-term hire, regardless of costs, must be submitted to the Tender Board in accordance with the procedures set out in Section A2(6). Leasing or long-term hire without Tender Board approval is not permissible because-
 - (i) financial leases are subject to State Government approval;
 - (ii) renting does not allow title to pass and consequently there is no trade-in or salvage value;
 - (iii) leasing or renting increases the overall cost;
 - (iv) unnecessary commitments many years hence are unwise; and
 - (v) sources of finance are available within the University.

Since the amounts involved are generally not large, departments should be able to arrange bridging finance with their faculties, or with the chief financial officer in the case of administrative departments. As a last resort, an application can be made to the Finance Committee through the Tender Board for an internal loan.

- (j) When a proposal has been approved by the Tender Board, and an order issued centrally, payments up to the value of that order may be authorised by the head of the department concerned.
- (k) No advance payments are to be made, with the exception of subscriptions, maintenance contracts, and per diems. Goods or services should only be paid for following satisfactory testing of goods or completion of services. Where major purchases through the Tender Board may require advance payments, this will be covered by an unrestricted banker's guarantee or the use of a letter of credit.

- (l) The purchasing officer is to advise the insurance officer immediately of the delivery of any registered motor vehicle or trailer so that comprehensive motor vehicle insurance can be effected.
- (m) Staff are not to provide goods or services to the University in any capacity (other than those required under the normal conditions of employment).

Staff are required to disclose any interests or dealings which could be construed as potentially influencing their independent judgment in carrying out their assigned duties.

Staff are prohibited from dealing with, calling tenders from, obtaining prices from or having any involvement with a member of their family by blood or a member of a family related by marriage or any other firm or individual with whom they might have a direct pecuniary interest (this does not include the holding of shares purchased for investment purposes through normal Stock Exchange dealings).

This is not intended to limit the extent of disclosure.

Only on the written authority of the dean or head of administrative division can this provision be modified.

Reference should be made to the Personnel Policy and Procedures Manual, Section 10.10 Responsibilities of University Staff.

- (n) Prospective suppliers of all new or used equipment, or equipment for short term lease, must be requested to provide information relating to site requirements, compliance with Australian standards, health and safety, and risk assessment.

Prospective contractors engaged by departments who provide on-site services involving changes to the built environment must be inducted in the University's Environment Health and Safety Procedures and Practices. Details of Property and Campus Services management of contractors procedure, which includes information on contractor induction, can be found in Property and Campus Services Safe Work Procedures located at <http://www.pb.unimelb.edu.au/other/ohs>.

Health and safety issues should be considered prior to the purchase of equipment, material or substances. The following specifications must be considered prior to purchase-

- (i) technical data and other information relevant to health and safety;
 - (ii) purchase specifications (eg: purchase order) for any goods, including items of plant and chemical substances, include the requirement to comply with health and safety legislation and relevant standards as determined in (i) above;
 - (iii) consultation takes place with employees potentially affected by purchasing decisions, when determining the health and safety requirements to be included in purchase specifications;
 - (iv) the need for training, supply of personal protective equipment and changes to work procedures;
 - (v) health and safety requirements are evaluated and incorporated into all purchasing specifications for services, including formal contract specifications;
 - (vi) the ability to meet health and safety requirements is reviewed and evaluated in the selection of contractors;
 - (vii) purchased goods are checked for conformance to purchasing specifications; and
 - (viii) contractor health and safety performance is monitored and reviewed to ensure continued adherence to health and safety purchase specifications.
- (o) Unless otherwise authorised by the vice-chancellor, senior vice-principal or chief financial officer, the following types of expenditure from University funds are considered inappropriate-
 - (i) payment for, or reimbursement of, parking or traffic infringements;
 - (ii) membership subscription to University House and the Graduate Union, other than that of the Chancellor;

- (iii) gifts to staff at Christmas or on termination;
 - (iv) donations to any organisation; and
 - (v) purchases that may be considered extravagant or personal.
- (p) It is preferable that larger purchases be negotiated with a firm price in Australian currency, i.e. the price is not subject to foreign exchange fluctuations. If a firm Australian dollar price is not available, options should be discussed with the Tender Board secretary.
- (q) Where bona-fide independent contractors are contracted to provide services, an approved standard form agreement must be completed. Copies of one approved version may be found within the Finance Policy and Procedures Manual.

