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OF

WESTERN AUSTRALIA.

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Regulations for the Purchase and Custody of Stores for the Government of Western Australia, and for the Administration of the Government Tender Board.

The Treasury,

Perth, 19th February, 1906.

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HIS Excellency the Governor in Executive Council has been pleased to approve of the following Regulations for the purchase and custody of Stores, and for the administration of the Government Tender Board, and to repeal the Regulations of the 18th May, 1903.

By order of the Hon. Colonial Treasurer,

L. S. ELIOT,

Under Treasurer.

Tender Board.

1. There shall be a Tender Board consisting of not less than eight nor more than twelve members specially appointed by the Governor in Council.

2. The members of the Board shall, at the commencement of every financial year, elect from among their number a Chairman and Deputy Chairman, who shall hold office until the end of the financial year in which they are elected. If any vacancies in such offices occur during the currency of any financial year, they shall be filled by similar proceeding. The Chairman, or, in his absence, the Deputy Chairman, shall preside at all meetings of the Board; but if both be absent, the Board may at any meeting elect from among the number then present a Chairman, who shall preside at such meeting.

Questions at any meeting of the Board shall be decided by a majority of votes; each member present shall have one vote. In case of an equality of votes, the Chairman shall have a second or casting vote.

3. The Board shall meet at least once a fortnight, and whenever specially summoned by direction of the Chairman or Deputy Chairman; but no business shall be transacted unless three members be present. A meeting shall be called by the Chairman on receipt of a written request from three members. In the event of any member failing to attend any meeting for two months, without obtaining leave of absence, his seat shall become vacant.

4. There shall be a Secretary to the Board, who shall keep the records of the Board and perform such duties as the Board may from time to time direct. He shall be present at the opening of tenders, and shall receive all deposits and securities in connection with tenders and contracts, and shall deal with them as the Under Treasurer shall direct. An acknowledgment of all such deposits and securities shall be issued by the Treasury to the Board, and by the Board to the tenderer or contractor, if required.

5. The Secretary to the Board shall keep the following records, viz. :—

1. The minute-book,
2. The advertisement-book,
3. Register of tenders,
4. Preliminary deposit and cash security book,
5. Register of fixed deposits,
6. Register of complaints against contractors,

and such other records as the Board may direct.

Estimates.

6. The permanent head of every department shall, when directed, forward to the Board estimates of the stores which will be required by his department during the period to be covered by the Contract, and a statement of actual consumption (Clause 12), and of the stock in hand at some recent date specified. (Form No. 1.)

7. In the case of new items, it shall be set forth whether it is desirable to include same in general annual contracts, or with a specification (Clause 22), and where supply should be delivered.

8. Samples must be sent to the Board when supply is required as per sample, or when it appears desirable to change those already in use.

9. Special information or any specification required to meet the particular demands of any department shall be furnished as required.

10. The Board shall prepare classified schedules of all supplies likely to be required.

11. The schedule shall be prepared with a view of admitting fair competition among manufacturers, merchants, and others in a position to supply.

12. All dates and periods to be observed in connection with the estimated requirements and duration of Contracts shall be fixed by the Board.

Tenders.

13. The Board shall decide as to the manner in which the said supplies should be procured—whether by annual contract or otherwise—and shall take action by advertising for tenders or by other means.

Calling for Tenders outside Western Australia.

14. The Board may, if it appear to the advantage of the Service, call for tenders for certain stores in countries other than Western Australia, and may appoint the places where such tenders may be received, and the persons who shall open them, and the manner of communicating the contents to the Board: Provided that tenders upon the same specification, etc., shall be called in Western Australia, and that the opening of such tenders in Western Australia, and in all other places appointed, shall be synchronous.

15. Advertisements calling for supplies shall contain general particulars of the supply, the period of the proposed contract, the amount of security, and the date and hour of closing tenders. Copies of the specification, form of tender, schedule and conditions of contract, samples (if any), etc., shall be exhibited at the office of the Board, and at such places as the Board shall decide.

16. No tender shall be entertained which—

- (a.) Is received after the advertised time of closing tenders ;
- (b.) Is not securely enclosed in an envelope showing clearly the supply for which it is a tender ;
- (c.) Has not enclosed therewith the specified security,

unless there are special circumstances which, in the opinion of the Board, justify a departure from the rule, and a statement of such circumstances shall be indorsed upon the tender by the Secretary.