(2) Commitment and Expenditure of Funds

- (a) Officers as nominated in Section A1 may commit and authorise expenditure. However, under no circumstances should the order placement, goods received and payments authorisation all be signed by the same person.
- (b) Goods received may be confirmed by any officer of the University. However, the officer authorising payment must not be the same officer who has signed for receipt of goods. This ensures that two parties are involved in each transaction. The following procedures must also be followed:
- (i) the officers signing for goods received must have either sighted the goods or have possession of a delivery document signed by another officer;
 - (ii) the officer signing for services received must be in a position to confirm supply of the service to the department. In the case that services are supplied generally to disperse locations within a department, such as courier or postage services, the officer signing the goods received area is confirming that the service is provided to the department in the normal course of its activities. They do not have to individually sight the delivery of each item; and
 - (iii) the officer signing for goods or services must be in a position to confirm that the department has in place a procedure which ensures goods delivered have been reviewed for conformance with purchasing specifications.

Refer Section A2(1)(m) for further information.

- (c) Purchases on a corporate credit card/purchasing card are considered a commitment of expenditure. Under no circumstances should the cardholder be the officer who authorised the final payment of acquittal of corporate/purchasing card expenditure.

(3) Purchase Orders

- (a) Where applicable the 'goods received' area must be signed as well as the 'authorised for payment' area. Under no circumstances should both be signed by the same officer.
- (b) Under no circumstances should all of the following be undertaken by the same person-
- (i) order placement;
 - (ii) goods received; and
 - (iii) payment authorisation.

(4) Reimbursements, Corporate Card Expenditure and Other Personally Incurred Expenditure

- (a) Reimbursements, corporate card expenditure and other expenditure incurred in the name of a member of staff (i.e. hotel accommodation, air travel etc) must not, under any circumstances, be authorised by the person to whom the payment is to be made or on whose behalf the payment is made. Reimbursements must be authorised by that person's immediate supervisor with delegated authority per the authority levels in Section A1 of these Regulations, or the supervisor's nominated deputy or by any officer in Section A2(4)(b) below.

For certain senior staff (as stated in the table below) it is understood that their supervisor may not always be available to approve expenditure in a timely manner.

In this case, the supervisor may delegate the responsibility to approve expenditure incurred on or behalf of staff as stated in the table below.

This delegation must be in writing and specify the specific dates and types of transactions that may be approved.

While routine review and authorisation may be conducted by the delegate, responsibility for all transactions approved by the delegate, still remains with the approver, and any issues needing clarification or further investigation are required to be referred by the delegate to the approver for final approval.

Approver	Delegate	Category of staff seeking Approval
vice-chancellor	general manager, vice-chancellor's office	deans, deputy vice-chancellors
senior vice-principal	general manager administration	vice-principals
deans	faculty general manager of the same faculty as the approver dean	heads of academic departments within the relevant dean's faculty

Expenses relating to the vice-chancellor may only be approved by the chancellor or an officer listed in Section A2(4)(b), other than the vice-chancellor.

Under no circumstances can a faculty general manager approve expenditure relating to a dean.

- (b) Any officer within the following group may authorise reimbursements for other officers, both within the group and University-wide-

vice-chancellor;
deputy vice-chancellors;
senior vice-principal; and
vice-principal and chief financial officer.

(5) Quotations

For all purchases, suppliers should be selected from the University's preferred supplier list where possible.

- (a) Quotations should be obtained as follows-
- (i) for expenditure less than \$5,000, a supplier from the University's preferred supplier list may be used. If there is no known preferred supplier then two quotes should be obtained;
 - (ii) for expenditure of between \$5,000 and \$60,000, a supplier from the University's preferred supplier list should be used, otherwise three written quotes should be obtained;
 - (iii) for expenditure over \$60,000 three written quotes should be obtained and the matter must be referred to the Tender Board; and
 - (iv) Purchases greater than \$200,000 must be referred to the Tender Board prior to obtaining quotes to enable the Tender Board to review the proposed tendering process.
- (b) In evaluating quotations, consideration should be given to general factors such as price and previous experience with the suppliers, and to special factors which may be dictated by a particular project. (Refer also to Section A2(1)(m))

- (c) It should be noted that-
- (i) vice-principals, deputy principals, heads of administrative departments, deans of faculties, heads of academic departments and schools, branch heads within each administrative department (and the nominated deputy of each of the above), all as set out in Section A1(3)), should ensure that the appropriate number of quotes have been obtained.
 - (ii) fewer quotations than required by Section A2(5)(a) may be acceptable, however, the reasons for a reduced number are to be specified;
 - (iii) favourable prices may be obtained through certain government contracts. Detailed information on this is available from the purchasing officer of Property and Campus Services;
 - (iv) when the lowest quotation is not accepted the reasons must be specified;
 - (v) for purchases involving significant amounts of foreign currency Section A2(6)(b)(i) applies. 'Significant' is defined as being in excess of that amount which requires the purchase to be referred to the Tender Board.

(6) The Tender Board

- (a) The Tender Board evaluates proposals on both technical and financial grounds. The objective is to ensure that competitive quotes have been obtained, that funding is adequate, and that, taking all factors into account, the most appropriate supplier is selected.
- (b) A proposal is required to be put to the Tender Board in the following instances-
 - (i) a purchase involving expenditure in excess of \$60,000. A 'purchase' in this instance is deemed to relate to a single decision to follow a course of action, regardless of how many individual purchases are involved. It is not permissible to split projects or purchases to avoid reference to the Tender Board. It also applies to purchases from all departments, co-operative research centres and auxiliary operations. The only exceptions are the Baillieu Library in respect of library acquisitions, Property and Campus Services in respect of building works which are covered by separate delegations, and controlled entities. Controlled entities must meet their own rigorous criteria for assessing purchases over \$60,000; and
 - (ii) when a department is proposing the lease or long-term hire of an item of equipment. 'Long-term' hire is considered to be for a period of 12 months or more. For a definition of long-term hire, see Section A2(1)(i). In this instance, a proposal is required regardless of cost.
- (c) In certain situations related to the delivery of professional or other consultancy services where there are standing relationships in place, or the cost of certain professional or consultancy services extends beyond \$60,000 on particular matters (for example litigation), it is not feasible to follow Tender Board approval requirements. In those cases approved by the senior vice-principal, the Tender Board is to be kept informed on all such matters to such extent as may be required by the Tender Board, including directions and guidance on the ongoing management of such relationships or matters, as the case may be.

(d) Minor Tender Board

Deals with purchases up to \$200,000 and has the following members-

deputy principal and director, financial operations or authorised delegate (chairperson);
 at least one of deputy principal and director, financial operations;
 manager, accounting operations or manager, budgets and planning;
 head of relevant department (as per Section A1(3) above); and
 others, nominated at the option of the chairperson or authorised delegate, to provide expert advice.

Upon completion the deputy principal and director, financial operations as chairperson is authorised to issue orders up to \$200,000.

(e) Major Tender Board

When the proposal involves expenditure in excess of \$200,000 the matter is deemed to be 'major' and quotations from suppliers should be submitted directly to the secretary of the Tender Board. The Major Tender Board in these cases will convene formally and comprise-

vice-principal and chief financial officer or authorised delegate (as chairperson);
deputy principal and director, financial operations or authorised delegate;
head of department or nominee;
authorised delegate of manager, budgets and planning, (as secretary);
at least one of deputy director, financial operations; manager, accounting operations;
manager, budget and planning or their nominees; and
others, nominated at the option of the chairperson or authorised delegate, to provide expert advice.

Upon completion of a Major Tender Board the secretary should ensure adequate follow-up arrangements are in place. For example, when a fixed term contract is approved, the completion date of the contract should be noted to ensure that the contract for the next period is also referred to the Tender Board.