17. In considering tenders, each item in every schedule may be considered the subject of a separate tender.

18. All tenders for supplies under these Regulations shall be opened and examined by the Board, numbered consecutively, initialed by the Chairman of the meeting, and scheduled. All tenders under £1,000 shall be dealt with by the Board, and those exceeding this amount shall be forwarded, through the Treasurer, to the Government, with a recommendation and such explanation as may be necessary. Should the rates named in the tenders be excessive, or should no tender be received, the Board shall decide as to the best course to be taken to obtain the supplies.

19. The Board may disqualify from tendering, for any period it may consider necessary or desirable, any person, firm, or company found to have been guilty of any default in carrying out a previous contract, or who may be for any other reason considered ineligible.

20. The Board shall publish acceptance of tenders and cancellation of contracts in the *Government Gazette*.

21. The Board shall have custody of contract documents and samples for stores contracts.

22. General conditions of contract shall be adopted by the Board, with the approval of a law officer of the Crown. Special conditions affecting particular supplies may be adopted by the Board, and printed with the schedules.

23. The general conditions of contracts governing the supply of stores shall include the following, or to the like effect:—

- (a.) That the goods shall be delivered as may be directed by the officer ordering the supply.
- (b.) That a delivery note containing a reference to the number and date of the order concerned be handed to the Officer authorised to accept delivery, hereinafter called the Receiving Officer.
- (c.) That such delivery note shall contain a correct statement of the stores delivered.
- (d.) That the Receiving Officer shall sign a receipt produced by the contractor for the stores accepted.

- (e.) That the delivery note, with corrections, if any, as to rejected supplies, shall be recorded by the Receiving Officer on behalf of the department concerned.
- (f.) That the contractor when making claim for payment, if so desired by the head of the department concerned, shall produce the order for the supply and the receipt for delivery of the stores in question.
- (g.) That the acceptance of the supplies shall be subject to the approval of the Receiving Officer.
- (h.) That if, after the delivery of the supplies has been taken, any deficiency or defect is discovered therein, such stores may be rejected.
- (i.) That in case of the rejection of any supplies, the contractor shall immediately remove them, and shall substitute others of approved quality at his own cost.
- (j.) If any difference or controversy arise between the Receiving Officer and the contractor, the matter shall be referred to the permanent head of the department concerned, whose decision shall be binding upon the Receiving Officer. The contractor shall, if aggrieved, be allowed an appeal to the Board, whose decision shall be final and binding, unless the Treasurer be satisfied that the importance of the difference or controversy warrants the granting of a Board of Arbitration, in which event the contractor shall deposit at the Treasury such security for costs as shall be fixed by the Treasurer.
- (k.) A Board of Arbitration shall consist of—
 - (1.) A member appointed by the Treasurer,
 - (2.) A member appointed by the Contractor,who shall immediately nominate, in writing, a referee. The decision of the two members, or, in case of a difference, of the referee, shall be final and binding. The cost of the arbitration shall be allocated in the discretion of the Board of Arbitration.

24. All contracts shall be made by the Board for such supplies and stores as may be required in Western Australia for the service of the Crown.

25. General contracts shall be binding upon all Departments of the Western Australian Government. The Imperial and Commonwealth Governments can only avail themselves of the contracts provided they comply with Clause 6 of these Regulations, in which case the contracts will be binding upon them, subject to the terms and conditions thereof.

26. Special contracts made by the Board shall bind the Departments for whose services they were taken, and they shall, where not prejudicial to the departments specially concerned, be available to other departments under reasonable conditions to be decided by the Board.

27. Subject to the provisions relative to the purchase of stores not under contract, where a requirement arises in a department for stores omitted from the contracts available to such department, and from the price lists of manufacturing departments of the Government, a requisition, in duplicate (Form No. 2), shall be sent to the Board, with all the necessary particulars, and the course prescribed for general store requirements shall, as far as possible, be followed.

Receipt of Stores.

28. Officers in Charge of Stores shall keep a detailed record of all stores received by them.

29. Receiving Officers and Officers in Charge of Stores are enjoined to make themselves conversant with the Conditions of Contract, and to exercise every care that stores accepted by them are correct as to quality and quantity.

Transport.

30. The transmission of stores or parcels beyond the limit within which the contractor is liable to deliver shall be undertaken by an officer of the department concerned, unless the Board otherwise direct.

31. All transport for bulky stores, other than transport by railway, shall be performed under a written contract. When the weight of the goods is such as to render it advisable, tenders for transport shall be called for by public advertisement, and the tenders received shall be submitted to the Board for consideration. In all other cases the department concerned or the Board, as the case may be, shall make contracts or agreements with individual carriers at the most advantageous rates.