- (f) Computer hardware and software proposals are to be evaluated first by ITAAG.
- (g) Acquisitions to the University library's collections and art gallery's collections are exempted from Tender Board requirements.
- (h) Under Section B specific tendering arrangements apply, with delegations to designated officers in Property and Campus Services, in respect of building and related works.
- (i) Transfers within the University are exempted from Tender Board requirements.
- (j) It is preferable that purchases be negotiated with a firm price in Australian currency i.e. the price is not subject to foreign exchange fluctuations. If a firm \$AUD price is not available, the options should be discussed with the Tender Board.

(7) Purchase of Computer Hardware and Software

In addition to any applicable Tender Board procedures, all proposals to purchase computer hardware or software, will only be referred to ITAAG where the cost of the hardware exceeds \$7,500 and the cost of software exceeds \$1,500. When such a proposal is for \$60,000 or less, ITAAG will advise the department directly whether the proposal is approved or not.

When such a proposal is in excess of \$60,000, ITAAG will make a recommendation to the Tender Board, unless the proposal is an internal purchase, in which case only the department is to be advised.

'Proposal' refers to the total project [refer to Section A2(6)(b)].

(8) Acquittal of Trust Funds

- (a) Subject to the terms of applicable statutes or regulations, and relevant trust terms, deans of faculties and heads of departments may authorise expenditure in writing from trust funds. All trust expenditure must be reported annually in the relevant trust compliance report, the completion of which is coordinated through the Trusts Group in the Office of the Vice-Principal and General Counsel for reporting on overall trust compliance to Council.
- (b) Trust income must be expended only for purposes prescribed by the relevant regulation, or trust instrument where not covered by regulation.² Any enquiries should be directed to the

² Trust Regulations are located on the campus wide information system at <http://www.unimelb.edu.au/ExecServ/Statutes/r7.htm> for endowments other than those of prizes, exhibitions and scholarships and <http://www.unimelb.edu.au/ExecServ/Statutes/r6.htm> for prizes, exhibitions, scholarships and bursaries.

A3. Sale of Goods and Services

Any sale of goods or services is subject to the authority levels in Section A1.

(1) Standard Consultancy Agreement

- (a) This authority relates to standard consultancy agreements only which have been approved for use by Legal Services, and does not extend to acceptance of ordinary grants, contracts and donations.
- (b) Heads of departments may, on behalf of the University, negotiate and sign the University's standard quotation form for consultancy contracts with outside parties where such contracts relate to the academic and research activities of the department and where the consideration thereto does not exceed the sum of \$60,000.

Where circumstances require either amendment of the standard quotation form or, for a non-standard form, contract to be drawn up, the head is required to inform Legal Services forthwith and must obtain advice on the amendment or the separate contract.

In no circumstances will any amended standard quotation form or non-standard form contract be signed by the head, unless it has the prior written approval of Legal Services.

The above delegation will not derogate from the authority of the vice-principal and chief financial officer to sign contracts in accordance with the delegation conferred upon him or her by Council pursuant to Statute 2.6.2.

- (c) The University's competitive neutrality pricing policy must be observed when entering into contracts with external bodies.
- (d) Further detail on research funding and related contractual arrangements is contained in Chapter 22 of the Personnel Policy and Procedures Manual.

(2) Disposal of Equipment and Furniture

- (a) General Rules

Disposal of equipment and furniture is defined as the transfer, sale, trade-in, loss, destruction, theft and write-off of items and is subject to the authority levels in Section A1. The Board of Survey (Section A3(2)(b)) imposes further conditions on group disposals, regardless of individual item cost.

All capitalised asset disposals should be processed through the Asset Management Unit (Financial Operations), using the asset disposal form for amendment of the records and for insurance purposes.

Proposals to dispose of computing items deemed to be of minimal value should be referred to Information Services in the first instance.

Disposal of certain items of plant and equipment fall under the Occupational Health and Safety (Plant) Regulations 1995. The requirements of these regulations should be reviewed prior to disposal of any plant and equipment. Further information is available from the environmental health and safety manager in Property and Campus Services. Items not recorded on the University's major assets register, and deemed to be as expensed assets, must still be processed through the Asset Management Unit (Financial Operations) using the asset disposal form for amendment of the records and for insurance purposes and in accordance with the regulations as outlined by the environmental health and safety manager in Property and Campus Services.

Items purchased with funds from external sources and subject to externally imposed rules relating to ownership may only be disposed of in accordance with such externally imposed rules.

Items which a researcher transferring to another institution wishes to take with him or her to continue a research project, fall under the ambit of these rules.

Items which are to be sold must first be advertised within the University to give other departments (not staff) the opportunity of acquisition. It is acceptable to contact the relevant department offices by email or listing on a department / unit website if this has been established and can be browsed by the wider university community. For specialist equipment, the selling department may limit notification to departments that would normally use the type of equipment for sale.

Items not sold within the University must then be disposed of to a second hand dealer/auctioneer or by advertising in the press as for sale by auction or tender. Staff may then bid or tender but may not authorise a sale to themselves or an immediate relative or establish a reserve price for an item for which they or an immediate relative may wish to bid or tender. A schedule of items to be sold to staff must be forwarded to the Fixed Assets Accountant in Financial Operations prior to the sale taking place.

Advertising may be placed in the media and professional publications and websites.

Under special circumstances the requirement for internal and external advertising may be waived by the chief financial officer.

The University, through the chief financial officer, has power to transfer property considered in accordance with the above principle, to be unserviceable, obsolete or surplus to requirements without public auction or tender to-

- (i) institutions having the same or similar aims as the University; or
- (ii) charities which are conducted not for profit.

For computer equipment this will be upon the recommendation of the relevant head of department and the vice-principal (information). For non-computing equipment this will be upon the recommendation of the relevant head of department and dean of faculty. Such recommendation should detail the advantage accruing to the University from the transfer, and how this benefit outweighs any potential return from residual sale values.

Other than under the above provisions, items are not to be donated and must be sold.

Obsolete and unserviceable equipment which is not able to be sold or transferred may be disposed of, with consideration to health, safety and environmental issues with reference to the environmental health and safety manager in Property and Campus Services for the relevant rules pertaining to this.

(b) The Board of Survey

Minor Board of Survey

For the disposal of items which, individually or together, originally cost more than \$60,000 gross there will be a Minor Board of Survey consisting of the following officers-

deputy principal and director, financial operations or authorised delegate (chairperson);

at least one of deputy principal and director, financial operations; deputy director, financial operations manager, accounting operations; or manager, budget and planning; and head of relevant department [as per Section A1(3)].

Major Board of Survey

For the disposal of items which, individually or together, originally cost more than \$200,000 the matter is deemed to be 'major'. The Major Board of Survey will convene formally and comprises-

vice-principal and chief financial officer or authorised delegate (as chairperson);

deputy principal and director, financial operations;

dean of faculty/head of administrative department;

authorised delegate of manager, budget and planning (as secretary); and

at least one of deputy principal and director, financial operations; manager, accounting operations; manager, budget and planning or their nominees.

(c) Reports to Finance Committee

The fixed asset accountant is to provide the Finance Committee on an annual basis with summary information on all items of equipment that have been disposed of in the prior year. The fixed asset accountant is to comment on whether all items have been disposed of in accordance with University equipment disposal procedures.

(3) Loan or Hire of University Property

Those officers designated in Section A1 above may approve the loan or hire of University property where the original value of the item concerned is within the limits prescribed in Section A1. Loans or hirings may be internal or external to the University.

(a) General Rules

(i) Except where provided by Section A3(3)(a)(ii), University-owned equipment located in academic departments may only be lent or hired for the purposes of teaching or research and where questions of goodwill or reciprocal assistance arise, especially with regard to unique items.

(ii) The following items must not be lent or hired to non-University of Melbourne parties-

- vehicles, trailers, caravans, boats, furniture, safety equipment.

(iii) Equipment must not be loaned to individual members of staff for use in connection with any outside work (e.g. academic staff who act as consultants in a private capacity), but may be hired to such members of staff.

(iv) Loans or hiring involving the physical movement of an item must be approved, recorded and the inventories officer informed in advance of the loan or hiring so that-

- the asset register record for the item can be amended; and
- the insurance officer is able to arrange special insurance cover where removal from University premises is contemplated. Any extra insurance cost is to be borne by the party to whom the item(s) is lent or hired.