32. If at any time the weight or quantity of the supplies received be deficient, or exceed that stated in the advice, the Receiving Officer shall point out the discrepancy to the carrier, and ascertain whether such discrepancy has arisen from carelessness, dishonesty, or other causes while the goods were in transit. Should the supplies be damaged, he shall also endeavour to ascertain in what manner the damage occurred. In no case shall the weight or quantity stated in the advice be altered; but the officer shall sign and return the advice, indorsing thereon the quantities deficient or in excess and the condition in which the goods are received. The quantities stated in the advice shall, in all cases, be entered in the books of the Receiving Officer. The quantities deficient or in excess shall be entered separately.

33. Officers giving receipts for supplies will be held responsible for any discrepancy or loss which they might have been reasonably expected to discover.

34. Any officer of the Public Service and any officer of the Police Force may be required to take temporary charge of stores in transit and to forward them to their destination. While such stores are in his custody he must exercise care to protect them from exposure to the weather, from depreciations, and from damage or loss of any kind.

Custody of Stores.

35. Every officer in charge of stores shall keep a clear and exact account of all stores which may be placed under his charge, and he shall be held responsible for the custody and preservation of such stores. He shall obtain and file receipts for all stores and material issued by him, except provisions and articles served out for immediate use in Government Institutions

36. No article shall be lent outside the Service without the written authority of the Minister. No article shall be sold to or exchanged with any person without the written authority of the Minister and the approval of the Board.

37. Every officer in charge of stores shall inspect his stores from time to time and take stock thereof at least once in every year, or whenever called upon to do so by the Auditor General. If any deficiency be discovered, the matter shall be reported to the Minister for action.

38. Prior to the removal of an officer in charge of stores from any station, he shall balance his accounts, and shall hand over the stock and the samples to his successor. The officer taking charge shall ascertain that the stock on hand agrees with the accounts.

39. Every officer shall be held responsible for the proper application of all stores intrusted to him for use or consumption, and for the proper care and preservation of all articles in use, and, when considered necessary by the permanent head of his department, shall keep a book containing a statement or inventory of all articles and also of all live stock in his charge. At least once a year every officer in charge or sub-charge shall forward to the permanent head of his department a return of the stores in use under his supervision, and shall report as to their state and as to any loss of such stores or any damage thereto which, in his opinion, may have been due to want of care. Officers shall also comply with any departmental instruction for the time being in force for the checking of stores in their custody.

40. Every officer in charge of stores shall keep such books and records as the permanent head of his department shall require.

Purchase of Stores not under Contract.

41. (a.) As far as possible all purchases of stores shall be of the kind specified in Tender Board contracts, or in the price lists of manufacturing departments of the Government.

(b.) Purchases of stores not under contract, to the value of not more than £25 for any one line, may be made by heads of departments, upon whom it shall be incumbent to obtain written quotations, when the approximate cost of any article exceeds £1, from all leading firms doing business in the class of goods to be purchased. Monthly returns of all such purchases to be made to the Board (Form No. 4), to whom the quotations obtained must be produced for its inspection and information whenever required. When passing accounts for payment under this paragraph, Departments must quote thereon, as their authority for the expenditure, T. B. 41 B.

(c.) Purchases of stores not under contract, to the amount of not more than £1,000, may be made in the same manner by heads of departments on the authority of the Board. The application (Form No. 3) must be forwarded in duplicate, the quotations obtained being attached to one copy. When passing accounts for payment under this paragraph, Departments must quote thereon, as their authority for the expenditure, the Tender Board number, which will be given on the approved application. Monthly returns of all such purchases shall be made to the Treasurer for publication in the *Government Gazette*. (Form No. 5.)

(d.) Purchases of stores not under contract, amounting to more than £1,000, may be recommended to the Governor in Council through the Treasurer. The application (Form No. 3) must be forwarded in duplicate, the quotations obtained being attached to one copy. When passing accounts for payment under this paragraph, Departments must quote thereon, as their authority for the expenditure, the Tender Board number, which will be given on the approved application. Monthly returns of all such purchases, so approved, shall be made to the Treasurer for publication in the *Government Gazette*. (Form No. 6.)

(e.) On the recommendation of the Board to the Governor in Council any special line may be exempted from this Regulation.

Committees.

42. The Board may appoint Committees consisting of members of the Public Service—

- (a.) To draw up draft schedules of stores ;
- (b.) To report as to adoption of standard dimensions and qualities of stores ;
- (c.) To suggest the substance of conditions of contract ;
- (d.) To advise generally, or in detail, upon any question within the jurisdiction of the Board.

Such Committees shall report to the Board.

Unserviceable Stores.

43. At every stock-taking the officer in charge of stores shall make a return to the permanent head of his department, showing what stores (if any) he considers to be unserviceable. Such return shall be forwarded to the Board, which shall arrange for the disposal of such goods by auction or public tender when considered advisable.

Miscellaneous.

44. If the permanent head of any department shall consider it advisable, under exceptional circumstances, to obtain supplies from a contractor of a quality inferior to that provided for in the contract, he shall report the circumstances to the Board ; and the Board, if it thinks fit, may approve the acceptance of the supplies at such reduced prices as may be deemed sufficient, and as may be agreed upon with the contractor. The Board shall notify the permanent head and the contractor accordingly, and the supplies may thereupon be obtained at the approved prices.

45. In these Regulations—

“Minister” shall, in the case of Railways, include the Commissioner of Railways ; and

“Permanent Head” shall mean—

Under Treasurer,
Under Secretary for Lands,
Under Secretary for Works,
Under Secretary for Mines,
Under Secretary for Law,
Under Secretary, Colonial Secretary's Office,
Under Secretary for Labour,
Under Secretary for Agriculture,
The Inspector General of Schools,
Commissioner of Railways,

and such other Officer as may be appointed to control any Ministerial Department created.

“Board” shall mean Tender Board.

“Service of the Crown” shall include all departments and branches of the Public Service, the Aborigines Department, and the following Boards :—

Goldfields Water Supply Administration,
Metropolitan Waterworks Board,
Fremantle Harbour Trust,
Parks Board,

and such other Boards as may be added to the list from time to time.

(FORM No. 1.)

WESTERN AUSTRALIA.

ESTIMATE OF STORES WHICH WILL BE PURCHASED BY THE.....
DEPARTMENT DURING.....

Description of Article.	Consumption during year ended.....	Stock on hand.	Estimate.	Remarks.

To the Secretary Tender Board.

Head of the Department.

Date.....

(FORM No. 2.)

REQUISITION FOR ARTICLES NOT INCLUDED IN THE GENERAL CONTRACTS REQUIRED FOR THE.....DEPARTMENT.

No.

Quantity required.	Articles (give full description, etc.).	If to Sample or Specification, state so.	State when delivery is required.	State where delivery is to be made.	Probable Cost.		
					£	s.	d.

To the Secretary Tender Board.

Head of Department.

Date.....

N.B.—This Form must be submitted in duplicate.

(FORM No. 3.)

WESTERN AUSTRALIA.

Departmental No.

Tender Board No.

.....DEPARTMENT.

STORES REQUIRED TO BE PURCHASED NOT UNDER CONTRACT.

Authority of the.....is desired to make the undermentioned purchases without advertising for tenders.

Average consumption.	Stock in hand.	Description of Article.	Quantity required.	Cost.	For whom to be obtained.

To the Secretary Tender Board.

Head of Department.

Date.....

N.B.—This Form must be submitted in duplicate.

(FORM No. 4.)

WESTERN AUSTRALIA.

RETURN OF ARTICLES (COSTING NOT MORE THAN £25) PURCHASED OUTSIDE CONTRACT BY THE.....DEPARTMENT DURING THE MONTH ENDED.....

Quantity or Number.	From whom obtained.	Description.	Rate.	Cost.		
				£	s.	d.

To the Secretary Tender Board.

Head of Department.

Date.....

(FORM No. 5.)

WESTERN AUSTRALIA.

.....DEPARTMENT.

RETURN OF ARTICLES (COSTING £25 BUT NOT MORE THAN £1,000) PURCHASED OUTSIDE CONTRACT BY AUTHORITY OF THE TENDER BOARD DURING THE MONTH ENDED.....

Quantity or Number.	From whom obtained.	Description.	Rate.	Cost.		
				£	s.	d.

To the Under Treasurer.

Head of Department.

Date.....

(FORM No. 6.)

WESTERN AUSTRALIA.

.....DEPARTMENT.

RETURN OF ARTICLES PURCHASED OUTSIDE CONTRACT BY AUTHORITY OF THE GOVERNOR IN COUNCIL DURING THE MONTH ENDED.....

Quantity or Number.	From whom obtained.	Description.	Rate.	Cost.		
				£	s.	d.

To the Under Treasurer.

Head of Department.

Date.....