(v) Where the University does not have clear title to the item to be lent or hired (e.g. it was purchased using certain external research funds), the written approval of the grantor is to be obtained prior to the hiring or lending of the item concerned, unless the item is lent or hired to another University department for a use consistent with the intentions of the grantor.

(vi) The hiring rate is dependent on whether the hirer is internal or external to the University.

The following guidelines apply-

- where items are hired to a University department, the hiring rate should reflect reasonable recovery of maintenance and other operating costs, but not capital costs unless the intention at the time the item was purchased included hiring to achieve capital cost recovery.
- where items are hired to staff or parties outside the University the hiring rate should reflect reasonable recovery of total costs. A daily rate determined by dividing the capital cost of the item by 150 is suggested as a guide only.

SECTION B: BUILDING AND RELATED WORKS

B4. Building Tendering and Purchasing Procedures

For the purposes of this section, “building works” or like terminology includes works involving grounds, campus operations, services, equipment maintenance and infrastructure coming within the responsibility of the Property and Campus Services division of University Services.

(1) Procurement of Building Works: Outline Process

Procurement of building works is as different from purchase of equipment and supplies as is the procurement of people to staff an organisation. The major stages of a building project are-

- (a) project definition and concept (little or no financial commitment);
- (b) budget allocation and decision to proceed;
- (c) design and engagement of consultants as necessary;
- (d) calling quotes or tenders and construction commencement; and
- (e) project completion.

These are the important decision points in the life of a project. The issuing of purchase orders or claims are only a mechanism for assembling all the components of a building project. The previous system sought to control projects financially via purchase orders and claims for payment when in reality there was no option but to approve such documents.

The assigned project coordinator is the only person who is aware of all the details of the project from the original intent of the designers, through the changes arising from site conditions, design errors or client request, to the quality of workmanship.

(2) Project Coordinator/Delegate Relationship

Delegates are responsible for the financial control of projects. Refer to Section B4(6) which outlines delegate types and financial limits. Project coordinators are responsible to the general manager, construction (for most projects) for the overall control of projects from the time of design development through design freeze, letting of tenders, construction supervision and inspection to project completion and the defect liability period.

Project coordinators are to prepare documents for approval and report to financial delegates as described below. Purchase orders and claims for payment should be approved by the project coordinators. They should have the authority to vary the project cost plan components and commit amounts from project contingency.

For larger projects the project coordinator should prepare financial reviews for authorisation by the approving delegate. For smaller projects it is sufficient for the project coordinator to present a completion certificate to the approving delegate for final authorisation that all amounts have been properly accounted for and procedures completed.

(3) Delegate Responsibilities

The appropriate delegate is to control the project financially. Set out below are the important stages of a project including the mandatory approvals and control mechanisms.

(a) Budget Allocation

As part of the setting of University or faculty and department priorities a budget allocation covering the proposed activity will be established certifying that sufficient funds are available to carry out the proposed works.

Under no circumstances is a project to commence significant design without adequate funding.

(b) Commencement of Significant Design

Commitment to undertake a project occurs when significant design costs are about to be incurred after budget allocation. The authority to begin design activities is vested in the appropriate delegate based on the estimated cost of the project.

Initially, the delegate is to approve the official document (the buildings request [B.R.] form) stating that design work can proceed.

(c) Construction Commencement

Later, when quotations and tenders have been received the delegate is to approve the project by signing in the appropriate place on the B.R. form.

(d) Periodic Financial Reviews

A reporting mechanism is important to ensure accountability. Regular financial reviews are to be submitted by the project coordinator to the delegate. These reports should be prepared for projects costing over \$200,000. The delegate should check and approve the review.

The frequency of reporting is to be set down by the delegate but is to be at least as frequent as listed below.

<u>Project Cost</u>	<u>Stage of Reporting</u>
\$200,000 - 1,000,000	50% and 100% completion
Over \$1,000,000	25%, 50%, 75% and 100% completion

For projects costing less than \$200,000, it is sufficient for the project coordinator to submit a completion certificate for authorisation by the approving delegate.

(e) Certification of Completion

The final cost of building projects often varies from the project cost plan approved at the beginning of construction. The appointed project coordinator is to be given authority to vary the project cost plan components and to commit amounts from the project contingency provided it is within budget.

At the end of the project a completion certificate is to be presented to the approving delegate for final certification that all amounts have been properly accounted for and procedures completed.

(4) Other Approved Methods of Procuring Building Works and/or Services (in compliance with these delegations)

(a) Design and Construct

Design fees for smaller projects can amount to 10%-15% of the total cost of the works. For routine installations of mechanical plant or small alterations the supplier can often carry out sufficient design at a significantly lower cost than can a separate consultant.

(b) Day Labour

For smaller maintenance jobs such as repairing building defects, the use of a day labour force is appropriate. The project cost is to be assessed on the basis of full labour costs including on costs, together with direct purchases for materials and equipment hire.

(5) Quotations

(a) Projects under \$10,000

A single quotation is acceptable, preferably from a known supplier whose price and service is regularly tested per medium of purchases greater than \$10,000. Otherwise details of three telephone quotes are required, unless the approving delegate is prepared to accept reasons for fewer quotations. These reasons are to be recorded on the tender report form.

(b) Projects \$10,000 - \$60,000

Three written quotations are to be obtained, unless the approving delegate is prepared to accept reasons for fewer quotations. These reasons are to be recorded on the tender report form.

(c) Tenders

Tenders are to be called for all projects expected to cost more than \$60,000 from contractors, consultants and suppliers and the matter referred to the appropriate Buildings Tender Board.

(6) Financial Delegations - Buildings and Related Project Approvals

In accordance with University priorities within annual budgets.

Delegate	Financial Delegations		Sale and Disposal as Board of Survey
	Where Expenditure Implements Tender Board Approval	Other Building Expenditure	
vice-principal and chief financial officer	To the Tender Board agreed limit	Unlimited	Items originally costing \$60,000 and above
vice-principal (property and campus services)	To the Tender Board agreed limit	\$60,000	Items originally costing \$60,000 and above
chairperson of infrastructure committee	To the Tender Board agreed limit	\$60,000	Items originally costing \$60,000 and above
general manager, asset services	\$200,000	\$60,000	Items originally costing \$60,000 and above
general manager, construction	\$200,000	\$60,000	Items originally costing \$60,000 and above
general manager, planning and infrastructure	\$200,000	\$60,000	Items originally costing up to \$60,000
general manager, campus operations	\$60,000 (maintenance only)	\$20,000 (maintenance only)	

(7) Procedures

- (a) The buildings request form and file (B.R. form and B.R. file) are to be used by project coordinators inter alia to record approvals and hold financial documents such as quotes, project budgets and tender report forms.
- (b) Where a project is anticipated to cost in excess of \$100,000, the selection of principal consultant (normally the architect) and the contractor shall be made from the Department

of Infrastructure Registers for the appropriate discipline or category or from the consultant and contractor register maintained by Property and Campus Services, and in accordance with Section B4(8).

Where it is proposed that a consultant or contractor be used who is not on either of the registers specified in paragraph (b) above, the general manager, construction may give interim approval. A preferred alternative is for the consultant or contractor to become registered with the Department of Infrastructure and/or the University.

Property and Campus Services will undertake an annual review process similar to that undertaken when consultants or contractors seek registration on the Department of Infrastructure Register. This is to be reported as part of the annual report to the Building & Estates Committee.

The general manager, construction shall prepare an annual report on the selection of principal consultants and contractors on building projects in excess of \$100,000.

(8) Tenders

Tender Boards

Tender Boards will be constituted as follows-

(a) Minor Buildings Tender Board (\$60,000 - \$200,000)

A board is to be constituted and shall consist of three members as detailed below-

vice-principal (property and campus services) or general manager, construction (chairperson);

any two of general manager, construction (if not the chairperson); general manager, planning and infrastructure; general manager, asset services; general manager, campus operations; general manager, environmental health and safety; general manager, corporate support; or a project manager.

(b) Major Buildings Tender Board (above \$200,000)

A board is to be constituted when tenders are expected to contain prices higher than \$200,000. The Major Tender Board in these cases will convene formally and consist of three members as detailed below-

the chairperson of the capital projects committee, a deputy vice-chancellor, the senior vice principal, or the vice-principal and chief financial officer as chairperson; and

any two of the vice-principal (property and campus services); general manager, construction; general manager, planning and infrastructure; general manager, asset services; general manager, campus operations; general manager, environmental health and safety; general manager, corporate support or director of financial operations.

(c) Lodgement of Tenders

A tender box is located in the offices of Property and Campus Services at the head of the stairs to the first floor at 625 Swanston Street, Carlton.

(d) Buildings Tender Board Duties

The appropriate board is to evaluate tenders and to recommend the acceptance of tenders, or prices, to the appropriate delegates for approval.

Property and Campus Services maintains a central record of all building Tender Boards held, together with the decisions made.

Results of tenders or a summary of prices received is to be recorded on a tender report form which is to be included in the B.R. file or where appropriate recorded in a tender register maintained by the purchasing officer.

(e) Extent of Building Delegations

These procedures override the standard procedures only to the extent of the delegations extended to building works.

(9) Insurance

- (a) The conditions of the existing University insurance policies must be observed when projects for alterations and/or additions or maintenance are being undertaken.
- (b) Prior to the signing of any contract for alterations and/or additions or maintenance, the contract should be referred to the insurance officer for any amendments to the cover or variations in excess.

(10) Personal Interest

Staff members in Property and Campus Services are required to disclose any interests or dealings which could be construed as potentially influencing their independent judgment in carrying out their assigned duties.

By way of amplification the following gives general guidance-

Staff are prohibited from dealing with, calling tenders from, obtaining prices from or having any involvement with a member of their family by blood or a member of a family related by marriage or any other firm or individual with whom they might have a direct pecuniary interest for investment purposes (such an interest does not include the holding of shares purchased through normal Stock Exchange dealings).

This is not intended to limit the extent of disclosure.

[s. 1(3) edit. am. 17/5/96, s. 3(2)(b) am. 2/12/96, Reg. subst. 1/9/97, Section A, s. 1(3) am., s. 2(1)(n) made and s. 2(6)(f) am. 1/12/97, s. 2(8) made 6/4/98, Reg. subst. 5/7/99, s. 2(4) subst. 4/9/00, ss 1.2, 1.3, 1.3.5, 1.4, 2.5.1, 2.6.2, 2.6.3, 2.6.4, 2.7, 3.1.2, 3.2.2, 2.1.15, 2.6.2 and 2.6.4 am. 6/11/00, s. 1(9) made, s. 3(2)(c) subst., Reg. edit. renumbered 2/7/01, Section A ss. 1(1), 2(6)(d), 3(1)(b), 3(2)(a), 3(2)(b) and Section B 4(6) am. 2/9/02, Section A ss. 1(3)(b), 1(4), 2(1)(j) and 2(4)(b) am., s. 2(1)(h) revoked and paras. (i) - (r) re-lettered (h) - (q), s. 2(6)(b)(ii) revoked and s.2(6)(b)(iii) re-numbered (ii), Section B ss. 4(2), (5), (6) (7)(b), (8) and (10) am., Section A ss. 2(2)(b), (5)(b) and (6)(b)(ii) edit. am. 7/10/02, Section A ss. 1(1) and (3)(i) am. 16/12/02, Section A ss. 1(6) and 2(4) am. 11/8/03, ss. 1(6)-(9) renumbered (7)-(10), s. 1(6) made 13/10/03, ss. 1(3)(a), 4(2), 4(6), 4(7)(b), 4(8)(a) and (b) am. 10/11/03, substituted 4/10/04, Section A s. 1(11) am. 7/3/05, Section A s. 1(1) am. 11/4/05, ss. 1(2), 1(11) and 3(1)(b) am. 10/10/05, s1(11) am 11/12/06. am 10/12/07, revoked and remade 14/7/08.]